





# JOURNAL

A N D

# PROCEEDINGS

O F T H E

# HOUSE OF ASSEMBLY.

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SESSION 1858.

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HALIFAX, N. S.

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PRINTER TO THE ASSEMBLY.

1858.





## PROCLAMATION,

BY HIS EXCELLENCY MAJOR GENERAL

SIR JOHN GASPARD LE MARCHANT,

*Knight, knight commander of the orders of St. Ferdinand and of Charles the third of Spain, lieutenant-governor and commander in chief, in and over her majesty's province of Nova Scotia, and its dependencies, chancellor of the same, &c. &c. &c.*

L. S.

J. GASPARD LE MARCHANT.

WHEREAS the general assembly of this province stands prorogued to Wednesday the 10th day of June instant :

I have thought fit further to prorogue the said general assembly to Thursday the 20th day of August next, then to meet at the usual place—of which all persons concerned are to take notice and govern themselves accordingly.

Given under my hand and seal at arms at Halifax, this  
4th day of June, in the 20th year of her majesty's  
reign, A. D. 1857.

*By his excellency's command,*

CHARLES TUPPER.

GOD SAVE THE QUEEN.



# PROCLAMATION,

BY HIS EXCELLENCY MAJOR GENERAL

SIR JOHN GASPARD LE MARCHANT,

*Knight, knight commander of the orders of St. Ferdinand and of Charles the third of Spain, lieutenant-governor and commander in chief, in and over her majesty's province of Nova Scotia, and its dependencies, chancellor of the same, &c. &c. &c.*

L. S.

J. GASPARD LE MARCHANT.

WHEREAS the general assembly of this province stands prorogued to Thursday the 20th day of August instant:

I have thought fit further to prorogue the said general assembly to Thursday the 22d day of October next—of which all persons concerned are to take notice and govern themselves accordingly.

Given under my hand and seal at arms at Halifax, this  
12th day of August, in the 20th year of her majesty's reign, A. D. 1857.

*By his excellency's command,*

CHARLES TUPPER.

GOD SAVE THE QUEEN.



## PROCLAMATION,

BY HIS EXCELLENCY MAJOR GENERAL

SIR JOHN GASAARD LE MARCHANT,

*Knight, knight commander of the orders<sup>s</sup> of St. Ferdinand  
and of Charles the third of Spain, lieutenant-governor  
and commander in chief, in and over her majesty's  
province of Nova Scotia, and its dependencies, chan-  
cellor of the same, &c. &c. &c.*

L. S.

J. GASPARD LE MARCHANT.

WHEREAS the general assembly of this province stands prorogued to Thursday the 22d day of October instant :

I have thought fit further to prorogue the said general assembly to Thursday the 10th day of December next—of which all persons concerned are to take notice and govern themselves accordingly.

Given under my hand and seal at arms at Halifax, this 14th day of October, in the 21st year of her majesty's reign,  
A. D. 1857.

*By his excellency's command,*

CHARLES TUPPER.

GOD SAVE THE QUEEE.



## PROCLAMATION,

BY HIS EXCELLENCY MAJOR GENERAL  
SIR JOHN GASPARD LE MARCHANT,

L. S.  
J. GASPARD LE MARCHANT.

*Knight, knight commander of the orders of St. Ferdinand  
and of Charles the third of Spain, lieutenant-governor  
and commander in chief, in and over her majesty's  
province of Nova Scotia, and its dependencies, chan-  
cellor of the same, &c. &c. &c.*

WHEREAS the general assembly of this province stands prorogued to Thursday the 10th day of December instant :

I have thought fit further to prorogue the said general assembly to Thursday the 4th day of February next, *then to meet for the dispatch of business*—of which all persons concerned are to take notice and govern themselves accordingly.

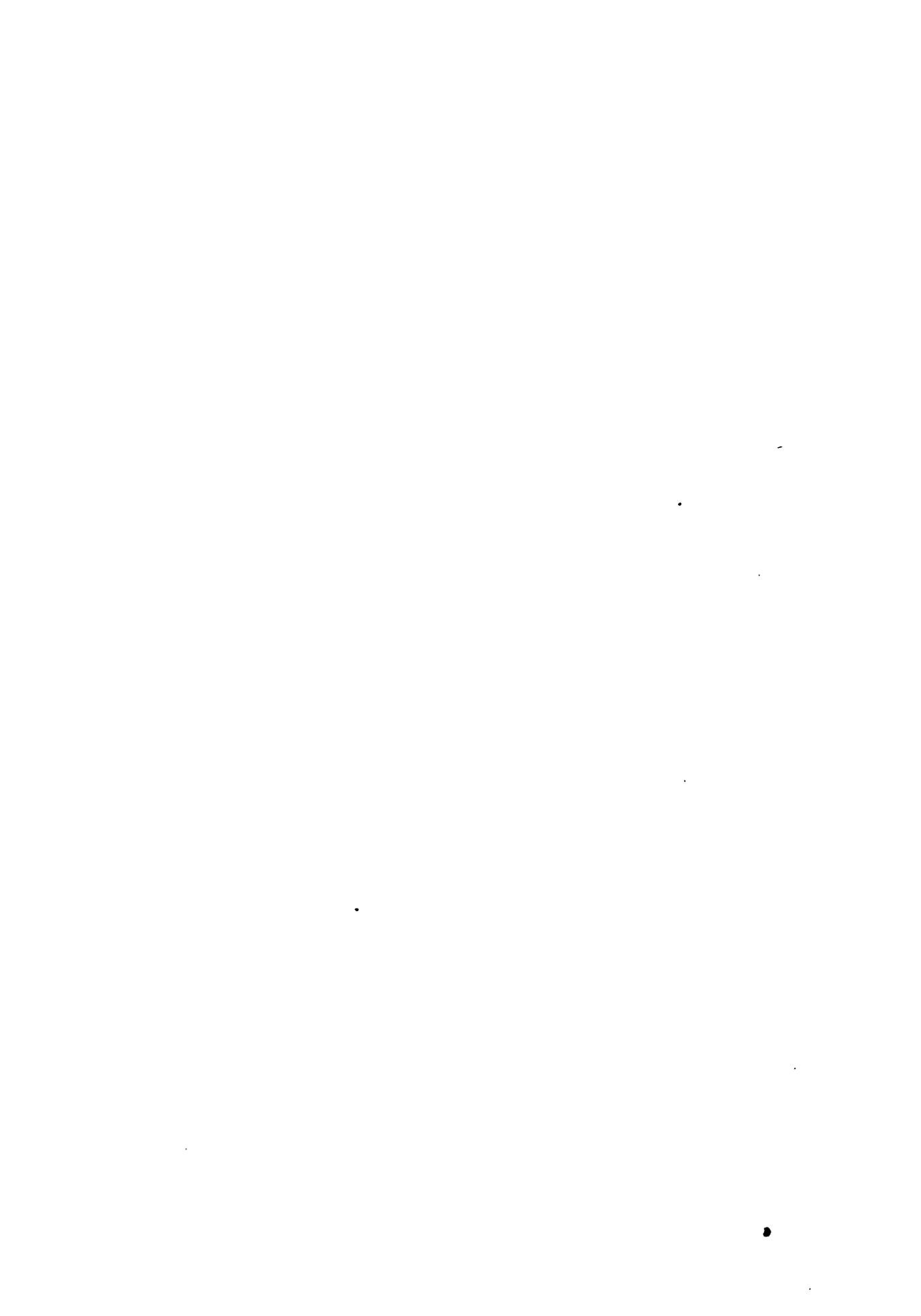
Given under my hand and seal at arms at Halifax, this 2d day of December, in the 21st year of her majesty's reign,  
A. D. 1857.

*By his excellency's command,*

CHARLES TUPPER.

GOD SAVE THE QUEEN.





**JOURNAL AND PROCEEDINGS**  
 OF THE  
**HOUSE OF ASSEMBLY**  
 OF THE  
**PROVINCE OF NOVA-SCOTIA.**

SESSION 1858.

21<sup>o</sup> VICTORIÆ.

THURSDAY, 4th FEBRUARY, 1858.

The house having been by several proclamations prorogued until this day, then to meet for the despatch of business; and being met, House meet

A message from his excellency the governor, by John James Sawyer, esquire, the gentleman usher of the black rod : Message from governor

*Gentlemen,*

His excellency the lieutenant-governor commands the immediate attendance of this honorable house in the council chamber. Commands attendance of house

Accordingly the house went up to attend his excellency in the council chamber ; And being returned. House attend

Mr. Speaker reported that the house had attended his excellency in the council chamber, and that his excellency had been pleased to make a speech to both houses of the provincial parliament—of which Mr. Speaker said he had, for greater accuracy, obtained a copy—which he read in the house as follows :— Governor's speech reported

*Mr. President, and honorable gentlemen of the legislative council ;  
 Mr. Speaker and gentlemen of the house of assembly ;* Speech

I °. Her majesty having been graciously pleased to remove me to another sphere of executive duty, my officical connection with this province will cease on the arrival of my successor, the right honorable the Earl of Mulgrave, who will shortly assume the government of Nova-Scotia.

2°. The history of the age will be forever marked by the unparalleled atrocities of the mutineers in India, and the heroic bravery of all classes of British residents, military and civil, by whose gallantry and endurance, with the blessing of Almighty God, we have every reason to hope the mutiny will be crushed. To the people of this province it must be exceedingly gratifying to find conspicuous among the many who have highly distinguished themselves, one of their own countrymen.

3°. In conformity with a resolution which passed the Legislature, with reference to the mines and minerals, delegates proceeded to England, and the articles of agreement entered into with the mining association, subject to your ratification, will be submitted to you without delay.

4°. You will learn with pleasure that the railway works have steadily advanced, that nine miles additional on the trunk line are now open for traffic, and that the line to Windsor will be ready at an early day.

5°. During the recess the attention of my government has been directed to the consideration of the great enterprise of an inter-colonial line. The papers relating thereto will be laid before you for your information.

6°. The alteration made in the tariff at your last session, has enabled me to meet the large additional demands for interest on the railway bonds; yet the disturbed condition of trade which has unhappily prevailed throughout the commercial world, will naturally tend to diminish our resources for the current year; and the increasing burdens connected with our public works render it imperative for the honor and interest of the country, that you should exercise great caution and economy in making your annual appropriations.

7°. I deeply deplore the distress that the failure of an important branch of the fisheries has caused a portion of the hardy and enterprising fishermen on our coast; but from the bountiful harvest with which it has graciously pleased divine providence to bless us, we may confidently anticipate that the continued prosperity of the country will not be seriously impaired.

8°. Your increased liberality in providing for common school education, has, I am happy to inform you, given a valuable impulse to that essential element in the welfare of the people,—evidenced by an unprecedented increase in the number of teachers, and in the efforts made by the inhabitants in many districts for their support.

9°. Reports from the commissioners charged with the examination of public works, and accounts of expenditure connected therewith, are in course of preparation, and will be laid on the table at an early day.

*Mr. Speaker and gentlemen of the house of assembly;*

10°. The public accounts, together with the estimates for the current year, will shortly be placed before you.

*Mr. President, and honorable gentlemen of the legislative council ;  
Mr. Speaker and gentlemen of the house of assembly ;*

11°. A measure will be submitted for your consideration having in view an alteration in the constitution of the legislative council, by which the elective principle may be brought into operation,

12°. Your deliberations will also be invited to other important subjects, by which it is hoped the prosperity of the province may be promoted.

13°. You will require to make increased provision for the completion of that portion of the hospital for the insane, now erected, to prepare it for occupation.

14°. The heavy liabilities connected with the indispensable progress of our public works and the inadequacy of the sum voted for the St. Peter's canal, as exhibited by the report of the engineer, have compelled me reluctantly to suspend further expenditure on that service until the whole question shall be reviewed by the legislature, when, I doubt not, it will obtain the attention its importance demands.

15°. During the six years in which I have had the honor and the happiness of presiding over the public councils of this colony, I have endeavoured to regulate my administration by principles, and to direct it to objects that I believed best adapted to advance the welfare of the people.

16°. Their devoted loyalty to their sovereign, their thorough appreciation of the value of British institutions, and the intelligence they have evinced in carrying out the representative part of them, have rendered my duties easy and agreeable, and will, I am persuaded, greatly facilitate those that will devolve upon my successor.

17°. Whilst addressing you from this place for the last time, I recall with pleasure and gratitude the unvarying harmony which in every stage of my government has subsisted between my constitutional advisers and myself, the earnest co-operation which I have experienced from both branches of the legislature, and the kindly personal feeling which has invariably been shewn to me by all classes of the community.

18°. Wherever my future destiny may be cast, I shall always regard with the deepest interest every thing that may affect the progress in material wealth and social happiness of the inhabitants of Nova Scotia, amongst whom I have spent so many happy years.

Mr. Speaker announced to the house that having, during the recess, received from Stephen S. Thorne, esquire, member for the township of Granville, and from Alfred Whitman, esquire, member for the township of Annapolis, notices of their vacating their seats as such members respectively, he the Speaker had thereupon, pursuant to law, required that writs might be issued to supply such vacancies.

Vacancies in representation reported

The hon. provincial secretary then delivered in a writ directed to the sheriff of the county of Annapolis, for the election of a representative for the township of Granville, in that county, and the return of the sheriff thereto; and the same being respectively read, it appeared by such return that Timothy D. Ruggles, esquire, had been duly elected and returned as the representative for the township of Granville.

Writ and return for Granville presented

Timothy D. Ruggles, esquire, returned duly elected as the representative for the township of Granville, took the oath of allegiance in the presence of the honorable Hugh Bell and the honorable Mather B. Almon, commissioners appointed to administer the same, and his seat as such member.

Mr. Ruggles sworn in

Mr. Ryder, pursuant to leave given, presented to the house a bill to regulate the currency; and the same was read a first, and ordered to be read a second time.

Currency bill

Mr. McFarlane then proposed the following address in answer to the speech of his excellency the governor, and moved that the same do pass, viz:

Address moved

TO HIS EXCELLENCY MAJOR GENERAL

SIR JOHN GASPARD LE MARCHANT,

*Knight, knight commander of the orders of St. Ferdinand and of Charles the third of Spain, lieutenant-governor and commander in chief, in and over her majesty's province of Nova Scotia, and its dependencies, &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY—

Address

1°. We thank your excellency for the speech with which you have been pleased to open the present session of the legislature.

2°. We are gratified to learn that her majesty in depriving this colony of your valuable services, has been graciously pleased to mark her sense of your administrative abilities by promoting you to the important government of Malta.

3°. In common with yourself we sincerely hope that through the blessing of the Almighty upon the indomitable prowess of British forces the mutiny in India may be speedily extinguished.

4°. The unequally bravery manifested by British residents of every class will be contemplated by all Nova Scotians with especial pride, in consequence of the conspicuous position maintained by a native of this province.

5°. The articles of agreement entered into by the delegates from this province with the mining association will receive our attentive consideration.

6°. We are gratified to learn that the railway works, in which interests so important are involved, are considerably advanced, and facilities for traffic are being thereby extended.

7°. We shall be glad to learn the result of the reconsideration of the great question of an inter-colonial line of railway.

8°. It is very satisfactory to be assured that the alteration in the tariff has met our expectations, yet in view of the prospect of diminished resources we shall endeavour to regulate our appropriations with due regard to our financial ability, in order that our credit at home and abroad may continue as heretofore unimpaired.

9°. While we deeply deplore the partial failure of the fisheries, and the consequent distress that must be occasioned to the industrious fisherman, we desire to acknowledge with gratitude to God the favor that has been vouchsafed in blessing us with an abundant harvest, upon which the country so mainly depends for continued prosperity.

10°. It affords us much pleasure to know that the increased appropriation for common schools has resulted so beneficially, and that corresponding efforts have been made by the people themselves in advancing a subject so intimately connected with the best interests of the country as public instruction.

11°. Our careful attention will be given to the reports of the commissioners who have been engaged in examining our public works, and the accounts of the expenditure upon them.

12°. The public accounts and estimates for the current year will receive our best attention.

13°. We will bestow the most careful attention to the measure by which it is proposed to alter the constitution of the legislative council and any other bills that may be brought before us, having the good of this province in view.

14°.

14°. The important subjects of the hospital for the insane, and the St. Peters canal will not be lost sight of in the present session by the representatives of the people.

15°. The kind and flattering manner in which your excellency has been pleased to express yourself in taking leave of this province is warmly appreciated. Anxious as you have shewn yourself to promote the prosperity of the country, it was but due to your excellency that in a colony enjoying representative institutions you should receive the cordial support and co-operation to which you were thus justly entitled.

16°. We beg to assure you in parting that the warm and generous emotions with which you are animated are not less sincerely reciprocated by ourselves, and that our earnest desire is that you may ever enjoy all possible prosperity and happiness.

17°. We would do injustice to our feelings did we not add our best wishes for the health and happiness of lady Le Marchant, and your interesting family, endeared as she is to all who have had the pleasure of making her acquaintance.

Consideration postponed

Resolution to continue franking privilege

Which motion being seconded,

*Ordered*, That the further consideration thereof be deferred until to-morrow.

On motion, *resolved*, that the privilege of franking letters of members of this house during the present session be the same as last session.

Then the house adjourned until to-morrow at twelve of the clock.

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FRIDAY, 5th FEBRUARY, 1858.

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PRAYERS.

Address reconsidered

Pursuant to order, the house proceeded to the consideration of the address proposed and moved yesterday, in answer to the speech of his excellency the governor;

And the address having been read, and Mr. McFarlane having renewed his motion that the same do pass, such was seconded and propounded from the chair.

*Ordered*, That the same be again read and considered clause by clause.

And accordingly the respective clauses thereof from the first to the twelfth inclusive, being read, were upon the question put thereon severally agreed to by the house.

Amendment moved to thirteenth clause

The thirteenth clause of the address was then read, and is as follows, viz:

We will bestow the most careful attention to the measure by which it is proposed to alter the constitution of the legislative council, and any other bills that may be brought before us having the good of this province in view.

And thereupon,

The hon. Mr. Young moved that the same be amended, by adding thereto the following words:

But we feel that the passage of that measure, should it be approved of by a majority of this house will be greatly embarrassed by the recent appointment to the vacant seats in the legislative council of the honorable Alfred Whitman, and the honorable Robert Barry Dickey; and that the latter of these appointments, as it violates the principle acted on of late years, by conferring on the county of Cumberland two resident members, and thereby giving to that county an undue advantage, is an injustice to several of the other counties, who have no resident member to represent their rights and interests at the board.

Previous question moved

Which amendment being seconded,

The hon. the attorney general moved that the main question be now put, which being seconded and put, and the house dividing thereon, there appeared for the motion, twenty-five; against it, twenty.

For

*For the motion.*

Mr. Brown,  
 " Bill,  
 " McClearn,  
 " Wade,  
 " Bourneuf,  
 " Hyde,  
 " Churchill,  
 " Tobin,  
 " White,  
 " Ruggles,  
 Hon. C. J. Campbell,  
 Mr. Bent,  
 " Martell,

Mr. Henry,  
 " McFarlane,  
 " Moses,  
 Hon. Fin. Secretary,  
 " Prov. Secretary,  
 " Atty. General,  
 " J. Campbell,  
 Mr. Robecheau,  
 " Ryder,  
 Hon. Mr. McKinnon,  
 " Sol. General,  
 Mr. Smyth.

*Against the motion.*

Mr. Esson,  
 " Webster,  
 " Fuller,  
 " Bailey,  
 " Wier,  
 " Robertson,  
 " Parker,  
 " Chipman,  
 " Gilderd,  
 Hon. Mr. Young,  
 Mr Chambers,  
 " Archibald,  
 " Locke,

Hon. Mr. Howe,  
 Mr. Morrison,  
 " Dimock,  
 " Munro,  
 " McDonald,  
 " Annand,  
 " Davidson.

So it passed in the affirmative.

Amendment put

*Ordered*, That the question on the proposed amendment be now put.

And lost

And accordingly the question being put upon the motion that such amendment be agreed to by the house, and the house dividing thereon, there appeared for the amendment twenty-two ; against it twenty three.

*For the amendment.*

Mr. Esson,  
 " Hyde,  
 " Webster,  
 " Bailey,  
 " Munro,  
 " Fuller,  
 " Wier,  
 " McLelan,  
 " Parker,  
 " Chipman,  
 " Archibald,

Mr. Robertson,  
 " Gilderd,  
 " Chambers,  
 Hon. Mr. Young,  
 Mr. Locke,  
 " Morrison,  
 " Dimock,  
 Hon. Mr. Howe,  
 Mr. Annand,  
 " McDonald,  
 " Davidson.

*Against the amendment*

Mr. Wade,  
 Hon. C. J. Campbell,  
 Mr. Bill,  
 " Bourneuf,  
 " McClearn,  
 " Tobin,  
 " Churchill,  
 " White,  
 " Ruggles,  
 " Martell,  
 " Henry,  
 Hon. Mr. McKinnon,

Mr. Bent,  
 " McFarlane,  
 " Moses,  
 Hon. Fin. Secretary,  
 " Pro. Secretary,  
 " Atty. General,  
 " J. Campbell,  
 Mr. Ryder,  
 " Smyth,  
 Hon. Sol. General,  
 Mr Robecheau.

So it passed in the negative.

Cause passed

The question being then taken upon the thirteenth clause of the address as originally proposed, the same was agreed to by the house.

Remaining clauses agreed to

The remaining clauses of the address being then read, were severally agreed to by the house.

Address passed

And thereupon,

*Resolved*, That the address do pass.

*Ordered*, That the address be engrossed.

*Ordered*, That the address be presented to his excellency the governor by the whole house.

Committee to prepare lists of committees

On motion of the hon. the attorney general,

*Resolved*, That a select committee be appointed to prepare and report lists of members of standing committees on general subjects.

*Ordered*, That the hon. the attorney general, the hon. Mr. Young, the hon. the solicitor general, the hon. financial secretary, Mr. McClearn, Mr. Esson, and Mr. Archibald, be a committee for that purpose.

Then the house adjourned until to-morrow at eleven of the o'clock.

Saturday,

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 SATURDAY, 6th FEBRUARY, 1853.
 

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## PRAYERS.

The hon. the provincial secretary, by command of his excellency the governor, informed the house that his excellency had been pleased to appoint this day at half-past eleven of the clock, at government house, to receive the house with their address in answer to the speech at the opening of the session.

At half-past eleven of the clock Mr. Speaker and the house went up to government house to attend his excellency the governor with the address of the house in answer to the speech of his excellency at the opening of the session.

House wait on  
governor with address

And being returned,

Mr. Speaker reported that he had presented such address to his excellency, and that his excellency had been pleased to give this reply thereto.

Governor's answer re-  
ported

*Mr. Speaker, and gentlemen of the house of assembly ;*

I receive with pleasure your address, and while assuring you of my deep and continued interest in the welfare of your province, I beg you will accept my most sincere thanks for this final expression of your friendly feelings towards Lady Le Marchant, my family and myself.

The hon. the attorney general reported from the select committee appointed to prepare lists of members of standing committees on general subjects, that the committee had agreed to such lists ; and he delivered them in at the clerk's table, where they were read, and are as follow, viz :

Lists of committee  
reported

*Agriculture.*

Hon. Mr. Young,  
 " Mr. McKinnon,  
 Mr. Chipman,  
 " Bill,  
 " Parker,  
 " Chambers.  
 " McFarlane.

*Fisheries.*

Mr. Ryder,  
 " Martell,  
 " Locke,  
 " Bourneuf,  
 " Smyth,  
 " Rinhard,  
 " Wier.

*Post Office.*

Mr. Henry,  
 " McFarlane,  
 " McLelan,  
 " White,  
 " Wade,  
 " Munro,  
 " Annand.

*Public Accounts.*

Mr. Esson,  
 " Moses,  
 " Brown,  
 " Archibald,  
 " White.

*Printing and reporting.*

Hon. Financial Secretary,  
 " Mr Howe,  
 " " Young,  
 " C. J. Campbell,  
 Mr. McFarlane.

*Education.*

Hon. Attorney General,  
 Mr. Archibald,  
 Hon. Mr. Young,  
 " Provincial Secretary,  
 " Mr. Howe,  
 Mr. Brown,  
 " Tobin,  
 " McDonald,  
 " Moses.

*Crown property.*

(To perform the duties heretofore performed by committees on the mines and minerals and crown lands.)

Mr. Archibald,  
 Hon. Solicitor General,  
 " Mr. Young,  
 " Financial Secretary,  
 Mr. McKeagney,  
 Hon. Attorney General,  
 Mr. Esson.

*Navigation Securities.*

Mr. Killam,  
 " Ruggles,  
 " Rinhard,  
 " Fuller,  
 " Bent,  
 " McKenzie,  
 " Bill.

*Penitentiary.*

Mr. Chipman,  
 " Churchill,  
 " Robecheau,  
 " Caldwell,  
 " Bailey,  
 " Robertson,  
 " Davidson.

*Relief*

*Relief.*

To perform the duties heretofore performed by committees on the following subjects, viz :

*Transient paupers, Sick immigrants, Poors' Asylum, and deaf, dumb, blind and insane.*

“ Mr. Brown,  
 “ Dimock,  
 “ Gilderd,  
 “ Hyde,  
 “ McClearn.

*Indian affairs.*

Mr. Webster,  
 “ Wade,  
 Hon. Mr. McKinnon,  
 Mr. Morrison,  
 “ Fuller.

*Expiring laws and private bills.*

Mr. Wade,  
 Hon. Solicitor General,  
 Mr. Henry,  
 “ McDonald,  
 “ Ruggles.

*Trade and manufactures.*

Mr. Tobin,  
 “ Wier,  
 Hon. J. Campbell,  
 Mr. McKenzie,  
 Hon. Mr. Howe.

*Road damages.*

Mr. Annand,  
 “ Munro,  
 “ Killam,  
 “ Dimock,  
 “ Shaw.

*Contingent expenses of the house.*

Hon. Financial Secretary,  
 Mr. Archibald,  
 “ Esson.

*Ordered,* That such lists do lie on the table.

The honorable the provincial secretary, by command of his excellency the governor, presented to the house a writ directed to the sheriff of the county of Cape Breton for the election of a representative for that county, with the return of the sheriff thereto, dated July 22nd, 1856; and the same being read it appeared by such return that Thomas Caldwell, esquire, had been duly elected and returned as the representative for that county.

Sheriff's return for Cape Breton county presented

Thomas Caldwell, esquire, returned duly elected as the representative for the county of Cape Breton, took the oath of allegiance in the presence of the honorable Hugh Bell, a commissioner appointed to administer the same, and his seat as such member.

Mr. Caldwell sworn in

Mines and minerals,  
despatches, &c.

The hon. the attorney general, by command of his excellency the governor, presented to the house the report of the delegates to England on the subject of the mines and minerals, together with the despatches and correspondence relating thereto, and the heads of arrangement, drafts of conveyances, and act of assembly necessary to give effect to the arrangement provisionally entered into by the delegates with the General Mining Association, marked A B C and D respectively; and the same were read by the clerk.

(See appendix No. 1.)

*Ordered*, That the same do lie on the table.

Mines and minerals  
bill

And thereupon, the hon. the attorney general, pursuant to leave given, presented to the house a bill for giving effect to the surrender to her majesty by the legal personal representatives of the late duke of York and Albany, and by the General Mining Association, and their trustee, of the mines in Nova Scotia, and to a lease of part of such mines to the said association; and the same was read a first, and ordered to be read a second time.

Intercolonial railway  
papers presented

The hon. attorney general, also by the like command, presented to the house sundry despatches and correspondence between the provincial government, the governments of Canada and New Brunswick, the provincial delegates and the colonial office on the subject of an inter-colonial railway between the provinces of Canada, New Brunswick and Nova Scotia.

(See appendix No. 2.)

Report of delegates on  
subject of union of the  
provinces

Also, a report from the provincial delegates to the provincial government respecting their communications with the colonial secretary on the subject of the proposed union of the British North American provinces.

(See appendix No. 3.)

*Ordered*, That the reports and correspondence do lie on the table.

*Ordered*, That the house do, on Thursday next, the 11th instant, proceed to the consideration of the bill, correspondence, and documents presented to the house on the subject of the mines and minerals.

Resolution as to vote  
by ballot

Mr. McLelan moved that the house do come to the following resolution:

*Resolved*, as the opinion of this house that the evils attending the election of members to serve in general assembly would be much reduced by adopting the system of voting by ballot:

Which being seconded,

*Ordered*, That the house do, on Saturday next, the 13th instant, proceed to the consideration of such resolution.

Then the house adjourned until Monday next, at twelve of the clock.

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MONDAY, 8th FEBRUARY, 1858.

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PRAYERS.

Lists of committees  
adopted

On motion of the hon. attorney general,

*Ordered*, That the lists of standing committees reported on Saturday last, by the select committee appointed for that purpose, be agreed to; and that the several members therein named do respectively compose the standing committees on the general subjects therein named.

A petition of John Patch of Yarmouth, was presented by Mr. Moses and read, claiming that he was the original discoverer of the principle of propelling ships by means of the screw, and praying the house to grant him a pension on account of such discovery.

Petition of J. Patch

*Ordered,* That the petition be referred to the committee on trade and manufactures.

Referred to trade committee

The hon. the financial secretary, by command of his excellency the governor, presented to the house various statements connected with the trade and commerce of the province of Nova Scotia during nine months, ended on the 30th day of September, 1857, viz:

Trade returns presented

1°. A general statement of imports, and abstract.

(See appendix No. 4.)

2°. A general statement of exports, and abstract.

(See appendix No. 5.)

3°. Statements of imports and exports at the port of Halifax.

(See appendix No. 6.)

4°. An account of the number and tonnage of vessels entering inwards at each port, with the number of seamen employed, and abstract.

(See appendix No. 7.)

5°. An account of the number and tonnage of vessels cleared outwards at each port, with the number of seamen employed, and abstract.

(See appendix No. 8.)

6°. A statement of the shipping owned in the province, indicating those built in the province and sold out of the province during nine months.

(See appendix No. 9.)

*Ordered,* That the returns and statements be referred to the committee on trade and manufactures.

Referred to trade committee

The hon. the financial secretary, by the like command, also presented to the house returns of the revenue of the province for the year ending 31st December, 1857, viz.:

Revenue returns presented

1°. A general abstract of the returns of impost and excise duties collected at the different ports of the province.

(See appendix No. 10.)

2°. An abstract of articles imported into the province on which duty was collected.

(See appendix No. 11.)

3°. A comparative statement exhibiting the increase and decrease of the amount of excise duties collected in the different ports in the years 1856 and 1857.

(See appendix No. 12.)

4°. A comparative statement of articles imported into the province, and of the amount of excise duties collected thereon for the years 1856 and 1857.

(See appendix No. 13.)

5°. A comparative statement of the gross amount of light duties collected at the different ports of the province for the year 1856 and 1857.

(See appendix No. 14.)

*Ordered,* That the same be referred to the committee on public accounts.

Referred to public accounts committee

Mr.

Registry bill

Mr. Tobin, pursuant to leave given, presented to the house a bill to provide for the registry of warrants to confess judgment and conveyances affecting personal property ; and the same was read a first, and ordered to be read a second time.

Law amendment committee

On motion of the honorable the attorney general,

*Resolved*, That a select committee be appointed to consider and report upon such bills as may be presented to the house during the present session to alter or amend the general laws of the province.

Referred to select committee to prepare list

*Ordered*, That it be referred to the select committee on general subjects to prepare a list of such committee, and report to the house.

North British society bill

The hon. Mr. Young, pursuant to leave given, presented to the house a bill to incorporate the North British society of Halifax, Nova Scotia ; and the same was read a first time.

Referred to private bills committee

*Ordered*, That the bill be referred to the committee on private bills.

Wesleyan incorporation amendment bill

The hon. John Campbell, pursuant to leave given, presented to the house a bill to amend the act for the incorporation of certain bodies connected with the Wesleyan Methodist church in Nova Scotia ; and the same was read a first and ordered to be read a second time.

Petition for Greenfield polling place bill

A petition of inhabitants of Greenfield in Queen's county, was presented by the hon. John Campbell and read, praying for the establishment of a polling place in that district.

Leave for bill

*Ordered*, That the petition do lie on the table, and that the hon John Campbell have leave to present a bill in accordance with the prayer thereof.

Bill presented

And thereupon, the hon. John Campbell, pursuant to such leave, presented to the house a bill to add a polling place in Queen's county ; and the same was read a first, and ordered to be read a second time.

Petition of C. Seely

A petition of Caleb Seely of Liverpool, in the county of Queen's, was presented by the hon. John Campbell and read, praying the house to interfere to prevent the passing of a grant from the crown land office to another person, of lands to which he claims to be legally entitled.

Referred to crown land committee

*Ordered*, That the petition be referred to the committee on the crown property.

Petition for grant of land to G. Merry

Two petitions from inhabitants of Queen's and Annapolis counties respectively, were presented by the honorable John Campbell and read, praying for a continuance of the grant in aid of George Merry's house of entertainment.

*Ordered*, That the petitions do lie on the table.

Then the house adjourned until to-morrow, at three of the clock.

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TUESDAY, 9th FEBRUARY, 1858.

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PRAYERS.

Petition for way office Kempt

A petition of inhabitants of Kempt, in the county of Yarmouth, was presented by Mr. Moses and read, praying for the establishment of a way-office.

Referred to post office committee

*Ordered*, That the same be referred to the committee on the post office.

Petition of Hanson Chesley

A petition of Hanson Chesley of Bridgetown, scizing officer, was presented by Mr. Ruggles and read, praying remuneration for his services.

Referred to trade committee

*Ordered*, That the petition be referred to the committee on trade and manufactures.

Petition for light house at Port Williams

A petition of inhabitants of Port Williams, in the county of Annapolis, was presented by Mr. Ruggles and read, praying for the erection of a light house at that port.

Referred to navigation security committee

*Ordered*, That the petition be referred to the committee on navigation securities.

Mr.

Mr. Chambers, pursuant to leave given, presented to the house a bill to regulate the performance of labor on the highways ; and the same was read a first, and ordered to be read a second time.

Highway labor bill presented

A petition of inhabitants of Middle Musquodoboit, in the county of Halifax, was presented by Mr. Esson and read, praying for the establishment of a way office.

Petition for way office Musquodoboit

*Ordered*, That the petition be referred to the committee on the post office.

Referred to post office committee

A petition of inhabitants of Porter's Lake, in the county of Halifax, was presented by Mr. Esson and read, praying for aid in opening an artificial entrance to Porter's Lake for purposes of navigation.

Petition for aid in opening mouth of Porter's Lake

*Ordered*, That the petition be referred to the committee on navigation securities.

Referred to navigation sec. committee

A petition of inhabitants of Sheet Harbor, in the county of Halifax, was presented by Mr. Esson and read, praying for aid in constructing a canal from Musquodoboit Harbor to Sheet Harbor.

Petition for aid in improving navigation of river at Sheet Harbor

*Ordered*, That the petition be referred to the committee on navigation securities.

Referred to navigation sec. committee

A petition of the inhabitants of St. Margaret's Bay, in the county of Halifax, was presented by Mr. Esson and read, praying for aid to a flour mill.

Petition for aid to mill at Margaret's Bay

*Ordered*, That the petition be referred to the committee on agriculture.

Referred to Agricultural committee

A message from the council, by Mr. Halliburton :

Message

Mr. Speaker,

The council have appointed Mr. Fairbanks, Mr. McCully, and Mr. Whitman, a committee to join a committee of this honorable house to examine the public accounts.

Public accounts committee

And then the messenger withdrew.

The hon. the attorney general, pursuant to leave given, presented to the house a bill relating to bankruptcy ; and the same was read a first, and ordered to be read a second time.

Bankruptcy bill

Mr. Smyth, pursuant to leave given, presented to the house a bill to legalize the jury lists for the county of Inverness ; and the same was read a first, and ordered to be read a second time.

Inverness juries

Mr. Smyth, pursuant to leave given, presented to the house a bill to legalize the proceedings of the sessions for the county of Inverness ; and the same was read a first, and ordered to be read a second time.

Inverness sessions bill

Mr. Smyth, pursuant to leave given, presented to the house a bill to exempt the county of Inverness from the operation of chapter 20 of the acts of 1856, and of the act in amendment thereof ; and the same was read a first, and ordered to be read a second time.

Inverness assessment bill

On motion of the hon. Mr. Howe,

*Resolved*, That the post office committee be instructed to consider and report at an early day on the subject of steam communication upon the Bay of Fundy.

Resolution as to Bay Fundy steam navigation

On motion of Mr. Churchill,

*Resolved*, That the post office committee be instructed to enquire into the best mode of encouraging steam communication in the Basin of Minas, between the ports of Windsor, Hantsport, Kempt, Horton, Cornwallis, Londonderry and Parrsborough, and report thereon at an early day.

Resolution as to Basin of Minas steam navigation

A petition of inhabitants of the county of Cape Breton, was presented by Mr. McKeagney and read, praying for a geological survey of the Island of Cape Breton.

Petition for geological survey of Cape Breton

*Ordered*, That the petition be referred to the committee on Crown property.

Referred to committee on crown property.

A petition of the Reverend Henry Pope, chaplain to the provincial penitentiary, was

Petition of Rev. H. P. e

was presented by Mr. Esson and read, praying to be allowed the benefit of a vehicle to convey him to and from that institution when in the exercise of his duties.

Referred to penitentiary committee

*Ordered,* That the petition be referred to the committee on the penitentiary.

Petition of Mary Spriggs

A petition of Mary Spriggs of Halifax, was presented by Mr. Esson and read, praying to be reimbursed for the expense of providing for a sick immigrant.

Referred to relief com.

*Ordered,* That the petition be referred to the relief committee.

Then the house adjourned until to-morrow, at ten of the clock.

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WEDNESDAY, 10th FEBRUARY, 1858.

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PRAYERS.

Bills read 2nd time

The following bills were read a second time, viz :

A bill to amend the act for the incorporation of certain bodies connected with the Wesleyan Methodist church in Nova Scotia.

A bill to add a polling place in Queen's county.

A bill to legalize the jury lists for the county of Inverness.

A bill to legalize the proceedings of the sessions for the county of Inverness.

A bill to exempt the county of Inverness from the operation of chapter 20 of the acts of 1856, and of the act in amendment thereof.

*Ordered,* That the bills be referred to the committee on private bills.

Public accounts presented

The honorable the financial secretary, by command of his excellency the governor, presented to the house the following papers relating to the expenditure of public revenue during the year ending 31st December, 1857, viz :—

Receiver general's account current

1<sup>o</sup>. The account current of the honorable the receiver general of all moneys received into and paid from the provincial treasury.

(See appendix No. 15.)

Financial secretary's statement

2<sup>o</sup>. A detailed statement certified by the honorable the provincial secretary, shewing the amounts paid during the year on account of the different public services.

(See appendix No. 16.)

Referred to public accounts committee

*Ordered,* That the same be referred to the committee on public accounts.

Light house papers

The honorable the financial secretary, by command of his excellency the governor, also presented to the house certain reports and correspondence relating to the light houses on the coasts of the province, viz :

Superintendent's report

1<sup>o</sup>. The report of the superintendent of light houses for the year ending 31st December, 1857.

Letter from admiral Stewart and superintendent's comments thereon

2<sup>o</sup>. A communication from his excellency vice admiral Sir Houston Stewart, K. C.B., on the subject of the condition and efficiency of the several light houses, and a communication from the superintendent of light houses on the same subject; and the same were read by the clerk.

(See appendix No. 17.)

Referred to navigation securities committee

*Ordered,* That such papers be referred to the committee on navigation securities.

Report of governor of penitentiary

The honorable the financial secretary, by command of his excellency the governor, presented to the house the report of the superintendent of the penitentiary for the year 1857; and the same was read by the clerk.

(See appendix No. 18.)

Referred to committee on penitentiary

*Ordered,* That the report be referred to the committee on the penitentiary.

The

The hon. the financial secretary, by command of his excellency the governor, presented to the house the report of the chairman of the board of works, and an account of the expenditure in that department for the year ending 31st December, 1857; and the same were read by the clerk.

Board of works report and account

(See appendix No. 19)

*Ordered*, That so much thereof as relates to the penitentiary be referred to the committee on that subject; so much as relates to light houses and other services connected with navigation be referred to the committee on navigation securities; and so much as relates to the public revenue to the committee on public accounts.

Referred to several committees

The hon. the attorney general, by command of his excellency the governor, presented to the house returns of the quantity of coals raised, sold and exported at the various collieries worked by the General Mining Association during the years 1856 and 1857 respectively.

Returns of coal raised, maps &c. presented

(See appendix No. 20.)

Also, a series of maps exhibiting the position and area of the lands in Nova Scotia proper and Cape Breton, proposed to be allotted to the General Mining Association for the continuance of their operations.

*Ordered*, That such returns and maps do lie on the table, and that 150 copies of such returns be printed for the information of the legislature.

Order to print returns

The hon. the provincial secretary, by command of his excellency the governor, presented to the house a letter from the postmaster general to the hon. the provincial secretary, recommending an increase of salary to the postmaster at Truro; and the same was read by the clerk.

Letter from post master general

*Ordered*, That the same be referred to the committee on post office affairs.

Referred to post office committee

The honorable the solicitor general, pursuant to leave given, presented to the house a bill to authorise the construction of a public wharf in the harbor of Pictou; and the same was read a first, and ordered to be read a second time.

Pictou wharf bill

Mr. Munro, pursuant to leave given, presented to the house a bill to amend the act to alter the time of holding the sessions for the county of Victoria; and the same was read a first, and ordered to be read a second time.

Victoria sessions bill

Mr. Brown, pursuant to leave given, presented to the house a bill to carry out the provisions of an act to authorize a loan for the construction of railways within this province, so far as relates to the city of Halifax; and the same was read a first, and ordered to be read a second time.

Halifax railway

Then the house adjourned until to-morrow, at ten of the clock.

THURSDAY, 11th FEBRUARY, 1858.

PRAYERS.

The hon. the provincial secretary, by command of his excellency the governor, delivered in to the house a writ directed to the sheriff of the county of Annapolis, for the election of a representative for the township of Annapolis, in that county, with the return of the sheriff thereto, dated the ninth day of February instant; and the same being read it appeared by such return that Moses Shaw, esquire, had been duly elected and returned as the representative for the township of Annapolis.

Return for Annapolis township presented

Mose

- Mr. Shaw sworn in Moses Shaw, esquire, returned duly elected as the representative for the township of Annapolis, took the oath of allegiance in the presence of the honorable Edward Kenny, a commissioner appointed to administer the same, and his seat as such member.
- Pet of H. W. Johnston A petition of Henry W. Johnston, teacher of the grammar school at Annapolis, was presented by Mr. Ruggles and read, praying to be allowed a balance of undrawn grammar school moneys for the county of Annapolis.
- Referred to education committee *Ordered*, That the petition be referred to the committee on education.
- Petition of Magee and brother A petition of Magee and brother, of Granville, in the county of Annapolis, was presented by Mr. Ruggles and read, praying for a return of duties on machinery imported.
- Referred to trade com. *Ordered*, That the petition be referred to the committee on trade and manufactures.
- Petition of overseers of eastern Granville A petition of the overseers of the poor for the eastern district of the township of Granville, was presented by Mr. Ruggles and read, praying for reimbursement of the expense of maintaining a transient pauper.
- Referred to relief com. *Ordered*, That the petition be referred to the relief committee.
- Petition of Pierre Post A petition of Pierre Post, of Arichat, in the county of Richmond, was presented by the hon. the financial secretary and read, praying to be naturalized as a British subject by act of the provincial legislature.
- Leave for bill *Ordered*, That the petition do lie on the table, and that the hon. the financial secretary have leave to bring in a bill in accordance with the prayer thereof.
- Naturalization bill And thereupon, The hon. the financial secretary, pursuant to such leave, presented to the house a bill to naturalize Pierre Post; and the same was read a first, and ordered to be read a second time.
- Petition for light house at Cape St. Mary A petition of inhabitants of the counties of Yarmouth and Digby, was presented by Mr. Robecheau and read, praying for the erection of a light-house at Cape St. Mary.
- Referred to navigation securities committee *Ordered*, That the petition be referred to the committee on navigation securities.
- Petition of Dr. H. D. Ruggles A petition of Doctor Henry D. Ruggles, of Weymouth, in the county of Digby, was presented by Mr. Robecheau and read, praying remuneration for medical and surgical services to sick Indians.
- Referred to Indian affairs com. *Ordered*, That the petition be referred to the committee on Indian affairs.
- Petition for breakwater at Saulnier's point A petition of inhabitants of the county of Digby, was presented by Mr. Robecheau and read, praying aid in the erection of a breakwater at Saulnier's point, on Saint Mary's bay.
- Referred to navigation securities *Ordered*, That the petition be referred to the committee on navigation securities.
- Cornwallis church bill Mr. Chipman, pursuant to leave given, presented to the house a bill to authorize the baptist church at Canard, Cornwallis, to enclose a portion of the public parade ground and erect a shed thereon; and the same was read a first, and ordered to be read a second time.
- Petition for aid in clearing out Roseway river A petition of inhabitants of the county of Shelburne, was presented by Mr. White and read, praying for aid in removing obstruction to the navigation of Roseway river.
- Referred to navigation securities committee *Ordered*, That the petition be referred to the committee on navigation securities.
- Practice act extension Mr. Wade, pursuant to leave given, presented to the house a bill to extend the provisions of the new practice act; and the same was read a first, and ordered to be read a second time.

The hon. financial secretary, by command of his excellency the governor, presented to

the house an estimate of the expenses of the civil government of the province, for the year 1858.

(See appendix No. 21.)

*Ordered*, That the estimate do lie on the table.

On motion of the hon. financial the secretary,

*Resolved*, That a supply be granted to her majesty.

Supply granted

*Ordered*, That the estimate of the expenses of the civil government of the province be referred to the committee of supply.

Estimate referred

*Ordered*, That the house do on Thursday next, the eighteenth instant, resolve itself into a committee to consider of the supply granted to her majesty.

Order of day for supply

Two petitions from inhabitants of the county of Richmond, were presented by the hon. the financial secretary and read, praying the house to provide means for the completion of the St. Peter's canal.

Petitions for completion of St. Peter's canal

*Ordered*, That the petitions do lie on the table.

The hon. the financial secretary, by command of his excellency the governor, presented to the house an estimate of the probable expense of completing and furnishing the hospital for the insane; and the same was read by the clerk.

Estimate for Lunatic asylum

(See appendix No. 22.)

*Ordered*, That the estimate be referred to the relief committee.

Referred to relief com.

The hon. the provincial secretary, by command of his excellency the governor, presented to the house copies of despatches and correspondence relating to the presentation of a sword of honor to General Sir William F. Williams, pursuant to a resolution of the provincial legislature passed in the session of 1856; and the same were read by the clerk.

Papers relating to presentation of sword to general Williams

(See appendix No. 23.)

*Ordered*, That the correspondence do lie on the table, and be printed in the appendix to the journals of the house.

Order to print in appendix to journals

On motion of the hon. the attorney general,

1<sup>o</sup>. *Resolved unanimously*, That the legislative council be requested to unite with this house in a joint address of thanks and congratulation to our countryman major-general Sir John Inglis, K. C. B., on his gallant defence of the residency of Lucknow.

Resolution for conference and joint address to general Inglis

2<sup>o</sup>. *Resolved*, That a conference be requested with the legislative council for this purpose, and a committee appointed to hold such conference.

*Ordered*, That the house do, to-morrow, proceed to the consideration of the bill, correspondence and documents presented to the house on the subject of the mines and minerals.

Order of day continued

Then the house adjourned until to-morrow, at ten of the clock.

FRIDAY, 12th FEBRUARY, 1858.

PRAYERS.

A petition of the overseers of the poor for the first section of the county of Pictou, was presented by the hon. the solicitor general and read, praying reimbursement of the expense of maintaining transient paupers.

Petition of overseers 1st section, Pictou

*Ordered*, That the petition be referred to the relief committee.

Referred to relief com.

- Petition of sessions, Pictou A petition of the court of sessions for the county of Pictou, was presented by the hon. the solicitor general and read, praying the passing of an act to enable them to assess for local purposes in the county of Pictou.
- Table and leave for bill *Ordered*, That the petition do lie on the table, and that the hon. the solicitor general have leave to bring in a bill in accordance with the prayer thereof.
- Pictou assessment bill And thereupon,  
The hon. the solicitor general, pursuant to such leave, presented to the house a bill to amend the act to establish a more equal and just system of assessment and the act in amendment thereof; and the same was read a first, and ordered to be read a second time.
- Petition for way office at New Minas A petition of inhabitants of the village of New Minas, in the county of Kings, was presented by Mr. Webster and read, praying for the establishment of a way office.
- Referred to post office committee *Ordered*, That the same be referred to the committee on the post office.
- Petition of overseers of poor in Clare A petition of the overseers of the poor for the township of Clare, was presented by Mr. Bourneuf and read, praying to be reimbursed the expense of maintaining a transient pauper.
- Referred to relief com. *Ordered*, That the petition be referred to the relief committee.
- Petition of school commissioners, Clare A petition of the commissioners of schools in Clare, was presented by Mr. Bourneuf and read, praying to be allowed to draw grammar school moneys and expend them in the erection of a school house.
- Referred to education committee *Ordered*, That the petition be referred to the committee on education.
- Yarmouth juries bill Mr. Moses, pursuant to leave given, presented to the house a bill to legalize the jury lists for the county of Yarmouth; and the same was read a first, and ordered to be read a second time.
- Petition of church-wardens of St. Clement's church A petition of the wardens and vestry of St. Clements' church, in the township of Clements, was presented by Mr. Shaw and read, praying a return of duties on a church bell imported.
- Referred to trade com. *Ordered*, That the petition be referred to the committee on trade and manufactures.
- Petition of overseers, No. 1, Annapolis A petition of the overseers of the poor for section No. 1 of Annapolis township, was presented by Mr. Shaw and read, praying reimbursement of the expense of maintaining a transient pauper.
- Referred to relief com. *Ordered*, That the petition be referred to the relief committee.
- Petition of B. K. Dodge A petition of Benjamin K. Dodge of Bridgetown, in the county of Annapolis, was presented by the hon. the attorney general and read, praying a grant in consideration of his services in vaccinating Indians and poor persons.
- Referred to relief com. *Ordered*, That the petition be referred to the relief committee.
- Petition for way office at Shinimicash A petition of inhabitants of Shinimicash, in the county of Cumberland, was presented by Mr. McFarlane and read, praying for the establishment of a way office and an extension of mail communication.
- Referred to post office committee *Ordered*, That the petition be referred to the committee on the post office.
- Petition of W. T. Waterman A petition of W. T. Waterman of Annapolis, was presented by Mr. Shaw and read, praying for a free grant of crown land under the circumstances mentioned in the petition.
- Referred to crown land committee *Ordered*, That the petition be referred to the committee on crown property.
- Petition of J. Peters A petition of John Peters of Low Point, in the county of Cape Breton, was presented by Mr. McKeagney and read, praying for aid in the erection of a grist mill and saw mill.
- Referred to committee on Agriculture *Ordered*, That the petition be referred to the committee on agriculture.

A petition of J. Delahunty of Liverpool, in the county of Queen's, was presented by the hon. J. Campbell and read, praying a return of duties on goods lost on their voyage from Halifax to Liverpool.

Petition of J. Delahunty

*Ordered*, That the petition be referred to the committee on trade and manufactures.

Referred to committee on trade

The hon. the provincial secretary, by command of his excellency the governor, presented to the house the report of the postmaster general for the year ending 30th September, 1857; which was read by the clerk. Also, sundry returns and statements connected with the business of the post office department for the same period.

Postmaster general's return

(See appendix No. 24.)

*Ordered*, That the report and statements be referred to the committee on the post office.

Referred to post office committee

The hon. the provincial secretary, by command of his excellency the governor, presented to the house reports from the board of railway commissioners, and from the chief engineer, respectively, with appendices, exhibiting,

Railway returns

- 1<sup>o</sup>. A statement of the amount expended on the railway to 31st December, 1857,
- 2<sup>o</sup>. A schedule of locomotives and cars prepared for traffic.
- 3<sup>o</sup>. A return of traffic on the railway during the year ending 31st December, 1857.

And the same were read by the clerk.

(See appendix No. 25.)

*Ordered*, That the papers do lie on the table for the consideration of the house.

A petition of Aaron Morse, postmaster at Bridgewater, in the county of Lunenburg, was presented by the hon. John Campbell and read, praying for an increase of salary.

Petition of Aaron Morse

*Ordered*, That the petition be referred to the committee on the post office.

Referred to post office committee

A petition of inhabitants of the county of Richmond, was presented by the hon. the provincial secretary and read, praying for the completion of the St. Peter's canal.

Petition for aid to St. Peter's canal

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

A petition of Robert Davis, architect, contractor for the erection of the hospital for the insane, was presented by Mr. Tobin and read, complaining that a portion of the moneys payable to him on account of his contract, was improperly withheld by the provincial government on the ground of an alleged failure in the fulfilment of his contract, and praying for enquiry and redress.

Petition of R. Davis

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

A petition of L. McDougall, postmaster at Whycocomagh, in the county of Inverness, was presented by the hon. Mr. Young and read, praying for an increase of salary.

Petition of L. McDougall

*Ordered*, That the petition be referred to the committee on the post office.

Referred to post office committee

A petition of Daniel Talbot, mail carrier of Upper Prospect, in the county of Halifax, was presented by Mr. Tobin and read, praying for an increase of salary.

Petition of D. Talbot

*Ordered*, That the petition be referred to the committee on the post office.

Referred to post office committee

A petition of Susan Kelly of Halifax, widow, was presented by Mr. Tobin and read, praying a continuance of the grant to aid her in educating a deaf and dumb child.

Petition of Susan Kelly

*Ordered*, That the petition be referred to the relief committee.

Referred to relief com.

A petition of James Burgess of Windsor, was presented by the hon. Mr. Howe and read, praying for additional compensation for his real property appropriated by the railway commissioners for the purposes of the railway.

Petition of James Burgess

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

A

- Petition of T. Battersby  
A petition of Thomas Battersby of Sydney, in the county of Cape Breton was presented by Mr. McKeagney and read, praying the house to grant him an annuity in consideration of his services as mail carrier.  
*Ordered*, That the petition be referred to the committee on the post office.
- Referred to post office committee
- Petition of J Hall  
A petition of James Hall, ferryman at Lingan, in the county of Cape Breton, was presented by Mr. McKeagney and read, praying for an increase of salary.  
*Ordered*, That such papers be referred to the committee on navigation securities.
- Referred to navigation securities committee
- Petition of Inland navigation company  
A petition of the president and directors of the Inland Navigation company, was presented by Mr. Wier and read, praying the house to remove the restrictions upon their tenure of the canal property, and to afford them pecuniary aid in the completion of their undertaking.  
*Ordered*, That the petition be referred to Mr. McDonald, Mr. McLelan, the hon. Mr. Young, the hon. Mr. Howe, and Mr. Brown, to examine and report thereon.
- Referred to select com.
- Petition for clearing out East river near Chester  
A petition of inhabitants of the town of Chester and its vicinity, was presented by Mr. Gilderd and read, praying aid in clearing out obstructions from the East River near the town of Chester.  
*Ordered*, That the petition be referred to the committee on navigation securities.
- Referred to navigation securities committee
- Elective council bill  
The honorable the attorney general, pursuant to leave given, presented to the house a bill to change the constitution of the legislative council by rendering it elective; and the same was read a first, and ordered to be read a second time.
- Representation bill  
The honorable the attorney general, pursuant to leave given, presented to the house a bill for better equalizing the representation in the house of assembly; and the same was read a first, and ordered to be read a second time.
- Mines and minerals bill read 2nd time  
The bill for giving effect to the surrender to her majesty, by the legal personal representatives of the late duke of York and Albany, and by the general mining association and their trustee of the mines in Nova Scotia, and to a lease of part of such mines to the said association, was read a second time.  
And thereupon,  
The honorable the attorney general moved that such bill be committed to a committee of the whole house.  
Which being seconded, and a debate arising thereon, after some time spent in such debate,  
*Ordered*, That the debate be adjourned until to-morrow.
- Motion to commit
- Debate adjourned

Then the house adjourned until to-morrow, at ten of the clock.

SATURDAY, 13th FEBRUARY, 1858.

PRAYERS.

- Petition for light house at Cape St. Mary's  
A petition of inhabitants of the counties of Digby and Yarmouth, was presented by Mr. Robecheau and read, praying for the erection of a light house at Cape St. Mary's.  
*Ordered*, That the petition be referred to the committee on navigation securities.
- Referred to navigation securities committee
- Petition of Adam Russell  
A petition of Adam Russell of Pictou, chain manufacturer, was presented by Mr. McDonald and read, praying for the repeal of import duties on certain articles used in his manufacture.  
*Ordered*, That the petition be referred to the committee on trade and manufactures.
- Referred to trade com.
- Petition of L. P. W. Desbrisay  
A petition of L. P. W. Desbrisay, of Richibucto, in the province of New Brunswick, merchant, was presented by Mr. McDonald and read, praying the house to remove the condition

condition annexed to the grant of last session for steam navigation between this province, Prince Edward Island and New Brunswick, by which, inasmuch as it has been impossible for him to fulfil such condition, he has been prevented from obtaining the sum granted for such service.

*Ordered*, That the petition be referred to the hon. the solicitor general, the hon. Mr. Howe and Mr. Ryder, to examine and report thereon; and that the committee be instructed to examine and report respecting the performance of the same duty in 1856.

Referred to select com.

A petition of Sterns Jones of Weymouth, in the county of Digby, was presented by Mr. Wade and read, praying compensation for injury to his lands by the alteration of the highway.

Petition of Sterns Jones

*Ordered*, That the petition be referred to the committee on land damages.

Referred to land damage committee

A petition of inhabitants of Digby Neck and its vicinity, was presented by Mr. Wade and read, praying for aid in erecting a breakwater at Griffin's cove, in the county of Digby.

Petition for breakwater at Griffin's cove

*Ordered*, That the petition be referred to the committee on navigation securities.

Referred to navigation sec. committee

A petition of the overseers of the poor for the township of Barrington, was presented by Mr. Robertson and read, praying reimbursement of the expense of maintaining a transient pauper.

Petition of overseers, Barrington

*Ordered*, That the petition be referred to the relief committee.

Referred to relief com.

Three petitions from inhabitants of the county of Digby, were presented by Mr. Robecheau and read, praying for aid in extending and improving Comeau's wharf, in that county.

3 petitions for aid to Comeau's wharf

*Ordered*, That the petitions be referred to the committee on navigation securities.

Referred to navigation sec committee

A petition of William Walker, mail carrier, of Maitland, in the county of Hants, was presented by Mr. Dimock and read, praying for a grant in consideration of the performance of extra services.

Petition of W. Walker

*Ordered*, That the petition be referred to the committee on the post office.

Referred to post office committee

A petition of Lewis Knaut, postmaster at Mahone Bay, in the county of Lunenburg, was presented by Mr. Bailey and read, praying for an increase of salary.

Petition of Lewis Knaut

*Ordered*, That the petition be referred to the committee on the post office.

Referred to post office committee

A petition of the proprietors of the breakwater at Port Williams, lately called Marshall's Cove, in the county of Annapolis, was presented by Mr. Ruggles and read, setting forth that they had purchased the rights of the Marshall's Cove pier company, and praying for an act of incorporation.

Petition for incorporation of Port Williams breakwater company

*Ordered*, That the petition do lie on the table, and that Mr. Ruggles have leave to introduce a bill in accordance with the prayer thereof.

Leave for bill

And thereupon,

Mr. Ruggles, pursuant to leave given, presented to the house a bill to incorporate the Port Williams pier company; and the same was read a first, and ordered to be read a second time.

Bill presented

A petition of inhabitants of Tatamagouche bay, in the county of Colchester, was presented by Mr. McFarlane and read, praying for the establishment of a way office.

Petition for way office, Tatamagouche

*Ordered*, That the petition be referred to the committee on the post office.

Referred to post office committee

A petition of the overseers of the poor for the township of Amherst, was presented by Mr. Bent and read, praying to be reimbursed the expense of maintaining a transient pauper.

Petition of overseers of poor, Amherst

*Ordered*, That the petition be referred to the relief committee.

Referred to relief com.

A petition of the inhabitants of the counties of Guysborough, Inverness, and Richmond, was presented by the honorable the financial secretary and read, praying for an alteration

Petition for change of mail route, Strait of Canso

alteration of the mail route across the Strait of Canso to Melford and Ship harbor, and the completion of the main post road from Tracadie to Melford.

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

Pet for semi-weekly mail by Guysboro' road

A petition of the inhabitants of the counties of Halifax and Guysborough, was presented by the honorable the financial secretary and read, praying for a semi-weekly mail by the eastern road through Musquodoboit to Guysborough.

Referred to post office committee

*Ordered*, That the petition be referred to the committee on the post office.

Petition of W. Cashen

A petition of William Cashen, senior, of Molasses harbor, in the county of Guysborough, was presented by the honorable the financial secretary and read, praying to be reimbursed the expense of maintaining a transient pauper.

Referred to relief com.

*Ordered*, That the petition be referred to the relief committee.

Petition for aid to canal at Whitehaven

A petition of inhabitants of the county of Guysborough, was presented by the hon. the financial secretary and read, praying for aid in constructing a boat canal from the harbor of Whitehaven to Molasses harbor.

Referred to navigation securities committee

*Ordered*, That the petition be referred to the committee on navigation securities.

Petition of Abner Myers

A petition of Abner Myers, of Manchester, in the county of Guysborough, was presented by the hon. the financial secretary and read, praying compensation for injury done to his property by the alteration of a main post road.

Referred to land damage committee

*Ordered*, That the petition be referred to the committee on land damages.

Petition for way office at Larrey's river

A petition of inhabitants of Larrey's river and Torbay, in the county of Guysborough, was presented by the hon. the financial secretary and read, praying for the establishment of a way office.

Referred to post office committee

*Ordered*, That the petition be referred to the committee on the post office.

Petition of W. O Neil

A petition of William O'Neil, of the county of Guysborough, was presented by the hon. the financial secretary and read, praying a grant of a sum alleged to be due to him from a road commissioner for the erection of a bridge.

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

Petition for aid to ferry at Molasses harbor

A petition of inhabitants of Molasses harbor, in the county of Guysborough, was presented by the hon. the financial secretary and read, praying for continued aid to the ferry at that place.

Referred to navigation securities committee

*Ordered*, That the petition be referred to the committee on navigation securities.

Petition of John Doran

A petition of John Doran of Windsor, in the county of Hants, was presented by the hon. Mr. Howe and read, praying compensation for damage to his real estate by the railway.

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

Petition of C. J. Stephens

A petition of Campbell G. Stephens, proprietor of the Avon Herald newspaper, a deaf and dumb mute, was presented by the hon. Mr. Howe and read, praying a grant to aid him in purchasing printing type to carry on his business.

Referred to relief com.

*Ordered*, That the petition be referred to the relief committee.

Pictou Island bill

The hon. the solicitor general, pursuant to leave given, presented to the house a bill to amend chapter 7 of revised statutes, "of the manner of conducting elections"; and the same was read a first, and ordered to be read a second time.

Petition of J. Murphy

A petition of John Murphy of Halifax, brushmaker, was presented by Mr. Tobin and read, praying the removal of import duty on bristles used in brushmaking, and a return of duties already paid by him on previous importations.

Referred to trade com.

*Ordered*, That the petition be referred to the committee on trade and manufactures.

A petition of John Neville, of Lunenburg, an aged teacher, was presented by the hon. the provincial secretary and read, praying for a free grant of crown lands.

Petition of John Neville

*Ordered,* That the petition be referred to the committee on education.

Referred to committee on education

A petition of John McLeod of River Inhabitants, in the county of Richmond, was presented by the hon. the provincial secretary and read, praying to be allowed interest on moneys deposited by him for a grant of crown land which, after several year's delay, was refused, and the deposit returned to him.

Petition of John McLeod

*Ordered,* That the petition be referred to the committee on crown property.

Referred to committee on crown property.

A petition of Godfrey Hynds of Ingonishe, in the county of Victoria, was presented by the hon. C. J. Campbell and read, praying for aid in establishing a house of entertainment in a remote district.

Petition of Godfrey Hynds

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

A petition of inhabitants of the counties of Inverness and Victoria, was presented by the hon. Mr. Young and read, praying aid in the erection of a bridge at Matheson's cove, to unite the roads of such counties respectively.

Petition for aid to bridge at Matheson's cove

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

The honorable the attorney general, pursuant to leave given, presented to the house a bill to extend the operation of certain grants of land ; and the same was read a first, and ordered to be read a second time.

Extension of grants bill

Pursuant to order, the house resumed the consideration of the bill for giving effect to the surrender to her majesty by the legal personal representatives of the late duke of York and Albany, and by the general mining association and their trustee of the mines in Nova Scotia, and to a lease of part of such mines to the said association ; and after some time spent in debate thereon.

Order of day, mines and minerals bill

*Ordered,* That the debate be adjourned until Monday next.

Debate adjourned

*Ordered,* That on Monday next, the house do proceed to the consideration of the resolution respecting the system of voting by ballot at elections.

Order of day, vote by ballot

The honorable the financial secretary, by command of his excellency the governor, presented to the house a report of the medical officer of the penitentiary as to the sanitary condition of that establishment during the past year.

Medical report on penitentiary

*Ordered,* That the report be referred to the committee on the penitentiary.

Then the house adjourned until Monday next, at three of the clock.

MONDAY, 15th FEBRUARY, 1858.

PRAYERS.

A petition of J. Wooster of Lower Granville, in the county of Annapolis, was presented by Mr. Wade and read, praying for a return of monies paid by him into the crown land office for a fishing privilege of which he had not been able to obtain possession.

Petition of J. Wooster

*Ordered,* That the petition be referred to the committee on crown property.

Crown property com.

A petition from the inhabitants of the Ridge, in the county of Digby, was presented by Mr. Wade and read, praying for an extension of postal communication.

Petition for mail extension, Digby

*Ordered,* That the petition be referred to the committee on the post office.

Referred to post office committee

A petition from the inhabitants of Digby Neck, was presented by Mr. Wade, and read, praying for aid in extending the breakwater at the Sea wall, in that county.

Petition for aid to Sea wall breakwater

*Ordered,* That the petition be referred to to the committee on navigation securities,

Referred to navigation securities committee

A

Petition for aid to  
Digby slip

A petition from the inhabitants of Digby, was presented by Mr. Wade and read, praying for aid in extending and improving the public landing at Digby.

Referred to navigation  
securities committee

*Ordered,* That the petition be referred to the committee on navigation securities.

Petition of J. Forbes

A petition of John Forbes, grammar school teacher in district No. 12 of the county of Cape Breton, was presented by Mr. Caldwell and read, praying to be allowed grammar school moneys, of which he complains of being unjustly deprived.

Education committee

*Ordered,* That the petition be referred to the committee on education

Petition respecting  
destitution at Maina-  
diou

A petition from the inhabitants of Mainadiou, in the county of Cape Breton, was presented by Mr. Caldwell and read, praying the house to adopt measures to relieve the destitution prevailing in that locality, arising from the failure of the mackerel fishery.

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

Address to Earl of  
Mulgrave

The hon. the attorney general proposed the following address of congratulation to his excellency the Earl of Mulgrave, upon his assuming the government of this province, and moved that the same do pass, viz. :

TO HIS EXCELLENCY THE RIGHT HONORABLE

THE EARL OF MULGRAVE,

*Lieutenant governor and commander in chief in and over  
her majesty's province of Nova Scotia, and its  
dependencies, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY,—

We the representatives of her majesty's faithful subjects in Nova Scotia, beg leave to congratulate your excellency on the safe arrival of your excellency, lady Mulgrave and family, and we offer to you and her ladyship a hearty welcome.

We hail the appointment of a nobleman of your excellency's high rank and distinguished merit to represent her majesty in the administration of her government as a proof of the favor with which her majesty reciprocates the love and loyalty of her people of Nova Scotia.

We sincerely hope that your administration will prove as agreeable to your excellency as we doubt not it will be conducive to the improvement and prosperity of the colony.

Which motion being seconded and propounded from the chair.

Address passed

*Resolved unanimously,* that the address do pass.

Order to be presented  
by the whole house

*Ordered,* That the address be engrossed.

*Ordered,* That the address be presented to his excellency the governor by the whole house.

Speaker announces  
address to be presented  
to-morrow

Mr. Speaker informed the house that he had received an official communication from the honorable the provincial secretary, that his excellency had been pleased to appoint to-morrow, at half-past three of the clock at government house, to receive the house with their address of congratulation.

Vote of sword of  
honor to general Inglis

On motion of the hon. the attorney general,

*Resolved unanimously,* That his excellency the lieutenant governor be respectfully requested to expend one hundred and fifty guineas in the purchase of a sword to be presented to major-general Sir John Inglis, K. C. B., as a token of the admiration of the legislature of his native land for his heroic courage and constancy in the defence of the Residency of Lucknow, and this house will provide for the same during the present session.

Sent to council

*Ordered,* That the clerk do carry the resolution to the council and desire their concurrence.

The

The hon. the provincial secretary, by command of his excellency the governor, presented to the house copies of despatches from the Colonial office relating to the light houses on the coasts of this province, and the light house at Cape Race in Newfoundland; and the same were read by the clerk. Light house despatches

(See appendix No. 26.)

Ordered, that the despatches be referred to the committee on navigation securities. Referred to navigation securities committee

The hon. the provincial secretary, by the like command, presented to the house copies of despatches and correspondence relating to the militia of this province; and the same were read by the clerk. Militia despatches

(See appendix No. 27.)

Ordered, That the papers do lie on the table.

The honorable the provincial secretary, by the like command, presented to the house copies of correspondence and despatches relating to the signal station at Halifax; and the same were read by the clerk. Despatches respecting signal station, Halifax

(See appendix No. 28.)

Ordered, That the papers be referred to the committee on trade and manufactures. Referred to trade com.

A petition of James Edwards of Truro, in the county of Colchester, was presented by Mr. Archibald and read, praying a return of monies deposited in the crown land office for a grant of land which he failed to obtain, together with interest thereon. Petition of J. Edwards

Ordered, That the petition be referred to the committee on crown property. Referred to crown property committee

A petition of James Blair of Tatamagouche, in the county of Colchester, was presented by Mr. Archibald and read, praying a grant in consideration of extra services. Petition of J. Blair

Ordered, That the petition be referred to the committee on the post office. Referred to post office committee

A petition of the overseers of the poor for the township of Truro, was presented by Mr. Archibald and read, praying to be reimbursed the expense of maintaining transient pauper. Petition of overseers, Truro

Ordered, That the petition be referred to the relief committee. Referred to relief com-

A petition of John Cummins of Truro, in the county of Colchester, an aged school teacher, was presented by Mr. Archibald and read, praying to be allowed a pension in consideration of his public services. Petition of J. Cummins

Ordered, That the petition be referred to the committee on education. Referred to education committee

A petition of inhabitants of Queen's and Annapolis counties, was presented by the hon. the attorney general and read, praying for the opening of a new line of road between such counties. Petition for road, Annapolis

Ordered, That the petition do lie on the table

The hon. the provincial secretary, by command of his excellency the governor, presented to the house the report of Thomas B. Aikins, esquire, the commissioner appointed pursuant to a resolution of the house passed last session, for the examination, preservation and arrangement of the ancient provincial records; and the same was read by the clerk. Report of record commissioner

Also, several descriptive catalogues of ancient books and documents in the public offices, prepared by such commissioner, together with a return of the expenditure incurred in prosecuting his labors.

(See appendix No. 29.)

Referred to printing committee	<i>Ordered</i> , That the return and papers connected therewith be referred to the committee on printing and reporting, to examine and report upon the best manner of preserving and publishing such documents.
Messages	A message from the council, by Mr Halliburton : Mr. Speaker,
Council agree to conference	The council agree to the conference on the general state of the province, and a committee of the council are now ready to meet the committee of this house. And then the messenger withdrew.
Managers appointed	<i>Ordered</i> , That the hon. the attorney general, Mr. Henry and the hon. Mr. Young, be a committee to manage the conference on the general state of the province.
Who attend	So they went to the conference. And being returned,
And report	The hon. the attorney general reported that the managers had been at the conference, and had complied with the instructions of the house.
Petition of school trustees, Sydney	A petition from the trustees of the grammar school at Sydney, Cape Breton, was presented by Mr. McKeagney and read, praying to be allowed to appropriate undrawn grammar school monies to the purchase of school apparatus.
Referred to education committee	<i>Ordered</i> , That the petition be referred to the committee on education.
Petition of R. Martin	A petition of Robert Martin, postmaster at Sydney, Cape Breton, was presented by Mr. McKeagney and read, praying remuneration for extra services.
Referred to post office committee	<i>Ordered</i> , That the petition be referred to the committee on the post office.
Petition of overseers, Sydney	A petition of the overseers of the poor for the township of Sydney, was presented by Mr. McKeagney and read, praying to be reimbursed the expense of maintaining transient paupers.
Referred to relief com.	<i>Ordered</i> , That the petition be referred to the relief committee.
Petition of R. Gibbons	A petition of Richard Gibbons, esquire, sheriff of the county of Cape Breton, was presented by Mr. McKeagney and read, praying to be allowed a salary for performing the duties of his office. <i>Ordered</i> , That the petition do lie on the table.
Petition of J. F. Fuller	A petition of John F. Fuller, esquire, sheriff of the county of Richmond, was presented by Mr. Fuller and read, praying to be allowed a salary for performing the duties of his office. <i>Ordered</i> , That the petition do lie on the table.
Petition of Joseph Allison	A petition of Joseph Allison, esquire, sheriff of the county of Hants, was presented by the hon. Mr. Howe and read, praying to be allowed a salary for performing the duties of his office. <i>Ordered</i> , That the petition do lie on the table.
A petition of Winkworth Fenerty.	A petition of Winkworth Fenerty, of Sackville, in the county of Halifax, was presented by Mr. Esson and read, praying compensation for injury done to his lands by the railway <i>Ordered</i> , That the petition do lie on the table.
Petition for semi-weekly eastern mail	A petition of the inhabitants of Musquodoboit, in the county of Halifax, was presented by Mr. Esson and read, praying for the establishment of a semi-weekly mail by the route through that district to Guysborough.
Referred to post office committee	<i>Ordered</i> , That the petition be referred to the committee on the post office.
Petition for semi-weekly eastern mail	A petition of the inhabitants of Sheet harbor, in the county of Halifax, was presented by Mr. Esson and read, praying for the establishment of a semi-weekly mail by the route through Musquodoboit to Guysborough.
Referred to post office committee	<i>Ordered</i> , That the petition be referred to the committee on the post office.

A petition of the inhabitants of Sheet harbor, was also presented by Mr. Esson and read, praying for an increase of salary to the ferryman at that place.

Petition for aid to Sheet harbor ferry  
Referred to navigation securities committee

*Ordered*, That the petition be referred to the committee on navigation securities.

A petition of the inhabitants of Upper Musquodoboit, in the county of Halifax, was presented by Mr. Esson and read, praying the house to establish a comprehensive system of education, to be supported by public assessment, and that the bible may not be excluded from the public schools.

Petition from Musquodoboit respecting education

*Ordered*, That the petition be referred to the committee on education.

Referred to education committee

A petition of inhabitants of Upper Musquodoboit, was also presented by Mr. Esson and read, praying for a division of the county of Halifax.

Petition for division of Halifax county

*Ordered*, That the petition do lie on the table, and that Mr. Esson have leave to bring a bill in accordance with the prayer thereof.

Leave for bill

And thereupon,

Mr. Esson, pursuant to such leave, presented to the house a bill to divide the county of Halifax and regulate the representation thereof; and the same was read a first, and ordered to be read a second time.

Bill presented

Mr. Esson, pursuant to leave given, presented to the house a bill respecting the transfer of shares in incorporated companies; and the same was read a first, and ordered to be read a second time.

Bank stock bill

A petition of the hon. Hugh Bell, late chairman of the board of works, was presented by Mr. Wier and read, praying for an investigation of the accounts of that department while under his supervision.

Petition of hon. H. Bell

*Ordered*, That the petition be referred to the committee on public accounts.

Referred to public accounts committee

A petition of the Rev. Jehn Stewart of New Glasgow, in the county of Pictou, was presented by Mr. McDonald and read, praying to be reimbursed the expenses of excavating a coal pit for his private use on his lands in the vicinity of the Albion mines, which are included in the lands allotted to the general mining association for the continuance of their operations, whereby he has lost the benefit of such coal pit.

Petition of Rev. J. Stewart

*Ordered*, That the petition be referred to the committee on crown property.

Referred to mines com.

A message from the council, by Mr. Halliburton :

Message

Mr. Speaker,

The council have unanimously agreed to the resolution of this honorable house, requesting his excellency the governor to apply the sum of one hundred and fifty guineas to purchase a sword to be presented to major general Sir John Inglis, K.C.B.

Council agree to resolution

The council desire a further conference with the house of assembly by committee on the general state of the province.

And desire conference

And then the messenger withdrew.

On motion of the honorable the attorney general,

*Resolved*, That this house do agree to the further conference desired by the council.

*Ordered*, That the committee who managed the last conference do manage this conference.

*Ordered*, That the clerk do acquaint the council that this house agree to the further conference desired by the council, and that the committee of this house are ready to meet the committee of the council upon such conference.

Managers appointed

So the managers went to the conference.

And being returned,

The hon. the attorney general reported that the managers had been at the conference, and the committee of the council had communicated to the committee of the house copies, in writing, of three resolutions of the council—which he read in his place, and then delivered in at the clerk's table, where they were again read, as follows :

Who report

LEGISLATIVE COUNCIL CHAMBER, }  
15th February, 1858. }

Councils resolutions

*Resolved unanimously,* That this house will join the house of assembly in an address of thanks and congratulation to our countryman major general Sir John Inglis, K. C. B., on the gallant defence of the residency of Lucknow.

Committee to prepare joint address to general Inglis

*Resolved,* That Mr. Almon, Mr. McCully and Mr. Brown, be a committee of this house to join a committee of the house of assembly in preparing the said address.

*Resolved,* That a further conference be desired with the house of assembly, by committee, on the general state of the province, and that the committee do communicate the foregoing resolutions to the committee of the house of assembly.

By order,

JOHN C HALLIBURTON, C. L. C.

*Ordered,* That the copies of resolutions do lie on the table.

*Ordered,* That the committee who managed the conferences be a committee to join the committee of the council in preparing such address, and that the clerk do acquaint the council therewith.

Who report address Address

The honorable the attorney general from the joint committee appointed to prepare an address of congratulation and thanks to major general Sir John Inglis, K.C.B. on the subject of his gallant defence of the residency of Lucknow, reported the address agreed upon by such committee; and he read the same in his place, and then delivered in to the clerk's table, where it was again read, and is as follows:

Address

TO MAJOR GENERAL SIR JOHN INGLIS,

*Knight commander of the Bath, &c. &c. &c.*

THE JOINT ADDRESS OF THE LEGISLATIVE COUNCIL AND HOUSE OF ASSEMBLY OF THE PROVINCE OF NOVA SCOTIA.

SIR,—

During intervals of anxious suspense while the fate of Lucknow was in doubt, your countrymen in this province were not forgetful that the responsibility of guarding interests, of a value that surpasses all estimation—rested on a Nova Scotian.

We acknowledge our gratitude to God, whose providence cast over the defenders of the residency, and their sacred trust, the shield of omnipotence, and brought to a successful termination, a contest, which, judged by human calculations, was hopeless.

To you, and your brave associates in arms, we, as a portion of the empire, are indebted for the national benefit, and the augmentation of the national glory, achieved by the defence of Lucknow.

As Nova-Scotians we owe you more.—Through you, has been rendered again conspicuous this small province.—In you, another name is added to the roll of heroic men—sons of Nova Scotia—who have enabled the colony that gave them birth, to contribute to the national prosperity, that which is of more value than mere material wealth—men who in the hour of trial, can conceive, and endure, and dare, all that human skill, and fortitude and courage, may achieve.

Accept, Sir, the thanks and congratulations of the legislature of Nova Scotia, and may you long enjoy the honors you have nobly won. Receive, also, as a token of the esteem of your fellow countrymen, a sword, which will be presented to you, as soon as it can be prepared.—In peace it may recall to your remembrance the scenes of youth; and in war sustain you, with the consciousness, that the sympathies of your native land, attend you.

And

And thereupon the usual question being propounded from the chair that the address be agreed to, the same was agreed to by the house.

Address passed

A petition of Roderick MacLeod, ferryman, at the entrance of the Great Bras d'Or in the island of Cape Breton, was presented by the hon. C. J. Campbell and read, praying to be allowed a salary for his services.

Petition of R. McLeod

*Ordered*, That the petition be referred to the committee on navigation securities.

Referred to navigation securities committee

A petition of the trustees of the Wesleyan academy at Sackville, New Brunswick, was presented by the hon. J. C. Campbell and read, praying for the continuation of the grant in aid of that institution.

Petition for aid to Sackville Academy

*Ordered*, That the petition be referred to the committee on education.

Referred to education committee

A petition of the overseers of the poor for the township of Stewiacke, Shubenacadie, and Gay's River, was presented by Mr. Archibald and read, praying reimbursement of the expense of maintaining a transient pauper.

Petition of overseers, Stewiacke

*Ordered*, That the petition be referred to the relief committee.

Referred to relief com.

The hon. the provincial secretary, by command of his excellency the governor, presented to the house, a list of articles purchased for the use of the Halifax poors' asylum for the year 1857, with a statement of the balance due by the commissioners to the bank of Nova Scotia.

Poor asylum return

(See appendix No. 30.)

*Ordered*, That the return be referred to the relief committee.

Referred to the relief committee

*Ordered*, That the adjourned debate on the bill and despatches relating to the mines and minerals be further adjourned until to-morrow.

*Ordered*, That this house do on Saturday next, the 20th instant, proceed to the consideration of the resolution on the subject of voting by ballot.

Then the house adjourned until to-morrow, at twelve of the clock.

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TUESDAY, 16th FEBRUARY, 1858.

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PRAYERS.

The hon. the solicitor general, pursuant to leave given, presented to the house a bill to incorporate the Nova Scotia barrister's society; and the same was read a first, and ordered to be read a second time.

Barristers society bill

A petition of William H. Harris, esquire, sheriff of the county of Pictou, was presented by the hon. the solicitor general and read, praying to be remunerated for his services in that office by a salary.

Petition of W. H. Harris

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

A petition of doctor Charles Creed of Pugwash, in the county of Cumberland, was presented by Mr. McFarlane and read, praying remuneration for his professional services to sick Indians.

Petition of Dr. C. Creed

*Ordered*, That the petition be referred to the committee on Indian affairs.

Referred to Indian committee

A petition of George McKenzie, way office keeper at Minudie, in the county of Cumberland, was presented by Mr. McFarlane and read, praying for an increase of salary.

Petition of G. McKenzie

*Ordered*, That the petition be referred to the committee on the post office.

Referred to post office committee

A petition of inhabitants of Wallace, in the County of Cumberland, was presented by Mr. McFarlane and read, praying for the adoption of measures to prevent the destruction of the oyster beds in Wallace bay by excessive fishing.

Petition for preservation of oysters

*Ordered*, That the petition be referred to the committee on the fisheries.

Referred to fishery committee

Petition of J. H. Kendrick  
Kendrick A petition of John H. Kendrick of Barrington, in the county of Shelburne, was presented by Mr White and read, praying a return of duties paid by him on goods which were destroyed by fire before they were landed.

Referred to trade com. *Ordered*, That the petition be referred to the committee on trade and manufactures.

Petition of inhabitants of Inverness  
of Inverness A petition of inhabitants of the county of Inverness, was presented by Mr. Smyth and read, praying that the steam navigation established between Sydney and Baddeck may be extended to Whycomoham in that county.

Referred to navigation sec. committee *Ordered*, That the petition be referred to the committee on navigation securities.

Petition of Thos. Friar  
Friar A petition of Thomas Friar of Wallace, in the county of Cumberland, was presented by Mr. McFarlane and read, praying a return of duties paid by him on a bone mill imported.

Referred to trade com. *Ordered*, That the petition be referred to the committee on trade and manufactures.

House attend governor with address  
governor At half-past three of the clock, Mr. Speaker and the house, went up to government house, to attend his excellency with the congratulatory address of the house upon his excellency's assuming the government of the province.

On being returned,

Mr. Speaker reports reply  
reply Mr. Speaker reported that he had presented the address to his excellency, and that his excellency had been pleased to give this reply thereto :

*Mr. Speaker and gentlemen of the house of assembly :*

On behalf of lady Mulgrave and myself, I tender to you my sincere thanks for the cordial manner in which you have welcomed our arrival in this province.

I thank you for the manner in which you express yourselves in regard to my appointment to the government of this important colony; and I hope that my administration of the office entrusted to me by her majesty, may be such as to justify the anticipations you express.

I can assure you that so long as I remain in the position which I have now the honor of holding, I shall devote every faculty I possess to the service of the colony, in the hope that hereafter the loyal inhabitants of this country may find that my administration of affairs has been conducive to the happiness and well being of those committed to my charge.

Petition of overseers, Windsor  
Windsor A petition of overseers of the poor for the township of Windsor, was presented by the hon. Mr. Howe and read, praying reimbursement of the expense of maintaining transient paupers.

Referred to relief com. *Ordered*, That the petition be referred to the relief committee.

Petition of D. F. Curry  
Curry A petition of Daniel F. Curry of Ship harbor, in the county of Halifax, was presented by Mr. Esson and read, praying reimbursement of the expense incurred by him in providing for the temporary support of a number of destitute Indians.

Referred to Indian committee *Ordered*, That the petition be referred to the committee on Indian affairs.

Petition for eastern shore road extension  
extension A petition of inhabitants of Sheet harbor and Musquodoboit, was presented by Mr. Esson and read, praying permission to raise a loan for the completion of the eastern shore road.

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

Petition of William Anderson  
Anderson A petition of William Anderson, surveyor, was presented by Mr. Esson and read, praying remuneration for a survey of a road in the county of Lunenburg, by order of the provincial secretary, in 1855.

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

Papers relating to distressed seamen  
seamen The hon the provincial secretary, by command of his excellency the governor, presented to the house sundry certificates and affidavits relating to the barque "Peace," of London,

London, which vessel having been destroyed by fire, the officers and crew escaped in their boats, and landed at Sydney, Cape Breton, where they were supplied with necessaries by Thomas S. Bown, and John Forbes, two justices of the peace for the county of Cape Breton, who now claim reimbursement of such expense; and the same were read by the clerk.

*Ordered*, That the papers be referred to the relief committee.

Referred to relief com.

On motion of Mr. Wade,

Time for petitions and bills extended

*Resolved*, That the time for the reception of private and local bills, and petitions for money or relief, be extended until Saturday, the twentieth day of February instant, inclusive.

The order of the day being read,

The house resumed the consideration of the bill and despatches relating to the mines and minerals; and after some time spent in debate thereon,

Debate on mines and minerals resumed

*Ordered*, That the debate be further adjourned until to-morrow.

And adjourned

The hon. the provincial secretary, by command of his excellency the governor, presented to the house certain reports and correspondence relative to the defective construction of the hospital for the insane; and the same were read by the clerk.

Papers relating to Insane hospital, presented

(See appendix No. 31.)

*Ordered*, That the papers do lie on the table.

Then the house adjourned until to-morrow, at twelve of the clock.

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WEDNESDAY, 17th FEBRUARY, 1858.

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PRAYERS.

A petition of Doctor George M Johnston of Pictou, was presented by the hon. the solicitor general and read, praying remuneration for professional services to Indians.

Petition of Dr. Johnston

*Ordered*, That the petition be referred to the committee on Indian affairs.

Referred to Indian committee

A petition of overseers of the poor for the second section of the township of Pictou, was presented by the hon. the solicitor general and read, praying to be reimbursed the expense of maintaining transient paupers.

Petition of overseers 2d section, Pictou

*Ordered*, That the petition be referred to the relief committee.

Referred to relief com.

A petition of overseers of the poor for the township of Clements, was presented by Mr. Shaw and read, praying reimbursement of the expense of maintaining a transient pauper.

Petition of overseers, Clements

*Ordered*, That the petition be referred to the relief committee.

Referred to relief com.

A petition of John Peat, of the county of Annapolis, was presented by Mr. Ruggles and read, praying a return of duties paid on a threshing machine imported.

Petition of J Peat

*Ordered*, That the petition be referred to the committee on trade and manufactures.

Referred to trade com.

A petition of inhabitants of the township of Annapolis, was presented by Mr. Ruggles and read, praying for the passing of an act to enable them to erect an aboiteau at Messenger's creek in that township.

Petition for aboiteau, Messenger's creek,

*Ordered*, That the petition do lie on the table, and that Mr. Ruggles have leave to present a bill in accordance with the prayer thereof.

Leave for bill

And thereupon,

Mr. Ruggles, pursuant to such leave, presented to the house, a bill to authorize the construction of an aboiteau across Messenger's creek, in the county of Annapolis; and the same was read a first, and ordered to be read a second time.

Messenger's creek bill

- Petition respecting shad fishery  
A petition of inhabitants of Amherst, in the county of Cumberland, was presented by Mr. Bent and read, praying that the sessions of that county may be empowered to make regulations to protect the shad fishery.  
*Ordered*, That the petition do lie on the table, and that Mr. Bent have leave to present a bill in accordance with the prayer thereof.
- Leave for bill  
A petition of the trustees of the female seminary at Liverpool, was presented by the hon. J. Campbell and read, praying for a grant to aid in sustaining that institution.  
*Ordered*, That the petition be referred to the committee on education.
- Petition for aid to Liverpool female seminary  
Referred to education committee
- Petition of Dr. J. F. Forbes  
A petition of doctor James F. Forbes of Liverpool, was presented by the hon. John Campbell and read, praying remuneration for professional services to Indians.  
*Ordered*, That the petition be referred to the committee on Indian affairs.
- Referred to Indian committee
- Petition of sheriff of Queen's  
A petition of John Scott, esquire, sheriff of Queen's county, was presented by the hon. John Campbell and read, praying to be remunerated for his services by a salary.  
*Ordered*, That the petition do lie on the table.
- Petition of Simon Martell  
A petition of Simon Martell, mail carrier of Discouse, in the county of Richmond, was presented by Mr. Martell and read, praying for an increase of salary.  
*Ordered*, That the petition be referred to the committee on the post office.
- Referred to post office committee
- Petition of H. Conlon  
A petition of Henry Conlon of Newport, mail carrier, was presented by Mr. Dimock and read, praying payment for extra services  
*Ordered*, That the petition be referred to the committee on post office affairs.
- Referred to post office committee
- Petition of J. Murphy  
A petition of Jeremiah Murphy, way office keeper at Waugh's river, in Colchester, was presented by Mr. Morrison and read, praying to be allowed a salary for performance of his duty.  
*Ordered*, That the petition be referred to the committee on post office affairs.
- Referred to post office committee
- Petitions for railway damages in Hants county  
Four petitions, from James Wardrop, William Dill, David Scott, and Nathaniel Smith, respectively, were severally presented by the hon. Mr. Howe and read, praying compensation for damage to their lands in the county of Hants, by the railway.  
*Ordered*, That the petitions do lie on the table.
- Petition of P. S. Burnham  
A petition of Peter S. Burnham, postmaster at Windsor, was presented by the hon. Mr. Howe and read, praying for an increase of salary.  
*Ordered*, That the petition be referred to the committee on the post office.
- Referred to post office committee
- Petition from Hants against railway assessment  
A petition of the inhabitants of the county of Hants, was presented by Mr. Churchill and read, praying to be relieved from assessments for railway damages, to the extent of the value of the railway depots at Windsor and Shubenacadie, which they contend ought to be made a provincial charge.  
*Ordered*, That the petition do lie on the table.
- Petition for clearing Abuptic river  
A petition of inhabitants of Argyle, in the county of Yarmouth, was presented by Mr. Ryder and read, praying a grant to aid them in clearing out Abuptic river, in that county.  
*Ordered*, That the petition be referred to the committee on navigation securities.
- Referred to navigation securities committee
- Petition of overseers Argyle  
A petition of the overseers of the poor for the township of Argyle, was presented by Mr. Ryder and read, praying reimbursement of the expense of maintaining transient paupers.  
*Ordered*, That the petition be referred to the relief committee.
- Referred to relief com.
- Petition of overseers Yarmouth  
A petition of the overseers of the poor for the township of Wilmot, was presented by the hon. the attorney general and read, praying reimbursement of the expense of maintaining transient paupers.  
*Ordered*, That the petition be referred to the relief committee.
- Referred to trade com.

<p>A petition of the inhabitants of Albany, in the county of Annapolis, was presented by the hon. the attorney general and read, praying for the establishment of a way office.  <i>Ordered,</i> That the petition be referred to the committee on the post office.</p>	<p>Petition for way office Albany                  Referred to post office committee</p>
<p>A petition of the Baptist education society was presented by the hon. the attorney general and read, praying for the continuance of the grant to the Horton academy. Also, a return of the state of that institution for the past year.  <i>Ordered,</i> That the papers be referred to the committee on education.</p>	<p>Petition, baptist education society                  Referred to education committee</p>
<p>A petition of the inhabitants of Parrsborough, in the county of Cumberland, was presented by Mr. MrFarlane and read, praying that the grant in aid of the packet between Parrsborough and Horton, may be transferred to a vessel owned in Parrsborough.  <i>Ordered,</i> That the petition be referred to the committee on navigation securities.</p>	<p>Petition Parrsborough packet                  Referred to navigation sec. committee</p>
<p>Two petitions from the overseers of the poor for the eastern district of Parrsborough, were presented by Mr. McFarlane and read, praying reimbursement of expenses incurred in supplying the necessities of sick Indians  <i>Ordered,</i> That the petition be referred to the committee on Indian affairs.</p>	<p>Petition overseers, Parrsborough                  Referred to Indian committee</p>
<p>A petition of the overseers of the poor for the township of Cornwallis, was presented by Mr. Bill and and read, praying reimbursement of expenses incurred in maintaining a transient pauper.  <i>Ordered,</i> That the petition be referred to the relief committee.</p>	<p>Petition overseers, Cornwallis                  Referred to relief com.</p>
<p>A petition of John Givan, was presented by Mr. Bill and read, praying for the establishment of a way office at the Givan wharf.  <i>Ordered,</i> That the petition be referred to the committee on the post office.</p>	<p>Petition for way office Givan wharf                  Referred to post office committee</p>
<p>A petition of Arunah Randall of Aylesford, in the county of Hants, way office keeper, was presented by Mr. Bill and read, praying to be remunerated for his services.  <i>Ordered,</i> That the petition be referred to the committee on the post office.</p>	<p>Petition way office keeper, Aylesford                  Referred to post office committee</p>
<p>A petition of inhabitants of East Dalhousie, was presented by Mr. Bill and read, praying for a grant to aid them in opening a road.  <i>Ordered,</i> That the petition be referred to the committee on crown property.</p>	<p>Petition inhabitants Dalhousie                  Referred to crown property committee</p>
<p>A petition of inhabitants of Aylesford, in the county of Kings, was presented by Mr. Bill and read, praying for a grant to aid them in opening a road.  <i>Ordered,</i> That the petition be referred to the committee on road damages.</p>	<p>Petition inhabitants, Aylesford                  Referred to committee on road damages</p>
<p>A petition of inhabitants of Amherst, in the county of Cumberland, was presented by Mr. Bent and read, praying the establishment of a daily mail between Halifax and Amherst.  <i>Ordered,</i> That the petition be referred to the committee on the post office.</p>	<p>Petition for daily mail to Amherst                  Referred to post office committee</p>
<p>A petition of the overseers of the poor for the township of Shelburne, was presented by Mr. White and read, praying reimbursement of expenses incurred in maintaining a transient pauper.  <i>Ordered,</i> That the petition be referred to the relief committee.</p>	<p>Petition overseers, Shelburne                  Referred to relief com.</p>
<p>A petition of inhabitants of Upper Onslow, in the county of Colchester, was presented by Mr. Archibald and read, praying for the establishment of a way office.  <i>Ordered,</i> That the petition be referred to the committee on the post office.</p>	<p>Petition inhabitants, Upper Onslow                  Referred to post office committee</p>
<p>A petition of Joseph Dickson, clerk of the peace for the county of Colchester, was presented by Mr. Archibald and read, praying reimbursement of the expense incurred by that county in supporting James Russel, an insane convict.</p>	<p>Petition clerk of peace, Colchester</p>

- Referred to select com. *Ordered*, That the petition be referred to Mr McFarlane, Mr. McDonald and Mr. Wade, to examine and report thereon.
- Petition of sheriff of Colchester A petition of Charles Blanchard, esquire, sheriff of the county of Colchester, was presented by Mr. Archibald and read, praying remuneration for his services by salary.  
*Ordered*, That the petition do lie on the table
- Petition of Sydney Crowe A petition of Sydney Crowe, contractor for erecting model school buildings at Truro, was presented by Mr. Archibald and read, praying the compensation for extra work in the performance of his contract.
- Referred to education committee *Ordered*, That the petition be referred to the committee on education.
- Petition of Thomas Gourley A petition of Thomas Gourley of Stewiacke, in the county of Colchester, was presented by Mr. Archibald and read, praying compensation for his property destroyed by a mob on the Windsor line of railway, in March, 1856.  
*Ordered*, That the petition do lie on the table.
- Petition overseers, Horton A petition of the overseers of the poor for the township of Horton, was presented by Mr. Brown and read, praying for reimbursement of expense incurred in maintaining a transient pauper.
- Referred to relief com. *Ordered*, That the petition be referred to the relief committee.
- Decimal currency bill Mr. Henry, pursuant to leave given, presented to the house a bill to establish a decimal currency; and the same was read a first, and ordered to be read a second time.
- Petition of D. McInnis A petition of Donald McInnis, an aged discharged soldier of the British army, was presented by Mr. Smyth and read, praying to be allowed a pension.
- Referred to relief com. *Ordered*, That the petition be referred to the relief committee.
- Petition for grant to dispensary A petition of the governors of the Halifax visiting dispensary, was presented by Mr. Wier and read, praying for the continuance of the grant in aid of that institution.
- Referred to relief com. *Ordered*, That the petition be referred to the relief committee.
- Petition of Stephen McPherson A petition of Stephen McPherson, of the county of Cape Breton, was presented by the hon. C. J. Campbell and read, praying a grant to remunerate him for services performed for John McLeod, when engaged as contractor for the excavation of St. Peter's canal.  
*Ordered*, That the petition do lie on the table.
- Petition sheriff, Victoria A petition of Jacob S. Ingraham, esquire, sheriff of the county of Victoria, was presented by the hon. C. J. Campbell and read, praying to be remunerated for his services by a salary.  
*Ordered*, That the petition do lie on the table.
- Patent law bill Mr. Hyde, pursuant to leave given, presented to the house a bill to alter chapter 120 of the revised statutes, "of patents for useful inventions"; and the same was read a first, and ordered to be read a second time.
- Petition of J. & J. Davison A petition of James and John Davison, of Saokville, in the county of Halifax, was presented by Mr. Esson and read, praying compensation for timber taken from their lands for the purposes of the railway.  
*Ordered*, That the petition do lie on the table.
- Petition of John Gully A petition of John Gully of Halifax, was presented by Mr. Esson and read, praying a continuance of the grant to educate his deaf and dumb child.
- Referred to relief com. *Ordered*, That the petition be referred to the relief committee.
- Petition of Peter Doyle A petition of Peter Doyle, clerk in the crown land office, was presented by Mr. Esson and read, praying an increase of salary.
- Referred to crown property committee *Ordered*, That the petition be referred to the committee on crown property.

A petition of the overseers of the poor for the fifth section of the township of Pictou, was presented by Mr. McDonald and read, praying reimbursement of the expense of maintaining transient paupers. Petition of overseers, Pictou, 5th section

*Ordered,* That the petition be referred to the relief committee. Referred to relief com.

A petition of the overseers of the poor for the township of Liverpool, was presented by Mr. McClearn and read, praying reimbursement of the expense of maintaining a transient pauper. Petition of overseers, Liverpool

*Ordered,* That the petition be referred to the relief committee. Referred to relief com.

A petition of inhabitants of Newport, in the county of Hants, was presented by Mr. Chambers and read, praying for the opening of a road to enable the inhabitants of Newport to avail themselves of the railway; and also for the erection of a station house. Petition for road at Newport

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

Three petitions of inhabitants of the county of Hants, were presented by Mr. Parker and read, praying to be relieved from assessments for railway damages to the extent of the value of railway depots at Windsor and Shubenacadie, which they contend ought to be made a provincial charge. Petitions from Hants against railway assessment

*Ordered,* That the petitions do lie on the table.

A petition of inhabitants of the village at the head of Mahone Bay, in the county of Lunenburg, was presented by Mr. Bailey and read, praying for the passing of an act to give the name of Kinburn to such village. Petition for bill to name village of Kinburn

*Ordered,* That the petition do lie on the table, and that Mr. Bailey have leave to present a bill in accordance with the prayer thereof. Leave for bill

And thereupon, Mr. Bailey, pursuant to such leave, presented to the house a bill for naming the village of Kinburn in the county of Lunenburg; and the same was read a first, and ordered to be read a second time. Bill presented

A petition of Jacob B. DeLong, of New Germany, in the county of Lunenburg, was presented by Mr. Bailey and read, praying to be reimbursed for necessaries supplied to destitute Indians. Petition of Jacob B. DeLong

*Ordered,* That the petition be referred to the committee on Indian affairs. Referred to Indian committee

A petition of Duncan McDonald of Halifax, railway contractor, was presented by Mr. McFarlane and read, praying for a return of duties paid on railway plant imported. Petition of D. McDonald

*Ordered,* That the petition be referred to the committee on trade and manufactures. Referred to trade com.

A petition of the ferryman at port L'Hebert, in the county of Shelburne, was presented by the hon. John Campbell and read, praying payment of a portion of his salary for 1851, which he alleges to be unpaid. Petition of ferryman at Port LeHebert

*Ordered,* That the petition be referred to the committee on navigation securities. Referred to navigation securities committee

Pursuant to order, the house resumed the consideration of the bill and despatches relating to the mines and minerals, and after some time spent in debate thereon, Debate on mines and minerals resumed

*Ordered,* That the debate be further adjourned until to-morrow. And adjourned

Then the house adjourned until to-morrow, at twelve of the clock.

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 THURSDAY, 18th FEBRUARY, 1858.
 

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## PRAYERS.

- Petition of inhabitants of Granville** A petition of inhabitants of Granville, in the county of Annapolis, was presented by Mr. Ruggles and read, praying for an extension of mail communication.  
**Referred to post office committee** *Ordered,* That the petition be referred to the committee on the post office.
- Petition of Gray and Ruggles** A petition of James Gray and J. W. Ruggles, esquires, of Annapolis Royal, was presented by Mr. Ruggles and read, praying compensation for performing the duties of commissioners for the relief of insolvent debtors.  
*Ordered,* That the petition do lie on the table.
- Petition for electoral district, Annapolis** A petition of the electors of the county of Annapolis, was presented by Mr. Ruggles and read, praying for the establishment of an additional electoral district in that county.  
**Leave for bill** *Ordered,* That the petition do lie on the table, and that Mr. Ruggles have leave to present a bill in accordance with the prayer thereof.  
**Bill presented** And thereupon, Mr. Ruggles, pursuant to such leave, presented to the house a bill to add a polling place in the county of Annapolis ; and the same was read a first, and ordered to be read a second time.
- Petition of sheriff of Colchester** A petition of Charles Blanchard, esquire, sheriff of the county of Colchester, was presented by the hon. the attorney general and read, praying to be reimbursed the expense incurred by him in arresting a prisoner under a bench warrant, and conveying him from the county of Colchester to the gaol in the county of Halifax  
*Ordered,* That the petition do lie on the table.
- Petition James B. Uniacke, esquire** A petition of James Boyle Uniacke, esquire, late commissioner of crown lands, was presented by Mr. Esson and read, praying the house to grant him a retiring allowance.  
*Ordered,* That the petition do lie on the table.
- Petition of Saml. Ross** A petition of Samuel Ross of River John, in the county of Pictou, was presented by Mr. McDonald and read, praying aid in educating his son, a deaf mute.  
**Referred to relief com.** *Ordered,* That the petition be referred to the relief committee.
- Petition of Alexander P. Ross** A petition of Alexander P. Ross of Pictou, merchant, was presented by Mr. McDonald and read, praying return of duties on machinery imported.  
**Referred to trade com.** *Ordered,* That the petition be referred to the committee on trade and manufactures.
- Petition for Pictou academy** A petition of the trustees of the Pictou academy, was presented by Mr. McDonald and read, praying the continuance of the grant to that institution.  
**Referred to education committee** *Ordered,* That the petition be referred to the committee on education.
- Petition for Lochaber township** A petition of inhabitants of the county of Sydney, was presented by Mr. McDonald and read, praying for the establishment of the township of Lochaber, in that county.  
**Leave for bill** *Ordered,* That the petition do lie on the table, and that Mr. McDonald have leave to bring in a bill in accordance with the prayer thereof.
- Petition of Allan McDonald** A petition of Allan McDonald of Pictou Island, in the county of Pictou, was presented by Mr. McDonald and read, praying aid in the construction of a public wharf.  
**Referred to navigation securities committee** *Ordered,* That the petition be referred to the committee on navigation securities.
- Petition academy, Lower Horton** A petition of Joseph R. Hea, was presented by Mr. Brown and read, praying for a grant in aid of his academy at Lower Horton.  
**Referred to committee on education** *Ordered,* That the petition be referred to the committee on education.

<p>A petition of the inhabitants of Margaretville, in the county of Annapolis, was presented by the honorable the attorney general and read, praying for the erection of a light house at Margaretville.</p>	<p>Petition light house Margaretville</p>
<p><i>Ordered,</i> That the petition be referred to the committee on navigation securities.</p>	<p>Referred to navigation securities committee</p>
<p>A petition of the justices in session for the district of Saint Mary's, was presented by the honorable the financial secretary and read, praying the passing of an act to authorise the sale of the old court house at Sherbrooke.</p>	<p>Petition sessions of St. Mary's</p>
<p><i>Ordered,</i> That the petition do lie on the table, and that the honorable the financial secretary have leave to bring in a bill in accordance with the prayer thereof.</p>	<p>Leave for bill</p>
<p>And thereupon, the honorable the financial secretary, pursuant to such leave, presented to the house a bill to authorise the sale of the old court house at Sherbrooke ; and the same was read a first, and ordered to be read a second time.</p>	<p>Bill presented</p>
<p>A petition of William Fish, keeper of the provincial penitentiary, was presented by the honorable the financial secretary and read, praying for an increase of salary.</p>	<p>Petition of keeper of Penitentiary</p>
<p><i>Ordered,</i> That the petition be referred to the committee on the penitentiary.</p>	<p>Referred to committee on penitentiary</p>
<p>A petition of the inhabitants of Glenelg, in the district of St. Mary's, was presented by the hon. the financial secretary and read, praying for the establishment of a post office at Glenelg.</p>	<p>Petition inhabitants of Glenelg</p>
<p><i>Ordered,</i> That the petition be referred to the committee on the post office.</p>	<p>Referred to post office committee</p>
<p>A petition of the inhabitants of Caledonia, on the west branch of the St. Mary's river, in the county of Halifax, was presented by the hon. the financial secretary and read, praying for the establishment of a way office.</p>	<p>Petition for way office, Caledonia</p>
<p><i>Ordered,</i> That the petition be referred to the committee on the post office.</p>	<p>Referred to post office committee</p>
<p>A petition of the inhabitants of Salmon River Lake settlement, in the county of Guysborough, was presented by the hon. financial secretary and read, praying for the establishment of a way office.</p>	<p>Petition inhabitants, Salmon River Lake settlement</p>
<p><i>Ordered,</i> That the petition be referred to the committee on the post office.</p>	<p>Referred to post office committee</p>
<p>A petition of James Daly, master of the government schooner Daring, was presented by the hon. the financial secretary and read, praying for the erection of a light house on Sable Island.</p>	<p>Petition James Daly</p>
<p><i>Ordered,</i> That the petition be referred to the committee on navigation securities.</p>	<p>Referred to navigation securities committee</p>
<p>A petition of inhabitants of Musquodoboit, in the county of Halifax, was presented by the hon. the financial secretary and read, praying for the establishment of a semi-weekly mail to Guysborough by the route through Musquodoboit.</p>	<p>Petition inhabitants, Musquodoboit</p>
<p><i>Ordered,</i> That the petition be referred to the committee on the post office.</p>	<p>Referred to post office committee</p>
<p>A petition of inhabitants of Musquodoboit, was presented by the hon. the financial secretary and read, praying for the division of the county of Halifax.</p>	<p>Petition for division, Halifax county</p>
<p><i>Ordered,</i> That the petition do lie on the table.</p>	
<p>A petition of John Cooper and others of Wine harbor, in the county of Guysborough, was presented by the hon. the financial secretary and read, praying reimbursement of the expense of maintaining shipwrecked seamen.</p>	<p>Petition John Cooper</p>
<p><i>Ordered,</i> That the petition be referred to the relief committee.</p>	<p>Referred to relief com.</p>
<p>A petition of inhabitants of Country harbor, in the County of Guysborough, was presented by the hon. the financial secretary and read, praying a bounty for the erection of a grist and oat mill.</p>	<p>Petition country harbor mill</p>
<p><i>Ordered,</i> That the petition be referred to the committee on agriculture.</p>	<p>Referred to committee on agriculture</p>
<p>A petition of inhabitants of Musquodoboit, in the county of Halifax, was presented by the hon. the financial secretary and read, praying for the establishment of a system of</p>	<p>Petition inhabitants of Musquodoboit</p>

of public instruction, supported by assessment, and that the bible may not be excluded from public schools.

Referred to education committee

*Ordered,* That the petition be referred to the committee on education.

Petition of William Taylor and others

Two petitions of William Taylor and others, and William S. Burnham and others, of the county of Hants, were presented by the hon. Mr. Howe and read, praying compensation for damage to their lands by the railway.

*Ordered,* That the petitions do lie on the table.

Petition inhabitants, River John

A petition of Inhabitants of River John, in the county of Pictou, was presented by the hon. the solicitor general and read, praying that the name of the village known as "River John village" may be changed to "Welsford."

Leave for bill

*Ordered,* That the petition do lie on the table, and that the hon. the solicitor general have leave to bring in a bill in accordance with the prayer thereof.

Bill presented

And thereupon, the hon. the solicitor general, pursuant to such leave, presented to the house a bill for naming the village of Welsford, in the county of Pictou; and the same was read a first, and ordered to be read a second time.

Petition ferryman, Canso

A petition of Malcom McDonald, ferryman, at the Strait of Canso, was presented by Mr. Smyth and read, praying for the continuance of his salary.

Referred to navigation securities committee

*Ordered,* That the petition be referred to the committee on navigation securities

Public landings bill

The hon. the provincial secretary, pursuant to leave given, presented to the house a bill to amend the law respecting public landings; and the same was read a first, and ordered to be read a second time.

Petition of Orange Lodge

A petition of the Loyal Orange Lodge of Pugwash, in the county of Cumberland, was presented by the hon. the provincial secretary and read, praying for an act of incorporation.

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

Petition overseers poor Springfield

A petition of the overseers of the poor for the township of Springfield in the county of Annapolis, was presented by the hon. the attorney general and read, praying reimbursement of expense incurred in the maintaining a transient pauper.

Referred to relief com

*Ordered,* That the petition be referred to the relief committee.

Petition overseers poor. Londonderry

A petition of the overseers of the poor for the township of Upper Londonderry, was presented by Mr. Morrison and read, praying reimbursement of expense incurred in maintaining a transient pauper.

Referred to relief com.

*Ordered,* That the petition be referred to the relief committee.

Petition of J. E. Shattford

A petition of John E. Shattford, a justice of the peace, residing on the western side of St Margaret's Bay, in the county of Halifax, was presented by Mr. Geldert and read, praying that relief may be provided for a number of destitute families in that district.

Referred to relief com.

*Ordered,* That the petition be referred to the relief committee.

Petition of John O'Regan

A petition of John O'Regan, ferryman between the Joggin mines, in the county of Cumberland, and the county of Albert in New Brunswick, was presented by Mr. McFarlane and read, praying to be allowed a salary for his services.

Referred to navigation securities committee

*Ordered,* That the petition be referred to the committee on navigation securities.

Petitions relating to school districts, Cumberland

Two petitions of the inhabitants of the eastern portion of the county of Cumberland, were presented by Mr. McFarlane and read, praying for the division of the county of Cumberland into two school districts.

Referred to education committee

*Ordered,* That the petition be referred to the committee on education.

Petition of overseers, Pugwash

A petition of overseers of the poor for the township of Pugwash, was presented by Mr. McFarlane and read, praying reimbursement of expenses incurred in providing necessaries for destitute Indians.

Referred to Indian committee

*Ordered,* That the petition be referred to the committee on Indian affairs.

<p>Mr. McFarlane, pursuant to leave given, presented to the house a bill to incorporate the trustees of Saint Matthew's church in Pugwash ; and the same was read a first, and ordered to be read a second time.</p>	<p>Pugwash church bill</p>
<p>A petition of Samuel Fenerty, of Windsor road, in the county of Halifax, was presented by Mr. Annand and read, praying compensation for damages to his lands by the railway.</p>	<p>Petition of S. Fenerty</p>
<p><i>Ordered,</i> That the petition do lie on the table.</p>	
<p>A petition of Thomas Ward of Bedford, in the county of Halifax, was presented by Mr. Annand and read, praying compensation for the destruction of his house by fire, occasioned by sparks from the railway locomotive engine.</p>	<p>Petition of Thomas Ward</p>
<p><i>Ordered,</i> That the petition do lie on the table.</p>	
<p>A petition of John W. Davison, of Portapique, in the county of Colchester, was presented by Mr. Archibald and read, praying compensation for attending the supreme court at Truro, as a witness for the crown in a criminal prosecution.</p>	<p>Petition of John W. Davison</p>
<p><i>Ordered,</i> That the petition be referred to Mr. McFarlane, Mr. McDonald and Mr. Henry, to examine and report thereon.</p>	<p>Referred to select com.</p>
<p>A petition of inhabitants of the town of Annapolis, was presented by Mr. Shaw and read, praying for aid in constructing a road.</p>	<p>Petition for road at Annapolis</p>
<p><i>Ordered,</i> That the petition be referred to the committee on navigation securities.</p>	<p>Referred to navigation sec committee</p>
<p>A petition of James Potter of Clements, in the county of Annapolis, was presented by Mr. Shaw and read, praying aid in repairing his mill dam.</p>	<p>Petition of J. Potter</p>
<p><i>Ordered,</i> That the petition be referred to the committee on agriculture.</p>	<p>Referred to committee on agriculture</p>
<p>A petition of inhabitants of the North Mountain, in Cornwallis, was presented by Mr. Bill and read, praying for an extension of mail communication.</p>	<p>Petition for mail extension, Cornwallis</p>
<p><i>Ordered,</i> That the petition be referred to the committee on the post office.</p>	<p>Referred to post office committee</p>
<p>A petition of overseers of the poor for the township of Aylesford, was presented by Mr. Bill and read, praying reimbursement of the expense of maintaining a transient pauper.</p>	<p>Petition of overseers, Aylesford</p>
<p><i>Ordered,</i> That the petition be referred to the relief committee.</p>	<p>Referred to relief com.</p>
<p>A petition of inhabitants of Aylesford, in the county of King's, was presented by Mr. Bill and read, praying for an extension of postal communication.</p>	<p>Petition for mail extension, Aylesford</p>
<p><i>Ordered,</i> That the petition be referred to the committee on the post office.</p>	<p>Referred to post office committee</p>
<p>A petition of inhabitants of the North Mountain, Cornwallis, was presented by Mr. Bill and read, praying a grant to aid in extending the Canada Creek pier.</p>	<p>Petition for aid to Canada Creek pier</p>
<p><i>Ordered,</i> That such papers be referred to the committee on navigation securities.</p>	<p>Referred to navigation securities committee</p>
<p>A petition of John Givan and others, was presented by Mr. Bill and read, praying for aid in improving the Givan wharf.</p>	<p>Petition of J. Givan and others</p>
<p><i>Ordered,</i> That the petition be referred to the committee on navigation securities.</p>	<p>Referred to navigation sec committee</p>
<p>A petition of inhabitants of Tamzon, and other parts of the township of Aylesford, was presented by Mr. Bill and read, praying for an extension of mail communication.</p>	<p>Petition for mail extension, Aylesford</p>
<p><i>Ordered,</i> That the petition be referred to the committee on the post office.</p>	<p>Referred to post office committee</p>
<p>A petition of Joseph Pernette, ferryman, at LaHave river, was presented by Mr. Gelderd and read, praying for a continuance and increase of his salary.</p>	<p>Petition of Joseph Pernette</p>
<p><i>Ordered,</i> That the petition be referred to the committee on navigation securities.</p>	<p>Referred to navigation sec. committee</p>
<p>A petition of Peter Fraser, ferryman, of the Grandique passage, in the county of</p>	<p>Petition of Peter Fraser</p>

Richmond, was presented by Mr. Fuller, and read, praying for a continuance and increase of his salary.

Referred to navigation  
sec. committee

*Ordered,* That the petition be referred to the committee on navigation securities.

Petition of D. McRae

A petition of Donald McRae, of Black River, in the county of Richmond, was presented by Mr. Fuller and read, praying aid in repairing his mill dam, destroyed by a freshet.

Referred to committee  
on agriculture

*Ordered,* That the petition be referred to the committee on agriculture.

Mines and minerals  
debate resumed

Pursuant to order, the house resumed the consideration of the bill and despatches relating to the mines and minerals, and after some time spent in debate thereon,

And adjourned

*Ordered,* That the debate be further adjourned until to-morrow.

Despatch relating to  
attorneys and solicitors

The hon. the provincial secretary, by command of his excellency the governor, presented to the house a copy of a despatch from the colonial office, relating to the admission of attorneys and solicitors of colonial courts to her majesty's superior courts of law and equity in England, in certain cases; and the same was read by the clerk.

(See appendix No. 32.)

*Ordered,* That the same do lie on the table.

Fishery wardens,  
returns presented

The hon. the provincial secretary, by command of his excellency the governor, presented to the house reports of the wardens of the river fisheries for the year 1857.

Referred to fishery  
committee

*Ordered,* That the reports be referred to the committee on the fisheries.

Reports of supervisors  
of main roads  
presented

The hon. the provincial secretary, by command of his excellency the governor, also presented to the house reports of the supervisors of the main post roads for the year 1857.

(See appendix No. 33.)

*Ordered,* That the reports do lie on the table.

Then the house adjourned until to-morrow, at twelve of the clock.

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FRIDAY, 19th FEBRUARY, 1858.

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PRAYERS.

Petition inhabitants  
Chester

A petition of inhabitants of Chester, in the county of Lunenburg, was presented by Mr. Rinhard and read, praying for the erection of Chester into a separate district for county purposes.

Leave for bill

*Ordered,* That the petition do lie on the table, and that Mr. Rinhard have leave to bring in a bill in accordance with the prayer thereof.

Bill presented

And thereupon, Mr. Rinhard, pursuant to such leave, presented to the house a bill concerning the township of Chester; and the same was read a first, and ordered to be read a second time.

Petition respecting  
boundaries of Chester

A petition of inhabitants of Chester, was presented by Mr. Rinhard and read, praying for the establishment of the boundaries of that township.

Leave for bill

*Ordered,* That the petition do lie on the table, and that Mr. Rinhard have leave to bring in a bill in accordance with the prayer thereof.

Bill presented

And thereupon, Mr. Rinhard, pursuant to such leave, presented to the house a bill to extend and establish the limits of the township of Chester; and the same was read a first, and ordered to be read a second time.

Petition comm'rs of  
schools, New Dublin

A petition of the commissioners of schools for the township of New Dublin, in the  
county

county of Lunenburg, was presented by M. Rinhard and read, praying to be allowed a larger proportion of the school monies for the county of Lunenburg.

*Ordered*, That the petition be referred to the committee on education.

Referred to committee on education

A petition of inhabitants of Argyle, in the county of Yarmouth, was presented by Mr. Ryder and read, praying for the erection of light house at Tusket Island.

Petition of inhabitants, Argyle

*Ordered*, That the petition be referred to the committee on navigation securities.

Referred to navigation securities committee

A petition of inhabitants of Tusket Wedge, in the township of Argyle, was presented by Mr. Ryder and read, praying for an extension of mail communication.

Petition of inhabitants, Tusket Wedge

*Ordered*, That the petition be referred to the committee on the post office.

Referred to post office committee

A petition of inhabitants of Boulardrie Island, in the county of Cape Breton, was presented by Mr. Caldwell and read, praying for an increased grant for the Little Bras d'Or ferry.

Petition of inhabitants, Boulardrie Island

*Ordered*, That the petition be referred to the committee on navigation securities.

Referred to navigation sec. committee

A petition of Alexander M. Chisholm of Antigonishe, in the county of Sydney, was presented by Mr. Henry and read, praying a grant to enable him to procure a patent for a calculating machine invented by him.

Petition of Alex. M. Chisholm

*Ordered*, That the petition be referred to the committee on education.

Referred to education committee

A petition of inhabitants of the county of Sydney, was presented by Mr. Henry and read, praying aid in the erection of a wharf at Little River in that county.

Petition of inhabitants, Sydney

*Ordered*, That the petition be referred to the committee on navigation securities.

Referred to navigation sec. committee

A petition of inhabitants of the Gulf Shore, in the county of Sydney, was presented by Mr. Henry and read, praying for increased mail communication.

Petition of inhabitants, Gulf shore

*Ordered*, That the petition be referred to the committee on the post office.

Referred to post office committee

A petition of the inhabitants of the western side of the Strait of Canso, in the county of Sydney, was presented by Mr. Henry and read, praying that the present mail route across the Strait of Canso may not be altered.

Petition of inhabitants, Canso

*Ordered*, That the petition be referred to the committee on the post office.

Referred to post office committee

A petition of inhabitants of the county of Sydney, was presented by Mr. Henry and read, praying for aid in improving the Arisaig pier.

Petition of inhabitants, Sydney

*Ordered*, That the petition be referred to the committee on navigation securities.

Referred to navigation securities committee

A petition of the overseers of the poor for the township of Dorchester, in the county of Sydney, was presented by Mr. Henry and read, praying reimbursement of expense incurred in maintaining a transient pauper.

Petition of overseers of poor, Dorchester

*Ordered*, That the petition be referred to the relief committee.

Referred to relief com.

A petition of the overseers of the poor for the township of Arisaig, in the county of Sydney, was presented by Mr. Henry and read, praying reimbursement of expense incurred in maintaining a transient pauper.

Petition of overseers of poor, Arisaig

*Ordered*, That the petition be referred to the relief committee.

Referred to relief com.

Mr. McFarlane, pursuant to leave given, presented to the house a bill to alter certain polling places and the boundaries of certain electoral districts in Cumberland; and the same was read a first, and ordered to be read a second time.

Bill to alter polling places and boundaries in Cumberland

A petition of inhabitants of Cape Porcupine, Strait of Canso, in the county of Sydney, was presented by Mr. Henry and read, praying compensation for damages sustained by the opening of roads through their property.

Petition of inhabitants, Cape Porcupine

*Ordered*, That the petition be referred to the committee on road damages.

Referred to committee on road damages

A petition of George C. Hill of Mire, in the county of Cape Breton, was presented

Petition of George C. Hill of Mire

by

by Mr. Henry and read, praying a grant in consideration of his having invented a machine for drying oats.

Referred to committee on agriculture

*Ordered*, That the petition be referred to the committee on agriculture.

Petition of John Barnaby of Digby

A petition of John Barnaby of Digby, in the county of Digby, was presented by Mr. Wade and read, praying aid in educating his son, a deaf mute.

Referred to relief com.

*Ordered*, That the petition be referred to the relief committee.

Petition of inhabitants, Sandy Cove

A petition of inhabitants of Sandy Cove and Digby Neck, in the county of Digby, was presented by Mr. Wade and read, praying for an extension of mail communication in that district.

Referred to post office committee

*Ordered*, That the petition be referred to the committee on the post office.

Petition of inhabitants, Westport

A petition of inhabitants of Westport, in the county of Digby, was presented by Mr. Wade and read, praying for an extension of mail communication in that district.

Referred to post office committee

*Ordered*, That the petition be referred to the committee on the post office.

Petition of H. E. Payson

A petition of H. E. Payson of Westport, in the county of Digby, was presented by Mr. Wade and read, praying a return of light duties under the circumstances mentioned in his petition.

Referred to committee on trade and manufactures

*Ordered*, That the petition be referred to the committee on trade and manufactures.

Petition for grant to steamer Experiment

A petition of stockholders of steamer "Experiment," and others residing at Digby, was presented by Mr. Wade and read, praying continuance of the grant in aid of that steamer.

Referred to navigation securities committee

*Ordered*, That the petition be referred to the committee on navigation securities.

Petition of Joseph Brown of Wilmot

A petition of Joseph Brown of Wilmot, in the county of Annapolis, was presented by Mr. Wade and read, praying extension of the limits of travel of the stud horse Messenger.

Referred to committee on agriculture

*Ordered*, That the petition be referred to the committee on agriculture.

Petition of sheriff, Digby

A petition of John K. Viets, esquire, sheriff of the county of Digby, was presented by Mr. Wade and read, praying remuneration for his services by a salary.

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

Petition overseers of poor, Digby

A petition of the overseers of the poor for district number one in the township of Digby, was presented by Mr. Wade and read, praying reimbursement of expense incurred in maintaining a transient pauper.

Referred to relief com.

*Ordered*, That the petition be referred to the relief committee.

Petition of overseers poor, Yarmouth

A petition of the overseers of the poor for the municipality of Yarmouth, was presented by Mr. Moses and read, praying reimbursement of expense incurred in maintaining transient paupers.

Referred to relief com.

*Ordered*, That the petition be referred to the relief committee.

Petition of Dr. G. J. Farish

A petition of Dr. G. J. Farish, of Yarmouth, was presented by Mr. Moses and read, praying remuneration for professional services to a transient pauper.

Referred to relief com.

*Ordered*, That the petition be referred to the relief committee.

Petition of inhabitants, Yarmouth

A petition of inhabitants of Yarmouth, was presented by Mr. Moses and read, praying for the passing of an act for the examination of masters and mates of merchant vessels belonging to this province.

Leave for bill

*Ordered*, That the petition do lie on the table, and that Mr. Moses have leave to bring in a bill in accordance with the prayer thereof

Bill presented

And thereupon, Mr. Moses, pursuant to such leave, presented to the house a bill to extend to this province certain provisions of part third of the merchant shipping act of 1854; and the same was read a first, and ordered to be read a second time.

- A petition of inhabitants of Bridgetown, in the county of Annapolis, was presented by Mr. Ruggles and read, praying a grant in aid of the steamer Experiment. Petition inhabitants of Bridgetown  
*Ordered,* That the petition be referred to the committee on navigation securities. Referred to navigation securities committee
- A petition of the overseers of the poor for the township of Annapolis, was presented by Mr. Ruggles and read, praying reimbursement of the expense incurred in maintaining a transient pauper. Petition of overseers of poor, Annapolis  
*Ordered,* That the petition be referred to the relief committee. Referred to relief com.
- Four petitions of inhabitants of the county of Hants, were presented by Mr. Chambers and read, praying to be relieved from the expense of providing railway depots in that county. Petition of inhabitants of Hants  
*Ordered,* That the petitions do lie on the table.
- Two petitions of the inhabitants of the county of Hants, were presented by Mr. Dimock and read, praying to be relieved from the expense of providing railway depots in that county. Petitions of inhabitants of Hants  
*Ordered,* That the petitions do lie on the table.
- A petition of John McLeod of the county of Richmond, was presented by the hon. Mr. Howe and read, praying compensation for losses sustained by him in the carrying out his contract with the government in the excavation of St. Peter's canal. Two petitions of John McLeod  
 Also, a petition from the same petitioner, praying that the sum granted to him last session and paid over to other parties, pursuant to the report of the committee on that subject, be regranted to him.  
 And thereupon, the hon. Mr. Howe moved that the petition be referred to a select committee to examine and report upon: which, being seconded, Motion for a select committee  
 Mr. Archibald moved, by way of amendment, that the petitions be withdrawn, the subject matter thereof having been previously passed upon by a committee of this house during the last session: which, being seconded and put, passed in the affirmative. Amendment to withdraw  
*Ordered,* That the hon. Mr. Howe have leave to withdraw the petitions. Leave to withdraw
- A petition of inhabitants of Onslow, in the county of Colchester, was presented by Mr. McLennan and read, praying that the school lands in that township may be applied to public uses, and that trustees may be appointed for the management thereof. Petition of inhabitants, Onslow  
*Ordered,* That the petition do lie on the table.
- A petition of inhabitants of Cornwallis, was presented by Mr. Webster and read, praying that the Cornwallis bridge now in course of re-construction may be completed as a draw bridge. Petition inhabitants of Cornwallis  
*Ordered,* That the petition do lie on the table, and that Mr. Webster have leave to present a bill in accordance with the prayer thereof. Leave for bill  
 And thereupon, Mr. Webster, pursuant to such leave, presented to the house a bill to authorise the placing of a draw in the Lower Cornwallis bridge; and the same was read a first, and ordered to be read a second time. Bill presented
- Two petitions from inhabitants of the counties of Inverness and Richmond, were presented by Mr. Hyde and read, praying for the alteration of the mail route across the Strait of Canso. Petitions inhabitants of Inverness and Richmond  
*Ordered,* That the petitions be referred to the committee on the post office. Referred to post office committee
- A petition of the Truro Boot and Shoe company, was presented by Mr. Hyde and read, praying return of duties on machinery imported. Petition Truro Boot and shoe company  
*Ordered,* That the petition be referred to the committee on trade and manufactures. Referred to trade com.
- A petition of inhabitants of the county of Richmond, was presented by Mr. Fuller and read, praying for an extension of mail communication. Petition for mail extension, Richmond  
*Ordered,* That the petition be referred to the committee on the post office. Referred to post office committee

- Petition of B. Smith      A petition of Beverly Smith of Cape Sable island, in the county of Shelburne, was presented by Mr. Robertson and read, praying for the establishment of a way office in that district.  
Referred to post office committee      *Ordered,* That the petition be referred to the committee on the post office.
- Petition of F. O'Regan      A petition of Francis O'Regan of Ragged Reef, in the county of Cumberland, esquire, was presented by Mr. McFarlane and read, praying compensation for injury sustained in consequence of a grant of land having been improperly withheld from him.  
Referred to crown property committee      *Ordered,* That the petition be referred to the committee on crown property.
- Petition of board of health, Barrington      A petition of the board of health at Barrington, was presented by Mr. White and read, praying reimbursement of expenses incurred in preventing the spread of small pox.  
Referred to relief com.      *Ordered,* That the petition be referred to the relief committee.
- Petition to sell property at Shelburne      A petition of the trustees of certain real estate in the town of Shelburne, belonging to a division of the Sons of Temperance, was presented by Mr. White and read, praying the passing of an act to enable them to dispose of such real estate.  
Leave for bill      *Ordered,* That the petition do lie on the table, and that Mr. White have leave to present a bill in accordance with the prayer thereof.  
Bill presented      And thereupon, Mr. White, pursuant to such leave, presented to the house a bill to authorise the sale of the Temperance Hall property at Shelburne; and the same was read a first, and ordered to be read a second time.
- Petition of W. Doane      A petition of William Doane, senior, of Gunning Cove, in the county of Shelburne, was presented by Mr. White and read, praying remuneration for his services as a way office keeper.  
Referred to post office committee      *Ordered,* That the petition be referred to the committee on the post office.
- Petition of John McKinnon      A petition of John McKinnon, commissioner of roads at Christmas Island, in the county of Cape Breton, was presented by Mr. McKeagney and read, praying a grant of twenty-three pounds to reimburse him for a loss occasioned by the abstraction of that sum, by some unknown person, from a letter enclosing road monies, addressed to him by the receiver general  
Referred to post office committee      *Ordered,* That the petition be referred to the committee on the post office.
- Grand Lake land company bill      Mr. Wier, pursuant to leave given, presented to the house a bill to incorporate the Grand Lake land company; and the same was read a first, and ordered to be read a second time.
- Petition of W. Fenerty and others      A petition of William Fenerty and others of Sackville, in the county of Halifax, was presented by Mr. Esson and read, praying compensation for timber taken from their lands for the purposes of the railway.  
*Ordered,* That the petition do lie on the table.
- Petition of Joseph T. Lockwood      A petition of Joseph T. Lockwood and others, of King's county, was presented by Mr. Bill and read, praying a return of duties paid by them on a coach, imported, to be used as a stage coach.  
Referred to trade com.      *Ordered,* That the petition be referred to the committee on trade and manufactures.
- Petition for aid to Pleasant cove wharf      A petition of inhabitants of the township of Clare, was presented by Mr. Robecheau and read, praying aid in improving the public wharf at Pleasant Cove.  
Referred to navigation sec. committee      *Ordered,* That the petition be referred to the committee on navigation securities.
- Electric telegraph despatches      The hon. the provincial secretary, by command of his excellency the governor, presented to the house a copy of a despatch dated 18th January, 1858, from the colonial office, intimating the disallowance of the act 20 Victoria, cap. 11, passed in the session of

of 1857, to encourage telegraphic communication between this province and the united kingdom.

(See appendix No. 34)

*Ordered*, That the despatch do lie on the table.

Mr. Brown, pursuant to leave given, presented to the house a bill to extend to Wolfville the laws relating to commissioners of streets; and the same was read a first, and ordered to be read a second time. Wolfville streets bill

The hon. the provincial secretary, by command of his excellency the governor, presented to the house correspondence relating to the formation of a volunteer company of militia, to be composed of Germans lately belonging to the foreign legion, and now employed at the Acadia iron mines in Londonderry. Militia despatches

*Ordered*, That the papers be referred to the committee on private bills.

Referred to committee on private bills

The hon. the provincial secretary, by command of his excellency the governor, presented to the house a report on the Nova Scotia railway, its present condition, and probable cost, by James Lawrie, civil engineer, a commissioner appointed by the provincial government to prepare such report,—dated 5th February, 1858. Nova Scotia railway report

(See appendix No. 35.)

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

Pursuant to order the house resumed the consideration of the bill and despatches on the subject of the mines and minerals of this province, and after some time spent in debate thereon, Mines and minerals debate resumed

*Ordered*, That the debate be further adjourned until to-morrow.

Debate adjourned

Mr. Tobin, pursuant to leave given, presented to the house a bill to amend the charter and ordinances of the city of Halifax; and the same was read a first, and ordered to be read a second time. City of Halifax amendment bill

Then the house adjourned until to-morrow, at twelve of the clock.

SATURDAY, 20th FEBRUARY, 1858.

PRAYERS.

A petition of the overseers of the poor for the township of Clare, in the county of Digby, was presented by Mr. Robecheau and read, praying reimbursement of expense incurred in maintaining transient paupers. Petition overseers of the poor, Clare

*Ordered*, That the petition be referred to the relief committee.

Referred to relief com.

A petition of inhabitants of Mainadieu, Cape Breton, was presented by Mr. Caldwell and read, praying for an increase of mail communication.

Petition for mail extension, Mainadieu

*Ordered*, That the petition be referred to the committee on the post office.

Referred to post office committee

A petition of Catherine and Margaret Curry, of the county of Richmond, was presented by Mr. Martell and read, praying compensation for road damages.

Petition of C. & M. Curry

*Ordered*, That the petition be referred to the committee on road damages.

Referred to committee on road damages

A petition of inhabitants of the county of Richmond, was presented by Mr. Fuller and read, praying for an increase of the road appropriation for that county, the opening of St. Peter's canal, and the extension of steam navigation. Petition for increased road appropriation, Richmond

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

- Petition for grant to road, Richmond  
A petition of inhabitants of Flambois and Fourche, in the county of Richmond, was presented by Mr. Fuller and read, praying a grant to open up a road in that county.  
*Ordered,* That the petition do lie on the table.
- Petition of John Munroe  
A petition of John Munroe, north east branch of Margaree River, county of Inverness, was presented by the hon. Mr. Young and read, praying compensation for services performed by him in reporting on the state of the inland fisheries in that county.  
*Ordered,* That the petition be referred to the committee on the fisheries.
- Referred to fishery committee
- Petition of George Patterson  
A petition of George Patterson, of West River, in the county of Pictou, was presented by Mr. McDonald and read, praying compensation for road damages.  
*Ordered,* That the petition be referred to the committee on road damages.
- Referred to committee on road damages
- Petition of William Ross  
A petition of William Ross of Wallace, in the county of Cumberland, was presented by Mr. McFarlane and read, praying the passing of a grant of one hundred acres of land to enable him to earn a livelihood.  
*Ordered,* That the petition be referred to the committee on crown property.
- Referred to crown property committee
- Petition Cornwallis bridge  
A petition of inhabitants of King's county, was presented by Mr. Bill and read, praying that a draw may be put in the bridge over the Cornwallis River in that county, now in the course of reconstruction.  
*Ordered,* That the petition do lie on the table.
- Referred to relief com.
- Petition for way office, Port Williams  
A petition of inhabitants of Port Williams, in the county of King's, was presented by Mr. Chipman and read, praying for the establishment of a way office.  
*Ordered,* That the petition be referred to the committee on the post office.
- Referred to post office committee
- Petition of C. H. Carman  
A petition of Charles H. Carman of the city of Halifax, clerk in the surveyor general's office, was presented by Mr. Wier and read, praying an increase of salary.  
*Ordered,* That the petition be referred to the committee on crown property.
- Referred to crown property committee
- Petition board of health, Yarmouth  
A petition of the board of health for the township of Yarmouth, was presented by Mr. Moses and read, praying reimbursement of expenses incurred in providing measures to prevent the spread of small pox.  
*Ordered,* That the petition be referred to the relief committee.
- Referred to relief com.
- Petition of inhabitants, at Point, Langan, and Bridgeport  
A petition of inhabitants of Low Point, Langan, and Bridgeport, in the island of Cape Breton, was presented by Mr. McKeagney and read, praying to be allowed to raise coal for their own use, and for consumption at Sydney.  
*Ordered,* That the petition be referred to the committee on crown property.
- Referred to crown property committee
- Petition Thos. Brown  
A petition of Thomas Brown of the city of Halifax, yeoman, was presented by the hon. the attorney general and read, praying compensation for his services in attending on the judges of the supreme court at chambers.  
*Ordered,* That the petition do lie on the table.
- Petition president of agricultural society, Digby  
A petition of the president of the agricultural society of Digby, was presented by Mr. Wade and read, praying a return of duties on agricultural implements imported by them.  
*Ordered,* That the petition be referred to the committee on trade and manufactures.
- Referred to trade com.
- Petition overseers of poor, Digby  
A petition of the overseers of the poor for district No. 4 of the township of Digby, was presented by Mr. Wade and read, praying reimbursement of expenses incurred in maintaining a transient pauper.  
*Ordered,* That the petition be referred to the relief committee.
- Referred to relief com.
- Petitions of inhabitants of Hillsburg, Digby county  
Two petitions of inhabitants of the township of Hillsburg, in the county of Digby, were

were presented by Mr. Wade and read, praying the passing of a grant to aid them in clearing out the obstructions from the East Branch of Bear River.

*Ordered,* That the petition be referred to the committee on navigation securities.

Referred to navigation securities committee

A petition of inhabitants of the county of Hants, was presented by Mr. Churchill and read, praying to be relieved from the expense of providing railway depots in that county.

Petition of inhabitants of Hants county

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

A petition of inhabitants of Yarmouth, was presented by Mr. Moses and read, praying the passing of a grant to aid them in the construction of a breakwater at the entrance of the Harbor of Yarmouth.

Petition breakwater, Yarmouth harbor

*Ordered,* That such papers be referred to the committee on navigation securities.

Referred to navigation securities committee

A petition of the post master at Guysborough, was presented by Mr. Wier and read, praying for an increase of salary.

Petition of post master Guysborough

*Ordered,* That the petition be referred to the committee on the post office.

Referred to post office committee

Two petitions from inhabitants of the county of Guysborough, were presented by Mr. Wier and read, praying the adoption of measures to open the road from Guysborough to the Strait of Canso.

Petitions for road, Guysborough to Strait of Canso

*Ordered,* That the petitions do lie on the table.

A petition of Whitman Freeman of Liverpool, Queen's county, was presented by Mr. McClearn and read, praying remuneration for certain surveys of land made by him by order of the commissioner of crown lands.

Petition of Whitman Freeman

*Ordered,* That the petition be referred to the committee on crown property.

Referred to crown land committee

A petition of inhabitants of Wilmot, in the county of Annapolis, was presented by the hon. the attorney general and read, praying a return of duties on machinery imported.

Petition of inhabitants of Wilmot

*Ordered,* That the petition be referred to the committee on trade and manufactures.

Referred to trade com.

A petition of the trustees of the Union African school, in Halifax, was presented by Mr. Esson and read, praying a grant in aid of that institution.

Petition for aid to African school

*Ordered,* That the petition be referred to the committee on education.

Referred to education committee

A petition of William J. Fuller of Horton, was presented by Mr. Brown and read, praying reimbursement of expense incurred in supplying the necessities of destitute Indians.

Petition of W. J. Fuller

*Ordered,* That the petition be referred to the committee on Indian affairs.

Referred to Indian committee

A petition of Edwin Johnson of Wolfville, in the county of King's, was presented by Mr. Brown and read, praying aid in the erection of a bone mill.

Petition of Edwin Johnson

*Ordered,* That the petition be referred to the committee on agriculture.

Referred to committee on agriculture

A petition of Peter Donaldson of the city of Halifax, was presented by Mr. Esson and read, praying compensation for damage to his lands by the railway.

Petition of Peter Donaldson

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

A petition of Doctor George Snyder of Shelburne, was presented by Mr. White and read, praying compensation for professional services to Indians.

Petition of Dr. Snyder

*Ordered,* That the petition be referred to the committee on Indian affairs.

Referred to Indian committee

A petition of inhabitants of Maitland, in the county of Hants, was presented by Mr. Parker and read, praying for the establishment of a light house at Burncoat, in that county.

Petition for light house

*Ordered,* That the petition be referred to the committee on navigation securities.

Referred to navigation securities committee

- Petition for way office. A petition of inhabitants of Long Island, in the county of Digby, was presented by Mr. Wade and read, praying for the establishment of a way office.  
 Referred to post office committee. *Ordered*, That the petition be referred to the committee on the post office.
- Petition of Donald Cameron. A petition of Donald Cameron of Halifax, railway contractor, was presented by Mr. Anmand and read, praying reimbursement of the expenses incurred by him in providing medical attendance for a railway laborer.  
 Referred to relief com. *Ordered*, That the petition be referred to the relief committee.
- Petition for aid to deaf and dumb school. A petition of the directors of the school for the deaf and dumb in Halifax, was presented by Mr. Morrison and read, praying increased aid to that institution.  
 Referred to relief com. *Ordered*, That the petition be referred to the relief committee.
- Petition of J. & K. McDonald. A petition of John and Kenneth McDonald of Middle River, in the county of Victoria, was presented by the hon. C. J. Campbell and read, praying compensation for damage to their lands by an alteration of the main post road.  
 Referred to road damage committee. *Ordered*, That the petition be referred to the committee on road damages.
- Petition of hon. C. J. Campbell. A petition of the hon. C. J. Campbell, was presented by Mr. Ryder and read, praying a return of duties on goods imported and reshipped.  
 Referred to trade com. *Ordered*, That the petition be referred to the committee on trade and manufactures.
- Petition of J. S. Archibald. A petition of John S. Archibald of Halifax, was presented by Mr. Locke and read, praying compensation for damages sustained by him in consequence of his having assisted a peace officer in apprehending rioters on the railway line.  
*Ordered*, That the petition do lie on the table.
- Petition respecting Newport burial ground. A petition of inhabitants of Newport, in the county of Hants, was presented by Mr. Dimock and read, praying the passing of an act to enable them to appoint trustees for the management of the public burial ground at Newport.  
 Leave for bill. *Ordered*, That the petition do lie on the table, and that Mr. Dimock have leave to present a bill in accordance with the prayer thereof.  
 And thereupon,  
 Bill presented. Mr. Dimock, pursuant to such leave, presented to the house a bill relative to a burial ground in the townplot of Newport; and the same was read a first, and ordered to be read a second time.
- Naturalization bill. Mr. Gilderd, pursuant to leave given, presented to the house a bill to naturalize Joseph P. Walsh; and the same was read a first, and ordered to be read a second time.
- Richmond sessions bill. Mr. Fuller, pursuant to leave given, presented to the house a bill to legalize the proceedings of the sessions for the county of Richmond; and the same was read a first, and ordered to be read a second time.
- Petition to add polling place at Richmond. A petition of electors of the county of Richmond, was presented by Mr. Martell and read, praying the passing of an act to add a polling place in the county of Richmond.  
 Leave for bill. *Ordered*, That the petition do lie on the table, and that Mr. Martell have leave to present a bill in accordance with the prayer thereof.  
 And thereupon,  
 Bill presented. Mr. Martell, pursuant to such leave, presented to the house a bill to add a polling place in the county of Richmond; and the same was read a first, and ordered to be read a second time.
- Petition respecting great roads. A petition of the inhabitants of Cornwallis, was presented by Mr. Webster and read, praying the passing of an act to define the width of pent roads.  
 Leave for bill. *Ordered*, That the petition do lie on the table, and that Mr. Webster have leave to present a bill in accordance with the prayer thereof.  
 And thereupon,

- Mr. Webster, pursuant to such leave given, presented to the house a bill to regulate the width of pent roads in King's county; and the same was read a first, and ordered to be read a second time. Bill presented.
- Mr. Esson, pursuant to leave given, presented to the house a bill for granting a retiring allowance to the late commissioner of crown lands; and the same was read a first, and ordered to be read a second time. Bill conferring pension on J. B. Uniacke, esq.
- A petition of J. W. H. Rowley and others, clerks of the crown and prothonotaries, was presented by Mr. Ryder and read, praying to be relieved from paying a portion of their fees into the treasury. Petition of prothonotaries
- Ordered,* That the petition do lie on the table, and that Mr. Ryder have leave to present a bill in accordance with the prayer thereof. Leave for bill
- And thereupon,
- Mr. Ryder, pursuant to such leave, presented to the house a bill to amend the act concerning prothonotaries and clerks of the crown; and the same was read a first, and ordered to be read a second time. Bill presented
- Mr. Fuller, pursuant to leave given, presented to the house a bill to naturalize Joseph Emille Mouchette and Louis DeBeauvallous; and the same was read a first, and ordered to be read a second time. Naturalization bill
- A petition of Stephen Seldon of the city of Halifax, was presented by the hon. the attorney general and read, praying the house to pass an act to remove a legal technicality which prevents him from recovering from the city of Halifax the value of his property, destroyed in order to stay the progress of a fire in the city of Halifax. Petition of S. Seldon
- Ordered,* That the petition do lie on the table, and that the hon. the attorney general have leave to present a bill in accordance with the prayer thereof. Leave for bill
- Mr. Wade, pursuant to leave given, presented to the house a bill to incorporate St. Mary's lodge of Free Masons at Digby; and the same was read a first, and ordered to be read a second time. Freemasons' Digby bill
- Mr. Brown, pursuant to leave given, presented to the house a bill to naturalize Gustave Peple; and the same was read a first, and ordered to be read a second time. Naturalization bill
- The hon. C. J. Campbell, pursuant to leave given, presented to the house a bill relating to the port of Baddeck; and the same was read a first, and ordered to be read a second time. Baddeck bill
- A petition of David Kirby of Saint Margaret's Bay road, in the county of Halifax, was presented by Mr. Annand and read, praying the passing of an act to vest in him the title to an old road through his property in exchange for land taken for a new road. Petition of D. Kirby
- Ordered,* That the petition do lie on the table, and that Mr. Annand have leave to present a bill in accordance with the prayer thereof. Leave for bill
- A petition of inhabitants of Broad Cove, in the county of Lunenburg, was presented by Mr. Rinhard and read, praying the house to prevent interference on the part of the crown land department with lands in their possession. Petition of inhabitants of Broad Cove
- Ordered,* That the petition be referred to the committee on crown property. Referred to committee on crown property
- The hon. the solicitor general, pursuant to leave given, presented to the house a bill to extend to the town of Pictou certain provisions respecting auction licenses; and the same was read a first, and ordered to be read a second time. Auction licences, Pictou bill
- Mr. Bailey, pursuant to leave given, presented to the house a bill to provide for repairing the Bridgewater bridge in the county of Lunenburg; and the same was read a first, and ordered to be read a second time. Bridgewater, bridge bill

- Petition for clearing out East River  
Referred to navigation securities committee
- A petition of the commissioners for deepening the East River of Pictou, was presented by Mr. McDonald and read, praying for continued aid to that undertaking.  
*Ordered*, That the petition be referred to the committee on navigation securities.
- Petition of inhabitants of Halifax peninsula
- A petition of inhabitants of a portion of the peninsula of Halifax, was presented by Mr. Tobin and read, praying an alteration of the boundaries of the city of Halifax.  
*Ordered*, That the petition do lie on the table.
- Petition of railway contractors
- Two petitions from Messrs. Johnston and Blackie, and Sutherland & Sons, railway contractors, were severally presented by Mr. Esson and read, praying a return of duties on railway plant imported by them.  
*Ordered*, That the petitions be referred to the committee on trade and manufactures.
- Referred to trade com.
- Letter from Speaker of assembly, Victoria
- Mr Speaker presented to the house a letter which he had received from the hon. the Speaker of the legislative assembly of the province of Victoria, Australia, requesting an interchange of the legislative proceedings and public documents of the province of Victoria, and this province.
- (See appendix No. 36.)
- Special order thereon
- Ordered*, That the letter do lie on table, and be printed in the appendix to the journals, and that the clerk be instructed to comply with the request contained in the letter, in so far as the state of the public records and documents will permit.
- Petition of Archibald and Hyde
- A petition of Charles B. Archibald and Hiram Hyde, mail contractors, was presented by Mr. McLelan and read, praying to be remunerated for conveying the English mails through this province to New Brunswick.  
*Ordered*, That the petition be referred to the committee on the post office.
- Referred to post office committee
- Petition of T. D. Dickson
- A petition of Thomas D. Dickson, late collector of excise at Pictou, was presented by Mr. McLelan and read, praying to be relieved from certain debts due to the crown.  
*Ordered*, That the petition do lie on the table
- Petition for mail extension, Truro
- A petition of persons residing near the upper bridge over Salmon River, in the township of Truro, was presented by Mr. McLelan and read, praying for an extension of mail accommodation.  
*Ordered*, That the petition be referred to the committee on the post office.
- Referred to post office committee
- Petition S. G. W. Archibald
- A petition of S. G. W. Archibald of Truro, was presented by Mr. McLelan and read, praying a return of duties on machinery imported.  
*Ordered*, That the petition be referred to the committee on trade and manufactures.
- Referred to trade com.
- Petition relating to Truro Academy
- A petition of inhabitants of the town of Truro, was presented by Mr. McLelan and read, praying the passing of an act to enable them to sell the old academy at Truro.  
*Ordered*, That the petition be referred to the committee on education.
- Referred to education committee
- Petition of Dr. Slayter
- A petition of doctor Slayter, health officer, for the port of Halifax, was presented by Mr. Tobin and read, praying remuneration for his services, in visiting her majesty's ship Brilliant, which arrived at this port—her crew being infected with yellow fever.  
*Ordered*, That the petition be referred to the relief committee.
- Referred to relief com.
- Petition in favor of extension of Harvey road
- A petition of inhabitants of the Eastern Shore districts of the county of Halifax, was presented by Mr Annand and read, praying for aid in completing the Harvey road.  
*Ordered*, That the petition do lie on the table.
- Petition to change name of Halifax
- A petition of inhabitants of the city of Halifax, was presented by Mr. Esson and read, praying that the name of Halifax may be changed to Chebucto.  
*Ordered*, That the petition do lie on the table, and that Mr. Esson have leave to present a bill, in accordance with the prayer thereof.
- Leave for bill

And thereupon, Mr. Esson, pursuant to such leave, presented to the house, a bill to change the name of the seat of government of this province. Bill presented

A petition of Peter S. Hamilton, was presented by the hon. the attorney general and read, praying reimbursement of an extra expense attending the publication of a work on immigration. Petition of P. S. Hamilton

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

Pursuant to order, the house resumed the consideration of the bill for giving effect to the surrender to her majesty by the legal personal representatives of the late duke of York and Albany, and by the General Mining Association and their trustee, of the mines in Nova Scotia and to a lease of part of such mines to the said association, upon the question that the bill be committed to a committee of the whole house; and after some time spent in debate thereon, Mines and minerals debate resumed

The hon. Mr. Young moved, by way of amendment thereto, the following resolution:— Amendment moved

*Whereas* the arrangement sought to be confirmed by this bill differs from the offer made to the General Mining Association by this house in their address of 1856:—

- 1<sup>o</sup>. In the abandonment of the rent of £3000 sterling a year hitherto paid by the association for the first 26,000 chaldrons of coal raised from the reserved mines;
- 2<sup>o</sup>. In the surrender of the royalty on small or slack coal; and
- 3<sup>o</sup>. In the reduction of one third of the royalty on the sales of all coal exceeding 250,000 tons in any one year,—

The effect of which concessions will largely reduce the income hitherto derived from our coal mines, insomuch that the loss of revenue on the coal raised and sold in 1857, computed by the Newcastle chaldron, would have been not less under the new arrangement than the large sum of £5,995 currency.

*And whereas* such loss of revenue, with the increase that may reasonably be anticipated in the demand for coal, will be from time to time greatly enhanced and in a few years, under the operation of the reciprocity act, may double and even treble in amount—a loss, which this province, with the liabilities for its public works, and the necessity avowed by the present government of reducing the road vote by one half, is ill able to bear; while no engagement has been made or expectation held out by the company of relief to the people by a reduction in the price of coal required for domestic use.

*And whereas*, by the new arrangement the coal mines at Spring Hill, situate in the heart of the county of Cumberland, and hitherto unopened, are surrendered to the Association till the year 1886, without any corresponding obligation to open said mines or to pay any rent or royalty in respect thereof—a stipulation on the part of the company which could only have proceeded from a desire to exclude competition.

*And whereas*, the areas of the other coal mines situate at Pictou, in the county of Cape Breton and the Joggins, as the same are specified in the new arrangement, far exceed the utmost limits which the operations of the company can possibly attain during the currency of their lease, thus debarring the people of this province until the year 1886, from the enjoyment and use of the most productive coal fields.

*And whereas*, it is matter of doubt whether workable coal fields of sufficient thickness and of good quality, and accessible by water, are to be found beyond the limits assigned to the association, and it is desirable that the facts should be ascertained by a geological survey, which might be had at a moderate expense during the current year, for the information and guidance of the legislature, and there is no adequate reason for pressing this bill till all the consequences that will flow from so large a diminution of our annual revenue, and so important a change in our relations with the General Mining Association, can be ascertained.

*Therefore resolved*, That the further consideration of this bill be deferred until the next session, when the whole subject will be taken up and more maturely considered.

Which being seconded, and debate arising thereon,

*Ordered*, That the debate be further adjourned until to-morrow.

Mr.

Amendment seconded

Lunenburg lands bill

Mr. Bailey, pursuant to leave given, presented to the house a bill relating to certain public lands in the town of Lunenburg; and the same was read a first, and ordered to be read a second time

Ballot question postponed

*Ordered*, That this house do, on Tuesday next, the twenty-third instant, proceed to the consideration of the resolution on the subject of voting by ballot at elections.

Then the house adjourned until Monday next, at twelve of the clock.

MONDAY, 22<sup>nd</sup> FEBRUARY, 1858.

PRAYERS.

Petition of E. Leonard

A petition of Edward Leonard, of Digby, was, by special leave, presented by Mr. Wade and read, praying remuneration for keeping a signal station, for the reporting of vessels arriving at the port of Digby.

Referred to navigation securities committee

*Ordered*, That the petition be referred to the committee on navigation securities.

Petition of inhabitants Abuptic River

A petition of inhabitants of the township of Argyle, was, by special leave, presented by Mr. Ryder and read, praying the adoption of measures to protect the fishery in Abuptic river.

Referred to fishery committee

*Ordered*, That the petition be referred to the committee on the fisheries.

Petition of Joseph W. Tays

A petition of Joseph W. Tays, grammar school teacher, at Liverpool, in Queen's county, was, by special leave, presented by Mr. McClearn and read, praying to be allowed certain undrawn grammar school moneys for that county.

Referred to education committee

*Ordered*, That the petition be referred to the committee on education.

Petition of Blackamore and Henry

A petition of Messrs. Blackamore and Henry, of River John, in the county of Pictou, was, by special leave, presented by Mr. McDonald and read, praying aid in the erection of an oat mill.

Referred to committee on agriculture

*Ordered*, That the petition be referred to the committee on agriculture.

Petition of Joseph S. Rogers

A petition of Joseph S. Rogers of Dartmouth, in the county of Halifax, was, by special leave, presented by Mr. Esson and read, complaining that large quantities of gunpowder belonging to merchants in the city of Halifax, are stored in the town of Dartmouth in a dangerous position and in close proximity with inhabited houses, and praying the adoption of measures for the safety of the inhabitants.

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

Petition for way office at Portuguese cove

A petition of inhabitants of Portuguese Cove, in the county of Halifax, was, by special leave, presented by Mr. Tobin and read, praying remuneration to the way office keeper in that settlement for his services.

Referred to post office committee

*Ordered*, That the petition be referred to the committee on post office affairs.

Resolution as to former chaplains of assembly

On motion of the hon. the provincial secretary,

*Resolved*, That clergymen who have formerly acted as chaplains to this house be admitted to seats below the gallery of the house during the progress of the debates.

Resolution as to Fisher's grant wharf

On motion of the hon. the solicitor general,

*Resolved*, That the sum of thirty pounds granted in the session of 1856 to assist in the erection of a wharf at Fishers' Grant, pursuant to the report of the committee on navigation securities, and subject to the usual conditions of such grants, which sum is still undrawn, be paid, upon its being properly certified that the sum of thirty pounds has been raised and expended by the parties applying therefor, and that the further sum of thirty pounds has been contributed by the sessions of the county of Pictou and expended in such service.

*Ordered*,

*Ordered*, That the clerk do carry the resolution to the council, and desire their concurrence. Sent to council

Pursuant to order, the house resumed the consideration of the bill for giving effect to the surrender to her majesty by the legal personal representatives of the late duke of York and Albany, and by the General Mining Association and their trustee of the mines in Nova Scotia, and to a lease of part of such mines to the said Association and of the proposed amendment thereto. Debate on mines and minerals resumed

And the question, that the amendment do pass, being propounded from the chair, and the house dividing thereon, there appeared for the amendment, nineteen; against it, thirty. Division on amendment

*For the amendment.*

*Against the amendment.*

Mr. Gilderd,  
 " Parker,  
 " Munro,  
 " Wier,  
 " Rinhard,  
 " Esson,  
 " Bailey,  
 " Davidson.  
 " Webster,  
 " Morrison,  
 " Locke,  
 " Chambers,  
 " McLelan,  
 Hon. Mr. Young,  
 Mr. Annand,

Mr. Dimock,  
 " Chipman,  
 " Robertson,  
 Hon. Mr. Howe.

Mr. McClearn,  
 " Churchill,  
 " Shaw,  
 " White,  
 " Killam,  
 " Bent,  
 " Moses,  
 Hon. J. Campbell,  
 Mr. Caldwell,  
 Hon. Prov. Secretary,  
 Mr. Martell,  
 " Bill,  
 " Ruggles,  
 " Bourneuf,  
 Hon. Min. Secretary,

Mr. McDonald,  
 Hon. Sol. General,  
 Mr. Archibald,  
 " Hyde,  
 Hon. Atty. General,  
 Mr. McFarlane,  
 Hon. C. J. Campbell,  
 Mr. Ryder,  
 " Tobin,  
 " McKeagney,  
 " Wade,  
 " Brown,  
 Hon. Mr. McKinnon,  
 Mr. Robecheau,  
 " Fuller.

So it passed in the negative.

Amendment lost

The original question that the bill be committed to a committee of the whole house, being then put, was agreed to by the house.

And accordingly,

*Ordered*, That the bill be committed to a committee of the whole house.

Bill committed

Then the house adjourned until to-morrow, at three of the clock.

TUESDAY, 23rd FEBRUARY, 1858.

PRAYERS.

A petition of the directors of the Yarmouth steam navigation company, was, by special leave, presented by Mr. Moses and read, praying a grant to aid them in sustaining steam navigation between Halifax, Yarmouth, and Boston. Petition of Yarmouth steam boat company

*Ordered*, That the petition be referred to the committee on navigation securities. Referred to navigation securities committee

A petition of Alexander Ross, of Little Narrows, in the county of Victoria, was, by special leave, presented by Mr. Munro and read, praying aid to the ferry at that place. Petition of A. Ross

*Ordered*, That the petition be referred to the committee on navigation securities. Referred to navigation sec. committee

A petition of Donald Ross, of Little Narrows, in the county of Victoria, was, by special leave, presented by Mr. Munro and read, praying continued aid to enable him to educate three blind children. Petition of Donald Ross

*Ordered*, That the petition be referred to the relief committee. Referred to relief com.

- Petition of ferryman at Big harbor  
Referred to navigation sec. committee
- A petition of the ferryman at Big Harbor, in the county of Victoria, was, by special leave, presented by Mr. Munro and read, praying for an increase of salary.  
*Ordered*, That the petition be referred to the committee on navigation securities.
- Petition for semi-weekly mail to Guysborough  
Referred to post office committee
- A petition of inhabitants of Musquodoboit, was, by special leave, presented by Mr. Esson and read, praying for a semi-weekly mail to Guysborough, through Musquodoboit.  
*Ordered*, That the petition be referred to the committee on the post office.
- Petition for system of education  
Referred to education committee
- A petition of inhabitants of Musquodoboit, was presented by Mr. Esson and read, praying for the establishment of a general system of education, to be supported by assessment, and that the Bible may not be excluded from the public schools.  
*Ordered*, That the petition be referred to the committee on education.
- Petition of E. W. Potter and others  
Motion to refer to select committee
- A petition of Edward W. Potter, and others, of Digby, was, by special leave, presented by Mr. Wade and read, praying a grant in consideration of their vessel having been lost at sea.  
And thereupon, Mr. Wade moved, that such petition be referred to a select committee to examine and report thereon.  
Which being seconded,  
Mr. McFarlane moved, by way of amendment, that Mr. Wade have leave to withdraw such petition.  
Which, being seconded and put, was agreed to by the house.  
*Ordered*, That Mr. Wade have leave to withdraw the petition.
- Amendment to withdraw  
Leave to withdraw
- Petition of C. D. Archibald and others  
Leave for bill
- A petition of Charles D. Archibald and others, was, by special leave, presented by Mr. Archibald and read, praying an act of incorporation to enable them to conduct the manufacture of iron at Londonderry in Colchester.  
*Ordered*, That the petition do lie on the table, and that Mr. Archibald have leave to present a bill in accordance with the prayer thereof.
- Londonderry iron company bill
- And thereupon, Mr. Archibald, pursuant to such leave, presented to the house a bill to incorporate the Londonderry iron mining company of Nova Scotia; and the same was read a first, and ordered to be read a second time.
- Petition of Jacob McLellan  
Referred to committee on education
- A petition of Jacob McLellan, grammar school teacher at Parrsborough, in Cumberland, was by special leave, presented by the honorable the provincial secretary and read, praying a grant out of the undrawn grammar school moneys for that district.  
*Ordered*, That the petition be referred to the committee on education.
- Petition of overseers, Port Hood  
Referred to relief com.
- A petition of the overseers of the poor for Port Hood, in the county of Inverness, was by special leave, presented by the honorable Mr. Young and read, praying reimbursement of the expense of maintaining a transient pauper family.  
*Ordered*, That the petition be referred to the relief committee.
- Petition of way officers salary  
Referred to post office committee
- A petition of inhabitants of middle district of the county of Inverness, was by special leave, presented by the honorable Mr. Young and read, praying for a salary to the way office keeper at that place.  
*Ordered*, That the petition be referred to the committee on the post office.
- Petition of inhabitants of Marguarite  
Referred to navigation securities committee
- A petition of inhabitants of Marguarite, in the county of Inverness, was, by special leave, presented by the hon. Mr. Young and read, praying for aid in improving Marguarite harbor.  
*Ordered*, That the petition be referred to the committee on navigation securities.
- Two petitions against Lunenburg land bill
- A petition of Henry L. Owen, and others, of Lunenburg, was, by special leave presented by the hon. the attorney general and read; and a petition of the same petitioners, was presented by Mr. White and read,—such petitions severally praying the house not to take any legislative action in relation to the public lands in the town of Lunenburg.  
*Ordered*, That the petition do lie on the table.

The hon. the provincial secretary, by command of his excellency the governor, presented to the house, an estimate by Colonel Fordyce, acting quarter master general at Halifax, of the annual expense of maintaining the signal station at Halifax. Estimate of expense signal station, Halifax

(See appendix No. 28.—PART 2.)

*Ordered*, That the papers be referred to the committee on trade and manufactures. Referred to trade com.

A petition of Colin F. McKinnon, Roman Catholic bishop of Arichat, and others, was presented by the hon. Mr. McKinnon and read, praying that the students in St. Francis Xavier's college, at Antigonishe, may be exempted from statute labour. Petition as to statute labour, St. F. Xaviers' college

*Ordered*, That the petition do lie on the table, and that the hon. Mr. McKinnon have leave to present a bill in accordance with the prayer thereof. Leave for bill

A petition of the way office keeper at Nictaux Falls, in the county of Annapolis, was, by special leave, presented by Mr. Ruggles and read, praying an increase of salary. Petition of way office, Nictaux

*Ordered*, That the petition be referred to the committee on the post office. Referred to post office committee

A petition of the ladies managers of the infant school at Halifax, was, by special leave, presented by Mr. Wier and read, praying for a continuance of the grant in aid of that institution. Petition for grant to infant school

*Ordered*, That the petition be referred to the committee on education. Referred to education committee

A petition of James Wilson of Halifax, was, by special leave, presented by Mr. Wier and read, praying a grant in consideration of his having at personal loss and inconvenience, given information to the government tending to expose frauds on the revenue, whereby the revenue had been largely increased. Petition of Jas Wilson

*Ordered*, That the petition be referred to the committee on trade and manufactures. Referred to trade com.

The following bills were severally read a second time, viz :

A bill to authorize the construction of a public wharf in the harbor of Pictou. Bills read 2nd time

A bill to amend the act to alter the time of holding the session for the county of Victoria. Pictou wharf

A bill to authorize the congregation of the Baptist church at Canard, Cornwallis, to enclose a portion of the public parade ground, and erect a shed thereon. Victoria sessions

A bill to legalize the jury lists for the county of Yarmouth. Cornwallis church

A bill to incorporate the Port Williams pier company. Yarmouth juries

A bill to incorporate the Nova Scotia barristers' society. Port Williams comp'y

A bill to authorize the construction of an Aboiteau across Messenger's Creek, in the county of Annapolis. Barristers society

A bill for naming the village of Kinburn, in the county of Lunenburg. Messengers creek

A bill to authorize the sale of the old court house at Sherbrooke. Village of Kinburn

A bill to incorporate the trustees of St. Matthew's church in Pugwash. Sherbrooke court house

*Ordered*, That the bills be referred to the committee on private bills. Pugwash church

A petition of the grand division of the Sons of Temperance, for the province of Nova Scotia, was presented by Mr. Morrison and read, praying for the passing of an act to abolish the traffic in intoxicating liquors, except for medical and other necessary uses. Referred to committee on private bills

*Ordered*, That the petition do lie on the table, and that Mr. Morrison have leave to present a bill in accordance with the prayer thereof. Petition for prohibitory liquor law

A petition of inhabitants of the county of Guysborough, accompanied by a plan of the proposed continuation of main post road from Guysborough to the Strait of Canso, was, by special leave, presented by the hon. the financial secretary and read, praying for aid in the completion of such road. Leave for bill

*Ordered*, That the petition and plan do lie on the table. Petition for completing Guysborough road

- Petition for post office at Marie Joseph A petition of inhabitants of Marie Joseph, in the county of Guysborough, was, by special leave, presented by the hon. the financial secretary and read, praying for the establishment of a post office at that place.
- Referred to post office committee *Ordered*, That the petition be referred to the committee on the post office.
- Petition respecting Goshen church A petition of inhabitants of the Goshen settlement, in the counties of Sydney and Guysborough, was, by special leave, presented by the hon. the financial secretary and read, complaining of having been deprived of their interest in their place of worship by an improvident act of the legislature, and praying enquiry and redress by act of the legislature.
- Leave for bill *Ordered*, That the petition do lie on the table, and that the hon. the financial secretary have leave to bring in a bill in accordance with the prayer thereof.
- Petition for polling place, Goshen A petition of inhabitants of Goshen, in the county of Guysborough, was, by special leave, presented by the hon. the financial secretary and read, praying that the settlement may be set off as a separate electoral district.
- Leave for bill *Ordered*, That the petition do lie on the table, and that the hon. the financial secretary have leave to present a bill in accordance with the prayer thereof.
- Petition of C. E. Leonard A petition of Charles E. Leonard of Sydney, Cape Breton, was, by special leave, presented by Mr McKeagney and read, praying to be allowed certain fees which he alleges ought to be paid to him as prothonotary of the supreme court at Sydney.
- Ordered*, That the petition do lie on the table.
- Return of payments on account, St. Peter's canal The hon. the provincial secretary, by command of his excellency the governor, presented to the house returns of moneys paid from the provincial treasury on account of the Saint Peter's canal, pursuant to a report of the committee of the last session upon the petition of John McLeod.
- Referred to public accounts committee *Ordered*, That the returns be referred to the committee on public accounts.
- Committee on bills On motion, the house resolved itself into a committee on bills.
- Mr. Speaker left the chair.
- Mr. Ryder took the chair of the committee.
- Mr. Speaker resumed the chair.
- Committee report mines and minerals bill The chairman reported from the committee that they had gone through the bill for giving effect to the surrender to her majesty, by the legal personal representatives of the late duke of York and Albany, and by the General Mining Association, and their trustee, of the mines in Nova Scotia, and to a lease of part of such mines to the said Association, and had directed him to report such bill to the house without any amendment; and he delivered the bill in at the clerk's table.
- Ordered*, That the bill be engrossed.
- Order of day The order of the day being read,
- Bal ot The house proceeded to the consideration of the resolution moved on Saturday, the sixth day of February, instant, on the subject of voting by ballot at elections; and a debate arising thereon—after some time spent in such debate,
- Debate adjourned *Ordered*, That the debate be adjourned until Friday next.
- Report of superintendent of education The hon. the provincial secretary, by command of his excellency the governor, presented to the house, the report of the superintendent of education for the year 1857, together with the statistical tables therein referred to, exhibiting the state of education in the province.
- (See appendix No. 37.)
- Referred to education committee *Ordered*, That the report and statistical tables be referred to the committee on education.

Two petitions from inhabitants of the county of Cape Breton, were presented by Mr. Caldwell and read, praying for the institution of a geological survey of the province.

Petitions for geological survey

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

A petition of Donald Ross of Blue Mountains, in the county of Pictou, was, by special leave, presented by Mr. McDonald and read, praying aid in educating his son, a deaf mute.

Petition of Donald Ross

*Ordered,* That the petition be referred to the relief committee.

Referred to relief com.

Then the house adjourned until to-morrow, at twelve of the clock.

WEDNESDAY, 24th FEBRUARY, 1858.

PRAYERS.

*Ordered,* That Mr. Archibald and Mr. Ruggles be added to the committee on the petition of the directors of the Inland Navigation company.

Members added to Inland Navigation company committee

Then the house adjourned until to-morrow, at twelve of the clock.

THURSDAY, 25th FEBRUARY, 1858.

PRAYERS.

The hon. the provincial secretary, by command of his excellency the governor, presented to the house, papers relating to the appointments and commissions, as members of the legislative council of the honorable Messieurs Whitman and Dickey; and the same were read by the clerk.

Papers relating to appointments to legislative council

*Ordered,* That the papers do lie on the table.

The hon. the provincial secretary, by command of his excellency the governor, presented to the house copies of correspondence and documents relating to the survey, by order of the provincial government, jointly with the government of New Brunswick, of the boundary line between the two provinces.

Papers relating to survey of line between N. S. and New Brunswick

(See appendix No. 38.)

*Ordered,* That the papers do lie on the table.

The hon. the provincial secretary, by command of his excellency the governor, presented to the house copies of correspondence and documents relating to the application of Mr. McDonald, railway contractor, to the railway board, for information relating to his contract.

Papers relating to claims of railway contractors

*Ordered,* That the petitions do lie on the table.

A petition of inhabitants of the county of Richmond, was, by special leave, presented by Mr. Tobin and read, praying for a change of the mail route across the Strait of Canso.

Petition of inhabitants of Richmond

*Ordered,* That the papers be referred to the committee on the post office.

Referred to post office committee

A petition of the inhabitants of Baddeck, in the county of Victoria, was, by special leave, presented by Mr. Munro and read, praying an extension of steam navigation in the Bras d'Or lake.

Petition of inhabitants of Baddeck

*Ordered,* That the petition be referred to the committee on navigation securities.

Referred to navigation sec committee

Petition of James Black, esq.

A petition of James Black, esquire, late quarter master general of the militia, was, by special leave, presented by the hon. Mr. Howe and read, complaining that payment of his salary for the year 1857, had been refused, and praying relief.

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

Petition relating to ferry and bridge at Lennox passage

A petition of inhabitants of Isle Madame, in the county of Richmond, was, by special leave, presented by Mr. Martell and read, praying for the erection of a bridge over the Lennox passage, and the alteration of the ferry at that place.

*Ordered*, That so much of the petition as relates to the ferry mentioned therein, be referred to the committee on navigation securities.

Referred in part to navigation securities committee

Letter to general LeMarchant from S. Selden

The honorable the provincial secretary, by command of his excellency the governor, presented to the house a letter from S. Selden, to major general Sir Gaspard Le Marchant, late lieutenant governor of the province, on the subject of the destruction, by his orders, of Mr. Selden's dwelling house to check the ravages of a destructive fire in the city of Halifax.

*Ordered*, That the letter do lie on the table.

Letter from clerk of assembly, Newfoundland

Mr. Speaker presented to the house a communication from John Stuart, esquire, clerk of the house of assembly of Newfoundland, accompanied by copies of the laws of that province from 1836 to the present time, transmitted for the use of the house of assembly.

(See appendix No. 39.)

Order to print in appendix

*Ordered*, That the letter be printed in the appendix to the journals, and that the clerk be instructed to comply with the request therein contained.

Bankruptcy committee

On motion of the hon. the attorney general,  
*Resolved*, That a select committee be appointed to consider and report upon the bill presented to the house relating to bankruptcy.

Referred to selecting committee to report list

*Ordered*, That it be referred to the standing committee to prepare lists of committees on general subjects, to prepare and report to the house a list of such committee.

Selecting committee report lists

The hon. the attorney general, from the committee appointed to prepare lists on general subjects, reported the following lists of committees upon proposed alterations to the general laws of the province, and upon the subject of a bankruptcy law, viz. :—

*Law committee.*

Hon. Attorney General,  
“ Mr. Young,  
Mr. McDonald,  
“ Archibald,  
“ Henry,  
“ Esson,  
“ Tobin.

Law committee

*Bankruptcy committee.*

Hon. Solicitor General,  
“ Mr. Young,  
Mr. Killam,  
“ White,  
“ Wier.

Bankruptcy committee

And thereupon,

On motion of the hon. attorney general,

Lists agreed to

*Ordered*, That the lists be agreed to ; and that the several members therein named do respectively comprise the standing committees, on the general subjects therein named.

The

The hon. the attorney general moved that the house do come to the following resolution :

*Resolved*, That a select committee be appointed to examine and report upon matters connected with the provincial railways. Railway committee moved

Which being seconded, and a debate arising thereon, after some time spent in such debate, And debated

*Ordered*, That the debate be adjourned until to-morrow. Debate adjourned

Then the house adjourned until to-morrow, at twelve of the clock.

FRIDAY, 26th FEBRUARY, 1858.

PRAYERS.

An engrossed bill for giving effect to the surrender to her majesty by the legal personal representatives of the late duke of York and Albany, and by the General Mining Association, and their trustee, of the mines in Nova Scotia, and to a lease of part of such mines to the said association, was read a third time. Mines and minerals bill read 3rd time

*Resolved*, That the bill do pass, and that the title be, an act for giving effect to the surrender to her majesty by the legal personal representatives of the late duke of York and Albany, and by the General Mining Association, and their trustee, of the mines in Nova Scotia, and to a lease of part of such mines to the said association. Passed and

*Ordered*, That the clerk do carry the bill to the council, and desire their concurrence. Sent to council

*Ordered*, That the petition of Robert Davis, in relation to his contract for erecting the hospital for the insane, be referred to the committee on public accounts, to examine and report thereon. R. Davis' petition referred to public accounts committee

A petition of inhabitants of the county of Inverness, was presented by the honorable Mr. Young and read, praying that the present mail route across the Strait of Canso may not be changed. Petition against changing Canso mail route

*Ordered*, That the petition be referred to the committee on the post office. Referred to post office committee

The bill to extend the operation of certain grants of lands, was read a second time. Grants of land bill read 2nd time

*Ordered*, That the bill be committed to a committee of the whole house. And committed

*Ordered*, That the debate on the resolution to appoint a committee on the subject of matters connected with the railway be further adjourned until to-morrow. Railway committee debate adjourned

The honorable the financial secretary, by command of his excellency the governor, presented to the house the receiver general's account current with the provincial railway, during the year ending 31st December, 1857. Receiver general's railway account current

(See appendix No. 40.)

*Ordered*, That the account be referred to the committee on public accounts. Referred to public accounts committee

The hon. the financial secretary, by command of his excellency the governor, presented to the house a comparative statement of the value of merchandize imported at the different parts of Nova Scotia during the years 1856 and 1857. Comparative statement of imports

(See appendix No. 41.)

*Ordered*, That the statement be referred to the committee on trade and manufactures. Referred to trade com.

The bill to change the constitution of the legislative council, by rendering it elective, was read a second time. Elective council bill read 2nd time

And

And thereupon, the honorable the attorney general moved that such bill be committed to a committee of the whole house.

Which being seconded, and the question put thereon, was agreed to by the house.

And committed

*Ordered*, That the bill be committed to a committee of the whole house.

Ballot debate  
adjourned

*Ordered*, That the adjourned debate on the resolution respecting the system of voting by ballot, be further adjourned until to-morrow.

Then the house adjourned until to-morrow, at twelve of the clock.

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SATURDAY, 27th FEBRUARY, 1858.

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PRAYERS.

Petition against statute  
labor bill

A petition of inhabitants of the townships of Annapolis and Clements, was presented by Mr. Shaw and read, praying the house not to pass the bill to regulate the performance of labor on the highways,

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

Bankruptcy bill  
read 2nd time  
And referred to select  
committee

The bill relating to bankruptcy was read a second time.

*Ordered*, That the bill be referred to the committee appointed to consider such bill, to examine and report thereon with amendments or otherwise.

Bills read 2nd time  
Annapolis polling place  
Welsford village  
Chester township  
Chester boundaries  
Cumberland electoral  
districts

The following bills were also read a second time, viz :

A bill to add a polling place in the county of Annapolis.

A bill for naming the village of Welsford, in the county of Pictou.

A bill concerning the township of Chester.

A bill to extend and establish the limits of the township of Chester.

A bill to alter certain polling places and the boundaries of certain electoral districts in Cumberland.

Newport burial ground  
Richmond sessions  
Referred to private  
bills committee

A bill relating to a burial ground in the townplot of Newport.

A bill to legalize the proceedings of the sessions for the county of Richmond.

*Ordered*, That the bills be referred to the committee on private bills.

Lochaber township bill

Mr. McDonald, pursuant to leave given, presented to the house a bill to establish the township of Lochaber, in the county of Sydney ; and the same was read a first, and ordered to be read a second time.

Registration births,  
&c. bill

The hon. the attorney general, pursuant to leave given, presented to the house a bill to provide for the registration of births, deaths and marriages ; and the same was read a first, and ordered to be read a second time.

Registration of voters  
bill

Mr. Archibald, pursuant to leave given, presented to the house a bill for the registration of electors of representatives in general assembly ; and the same was read a first, and ordered to be read a second time.

Petitions against  
change of mail route

Two petitions from inhabitants of the county of Inverness, were presented by the hon. Mr. Young and read, praying that no change may be made in the mail route across the Strait of Canso.

Referred to post office  
committee

*Ordered*, That the petitions be referred to the committee on the post office.

Inter-colonial railway  
despatch

The hon. the provincial secretary, by command of his excellency the governor, presented to the house a despatch from his excellency Sir Edmund Head, governor general of Canada, to his excellency Sir Gaspard LeMarchant, late lieutenant governor of this province, dated the 22nd day of February instant, on the subject of an inter-colonial railway, together with a copy of a report of the honorable the executive council of

Canada,

Canada, recommending the adoption of measures for procuring the joint action of the provinces of Canada, Nova Scotia and New Brunswick, to promote the project.

(See appendix No 2.—PART 2.)

*Ordered*, That the despatch do lie on the table.

On motion, the house resolved itself into a committee on bills.

Committee on bills

Mr. Speaker, left the chair.

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had gone through the bill to extend the operation of certain grants of land, and had directed him to report the same to the house without any amendments; and he delivered the bill in at the clerk's table.

Committee report grants extension bill

*Ordered*, That the bill be engrossed.

The hon. the provincial secretary, by command of his excellency the governor, presented to the house certain papers and correspondence relating to the claims of railway contractors, for remuneration for extra services on the railway; also, returns shewing the amounts paid to, and claimed by, such contractors for such extra services; the amounts still held by the commissioners to the credit of the contractors on each contract, and the number of men employed during the year 1857, on certain portions of the railway.

Railway correspondence and returns presented

*Ordered*, That the papers do lie on the table.

Pursuant to order, the house resumed the consideration of the resolution, proposed on Thursday last, for the appointment of a committee to examine and report upon matters connected with the provincial railways.

Debate on railway committee resumed

And the usual question being propounded from the chair, that such resolution be agreed to, the same was agreed to by the house.

Resolution agreed to

*Ordered*, That it be referred to the standing committee to prepare lists of committees on general subjects, to prepare and report to the house a list of such committee.

Referred to selecting committee to prepare list

The hon. the attorney general, from the committee appointed to prepare lists of committees on general subjects, reported the following list of a committee to examine and report upon matters connected with the provincial railways, viz :

Selecting committee report list

Hon. Attorney General,  
Provincial Secretary,  
Mr. Young,  
Mr. Howe,  
Mr. Archibald,  
Mr. Killam,  
Mr. Tobin.

And thereupon,

The hon. the attorney general moved that such list be agreed to, and that the several members therein named do respectively compose such committee: which being seconded,

Motion to adopt list

The hon. Mr. Young, the hon. Mr. Howe, and Mr. Archibald, respectively, declined serving on such committee, and prayed the house to excuse them therefrom.

Several members decline serving

The hon. the attorney general then moved that Mr. Morrison, Mr. Locke, and Mr. McLelan, be substituted as members of such committee, instead of the hon. Mr. Young, the hon. Mr. Howe, and Mr. Archibald.

And others proposed

Which being seconded,

Mr. Morrison, Mr. Locke, and Mr. McLelan, respectively, declined serving on such committee, and prayed the house to excuse them therefrom.

Who also decline serving

Whereupon, the hon. the attorney general, and the hon. the provincial secretary, also

Attorney general and provincial secretary decline serving

also respectively, declined serving on such committee, and prayed the house to excuse them therefrom.

Resolution moved

The hon. the attorney general then moved that the house do come to the following resolution :—

*Whereas* the hon. Mr. Young, the hon. Mr. Howe, Mr. Archibald, Mr. Morrison, Mr. Locke and Mr. McLelan, having respectively declined to serve on the committee to examine and report upon matters relating to the provincial railways; and thereupon, the hon. the attorney general and the hon. the provincial secretary having stated their desire, in consequence of the said refusals, to be relieved from serving on the said committee,

*Resolved*, That the following gentlemen do form that committee, viz. :

Mr. Henry,  
 “ Killam,  
 “ White,  
 “ Wade,  
 “ Tobin,  
 “ McFarlane,  
 “ Ruggles.

Division thereon

Which, being seconded and put, and the house dividing thereon, there appeared for the resolution, twenty-five; against it, sixteen.

*For the resolution.*

Hon. J. Campbell, Mr. Wade,  
 Mr. Killam, Hon. C. J. Campbell,  
 “ Moses, Mr. Ruggles,  
 Hon. Sol. General, “ Bourneuf,  
 Mr. Bent, “ McKeagney,  
 Hon. Mr. McKinnon, Hon. Atty. General,  
 Mr. Caldwell, “ Fin. Secretary,  
 “ Bill, “ Pro. Secretary,  
 “ Brown, Mr. Tobin,  
 “ Shaw, “ Eyder,  
 “ McClearn, “ Robecheau.  
 “ McFarlane, “ Fuller.  
 “ White,

*Against the resolution.*

Mr. Bailey, Mr. Webster,  
 “ Davidson, “ Wier,  
 “ Gilderd, “ Robertson.  
 “ Rinhard,  
 “ McLelan,  
 “ Locke,  
 “ Annand,  
 Hon. Mr. Young,  
 Mr. Archibald,  
 “ Dimock,  
 “ Chipman,  
 Hon. Mr. Howe,  
 “ Morrison,

Resolution passed

So it passed in the affirmative.

Order thereon

*Ordered*, That the members named in the foregoing resolution do respectively compose the committee, to examine and report upon matters relating to the provincial railways.

Ballot debate  
 adjourned

*Ordered*, That the adjourned debate on the resolution relating to the system of voting by ballot, be further adjourned until Monday next.

Then the house adjourned until Monday next, at three of the clock.

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MONDAY, 1st MARCH, 1858.

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PRAYERS.

Private bills reported,  
 viz :  
 North British society  
 Polling place, Queen's  
 county  
 Inverness juries

Mr. Wade, from the committee on private bills, reported that they had considered the bill to incorporate the North British society of Halifax, Nova Scotia; the bill to add a polling place in Queen's county; the bill to legalize the jury lists for the county of Inverness;

Inverness; the bill to authorise the congregation of the Baptist Church at Canard, Cornwallis, to enclose a portion of the public parade ground, and erect a shed thereon; the bill to incorporate the Port Williams pier company; the bill to add a polling place in the county of Annapolis; the bill to alter certain polling places, and the boundaries of certain electoral districts in Cumberland; and the bill relative to a burial ground in the townplot of Newport; and had directed him to report such bills severally, without any amendment; and he delivered the bills in at the clerk's table.

Canard church  
Port William's pier company  
Annapolis polling place  
Cumberland polling places  
Newport burial ground

*Ordered,* That the bills be committed to a committee of the whole house.

Bills committed

A petition of Justices of the Peace for the county of Lunenburg, was presented by Mr. Gilderd and read, praying the house not to pass, during the present session, the bill concerning the township of Chester.

Petition against Chester township bill

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

A message from the council, by Mr. Halliburton :

Message from council

Mr. Speaker,

The council have agreed to a resolution of this honorable house relating to the grant in aid of the erection of a wharf at Fisher's grant, in the county of Pictou.

Fisher's wharf resolution agreed to

The council have passed a bill entitled an act for the better preservation of the estates and rights of married women—to which bill they desire the concurrence of this honorable house.

Councils married womens' bill

And then the messenger withdrew.

The engrossed bill from the council, entitled an act for the better preservation of the estates and rights of married women, was read a first time.

Married womens' bill read and referred to law committee

*Ordered,* That the bill be referred to the law committee.

An engrossed bill to extend the operation of certain grants of land, was read a third time.

Grants extension bill; read 3rd time

*Resolved,* That the bill do pass, and that the title be, an act to extend the operation of certain grants of land.

Passed

*Ordered,* That the clerk do carry the bill to the council, and desire their concurrence.

And sent to council

The following bills were severally read a second time, viz. :

Bills read 2nd time, viz:

A bill to provide for the registry of warrants to confess judgment and conveyances affecting personal property.

Registry of warrants,

A bill to extend the provisions of the new practice act.

Practice act extension,

A bill respecting transfer of shares in incorporated companies.

Transfer of shares,

A bill to alter chapter 120 of the revised statutes, "of patents for useful inventions."

Patents,

A bill to extend to this province certain provisions of part third of the merchant shipping act of 1854.

Shipmasters,

A bill to amend the act concerning prothonotaries and clerks of the crown.

Prothonotaries;

*Ordered,* That the bills be referred to the law committee.

Referred to law com.

On motion the house resolved itself into a committee on bills.

Committee on bills

Mr. Speaker left the chair.

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had made some progress in the consideration of bills committed to them.

Report progress

*Ordered,* That the adjourned debate on the resolution respecting the introduction of voting by ballot, be further adjourned until Tuesday the ninth day of March instant.

Ballot debate further adjourned

Then the house adjourned until to-morrow at three of the clock.

Tuesday,

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**TUESDAY, 2nd MARCH, 1858.**


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**PRAYERS.**

Weights and measures bill

Mr. Shaw, pursuant to leave given, presented to the house a bill to amend chapter 86 of the revised statutes, "of weights and measures"; and the same was read a first, and ordered to be read a second time.

Partial report from public accounts com.

Mr. Esson, from the joint committee on public accounts, reported specially respecting the petition of Robert Davis, architect, referred to that committee; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read, and is as follows, viz:—

Report recommending select committee

The joint committee on public accounts, in reference to the petition of Robert Davis, beg leave to report—

That the petitioner's claim is of a nature seeming to require investigation by a special committee, possessing power to send for persons and papers.

Your committee consider that their functions, as a joint committee, nominated by both branches of the legislature, more especially touch the consideration of questions concerning the revenue, and the auditing the public accounts.

They are aware of no precedent for the consideration of questions of this nature by the joint committee on public accounts, and would respectfully report their views, in order that the house, if they acquiesce in those views, may appoint a committee specially charged with this enquiry.

(Signed)

JOHN E. FAIRBANKS, chairman,  
Legislative Council.

JOHN ESSON, chairman,  
House of Assembly.

Committee room, 2nd March, 1858.

Report adopted

*Ordered.* That the report be received and adopted.

And thereupon,

On motion of Mr. Tobin,

Resolution for select committee

*Resolved.* That a select committee be appointed to consider and report upon the petition of Robert Davis, praying payment of a balance alleged to be due to him on his contract for erecting the hospital for the insane.

Resolution for com. on erection of lunatic asylum

On motion of the hon. Mr. Howe,

*Resolved.* That all the reports and papers connected with the construction and management of the lunatic asylum, be referred to a select committee, with power to send for persons and papers, and report thereon to the house.

Petition from Wilmot for representation

A petition of the inhabitants of the township of Wilmot, in the county of Annapolis, was presented by the hon. the attorney general and read, praying an equality of representation in the general assembly, with the townships of Annapolis and Granville, in the same county.

*Ordered.* That the petition do lie on the table.

Petition against change of mail route Canso

A petition of inhabitants of the county of Inverness, was presented by the hon. Mr. Young and read, praying that the mail route across the Strait of Canso may not be changed.

Referred to post office committee

*Ordered.* That the petition be referred to the committee on the post office.

Petition for geological survey

A petition of inhabitants of the county of Inverness, was presented by the honorable Mr. Young and read, praying for a geological survey of the province.

Referred to crown property committee

*Ordered.* That the petition be referred to the committee on crown property.

Seven petitions, from Jacob Knorre, John White, Frederick Flewry, John Oliver, John Werner, Joseph Lion, and Karl Wolfe, respectively, all of Minudie, in the county of Cumberland, natives of Germany, were presented by the honorable the provincial secretary and read, praying to be naturalized as subjects of her majesty.

Petitions of Germans  
for naturalization

*Ordered,* That the petitions be referred to the committee on private bills.

Referred to private  
bills committee

A petition of inhabitants of New Glasgow, in the county of Pictou, was presented by Mr. McDonald and read, praying the house not to impose a tax on shipping entering the port of Pictou, for the erection of a public wharf at the town of Pictou; also praying that the present tonnage duty payable at that port, and the emoluments of the harbor master derived therefrom, may be reduced.

Petition of inhabitants  
of New Glasgow

*Ordered,* That the petition be referred to the committee on private bills.

Referred to private  
bills committee

The honorable the provincial secretary, by command of his excellency the governor, presented to the house sundry letters and papers relating to the appointment of James Lawrie, esquire, civil engineer, as the commissioner to examine and report respecting the construction, character and expense of the provincial railway; and the same were read by the clerk.

Papers relating to Mr  
Lawrie's appointment

*Ordered,* That the papers do lie on the table.

The honorable the provincial secretary, by command of his excellency the governor, presented to the house a return of the names and offices of the public officers who have been dismissed or superseded by the government of Nova Scotia, since the 25th February, 1857.

Return and papers  
relating to dismissed  
officials

Also, sundry correspondence and documents relating to the dismissal from the public service, respectively, of David Rogers, collector of duties at Pugwash; Robert Troop, collector at Bridgetown; Edward H. Francheville, chief inspector of pickled fish at Guysborough; Thomas D. Dickson, collector at Parrsborough; James B. Davidson, collector at Wallace; the honorable James B. Uniacke, commissioner of crown lands; Robert Chambers, architect and clerk of works to the board of works; William Thomson, Thomas Logan, and Alexander Hamilton, county surveyors; John Lombard, ——— Lockwood, A. McDonald, Alexander Fraser, Richard Huntingdon, Alexander Cummings, O. Whittaker and B. Morris; in the post office department; the honorable Jonathan McCully, railway commissioner, and Gains Lewis, light house keeper; and the same were read by the clerk.

*Ordered,* That the return and correspondence do lie on the table.

The honorable the provincial secretary, by the like command, also presented to the house a return of the number of justices of the peace who have been appointed by the government of Nova Scotia, from the 25th day of February, 1857, to the 9th day of February, 1858, both inclusive, distinguishing the different counties, and the number appointed in each county.

Return of justices of  
peace appointed

*Ordered,* That the return do lie on the table.

The hon. the provincial secretary, by command of his excellency, also presented to the house a memorial to his excellency from certain inhabitants of Loran, and Louisburg, in the county of Cape Breton, praying that immediate measures may be taken to relieve them from extreme destitution, occasioned by the failure of the fishery.

Memorial from  
inhabitants of Loran  
and Louisburg

*Ordered,* That the petition be referred to the relief committee, and that the committee be instructed to examine and report thereon, without delay.

Then the house adjourned until to-morrow, at three of the clock.

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**WEDNESDAY, 3rd. MARCH, 1858.**


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**PRAYERS.**

Petitions, railway  
depots, Hants

Four petitions of inhabitants of the county of Hants, were presented by Mr. Dimock and read, praying to be relieved from assessments for providing railway depots in that county.

*Ordered*, That the petitions do lie on the table.

Despatch relating to  
provincial statutes

The hon. the attorney general, by command of his excellency the governor, presented to the house a despatch from the colonial office, suggesting the propriety of an amendment of chapter 10 of the acts of 1857, entitled an act to amend the new practice act; and the same was read by the clerk.

*(See appendix No. 42.)*

Leave for bill

*Ordered*, That the despatches do lie on the table, and that the hon. the attorney general have leave to present a bill to carry out the suggestion contained therein.

And thereupon,

Foreign process bill

The hon. the attorney general, pursuant to such leave, presented to the house a bill to amend chapter 10, of the acts of 1857, entitled "an act to amend the new practice act"; and the same was read a first, and ordered to be read a second time

Restrictive liquor law  
bill

Mr. Morrison, pursuant to leave given, presented to the house a bill for restricting the use of intoxicating liquors; and the same was read a first, and ordered to be read a second time.

Resolution to attend  
funeral of honorable  
J. Morton

On motion of the hon. the attorney general,

*Resolved unanimously*, That this house will attend the funeral of the hon. John Morton, late a member of the legislative council; and that the Speaker of this house be requested to communicate the foregoing resolution to the president of the legislative council.

Speaker announces  
letter from president  
of council

Mr. Speaker announced to the house that he had just received from the president of the legislative council, a communication acknowledging the receipt of the unanimous resolution of the house in respect to the late honorable John Morton, and acquainting him that the funeral would take place on Friday next, at 7 o'clock, A. M.;—and the communication was read, and laid on the table.

Committee on R.  
Davis' petition

On motion of Mr. Tobin,

*Ordered*, That Mr. Wade, Mr. McDonald, hon. Mr. Howe, Mr. Ruggles, and Mr. McFarlane, be a committee to examine and report on the petition of Robert Davis, pursuant to the resolution on that subject passed yesterday.

Partial report from  
relief committee

Mr. Brown, from the relief committee, reported specially upon the petition from inhabitants of Loran and Louisburg, presented yesterday; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read.

*(See appendix No. 43.)*

Report adopted

*Ordered*, That the report be received and adopted.

Partnerships bill

Mr. Henry, pursuant to leave given, presented to the house a bill to amend chapter 79 of the revised statutes, "of partnerships"; and the same was read a first, and ordered to be read a second time.

Criminal justice bill

Mr. Henry, pursuant to leave given, presented to the house a bill to amend chapter 168 of the revised statutes, "of the administration of criminal justice"; and the same was read a first, and ordered to be read a second time. The

The hon. the provincial secretary, by command of his excellency the governor, presented to the house a return of the names of all public officers, except justices of the peace, appointed by the government of Nova Scotia, from the 25th day of February, 1857, to the 9th February, 1858, inclusive, with the emoluments or salary attached to their respective offices, and the authority therefor.

Despatches relating to public officers

Also, correspondence and documents relating to alleged misconduct of W. H. Rogers, whilst holding the office of collector of colonial duties at Pugwash, in the year 1854.

Correspondence relating to W. H. Rogers

Also, correspondence and documents relating to the appointment of James McKeagney, esquire, as inspector of mines, James R. Mosse, esquire, as superintendant of the working department of provincial railways, and Mr. William Condon, as superintendant under the board of works.

Correspondence relating to appointments of Messrs McKeagney, Mosse and Condon

Also, correspondence and documents relating to the removal from office of James McNab, esquire, collector at Pugwash, in the year 1852.

Correspondence relating to dismissal of James McNab

And such several papers were read by the clerk.

*Ordered*, That the correspondence and documents do lie on the table.

On motion, the house resolved itself into a committee on bills.

Committee on bills

Mr. Speaker left the chair.

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had made some progress in the consideration of bills committed to them.

Report progress

Then the house adjourned untill to-morrow, at three of the clock.

THURSDAY, 4th MARCH, 1858.

PRAYERS.

The following bills were severally read a second time, viz :

Bills read 2nd time ;

A bill to carry out the provisions of an act to authorize a loan for the construction of railways within this province, so far as relates to the city of Halifax.

Halifax railway

A bill to naturalize Pierre Post.

Naturalization

A bill to authorize the sale of the Temperance hall property at Shelburne.

Shelburne Temperance bill

A bill to incorporate the Grand Lake land company.

Grand Lake company

A bill to extend to Wolfville the laws relating to commissioners of streets.

Wolfville streets

A bill to extend to the town of Pictou certain provisions respecting auction licences.

Pictou licences

A bill to provide for repairing the Bridgewater bridge, in the county of Lunenburg.

Bridgewater bridge

A bill to incorporate the Londonderry Iron company of Nova Scotia.

Iron company

*Ordered*, That the bills be referred to the committee on private bills.

Referred to private bills committee

The honorable Mr. Howe, pursuant to leave given, presented to the house a bill to regulate the appointment of chief justice ; and the same was read a first, and ordered to be read a second time.

Chief Justice bill

The honorable the provincial secretary, by command of his excellency the governor, presented to the house a report from the railway commissioners upon certain matters contained in Mr. Laurie's report on the railway ; and the same was read by the clerk.

Report from railway commissioners

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

On motion of Mr. Chambers,

*Resolved*, That a select committee be appointed to examine and report upon petitions presented to the house for railway damages and assessments.

Railway damages committee

*Ordered*, That Mr. Brown, Mr. McDonald, Mr. McClearn, Mr. Locke and Mr. Munro, be a committee for such purpose.

Petitions referred

*Ordered*,

- Petitions referred** *Ordered*, That the several petitions on the table of the house praying compensation for railway damages, or praying relief from assessment for the expense of providing railway depots in the county of Hants; also, the petition of Thomas Ward, praying compensation for the destruction of his dwelling house by fire caused by sparks from the railway engine; and the petition from the inhabitants of Newport for the opening of a road in connexion with the railway, be referred to such committee.
- Cornwallis poor house bill** Mr. Chipman, pursuant to special leave given, presented to the house a bill to provide for the erection of a poor house in Cornwallis; and the same was read a first, and ordered to be read a second time.
- Committee on bills** On motion, the house resolved itself into a committee on bills.  
Mr. Speaker left the chair  
Mr. Ryder took the chair of the committee.  
Mr. Speaker resumed the chair.
- Report progress** The chairman reported from the committee that they had made some progress in the consideration of bills committed to them.
- Sundry petitions referred, viz:  
For geological survey** *Ordered*, That the two petitions from inhabitants of the county of Cape Breton, presented on the twenty-third day of February, praying for a geological survey of the province, be referred to the committee on crown property.
- Of Thomas D. Dickson** *Ordered*, That the petition of Thomas D. Dickson, presented on the twentieth day of February, be referred to the committee on trade and manufactures.
- Of J. S. Archibald** *Ordered*, That the petition of John S. Archibald, presented on the fourth day of March, instant, be referred to the committee on railways.
- Of P. S. Hamilton** *Ordered*, That the petition of Peter S. Hamilton, presented on the twentieth day of February, be referred to the committee on crown property.
- For aid to St Peter's canal** *Ordered*, That the several petitions presented to the house, praying for the completion of the Saint Peter's canal, be referred to the committee on the petition of the Inland Navigation company.
- Of C. E. Leonard** *Ordered*, That the petitions of Charles E. Leonard, James Gray, and J. W. Ruggles, of Charles Blanchard, (presented on the 18th February), Thomas Brown, and of Joseph Allison, and other sheriffs, praying to be paid by a salary for the performance of their duties, be referred to the law committee.
- Petition for relief, Lunenburg** A petition of the inhabitants of Eastern Shore, of the County of Lunenburg, was, pursuant to special leave given, presented by Mr. Gilderd and read, praying relief from extreme destitution caused by the failure of the fisheries.  
*Ordered*, That the petition do lie on the table.

Then the house adjourned until to-morrow, at three of the clock.

FRIDAY, 5th MARCH, 1858.

PRAYERS.

- Petition for geological survey** A petition of inhabitants of the county of Victoria, was presented by Mr. Munro and read, praying for a geological survey of the province.
- Referred to crown property committee** *Ordered*, That the petition be referred to the committee on crown property.
- Petition of D Morrison** A petition of Donald Morrison, of the county of Victoria, was, by special leave, presented by the Hon. C. J. Campbell and read, praying aid in supporting a deaf and dumb child.
- Referred to relief com.** *Ordered*, That the petition be referred to the relief committee.

A petition of Simon Fitch, of Horton, King's county, was presented by Mr. Brown and read, praying the house to adopt measures for the suppression of intemperance. Petition of S. Fitch

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

Mr. Fuller, pursuant to leave given, presented to the house a bill to amend chapter 42 of the revised statutes, "of clerks of the peace"; and the same was read a first, and ordered to be read a second time. Clerk of peace bill

Two petitions of inhabitants of the county of Hants, were presented by Mr Parker and read, praying to be relieved from the expense of providing railway depots in the county of Hants. Petitions respecting railway depots, Hants

*Ordered,* That the petitions be referred to the committee on railway damages. Referred to railway damages committee

The honorable the provincial secretary, by command of his excellency the governor, presented to the house a despatch from the colonial secretary to his excellency, signifying the confirmation by her majesty of seventy-two acts of the provincial legislature, passed in the session of 1857. Despatch relating to acts of 1857

(See appendix No. 41.)

*Ordered,* That the despatch do lie on the table.

On motion, the house resolved itself into a committee on bills. Committee on bills

Mr. Speaker, left the chair.

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had made some progress in the consideration of bills committed to them. Report progress

Then the house adjourned until to-morrow, at three of the clock.

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SATURDAY, 6th MARCH, 1858.

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PRAYERS.

On motion of the hon. the solicitor general, Resolution for joint address  
*Resolved,* That a humble address be presented to her majesty, congratulating her majesty on the auspicious nuptials of the princess royal with his royal highness the Prince Frederick William of Prussia; and that the legislative council be requested to join this house in the same.

*Resolved,* That a conference be requested with the council, by committee, on the general state of the province, and that the committee of the house be instructed to communicate to the committee of the council a copy of the foregoing resolution. Conference requested

Mr. Wade, from the committee on private bills, reported that they had considered the bill to legalize the jury lists for the county of Yarmouth, and the bill to incorporate the Nova Scotia barristers' society, and had directed him to report such bills severally to the house without amendment; and he delivered the bills in at the clerk's table. Private bills reported :  
Yarmouth juries  
Barristers' society

*Ordered,* That the bills be committed to a committee of the whole house. Bills committed

A petition of inhabitants of Lower Granville, in the county of Annapolis, was, pursuant to special leave given, presented by Mr. Ruggles and read, praying that measures may be taken to protect the fisheries in that district from injury, by the improper conduct of foreigners engaged in the fishery. Petition of inhabitants of Lower Granville

*Ordered,* That the petition be referred to the committee on the fisheries. Referred to fishery committee

- Message A message from the council, by Mr Halliburton :  
Mr. Speaker,
- Council agree to conference The council agree to the conference desired by this honorable house, by committee, on the general state of the province, and the committee of the council are now ready to meet the committee of this house.  
And then the messenger withdrew.
- Managers appointed, Ordered, That the hon. the solicitor general, the hon. Mr. Young, and Mr. Ruggles, be a committee to manage the conference.  
So they went to the conference,  
And being returned,
- Who report The hon. the solicitor general reported that the managers had been at the conference, and had complied with the instructions of the house.
- Petition for change of mail route, Strait of Canso A petition of inhabitants of the county of Cape Breton, was presented by Mr. Caldwell and read, praying for the establishment of the mail ferry across the Strait of Canso, at Ship Harbor, and the improvement of the roads connected therewith.  
Referred to post office committee Ordered, That the petition be referred to the committee on the post office.
- Justices jurisdiction bill Mr. Parker, pursuant to leave given, presented to the house a bill to amend chapter 151 of the revised statutes, " of the jurisdiction of justices of the peace in civil cases"; and the same was read a first, and ordered to be read a second time.
- Petition for geological survey A petition of inhabitants of the county of Inverness, was presented by the hon. Mr. Young and read, praying for a geological survey of the province.  
Referred to crown property committee Ordered, That the petition be referred to the committee on crown property.
- Petition of church wardens at Truro A petition of the church wardens and vestry of Saint John's church, in the county of Colchester, was presented by the hon. the solicitor general and read, praying the house not to grant the prayer of the petition from inhabitants of Onslow for legislation respecting glebe lands in Onslow.  
Ordered, That the petition do lie on the table.
- Bills read 2d time : The following bills were severally read a second time, viz :
- Acting a process A bill to amend chapter 10 of the acts of 1857, entitled, " an act to amend the new practice act."
- Partnerships A bill to amend chapter 79 of the revised statutes, " of partnerships."
- Criminal justice A bill to amend chapter 168 of the revised statutes, " of the administration of criminal justice."
- Referred law com. Ordered, That the bills be referred to the law committee.
- Papers relating to ferry at Strait of Canso The hon. the financial secretary, by command of his excellency the governor, presented to the house correspondence relating to the alleged detention of the mails by the ferryman at the Strait of Canso ; and the same was read by the clerk.
- Referred to post office com. Ordered, That the correspondence be referred to the committee on the post office.
- Message for further conference A message from the council, by Mr. Halliburton :  
Mr. Speaker,  
The council desire a further conference with the house of assembly, by committee, on the general state of the province.  
And then the messenger withdrew.  
On motion of the hon. the solicitor general,  
Resolved, That this house do agree to the further conference desired by the council.  
Ordered, That the committee who managed the last conference do manage this conference.  
Ordered, That the clerk do acquaint the council that this house agree to the further conference desired by the council, and that the committee of this house are ready to meet the committee of the council upon such conference.
- House agree
- Same managers appointed
- So

So the managers went to the conference,  
And being returned,

Managers attend

The hon. the solicitor general reported that the managers had been at the conference, and that the committee of the council had communicated to the committee of this house copies, in writing, of three resolutions of the council—which he read in his place, and then delivered them in at the clerk's table, where they were again read, as follow :

And report

LEGISLATIVE COUNCIL CHAMBER, }  
6th March, 1858. }

On motion, *resolved*, that this house will join the house of assembly in an humble address to her majesty, congratulating her majesty on the auspicious nuptials of the princess royal with his royal highness the Prince Frederick William of Prussia.

Council's resolutions

*Resolved*, That Mr. Almon, Mr. Archibald, and Mr. McCully, be a committee of this house to join a committee of the house of assembly to prepare the said address.

*Resolved*, That a further conference be desired with the house of assembly by committee, on the general state of the province, and that the committee of this house do communicate the foregoing resolutions to the committee of the house of assembly.

By order,

JOHN C. HALLIBURTON, C. L. C.

*Ordered*, That the resolutions do lie on the table.

*Ordered*, That the committee who managed the conferences be a committee to join the committee of the council to prepare such address ; and that the clerk do acquaint the council therewith.

Committee to prepare address

On motion, the house resolved itself into a committee on bills.

Committee on bills

Mr. Speaker left the chair.

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had made some progress in the consideration of bills committed to them.

Report progress

The hon. the attorney general, pursuant to leave given, presented to the house a bill to amend chapter 126 of the revised statutes, "of the supreme court and its officers"; and the same was read a first, and ordered to be read a second time.

Supreme court bill

A petition of inhabitants of the township of Annapolis, was presented by the hon. the attorney general and read, praying the house not to accede to any proposition to prevent the mail steamers across the Bay of Funday from coming to the port of Annapolis for the mails.

Petition of inhabitants Annapolis

*Ordered*, That the petition be referred to the committee on the post office.

Referred to post office committee

Then the house adjourned until Monday next, at three of the clock.

MONDAY, 8th MARCH, 1858.

PRAYERS.

On motion, the house resolved itself into a committee on bills.

Committee on bills

Mr. Speaker left the chair.

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had made some progress in the consideration of bills committed to them.

Report progress  
The

Joint address to the  
queen

The honorable the solicitor general, from the joint committee appointed to prepare an address of congratulation to her majesty, on the occasion of the marriage of the princess royal with his royal highness Prince Frederick William of Prussia, reported the address agreed upon by such committee; and he read the same in his place, and then delivered it in at the clerk's table, where it was again read, and is as follows:

Address

TO THE QUEEN'S MOST EXCELLENT MAJESTY:

THE HUMBLE ADDRESS OF THE LEGISLATIVE COUNCIL AND HOUSE OF ASSEMBLY OF THE  
PROVINCE OF NOVA SCOTIA.

*May it please your majesty:*

We your majesty's dutiful subjects the legislative council and house of assembly of Nova Scotia in parliament assembled, beg leave to approach your majesty with the united expression of our loyalty and affection to your royal person and government.

In no part of your majesty's dominions are the honor of your majesty and the safety and welfare of the empire, objects of more intense interest than with the people of this province.

Viewing with the deepest solicitude everything that effects your majesty's happiness, we most humbly tender to your majesty our warmest congratulations on the recent nuptials of the princess royal and his royal highness Prince Frederick William of Prussia.

At a time when your majesty, as the benign parent of your people, has been subjected to deep affliction, by the widely extended revolt of disaffected subjects in India, marked by unparalleled atrocities, and accompanied with great national and social evils, we can contemplate with gladdened hearts, and with hopeful anticipations, an event in the royal circle, full of tender interest to your majesty, as a queen and as a mother, and hailed by your majesty's subjects every where as auspicious of a bright and happy future.

Fervently and devoutly do we pray that this union may be attended with the richest blessings to the illustrious pair, whose destinies it has linked together, and may become a source of unalloyed happiness to our beloved sovereign, to his royal highness the prince consort, and every member of the royal family.

And thereupon,

The question being propounded from the chair, that the address be agreed to, the same was unanimously agreed to by the house.

Address passed  
unanimously

Address to governor

The honorable the solicitor general, also from the same committee, reported a joint address to his excellency the governor, requesting him to transmit the foregoing address to be laid at the foot of the throne; and he read such last mentioned address in his place, and then delivered it in at the clerk's table, where it was again read, and is as follows:

TO HIS EXCELLENCY THE RIGHT HONORABLE  
THE EARL OF MULGRAVE,

*Lieutenant governor and commander in chief, in and over her  
majesty's province of Nova Scotia, and its dependencies,  
&c. &c. &c.*

THE ADDRESS OF THE LEGISLATIVE COUNCIL AND HOUSE OF ASSEMBLY OF NOVA SCOTIA.

*May it please your excellency:*

The legislative council and house of assembly have passed the accompanying address of congratulation to her most gracious majesty, on the subject of the recent nuptials of the princess royal with his royal highness Prince Frederick William of Prussia; and they

they respectfully request your excellency to forward their address to the right honorable the secretary of state for the colonies, to be laid at the foot of the throne.

*Resolved*, That such address be agreed to by the house.

Then the house adjourned until to-morrow, at three of the clock.

TUESDAY, 9th MARCH, 1858.

PRAYERS.

Three petitions from inhabitants of the county of Victoria, were presented by Mr. Munro and read;—a petition from inhabitants of the county of Inverness, was presented by the hon. Mr. Young and read;—and a petition of inhabitants of the county of Victoria, was presented by the hon. C. J. Campbell and read—such petitions severally praying that the present mail route across the Strait of Canso may not be changed.

Petitions against change of Canso mail route

*Ordered*, That the petitions be referred to the committee on the post office.

Referred to post office committee

A message from the council, by Mr. Halliburton :

Message

Mr. Speaker,

The council have agreed to the bill, entitled, an act for giving effect to the surrender to her majesty by the legal personal representatives of the late duke of York and Albany, and by the General Mining Association, and their trustee, of the mines in Nova Scotia, and to a lease of part of such mines to the said association.

Mines and minerals bill agreed to

The council have agreed to the bill, entitled, an act to extend the operation of certain grants of lands, with an amendment,—to which amendment they desire the concurrence of this honorable house.

Grants extension bill amended

And then the messenger withdrew.

The amendments proposed by the council to the bill, entitled, an act to extend the operation of certain grants of lands, were read a first, and ordered to be read a second time.

Councils amendments read 1st time

The honorable the provincial secretary, by command of his excellency the governor, presented to the house reports from J. R. Forman, esquire, chief engineer of the railway, and James Lawrie, esquire, civil engineer and railway commissioner, respecting claims made upon the railway board by contractors for extra work; also, several documents and letters in connection therewith.

Reports on contractor's claims

*Ordered*, That the papers be referred to the committee on the railway.

Referred to railway committee

Mr. Wade, from the committee on private bills, reported that they had considered the bill for naming the village of Kinburn, in the county of Lunenburg; the bill to authorize the sale of the old court house at Sherbrooke; and the bill for naming the village of Welsford, in the county of Pictou, and had directed him to report the same to the house without any amendment; and he delivered the bills in at the clerk's table.

Private bills reported, Kinburn,

Sherbrooke court house, and Welsford,

*Ordered*, That the bills be committed to a committee of the whole house.

Bills committed

Two petitions from inhabitants of the township of Annapolis, were presented by Mr. Shaw and read, praying that the steamers engaged in the mail service on the Bay of Fundy, may continue to receive the mails at Annapolis as heretofore, instead of terminating their trips at Digby.

Petition from Annapolis

*Ordered*, That the petitions be referred to the committee on the post office.

Referred to post office committee

On motion, the house resolved itself into a committee on bills.

Mr. Speaker left the chair.

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

Committee on bills,  
report  
North British society  
Polling place Queen's  
Inverness juries  
Yarmouth juries  
Port William's comp'y  
Barrister's society  
Kinburn village  
Sherbrooke court  
house  
Welsford village, and  
Newport burial ground  
Order to engross

The chairman reported from the committee that they had gone through the bill to incorporate the North British society of Halifax, Nova Scotia ; the bill to add a polling place in Queen's county ; the bill to legalize the jury lists for the county of Inverness ; the bill to legalize the jury lists for the county of Yarmouth ; the bill to incorporate the Port Williams pier company ; the bill to incorporate the Nova Scotia barristers' society ; the bill for naming the village of Kinburn, in the county of Lunenburg ; the bill to authorise the sale of the old court house at Sherbrooke ; the bill for naming the village of Welsford, in the county of Pictou ; and the bill relative to the burial ground in the town plot of Newport ; and had directed him to report such bills to the house, severally, without any amendment ; and he delivered the bills in at the clerk's table.

*Ordered*, That the bills be engrossed.

Partial report, post  
office committee

Mr. Henry reported in part from the committee on the post office, in relation to the mail service across the Bay of Funday ; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read.

(See appendix No. 45.)

Report adopted

*Ordered*, That the report be received and adopted.

Order to print elective  
council bill

On motion of the hon. the attorney general,

*Ordered*, That the bill to alter the constitution of the legislative council, by rendering it elective, be printed, and that one thousand copies thereof be distributed by the clerk, for public information.

*Ordered*, That the consideration of the resolution respecting voting by ballot, be further adjourned until Tuesday the sixteenth instant.

Then the house adjourned until to-morrow, at three of the clock.

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WEDNESDAY, 10th MARCH, 1858.

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PRAYERS.

Bills read 3d time and  
passed, viz :

North British society

An engrossed bill to incorporate the North British society of Halifax, Nova Scotia, was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act to incorporate the North British society of Halifax, Nova Scotia.

Polling place, Queen's  
county

An engrossed bill to add a polling place in Queen's county, was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act to add a polling place in Queen's county.

Inverness juries

An engrossed bill to legalize the jury lists for the county of Inverness, was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act to legalize the jury lists for the county of Inverness.

Yarmouth juries

An engrossed bill to legalize the jury lists for the county of Yarmouth, was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act to legalize the jury lists for the county of Yarmouth.

Port Williams pier  
company

An engrossed bill to incorporate the Port Williams pier company, was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act to incorporate the Port Williams pier company.

An engrossed bill to incorporate the Nova Scotia barristers' society, was read a third time. Barristers' society

*Resolved*, That the bill do pass, and that the title be, an act to incorporate the Nova Scotia barristers' society.

An engrossed bill for naming the village of Kinburn, in the county of Lunenburg, was read a third time. Kinburn village

*Resolved*, That the bill do pass, and that the title be, an act for naming the village of Kinburn, in the county of Lunenburg.

An engrossed bill for naming the village of Welsford, in the county of Pictou, was read a third time. Welsford village

*Resolved*, That the bill do pass, and that the title be, an act for naming the village of Welsford, in the county of Pictou.

An engrossed bill relative to a burial ground in the town plot of Newport, was read a third time. Newport burial ground

*Resolved*, That the bill do pass, and that the title be, an act relative to a burial ground in the town plot of Newport.

*Ordered*, That the clerk do carry the bills to the council and desire their concurrence. Bills sent to council

The following bills were severally read a second time, viz. :

A bill relating to certain public lands in the town of Lunenburg. Bills read 2nd time—  
Lunenburg land

A bill to amend chapter 86 of the revised statutes, "of weights and measures." Weights and measures

A bill to amend chapter 42 of the revised statutes, "of clerks of the peace." Clerks of the peace

A bill to amend chapter 131 of the revised statutes, "of the jurisdiction of justices of the peace in civil cases." Justices of the peace

A bill to amend chapter 126 of the revised statutes, "of the supreme court and its officers." Supreme Court

*Ordered*, That the bills be referred to the law committee. Referred to law committee

The following bills were also severally read a second time, viz. :

A bill to amend chapter 7 of the revised statutes, "of the manner of conducting elections." Bills read 2nd time  
Pictou Island pothug place,

A bill to amend the law respecting public landings. Public landings,

A bill to authorize the placing of a draw in the lower Cornwallis bridge. Cornwallis bridge,

A bill to regulate the width of pent roads in King's county. Pent roads,

*Ordered*, That the bills be referred to the committee on private bills. Referred to private bills committee

The hon. the provincial secretary, by command of his excellency the governor, presented to the house the report of the central board of agriculture for the year 1857, together with the returns of the several agricultural societies; and the same were read by the clerk. Central board of agriculture report

(See appendix No. 46.)

*Ord. red*, That the report and returns be referred to the committee on agriculture. Referred to agriculture committee

The hon. the provincial secretary, by the like command, also presented to the house the report of the commissioner of crown lands of the proceedings in his department during the year 1857, together with the returns of the several county surveyors for the same year; and the same were read by the clerk. Crown land office report

(See appendix No. 47.)

*Ordered*, That the report and returns be referred to the committee on crown property. Referred to crown property committee

- Temperance petition      A petition of the Yarmouth county temperance convention, was presented by Mr. Moses and read, praying the passing of a bill to prohibit the traffic in intoxicating liquors.  
*Ordered*, That the petition do lie on the table.
- Message      A message from the council, by Mr Halliburton :  
 Mr. Speaker,  
 The council have passed a bill, entitled, an act to amend chapter 82 of the revised statutes, "of interest," and a bill, entitled, an act to incorporate the Baxter's harbor pier company,—to which bills they the desire concurrence of this honorable house.  
 And then the messenger withdrew.
- Council's bills, viz.:  
 Interest,  
 Baxter's harbor pier company  
 Interest bill referred to law committee      The engrossed bill from the council, entitled, an act to amend chapter 82 of the revised statutes, "of interest," was read a first time.  
*Ordered*, That the bill be referred to the law committee.
- Baxter's harbor bill read 1st time      The engrossed bill from the council, entitled, an act to incorporate the Baxter's harbor pier company ; was read a first time, and ordered to be read a second time.
- Amendments to grants extension bill passed      The amendments proposed by the council to the bill, entitled, an act to extend the operation of certain grants of lands, were read a second time, and considered by the house ;  
 And thereupon, on motion,  
*Resolved*, That such amendments be agreed to.  
*Ordered*, That the clerk do carry the bill and amendments back to the council, and acquaint them that this house have agreed to such amendments.
- Resolutions as to elective council bill      The honorable the attorney general moved that the house do come to the following resolutions.  
*Whereas*, in committee of the whole house, the bill, entitled, " an act to change the constitution of the legislative council by rendering it elective", was, on resolution to defer the further consideration thereof for three months, retained, and the first clause of such bill passed by the casting vote of the chairman, the committee being divided, twenty-six to twenty-six.  
 1<sup>o</sup>. *Resolved*, That under these circumstances it is inexpedient to press the further consideration of a question of so much importance at the present session ; but this house does record its opinion that the interests of the people of Nova Scotia require that the legislative council should be elected by the people.  
 2<sup>o</sup>. *Resolved*, That the bill as introduced, with the sectional clauses appended, be printed and circulated for the information and judgment of the people.  
 Which resolutions being seconded, and the usual question propounded from the chair, that the first of such resolutions be agreed to by the house,
- Amendment moved      The hon. Mr. Young moved, by way of amendment to such first resolution, that instead thereof the house do come to the following resolution :  
*Whereas*, in committee of the whole house, a motion to defeat the bill for making the legislative council elective, was sustained by twenty-six members, and lost only by the casting vote of the chairman ; *and whereas* there is a great diversity of opinion in this house both as to the principle of the bill, and the mode of carrying it out, and the leader of the administration has declared that he has abandoned the bill, and withdrawn the further consideration of the question for the present session :  
*Resolved therefore*, That it is unnecessary and inexpedient to pledge the house to any future action or opinion thereon, till the public sentiment on so important a change in our constitution be more fully ascertained :  
 Which amendment being seconded, and the house dividing thereon, there appeared for the amendment, twenty-three ; against it, twenty-six.
- Amendment lost on division

*For the amendment.*

*Against the amendment.*

Mr. Gilderd,	Mr. Dimock,	Mr. Moses,	Mr. McFarlane,
“ Rinhard,	“ McLelan,	“ Fuller,	“ Wade,
“ McDonald,	Hon. Mr. Young,	“ Bent,	“ Ryder,
“ Webster,	Mr. Morrison,	“ Caldwell,	Hon. Prov. Secretary,
“ McKeagney,	“ Archibald,	Hon. J. Campbell,	Hon. Atty. General,
“ Parker,	“ Munro,	“ Martell,	Hon. Fin. Secretary,
“ Locke,	“ Robertson,	“ Brown,	Hon. Mr. McKinnon,
“ Bailey,	“ Annand,	“ Ruggles,	Mr. McKeagney,
“ Henry,	“ Esson,	“ McClearn,	“ Killam,
“ Davidson,	“ Chipman.	“ White,	“ Robecheau,
“ Chambers,		“ Bourneuf,	“ Smyth,
“ Wier,		“ Bill,	“ Churchill,
Hon. Mr. Howe,		“ Shaw,	Hon. C. J. Campbell.

So it passed in the negative.

The question being then taken upon the first of such original resolutions, that it be agreed to by the house, and the house dividing thereon, there appeared for the resolution, twenty-seven ; against it, twenty-three.

First resolution passed on division

*For the resolution.*

*Against the resolution.*

Mr. Moses,	Mr. Wade,	Mr. Gilderd,	Hon. Mr. Young,
“ Fuller,	“ Ryder,	“ Locke,	Mr. Morrison,
“ Bent,	Hon. Pro. Secretary,	“ Rinhard,	“ Archibald,
“ Caldwell,	“ Atty. General,	“ McDonald,	“ Munro,
Hon. J. Campbell,	“ Fin. Secretary,	“ Webster,	“ Robertson,
Mr. Martell,	“ Mr. McKinnon,	“ McKenzie,	“ Annand,
“ Brown,	Mr. McKeagney,	“ Parker,	“ Esson,
“ Ruggles,	“ Killam,	“ Bailey,	“ Chipman,
“ McClearn,	“ Robecheau.	“ Henry,	Hon. Mr. Howe,
“ White,	“ Smyth,	“ Davidson,	
“ Bourneuf,	“ Churchill,	“ Chambers,	
“ Bill,	Hon. C. J. Campbell,	“ Wier,	
“ Shaw,	Mr. Tobin.	“ Dimock,	
“ McFarlane,		“ McLelan,	

So it passed in the affirmative.

The question being then taken upon the second of such original resolutions, the same was agreed to by the house.

Second resolution agreed to

*Ordered,* That the house do on Saturday next, the thirteenth instant, proceed to the consideration of the bill for restricting the use of intoxicating liquors upon the second reading thereof.

Order of day—Liquor law

*Ordered,* That all papers and documents on the table of the house relating to the railway, be referred to the railway committee to consider and report thereon.

Railway papers referred

*Ordered,* That Mr. Hyde have of absence for ten days, on urgent private business.

Leave of absence

*Ordered,* That Mr. Robecheau be substituted for Mr. Smyth as a member of the committee on the fisheries.

Member substituted on fishery committee

Then the house adjourned until to-morrow, at three of the clock.

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 THURSDAY, 11th MARCH, 1858.
 

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## PRAYERS.

Read 3rd time—

An engrossed bill to authorize the sale of the old court house at Sherbrooke, was read a third time.

Sherbrooke court house bill

*Resolved*, That the bill do pass, and that the title be, an act to authorize the sale of the old court house at Sherbrooke.

Passed and Sent to council

*Ordered*, That the clerk do carry the bill to the council, and desire their concurrence.

Bills read 2d time—

The following bills were severally read a second time :

Assessment

A bill to amend the act to establish a more equal and just system of assessment, and the act in amendment thereof.

Registration of births, &amp;c.

A bill to provide for the registration of births, deaths, and marriages.

Referred to law com.

*Ordered*, That the bills be referred to the law committee.

Bills read 2d time—

The following bills were also read a second time :

Halifax charter

A bill to amend the charter and ordinances of the city of Halifax.

Cornwallis poor house

A bill to provide for the erection of a poor house in Cornwallis, and

Baxter's harbor pier

The council's bill, entitled, an act to incorporate the Baxter's harbor pier company.

Referred to com. on private bills

*Ordered*, That the bills be referred to the committee on private bills.

Petition against Lunenburg land bills

A petition of the trustees of the Episcopal church at Lunenburg, was presented by the honorable solicitor general and read, praying the house not to pass the bill relating to certain public lands in the town of Lunenburg.

Referred to law com.

*Ordered*, That the petition be referred to the law committee.

Letter from James Black, esq.

The honorable the provincial secretary, by command of his excellency the governor, presented to the house a copy of a letter from the late provincial secretary, to James Black, esquire, late quarter master general of militia, relating to the disposal of arms and accoutrements ; and the same was read by the clerk.

*Ordered*, That the paper do lie on the table.

Petition of Truro boot and shoe company for incorporation

A petition of shareholders in the Truro boot and shoe company was, by special leave, presented by Mr. Archibald and read, praying for an act of incorporation.

Leave for bill

*Ordered*, That the petition do lie on the table, and that Mr. Archibald have special leave to present a bill in accordance with the prayer thereof.

Bill presented

And thereupon,

Mr. Archibald, pursuant to such special leave, presented to the house a bill to incorporate the Truro boot and shoe manufacturing company ; and the same was read a first, and ordered to be read a second time.

Fishery committee report three bills, viz : River fisheries Fish inspection, and Preservation of oysters

Mr. Ryder, from the committee on the fisheries, reported in part by several bills ; and thereupon, presented to the house, a bill to amend the acts relating to river fisheries ; a bill to amend the act 18 Victoria, chapter 16, relating to the inspection of fish ; and a bill to amend the act to prevent the destruction of oysters ; and such bills were severally read a first, and ordered to be read a second time.

Estimate of probable assets presented

The honorable the financial secretary, by command of his excellency the governor, presented to the house a statement of the probable assets and revenue of the province of Nova Scotia, for the year 1858 ; and the same was read by the clerk.

(See appendix No. 48.)

*Ordered*, That the estimate be printed, and referred to the committee of supply.

Referred to supply

Then the house adjourned until to-morrow, at three of the clock.

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Friday,

FRIDAY, 12th MARCH, 1858.

## PRAYERS.

A petition of S. Sutherland and sons, railway contractors, was, by special leave, presented by Mr. Esson and read, praying to be indemnified against a suit brought against them for taking material for the railway from the lands of a private individual, under the provisions of the railway act.

*Ordered*, That the petition be referred to the committee on the railway.

Mr. Wade, from the committee on private bills, reported that they had considered the bill to amend the acts to alter the time of holding the sessions for the county of Victoria; the bill to carry out the provisions of an act to authorize a loan for the construction of railways within this province, so far as relates to the city of Halifax; the bill to extend and establish the limits of the township of Chester; and the bill to authorize the sale of the Temperance Hall property at Shelburne, and had directed him to report such bills, severally, without amendment; and that they had also considered the bill to authorize the construction of a public wharf in the harbor of Pictou; the bill to naturalize Pierre Post; and the bill to authorize the construction of an aboteau across Messenger creek, in the county of Annapolis, and had made amendments to such three last mentioned bills, which they had directed him to report to the house with the bills; and he delivered the bills and the amendments in at the clerk's table, where the amendments were read.

*Ordered*, That the bills with the amendments to the three last mentioned bills be committed to a committee of the whole house.

A message from the council, by Mr. Halliburton:

Mr. Speaker,

The council have passed a bill, entitled, an act to incorporate the Cape Breton Marine Insurance company—to which bill they desire the concurrence of this honorable house.

The council have agreed to the bill, entitled, an act to extend the operation of certain grants of lands, as now amended.

And then the messenger withdrew.

The hon. the provincial secretary, by command of his excellency the governor, presented to the house a despatch from the governor of New Brunswick, with a memorandum of the executive council of New Brunswick respecting the establishment of steam communication between Canada, New Brunswick, Prince Edward Island and this province.

*Ordered*, That the despatch be referred to the committee on the post office.

On motion, the house resolved itself into a committee on bills.

Mr. Speaker left the chair.

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee, that they had gone through the bill to amend the act to alter the time of holding the sessions for the county of Victoria; the bill to authorize the congregation of the Baptist church at Canard, Cornwallis, to enclose a portion of the public parade ground, and erect a shed thereon; the bill to authorize the construction of an aboteau across Messenger creek, in the county of Annapolis; the bill to add a polling place in the county of Annapolis; and the bill to authorize the sale of the Temperance Hall property at Shelburne, and had directed him to report the same to the house without any amendments; and that they had also gone through the bill to carry out the provisions of an act to authorize a loan for the construction of railways within this province, so far as relates to the city of Halifax, and had made amendments

Petition of Sutherland and sons

Referred to railway committee

Private bills reported  
Victoria sessions

Halifax railway  
Chester boundaries  
Shelburne temperance property

Pictou wharf  
Naturalization

Messenger creek

Bills committed

Message

Marine insurance bill

Grants extension bill  
agreed as amended

Despatch respecting  
steamer to Quebec

Referred to post office  
committee

Committee on bills

Bills reported  
Victoria sessions

Cornwallis church

Messenger creek

Annapolis polling place  
Temperance hall  
property

Halifax railway  
amended

amendments thereto, which they had directed him to report to the house with the bill ; and he delivered the bills, together with the amendments to the last mentioned bill, in at the clerk's table, where such amendments were read.

Orders to engross

*Ordered,* That the bills reported without amendments be engrossed.

*Ordered,* That that the bill reported with amendments be engrossed with the amendments.

Annapolis fishery papers

The honorable the attorney general, by command of his excellency the governor, presented to the house certain correspondence and documents relating to grants of crown lands in the Annapolis basin for fishery purposes.

*Ordered,* That the papers do lie on the table.

Then the house adjourned untill to-morrow, at three of the clock.

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SATURDAY, 13th MARCH, 1858.

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PRAYERS.

Law committee report bills -

The honorable the attorney general, from the committee on alterations in the law, reported that they had considered the bill to amend the act to establish a more equal and just system of assessment, and the act in amendment thereof; the bill to amend chapter 10 of the acts of 1857, entitled, "an act to amend the new practice act"; the bill to amend chapter 79 of the revised statutes, "of partnerships"; the bill to amend chapter 126 of the revised statutes "of the supreme court and its officers;" and the engrossed bill from the council to amend chapter 82 of the revised statutes, "of interest", and had directed him to report such bills to the house, severally, without amendment; and they had also considered the bill respecting transfers of shares in incorporated companies; and the bill to extend the provisions of the new practice act, and had directed him to recommend to the house to defer the consideration of such two last mentioned bills for three months; and he delivered the bills in at the clerk's table.

Assessment

Foreign process

Partnerships

Supreme court

Interest

Bank stock

Practice act

Bills committed

*Ordered,* That the bills, except the two last mentioned bills be committed to a committee of the whole house

Bank stock bill deferred

*Ordered,* That the further consideration of the bill respecting transfers of shares in incorporated companies be deferred until this day three months.

Motion not received report on practice bill

And thereupon,

Mr. Wade moved, that the report of the committee recommending the house to defer the consideration of the bill to extend the provisions of the new practice act be not received, but that the bill be committed to a committee of the whole house.

Lost on division

Which being seconded and put, and the house dividing thereon, there appeared for the motion, fourteen; against it, twenty.

So it passed in the negative.

Bill deferred

*Ordered,* That the further consideration of the bill be deferred until this day three months.

Petition against Dorchester township bill

A petition of the inhabitants of the township of Dorchester, in the county of Sydney, was presented by the honorable Mr. Young and read, praying the house not to pass a bill to divide that township.

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

Order of day

Liquor law read 2d time

Motion to commit

Pursuant to order, the house proceeded to the consideration of the bill for restricting the use of intoxicating liquors; and the same was read a second time.

And thereupon,

Mr. Morrison moved that the bill be committed to a committee of the whole house.

Lost on division

Which being seconded and put, and the house dividing thereon, there appeared for the motion, sixteen; against it, twenty.

For

*For the motion,*

Mr. Killam,  
 Hon. J. Campbell,  
 Mr. Brown,  
 " McDonald,  
 " Bill,  
 " Churchill,  
 " Moses,  
 " McKeagney,  
 " Bourneuf,  
 " Morrison,

Mr. McLelan,  
 " Dimock,  
 " McKeagney,  
 " Robertson,  
 " Archibald,  
 " Chipman.

So it passed in the negative.

And thereupon,

*Ordered,* That the further consideration of such bill be deferred until this day three months.

And bill deferred on division

The honorable the provincial secretary, by command of his excellency the governor, presented to the house a despatch from the governor of Prince Edward Island, on the subject of the erection of light houses on East Point, and North Cape, in that Island.

Light house despatch from P. E. Island

*Ordered,* That the despatches be referred to the committee on navigation securities.

Referred to navigation securities committee

On motion, the house resolved itself into a committee on bills.

Committee on bills

Mr. Speaker, left the chair.

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had gone through the bill to naturalize Pierre Post; and the bill to amend chapter 10 of the acts of 1857, entitled, an act to amend the new practice act, and had directed him to report such bills, severally to the house, without any amendments; and he delivered the bills in at the clerk's table.

Report bills, viz: Naturalization foreign process

*Ordered,* That the bills be engrossed.

Order to engross

Then the house adjourned until Monday next, at three of the clock.

MONDAY, 15th MARCH, 1858.

PRAYERS.

Mr. Wade moved that the vote of the house passed yesterday, negating the resolution that the bill to extend the provision of the new practice act be committed to a committee of the whole house, together with the order that such bills be deferred for three months, be rescinded.

Motion to rescind

Which being seconded and put, and the house dividing thereon, there appeared for the motion, twenty-four; against it, twenty-two.

Passed on division

So it passed in the affirmative.

And thereupon,

*Ordered,* That the bill be committed to a committee of the whole house.

Bill committed

The honorable the financial secretary, by command of his excellency the governor, presented to the house an appraisement of damage to lands occasioned by an alteration of the Eastern road.

Road appraisement presented

*Ordered,* That the appraisement be referred to the committee on road damages.

Referred to road damage committee

Indian expenditure returns	The honorable the provincial secretary, by command of his excellency the governor, presented to the house returns of monies expended in the relief of destitute Indians, with correspondence relating thereto. <i>Ordered</i> , That the papers be referred to the committee on Indian affairs.
Referred to Indian committee	
Printing accounts	The honorable the provincial secretary, by command of his excellency the governor, presented to the house the account of the queen's printer, and an account of the expense of printing for the public departments for the year 1857. <i>Ordered</i> , That the papers be referred to the committee on printing and reporting.
Referred to printing committee	
Superintendent of mines bill	The hon. the attorney general, pursuant to leave given, presented to the house a bill for regulating the office of inspector of mines in this province; and the same was read a first, and ordered to be read a second time.
Normal school commissioners report	The hon. the provincial secretary, by command of his excellency the governor, presented to the house the report and accounts of the commissioners of the the Normal school for the year 1857. <i>(See appendix No. 37.—PART 2.)</i>
Referred to education committee	<i>Ordered</i> , That the papers be referred to the committee on education.
Committee on bills	On motion, the house resolved itself into a committee on bills. Mr. Speaker left the chair. Mr. Ryder took the chair of the committee. Mr. Speaker resumed the chair.
Bills reported Partnerships	The chairman reported from the committee that they had gone through the bill to amend chapter 79 of the revised statutes, "of partnerships", and had directed him to report the same to the house without any amendments, and that they had also gone through the bill to extend the provisions of the "new practice act," and had made amendments thereto, which they had directed him to report to the house with the bill; and he delivered the bills, together with the amendments to the last mentioned bill, in at the clerk's table, where such amendments were read.
Practice act	
Order to engross	<i>Ordered</i> , That the bill reported without amendments be engrossed. <i>Ordered</i> , That the bill reported with amendments be engrossed with the amendments.
Railway correspondence	The honorable the provincial secretary, by command of his excellency the governor, presented to the house correspondence between the chairman of the railway board and the railway contractors, relative to claims for extra services. <i>Ordered</i> , That the papers be referred to the committee on the railway.
Referred to railway committee	

Then the house adjourned until to-morrow, at three of the clock.

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TUESDAY, 16th MARCH, 1858.

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PRAYERS.

Halifax assessment bill	Mr. Esson, pursuant to leave given, presented to the house a bill, further to amend chapter 46 of the revised statutes "of county assessments"; and the same was read a first, and ordered to be read a second time.
Petition for survey of Milton railway	A petition of inhabitants of Milton, in the county of Queen's. was presented by Mr. McClearn and read, praying the co-operation of the house in surveying and constructing the proposed line of railway from Milton to Liverpool. <i>Ordered</i> , That the petition do lie on the table.
Petition against alteration in mail service, Bay of Funday	A petition of inhabitants of Granville, in the county of Annapolis, was presented by Mr. Ruggles and read, praying that arrangements may not be sanctioned by the house which

which will prevent the mail steamers from St. John, New Brunswick, from touching at the port of Annapolis.

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

Mr. Wade reported from the committee on private bills that they had considered the bill to legalize the proceedings of the sessions for the county of Richmond, and the bill to provide for repairing the Bridgewater bridge in the county of Lunenburg, and had directed him to report the same to the house without any amendment; and that they had also considered the bill to exempt the county of Inverness from the operation of chapter 20 of the acts of 1856, and of the act in amendment thereof, and the bill concerning the township of Chester, and had directed him to recommend the house to defer the further consideration thereof until next session; and he delivered the bills in at the clerk's table.

*Ordered*, That the two first mentioned bills reported without amendment, be engrossed.

*Ordered*, That the further consideration of the two last mentioned bills be deferred until the next session.

The hon. the provincial secretary, by command of his excellency the governor, presented to the house certain contracts, specifications, and other documents relating to the claim of Robert Davis for an alleged balance due him for erecting the hospital for the insane.

*Ordered*, That the papers be referred to the committee on that subject.

Mr. McKinnon, pursuant to leave given, presented to the house a bill for the more summary trial and punishment of petty offences; and the same was read a first, and ordered to be read a second time.

A petition of James Grant, a railway contractor, was presented by Mr. Esson and read, praying reimbursement of loss sustained in performing a contract on the railway.

*Ordered*, That the petition be referred to the committee on railway damages.

Mr. Wade, pursuant to leave given, presented to the house a bill to provide for a public road and slip at Digby; and the same was read a first, and ordered to be read a second time.

On motion, the house resolved itself into the committee of ways and means.

Mr. Speaker left the chair.

Mr. Dimock took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee, that they had made some progress in the consideration of the business referred to them.

The chairman also acquainted the house, that he was directed by the committee to move for leave to sit again on the consideration of ways and means—to which the house agreed.

Then the house adjourned untill to-morrow, at three of the clock.

WEDNESDAY, 17th MARCH, 1858.

PRAYERS.

An engrossed bill to amend the act to alter the time of holding the sessions for the county of Victoria, was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act to alter the time of holding the sessions for the county of Victoria.

An engrossed bill to naturalize Pierre Poste, was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act to naturalize certain aliens.

Private bills reported  
Richmond sessions  
Bridgewater bridge

Inverness assessments

Chester township

Order to engross

Order to defer  
Inverness and Chester  
bills

R. Davis' contract, &c.  
presented

Referred to committee

Petty offences bill

Petition of J Grant

Referred to railway  
damages committee

Digby road bill

Committee of ways and  
means

Report progress

Bills read 3rd time  
and passed  
Victoria sessions

Naturalization

An

- Cornwallis church An engrossed bill to authorize the congregation of the Baptist church, Canard, Cornwallis, to enclose a portion of the public parade ground, and erect a shed thereon, was read a third time.  
*Resolved*, That the bill do pass, and that the title be, an act to authorize the congregation of the Baptist church at Canard, Cornwallis, to enclose a portion of the public parade ground, and erect a shed thereon.
- New practice act An engrossed bill to extend the provisions of the new practice act, was read a third time.  
*Resolved*, That the bill do pass, and that the title be, an act to extend the provisions of the new practice act.
- Messenger's creek An engrossed bill to authorize the construction of an aboiteau across Messenger creek, in the county of Annapolis, was read a third time.  
*Resolved*, That the bill do pass, and that the title be, an act to authorize the construction of an aboiteau across Messenger creek, in the county of Annapolis.
- Shelburne temperance hall An engrossed bill to authorize the sale of the Temperance hall property at Shelburne, was read a third time.  
*Resolved*, That the bill do pass, and that the title be, an act to authorize the sale of the Temperance hall property at Shelburne.
- Partnerships An engrossed bill to amend chapter 79 of the revised statutes, "of partnerships", was read a third time.  
*Resolved*, That the bill do pass, and that the title be, an act to amend chapter 79 of the revised statutes "of partnerships."
- Bills sent to council *Ordered*, That the clerk do carry the bills to the council, and desire their concurrence.
- Railway contracts The honorable the provincial secretary, by command of his excellency the governor, presented to the house the contracts, with specifications, between the railway board and the railway contractors who have made claims for extra services.  
*Ordered*, That the papers be referred to the committee on the railway.
- Referred to railway committee
- Report of measurements at insane hospital The honorable the provincial secretary, by command of his excellency the governor, presented to the house a report by Messrs. James Laurie, and Henry G. Hill, of measurements of brick work executed by Robert Davis, in erecting the hospital for the insane at Dartmouth.  
*Ordered*, That the report be referred to the committee on the petition of Robert Davis.
- Referred to R. Davis' committee
- Marine stores bill Mr. Killam, pursuant to leave given, presented to the house a bill to regulate the purchase of old marine stores; and the same was read a first, and ordered to be read a second time.
- Report of fishery com. Mr. Ryder reported from the committee on the fisheries; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read.  
*(See appendix No. 49)*
- Report adopted and referred to supply *Ordered*, That the report be received and adopted, and that so much thereof as recommends a grant of money be referred to the committee of supply.
- Committee of ways and means On motion, the house resolved itself into the committee of ways and means.  
Mr. Speaker left the chair.  
Mr. Dimock took the chair of the committee.  
Mr. Speaker resumed the chair.
- Committee report five resolutions The chairman reported from the committee that they had made some progress in the consideration of the business referred to them, and had come to four resolutions, which they had directed him to report to the house; and he delivered the same in at the clerk's table.

The chairman also acquainted the house, that he was directed by the committee to move for leave to sit again on the consideration of ways and means—to which the house agreed. Leave to sit again

The resolutions reported from the committee were then read, and are as follow :— Resolutions read

1<sup>o</sup>. *Resolved*, That the same system of imposition, collection, and regulation of colonial revenue as has been in operation for the past year, be continued for the year ending 1st April, 1859, with such exceptions as may hereafter be determined on. General system continued

2<sup>o</sup>. *Resolved*, That an addition of 20 per cent. be made to the duties now imposed upon wines, brandy, whiskey, rum, gin, cordials, and other spirits. Spirituos liquors duties increased

3<sup>o</sup>. *Resolved*, That the duties for the support of light-houses, remain the same for the year ending 1st April, 1859, as they have been during the past year. Light house duties continued

4<sup>o</sup>. *Resolved*, That an addition of 30 per cent. be made to the amount now payable for licenses for instilling intoxicating liquors. Distillery duties increased

Which resolutions having been again read by the clerk, were, upon the question severally put thereon, agreed to by the house. resolutions passed

The hon. C. J. Campbell, by command of his excellency the governor, presented to the house returns of inspectors of pickled fish for the various counties for the year 1857, together with an abstract of such returns. Fish inspectors returns

*(For abstract, see appendix No. 50.)*

*Ordered*, That the returns and abstract do lie on the table.

Then the house adjourned until to-morrow, at ten of the clock.

THURSDAY, 18th MARCH, 1858.

PRAYERS.

An engrossed bill to amend chapter 10 of the acts of 1857, entitled, an act to amend the new practice act, was read a third time. Foreign process act read 3d time

*Resolved*, That the bill do pass, and that the title be, an act to amend chapter 10 of the acts of 1857, entitled, an act to amend the new practice act. Passed and sent to council

The honorable the financial secretary, by command of his excellency the governor, presented to the house accounts and vouchers connected with the erection of a fog bell at Yarmouth. Accounts respecting Yarmouth fog bell

*Ordered*, That the papers be referred to the committee on navigation securities. Referred to navigation securities committee

On motion, the house resolved itself into the committee of ways and means.

Mr. Speaker left the chair.

Mr. Dimock took the chair of the committee.

Mr. Speaker resumed the chair. Committee of ways and means

The chairman reported from the committee that they had made some progress in the consideration of the business referred to them, and had come to a resolution which they had directed him to report to the house ; and he delivered the same in at the clerk's table. Committee report resolution

The chairman also acquainted the house, that he was directed by the committee to move for leave to sit again on the consideration of ways and means, to which the house agreed. Leave to sit again

The resolution reported from the committee was then read, and is as follows :

*Resolved*, That the general sessions of the several counties of the province do regulate the rates or duties, at which tavern, shop and general licences shall be issued, except in the city of Halifax, and the municipality of Yarmouth, wherein their respective corporations shall regulate such rates or duties. Licence resolution read

Which

- And passed Which resolution having been again read by the clerk, was, upon the question put thereon, agreed to by the house.
- Revenue law com. *Ordered*, That the hon. the financial secretary, Mr. Henry and Mr. Killam, be a committee to prepare and report revenue bills in accordance with the resolutions reported from the committee on ways and means, and agreed to by the house.
- Licence law com. On motion of Mr. McDonald,  
*Resolved*, That a select committee be appointed to consider the laws in force respecting licenses for the sale of intoxicating liquors, and report thereon, by bill or otherwise.  
*Ordered*, That Mr. McDonald, Mr. Archibald, Mr. Moses, Mr. Bailey, and Mr. Chipman, be a committee for such purpose.
- For opening of roads referred to same com. On motion of Mr. Henry,  
*Ordered*, That it be referred to the same committee, to consider the laws now in force relating to the opening of public and pent roads, and to report thereon, by bill or otherwise
- Petition for division of Inverness A petition of inhabitants of the southern and western districts of the county of Inverness was by special leave, presented by the hon. Mr. Young and read, praying for the division of that county.  
*Ordered*, That the petition do lie on the table.
- Petition for way office Inverness A petition of inhabitants of Brook Village, in the county of Inverness, was, by special leave, presented by the hon. Mr. Young and read, praying for the establishment of a way office.  
*Ordered*, That the petition be referred to the committee on the post office.
- Referred to post office committee *Ordered*, That the petition be referred to the committee on the post office.
- Petition respecting Whycomah mail route A petition of inhabitants of the county of Inverness, was by special leave, presented by the hon. Mr. Young and read, praying for a change of the mail route between Plaister Cove and Whycomah.  
*Ordered*, That the petition be referred to the committee on the post office.
- Referred to post office committee *Ordered*, That the petition be referred to the committee on the post office.
- Committee of supply On motion, the house resolved itself into the committee of supply.  
Mr. Speaker left the chair.  
Mr. Dimock took the chair of the committee.  
Mr. Speaker resumed the chair.
- Resolution reported The chairman reported from the committee that they had come to a resolution, which they had directed him to report to the house ; and he delivered the same in at the clerk's table.
- Leave to sit again The chairman also acquainted the house that he was directed by the committee to move for leave to sit again on the consideration of the supply—to which the house agreed.
- Resolution read The resolution reported from the committee was then read, and is as follows:  
*Resolved*, That the sum of twenty-five thousand pounds be granted for the road and bridge service for the present year.
- £25,000 road and bridge service The resolution being read a second time, was then, upon the question put thereon, agreed to by the house.  
*Ordered*, That the clerk do carry the resolution to the council, and desire their concurrence.
- Passed

• Then the house adjourned until to-morrow, at three of the clock.

## FRIDAY, 19th MARCH, 1858.

## PRAYERS.

The hon. the provincial secretary, by command of his excellency the governor, presented to the house certain appraisements, agreements, and plans, relating to the lands of individuals appropriated for the construction and alteration of the main post roads.

*Ordered*, That the papers be referred to the committee on road damages.

Road damage appraisements, &c.

Referred to road damage committee

The hon. the provincial secretary, by command of his excellency the governor, presented to the house an account and abstract of extra work on the railway, performed by Messrs. McDonald and Black, railway contractors.

Accounts respecting railway claims

*Ordered*, That the papers be referred to the committee on the railway.

Referred to Railway committee

Mr. Wade, from the committee on private bills, reported that they had considered the bill to regulate the width of pent roads in King's county, and had directed him to recommend the house to refer the consideration of such bill to the committee appointed to revise the laws relating to the opening of roads; that they had considered the bill to amend chapter 7 of the revised statutes, "of the manner of conducting elections"; the bill to authorize the placing a draw in the Lower Cornwallis bridge; the bill to extend to Wolfville, the laws relating to commissioners of streets, and the bill to provide for the erection of a poor-house in Cornwallis, and had directed him to report such bills to the house severally, without any amendments; and that they had also considered the bill to amend the act for the incorporation of certain bodies connected with the Wesleyan Methodist church in Nova Scotia, and had made an amendment thereto, which they had directed him to report to the house with the bill; and he delivered the bills, together with the amendment to the last mentioned bill in at the clerk's table, where such amendment was read.

Private bills reported bill  
Pent roads

Pictou polling place  
Cornwallis bridge  
Wolfville streets  
Cornwallis poor house

Wesleyan incorporation

*Ordered*, That the bill to regulate the width of pent roads in King's county, be referred to the committee appointed to revise the law relating to the opening of roads, to report thereon with amendments or otherwise.

Pent roads bill referred to road com.

*Ordered*, That the remaining bills reported by the committee on private bills be committed to a committee of the whole house.

Bills committed

The following bills were severally read a second time:

A bill to amend the acts relating to river fisheries.

Bills read 2d time

A bill to amend the act 18th Victoria, chapter 16, relating to the inspection of fish.

River fisheries

A bill to amend the act to prevent the destruction of oysters.

Fish inspection

*Ordered*, That the bills be committed to a committee of the whole house.

Preservation of oysters

Bills committed

A petition of the Temperance convention of the county of Pictou, was presented by Mr. McDonald and read, praying the passing of measures to suppress the traffic in intoxicating liquors.

Temperance petition

*Ordered*, That the petition be referred to the committee on the licence laws.

Referred to licence law committee

The honorable the attorney general, pursuant to leave given, presented to the house a bill for the management of the hospital for the insane; and the same was read a first, and ordered to be read a second time.

Insane hospital bill

The honorable the provincial secretary, by command of his excellency the governor, presented to the house sundry despatches and correspondence, dated in the years 1849 and 1850, between the provincial government and the secretary of state for the colonies, relating to the dismissal from office of certain justices of the peace; and the same were read by the clerk.

Despatches relating to dismissed magistrates

*Ordered*, That the papers do lie on the table.

The hon. Mr. Young moved that the house do come to the following resolution :—

Resolution respecting  
Mr. Condon's  
appointment

*Whereas*, it appears by the papers on the table that Mr. Condon, who was dismissed from office by the late government, was nominated by the members of the present executive council on the fifteenth of June last, as superintendent under the board of works, with a salary of two hundred and fifty pounds, and that his name was thereupon entered as such superintendent, and a letter addressed to him accordingly by Mr. Thorne, the chairman of the board, but that his appointment has never been gazetted, nor was he commissioned or recognized in any way as an officer of the crown by the late lieutenant governor, and his appointment, from his known opinions, being an insult to the feelings of loyalty and attachment to British rule, which happily prevail in this Province ;

*Resolved*, That such appointment was highly objectionable, and in the judgment of this house ought not to have been made.

Which, being seconded, and a debate arising thereon,

Debate adjourned

*Ordered*, That the debate be adjourned until to-morrow.

Leave of absence

*Ordered*, That Mr. Brown have leave of absence until Monday next, inclusive, on urgent private business.

Then the house adjourned until to-morrow, at three of the clock.

SATURDAY, 20th MARCH, 1858.

PRAYERS.

Returns from colleges

The hon. the provincial secretary, by command of his excellency the governor, presented to the house returns of the condition and operations during the year 1857, of King's, Dalhousie, and St. Francis Xaviers' colleges, respectively.

Referred to education  
committee

*Ordered*, That the papers be referred to the committee on education.

Halifax railway bill  
read the third time

An engrossed bill to carry out the provisions of an act to authorize a loan for the construction of railways within this province, so far as relates to the city of Halifax, was read a third time.

Passed and sent to  
council

*Resolved*, That the bill do pass, and that the title be, an act to authorize a loan for the construction of railways within this province, so far as relates to the city of Halifax.

Revenue bills reported  
by committee

The hon. the financial secretary reported from the committee on the revenue laws ; and thereupon presented to the house,

Customs duties

A bill to continue and amend the laws imposing customs duties.

Light house duties

A bill to continue and amend the law imposing light-house duties.

Distilleries

A bill to continue and amend the law to regulate distilleries.

And such bills were severally read a first, and ordered to be read a second time.

Provincial loan bill

The hon. the financial secretary, pursuant to leave given, presented to the house a bill to authorize a provincial loan ; and the same was read a first, and ordered to be read a second time.

Correspondence res-  
pecting mathematical  
instruments, crown  
land office

The hon. the provincial secretary, by command of his excellency the governor, presented to the house correspondence with the crown land commissioner relating to the importation of improved mathematical and surveying instruments for the use of that department

Referred to crown  
property committee

*Ordered*, That the papers be referred to the committee on crown property.

Intercolonial railway  
despatch

The hon. the provincial secretary, by command of his excellency the governor, presented to the house a despatch dated 10th March, instant, from the governor of New Brunswick to the governor of this province, enclosing a memorandum of the executive council

council of New Brunswick expressing their willingness to co-operate in any measures for the advancement of the project of an inter-colonial line of railway.

(See appendix No. 52.)

*Ordered*, That the papers do lie on the table.

The hon. the provincial secretary, by command of his excellency the governor, presented to the house a letter from the chairman of the railway board, enclosing a receipt from Messrs. McDonald and Black, railway contractors, for the balance due on their contract.

Papers relating to railway contract

*Ordered*, That the papers be referred to the railway committee.

Referred to railway committee

The hon. the provincial secretary, by command of his excellency the governor, presented to the house papers relating to a claim upon the provincial government by the sheriff of the county of Shelburne, for expenses incurred by him in removing prisoners from Shelburne to Guysborough, to be tried on a criminal charge.

Claim of sheriff of Shelburne

*Ordered*, That the papers be referred to the law committee.

Referred to law com.

The bill to regulate the performance of labor on the highways, was read a second time.

Htghway labor bill read 2d time

*Ordered*, That the bill be committed to a committee of the whole house.

and committed

Mr. Killam, pursuant to leave given, presented to the house, a bill to amend chapter 99 of the revised statutes, "of fires and firewards"; and the same was read a first, and ordered to be read a second time

Pursuant to order the house resumed the consideration of the resolution on the subject of the appointment of Mr. Condon to an office under the board of works; and after some time spent in debate thereon,

Debate resumed

*Ordered*, That the debate be further adjourned until Monday next.

And adjourned

Then the house adjourned until Monday next, at three of the clock.

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MONDAY, 22nd MARCH, 1858.

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PRAYERS.

The hon. the provincial secretary, by command of his excellency the governor, presented to the house papers connected with a claim by Messrs. Creelman and company, railway contractors, for allowances for extra work on the railway.

Claim for extra railway work

*Ordered*, That the papers be referred to the committee on the railway.

Referred to railway committee

A petition of Thomas W. Chesley, of Bridgetown, in the county of Annapolis, was presented by the hon. the attorney general and read, praying for a continuance of the grants to wardens of the river fisheries.

Petition of T. W. Chesley

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

The following bills were severally read a second time :

Read 2d time

A bill to continue and amend the laws imposing customs duties.

Revenue bills

A bill to continue the law imposing light house duties.

A bill to continue and amend the law to regulate distilleries.

A bill to authorize a provincial loan.

Provincial loan

*Ordered*, That the bills be committed to a committee of the whole house.

Bills committed

- Committee on bills      On motion the house resolved itself into a committee on bills.  
                               Mr. Speaker left the chair.  
                               Mr. Ryder took the chair of the committee.  
                               Mr. Speaker resumed the chair.
- Report bills              The chairman reported from the committee that they had gone through the bill to  
 Revenue bills          continue and amend the laws imposing customs duties; the bill to continue the law  
 Provincial loan        imposing light house duties; the bill to continue and amend the law to regulate dis-  
                               tilleries, and the bill to authorize a provincial loan.  
                               *Ordered*, That the bills be engrossed.
- Message                  A message from the council, by Mr Halliburton :  
                               Mr. Speaker,
- Sherbrooke court house    The council have agreed to the bill entitled an act to authorize the sale of the old  
 bill agreed to            court house at Sherbrooke, without any amendment.
- Road grant resolution      The council have also agreed to a resolution of this honorable house, granting the  
 agreed to                sum of twenty-five thousand pounds for the service of roads and bridges.
- Falmouth church bill      The council have passed a bill, entitled, an act to incorporate the trustees of the  
                               Baptist church at Falmouth—to which bill they desire the concurrence of this honor-  
                               able house.  
                               And then the messenger withdrew.
- Bills read 3<sup>d</sup> time        An engrossed bill to continue and amend the laws imposing customs duties, was, *nem.*  
 Customs duties         *con.*, read a third time.  
                               *Resolved*, That the bill do pass, and that the title be, an act to continue and amend  
                               the laws imposing customs duties.
- Light house duties        An engrossed bill to continue the law imposing light-house duties, was, *nem. con.*, read  
                               a third time.  
                               *Resolved*, That the bill do pass, and that the title be, an act to continue the law  
                               imposing light-house duties.
- Distilleries              An engrossed bill to continue and amend the law to regulate distilleries, was, *nem. con.*,  
                               read a third time.  
                               *Resolved*, That the bill do pass, and that the title be, an act to continue and amend  
                               the law to regulate distilleries.
- Provincial loan          An engrossed bill to authorize a provincial loan was *nem. con.*, read a third time.  
                               *Resolved*, That the bill do pass, and that the title be an act to authorize a provincial  
                               loan.
- Bills sent to council      *Ordered*, That the clerk do carry the bills to the council and desire their concurrence.
- Private bills committee    Mr. Wade reported from the committee on private bills that they had considered the  
 report                    bill to amend the law respecting public landings, and had directed him to report the  
 Public landings bill    same to the house with an amendment; and he delivered the bill and amendment in at  
                               the clerk's table where the amendment was read.
- Bill committed            *Ordered*, That the bill be committed to a committee of the whole house.
- City of Halifax bills      Mr. Tobin, pursuant to special leave given, presented to the house a bill to enable  
                               to city of Halifax to raise additional sums, by loan and by assessment, for the services  
                               therein mentioned; and a bill respecting the general assessment of the city of Halifax  
                               for the present year; and such bills were severally read a first time.  
                               And thereupon, on motion,
- Select committee         *Resolved*, That a select committee be appointed to consider and report upon such bills  
 appointed                with amendments or otherwise.  
                               *Ordered*, That Mr. Wier, the hon. Mr. Young, Mr. Esson, Mr. McLelan, and Mr.  
                               Archibald, be a committee for such purpose.
- Bills referred            *Ordered*, That the above mentioned bills be referred to such committee.

Mr. Tobin reported from the committee on trade and manufactures ; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read.

Trade committee report

(See appendix No. 53.)

Ordered, That the report be received, and do lie on the table.

Report received

A message from the council, by Mr. Halliburton :

Message

Mr. Speaker,

The council have agreed to the bill, entitled, an act to incorporate the North British society of Halifax, Nova Scotia ; the bill, entitled, an act to add a polling place in Queen's county ; the bill, entitled, an act to legalize the jury lists for the county of Inverness ; the bill, entitled, an act to legalize the jury lists for the county of Yarmouth ; the bill, entitled, an act to incorporate the Port Williams pier company ; the bill, entitled, an act to incorporate the Nova Scotia Barrister's society ; and the bill, entitled, an act for naming the village of Welsford in the county of Pictou, severally, without any amendments.

Bills agreed to  
North British society  
Polling place Queens  
Inverness juries  
Yarmouth juries  
Port Williams comp'y  
Baristers society  
Welsford Village

And then the messenger withdrew.

On motion, the house resolved itself into the committee of supply.

Committee of supply

Mr. Speaker left the chair.

Mr. Dimock took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had come to twenty-four resolutions, which they had directed him to report to the house ; and he delivered the same in at the clerk's table.

Report 24 resolutions

The chairman also acquainted the house, that he was directed by the committee to move for leave so sit again on the consideration of the supply—to which the house agreed.

Leave to sit again

The resolutions reported from the committee were then read, and are as follow :

Resolutions read, viz—

1 ° . Resolved, That the sum of two hundred pounds be granted and paid to the speaker of the house of assembly, for his salary as speaker, for the present year.

£200 Speaker

2 ° . Resolved, That the sum of three hundred pounds be granted and paid to the clerk of the house of assembly, for his services for the same year.

£300 clerk

3 ° . Resolved, That the sum of twenty-five pounds be granted and paid to the chaplain of the house of assembly, for his services during the present session.

£25 chaplain

4 ° Resolved, That the sum of two hundred pounds be granted and paid to the clerk assistant of the house of assembly, for his services during the present session.

£200 clerk assistant

5 ° . Resolved, That the sum of two hundred pounds be granted and paid to the clerk of bills of the house of assembly, for his services during the present session.

£200 clerk of bills

6 ° . Resolved, That the sum of seventy-five pounds be granted and paid to the sergeant at arms of the house of assembly, for his services for the present session.

£75 sergeant at arms

7 ° . Resolved, That the sum of forty-five pounds be granted and paid to the assistant sergeant-at-arms for his services for the present session.

£45 assistant serjeant

8 ° . Resolved, That the sum of forty pounds be granted and paid to the messenger of the governor and the executive and legislative councils, for his services during the present year.

£40 messenger of council

9 ° . Resolved, That the sum of forty pounds be granted and paid to John Fitzgerald, for his services as messenger of the house of assembly during the present session.

£40 J. Fitzgerald

- £100 clerk board of revenue 10°. *Resolved*, That the sum of one hundred pounds be granted and paid to the clerk of the board of revenue, for his services during the present year.
- Extra waiters 11°. *Resolved*, That such sum be granted and paid on the certificate of the board of revenue, as may be sufficient to pay at the rate of seven shillings and six pence per day, to such persons as shall be employed by the receiver general, as extra waiters for the port of Halifax during the present year—five shillings per day for such extra waiters when unemployed, and at the rate of five shillings per day for temporary waiters.
- £300 gauger and weigher 12°. *Resolved*, That the sum of three hundred pounds be granted and paid to such persons as the governor shall appoint to discharge the duties heretofore performed by the gauger, weigher and proof officer for the port of Halifax.
- £80 keeper of assembly room 13°. *Resolved*, That the sum of eighty pounds be granted and paid to the keeper of the assembly house, council chamber, and law library, for his services for the present year.
- £400 Sable Island 14°. *Resolved*, That the sum of four hundred pounds be granted and placed at the disposal of the governor, for the support of the establishment at Sable Island for the present year.
- £25 poor asylum school 15°. *Resolved*, That the sum of twenty-five pounds be granted and paid to the commissioners of the poor in Halifax, to defray the expense of continuing the school in the poor asylum for the present year, for the benefit of orphans and poor children in that establishment.
- £300 Indians 16°. *Resolved*, That the sum of three hundred pounds be granted and placed at the disposal of the governor, for the benefit of the Indians for the present year.
- £100 clerk of crown 17°. *Resolved*, That the sum of one hundred pounds be granted and paid to the clerk of the crown in the supreme court of this province, for his services for the past year.
- £400 seizing officers 18°. *Resolved*, That a sum not to exceed four hundred pounds be granted and placed at the disposal of the governor, to be appropriated in paying seizing officers in the various parts of the province for more effectually protecting the revenue, provided no such officer shall receive more than fifteen pounds.
- £40 chairman of committees 19°. *Resolved*, That the sum of twenty pounds be granted and paid to each of the two chairman of bills and supply for their services for the present session.
- £100 travelling charges 20°. That the sum of one hundred pounds be granted and placed at the disposal of the governor to defray the travelling charges of the members of government, non-residents of Halifax, when summoned during the recess to attend meetings of council, to be computed at the same rate as allowed to members of the assembly.
- £125 prov. sec'y office 21°. *Resolved*, That the sum of one hundred and twenty-five pounds be granted for stationery and other contingencies of the provincial secretary's office for the present year—the expenditure to be accounted for at the next session of the general assembly.
- £12 10s. crier of admiralty court 22°. *Resolved*, That the sum of twelve pounds ten shillings be granted and paid to the judge of the vice admiralty court, for fuel and crier of the court for the present year.
- Postage of department 23°. *Resolved*, That such sum be granted and placed at the disposal of the governor, as will be sufficient to repay the amount advanced from the treasury to defray the expense of postage of the public departments during the past year.
- £250 stg. governor's secretary 24°. *Resolved*, That such sum be granted and placed at the disposal of the governor

as will provide for the remuneration of a private secretary for the present year, at the rate of two hundred and fifty pounds sterling per annum.

The resolutions, except the eighteenth, twenty-second, and twenty-fourth, being read a second time, were upon the question put thereon, severally agreed to by the house. 21 resolutions passed

The eighteenth resolution, granting a sum not to exceed four hundred pounds to defray the salaries of seizing officers, being read a second time, and the question put, that the same do pass; and the house dividing thereon, there appeared for the resolution, twenty-four; against it, twelve. 18th resolution passed on division

So it passed in the affirmative.

The twenty-second resolution, granting twelve pounds ten shillings for the contingent expenses of the court of vice admiralty, being read a second time, and the question put that the same do pass; and the house dividing thereon, there appeared for the resolution, twenty-eight; against it, fifteen. 22d resolution passed on division

So it passed in the affirmative.

The twenty-fourth resolution, granting two hundred and fifty pounds, sterling, to defray the salary of the governor's private secretary, being read a second time, and the question put. that the same do pass, and the house dividing thereon, there appeared for the resolution, twenty-six; against it, eighteen. 24th resolution passed on division

*For the resolution.*

*Against the resolution.*

Mr. Wade,	Hon. Fin. Secretary,	Mr. Locke,	Mr. Parker,
“ Caldwell,	Mr. Webster,	“ Shaw,	“ Bourneuf,
“ Munro,	Hon. Mr. Young,	“ McDonald,	“ McLelan,
Hon. J. Campbell,	Mr. McFarlane,	“ Ruggles,	“ Gilderd,
Mr. Bent,	Mr. Tobin,	“ Rinhard,	“ Morrison,
“ Henry,	Hon. Atty. General,	“ McClearn,	“ Chambers,
Hon. Prov. Secretary,	Mr. Dimock,	“ Davidson,	“ Chipman,
Mr. Martell,	“ Bill,	“ Bailey,	“ Esson,
Hon. Mr. McKinnon,	“ Archibald,	“ McKenzie,	“ Robertson.
Hon. C. J. Campbell,	“ Smyth,		
Mr. Churchill,	“ White,		
“ Killam,	“ Fuller,		
“ McKeagney,	Hon. Mr. Howe.		

So it passed in the affirmative.

*Ordered,* That the adjourned debate on the resolution respecting the appointment of Mr. Condon, be further adjourned until Wednesday next. Debate postponed

Then the house adjourned until Wednesday next, at one of the clock.

WEDNESDAY, 24th MARCH, 1858.

PRAYERS.

A message from the council, by Mr. Halliburton:

Mr. Speaker,

The council have agreed to the bills, entitled, respectively, an act to amend the act to alter the time of holding the sessions for the county of Victoria; an act to naturalize certain aliens; an act to authorize the congregation of the Baptist church at Canard, Cornwallis, to enclose a portion of the public parade ground, and erect a shed thereon; an act to authorize the construction of an aboiteau across Messenger creek, in the county

Message

Bills agreed to  
Victoria sessions  
Naturalization  
Canard church

Messenger creek

Shelburne Temperance  
hall  
Foreign process  
Customs duties  
Light house duties  
Distilleries  
Provincial loan

county of Annapolis ; an act to authorize the sale of the Temperance hall property at Shelburne ; an act to amend chapter 10 of the acts of 1857, entitled, an act to amend the new practice act ; an act to continue and amend the laws imposing customs duties ; an act to continue the law imposing light house duties ; an act to continue and amend the law to regulate distilleries ; and an act to authorize a provincial loan, without any amendments.

Practice act  
Newport burial ground  
Partnerships

The council have agreed to the bills, entitled, respectively, an act to extend the provisions of the new practice act ; an act relative to a burial ground in the town plot of Newport ; an act to amend chapter 79 of the revised statutes " of partnerships", with amendments to such bills, respectively—to which amendments they desire the concurrence of this honorable house.

Councils bills—  
Fires  
Annapolis marsh  
Dalhousie polling  
district  
Union bank

The council have passed a bill, entitled, an act relating to fires ; a bill, entitled, an act to amend the act for the regulation of the town marsh, at Annapolis ; a bill, entitled, an act to establish a polling district at Dalhousie, in King's county ; and a bill, entitled, an act to amend the act to incorporate the Union bank of Halifax—to which bills they desire the concurrence of this honorable house.

And then the messenger withdrew.

Message from governor

A message from his excellency the governor, by the gentleman usher of the black rod :  
Mr. Speaker,

Commands attendance  
of house

His excellency the governor commands the immediate attendance of this honorable house in the council chamber.

House attend

Accordingly, Mr. Speaker, with the house attended his excellency in the council chamber,

And being returned,

Assent to bills

Mr. Speaker reported that the house had attended his excellency in the council chamber, when his excellency was pleased to give his assent to twenty bills, entitled, as follows, viz :

An act for giving effect to the surrender to her majesty, by the legal personal representatives of the late duke of York and Albany, and by the General Mining Association, and their trustee, of the mines in Nova Scotia, and to a lease of part of such mines to the said association.

An act to incorporate the North British society of Halifax, Nova Scotia.

An act to add a polling place in Queen's county.

An act to legalize the jury lists for the county of Inverness.

An act to amend the act to alter the time of holding the sessions for the county of Victoria.

An act to naturalize certain aliens.

An act to authorize the congregation of the Baptist church at Canard, Cornwallis, to enclose a portion of the public parade ground, and erect a shed thereon.

An act to legalize the jury lists for the county of Yarmouth.

An act to incorporate the Port Williams pier company.

An act to extend the operation of certain grants of lands.

An act to incorporate the Nova Scotia Barristers' society.

An act to authorize the construction of an aboiteau across Messenger creek, in the county of Annapolis.

An act to authorize the sale of the old court house at Sherbrooke.

An act for naming the village of Welsford, in the county of Pictou.

An act to authorize the sale of the Temperance hall property, at Shelburne.

An act to amend chapter 10 of the acts of 1857, entitled, an act to amend the new practice act.

An act to continue and amend the laws imposing customs duties.

An act to continue the laws imposing light house duties.

An act to continue and amend the law to regulate distilleries.  
 An act to authorize a provincial loan.

Mr. Bill, pursuant to leave given, presented to the house a bill to amend the jury law; and the same was read a first, and ordered to be read a second time. Jury law bill

Pursuant to order the house resumed the consideration of the resolution respecting the appointment of Mr. William Condon; and after some time spent in debate thereon, Debate resumed  
*Ordered*, That the debate be further adjourned until to-morrow. And further adjourned

Then the house adjourned until to-morrow, at three of the clock.

THURSDAY, 25th MARCH, 1858.

PRAYERS.

The following bills were severally read a second time: Bills read 2d time  
 The council's engrossed bill to incorporate the Cape Breton Marine insurance company. Cape Breton Insurance company  
 The council's engrossed bill to incorporate the trustees of the Baptist church at Falmouth. Falmouth church  
 The council's engrossed bill to amend the act for the regulation of the town marsh at Annapolis. Annapolis marsh  
 The council's engrossed bill to establish a polling district at Dalhousie, in King's county. Dalhousie polling place  
 The council's engrossed bill to amend the act to incorporate the Union bank, of Halifax. Union bank  
 The bill further to amend chapter 46 of the revised statutes, "of county assessments. Halifax county assessment  
 The bill for the more summary trial and punishment of petty offences. Petty offences  
 The bill to provide for a public road and slip at Digby. Digby road  
*Ordered*, That the bills be committed to a committee of the whole house. Bills committed

The hon. the provincial secretary, by command of his excellency the governor, presented to the house a despatch from the colonial office, recommending the adoption of the system of compulsory pre-payment of postage, with the report of the postmaster general thereon. Despatch relating to postage  
*Ordered*, That the despatch be referred to the committee on the post office. Referred to post office committee

The hon. the provincial secretary, by command of his excellency the governor, presented to the house papers relating to a claim of Donald Fraser, railway contractor, for payment for extra work on the railway. Railway claim presented  
*Ordered*, That the papers be referred to the committee on the railway. Refer'd to railway com.

Mr. Wade reported from the committee on private bills, that they had considered the bill to incorporate the Londonderry Iron company of Nova Scotia, and had directed him to report the same to the house without any amendment; and he delivered the bill in at the clerk's table. Private bill reported  
Londonderry iron com.  
*Ordered*, That the bill be committed to a committee of the whole house. Bill committed

Pursuant to order, the house resumed the consideration of the resolution respecting the appointment of Mr. Condon, and after some time spent in debate thereon, Debate resumed  
*Ordered*, That the debate be further adjourned until to-morrow. And adjourned

Then the house adjourned until to-morrow, at three of the clock.

Friday,

## FRIDAY, 26th MARCH, 1858.

## PRAYERS.

Petition for mail to  
Magdalen Islands

A petition of rear admiral Sir John Townsend Coffin and others, interested in the Magdalen Islands, was, by special leave, presented by Mr. Wier and read, praying a contribution from this province, towards sustaining a mail packet between the Magdalen Islands and Pictou.

Referred to post office  
committee

*Ordered*, That the petition be referred to the committee on the post office.

Appendix to railway  
reports

The honorable the provincial secretary, by command of his excellency the governor, presented to the house, the appendix, parts 1 and 2 to Mr. Laurie's report on the railway.

Referred to railway com.

*Ordered*, That the paper be referred to the railway committee.

Committee on bills

On motion, the house resolved itself into a committee on bills.

Mr. Speaker left the chair.

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

Report

Wesleyan incorpora-  
tion

Wolfville streets

Richmond sessions

Cornwallis poor house

Fish inspection

Preservation of oysters

Digby road

Falmouth church

Annapolis marsh

Dalhousie polling  
district

Bridgewater bridge

Supreme court

Cape Breton Insurance  
company

Petty offences

The chairman reported from the committee that they had gone through the bill to amend the act for the incorporation of certain bodies connected with the Wesleyan Methodist church in Nova Scotia; the bill to extend to Wolfville the laws relating to the commissioners of streets; the bill to legalize the proceedings of the sessions of the county of Richmond; the bill to provide for the erection of a poor house in Cornwallis; the bill to amend the act 18th Victoria, chapter 16, relating to the inspection of fish; the bill to amend the act to prevent the destruction of oysters; the bill to provide a public road and slip at Digby; and the engrossed bills from the council entitled respectively, an act to incorporate the trustees of the Baptist church at Falmouth; an act to amend the act for the regulation of the town marsh at Annapolis; and an act to establish a polling district at Dalhousie, in King's county—and had directed him to report such bills severally to the house without any amendments; and that they had gone through the bill to provide for repairing the Bridgewater bridge in the county of Lunenburg; the bill to amend chapter 126 of the revised statutes, "of the supreme court and its officers"; and the council's engrossed bill to incorporate the Cape Breton marine insurance company, and had made amendments to such bills respectively, which they had directed him to report to the house with the bills; and that they had also considered the bill for the more summary trial and punishment of petty offences—and had directed him to recommend the house to refer such bill to the law committee to consider and report thereon, with amendments or otherwise; and he delivered the bills, together with the amendments to the bills amended by the committee, in at the clerk's table, where such amendments were read.

Orders to engross

*Ordered*, That the seven first mentioned bills reported without amendments be engrossed.

*Ordered*, That the amendment to the council's bill to incorporate the Cape Breton marine insurance company be engrossed

*Ordered*, That the bills reported with amendments be engrossed with the amendments.

Petty offences  
bill referred to law com.

*Ordered*, That the bill for the more summary trial and punishment of petty offences, be referred to the law committee, to consider and report thereon with amendments or otherwise.

Township officers bill

The honorable Mr. Young, pursuant to leave given, presented to the house a bill to amend chapter 48 of the revised statutes, "of townships and township officers"; and the same was read a first, and ordered to be read a second time.

The honorable the attorney general, pursuant to leave given, presented to the house a bill to amend chapter 99 of the revised statutes, "of fires and firewards"; and the same was read a first, and ordered to be read a second time. Firewards amendment

The hon. the attorney general, pursuant to leave given, presented to the house a bill to amend the act to extend the elective franchise; and the same was read a first, and ordered to be read a second time. Elective franchise

Then the house adjourned until to-morrow, at three of the clock.

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SATURDAY, 27th MARCH, 1858.

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PRAYERS.

Mr. Webster, pursuant to leave given, presented to the house a bill to facilitate the study of medicine and surgery; and the same was read a first, and ordered to be read a second time. Medicine and surgery bill

The engrossed bill from the council, entitled, an act to incorporate the Cape Breton Marine Insurance company, was read a third time, with the amendment made thereto by the committee on bills. Cape Breton Insurance bill, read 3rd time and passed

*Resolved*, That the bill be agreed to, and do pass this house with such amendment.

*Ordered*, That the clerk do carry the bill back to the council, and acquaint them that this house have agreed thereto with such amendment.

The engrossed bill from the council, entitled, an act to incorporate the trustees of the Baptist church at Falmouth, was read a third time. Falmouth church bill, read 3rd time

And thereupon, on motion,

*Resolved*, That such bill be agreed to. And passed

The engrossed bill from the council, entitled, an act to amend the act for the regulation of the Town marsh at Annapolis, was read a third time. Annapolis marsh bill, read 3rd time

And thereupon, on motion,

*Resolved*, That such bill be agreed to. And passed

The engrossed bill from the council, entitled, an act to establish a polling district at Dalhousie, in King's county, was read a third time. Dalhousie polling place bill, read 3rd time

And thereupon, on motion,

*Resolved*, That such bill be agreed to. And passed

*Ordered*, That the clerk do carry the three foregoing bills back to the council, and acquaint them that this house have agreed thereto, respectively. Bills returned to council

The following bills were severally read a second time :

A bill to amend chapter 99 of the revised statutes, "of fires and firewards". Bills read 2nd time

A bill to amend the act to extend the elective franchise. Firewards amendment

*Ordered*, That the bills be committed to a committee of the whole house. Elective franchise

On motion of the hon. Mr. Young,

*Resolved unanimously*, That as a mark of respect for the memory of the late hon. James Boyle Uniacke, this house will attend his funeral in a body. Resolution to attend funeral of hon J. B. Uniacke

Pursuant to order, the house resumed the consideration of the resolution respecting the appointment of Mr. Condon, and after some time spent in debate thereon, Debate resumed

*Ordered*, That the debate be further adjourned until to-morrow. And adjourned

Despatch relating to marriage of princess royal

The hon. the provincial secretary, by command of his excellency the governor, presented to the house a despatch from the secretary of state for the colonies to his excellency the governor, accompanied by an account of the ceremonial of the marriage of the Princess Royal with his royal highness Prince Frederick William of Prussia, together with a medal commemorative of the event.

(See appendix No. 54.

Order to print in appendix

*Ordered*, That the despatch do lie on the table, and be printed in the appendix to the journals.

Announcement of time of hon. Mr. Uniacke's funeral

Mr. Speaker announced to the house that he had communicated with the relatives of the late hon. James Boyle Uniacke, deceased, and had received information that his funeral would take place from the residence of his brother, the reverend R. F. Uniacke, on Tuesday next, the 30th instant, at ten o'clock, a. m.

Then the house adjourned until Monday next, at three of the clock.

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MONDAY, 29th MARCH, 1858.

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PRAYERS.

Pictou tank

The honorable the solicitor general, pursuant to special leave given, presented to the house a bill to authorize a loan for the purchase of a lot, and for the construction thereon of a water tank for the town of Pictou; also, a bill to legalize the proceedings of the special sessions, Pictou; and such bills were severally read a first, and ordered to be read a second time.

Bills read third time Richmond sessions

An engrossed bill to legalize the proceedings of the sessions for the county of Richmond, was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act to legalize the proceedings of the sessions for the county of Richmond.

Bridgewater bridge

An engrossed bill to provide for repairing the Bridgewater bridge in the county of Lunenburg, was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act to provide for repairing the Bridgewater bridge, in the county of Lunenburg.

Fish inspection

An engrossed bill to amend the act, 18 Victoria, chapter 16, relating to the inspection of fish, was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act to amend the act, 18 Victoria, chapter 16, relating to the inspection of fish.

Preservation of oysters

An engrossed bill to amend the act to prevent the destruction of oysters, was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act to amend the act to prevent the destruction of oysters.

Digby road

An engrossed bill to provide for a public road and slip at Digby, was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act to provide for a public road and slip at Digby.

Bills sent to council

*Ordered*, That the clerk do carry the bills to the council, and desire their concurrence.

Petition against municipal government, Yarmouth

A petition of inhabitants of the township of Yarmouth, was, by special leave, presented by Mr. Wier and read, praying that so much of the act for the municipal government of counties as relates to the municipality of Yarmouth, be repealed.

*Ordered*

*Ordered*, That the petition do lie on the table, and that Mr. Wier have leave to introduce a bill in accordance with the prayer thereof. Table, and leave for bill

And thereupon,

Mr. Wier, pursuant to such leave given, presented to the house a bill to repeal the act for the municipal government of counties, so far as relates to the township of Yarmouth; and the same was read a first, and ordered to be read a second time. Bill presented

A message from the council, by Mr. Halliburton :

Mr. Speaker,

The council have agreed to the amendment proposed by this honorable house to the bill, entitled, an act to incorporate the Cape Breton Marine Insurance company, without any amendment. Message  
Cape Breton bill amendment agreed to

And then the messenger withdrew.

Pursuant to order, the house resumed the adjourned debate on the resolution respecting the appointment of Mr. Condon, and after some time spent in such debate. Debate resumed

*Ordered*, That the debate be further adjourned until to-morrow. And adjourned

*Ordered*, That Mr. Davison have leave of absence after to-morrow, on urgent private business. Leave of absence

Then the house adjourned until to-morrow, at three of the clock.

*TUESDAY, 30th MARCH, 1858.*

PRAYERS.

An engrossed bill to extend to Wolfville the laws relating to commissioners of streets, was read a third time. Bills read 3rd time  
Wolfville streets bill

*Resolved*, That the bill do pass, and that the title be, an act to extend to Wolfville the laws relating to commissioners of streets. Passed and

*Ordered*, That the clerk do carry the bill to the council and desire their concurrence. Sent to council

Pursuant to order, the house resumed the consideration of the resolution respecting the appointment of Mr. Condon; and after some time spent in debate thereon, Debate resumed

*Ordered*, That the debate be further adjourned until to-morrow. And adjourned

Then the house adjourned until to-morrow, at three of the clock.

*WEDNESDAY, 31st MARCH, 1858.*

PRAYERS.

The bill to incorporate the Truro boot and shoe manufacturing company, was read a second time. Read 2d time  
Truro boot and shoe company

*Ordered*, That the bill be committed to a committee of the whole house. Bill committed

Mr. Esson reported from the joint committee on public accounts; and he read the report in his place, and then delivered it, together with the several appendices therein referred to, marked respectively A to M. inclusive, in at the clerk's table, where such report was read. Committee on public accounts report

(*For report and appendices, see appendix No 55.*)

*Ordered*, That the report be received and adopted, and with the appendices thereto, do lie on the table. Report received and adopted

## Message

A message from the council, by Mr. Halliburton :

Mr. Speaker,

Bills agreed to

Richmond sessions

Bridgewater bridge

Fish inspection

Preservation of oysters

Digby roads

The council have agreed to the bill entitled, an act to legalize the proceedings of the sessions for the county of Richmond; the bill entitled, an act to provide for repairing the Bridgewater bridge in the county of Lunenburg; the bill entitled, an act to amend the act 18th Victoria, chapter 16, relating to the inspection of fish; the bill entitled, an act to amend the act to prevent the destruction of oysters; and the bill entitled, an act to provide for a public road and slip at Digby, severally, without any amendments. And then the messenger withdrew.

On motion of the hon. the financial secretary,

Sub-division of road grant

*Resolved*, That the sum of twenty-five thousand pounds for the road and bridge service, for the present year, be applied as follows :—

For the county of Halifax,	£1839
Pictou,	1800
Inverness,	1650
Hants,	1498
Lunenburg,	1500
Colchester,	1460
Cumberland,	1460
Cape Breton,	1421
King's,	1350
Annapolis,	1300
Yarmouth,	1220
Shelburne,	1220
Digby,	1220
Sydney,	1220
Richmond,	1220
Victoria,	1220
Guysborough,	1220
Queen's,	1182

Order of day for road scales

*Ordered*, That the several members for the respective counties do prepare and present to the house on or before Saturday the tenth day of April next, scales of sub-division of the road money, out of the sum of twenty-five thousand pounds granted for the road and bridge service.

Road petitions referred

*Ordered*, That the several ordinary petitions for aid to roads and bridges, presented during the session, and by the course and practice of the house placed on the file of road petitions, without being entered on the journals at the time of presentation, be referred to the several members for the counties respectively, from which such petitions have been sent.

(For a list of such petitions, see appendix No. 56.)

Debate resumed

Pursuant to order, the house resumed the consideration of the resolution respecting the appointment of Mr. Condon; and, after some time spent in debate thereon,

And adjourned

*Ordered*, That the debate be further adjourned until to-morrow.

Then the house adjourned until to-morrow, at three of the clock.

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 THURSDAY, 1st APRIL, 1858.
 

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## PRAYERS.

The hon. the provincial secretary, by command of his excellency the governor, presented to the house a despatch from the right honorable Lord Stanley, secretary of state for the colonies, to his excellency the governor, communicating a copy of the judgment of the judicial committee of the privy council in the case of *Fulton & Fraser vs. Hampton*, relating to the right of colonial legislatures to arrest for contempt of their orders; and the same was read by the clerk.

Despatch enclosing  
judicial decision

(See appendix No. 57.)

*Ordered*, That the papers be referred to the committee on privileges, to examine and report thereon.

Referred to committee  
on privileges

The honorable the attorney general, by command of his excellency the governor, presented to the house a petition to his excellency, from inhabitants of the county of Annapolis, protesting against any arrangement for preventing the mail steamers across the Bay of Fundy from coming to the port of Annapolis.

Petition relating to  
Bay of Fundy steamer

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

On motion of the honorable the attorney general,

*Ordered*, That no bill, except those reported by committees, or founded on reports of committees, be received by this house after Thursday the eighth day of April, instant.

Order as to admission  
of bills

Mr. Archibald, pursuant to leave given, presented to the house a bill to authorize the sale of the Colchester academy; and the same was read a first, and ordered to be read a second time.

Colchester academy  
bill

Mr. McDonald reported from the committee on the licence laws; and thereupon, presented to the house the following bills, viz:

Licence law  
committee report

A bill to regulate licences for the sale of intoxicating liquors.

Licence bill

A bill to amend the law respecting licences in the city of Halifax.

Halifax licences

And such bills were severally read a first, and ordered to be read a second time.

A petition of inhabitants of Saint Margaret's Bay, in the county of Halifax, was presented by the hon. the financial secretary and read, praying for the enforcement of the laws relating to the river fisheries,

Petition from St.  
Margaret's Bay

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

A petition of inhabitants of the county of Richmond, was presented by the hon. the attorney general and read, praying for a general geological survey of the province.

Petition for geological  
survey

*Ordered*, That the petition be referred to the committee on crown property.

Referred to committee  
on crown property

Pursuant to order, the house resumed the consideration of the resolution respecting the appointment of Mr. Condon; and after some time spent in debate thereon,

Debate resumed and  
adjourned

*Ordered*, That the debate be further adjourned until Saturday next.

Then the house adjourned until Saturday next, at three of the clock, to-morrow being Good Friday.

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 Saturday,

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*SATURDAY, 3rd APRIL, 1858.*

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## PRAYERS.

Poor law bill

Mr. Brown, pursuant to leave given, presented to the house a bill to amend chapter 89 of the revised statutes, "of the settlement and support of the poor"; and the same was read a first, and ordered to be read a second time.

Permissive liquor bill

Mr. Morrison, pursuant to leave given, presented to the house a bill to restrict the sale of intoxicating liquors; and the same was read a first, and ordered to be read a second time.

Debate resumed

Pursuant to order, the house resumed the consideration of the resolution respecting the appointment of Mr. Condon; and after some time spent in debate thereon.

And adjourned

*Ordered*, That the debate be further adjourned until Monday next.

Then the house adjourned until Monday next, at three of the clock.

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*MONDAY, 5th APRIL, 1858.*

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## PRAYERS.

Revised statutes  
Commissioners report  
presented

The honorable the provincial secretary, by command of his excellency the governor, presented to the house the revised statutes of Nova Scotia, second series, prepared by the commissioners appointed for such purpose, pursuant to resolution of the legislature passed during the last session, together with the report of such commissioners in relation thereto.

(*For report—see appendix No. 58.*)

*Ordered*, That the papers do lie on the table.

Supreme court bill  
read 3rd time

An engrossed bill to amend chapter 126 of the revised statutes, "of the supreme court and its officers," was read a third time.

And the usual question being propounded from the chair that such bill do pass, and be sent to the council for concurrence,

Ryder moved

The hon. the attorney general moved that the following clause be added to the bill by way of ryder:—

"The ensuing Easter term of the supreme court at Halifax, shall be held on the fourth Tuesday of April instead of on the second Tuesday thereof, and the sittings thereafter on the second Tuesday of May, instead of on the fourth Tuesday of April; and all matters and proceedings pending or to be had therein, shall be had and proceeded with, and all jurors, officers and parties bound to appear thereat, shall appear and attend on the fourth Tuesday of April, and second Tuesday of May, instead of on the second Tuesday of April, and fourth Tuesday of April."

And agreed to

Which being seconded and put, was agreed to by the house.

*Ordered*, That the bill be amended accordingly.

And thereupon,

Bill passed and sent to  
council

*Resolved*, That the bill as amended do pass, and that the title be, an act to amend chapter 126 of the revised statutes, "of the supreme court and its officers".

*Ordered*, That the clerk do carry the bill to the council, and desire their concurrence.

Council's amendments  
to Newport burial  
ground bill agreed to

The amendments proposed by the council to the bill, entitled, an act relative to a burial ground in the town-plot of Newport, were read a first, and, *nem. con*, a second time, and considered by the house.

And thereupon,

On motion, *resolved*, that such amendments be agreed to.

The

The amendment; proposed by the council to the bill, entitled, an act to amend chapter 79 of the revised statutes, "of partnerships" were read a first, and *nem. con.* a second time, and considered by the house.

Amendments to partnerships bill agreed to

And thereupon,

On motion, *resolved*, that such amendments be agreed to.

*Ordered*, That the clerk do carry the bills and amendments back to the council, and acquaint them that this house have agreed to such amendments, respectively.

Bills returned to council

A message from the council, by Mr. Halliburton:

Message

Mr. Speaker,

The council have agreed to the bill, entitled, an act to carry out the provisions of an act to authorize a loan for the construction of railways within this province, so far as relates to the city of Halifax, without any amendments.

Halifax railway bill agreed to

The council have passed a bill, entitled, an act to incorporate the trustees of Farquharson's Free church at Lake Ainslie, in the county of Inverness—to which bill they desire the concurrence of this honorable house.

Lake Ainslie church bill

And then the messenger withdrew.

Pursuant to order the house resumed the consideration of the resolution respecting the appointment of Mr. Condon; and after some time spent in debate thereon,

Debate resumed

*Ordered*, That the debate be further adjourned until to-morrow.

And adjourned

Then the house adjourned until to-morrow, at three of the clock.

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TUESDAY, 6th APRIL, 1858.

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PRAYERS.

*Ordered*, That Mr. Hyde have leave of absence after Thursday next, on urgent private business.

Leave of absence

On motion of the hon. Mr. Young,

*Resolved unanimously*, That as a mark of respect to the memory of the late Gloud Wilson McLelan, esquire, the house do adjourn until Thursday next, and will attend his funeral in a body.

House resolve to attend funeral of G. W. McLelan, esquire,

And accordingly,

The house adjourned until Thursday next, at three of the clock.

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THURSDAY, 8th APRIL, 1858.

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PRAYERS.

Mr. Speaker laid before the house a letter received by him, during the adjournment, from the honorable the president of the council, dated yesterday, enclosing a resolution of the council to attend the funeral of the late Gloud W. McLelan, esquire.

Resolution of council to attend Mr. McLelan's funeral

The resolution of the council was then read, and is as follows:

LEGISLATIVE COUNCIL CHAMBER, }  
7th April, 1858. }

*Resolved unanimously*, That this house will attend the funeral of the late G. W. McLelan, esquire, late one of the representatives in the general assembly for the county of

of Colchester, and that the president of this house be requested to communicate the foregoing resolution to the honorable the Speaker of the house of assembly.

By order,

JOHN C. HALLIBURTON, C. L. C.

*Ordered*, That the letter and resolution do lie on the table.

Expiring laws from  
report bills, viz :

Mr. Wade reported from the committee on expiring laws, and thereupon, delivered to the house the following bills, viz :

Militia laws

A bill to revive and continue the laws relative to the militia.

Sale of vegetables and  
coals

A bill to continue and amend the act to establish and regulate the sale, by weight, of vegetables and coals.

And such bills were severally read a first, and ordered to be read a second time.

Halifax peninsula bill

The honorable the financial secretary, pursuant to special leave given, presented to the house a bill to amend the act 14th Victoria, entitled, an act concerning the city of Halifax ; and the same was read a first, and ordered to be read a second time.

Time for bills extended

On motion of the honorable the attorney general,  
*Ordered*, That the time for the reception of bills, limited to this day, by order passed on the first day of April, instant, be extended until Wednesday the fourteenth day of April, instant, inclusive.

Leave of absence

*Ordered*, That Mr. Webster have leave of absence after to-morrow, on urgent private business.

Report of New  
Brunswick boundary  
commissioners

The honorable the provincial secretary, by command of his excellency the governor, presented to the house the agreement entered into between the joint commissioners appointed by the respective governments of New Brunswick and this province, to settle the boundary line between the two provinces, together with a report of the commissioners relating thereto, and a plan of the boundary line agreed upon.

*(For agreement and report—see appendix No. 59.)*

*Ordered*, That the papers do lie on the table.

Debate resumed

Pursuant to order, the house resumed the consideration of the resolution respecting the appointment of Mr. William Condon.

And the usual question being propounded from the chair, that such resolution be agreed to,

Amendment moved

Mr. Henry moved, by way of amendment, that the house do come to the following resolution, viz :

Resolution in  
amendment

*Whereas*, the resolution under discussion is expressive of disapprobation of the appointment of William Condon to an office under the commissioners of public property, and the mover of the resolution, in his opening speech, read an extract from a letter which he stated had been published in the month of June, 1856 ; and which in the opinion of that learned and honorable member, contained expressions of disloyalty and disaffection to the British government ; and whereas, the mover of such resolution was, at the date of the publication of that letter, attorney general and leader of the administration, and continued to hold those situations until the month of February, 1857, during all which time the said William Condon was permitted to hold an office of trust and emolument under government ;

*Resolved therefore*, That the continuance in office of the said William Condon for eight months subsequently to the publication of the letter in question, is conclusive evidence that such letter was not considered by the then attorney general and his colleagues as

containing

containing disloyal sentiments, and that there is no ground for censuring the present executive council for recommending his appointment to the office he now holds.

Which amendment being seconded, and a debate arising thereon, after some time spent in such debate,

*Ordered*, That the debate be adjourned until to-morrow.

Then the house adjourned until to-morrow, at three of the clock.

Debate adjourned

FRIDAY, 9th APRIL, 1858.

PRAYERS.

A message from the council, by Mr. Halliburton :

Message

Mr. Speaker,

The council have agreed to the bill, entitled, an act to amend chapter 126 of the revised statutes, " of the supreme court and its officers", without any amendment.

Supreme court bill agreed to

The council have agreed to the bill, entitled, an act relative to a burial ground in the townplot of Newport, and the bill, entitled, an act to amend chapter 79 of the revised statutes, " of partnerships" as now amended.

Newport burial ground

The council have passed a bill, entitled, an act to authorize the sale of the old Presbyterian church at the East branch of the East river, in the county of Pictou ; and the bill entitled, an act relating to trusts and trustees—to which bills they desire the concurrence of this honorable house.

Partnerships

East river church

Trusts and trustees

And then the messenger withdrew.

Pursuant to order, the house resumed the consideration of the resolution moved on the nineteenth day of March, relating to the appointment of Mr. William Condon to an office under the board of works, and the amendment thereto, moved yesterday ; and after some time spent in debate thereon, the question was put, that such amendment be agreed to by the house.

Debate resumed on appointment of Mr. Condon

And the house dividing thereon, there appeared for the amendment, twenty-nine ; against it, nineteen.

Amendment passed on division

*For the amendment,*

*Against the amendment,*

Mr. Bourneuf, Mr. Moses,  
 " Bent, " Shaw,  
 " Churchill, " Bill,  
 " Killam, " Eyder,  
 " Fuller, Hon. J. Campbell,  
 " Caldwell, Mr. Ruggles,  
 Hon. J. C. Campbell, " McFarlane,  
 Mr. McKeagney, " Smyth,  
 " Tobin, " Wade,  
 Hon. Fin. Secretary, Hon. Atty. General,  
 Mr. Martell, Mr. Brown,  
 " Henry, Hon. Pro. Secretary,  
 " McClearn, " Sol. General,  
 Hon. Mr. McKinnon, Mr. White.  
 Mr. Robechean,

Mr. Esson, Mr. McDonald,  
 " Rinhard, " Robertson,  
 " McKenzie, Hon. Mr. Howe,  
 " Bailey, Mr. Chipman.  
 " Parker,  
 " Gilderd,  
 " Munro,  
 " Chambers,  
 " Dimock,  
 " Archibald,  
 Hon. Mr. Young,  
 Mr. Wier,  
 " Morrison,  
 " Annand,  
 " Locke,

So it passed in the affirmative.

The hon. Mr. Young moved that the house do come to the following resolution :  
*Whereas*, it appears by the papers on the table, that James McKeagney, esquire, a member of this house, and supporting the present administration was, on the ninth day

Resolution as to appointment of Mr. McKeagney

of December last, appointed to be inspector of mines in this province, with a salary of three hundred pounds, exclusive of travelling expenses, (the law recognizing no such office or salary,) and there being no immediate or pressing necessity for the appointment until the sense of the legislature thereon was ascertained. *And whereas* the duties of such office, if intended to be useful to the province, require the possession of much skill and experience as a mining engineer, qualifications which the gentleman appointed cannot be supposed to possess,

*Resolved*, That such appointment was premature and unwise, and in the opinion of this house ought not to have been made :

Lost on division

Which resolution being seconded, and the house dividing thereon, there appeared for the resolution, nineteen ; against it, twenty-nine.

*For the resolution,*

Mr. Esson,	Mr. McDonald,
" Rinhard,	" Robertson.
" McKenzie,	Hon. Mr. Howe.
" Bailey,	Mr. Chipman,
" Parker,	
" Gilderd,	
" Munro,	
" Chambers,	
" Dimock,	
" Archibald,	
Hon. Mr. Young,	
Mr. Wier,	
" Morrison,	
" Annand,	
" Locke,	

*Against the resolution,*

Mr. Bourneuf,	Mr. Moses,
" Bent,	" Shaw,
" Churchill,	" Bill,
" Killam,	" Ryder,
" Fuller,	Hon. J. Campbell,
" Caldwell,	" Ruggles,
Hon. C. J. Campbell,	Mr. McFarlane,
Mr. McKeagney,	" Smyth,
" Tobin,	" Wade,
Hon. Fin. Secretary,	Hon. Atty. General,
Mr. Martell,	Mr. Brown,
" Henry,	Hon. Prov. Secretary,
" McClearn,	" Sol. General,
Hon. Mr. McKinnon,	Mr. White.
Mr. Robecheau,	

So it passed in the negative.

Resolution as to  
dismissal of Mr.  
Hamilton

The hon. Mr. Young moved that the house do come to the following resolution :

*Resolved*, That the dismissal of Alexander Hamilton, esquire, crown land surveyor at Shelburne, on the representation of a member of this house supporting the government, without inquiry or trial, was an unjust and tyrannical exercise of the prerogative :

Lost on division

Which being seconded, and the house dividing thereon, there appeared for the resolution, nineteen ; against it, twenty-nine.

*For the resolution,*

Mr. Esson,	Mr. McDonald,
" Rinhard,	" Robertson,
" McKenzie,	Hon. Mr. Howe,
" Bailey,	Mr. Chipman.
" Parker,	
" Gilderd,	
" Munro	
" Chambers,	
" Dimock,	
" Archibald,	
Hon. Mr. Young,	
Mr. Wier,	
" Morrison,	
" Annand,	
" Locke,	

*Against the resolution,*

Mr. Bourneuf,	Mr. Moses,
" Bent,	" Shaw,
" Churchill,	" Bill,
" Killam,	" Ryder,
" Fuller,	Hon. J. Campbell,
" Caldwell,	Mr. Ruggles,
Hon. C. J. Campbell,	" McFarlane,
Mr. McKeagney,	" Smyth,
" Tobin,	" Wade,
Hon. Fin. Secretary,	Hon. Atty. General,
Mr. Martell,	Mr. Brown,
" Henry,	Hon. Pro. Secretary,
" McClearn,	" Sol. General,
Hon. Mr. McKinnon,	Mr. White.
Mr. Robecheau,	

So it passed in the negative.

The hon. Mr. Young moved that the house do come to the following resolution :

Resolution as to  
dismissal of Mr.  
Fraucheville

*Resolved*, That the dismissal of E. H. Francheville, esquire, chief inspector of pickled fish at Guysborough, on the representation of a member of the government, and without inquiry or trial, was an unjust and tyrannical exercise of the prerogative :

Which being seconded, and the house dividing thereon, there appeared for the resolution, nineteen ; against it, twenty-nine. Lost on division

*For the resolution,*

*Against the resolution,*

Mr. Esson,	Mr. McDonald,
" Rinhard,	" Robertson,
" Kenzie,	Hon. Mr. Howe,
" Bailey,	Mr. Chipman.
" Parker,	
" Gilderd,	
" Munro,	
" Chambers,	
" Dimock,	
" Archibald,	
Hon. Mr. Young,	
Mr. Wier,	
" Morrison,	
" Annand,	
" Locke,	

Mr. Bourneuf,	Mr. Moses,
" Bent,	" Shaw,
" Churchill,	" Bill,
" Killam,	" Ryder,
" Fuller,	Hon. J. Campbell,
" Caldwell,	Mr. Ruggles,
Hon. C. J. Campbell,	" McFarlane,
Mr. McKeagney,	" Smyth,
" Tobin,	" Wade,
Hon. Fin. Secretary,	Hon. Atty. General,
Mr. Martell,	Mr. Brown,
" Henry,	Hon. Pro. Secretary,
" McClearn,	" Sol. General,
Hon. Mr. McKinnon,	Mr. White.
Mr. Robecheau,	

So it passed in the negative.

The hon. Mr. Young moved that the house do come to the following resolution :

Resolution as to  
dismissal of Mr.  
Huntington

*Resolved*, That the dismissal of Richard Huntington, esquire, postmaster at Yarmouth, merely on political grounds, was inconsistent with the doctrine often urged by the leading members of the present administration, who denounced all such dismissals as revolting, degrading and despotic :

Which being seconded, and the question put thereon, there appeared for the resolution, nineteen ; against it, twenty-nine. Lost on division

*For the resolution,*

*Against the resolution,*

Mr. Esson,	Mr. McDonald,
" Rinhard,	" Robertson,
" McKenzie,	Hon. Mr. Howe,
" Bailey,	Mr. Chipman.
" Parker,	
" Gilderd,	
" Munro,	
" Chambers,	
" Dimock,	
" Archibald,	
Hon. Mr. Young,	
Mr. Wier,	
" Morrison,	
" Annand,	
" Locke,	

Mr. Bourneuf,	Mr. Moses,
" Bent,	" Shaw,
" Churchill,	" Bill,
" Killam,	" Ryder,
" Fuller,	Hon. J. Campbell,
" Caldwell,	Mr. Ruggles,
Hon. C. J. Campbell,	" McFarlane,
Mr. McKeagney,	" Smyth,
" Tobin,	" Wade,
Hon. Fin. Secretary,	Hon. Atty. General,
Mr. Martell,	Mr. Brown,
" Henry,	Hon. Fin. Secretary,
" McClearn,	" Sol. General,
Hon. Mr. McKinnon,	Mr. White.
Mr. Robecheau,	

So it passed in the negative.

The hon. Mr. Young moved that the house do come to the following resolution :

Resolution as to  
dismissal of Mr.  
McDonald

*Resolved*, That the dismissal of Edward McDonald, esquire, registrar of deeds at Pictou, merely on political grounds, was inconsistent with the doctrine often urged by the

the leading members of the present administration, who denounced all such dismissals as revolting, degrading and despotic :

Lost on division

Which being seconded, and the question put thereon, there appeared for the resolution, nineteen ; against it, twenty-nine.

*For the resolution,*

Mr. Esson,	Mr. McDonald,
“ Rinhard,	“ Robertson,
“ McKenzie,	Hon. Mr. Howe,
“ Bailey,	Mr. Chipman.
“ Parker,	
“ Gilderd,	
“ Munro,	
“ Chambers,	
“ Dimock,	
“ Archibald,	
Hon. Mr. Young,	
Mr. Wier,	
“ Morrison,	
“ Annand,	
“ Locke,	

*Against the resolution,*

Mr. Bourneuf,	Mr. Moses,
“ Bent,	“ Shaw,
“ Churchill,	“ Bill,
“ Killam,	“ Ryder,
“ Fuller,	Hon. J. Campbell,
“ Caldwell,	Mr. Ruggles,
Hon. C. J. Campbell,	“ McFarlane,
Mr McKeagney,	“ Smyth,
“ Tobin,	“ Wade,
Hon. Fin. Secretary,	Hon. Atty. General,
Mr. Martell,	Mr. Brown,
“ Henry,	Hon. Pro. Secretary,
“ McClearn,	“ Sol. General,
Hon. Mr. McKinnon,	Mr. White.
Mr. Robecheau,	

So it passed in the negative.

Resolution as to  
appointment of  
magistrates

The hon. Mr. Young moved that the house do come to the following resolution :

*Resolved*, That the appointment of three hundred and seventy-one additional justices of the peace, since the twenty-fifth day of February, 1857, including thirty-nine for Hants ; thirty-five for Cumberland ; thirty-one for Pictou ; thirty-one for Kings ; thirty for Queen's ; thirty-four for Annapolis, and twenty-five for Colchester, was injudicious and excessive ; the number already commissioned for the above seven counties being upwards of five hundred, making upwards of seven hundred in all :

Resolution lost on  
division

Which being seconded, and the question put thereon, there appeared for the resolution, nineteen ; against it, twenty-nine.

*For the resolution.*

Mr. Esson,	Mr. McDonald,
“ Rinhard,	“ Robertson,
“ McKenzie,	Hon. Mr. Howe,
“ Bailey,	Mr. Chipman.
“ Parker,	
“ Gilderd,	
“ Munro,	
“ Chambers,	
“ Dimock,	
“ Archibald,	
Hon. Mr. Young,	
Mr. Wier,	
“ Morrison,	
“ Annand,	
“ Locke,	

*Against the resolution.*

Mr. Bourneuf,	Mr. Moses,
“ Bent,	“ Shaw,
“ Churchill,	“ Bill,
“ Killam,	“ Ryder,
“ Fuller,	Hon. J. Campbell,
“ Caldwell,	Mr. Ruggles,
Hon. C. J. Campbell,	“ McFarlane,
Mr. McKeagney,	“ Smyth,
“ Tobin,	“ Wade,
Hon. Fin. Secretary,	Hon. Atty. General,
Mr. Martell,	Mr. Brown,
“ Henry,	Hon. Pro. Secretary,
“ McClearn,	“ Sol. General,
Hon. Mr. McKinnon,	Mr. White,
Mr. Robecheau,	

So it passed in the negative.

Mr. Archibald moved that the petition of Thomas Gourley, presented on the seventeenth day of February last, be referred to a select committee, to examine and report thereon :

Which

Which being seconded,

The hon. the attorney general moved that this house do now adjourn.

Which being seconded, and the house dividing thereon, there appeared for the adjournment, nineteen, against it, eighteen.

So it passed in the affirmative.

And accordingly,

The the house adjourned until to-morrow, at three of the clock.

SATURDAY, 10th APRIL, 1858.

PRAYERS.

The following bills were severally read a second time :

A bill for regulating the office of inspector of mines in this province.

A bill to amend the jury law.

A bill to amend chapter 48 of the revised statutes, " of townships and township officers".

A bill to authorize a loan for the purchase of a lot, and for the construction thereon of a water tank for the town of Pictou.

A bill to legalize the proceedings of the special sessions in Pictou.

A bill to authorize the sale of the Colchester academy.

A bill to amend the law respecting licences in the city of Halifax.

A bill to revive and continue the laws relative to the militia.

A bill to continue and amend the act to establish and regulate the sale, by weight, of vegetables and coals.

The engrossed bill from the council to incorporate the trustees of Farquharson's Free church at Lake Ainslie, in the county of Inverness.

The engrossed bill from the council to authorise the sale of the old Presbyterian church at the East branch East river, in the county of Pictou.

*Ordered,* That the bills be committed to a committee of the whole house.

The engrossed bill from the council relating to trusts and trustees, was read a second time.

*Ordered,* That the bill be referred to the law committee, to consider and report thereon, with amendments or otherwise.

On motion of Mr. McKeagney,

*Resolved,* That the following sums, remaining undrawn for the road and bri'ge service for the county of Cape Breton, be added to the general grant of the service for cross roads, and be appropriated by the members for the county and township of Cape Breton and Sydney, viz :

No. 9,	Ryan and Corval, grant of 1856,	£7	10	0
9,	Ditto ditto	5	0	0
78,	John Farquharson, ditto	4	0	0
83,	Ditto ditto	35	12	6
142,	Unappropriated,	10	0	0
8,	John McLeod and John Campbell, grant of 1857,	50	0	0
57,	Ditto ditto	1	19	1
66,	Ditto ditto	2	15	6
90,	Ditto ditto	0	15	0
96,	Ditto ditto	10	0	0
99,	Dit'o ditto	30	6	2
103,	Ditto ditto	0	8	9
121,	Hector McLeod,	10	0	0
133,	Reserved,	9	3	2

£177 10 2 On

Bills read 2nd time

Inspector of mines

Jury law

Township officers

Pictou water tank

Pictou sessions

Truro academy

Halifax licences

Militia

Vegetables and coals

Lake Ainslie church

East river church

Bills committed

Council's trust bill read second time

Referred to law com.

Change of appropriation, Cape Breton

Change of appropriation, Halifax

On motion of Mr. Esson,

*Resolved*, That the following sums, amounting to forty-three pounds fourteen shillings and eightpence, granted for roads and bridges in the county of Halifax, and remaining undrawn, be applied in repairing the main post road from Upper Musquodoboit to the Guysborough county line, viz. :

No. 18,	£0 15 6
28,	3 0 0
44,	15 0 0
53,	0 8 11
89,	5 0 0
74,	5 0 0
79,	5 0 0
114,	5 0 0
119,	0 4 8
127,	4 10 7
	<hr/>
	£43 14 8

Change of appropriation, Hants

On motion of Mr. Chambers,

*Resolved*, That the sum of thirty-three pounds thirteen shillings and fourpence, road moneys for Hants county for 1857, viz. :

No. 2, John McKenzie,	£0 11 1
60,	10 0 0
67, John McLellan,	0 1 3
80, John McDougall,	10 0 0
82, John Faulkner,	0 1 0
88, Joseph Thompson,	3 0 0
90, ——— Sloan,	5 0 0
108,	5 0 0
	<hr/>
	£33 13 4

and remaining undrawn, be applied to the road and bridge service of that county for the present year.

Resolutions sent to council

*Ordered*, That the clerk do carry the three foregoing resolutions to the council, and desire their concurrence.

Member added to com.

*Ordered*, That Mr. Brown be added as a member of the committee appointed on the twenty-second day of March, to consider certain bills relating to the city of Halifax, in the room of G. W. McLellan, esquire, deceased, late a member of such committee.

Petition of L. Gourley referred to select com.

On motion of Mr. Archibald,

*Ordered*, That the petition of Thomas Gourley, presented on the seventeenth day of February, praying compensation for damage sustained by him from a mob on the line of the railway, be referred to Mr. Archibald, Mr. McClearn and Mr. Ryder, to examine and report thereon.

Petitions from Wilmot for representation

Three petitions of inhabitants of Wilmot, in the county of Annapolis, were presented by the honorable the attorney general and read, praying for an equality of representation in the general assembly, with the inhabitants of the townships of Granville and Annapolis.

*Ordered*, That the petitions do lie on the table.

Report of committee on petition of Inland navigation company

Mr. McDonald reported from the committee on the petition of the Inland Navigation company; and he read the report in his place, and then delivered it, together with the evidence taken by the committee, in at the clerk's table, where such report was read.

(See appendix No. 60.)

*Ordered*, That the report and evidence do lie on the table.

Mr.

Mr. McDonald, also reported from the same committee by bill, and thereupon, delivered to the house a bill in relation to the Inland Navigation company; and the same was read a first, and ordered to be read a second time.

Inland navigation bill

Mr. Brown reported from the committee on railway damages; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read.

Railway damages com. report

(See appendix No. 61.)

Ordered, That the report be received, and do lie on the table.

Ordered, That the petition of Spencer Sutherland and Sons, presented and referred to the railway committee on the twelfth day of March, be referred to the law committee, to examine and report thereon.

Petition of Sutherland &amp; Sons, referred to law committee

The hon. the financial secretary reported in part from the committee on printing and reporting, in relation to the reporting and publishing the debates and proceedings of the house; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read.

Partial report from printing and reporting committee

(See appendix No. 62—PART 1.)

Ordered, That the report be received, and do lie on the table.

Mr. Robertson reported from the committee on the penitentiary; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read.

Report of committee on penitentiary

(See appendix No. 18—PART 2.)

Ordered, That the report be received and adopted, and that so much thereof as recommends grants of money, be referred to the committee of supply.

Report referred to supply

On motion, the house resolved itself into a committee on bills.

Committee on bills

Mr. Speaker left the chair.

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee, that they had gone through the bill to amend the act, to establish a more equal and just system of assessment, and the act in amendment thereof; the bill to alter certain polling places, and the boundaries of certain electoral districts in Cumberland; the bill to amend the jury law; the bill to authorize a loan for the purchase of a lot, and for the construction thereon of a water tank for the town of Pictou; the bill to legalize the proceedings of the special sessions in Pictou; the bill to authorize the sale of the Colchester academy; and the bill to amend the law respecting licences in the city of Halifax, and had directed him to report such bills, severally to the house, without any amendments; and that they had also gone through the bill to amend the act relating to river fisheries; and the bill further to amend chapter 46 of the revised statutes, "of county assessments", and had made amendments to such two last mentioned bills, which they had directed him to report to the house with the bills; and he delivered the bills, together with the amendments to the two last mentioned bills, in at the clerk's table, where such amendments were read.

Committee report

bills, viz.

Assessment

Cumberland polling

places

Jury law

Pictou water tank

Pictou sessions

Truro academy

Halifax licences

River fisheries

Halifax county

assessment

Halifax county

assessment

Ordered, That the bills reported without amendments be engrossed.

Ordered, That the bills reported with amendments be engrossed with the amendments.

Order to engross

Ordered, That the road scales be presented on Saturday next.

Order to present road scales

Then the house adjourned until Monday next, at half-past two of the clock.

Monday,

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 MONDAY, 12th APRIL, 1858.
 

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## PRAYERS.

Message from governor

A message from his excellency the governor by the gentleman usher of the black rod :

Mr. Speaker,

His excellency the governor commands the house to attend his excellency immediately in the council chamber.

And accordingly,

13 bills assented to

Mr. Speaker, with the house, attended his excellency in the council chamber, when his excellency was pleased to give his assent to thirteen bills, entitled as follows :

An act to carry out the provisions of an act to authorize a loan for the construction of railways within this province, so far as relates to the city of Halifax

An act relative to a burial ground in the townplot of Newport.

An act to legalize the proceedings of the sessions for the county of Richmond.

An act to provide for repairing the Bridgewater bridge, in the county of Lunenburg.

An act to amend chapter 79 of the revised statutes, "of partnerships."

An act to amend chapter 126 of the revised statutes, "of the supreme court and its officers."

An act to amend the act 18th Victoria, chapter 16, relating to the inspection of fish.

An act to amend the act to prevent the destruction of oysters.

An act to incorporate the Cape Breton Marine Insurance company.

An act to provide for a public road and slip at Digby.

An act to incorporate the trustees of the Baptist church at Falmouth.

An act to amend the act for the regulation of the town marsh at Annapolis.

An act to establish a polling place at Dalhousie, in King's county.

N. B. boundary bill

The hon. the provincial secretary, pursuant to leave given, presented to the house a bill to establish the boundary line between the provinces of Nova Scotia and New Brunswick ; and the same was read a first, and ordered to be read a second time.

Bills read 3rd time  
Wesleyan incorpora-  
tion

An engrossed bill to amend the act for the incorporation of certain bodies connected with the Wesleyan Methodist church in Nova Scotia, was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act to amend the act for the incorporation of certain bodies connected with the Wesleyan Methodist church in Nova Scotia.

Cornwallis poor house

An engrossed bill to provide for the erection of a poor house in Cornwallis, was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act to provide for the erection of a poor house in Cornwallis.

Jury law

An engrossed bill to amend the jury law, was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act to amend the jury law.

Pictou sessions

An engrossed bill to legalize the proceedings of the special sessions in Pictou, was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act to legalize the proceedings of the special sessions in Pictou.

Bills sent to council

*Ordered*, That the clerk do carry the bills to the council and desire their concurrence.

Bills read 2nd time

The following bills were severally read a second time, viz. :

Registration, voters  
Marine stores

A bill for the registration of electors of representatives in general assembly.

A bill to regulate the purchase of old marine stores.

A bill for the management of the hospital for the insane. Hospital for insane  
 A bill to regulate licenses for the sale of intoxicating liquors. Licences  
 A bill to amend chapter 89 of the revised statutes, "of the settlement and support of the poor." Settlement of poor

*Ordered*, That the bills be committed to a committee of the whole house. Bills committed

Mr. McFarlane reported from the committee on the petition of J. W. Davison ; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read Report of committee on petition of J. W. Davison

(See appendix No. 63 )

And thereupon, Mr. Archibald moved that such report be received and adopted, and referred to the committee of supply. Motion to adopt

Which being seconded,

Mr. Ryder moved, by way of amendment thereto, that such report be received, and do lie on the table. Motion to lay on table, in amendment

Which being seconded, and the house dividing thereon, there appeared for the amendment, fifteen ; against it, fifteen ;

Whereupon,

Mr. Speaker gave his casting vote in favor of the amendment.

So it passed in the affirmative.

And accordingly,

*Ordered*, That the report be received and do lie on the table. Amendment carried by casting vote  
 Report received and laid on table

The honorable the provincial secretary, by command of his excellency the governor, presented to the house a return of applications made for crown lands near the line of the Windsor railroad, in 1854 and 1855 ; and the same was read by the clerk. Return of application for grants

*Ordered*, That the return do lie on the table.

On motion, the house resolved itself into a committee on bills. Committee on bills

Mr. Speaker, left the chair.

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee, that they had gone through the bill for regulating the office of inspector of mines in this province, and the bill to amend the act to extend the elective franchise—and had made amendments to such bills respectively, which they had directed him to report to the house with the bills ; and he delivered the bills, with the amendments, in at the clerk's table, where the amendments were read. Committee report bills, viz Inspector of mines and elective franchise with amendments

*Ordered*, That the bills be engrossed with the amendments. Order to engross

Then the house adjourned until to-morrow, at three of the clock.

TUESDAY, 13th APRIL, 1858.

PRAYERS.

An engrossed bill to amend the acts relating to river fisheries, was read a third time. Bills read 3rd time  
*Resolved*, That the bill do pass, and that the title be, an act to amend the acts relating to river fisheries. River fisheries

An engrossed bill to authorize a loan for the purchase of a lot, and for the construction thereon of a water tank, for the town of Pictou, was read a third time. Pictou water tank

*Resolved*, That the bill do pass, and that the title be, an act to authorize a loan for the purchase of a lot, and for the construction thereon of a water tank, for the town of Pictou.

- Colchester academy** An engrossed bill to authorize the sale of the Colchester academy, was read a third time.  
*Resolved*, That the bill do pass, and that the title be, an act to authorize the sale of the Colchester academy.
- Halifax licences** An engrossed bill to amend the law respecting licences in the city of Halifax, was read a third time  
*Resolved*, That the bill do pass, and that the title be, an act to amend the law respecting licences in the city of Halifax.
- Bills sent to council** *Ordered*, That the clerk do carry the bills to the council and desire their concurrence.
- Committee on bills** On motion, the house resolved itself into a committee on bills.  
Mr. Speaker left the chair.  
Mr. Ryder took the chair of the committee.  
Mr. Speaker resumed the chair.
- Report bills, viz. Public landings** The chairman reported from the committee, that they had gone through the bill to amend the law respecting public landings; the bill to extend and establish the limits of the township of Chester; the bill to authorize the placing of a draw in the lower Cornwallis bridge; the bill to incorporate the Londonderry iron company of Nova Scotia; the bill to regulate the purchase of old marine stores; the engrossed bill from the council, entitled, an act to amend the act to incorporate the union bank of Halifax; the bill to amend chapter 48 of the revised statutes, "of townships and township officers"; the bill to revive and continue the laws relative to the militia; and the bill to amend chapter 99 of the revised statutes, "of fire and firewards"; and had directed him to report such bills, severally to the house, without any amendments; and he delivered the bills in at the clerk's table.  
*Ordered*, That the bills be engrossed.
- Unionbank bill read 3rd time** The engrossed bill from the council, entitled, an act to amend the act to incorporate the Union bank of Halifax, was read a third time.  
And thereupon, on motion,  
*Resolved*, That such bill be agreed to.
- And passed** *Ordered*, That the clerk do carry the bill back to the council, and acquaint them that this house have agreed to such bill.
- Bills sent to council**
- Leave of absence** *Ordered*, That Mr. Bent have leave of absence after to-morrow, on urgent private business.

Then the house adjourned until to-morrow, at three of the clock.

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WEDNESDAY, 14th APRIL, 1858.

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PRAYERS.

Change of appropriation

On motion of Mr. McFarlane,  
*Resolved*, That the following sums, remaining undrawn for the road and bridge service in the county of Cumberland, be added to the grant for the present year, and reappropriated by the members for that county, viz. :

No. 149,		£1	13	3
104,		0	5	0
4,	Grant of 1857,	0	5	0
6,	Ditto	0	10	0
20,	Ditto	5	0	0

No

53,	£5 0 0
111,	0 4 0
114,	5 0 0
171,	2 1 10
	<hr/>
	£19 19 1

On motion of Mr. White,

*Resolved*, That the sum of twenty-four pounds, eight shillings and twopence, undrawn from the last year's division of road money for the county of Shelburne, be added to the sum granted for the road and bridge service for that county, and be appropriated in the road scale for the present year, viz. :

Change of appropriation

No. 15,	£0 2 0
62,	8 0 0
76,	0 9 2
77,	0 1 6
87, Undrawn 1856, No. 78,	6 0 0
93,	9 4 7
96,	0 1 8
134,	0 9 3
	<hr/>
	£24 8 2

On motion of Mr. Fuller,

*Resolved*, That the sum of one hundred and seventy-two pounds nineteen shillings, undrawn road moneys for the county of Richmond, be re-appropriated in the road scale for that county for the present year, viz. :

Change of appropriation

Sundries,	grant of 1853,	£0 7 6
No. 15,	1854,	0 2 0
	Murdoch Smith, do.	0 8 11
20,	1855,	0 12 6
57,	do.	0 8 3
58, Donald Ferguson,		0 1 0
113,	1856,	32 0 0
121,		32 14 9
11, Josiah Hooper,	1857,	
14, Unappropriated,		17 13 8
17, William Winn,		10 0 0
62,		5 0 0
94, Unappropriated,		4 0 1
103,		6 7 2
107,		2 18 5
111,		30 0 0
112,		2 4 9
127,		8 0 0
131,		20 0 0
		<hr/>
		£172 19 0

On motion of the hon. C. J. Campbell,

*Resolved*, That the following sums of road moneys for the county of Victoria, remaining undrawn, viz. :

Change of appropriation

No.

No. 14,	From grant of 1853,	£2 5 0
15,	Francis W. McKenzie, 1857,	2 0 0
20,	Duncan McRae,	0 0 0
21, 24, 28,	F. W. McKenzie,	10 1 3
29,		30 0 0
32,		0 4 0
34,	McKenzie,	40 0 0
37, 39,	Duncan McRae,	8 0 0
55, 56, 58, 61,		10 5 0
73,		7 10 0
		£110 5 3

amounting to one hundred and ten pounds five shillings and threepence, be appropriated by the members for that county in their road scales for the present year.

*Ordered*, That the clerk do carry the foregoing resolutions to the council, and desire their concurrence.

Resolutions sent to council

Municipal counties bill

Mr. Moses, pursuant to leave given, presented to the house a bill further to amend the act for the municipal government of counties.

Digby roads bill

Mr. Wade, pursuant to special leave given, presented to the house a bill relating to the width of certain roads in the county of Digby.

Commissioners of streets bill

Mr. Parker, pursuant to leave given, presented to the house a bill to amend the law relating to commissioners of streets.

Hants county roads bill

Mr. Chambers, pursuant to leave given, presented to the house a bill to provide for the construction of certain roads in Hants county.

New practice act bill

The hon. the attorney general, pursuant to leave given, presented to the house the following bills, viz :

A bill further to amend the new practice act.

Evidence bill

A bill further to amend the law relating to witnesses and evidence, and the proof of written documents.

Public buildings bill

A bill to amend the act relating to public buildings and establishments.

Railway assessments bill

A bill to amend the act to authorize assessments for railway damages.

Eastern road bill

Mr. Wier, pursuant to leave given, presented to the house a bill to provide for the extension of the new eastern road between Manchester and the Strait of Canso.

Halifax road bill

Mr. Annand, pursuant to special leave given, presented to the house a bill to authorize the shutting up of an old road in the county of Halifax.

Antigonish road bill

Mr. Henry, pursuant to leave given, presented to the house a bill to provide for the extension of the new road from Antigonish to the Strait of Canso.

Bills read 1st time

And such bills were severally read a first, and ordered to be read a second time.

Report of committee; on petition of Mr. Desbrisay

The hon. the solicitor general reported from the committee on the petition of L. P. W. Desbrisay; and he read the report in his place, and afterwards delivered it in at the clerk's table, where it was again read.

(See appendix No. 64.)

Report adopted

*Ordered*, That the report be received and adopted.

Petition of doctors Dennison and Weeks

A petition of doctors Dennison and Weeks, of Newport, was, by special leave, presented by the hon. the provincial secretary and read, praying compensation for professional services to Indians.

Referred to Indian committee

*Ordered*, That the petition be referred to the committee on Indian affairs.

Mr.

Mr. Wade, from the committee on private bills, reported that they had considered the bill to incorporate the trustees of Saint Matthew's church at Pugwash, and inasmuch as the law already provides sufficient means for the incorporation of religious societies and congregations, had directed him to recommend to the house that the further consideration of such bill be deferred until this day three months,

Private bills committee report

And accordingly,

*Ordered*, That the further consideration of the bill to incorporate the trustees of Saint Matthew's church at Pugwash, be deferred until this day three months.

Pugwash church bill deferred

The honorable the attorney general, from the law committee, reported that the committee had directed him to report to the house, the bill to provide for the registry of warrants to confess judgment and conveyances affecting personal property; the bill to alter chapter 120 of the revised statutes, "of patents for useful inventions"; and the bill to extend to this province certain provisions of part 3rd of the merchant shipping act of 1854, with a view to the consideration of such bills in a committee of the whole house; and he delivered the bills in at the clerk's table.

Law committee report bills, viz. Registry of warrants of attorney, &c.

Patents

Shipmasters

*Ordered*, That the bills be committed to a committee of the whole house.

Bills committed

A message from the council, by Mr Halliburton :

Message

Mr. Speaker,

The council have agreed to the bills, entitled, respectively, an act to amend the act for the incorporation of certain bodies connected with the Wesleyan Methodist church in Nova Scotia; an act for the erection of a poor house in Cornwallis; an act to amend the jury law; an act to authorize a loan for the purchase of a lot, and the construction thereon of a water tank for the town of Pictou; an act to legalize the special sessions in the town of Pictou; and an act to authorize the sale of the Colchester academy, severally, without any amendments.

Bills agreed to

Wesleyan incorporation

Cornwallis poor house

Jury law

Pictou water tank

Pictou sessions

Colchester academy

The council have passed a bill, entitled, an act to amend chapter 2 of the revised statutes, "of executive and legislative disabilities", to which bill they desire the concurrence of this honorable house.

Council's disabilities bill

And then the messenger withdrew.

The engrossed bill from the council, entitled, an act to amend chapter 2 of the revised statutes, "of executive and legislative disabilities", was read a first, and ordered to be read a second time.

Disabilities bill read first time

The hon. the attorney general moved that the house do come to the following resolution :

Resolution as to Inland navigation company

*Resolved*, That the Inland Navigation company shall be at liberty to borrow, as a first charge upon the property conveyed to them by the honorable James McNab, such sum as may be necessary to complete the canal, including the inclined plane from the Dartmouth lakes to the harbor of Halifax, so as to open up the navigation from the Bay of Fundy to Halifax harbor—security being first given to the satisfaction of the government that the sum so to be borrowed shall be appropriated to the completion of such part of said work as remains to be done, and that the sum of five thousand pounds due by the company to the province, shall remain a second charge upon the property, until the work shall be so completed, and upon the same being completed as aforesaid to the satisfaction of the government, the amount so due the province shall be given up and released to the company :

Which resolution being seconded,

Mr. Killam moved that such resolution be amended by omitting therefrom all the words after the words "of such part of said work as remains to be done", and inserting instead thereof the following words :

First amendment moved

"And that a lien shall be retained on the canal property for the sum of five thousand pounds loaned to the company, as a second mortgage."

Which amendment being seconded,

The

Second amendment  
moved

The hon. C. J. Campbell moved by way of second amendment to such original resolution, that instead thereof the house do come to the following resolution :

*Resolved*, That the Inland Navigation company may borrow to the amount of fifteen thousand pounds, to be expended in finishing the canal, and be allowed to give a first mortgage on the property for said amount ; and that the province shall hold a second mortgage for the amount of seven thousand pounds lent, and the interest due on the same to this date :

And lost on division

Which being seconded, and the question put thereon, that the same be agreed to by the house, there appeared for such second amendment, sixteen ; against it, twenty-four.

So it passed in the negative.

First amendment  
carried on division

The question being then put upon the first amendment, that the same be agreed to by the house, there appeared for such first amendment, twenty-two ; against it, seventeen.

So it passed in the affirmative.

And accordingly,

Amended resolution

*Resolved*, That the Inland Navigation company shall be at liberty to borrow, as a first charge upon the property conveyed to them by the honorable James McNab, such sum as may be necessary to complete the canal, including the inclined plane from the Dartmouth lakes to the harbor of Halifax, so as to open up the navigation from the Bay of Fundy to Halifax harbor—security being first given to the satisfaction of the government that the sum so to be borrowed shall be appropriated to the completion of such part of said work as remains to be done ; and that a lien shall be retained upon the canal property for the sum of five thousand pounds loaned to the company, as a second mortgage.

Resolution sent to  
council

*Ordered*, That the clerk do carry the resolution to the council, and desire their concurrence.

Bills read 3rd time  
Assessment

An engrossed bill to amend the act to establish a more equal and just system of assessment, and the bill in amendment thereof, was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act to amend the act to establish a more equal and just system of assessment, and the act in amendment thereof.

Lunenburg Townships

An engrossed bill to extend and establish the limits of the township of Chester, was read a third time.

Title altered

*Resolved*, That the bill do pass, and that the title be, an act to define, extend and establish the lines of townships in the county of Lunenburg.

Cumberland polling  
places

An engrossed bill to alter certain polling places, and the boundaries of certain electoral districts in Cumberland, was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act to alter certain polling places and the boundaries of certain electoral districts in Cumberland.

Cornwallis bridge

An engrossed bill to authorize the placing of a draw in the lower Cornwallis bridge, was read a third time.

*Resolved*, That the bill do pass ; and that the title be, an act to authorize the placing of a draw in the lower Cornwallis bridge.

Inspector of mines

An engrossed bill for regulating the office of inspector of mines in this province, was read a third time.

And the usual question being propounded from the chair, that such bill do pass,

Mr. Chambers moved by way of amendment thereto, the following resolution :

Amendment to dealer  
bill, moved

*Whereas*, the revenue from the coal mines under the act of this session will be largely reduced, and it is unwise in our present circumstances to authorize the appointment, for the first time in this province, of an inspector of mines with a salary and allowances amounting to four hundred pounds per annum, as well as the appointment for the

first

first time, of weighers at the several coal mines, whose salaries and allowances, by the bill now under consideration, are left undetermined, and may amount to a large sum :

*Therefore resolved*, That the further consideration of the bill be deferred until the next session.

Which amendment being seconded, and the house dividing thereon, there appeared for the amendment, eighteen ; against, it twenty-seven.

Amendment lost on division

*For the amendment,*

Mr. Parker, Mr. Chipman.  
 “ Bailey, “ Annand,  
 “ Rinhard, “ Brown,  
 “ McKenzie, “ Esson,  
 “ McDonald,  
 “ Robertson,  
 “ Morrison,  
 “ Locke,  
 “ Gilderd,  
 Hon. Mr. Young,  
 Mr. Chambers,  
 “ Wier,  
 Hon. Mr. Howe,  
 Mr. Webster,

*Against the amendment,*

Mr. Killam, Hon. Sol. General,  
 “ Bent, Mr. Moses,  
 “ White, “ Bill,  
 “ McClearn, Hon. Atty. General,  
 Hon. J. Campbell, Mr. Bourneuf,  
 “ C. J. Campbell, Hon. Pro. Secretary,  
 Mr. Churchill, Mr. McFarlane,  
 “ Caldwell, “ Eyder,  
 “ McKeagney, “ Wade,  
 “ Martell, “ Shaw,  
 Hon. Fin. Secretary, “ Smyth,  
 Mr. Tobin, “ Fuller,  
 Hon. Mr. McKinnon, “ Archibald,  
 Mr. Henry,

So it passed in the negative.

The original resolution was then, upon the question put thereon, agreed to by the house.

And accordingly,

*Resolved*, That the bill do pass, and that the title be, an act for regulating the office of inspector of mines in this province.

Bill passed

An engrossed bill further to amend chapter 46 of the revised statutes, “ of county assessments,” was read a third time.

Halifax county assessments

*Resolved*, That the bill do pass, and that the title be, an act further to amend chapter 46 of the revised statutes, “ of county assessments.”

An engrossed bill to amend chapter 99 of the revised statutes, “ of fires and firewards,” was read a third time.

Halifax fires and firewards

And the usual question being propounded from the chair that such bill do pass,

Mr. Wier moved, by way of amendment thereto, that the house do come to the following resolution :

Amendment to defer moved

*Whereas*, the object of the bill entitled, an act to amend chapter 99 of the revised statutes, “ of fires and firewards,” is to alter the law as it now stands, and thereby to give to Mr. Selden a right of action against the city of Halifax, which he does not at present possess ; *and whereas*, the city council, by a majority of twelve to four, have declared themselves opposed to the passage of such bill, and the minority have recorded their opinion, concurring with the majority, that Mr. Selden has no legal or equitable claim upon the city ; *and whereas*, the bill establishes a dangerous precedent, and is a violation of British usage, and the rights of the citizens of Halifax :

*Therefore resolved*, That the further consideration of the bill be deferred until this day three months.

Which amendment being seconded, and the question put thereon, that the same be agreed to by the house, there appeared for the amendment, nineteen ; against it, twenty-five.

Lost on division

*For the amendment,*

Mr. Parker,	Mr. Chipman.
" Bailey,	" Annand,
" Rinhard,	" Esson,
" McKenzie,	" Fuller,
" McDonald,	Hon. Mr. Howe,
" Robertson,	Mr. Archibald.
" Morrison,	
" Gilderd,	
Hon. Mr. Young,	
" Sol. General,	
Mr. Wier,	
" Chambers,	
" Webster,	

*Against the amendment,*

Mr. Bent,	Mr. Bill,
" White,	" Moses,
" Locke,	Hon. Atty. General,
" McClearn,	Mr. Bourneuf,
Hon. J. Campbell,	Hon. Pro. Secretary,
" C. J. Campbell,	Hon. Fin. Secretary,
Mr. Churchill,	Mr. McFarlane,
" McKeagney,	" Ryder,
" Caldwell,	Hon. Mr. McKinnon,
" Martell,	Mr. Shaw,
" Tobin,	" Wade,
" Henry,	" Smyth,
" Brown,	

So it passed in the negative.

The original question was then, upon the question put thereon, agreed to by the house.

And accordingly,

*Resolved*, That the bill do pass, and that the title be, an act for the relief of Stephen Selden.

Bill passed

Elective franchise

An engrossed bill to amend the act to extend the elective franchise, was read a third time.

And the usual question being propounded from the chair, that such bill do pass,

Amendment to defer moved

The hon. Mr. Howe moved, by way of amendment thereto, that the further consideration of the bill be deferred until this day three months ;

And lost on division

Which amendment being seconded, and the house dividing thereon, there appeared for the amendment, seventeen ; against it, twenty-eight.

*For the amendment,*

Mr. Parker,	Mr. Chipman.
" Bailey,	" Annand,
" Rinhard,	" Esson,
" McKenzie,	
" McDonald,	
" Morrison,	
" Robertson,	
" Locke,	
" Gilderd,	
Hon. Mr. Young,	
Mr. Chambers,	
" Wier,	
Hon. Mr. Howe,	
Mr. Webster,	

*Against the amendment,*

Mr. Killam,	Mr. Henry,
" Bent,	Hon. Sol. General,
" White,	Mr. Moses,
" McClearn,	" Bill,
Hon. J. Campbell,	Hon. Atty. General,
" C. J. Campbell,	Mr. Bourneuf,
Mr. Churchill,	Hon. Pro. Secretary,
" Caldwell,	Mr. McFarlane,
" M. Keagney,	" Ryder,
" Martell,	" Wade,
Hon. Fin. Secretary,	" Shaw,
Mr. Tobin,	" Smyth,
Hon. Mr. McKinnon,	" Fuller,
Mr. Brown,	" Archibald,

So it passed in the negative.

The original resolution was then upon the question put thereon, agreed to by the house.

And accordingly,

*Resolved*, That the bill do pass, and that the title be, an act to amend the act to extend the elective franchise.

Bill passed

3 bills sent to council

*Ordered*, That the clerk do carry the eight foregoing bills to the council, and desire their concurrence.

The

The honorable the attorney general, pursuant to leave given, presented to the house a bill further to amend the jury law; and the same was read a first, and ordered to be read a second time. Jury law amendment bill

Then the house adjourned until to-morrow, at three of the clock.

THURSDAY, 15th APRIL, 1858.

PRAYERS.

The honorable the attorney general, from the law committee, reported that they had considered the engrossed bill from the council, for the better preservation of the estates and rights of married women; the bill to amend chapter 86 of the revised statutes, "of weights and measures"; and the bill to amend chapter 168 of the revised statutes, "of the administration of criminal justice", and had directed him to report such bills to the house without any amendments; and that they had also considered the bill to amend chapter 42 of the revised statutes, "of clerks of the peace", and had made amendments thereto, which they had directed him to report to the house with the bill; and he delivered the bills, together with the amendments to the last mentioned bill, in at the clerk's table, where the amendments were read. Law committee report bills  
Married women  
Weights and measures  
Criminal justice  
Clerks of the peace

Ordered, That the bills be committed to a committee of the whole house. Bills committed

On motion, the house resolved itself into a committee on bills. Committee on bills

Mr. Speaker left the chair.

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had made some progress in the consideration of bills committed to them. Committee report progress

Mr. Tobin moved that the report of the committee on trade and manufactures presented to the house on the twenty-second day of March, be adopted by the house: Motion to adopt report of committee on trade

Which being seconded,

The honorable the provincial secretary, moved by way of amendment thereto, that the report be adopted, excepting so much thereof as refers to the petition of Thomas D. Dickson: Amendment moved  
And passed en division

Which amendment being seconded, and the house dividing thereon, there appeared for the amendment, fourteen; against it, ten.

So it passed in the affirmative.

And accordingly,

Ordered, That the report be adopted, excepting so much thereof as refers to the petition of Thomas D. Dickson. Report adopted in part

On motion of Mr. Bailey,

Resolved, That the sum of thirty-nine pounds eight shillings and sixpence, of undrawn road moneys for the county of Lunenburg, viz.: Change of appropriation

No. 42,	Grant of 1854,	£1 10 0
2, 155, 156, 157, 158,	1857,	4 8 4
116, George Bailey,		15 0 0
164, William Oaks,		0 0 4
170, Philip Will,		10 0 0
172, John Krouse,		0 3 3
204, John Rynard,		5 0 0
207, Unappropriated,		1 7 10
208, Special grant,		1 18 9

£39 8 6

be applied to the general road and bridge service in the county of Lunenburg for the present year.

*Ordered*, That the clerk do carry the resolution to the council, and desire their concurrence.

Then the house adjourned until to-morrow, at three of the clock.

FRIDAY, 16th APRIL, 1858.

PRAYERS.

Report from law com.

The hon. the attorney general reported in part from the law committee upon the petitions referred to the committee; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read.

(See appendix No. 65.)

Report referred to supply

*Ordered*, That the report be received and adopted, and that so much thereof as recommends a grant of money be referred to the committee of supply.

Costs and fees bills reported

The honorable the attorney general, also reported from the same committee by bill; and thereupon, delivered to the house a bill to amend chapter 154 of the revised statutes, "of costs and fees"; and the same was read a first, and ordered to be read a second time.

Trusts bill amended

The honorable the attorney general, also reported from the same committee, that they had considered the engrossed bill from the council, entitled, an act relating to trusts and trustees, and had made an amendment thereto, which they had directed him to report to the house with the bill; and he delivered the bill with the amendment in at the clerk's table, where the amendment was read.

Bill committed

*Ordered*, That the bill be committed to a committee of the whole house.

Report on petition of Joseph Dickson

Mr. McFarlane reported from the committee on the petition of Joseph Dickson; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read.

(See appendix No. 66.)

And thereupon,

Motion to adopt report

Mr. Archibald moved that such report be received and adopted, and referred to the committee of supply:

Which being seconded,

Amendment moved

The honorable the financial secretary moved by way of amendment thereto, that such report be received, and do lie on the table:

And lost on division

Which amendment being seconded, and the house dividing thereon, there appeared for the amendment, twelve; against it, twenty-five.

So it passed in the negative.

The original motion was then, upon the question put thereon, agreed to by the house.

And accordingly,

Report adopted

*Ordered*, That the report be received and adopted, and referred to the committee of supply.

Motion for committee to prepare Hants county road scale

Mr. Churchill moved the following resolution:

*Resolved*, That a committee be appointed to adjust and report a scale of sub-division of road moneys for the county of Hants:

Carried on division

Which being seconded, and the house dividing thereon, there appeared for the resolution, nineteen; against it, seventeen.

So it passed in the affirmative.

*Ordered*,

*Ordered*, That Mr. Brown, Mr. Annand and Mr. Ryder, be a committee for such purpose.

On motion of the hon. Mr. Howe,

Order of day

*Ordered*, That the house do, on Tuesday next, the twentieth day of April, proceed to the consideration of the subject of the use of the Bible, in schools receiving public aid.

Mr. Brown reported from the relief committee; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read.

Report from relief com.

(See appendix No. 67.)

*Ordered*, That the report be received, and do lie on the table.

On motion, the house resolved itself into a committee on bills.

Committee on bills

Mr. Speaker left the chair.

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee, that they had gone through the bill to amend chapter 42 of the revised statutes, "of clerks of the peace"—and had directed him to report the same to the house without any amendment; and that they had also gone through the bill to amend chapter 168 of the revised statutes, "of the administration of criminal justice"; the bill to alter chapter 120 of the revised statutes, "of patents for useful inventions," and the bill to regulate licenses for the sale of intoxicating liquors—and had made amendments to such bills respectively, which they had directed him to report to the house with the bills; and he delivered the bills, together with the amendments to the three last mentioned bills, in at the clerk's table, where such amendments were read.

Committee report  
Clerk's of peace

Criminal justice  
Patents  
Liquor licences

*Ordered*, That the bill reported without amendments be engrossed.

Order to engross

*Ordered*, That the bills reported with amendments be engrossed with the amendments.

The following bills were severally read a second time, viz.:

Bill's read 2d time

A bill in relation to the inland navigation company.

Inland navigation company

A bill to establish the boundary line between the provinces of Nova Scotia and New Brunswick, and

N. B. boundary

A bill further to amend the act for the municipal government of counties.

Municipal counties

*Ordered*, That the bills be committed to a committee of the whole house.

Bills committed

Then the house adjourned until to-morrow, at three of the clock.

SATURDAY, 17th APRIL, 1858.

PRAYERS.

An engrossed bill to regulate the purchase of old marine stores, was read a third time.

Read 3rd time  
Marine stores bill

And thereupon,

Mr. Killam moved that such bill be recommitted to a committee of the whole house, for the purpose of making certain alterations therein.

Motion to recommit

Which being seconded and put, was agreed to by the house.

Passed and

And accordingly,

*Ordered*, That the bill be committed to a committee of the whole house.

Bill recommitted

An engrossed bill to revive and continue the laws relative to the militia, was read a third time.

Militia law bill

*Resolved*, That the bill do pass, and that the title be, an act to revive and continue the laws relative to the militia.

Passed

The

Law committee report  
Petty offences bill

The hon. the attorney general reported from the law committee, that they had considered the bill for the more summary trial and punishment of petty offences, and had directed him to report the same to the house without any amendment; and he delivered the bill in at the clerk's table.

Bill re-committed

*Ordered*, That the bill be again committed to a committee of the whole house.

Railway assessment  
collection bill

The hon. the attorney general, pursuant to special leave given, presented to the house a bill to provide for the collection of the railway damages payable to Thomas Kenny and William Davy; and the same was read a first, and ordered to be read a second time.

On motion of Mr. Brown,

Change of appropriation  
for King's

*Resolved*, That the following sums, allotted to the road service in King's county in the years 1852, 1853, 1854, 1855, 1856 and 1857, and remaining undrawn, viz.:

No. 174,	1852,	£10 0 0	No. 58,	1856,	£5 0 0
183,	1853,	10 0 0	59,		4 10 0
193, A,		0 0 4	65,		5 0 0
199,		0 15 0	78,		6 0 0
199, B,		0 17 5	183,		1 7 2
18,	1854,	1 0 0	191,		0 2 10
22,		0 2 0	203,		5 0 0
23,		6 0 0	215,		46 11 3
60,		5 0 0	17,	1857,	20 0 0
66,		10 0 0	23,		5 0 0
94,		4 0 0	24,		0 4 0
118,		0 10 0	44,		5 0 0
130,		0 4 0	51,		1 10 3
168,		10 0 0	74,		4 0 0
200,		0 1 9	92,		0 0 6
147, A,	1855,	0 2 8	110,		5 0 0
152,		0 10 0	125, A,		50 0 0
187,		0 1 6	149,		5 0 0
18,	1856,	5 0 0	176,		0 1 5
35,		5 0 0	182,		5 0 0
36,		7 0 0			

Amounting to two hundred and fifty pounds twelve shillings and one penny, be granted and applied to the general road and bridge service in that county the present year.

Resolution sent to  
council

*Ordered*, That the clerk do carry the resolution to the council and desire their concurrence.

Committee on bills

On motion, the house resolved itself into a committee on bills.

Mr. Speaker, left the chair.

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

Committee report bills  
viz.  
Insane hospital  
Inland nav. company  
Boundary line

The chairman reported from the committee that they had gone through the bill for the management of the hospital for the insane; the bill in relation to the inland navigation company, and the bill to establish the boundary line between the provinces of Nova Scotia and New Brunswick, and had directed him to report such bills severally to the house without any amendments; and that they had also gone through the bill for the more summary trial and punishment of petty offences; and the bill to regulate the purchase of old marine stores, and had made amendments to such two last mentioned bills, which they had directed him to report the house with the bills; and he delivered the bills, together with the amendments to the two last mentioned bills, in at the clerk's table, where such amendments were read.

Petty offences

Marine stores

*Ordered*,

<i>Ordered</i> , That the bills reported without amendments be engrossed.	
<i>Ordered</i> , That the bills reported with amendments be engrossed with the amendments.	
The following bills were severally read a second time :	Bills read 2nd time
A bill to repeal the act for the municipal government of counties as far as relates to the township of Yarmouth.	Yarmouth municipality
A bill to amend the law relating to commissioners of streets.	Com'rs of streets
A bill to provide for the construction of certain roads in Hants county.	Hants county roads
A bill to provide for the extension of the new eastern road from Manchester to the Strait of Canso.	Manchester road
A bill to provide for the extension of the new road from Antigonishe to the Strait of Canso ; and	Antigonishe road
A bill to amend chapter 154 of the revised statutes, "of costs and fees."	Costs and fees
<i>Ordered</i> , That the bills be committed to a committee of the whole house.	Bills committed
The hon. the provincial secretary, by command of his excellency the governor, presented to the house a claim of S. and R. Caudle, railway contractors, for allowance for extra work, and the report of the chairman of the railway board thereon.	Railway claim presented
<i>Ordered</i> , That the papers be referred to the committee on the railway.	Referred to railway committee
On motion of the hon. the attorney general,	
<i>Ordered</i> , That the petition of Spencer Sutherland and Sons, previously referred to the law committee, be referred to the committee on the railway.	Petition referred to railway committee
Mr. McFarlane reported in part from the committee on agriculture ; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read.	Partial report Com. on agriculture
( <i>See appendix No. 46—PART 2.</i> )	
<i>Ordered</i> , That the report be received, and adopted.	Report adopted
Then the house adjourned until Monday next, at three of the clock.	

MONDAY, 19th APRIL, 1858.

PRAYERS.

The hon. the attorney general, pursuant to leave given, presented to the house the following bills, viz. :	Bills presented
A bill to amend the act passed during the present session, entitled, an act for giving effect to the surrender to her majesty by the legal personal representatives of the late duke of York and Albany, and by the General Mining Association, and the their trustee, of the mines in Nova Scotia, and to the lease of a part of such mines to the said association.	Mines amendment
A bill to amend the act to authorize the construction of railways in this province.	Railway construction
A bill to amend chapter 118 of the revised statutes, "of the sale of lands to satisfy execution debts."	Execution debts
And such bills were severally read a first, and ordered to be read a second time.	Bills read 1st time
The following bills were severally read a second time, viz. :	Bills read 2nd time
A bill relating to the width of certain roads in the county of Digby.	Digby roads
A bill further to amend the law relating to witness and evidence and the proof of written documents.	Evidence
A bill to amend the act to authorize assessments for railway damages.	Railway assessment
A bill to provide for the collection of the railway damages payable to Thomas Kenny and William Davy.	Kenny and Davie's claims
<i>Ordered</i> , That the bills be committed to a committee of the whole house.	Bills committed

Mr.

Report of Indian com. Mr. Webster reported from the committee on Indian affairs; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read.

(See appendix No 68.)

Report received Ordered, That the report be received, and do lie on the table.

Indian bill reported Mr. Webster also reported from the same committee by bill, and thereupon delivered to the house a bill to amend chapter 58 of the revised statutes, "of Indians", and the same was read a first, and ordered to be read a second time.

Mr. Speaker presents resolution, &c. Mr. Speaker presented to the house a letter, dated the 13th day of April, instant, received by him from the honorable the speaker of the house of assembly of Newfoundland, enclosing a resolution of the house of assembly of Newfoundland, acknowledging the co-operation of this legislature extended to the delegates from Newfoundland, on the subject of the fishery convention during the last session.

(See appendix No. 69.)

Order to print in appendix Ordered, That the letter and resolution do lie on the table, and be printed in the appendix to the journals.

Private bills reported Land company Mr. Wade reported from the committee on private bills, that they had considered the bill to incorporate the Grand Lake land company; the council's engrossed bill to incorporate the Baxter's harbor pier company; and the bill to incorporate the Truro boot and shoe manufacturing company, and had had directed him to report the same to the house severally without any amendment; and he delivered the bills in at the clerk's table.

Bills committed Ordered, That the bills be committed to a committee of the whole house.

Change of appropriation, Colchester On motion of Mr. Archibald, Resolved, That the sums hereinafter mentioned, granted for the service of the roads and bridges in the county of Colchester, and remaining undrawn, amounting to seventy three pounds thirteen shillings and ninepence, be added to the road scale of the present year for that county, and reappropriated:

No. 123,	1854,	£3 0 0	No. 119,	1856,	£3 0 0
47,	1855,	3 0 0	135,		5 0 0
50,		3 0 0	203,		0 13 2
73,		3 0 0	39,	1857,	4 0 0
92,		4 0 0	90,		4 0 0
96,		0 0 2	94,		4 0 0
122,		6 0 0	99,		4 0 0
83,	1856,	3 0 0	122,		10 0 0
93,		4 0 0	175,		0 0 3
105,		3 0 0	Unappropriated,		3 0 2
110,		4 0 0			
					£73 13 9

Committee on revision of statutes On motion of the hon. the attorney general, Resolved, That a select committee be appointed to examine and report upon the report of the commissioners appointed further to revise the statutes, together with the draft of the revised statutes prepared by them and submitted to the house.

Ordered, That the hon. the attorney general, the hon. Mr. Young, Mr. Fuller, Mr. McDonald and Mr. Brown, be a committee for such purpose.

Bills read 3rd time Public landings Passed An engrossed bill to amend the law respecting public landings, was read a third time. Resolved, That the bill do pass, and that the title be, an act to amend the act passed in the year of our Lord 1855, respecting public landings. An

An engrossed bill to incorporate the Londonderry iron company of Nova Scotia, was read a third time. Londonderry iron com.

*Resolved*, That the bill do pass, and that the title be, an act to incorporate the Londonderry iron company of Nova Scotia. Passed

An engrossed bill to amend chapter 168 of the revised statutes, "of the administration of criminal justice, was read a third time. Criminal justice

*Resolved*, That the bill do pass, and that the title be, an act to amend chapter 168 of the revised statutes, of the "administration of criminal justice." Passed

An engrossed bill to amend chapter 42 of the revised statutes, "of clerks of the peace," was read a third time. Clerks of the peace

*Resolved*, That the bill do pass, and that the title be, an act to amend chapter 42 of the revised statutes, "of clerks of the peace." Passed

An engrossed bill to amend chapter 48 of the revised statutes "of townships and township officers" was read a third time. Township officers

*Resolved*, That the bill do pass, and that the title be, an act to amend chapter 48 of the revised statutes, "of townships and township officers." Passed

An engrossed bill in relation to the inland navigation company, was read a third time. Inland nav. company

*Resolved*, That the bill do pass, and that the title be, an act in relation to the inland navigation company.

An engrossed bill to establish the boundary line between the provinces of Nova Scotia and New Brunswick, was read a third time. Boundary line

And the usual question being propounded from the chair that the bill to pass,

The hon. Mr. Howe moved by way of amendment thereto, the following resolution : Amendment to be deferred

*Resolved*, That this bill be deferred until next session, and that in the mean time the government be requested to ascertain and report to this house what number of acres hitherto considered as part of Nova Scotia it cuts off, and how many persons who have hitherto voted in this province will thereby be disfranchised :

Which amendment being seconded, and the house dividing thereon, there appeared for the amendment, seventeen ; against it, twenty-two : And lost on division

*For the amendment,*

*Against the amendment,*

Mr. Robertson,	Mr. Webster,	Mr. Ryder,	Hon. J. Campbell,
" Bailey,	" Annand,	" Ruggles,	Mr. Shaw,
" Parker,	" Chipman,	" Bourneuf,	" Brown,
" Rinhard,	" Wier,	" Martell,	Hon. Pro. Secretary,
" Archibald,	" Esson,	" Caldwell,	Mr. McFarlane,
" Locke,	" McDona!d.	" Fuller,	Hon. Atty. General,
" McKenzie,		" Moses,	Hon. Fin. Secretary,
" Morrison,		" McKeagney,	Mr. Smyth,
" Gilderd,		" Churchill,	" White,
Hon. Mr. Howe,		" Bill,	Hon. Mr. McKinnon,
Hon. Mr. Young,		" Wade,	Mr. Robecheau.

So it passed in the negative.

The original resolution was then, upon the question put thereon, agreed to by the house.

And accordingly,

*Resolved*, That the bill do pass, and that the title be, an act to establish the boundary line between the provinces of Nova Scotia and New Brunswick. Bill passed

*Ordered*, That the clerk do carry the seven foregoing bills to the council, and desire their concurrence. Bills sent to council

The

Report of printing com. The hon. the financial secretary reported in part from the committee on printing and reporting, in relation to public printing; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read.

(See appendix No. 70.)

Referred to supply *Ordered*, That the report be received and referred to the committee of supply.

Report of committee on navigation securities Mr. Killam reported from the committee on navigation securities; and he read the report in his place, and then delivered it, together with the appendix thereto, in at the clerk's table, where it was again read.

(See appendix No. 17—PART 3.)

Report received *Ordered*, That the report be received, and do lie on the table.

Then the house adjourned until to-morrow, at three of the clock.

TUESDAY, 20th APRIL, 1858.

PRAYERS.

Marine stores bill read 3rd time An engrossed bill to regulate the purchase of old marine stores, was read a third time.

And passed *Resolved*, That the bill do pass, and that the title be, an act to regulate the purchase of old marine stores.

Bill sent to council *Ordered*, That the clerk do carry the bill to the council and desire their concurrence.

Report from Hants road scale committee Mr. Brown reported from the committee on the sub-division of the road grant for the county of Hants; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read.

(See appendix No. 71.)

Report received *Ordered*, That the report be received, and do lie on the table.

Railway correspondence The hon. the provincial secretary, by command of his excellency the governor, presented to the house certain correspondence relating to the delay in opening for traffic the line of railway to Windsor.

Referred to railway committee *Ordered*, That the correspondence be referred to the committee on the railway.

Message A message from the council, by Mr. Halliburton:

Mr. Speaker,

Bills agreed to The council have agreed to the bills entitled, respectively, an act to define, extend and establish the lines of townships in the county of Lunenburg; an act to alter certain polling places and the boundaries of certain electoral districts in Cumberland; and an act to authorize a draw in the lower Cornwallis bridge, without any amendment.

River fisheries The council have agreed to the bill, entitled, an act to amend the acts relating to river fisheries, with amendments—to which amendments they desire the concurrence of this honorable house.

Resolution respecting inland navigation com. The council have also agreed to a resolution of this honorable house relating to the inland navigation company.

And then the messenger withdrew.

Order of day The order of the day being read,

Resolution respecting using the bible in schools The hon. Mr. Howe moved that the house do come to the following resolution:

*Whereas*, christianity is the only true basis upon which a sound system of education can safely repose;

Resolved,

*Resolved*, That no school within this province shall be entitled to aid from the public funds, until it shall have been made to appear that the Holy Scriptures of the Old and New Testaments are daily read therein :

Which resolution being seconded, and the question put thereon that the same be agreed to by the house,

Resolution in amendment moved

The hon. the attorney general moved, by way of amendment thereto, that the house do come to the following resolution :

*Resolved*, That this house records its respect and veneration for the Holy Scriptures, and its desire to facilitate and encourage their use in all the schools of the province. This important object is essentially in the power of the people under the existing common school system, and the house believes that the use of the Bible in our schools is at present very general, and is steadily increasing ; and the reverend Dr. Forrester, the superintendent of education, in his recent report, has declared in relation to this subject, that it is " well and wisely provided for in the present educational arrangements of the province " ; and this house is of opinion, that to interfere by special and coercive legislation, would retard the object which it is the professed design of the resolution before the house to advance :

Which amendment being seconded, and the question put thereon that the same be agreed to by the house, and the house dividing thereon, there appeared for the amendment, twenty-eight ; against it, eighteen.

And passed on division

*For the amendment,*

*Against the amendment,*

Mr. Bill,	Mr. Ruggles,	Mr. Rinhard,	Mr. McDonald,
Hon. Sol. General,	" Henry,	" Bailey,	" Chipman.
Mr. Martell,	" Ryder,	" Parker,	" Robertson,
" Caldwell,	Hon. J. Campbell,	" Munro,	" Locke.
" Brown,	Mr. Shaw,	" McKenzie,	
" McKeagney,	Hon. Fin. Secretary,	" Morrison,	
" McClearn,	" Atty. General,	Hon. Mr. Young,	
" Killam,	" Pro. Secretary,	Mr. Gilderd,	
" White.	" Mr. McKinnon,	Hon. Mr. Howe,	
" Tobin,	Mr. Robecheau,	Mr. Chambers,	
" Churchill,	" Fuller,	" Annand,	
Hon. C. J. Campbell,	" Symth,	" Webster,	
Mr. Moses,	" Bourneuf,	" Esson,	
" McFarlane,	" Wade.	" Wier,	

So it passed in the affirmative.

The following bills were severally read a second time :

A bill to amend the act passed during the present session, entitled, an act for giving effect to the surrender to her majesty by the legal personal representatives of the late duke of York and Albany, and by the General Mining Association, and their trustee, of the mines in Nova Scotia, and to the lease of part of such mines to the said association.

Bills read 2d time

Mines amendment

A bill to amend the act to authorize the construction of railways in this province.

Railway construction

A bill to amend chapter 118 of the revised statutes, " of the sale of lands to satisfy execution debts."

Execution debts

*Ordered*, That the bills be committed to a committee of the whole house.

Bills committed

Mr. Wier reported from the committee to whom were referred certain bills relating to the city of Halifax ; and he read the report in his place, and then delivered it, together with several appendices thereto, in at the clerk's table, where it was again read.

Halifax bills committee report

(See appendix No. 72.)

*Ordered*, That the report be received and adopted.

Halifax city bills  
reported, viz.  
Loan bill

Mr. Wier also reported from the same committee the bills referred to them, viz :

A bill to enable the city of Halifax to raise additional sums, by loan and by assessment, for the services therein mentioned.

General assessment

A bill respecting the general assessment of the city of Halifax for the present year, with amendments to such bills respectively ; and he delivered the bills and amendments in at the clerk's table, where the amendments were read.

Read 2d time

The two foregoing bills reported by the committee, were then severally read a second time.

And committed

*Ordered*, That the bills be committed to a committee of the whole house.

Committee on bills

On motion, the house resolved itself into a committee on bills.

Mr. Speaker left the chair.

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

Bills reported

Baxter's harbor pier

Digby roads

Hants roads

Manchester road

Mines amendment

The chairman reported from the committee, that they had gone through the engrossed bill from the council to incorporate the Baxter's harbor pier company ; the bill relating to the width of certain roads in the county of Digby ; the bill to provide for the construction of certain roads in Hants county ; the bill to provide for the extension of the new eastern road between Manchester and the Strait of Canso ; and the bill to amend the act passed during the present session, entitled, an act for giving effect to the surrender to her majesty by the legal personal representatives of the late duke of York and Albany, and by the General Mining Association, and their trustee of the mines in Nova Scotia, and to a lease of a part of such mines to the said association, and had directed him to report such bills to the house severally without any amendment ; and that they had also considered the bill to amend chapter 89 of the revised statutes, "of the settlement and support of the poor," and had directed him to recommend the house to refer the same to a select committee, to consider and report thereon ; and that they had also gone through the engrossed bill from the council, entitled, an act relating to trusts and trustees ; and the bill to provide for the collection of the railway damages payable to Thomas Kenny and William Davy, and had made amendments to such bills respectively, which they had directed him to report to the house with the bills ; and he delivered the bills, together with the amendments to the two last mentioned bills, in at the clerk's table, where such amendments were read.

Settlement of poor

Trusts and trustees

Kenny and Davy's  
claim

Orders to engross

*Ordered*, That the bills reported without amendment be engrossed.

*Ordered*, That the bills reported with amendments be engrossed with the amendments.

Settlement of poor bill  
referred

*Ordered*, That the bill to amend chapter 89 of the revised statutes, "of the settlement and support of the poor," be referred to Mr. Henry, Mr. Archibald, and Mr. Brown, to consider and report thereon, with amendments or otherwise.

Baxter's harbor pier  
bill read 3rd time and  
passed

The engrossed bill from the council, entitled, an act to incorporate the Baxter's harbor pier company, reported by the committee on bills, was then read a third time.

And thereupon, on motion,

*Resolved*, That such bill be agreed to, and do pass this house.

*Ordered*, That the clerk do carry the bill back to the council, and acquaint them that this house have agreed thereto.

Law committee  
Report Lunenburg  
lands bill

The hon. the attorney general reported from the law committee, that they had considered the bill relating to certain public lands in the town of Lunenburg, and had made amendments thereto, which they had directed him to report to the house with the bill ; and he delivered the bill, with the amendments, in at the clerk's table, where the amendments were read.

Bill committed

*Ordered*, That the bill be committed to a committee of the whole house.

Councils amendments  
to river fisheries bill

The amendments proposed by the council, to the bill entitled, an act to amend the acts relating to river fisheries, were read a first, and *nem. con.*, a second time, and considered by the house.

And

And thereupon, on motion,

*Resolved*, That such amendments be agreed to.

Agreed to

*Ordered*, That the clerk do carry the bill and amendments back to the council, and acquaint them that this house have agreed to such amendments.

Then the house adjourned until to-morrow, at three of the clock.

WEDNESDAY, 21st APRIL, 1858.

PRAYERS.

The following bills were severally read a second time :

A bill to regulate the appointment of chief justice.

Bills read 2d time

A bill to amend chapter 99 of the revised statutes, " of fires and firewards".

Chief justice

The engrossed bill from the council, entitled, an act relating to fires.

Fires and firewards

The bill to restrict the sale of intoxicating liquors.

Fires

The engrossed bill from the council to amend chapter 2 of the revised statutes, " of executive and legislative disabilities."

Permissive liquor

Disabilities

*Ordered*, That the bills be committed to a committee of the whole house.

Bills committed

A message from the council, by Mr. Halliburton :

Message

Mr. Speaker,

The council have agreed to the bills entitled, respectively, an act to amend the act to establish a more equal and just system of assessment, and the act in amendment thereof; an act further to amend chapter 46 of the revised statutes, " of county assessments," and an act for regulating the office of inspector of mines in this province, severally without any amendments.

Bills agreed to

Assessment

Halifax county assessment

Inspector of mines

The council have also agreed to the bills, entitled, an act to amend the act to extend the elective franchise, and an act to amend the law respecting licences in the city of Halifax, and prosecutions connected therewith.

Elective franchise

City of Halifax licences

And then the messenger withdrew.

The amendments proposed by the council to the bills, entitled respectively, an act to amend the act to extend the elective franchise; an act to amend the law respecting licences in the city of Halifax, and prosecution connected therewith, were read a first, and ordered to be read a second time.

Council's amendments to bills, viz. Elective franchise, and Halifax city licences read 1st time

On motion, the house resolved itself into a committee on bills.

Committee on bills

Mr. Speaker left the chair.

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee, that they had gone through the bill to extend to this province certain provisions of part 3rd of the merchant shipping act of 1854, and the bill to amend the act to authorize assessments for railway damages, and had made amendments to such bills respectively, which they had directed him to report to the house with the bills; and that they had also gone through the bill further to amend the law relating to witnesses and evidence, and the proof of written documents, and had directed him to report the same to the house without any amendments; and he delivered the bills together with the amendments to the two first mentioned bills in at the clerk's table, where such amendments were read.

Committee report bills

Merchant shipping

Railway assessment

Evidence

*Ordered*, That the bill reported without amendments be engrossed.

Orders to engross

*Ordered*, That the bill reported with amendments be engrossed with the amendments.

*Ordered*, That the road scales be presented on Saturday next.

Road scales

Then the house adjourned until to-morrow, at three of the clock.

Thursday,

## THURSDAY, 22nd APRIL, 1858.

## PRAYERS.

Amendments to bills  
agreed to  
Elective franchise  
Halifax licences

The amendments proposed by the council to the bills, entitled, respectively,  
An act to amend the act concerning the elective franchise.  
An act to amend the law respecting licences in the city of Halifax, and prosecutions connected therewith, were read a second time, and considered by the house.

And thereupon,

On motion, *resolved*, that such amendments be agreed to.

Bills returned to  
council

*Ordered*, That the clerk do carry the bills and amendments back to the council, and acquaint them that this house have agreed to such amendments.

Report of committee  
on record commission

The honorable the financial secretary reported from the committee on printing and reporting, in relation to the report of Thomas B. Akins, esquire, record commissioner, presented to the house on the fifteenth day of February, and referred to that committee; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read.

(See appendix No. 29.—PART 2.)

Report adopted and  
referred to supply

*Ordered*, That the report be received and adopted, and referred to the committee of supply.

And thereupon,

Resolution to continue  
commission

The honorable the financial secretary moved that the house do come to the following resolution :

Moved and passed

*Resolved*, That the commissioner appointed under the resolution of 30th April, 1857, to examine, preserve and arrange the ancient records and documents of this province, be authorized to continue his labors, with a view to bringing them to a close during the present year, and this house will provide for the same, during the next session :

And sent to council

Which resolution being seconded and put, was agreed to by the house.

*Ordered*, That the clerk do carry the resolution to the council, and desire their concurrence.

Bills read 3rd time  
Patents

An engrossed bill to alter chapter 120 of the revised statutes, "of patents for useful inventions" ; was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act to alter chapter 120 of the revised statutes, "of patents for useful inventions".

Digby roads

An engrossed bill relating to the width of certain roads in the county of Digby, was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act relating to the width of certain roads in the county of Digby.

Hants county roads

An engrossed bill to provide for the construction of certain roads in Hants county, was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act relating to the construction of certain roads in Hants county.

Manchester road

An engrossed bill to provide for the extension of the new eastern road between Manchester and the Strait of Canso, was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act to provide for the extension of the new eastern road between Manchester and the Strait of Canso.

*Ordered*, That the clerk do carry the bills to the council, and desire their concurrence.

Mr. McFarlane reported from the committee on agriculture ; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read.

Committee on agriculture report

(See appendix No 46—PART 3.)

And thereupon, Mr. McFarlane moved that the report be received and adopted, and referred to the committee of supply :

Motion to adopt

Which being seconded,

Mr. Locke moved, by way of amendment thereto, that such part of the report as recommends the granting of a sum of thirty pounds in aid of the agricultural societies of the respective counties, be not received :

Amendment moved

Which being seconded, and the house dividing thereon, there appeared for the amendment, twelve ; against it, thirty three.

And lost on division

*For the amendment,*

*Against the amendment,*

Mr. Brown,	Mr. McKeagney,	Mr. McKenzie,	Mr. Annand,
„ Tobin,	“ Martell,	“ Bill,	Hon. Mr. Howe,
“ Locke,	“ Henry,	“ Churchill,	Mr. Webster,
“ Killam,	“ White,	“ Parker,	“ Wier,
Hon. Sol. General,	“ Caldwell,	“ Bourneuf,	Hon. Mr. McKinnon,
Hon. Fin. Secretary,	Hon. C. J. Campbell,	“ McFarlane,	Mr. McDonald,
Hon. Atty. General,	Mr. Bailey,	“ Morrison,	“ Munro,
Mr. Shaw,	“ McClearn,	Hon. Mr Young,	“ Robecheau,
Hon. Pro. Secretary,	“ Moses,	Mr. Chipman,	“ Smyth,
Mr. Fuller,	“ Rinhard,	“ Chambers,	“ Wade,
“ Robert-on,	“ Gilderd,	“ Esson,	“ Ruggles,
“ Ryder.			

So it passed in the negative.

The original motion was then, upon the question put thereon, agreed to by the house. And accordingly,

Original question passed

*Ordered,* That the report be received and adopted, and referred to the committee of supply.

Report adopted and referred to supply

On motion of Mr. Churchill,

*Ordered,* That the report of the committee on the sub-division of the road moneys for the county of Hants, presented on the twentieth day of April, instant, be adopted by the house.

Report on Hants road scale adopted

The hon. the provincial secretary, by command of his excellency the governor, presented to the house a report from the chairman of the railway board, as to the force now employed on the railway, and the prospect of its being opened for traffic.

Railway correspondence

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

On motion, the house resolved itself into a committee on bills.

Committee on bills

Mr. Speaker left the chair.

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee, that they had gone through the council's engrossed bill to amend chapter 2 of the revised statutes, "of executive and legislative disabilities," and had made an amendment thereto, which they had directed him to report to the house with the bill ; and he delivered the bill and amendment in at the clerk's table, where the amendment was read.

Committee report disabilities bill, with amendment

*Ordered,* That the amendment reported by the committee be engrossed.

Order to engross

Then the house adjourned until to-morrow, at three of the clock.

Friday,

FRIDAY, 23rd APRIL, 1858.

## PRAYERS.

Resolutions for conference to prepare address on inter colonial railway

On motion of the honorable the attorney general,

*Resolved*, That a conference be requested with the legislative council by committee, on the general state of the province, and that at such conference the committee of this house request that the legislative council will unite with this house in an address to the queen on the subject of an inter-colonial railroad between Canada, New Brunswick, and Nova Scotia, inviting the assistance of her majesty's government toward that great project.

*Resolved*, That at such conference the committee of this house do communicate to the committee of the council, the foregoing resolution.

*Ordered*, That the clerk do request such conference.

Message

A message from the council, by Mr. Halliburton :

Mr. Speaker,

Bills agreed to

Public landings  
Militia

The council have agreed to the bills, entitled, respectively, an act to amend the act passed in the year of our Lord, 1855, respecting public landings; and an act to revive and continue the laws relative to the militia, without any amendments.

And then the messenger withdrew.

Read 3rd time  
Evidence

An engrossed bill further to amend the law relating to witnesses and evidence, and the proof of written documents, was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act further to amend the law relating to witnesses and evidence, and the proof of written documents.

Railway assessments

An engrossed bill to amend the act to authorize assessments of railway damages, was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act to amend the act to authorize assessments for railway damages.

Bills sent to council

*Ordered*, That the clerk do carry the bills to the council and desire their concurrence.

Petition of mayor and aldermen

A petition of the mayor and aldermen of the city of Halifax, was presented by Mr. Tobin and read, praying the house not to sanction any amalgamation of the city prison with the county jail.

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

Message

A message from the council, by Mr. Halliburton :

Mr. Speaker,

Bills agreed to as amended  
Fish inspection  
Elective franchise  
Halifax licences

The council have agreed to the bills, entitled, respectively, an act to amend the act relating to river fisheries; an act to amend the act concerning the elective franchise; and an act to amend the law respecting licences in the city of Halifax, and prosecutions connected therewith, as severally amended.

Council agree to conference

The council agree to the conference desired by this honorable house by committee, on the general state of the province; and the committee of the council are now ready to meet the committee of this house.

And then the messenger withdrew.

Managers appointed

*Ordered*, That the honorable the attorney general, the hon. Mr. Young, and the hon. the solicitor general be a committee to manage the conference on the general state of the province.

Who attend

So they went to the conference,

And being returned,

And report

The honorable the attorney general reported that the managers had been at the conference, and had complied with the instructions of the house.

On

On motion, the house resolved itself into the committee of supply.

Mr. Speaker left the chair.

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

Committee of supply

The chairman reported from the committee, that they had made some progress in the consideration of the supply.

Report progress

The chairman also acquainted the house that he was directed by the committee to move for leave to sit again, on the consideration of the supply—to which the house agreed.

Leave to sit again

The hon. the attorney general reported from the committee on education; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read.

Education committee report

(See appendix No. 73.)

*Ordered*, That the report be received and adopted, and referred to the committee of supply.

Adopted and supply

The hon. the attorney general also reported from the same committee by bill; and thereupon delivered to the house,

A bill to continue and amend the laws relating to education; and such bill was read a first, and ordered to be read a second time.

Education bill reported

Then the house adjourned until to-morrow, at three of the clock.

### SATURDAY, 24th APRIL, 1858.

PRAYERS.

Then the house adjourned until Monday next, at eleven of the clock.

### MONDAY, 26th APRIL, 1858.

PRAYERS.

Mr. Archibald reported, in part, from the committee on crown property, by bill; and thereupon, delivered to the house, a bill to amend chapter 147 of the revised statutes, "of petty trespass and assaults"; and the same was read a first, and ordered to be read a second time.

Trespasses bill

On motion of Mr. McDonald,

*Resolved*, That a select committee be appointed to prepare and report to the house a scale of sub-division of the road moneys voted for the county of Pictou for the present year.

Committee on Pictou road scale

*Ordered*, That Mr. Ryder, Mr. Parker, and Mr. McClearn, be a committee for such purpose.

A message from the council, by Mr. Halliburton:

Message

Mr. Speaker,

The council have agreed to the bills, entitled respectively, an act to amend chapter 42 of the revised statutes, "of clerks of the peace"; and an act in relation to the inland navigation company, without any amendments.

Bills agreed to  
Clerks of the peace  
Inland navigation company

The council have agreed to the bills entitled, an act to incorporate the Londonderry iron company of Nova Scotia; and an act to amend chapter 168 of the revised statutes, "of the administration of criminal justice", with amendments to such bills respectively—to which amendments they desire the concurrence of this honorable house.

Iron company  
Criminal justice act

The

Resolution respecting  
record commission

The council have agreed to a resolution of this honorable house authorizing the continuance of the commission to arrange and preserve the ancient provincial records.  
And then the messenger withdrew.

Amendments to iron  
company bill read 1st  
time

The amendments proposed by the council to the bill, entitled, an act to incorporate the Londonderry iron company of Nova Scotia, were read a first, and ordered to be read a second time.

Amendments to  
criminal justice bill  
agreed to

The amendments proposed by the council to the bill, entitled, an act to amend chapter 168 of the revised statutes, "of the administration of criminal justice", were read a first, and *nem. con.*, a second time, and considered by the house.

And thereupon, on motion,

*Resolved*, That such amendments be agreed to.

*Ordered*, That the clerk do carry the bill and amendments back to the council, and acquaint them that this house have agreed to such amendments.

Repor. of committee  
on Pictou road money

Mr. Ryder reported from the committee on the sub-division of road moneys for the county of Pictou; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read.

(See appendix No. 74.)

Report adopted

*Ordered*, That the report be received and adopted.

Resolution to sell  
agr. cultural stock  
Sent to council

On motion of the hon. the provincial secretary,

*Resolved*, That his excellency the governor be authorized and respectfully requested to direct the sale of the agricultural stock and implements belonging to the province, remaining on hand at the provincial penitentiary and at Annapolis, pursuant to the report of the committee on agriculture.

Read third time

*Ordered*, That the clerk do carry the resolution to the council, and desire their concurrence.

Trusts and trustees

The engrossed bill from the council, entitled, an act relating to trusts and trustees, was read a third time, with the amendments thereto reported by the committee on bills.

Passed with amend-  
ments  
And sent to council

*Resolved*, That the bill be agreed to, and do pass this house with such amendments.

*Ordered*, That the clerk do carry the bill back to the council, and acquaint them that this house have agreed thereto, with such amendments.

Read 3rd time  
Insane hospital

An engrossed bill for the management of the hospital of the insane, was read a third time.

Passed

*Resolved*, That the bill do pass, and that the title be, an act for the management of the hospital for the insane.

Merchant shipping

An engrossed bill to extend to this province certain provisions of part third of the merchants' shipping act of 1854, was read a third time.

Passed

*Resolved*, That the bill do pass, and that the title be, an act to extend to this province certain provisions of part third of the merchants' shipping act of 1854.

*Ordered*, That the clerk do carry the foregoing bills to the council, and desire their concurrence.

Disabilities

The council's engrossed bill to amend chapter 2 of the revised statutes, "of executive and legislative disabilities", was read a third time, with the amendments thereto reported by the committee on bills.

And the usual question being propounded from the chair that such bill be agreed to and do pass this house, with the amendments,

Amendment moved to  
defer

The hon. Mr. Young moved by way of amendment thereto, that the further consideration of the bill be deferred until this day three months :

Which

Which amendment being seconded, and the house dividing thereon, there appeared for the amendment, nineteen; against it, twenty-seven: And lost on division

*For the amendment,*

*Against the amendment,*

Mr. Rinhard,	Mr. Annand,	Mr. Killam,	Hon. Sol. General,
" Bailey,	Hon. Mr. Howe,	" McKeagney,	Mr. McFarlane,
" Parker,	Mr. Chambers,	Hon. J. Campbell,	" Bourneuf,
" Locke,	" Webster,	Hon. Mr. McKinnon,	" Moses,
" McDonald,	" Gilderd,	Mr. Churchill,	Hon. Pro. Secretary,
" McKenzie,	" Esson,	" Caldwell,	Hon. Atty. General,
" Tobin,		Hon. C. J. Campbell,	Mr. Bill,
" Robertson,		Mr. Brown,	" Smyth,
" Archibald,		Hon. Fin. Secretary,	" White,
" Morrison,		Mr. Wade,	" Martell,
Hon. Mr. Young,		" McClearn,	" Ryder,
" Wier,		" Shaw,	" Fuller,
" Chipman,		" Henry,	" Robecheau.
		" Ruggles,	

So it passed in the negative.

The hon. Mr. Young then moved by way of amendment thereto, that the bill be re-committed, for the purpose of introducing an amendment to prevent the bill from being applicable to members of the legislative council: Amendment moved to recommit

Which amendment being seconded, and the house dividing thereon, there appeared for the amendment, nineteen; against it, twenty-seven. And lost on division

*For the amendment,*

*Against the amendment,*

Mr. Rinhard,	Hon. Mr. Howe,	Mr. Killam,	Hon. Sol. General,
" Bailey,	Mr. Chambers,	" McKeagney,	Mr. McFarlane,
" Parker,	" Webster,	Hon. J. Campbell,	" Bourneuf,
" Locke,	" Gilderd,	" Mr. McKinnon,	" Moses,
" McDonald,	" Esson.	Mr. Churchill,	Hon. Pro. Secretary,
" McKenzie,		" Caldwell,	" Atty. General,
" Tobin,		Hon. C. J. Campbell,	Mr. Bill,
" Robertson,		Mr. Brown,	" Synath,
" Archibald,		Hon. Fin. Secretary,	" White.
" Morrison,		Mr. Wade,	" Martell,
Hon. Mr. Young,		" McClearn,	" Ryder,
Mr. Wier,		" Shaw,	" Fuller,
" Chipman.		" Henry,	" Robecheau.
" Annand,		" Ruggles,	

So it passed in the negative.

The original resolution was then, upon the question put thereon, agreed to by the house.

And accordingly,

*Resolved,* That the bill be agreed to, and do pass this house with such amendments. Bill passed

*Ordered,* That the clerk do carry the bill back to the council, and acquaint them that this house have agreed thereto, with amendments. And returned to council

Mr. Henry reported from the committee appointed to consider the bill to amend chapter 89 of the revised statutes, "of the settlement and support of the poor," that they had considered such bill, and had made amendments thereto, which they had directed Committee report poor law bill with amendments

him to report to the house with the bill ; and he delivered the bill and amendments in at the clerk's table, where the amendments were read.

Bill recommitted

*Ordered*, That the bill be again committed to a committee of the whole house.

Despatch from governor general

The hon. the provincial secretary, by command of his excellency the governor, presented to the house a despatch from the governor general of Canada, enclosing a copy of a report of a committee of the executive council of Canada, respecting the establishment of steam communication between Canada, Nova Scotia, New Brunswick and Prince Edward Island.

*Ordered*, That the despatch do lie on the table.

Despatch from colonial office

The hon. the provincial secretary, by command of his excellency the governor, presented to the house a despatch from the colonial office, announcing her majesty's gracious reception of the joint address of congratulation of the council and house of assembly to her majesty on the occasion of the marriage of the Princess Royal.

(See appendix No. 54—PART 2.)

*Ordered*, That the despatch do lie on the table.

Message

A message from the council by Mr. Halliburton :

Mr. Speaker,

Criminal justice bill

The council have agreed to the bill entitled, an act to amend chapter 168 of the revised statutes, "of the administration of criminal justice," as amended.

Council desire conference

The council desire a further conference with the house of assembly, by committee, on the general state of the province.

And then the messenger withdrew.

House agree to conference  
Managers appointed

On motion of the hon. the attorney general,

*Resolved*, That this house do agree to the further conference desired by the council.

*Ordered*, That the committee who managed the last conference do manage this conference.

*Ordered*, That the clerk do acquaint the council that the house do agree to the further conference desired by the council, and that the committee of this house are ready to meet the committee of the council upon such conference.

Who attend

So the managers went to the conference.

And being returned,

And reports

The hon. the attorney general reported that the managers had been at the conference, and that the committee of the council had communicated to this house copies, in writing, of three resolutions of the council ; which he read in his place, and then delivered in at the clerk's table, where they were again read, as follow :

Council resolutions

LEGISLATIVE COUNCIL CHAMBER, }  
23rd April, 1858. }

On motion, *resolved*, That this house will join the house of assembly in an address to her majesty, on the subject of an inter-colonial railroad between Canada, New Brunswick and Nova Scotia, and inviting the assistance of her majesty's government to that great project.

*Resolved*, That Mr. Almon, Mr. McHeffy, and Mr. Holmes, be a committee of this house to join a committee of the house of assembly in preparing the said address.

*Resolved*, That a further conference be desired with the house of assembly, by committee, on the general state of the province, and that the committee of this house do communicate to the committee of the house of assembly the foregoing resolutions.

JOHN C. HALLIBURTON, C. L. C.

*Ordered*, That the copies of resolutions do lie on the table.

Committee to prepare address

*Ordered*, That the committee who managed the conferences, be a committee to join a committee of the council in preparing such address, and that the clerk do acquaint the council therewith.

Mr.

Mr. Annand, pursuant to special leave given, presented to the house a bill for securing the independence of the legislature; and the same was read a first, and ordered to be read a second time. Legislative independence bill

An engrossed bill to regulate licences for the sale of intoxicating liquors, was read a third time. Licence bill read 3rd time

And the usual question being propounded from the chair that such bill do pass,

Mr. Wade moved by way of amendment thereto, that the bill be recommitted for the purpose of making certain alterations therein. Amendment moved to recommit

Which being seconded, and the house dividing thereon, there appeared for the amendment, ten; against it, twenty-nine. And lost on division

So it passed in the negative.

Mr. Wier then moved, by way of amendment to the original question, that the bill be amended by striking out the thirty-second clause thereof: Motion to amend

Which amendment being seconded, and the house dividing thereon, there appeared for the amendment, fourteen; against it, twenty-three.

So it passed in the negative.

The original resolution was then, upon the question put thereon, agreed to by the house.

And accordingly,

*Resolved*, That the bill do pass, and that the title be, an act to regulate licences for the sale of intoxicating liquors. Bill passed

*Ordered*, That the clerk do carry the bill to the council and desire their concurrence. And sent to council

Mr. Ryder, from the committee of supply, reported to the house the resolutions passed in the committee on Friday last, the twenty-third day of April; and thereupon, delivered in at the clerk's table, twenty resolutions, which being read, are as follow: 20 supply resolutions reported

1<sup>o</sup>. *Resolved*, That the sum of fifty pounds be granted and paid to such persons as shall run a proper packet between Guysborough and Arichat, touching occasionally at Fox Island and Canso, under the regulations of the sessions of the counties of Guysborough and Richmond—to be paid on the certificate of such sessions that the packet has been properly kept and run during the present year, and with the same provisions and regulations concerning the judges on circuit, and conveyance of mails as contained in the grant of last year. £50. Guysboro' packet

2<sup>o</sup>. *Resolved*, That the sum of twenty pounds be granted to aid the inhabitants of Douglas, at the mouth of the River Shubenacadie, in supporting a suitable boat or scow to run between Londonderry and that place—such boat or scow to be under the regulation of the sessions for the county of Hants—to be paid upon certificate of three justices of the peace, residing in Douglas, that such boat has been running at least twice a week, for six months, to their satisfaction, under the regulations aforesaid. £20, Douglas ferry

3<sup>o</sup>. *Resolved*, That the sum of ten pounds be granted to each of the two licensed ferrymen at the mouth of the Shubenacadie, in the counties of Colchester and Hants, for the transportation of horses and carriages across that river—to be paid upon the certificate of the general or special sessions of each county respectively that such ferry has been duly attended, and proper boats procured and used. £20, ferrymen at Shubenacadie

4<sup>o</sup>. *Resolved*, That the sum of ten pounds, each, be granted to Joseph Pernette and Charles Pernette, for keeping up the ferry over Lahave river. £20, ferrymen at Lahave

5<sup>o</sup>. *Resolved*, That the sum of ten pounds be granted to Cornelius Craig, to enable him to keep up a ferry across the narrows at the entrance of Sable River, in the county of Shelburne, under the regulation of the sessions, and to be paid on their certificate. £10, C. Craig, ferry at Sable river

6<sup>o</sup>. *Resolved*, That the sum of ten pounds be granted to Alexander McGuire, or such other person as shall run a ferry boat or scow between Carter's landing on the western side of the Strait of Canso, and Alexander McPherson's, on the eastern side thereof. £10, Alex. McGuire ferry at Canso

thereof—to be paid on the certificate of the sessions for the county of Guysborough, that such boat or scow has been provided and run under their regulations, and to their satisfaction.

- £10, Alex. McPherson 7<sup>o</sup>. *Resolved*, That the sum of ten pounds be granted to Alexander McPherson, to enable him to run a suitable ferry boat or scow between his landing on the eastern side of the Strait of Canso, and John Carter's on the western side thereof—to be paid on the certificate of the sessions for the county of Richmond, that such boat or scow has been provided and run under their regulations.
- £20, ferry at port L'Herbert 8<sup>o</sup>. *Resolved*, That the sum of ten pounds be granted to each of such two persons as shall respectively keep up a ferry at the mouth of Port L'Herbert, provided a boat be kept to convey horses and cattle across the harbor—to be paid on the certificate of the sessions for the county of Shelburne that such boat has been properly kept and run under their regulations.
- £10, D. McPhee, ferry at Sydney mines 9<sup>o</sup>. *Resolved*, That the sum of ten pounds be granted to Duncan McPhee, to enable him to maintain a ferry between Low Point and the Sydney mines at the mouth of Spanish River, in the county of Cape Breton—to be paid on the certificate of three justices of the peace for the county of Cape Breton that he has faithfully discharged the duties assigned him by the sessions.
- £20, ferry at Cape Sable Island 10<sup>o</sup>. *Resolved*, That the sum of twenty pounds be granted to such persons as shall keep a ferry across the narrows of the passage between Cape Sable Island and the main, such persons being furnished with suitable boats for the accommodation of passengers to be paid on the certificate of the sessions for the county of Shelburne, that such boats have been properly kept and run under their regulations.
- £15, ferry at Amherst 11<sup>o</sup>. *Resolved*, That the sum of fifteen pounds be granted to aid in maintaining a ferry during the present year between Amherst and Minudie, such ferry to be under the regulations of the sessions for the county of Cumberland, and the foregoing sum to be paid on their certificate, that the same has been conducted to their satisfaction.
- £20, ferry at Grandique 12<sup>o</sup>. *Resolved*, That the sum of ten pounds be granted to each of the two licensed ferrymen at the mouth of the Grandique river in the county of Richmond, to be paid on the certificate of the sessions for the county, that the work has been faithfully performed, and the public properly accommodated.
- £22 10s, ferrymen at Sheet harbor and North west arm 13<sup>o</sup>. *Resolved*, That the sum of twelve pounds and ten shillings be granted to the ferryman at Sheet Harbor, and ten pounds to the ferryman at the mouth of the North-west arm, in the county of Halifax.
- £10, ferry at Liscomb's harbor 14<sup>o</sup>. *Resolved*, That the sum of five pounds be granted to each of such two persons, one on each side of Liscomb's Harbor, in the county of Guysborough, as shall maintain a ferry across the harbor during the present year, to be paid on the certificate of three justices of the peace of the county, that suitable boats have been provided, that the ferry has been conducted under the regulation of the sessions, and that the public have been properly accommodated.
- £5, ferryman at Sambro 15<sup>o</sup>. *Resolved*, That the sum of five pounds be granted to John Leary, the ferryman at Basin Gut, Sambro, in the county of Halifax.
- £10 ferryman at Necum Teuch 16<sup>o</sup>. *Resolved*, That the sum of ten pounds be granted to Charles Smith, to enable him to keep a ferry over Necum Teuch river, eastern shore, in the county of Halifax.
- £7 10s, ferry at Liscomb's harbor 17<sup>o</sup>. *Resolved*, That the sum of seven pounds and ten shillings be granted to aid in establishing a ferry during the present year over Liscomb harbor, opposite the high-way

way at Clay Head, in the county of Guysborough—such ferry to be under the regulations of the sessions, and the amount to be paid on their certificate that the same has been conducted to their satisfaction.

18°. *Resolved*, That the sum of five pounds be granted to the ferrymen at Bear river. £5. ferryman at Bear river

19°. *Resolved*, That the sum of twenty-five pounds be granted in aid of the packet between Horton and Parrsborough, such packet to make two trips each week, and to carry the mails. £25, packet Horton and Parrsborough

20°. That the sum of three hundred and seventy-five pounds be granted to such persons as shall run a suitable steam boat between Halifax and Saint John's, Newfoundland, touching at Cape Breton, going and returning—to be paid when it shall appear to the governor in council, that the service has been properly discharged. £375 steamer Halifax and St. John's, N F

The several resolutions being read a second time, were then upon the question put thereon, respectively agreed to by the house Resolutions read 2nd time and passed

*Ordered*, That the clerk do carry the resolutions to the council, and desire their concurrence. And sent to council

On motion, the house resolved itself into the committee of supply. Committee of supply

Mr. Speaker left the chair.

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee, that they had made further progress in the consideration of the supply. Report progress

The chairman also acquainted the house, that he was directed by the committee to move for leave to sit again on the consideration of the supply—to which the house agreed.

Then the house adjourned until to-morrow, at eleven of the clock.

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TUESDAY, 27th APRIL, 1858.

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PRAYERS.

The hon. the provincial secretary, by command of his excellency the governor, presented to the house certain plans and propositions for the erection of a county court house in the city of Halifax, submitted to the commissioners for the erection of such building. County court house plans, &c., presented

And thereupon, on motion,

*Resolved*, That a select committee be appointed to examine and report upon such plans and propositions. And referred to select committee

*Ordered*, That the hon. Mr. Young, Mr. Annand, the hon. provincial secretary, Mr. Fuller, and Mr. Archibald, be a committee for such purpose.

Mr. Killam moved that the report of the committee on navigation securities presented on the nineteenth day of April be adopted and referred to the committee of supply. Motion to adopt report of navigation securities committee

Which being seconded,

Mr. Wade moved by way of amendment thereto, the following resolution, Amendment moved

*Resolved*, That so much of the report on navigation securities as refers to the building of light houses be not adopted, and that those public works be proceeded with as they stand in their previous order of recommendation by committees on this subject.

Which amendment being seconded,

Mr. Henry moved by way of second amendment, the following resolution. Second amendment moved

*Resolved*, That so much of the report of the committee on navigation securities as refers to the erection of light houses be not adopted, but that the government be authorized to erect light houses in two of the most eligible situations in the province, and if the funds are sufficient, to erect others in the next most eligible situations.

Which

And lost on division

Which second amendment being seconded, and the house dividing thereon, there appeared for the amendment, fifteen; against it, twenty-seven.

So it passed in the negative.

1st amendment passed on division

The question being then put upon the first amendment, and the house dividing thereon, there appeared for the amendment, twenty-three; against it, twenty.

So it passed in the affirmative.

Mr. McFarlane then moved that so much of the report as recommends a reduction of the salaries of the keepers of the light houses at Parrsborough and Apple River be not adopted.

Which being seconded, and the house dividing thereon, there appeared for the amendment, ten; against it, twenty-seven.

So it passed in the negative.

And thereupon,

Report adopted in part

*Resolved*, That the report of the committee on navigation securities, except so much thereof, as is specified in such first amendment, be adopted, and that so much thereof as recommends grants of money be referred to the committee of supply.

Bills read 3rd time  
Petty offences

An engrossed bill for the more summary trial and punishment of petty offences, was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act for the more summary trial and punishment of petty offences.

Mines amendment

An engrossed bill to amend the act passed during the present session, entitled, an act for giving effect to the surrender to her majesty by the legal personal representatives of the late duke of York and Albany, and by the General Mining Association, and their trustee of the mines in Nova Scotia, and to the lease of a part of such mines to the said association, was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act to amend an act passed during the present session, entitled, an act for giving effect to the surrender to her majesty by the legal personal representatives of the late duke of York and Albany, and by the General Mining Association, and their trustee of the mines in Nova Scotia, and to the lease of part of such mines to the said association.

Bills sent to council

*Ordered*, That the clerk do carry the bills to the council, and desire their concurrence.

Message

A message from the council by Mr. Halliburton:

Mr. Speaker,

Bills agreed to  
Digby road and slip  
Marine stores  
S Selden

The council have agreed to the bills, entitled, respectively, an act to provide for a public road and slip at Digby; an act to regulate the purchase of old marine stores; an act for the relief of Stephen Selden; an act to provide for the construction of certain roads in Hants county, and an act to provide for the extension of the new Eastern road between Manchester and the Strait of Canso, severally, without any amendments.

Hants roads  
Manchester road

Bonndary

The council have agreed to the bill, entitled, an act to establish the bonndary line between the provinces of Nova Scotia and New Brunswick with an amendment, to which amendment they desire the concurrence of this honorable house.

Disabilities

The council have agreed to the bill, entitled, an act to amend chapter 2 of the revised statutes, "of executive and legislative disabilities", as amended.

Council desire conference

The council desire a conference with this honorable house by committee, on the general state of the province.

And then the messenger withdrew.

Conference agreed to

On motion, *resolved*, that the conference desired by the council be agreed to, and that the clerk do acquaint the council therewith.

*Ordered*, That Mr. Henry, Mr. White, and Mr. Chambers, be a committee to manage the conference.

So they went to the conference,

And

And being returned,

Mr. Henry reported that the managers had been at the conference, and that the committee of conference on the part of the council had handed to them a paper suggesting a money grant, which they do not feel at liberty to report to the house, as being inconsistent with its privileges. Managers report

The amendment proposed by the council to the bill, entitled, an act to establish the boundary line between the provinces of Nova Scotia, and New Brunswick, was read a first, and *nem. con.* a second time, and considered by the house. Amendment to boundary agreed to

And thereupon, on motion,

*Resolved*, That such amendment be agreed to.

*Ordered*, That the clerk do carry the bill and amendment back to the council, and acquaint them that this house have agreed to such amendment. Sent to council

The hon. the attorney general reported further from the committee on education, by bill; and thereupon, presented to the house, a bill further to amend the act to establish a normal school; and the same was read a first, and ordered to be read a second time. Normal school bill

The hon. the attorney general reported in part from the committee on the revision of the statutes, by bill; and thereupon delivered to the house, a bill for the consolidation of the laws; and the same was read a first, and ordered to be read a second time. Consolidation bill

The following bills were severally read a second time, viz. :

A bill to amend chapter 58 of the revised statutes, "of Indians." Bills read 2nd time

A bill to amend chapter 147 of the revised statutes, "of petty trespasses and Indians

assaults." Petty trespasses

*Ordered*, That the bills be committed to a committee of the whole house. Bills committed

The hon. the attorney general, pursuant to special leave given, presented to the house a bill to amend chapter 156 of the revised statutes, "of offences relating to the army and navy"; and the same was read a first, and ordered to be read a second time. Army and navy bill

On motion of Mr. McDonald,

*Resolved*, That the following sums of undrawn road moneys for Pictou county, amounting to twenty-one pounds sixteen shillings and ninepence, be applied to the road and bridge service of that county for the present year : Change of appropriation

No. 59,	John McLean, grant of 1856,	£0	1	3
83,	G. Bruce, "	0	2	3
119,	John McCoul, "	1	0	1
3,	John McCarra, 1857,	1	7	6
28,	Robert Murray, "	0	0	2
38,	John McLeod, "	0	8	0
54,	H. Douglas & J. Crockett, "	0	0	6
56,	Alexander Fraser, "	0	4	0
72,	William Dunbar, "	2	18	7
75,	John M. P. Fraser, "	0	11	0
102,	Samuel Cameron, "	0	0	5
103,	Duncan Cameron, "	15	0	0
	Unappropriated, "	0	3	0

£21 16 9

On motion of Mr. Ruggles,

*Resolved*, That the sum of seven pounds thirteen shillings and ninepence, granted for the Crosscup bridge, in the township of Granville, in 1857, and undrawn, be added to the amount of the road and bridge service of that township for the present year. Change of appropriation

On

- On motion of the hon. the financial secretary,  
*Resolved.* That the sum of thirty-one pounds, granted last year, be paid to the commissioners who expended the money on the western side of the harbor of Port Hood, in 1856, upon their forwarding a satisfactory account of the expenditure of sixty-two pounds, being an over-expenditure made by them in that year.
- Resolved as to Port Hood harbor*  
*Res. sent to council*      *Ordered,* That the clerk do carry the resolutions to the council, and desire their concurrence.
- Leave of absence*      *Ordered,* That Mr. Churchill and Mr. Smyth have leave of absence after to-morrow, on urgent private business.
- Leave of absence*      *Ordered,* That Mr. Locke have leave of absence after Thursday next, on urgent private business.
- Committee of supply*      On motion, the house resolved itself into the committee of supply.  
                                  Mr. Speaker left the chair.  
                                  Mr. Ryder took the chair of the committee.  
                                  Mr. Speaker resumed the chair.
- Report resolutions*      The chairman reported from the committee that they had come to thirty-three resolutions, which they had directed him to report to the house ; and he delivered the same in at the clerk's table.  
                                  The chairman also acquainted the house that he was directed by the committee to move for leave to sit again on the consideration of the supply—to which the house agreed.
- Resolutions read, viz.*      The resolutions reported from the committee were then read, and are as follow, viz. .
- £10, Petite ferry      1<sup>o</sup>. *Resolved,* That the sum of five pounds be granted to each of the two ferrymen, one on each side of Petite Passage, and five pounds each to the ferrymen at the Grand Passage, county of Digby—to be paid on the certificate of three justices of the peace for the county, that suitable boats have been furnished, that the respective ferries have been conducted under the regulations of the sessions and that the public have been properly accommodated.
- £10, Grand passage ferry
- £5, Lingan ferry      2<sup>o</sup>. *Resolved,* That the sum of five pounds be granted to John Young of Lingan, in the county of Cape Breton, to enable him to keep a ferry across the passage or strait between Lingan and Bridgeport.
- £5, St. Ann's ferry      3<sup>o</sup>. *Resolved,* That the sum of five pounds be granted to the ferryman at Saint Ann's harbour in the county of Victoria.
- £5, Margaree ferry      4<sup>o</sup>. *Resolved,* That the sum of five pounds be granted to the ferryman at Margaree River in the county of Inverness.
- £3, Grand narrows ferry      5<sup>o</sup>. *Resolved,* That the sum of four pounds be granted to each of the ferrymen at the Grand Narrows in the county of Cape Breton.
- £5, ferry North bar      6<sup>o</sup>. *Resolved,* That the sum of five pounds be granted to the ferrymen at the North Bar and the town of Sydney, in the county of Cape Breton.
- £7 10s. Great Bras d'Or      7<sup>o</sup>. *Resolved,* That the sum of seven pounds and ten shillings be granted and paid to the ferryman at the entrance of the Great Bras D'or in the county of Victoria.
- £5, Pugwash ferry      8<sup>o</sup>. *Resolved,* That the sum of five pounds be granted in aid of the ferry across Pugwash harbour.
- £10, scow Cape Breton      9<sup>o</sup>. *Resolved,* That the sum of forty pounds be granted to aid the inhabitants of Cape Breton in supporting a suitable boat or scow to run between McMillan's point in Cape Breton, and Auld's Cove in the county of Sydney, such boat or scow to be placed under

under the regulations of the supervisors of the main post road, and of the sessions of the county of Inverness.

- 10 °. *Resolved*, That the sum of ten pounds be granted to aid in establishing a ferry during the present year between Milford and Ship Harbor, in the county of Guysborough, and to aid in providing suitable boats for the purpose—such ferry to be under the regulations of the sessions, and the amount to be paid on their certificate that the same has been conducted to their satisfaction. £10 ferry, Milford
- 11 °. *Resolved*, That the sum of five pounds be granted to each of the two ferry-men at St. Mary's river, Guysborough. £10 ferry, St. Mary's
- 12 °. *Resolved*, That the sum of seven pounds and ten shillings be granted in aid of the ferry at the entrance of Southern bay, Ingonishe, Victoria. £7 10s Victoria ferry
- 13 °. *Resolved*, That the sum of five pounds be granted to the ferryman at the Gut of Mire river, in Cape Breton county. £5 ferryman at Mire river
- 14 °. *Resolved*, That the sum of ten pounds be granted to the ferryman at Little Bras d'Or, Cape Breton. £10 ferry, Little Bras d'Or
- 15 °. *Resolved*, That the sum of five pounds be granted to the ferrymen at Sydney river, Cape Breton. £5 ferry Sydney river
- 16 °. *Resolved*, That the sum of three pounds be granted to each of the two ferry-men at Tusket, in the county of Yarmouth. £6 ferry, Tusket
- 17 °. *Resolved*, That the sum of eight pounds be granted to the ferryman at the mouth of Ship harbor, Halifax. £8 ferryman, ship harbor
- 18 °. *Resolved*, That the sum of five pounds be granted to each of the two ferry-men on each side of the Jordan river, Shelburne county. £10 ferry, Jordan river
- 19 °. *Resolved*, That the sum of ten pounds be granted in aid of the ferry across Wallace harbor, in the county of Cumberland. £10 ferry, Wallace harbor
- 20 °. *Resolved*, That the sum of one thousand pounds be granted and placed at the disposal of the governor, to pay a sum not exceeding twenty pounds each for their services during the present year, to the controllers at the different ports, and such further sum as shall be required to pay at the same rate such other controllers as may be appointed during the present year. £1000 controllers
- 21 °. *Resolved*, That the sum of thirty pounds be granted to Edmund Crowell of Seal Islands, in the county of Yarmouth, for keeping the establishment on the Islands to aid vessels in distress. £30 Seal Islands
- 22 °. *Resolved*, That the sum of twenty pounds be granted to William Goodwin and George W. Smith, residents upon Mud Islands, county of Yarmouth, to enable them to provide and keep efficient boats, and otherwise render assistance to shipwrecked mariners—to be paid on certificate of the sessions, that the boats are provided and kept, and the duty performed. £20 Mud Islands
- 23 °. *Resolved*, That the sum of twenty-five pounds be granted and placed at the disposal of the governor to aid in maintaining a packet between Westport and Montegan, in the county of Digby. £25 Montegan packet
- 24 °. *Resolved*, That the sum of twenty pounds be granted in aid of a packet between Weymouth bridge and Sandy cove, in the county of Digby. £20 Weymouth packet
- 25 °. *Resolved*, That the sum of twenty-five pounds be granted to James Fitzgerald, to pay the expense incurred in preparing abstracts and trade returns to be laid before this house. £25 Fitzgerald, for trade returns

Resolved,

- £15, John Nelson 26°. *Resolved*, That the sum of fifteen pounds be granted and paid to John Nelson, to enable him to maintain a half-way house between Musquodoboit and St. Mary's.
- £15, V. Munro 27°. *Resolved*, That the sum of fifteen pounds be granted and paid to Valentine Munro, to enable him to keep a half-way house between Liverpool and Annapolis.
- £15, G. Merry 28°. *Resolved*, That the sum of fifteen pounds be granted and paid to George Merry, to enable him to keep a half-way house between Liverpool and Nictaux.
- £575, clerk's in prov. secretary's office 29°. *Resolved*, That the sum of five hundred and seventy-five pounds be granted for the salaries of the clerks in the provincial secretary's office for the present year, to be appropriated and applied by the provincial secretary.
- £30, ferrymen, Big harbor 30°. *Resolved*, That the sum of fifteen pounds be granted to each of the two ferrymen at Big Harbor, Bras d'Or Lake, in the county of Victoria—to be paid on the certificate of the sessions that the ferry has been properly kept up for the accommodation of the public.
- £200, Bras d'Or steamer 31°. *Resolved*, That the sum of two hundred pounds be granted and placed at the disposal of the governor—to be paid upon sufficient proof that a suitable steam boat has been run from Sydney to the Bras d'Or and Baddeck, twice a week during the season, upon condition that the judge on circuit be conveyed in such boat from Sydney to Baddeck, and thence to Whycomah, free of expense; and a further sum of twenty-five pounds upon sufficient proof that the boat has proceeded once a week from Baddeck to Whycomah.
- £100, supreme court decisions 32°. *Resolved*, That the sum of one hundred pounds be granted and placed at the disposal of the governor, to provide for the reporting and publication of the decisions of the supreme court.
- £25, J. B. McDonald 33°. *Resolved*, That the sum of twenty-five pounds be granted and paid to John B. McDonald, late a clerk in the provincial secretary's office, for extra services in that capacity.
- Resolutions passed The resolutions except the thirty-second, being read a second time, were then upon the question put thereon, respectively agreed to by the house.
- Reporting decisions, The thirty-second resolution granting a sum of one hundred pounds to defray the expense of publishing the decisions of the supreme court, being read a second time, and the question put thereon, that the same be agreed to by the house.  
Mr. Chambers moved by way of amendment, that such resolution be not received: Which amendment being seconded and put, and the house dividing thereon, there appeared for the amendment, thirteen; against it, nineteen.  
So it passed in the negative.  
The original resolution was then upon the question put thereon, agreed to by the house.
- Resolution passed on division The original resolution was then upon the question put thereon, agreed to by the house.
- And sent to council *Ordered*, That the clerk do carry the resolutions to the council, and desire their concurrence.

Then the house adjourned until to-morrow, at eleven of the clock.

WEDNESDAY, 28th APRIL, 1858.

PRAYERS.

Mr. Killam moved that the resolution passed yesterday, limiting the adoption by the house, of the report of the committee on navigation securities, be rescinded : Motion to rescind

Which being seconded, and the house dividing thereon, there appeared for the motion, twenty-five ; against it, nineteen.

So it passed in the affirmative.

Mr. Henry then moved that the vote passed yesterday, negating the resolution to authorize the government to erect light houses on two of the most eligible sites, be rescinded : Second motion to rescind

Which being seconded, and the house dividing thereon, there appeared for the motion, eighteen ; against it, twenty-six.

So it passed in the negative.

And thereupon,

On motion of Mr. Killam,

*Resolved*, That the report of the committee on navigation securities, be adopted by the house, and referred to the committee of supply. Report of committee on navigation securities adopted

The amendments proposed by the council to the bill, entitled, an act to incorporate the Londonderry iron company of Nova Scotia, were read a second time, and considered by the house. Amendments to Iron company bill considered

And thereupon,

On motion, *resolved*, that such amendments be agreed to.

*Ordered*, That the clerk do carry the bill and amendments back to the council, and acquaint them that this house have agreed to such amendments.

The bill to amend the act, 14th Victoria, entitled, an act concerning the city of Halifax, was read a second time ;

And thereupon, the hon. the financial secretary moved that such bill be committed to a committee of the whole house :

Which being seconded,

Mr. Morrison moved, by way of amendment thereto, that the further consideration of such bill be deferred until this day three months : Halifax peninsula bill deferred

Which amendment being seconded and put, was agreed to by the house.

And accordingly,

*Ordered*, That the further consideration of such bill be deferred until this day three months.

The following bills were severally read a second time :

Bills read 2d time

A bill for securing the independence of the legislature. Legislative

A bill further to amend the act to establish a normal school. Normal school

A bill for the consolidation of the laws. Consolidation

A bill to amend chapter 156 of the revised statutes, " of offences relating to the army and navy." Army and navy

*Ordered*, That the bills be committed to a committee of the whole house. Bills committed

The honorable the solicitor general, pursuant to special leave given, presented to the house the following bills :

A bill to amend chapter 49 of the acts of 1853, and chapter 62 of the acts of 1856. Pictou road bills

A bill to authorize a loan to pay for certain public services in the county and township of Pictou.

And such bills were severally read a first, and ordered to be read a second time. Read 1st time

On motion, the house resolved itself into a committee on bills. Committee on bills

Mr. Speaker, left the chair.

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

The

Bills reported  
 Pictou wharf  
 Grand Lake company  
 Truro company  
 Halifax loan  
 Halifax assessment

Fires  
 Poor law  
 Municipal counties  
 Antigonishe road

Kenny and Davy's  
 claim  
 Education  
 Trepasses  
 Normal school  
 Consolidation  
 Army and navy

Warrants of attorney

Costs and fees  
 Railway construction  
 Indians

Orders to engross

Fires bill passed

Message

Bills agreed to  
 Shipmasters

Railway damages

Iron company

Eastern road

Trusts and trustees

Township officers

Council agree to  
 resolution

Council's amendments  
 agreed to

The chairman reported from the committee that they had gone through the bill to authorize the construction of a public wharf in the harbor of Pictou; the bill to incorporate the Grand Lakeland company; the bill to incorporate the Truro boot and shoe company; the bill to enable the city of Halifax to raise additional sums, by loan and by assessment, for the services therein mentioned; the bill respecting the general assessment of the city of Halifax for the present year; the council's engrossed bill, entitled, an act relating to fires; the bill to amend chapter 89 of the revised statutes, "of the settlement and support of the poor"; the bill further to amend the act for the municipal government of counties; the bill to provide for the extension of the new road from Antigonishe to the Strait of Canso; the bill to provide for the collection of the railway damages payable to Thomas Kenny and William Davy; the bill to continue and amend the laws relating to education; the bill to amend chapter 147 of the revised statutes, "of petty trespasses and assaults"; the bill further to amend the act to establish a normal school; the bill for the consolidation of the laws, and the bill to amend chapter 156 of the revised statutes, "of offences relating to the army and navy", and had directed him to report such bills to the house severally without amendment; and that they had also gone through the bill to provide for the registry of warrants of attorney and conveyances affecting personal property; the bill to amend chapter 154 of the revised statutes, "of costs and fees"; the bill to amend the act to authorize the construction of railways in this province, and the bill to amend chapter 58 of the revised statutes, "of Indians", and had made amendments to such bills respectively, which they had directed him to report to the house with the bills; and he delivered the bills, together with the amendments to the four last mentioned bills, in at the clerk's table, where such amendments were read.

*Ordered*, That the bills reported without amendment be engrossed.

*Ordered*, That the bills reported with amendments be engrossed with the amendments.

*Ordered*, That the engrossed bill from the council, entitled, an act relating to fires, do finally pass.

*Ordered*, That the clerk do carry such bill to the council, and acquaint them that this house have agreed thereto.

A message from the council, by Mr. Halliburton:

Mr. Speaker,

The council have agreed to the bills, entitled, respectively, an act to extend to this province certain provisions of part 3rd of the merchant shipping act, 1854; and an act to amend the act to authorize assessments for railway damages, without any amendments.

The council have agreed to the bills, entitled, respectively, an act to incorporate the Londonderry iron company of Nova Scotia; an act to establish the boundary line between the provinces of Nova Scotia and New Brunswick, as severally amended.

The council have agreed to the amendments proposed by this honorable house to the bill, entitled, an act relating to trusts and trustees.

The council have agreed to the bill, entitled, to an act to amend chapter 148 of the revised statutes, "of townships and township officers" with amendments—to which amendments they desire the concurrence of this honorable house.

The council have agreed to a resolution of this honorable house, authorizing the sale of certain agricultural stock and implements.

And then the messenger withdrew.

The amendments proposed by the council to the bill, entitled, an act to amend chapter 148 of the revised statutes, "of townships and township officers", were read a first, and, *nem. con.* a second time, and considered by the house.

And thereupon,

On motion, *resolved*, that such amendments be agreed to.

Ordered,

*Ordered*, That the clerk do carry the bill and amendments back to the council, and acquaint them that this house have agreed to such amendments.

*Ordered*, That Mr. Archibald have leave of absence after Friday next, on urgent private business. Leave of absence

*Ordered*, That Mr. Ruggles have leave of absence after Tuesday next, on urgent private business.

Then the house adjourned until to-morrow, at three of the clock.

THURSDAY, 29th APRIL, 1858.

PRAYERS.

On motion of Mr. Wade,

*Resolved*, That the following sums, remaining undrawn for the road and bridge service of the county of Digby, be added to the general grant, and re-appropriated by the members for that county, amounting to seventy-three pounds nineteen shillings and elevenpence, viz. : Change of appropriation

No. 108,	J. Mallet, grant of 1855,	£9	0	0
7,	George Loroid, 1856,	0	7	6
8,	Arch. Devouse, "	0	10	0
113,		8	0	0
4,	John Merritt, 1857,	0	6	0
7,	Holmes Sanders, "	0	2	10
10,	Stephen Young, "	0	11	9
11,	Francis Mallet, "	10	0	0
21,	Jacob Roop, "	0	6	6
49,	Joseph Sturk, "	0	2	0
59,	Thomas Alcome, "	0	4	8
65,	James Ray, "	10	0	0
76,	John White, "	0	3	8
82,	David Rice, "	0	8	0
91,	Stephen Marshall, "	0	17	0
99,	Daniel Ross, "	10	0	0
108,	William Harris, "	14	0	0
157,	Charles F. Comeau, "	9	0	0

£73 19 11

On motion of the hon. Mr. McKinnon,

*Resolved*, That the sum of forty-nine pounds and two shillings, undrawn road moneys for the county of Sydney up to the present year, be added to the road scale for that county for the current year. Change of appropriation

*Ordered*, That the clerk do carry the resolutions to the council, and desire their concurrence.

An engrossed bill to authorize the construction of a public wharf in the harbor of Pictou, was read a third time. Bills read 3rd time  
Pictou wharf

And the usual question being propounded from the chair, that such bill do pass.

Mr. Martell moved, by way of amendment thereto, that the further consideration of such bill be deferred until this day three months : Motion to defer

Which being seconded, and the house dividing thereon, there appeared for the amendment, twenty-two ; against it, twenty. Carried on division

So it passed in the affirmative.

And accordingly,

Ordered,

- And bill deferred      *Ordered*, That the further consideration of such bill be deferred until this day three months.
- Registry of warrants of attorney      An engrossed bill to provide for the registry of warrants to confess judgment, and conveyances affecting personal property, was read a third time.
- Passed      *Resolved*, That the bill do pass, and that the title be, an act to provide for the registry of warrants to confess judgment.
- Truro company      An engrossed bill to incorporate the Truro boot and shoe manufacturing company, was read a third time.
- Passed      *Resolved*, That the bill do pass, and that the title be, an act to incorporate the Truro boot and shoe manufacturing company.
- Halifax loan      An engrossed bill to enable the city of Halifax to raise additional sums by loan and assessment for the services therein mentioned, was read a third time.
- Passed      *Resolved*, That the bill do pass, and that the title be, an act to enable the city of Halifax to raise additional sums by loan and assessment, for the services therein mentioned.
- Halifax assessment      An engrossed bill respecting the general assessment of the city of Halifax for the present year, was read a third time.
- Passed      *Resolved*, That the bill do pass, and that the title be, an act respecting the general assessment of the city of Halifax for the present year.
- Costs and fees      An engrossed bill to amend chapter 154 of the revised statutes, "of costs and fees," was read a third time.
- Passed      *Resolved*, That the bill do pass, and that the title be, an act to amend chapter 154 of of the revised statutes, "of costs and fees."
- Poor law      An engrossed bill to amend chapter 89 of the revised statutes, "of the settlement and support of the poor," was read a third time.
- Passed      *Resolved*, That the bill do pass, and that the title be, an act to amend chapter 89 of the revised statutes, "of the settlement and support of the poor."
- Municipal counties      An engrossed bill further to amend the act for the municipal government of counties, was read a third time.
- Passed      *Resolved*, That the bill do pass, and that the title be, an act further to amend the act for the municipal government of counties.
- Antigonishe road      An engrossed bill to provide for the extension of the new road from Antigonishe to the Strait of Canso, was read a third time.
- Passed      *Resolved*, That the bill do pass, and that the title be, an act to provide for the extension of the new road from Antigonishe to the Strait of Canso.
- Kenny and Davy's claim      An engrossed bill to provide for the collection of the railway damages payable to Thomas Kenny and William Davy, was read a third time.
- Passed      *Resolved*, That the bill do pass, and that the title be, an act to provide for the collection of the railway damages payable to Thomas Kenny and William Davy.
- Education      An engrossed bill to continue and amend the laws relating to education, was read a third time.
- Passed      *Resolved*, That the bill do pass, and that the title be, an act to continue and amend the laws relating to education.
- Trespasses      An engrossed bill to amend chapter 147 of the revised statutes, "of petty trespasses and assaults," was read a third time.
- Passed      *Resolved*, That the bill do pass, and that the title be, an act to amend chapter 147 of the revised statutes, "of petty trespasses and assaults."

An engrossed bill further to amend the act to establish a normal school, was read a third time. Normal school

*Resolved*, That the bill do pass, and that the title be, an act further to amend the act to establish a normal school. Passed

An engrossed bill to amend chapter 156 of the revised statutes, "of offences relating to the army and navy", was read a third time. Army and navy

*Resolved*, That the bill do pass, and that the title be, an act to amend chapter 156 of the revised statutes, "of offences relating to the army and navy." Passed

On motion, the house resolved itself into the committee of supply. Committee supply

Mr. Speaker left the chair.

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee, that they had made further progress in the consideration of the supply, and had come to eighteen resolutions, which they had directed him to report to the house. 18 resolutions reported

The chairman also acquainted the house that he was directed by the committee to move for leave to sit again, on the consideration of the supply—to which the house agreed.

The resolutions reported from the committee were then read, and are as follow :

1<sup>o</sup>. *Resolved*, That the sum of two hundred pounds be granted in aid of steam communication between Charlottetown and Pictou, the boat to be run three times a week. And read, viz.  
£200 Charlottetown steamer

2<sup>o</sup>. *Resolved*, That the sum of five hundred and fifty pounds be granted to the reporter of the debates and proceedings of the house of assembly, upon his completing his contract for the present session. £550 reporting debits

3<sup>o</sup>. *Resolved*, That the sum of two thousand nine hundred and thirty-eight pounds seven shillings and eleven pence, be granted and placed at the disposal of the governor, to repay the following advances from the provincial treasury during the year 1857, viz :

Provincial secretary—For passage of two families to Newfoundland,	£ 16 0 0
Inland navigation company—Balance of provincial loan,	1500 0 0
James Cleaveland—Return of patent fees paid by him,	14 0 0
William Higgins—Expenses incurred by him in apprehending Pratt, an escaped convict,	15 0 0
Hon. J. W. Johnston and A. G. Archibald—To defray expense of delegation to England on subject of mines and minerals,	1250 0 0
Murdoch McLean—For conveying William and Lewis Snow from Guysboro' to the penitentiary,	16 12 7
Alpine Grant—On account of public printing,	100 0 0
J. B. Elliot & Co.—For blankets to Indians,	10 8 6
W. H. Davies, M. D.—For Indians,	6 6 10
Rev. Mr. Kennedy—For Indians, Queen's county,	10 0 0
	£2938 7 11

4<sup>o</sup>. *Resolved*, That such sum be granted and placed at the disposal of the governor, as may be necessary to defray the balance due to the board of works, pursuant to the report of the committee on public accounts. Board of works balance

5<sup>o</sup>. *Resolved*, That such sum be granted and placed at the disposal of the governor, as shall be sufficient to complete that portion of the hospital for the insane now in course of construction. Hospital for insane

Resolved,

- £13 G. R. Grassie 6<sup>o</sup>. *Resolved*, That the sum of thirteen pounds be granted to George R. Grassie, esquire, sergeant-at-arms to this house, for his travelling expenses for the present session.
- Legislative council's pay 7<sup>o</sup>. *Resolved*, That the sum of one pound per day be granted to each member of the legislative council for his actual attendance in parliament, with the same travelling fees as are received by members of the house of assembly.
- Members of assembly's pay 8<sup>o</sup>. *Resolved*, That the sum of one pound per day be granted to each member of the house of assembly for the present session, to be paid on the certificate of the Speaker; also, the travelling charges as heretofore.
- £31 road damages 9<sup>o</sup>. *Resolved*, That the following sums appropriated for road damages for 1857, and not drawn, be appropriated this year.
- |                            |     |   |   |
|----------------------------|-----|---|---|
| William Anderson,          | £15 | 0 | 0 |
| John and Kenneth McDonald, | 6   | 0 | 0 |
| John Colens,               | 10  | 0 | 0 |
|                            | £31 | 0 | 0 |
- £15 Mrs. Kalle 10<sup>o</sup>. *Resolved*, That the sum of fifteen pounds be granted to Mrs. Kalle, an old and poor woman living in Jeddore, as some recompense for her kindness and disinterested benevolence to Charles Gerrior, only survivor of the crew of the schooner Inkerman, wrecked near Jeddore, on the 20th February last.
- £294 7s 2d record commission 11<sup>o</sup>. *Resolved*, That the sum of two hundred and ninety-four pounds seven shillings and two pence be granted to Thomas B. Aikins, esquire, to defray the expense incurred during the year 1857, in arranging and preserving the ancient provincial records, pursuant to the report of the committee on that subject.
- £540 agriculture 12<sup>o</sup>. *Resolved*, That the sum of five hundred and forty pounds be granted and placed at the disposal of the governor, to be applied at the rate of thirty pounds for each county, in aid of agricultural societies, pursuant to the report of the committee on agriculture.
- £80 adjutant general 13<sup>o</sup>. *Resolved*, That the sum of eighty pounds be granted to the adjutant general of militia, for his services during the present year.
- £1500 penitentiary 14<sup>o</sup>. *Resolved*, That the sum of fifteen hundred pounds be granted and placed at the disposal of the governor, to defray the expenses of the provincial penitentiary for the present year, pursuant to the report of the committee on that subject.
- £7 13s John Munro 15<sup>o</sup>. *Resolved*, That the sum of seven pounds and thirteen shillings be granted to John Munro, of Margaree, in the county of Inverness, pursuant to the report of the committee on the fisheries.
- £4 5s. sheriff Colchester 16<sup>o</sup>. *Resolved*, That the sum of four pounds and five shillings be granted to Charles Blanchard, sheriff of Colchester, pursuant to the report of the law committee,
- £35 3s 11d Joseph Dickson 17<sup>o</sup>. *Resolved*, That the sum of thirty-five pounds three shillings and elevenpence, be granted to Joseph Dickson, clerk of the peace, Colchester, to remunerate him for maintaining an insane convict, pursuant to the report of the committee on that subject.
- £613 17s 9d printing 18<sup>o</sup>. *Resolved*, That the sum of six hundred and forty-three pounds seventeen shillings and ninepence, be granted to defray the amount still due for public printing—pursuant to the report of the committee on that subject, viz. :
- |                           |      |    |   |
|---------------------------|------|----|---|
| The Queen's printer,      | £190 | 3  | 3 |
| The late Queen's printer, | 147  | 19 | 2 |
| William A. Penny,         | 165  | 13 | 3 |

A Ritchie & Co.,	£12	4	0
R. Huntington,	3	12	6
H. W. Blackadar,	5	10	0
E. McDonald,	3	2	6
Thomas Annand,	1	17	6
W. Gossip,	3	10	10
S. J. M. Allan,	3	13	9
J. & W. Compton,	4	15	0
Sun office,	4	14	5
Wesleyan office,	14	0	2
Avon Herald,	2	3	9
A. Lawson,	2	7	6
Casket office,	2	0	6
James Barnes,	2	16	3
William A. Penny,	32	17	1
A. Grant,	19	9	6
Thomas Annand,	10	3	7
W. A. Calnek,	2	11	3
Morning Advertiser,	6	17	6
James P. Ward, C. B. News,	1	15	0
	<hr/>		
	£643	17	9

The several resolutions being read a second time, were then upon the question put thereon, respectively agreed to by the house Resolution passed

*Ordered,* That the clerk do carry the resolutions to the council, and desire their concurrence.

A message from the council, by Mr. Halliburton:

Message

Mr. Speaker,

The council have agreed to the bills, entitled, respectively, an act for the more summary trial and punishment of petty offences; an act for the management of the hospital for the insane; an act further to amend the law relating to witnesses and evidence and the proof of written documents, and an act to amend the act passed during the present session, entitled, an act for giving effect to the surrender to her majesty by the legal personal representatives of the late duke of York and Albany, and by the General Mining Association, and their trustee, of the mines in Nova Scotia, and to the lease of a part of such mines to the said association.

Bills agreed to  
Petty offences  
Insane hospital  
Evidence

Mines amendment

The council have agreed to the bill, entitled, an act to regulate licences for the sale of intoxicating liquors, with amendments—to which amendments they desire the concurrence of this honorable house.

Licences

The council have also agreed to a resolution of this honorable house respecting the expenditure of moneys in the improvement of Port Hood harbor.

Port Hood harbor resolution

And then the messenger withdrew.

The hon. Mr. Young reported from the committee on the erection of a court house in Halifax; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read.

Halifax court house committee report

(See appendix No. 75.)

*Ordered,* That the report be received and adopted.

Report adopted

The hon. Mr. Young also reported from the same committee, by bill; and thereupon delivered to the house a bill to provide for the erection of a court house in Halifax; and the same was read a first, and ordered to be read a second time.

Committee on Halifax court house report bill

Committee on crown  
property report

Mr. Archibald reported from the committee on crown property; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read.

(See appendix No. 76.)

*Ordered*, That the report be received, and do lie on the table.

Report of relief  
committee adopted

On motion of Mr. Brown,

*Ordered*, That the report of the relief committee be adopted and referred to the committee of supply.

Report of railway  
damage com. adopted

On motion of Mr. Brown,

*Ordered*, That the report of the committee on railway damages be adopted by the house.

Amendments to  
licences bill read 1st  
time

The amendments proposed by the council to the bill, entitled, an act to regulate licences for the sale of intoxicating liquors; were read a first, and ordered to be read a second time.

Then the house adjourned until to-morrow, at three of the clock.

FRIDAY, 30th APRIL, 1858.

PRAYERS.

Motion to rescind

The hon. the solicitor general moved that the vote of the house passed yesterday, deferring for three months the further consideration of the bill to authorize the erection of a public wharf in the harbor of Pictou, be rescinded:

Which being seconded, and the house dividing thereon, there appeared for the motion, eighteen; against it, twenty.

So it passed in the negative.

Change of appropria-  
tion

On motion of the hon. the financial secretary,

*Resolved*, That the following sums of undrawn road moneys for Guysborough county for 1857, amounting to thirty-two pounds twelve shillings and fivepence, be added to the road grant for the present year, and re-appropriated:

No. 13,	Repairs, Goose harbor, 1857,	£30	13	11
40,	John Hanson, jr.,	0	1	0
47,	Henry Archibald,	0	8	9
49,	John W. McKeen,	1	0	9
60,	Andrew Hlick,	0	8	0
		<hr/>		
		£32	12	5

*Ordered*, That the resolution be sent to the council for concurrence.

Read 3rd time  
Grand lake company

An engrossed bill to incorporate the Grand Lake land company, was read a third time.

Passed

*Resolved*, That the bill do pass, and that the title be, an act to incorporate the Grand Lake land company.

Indians

An engrossed bill to amend chapter 58 of the revised statutes, "of Indians", was read a third time.

Passed

*Resolved*, That the bill do pass, and that the title be, an act to amend chapter 58 of the revised statutes, "of Indians."

Bills sent to council

*Ordered*, That the clerk do carry the bills to the council, and desire their concurrence.

An

An engrossed bill to amend the act to authorize the construction of railways in this province, was read a third time.

Railway construction bill

And thereupon,

On motion of the hon. the attorney general,

*Ordered*, That such bill be again committed to a committee of the whole house, for the purpose of making certain alterations therein.

Re-committed

The following bills were severally read a second time :

A bill to amend chapter 49 of the acts of 1853, and chapter 62 of the acts of 1856.

Bills read 2nd time  
Pictou roads

A bill to authorize a loan to pay for certain public services in the county and township of Pictou.

Pictou loan

A bill to provide for the erection of a county court house in Halifax.

Halifax court house

*Ordered*, That the bills be committed to a committee of the whole house.

Bills committed

On motion, the house resolved itself into a committee on bills.

Committee on bills

Mr. Speaker left the chair.

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee, that they had gone through the bill to amend the law relating to commissioners of streets ; the bill to amend chapter 49 of the acts of 1853, and chapter 62 of the acts of 1856 ; the bill to authorize a loan to pay for certain public services in the county and township of Pictou, and the bill to provide for the erection of a court house in Halifax—and had directed him to report the same to the house without any amendments ; and that they had also gone through the bill to repeal the act for the municipal government of counties, so far as relates to the township of Yarmouth ; the bill to amend the act to authorize the construction of railways in this province, and the bill for securing the independence of the legislature, and had made amendments to such bills respectively, which they had directed him to report to the house with the bills ; and he delivered the bills, together with the amendments to the three last mentioned bills, in at the clerk's table, where the amendments were read.

Bills reported  
Comm'rs of streets  
Pictou roads  
Pictou loan

Halifax court house

Yarmouth municipality

Railway construction

Disabilities

*Ordered*, That the bills reported without amendments be engrossed.

Orders to engross

*Ordered*, That the bills reported with amendments be engrossed with the amendments.

A message from the council, by Mr. Halliburton :

Message

Mr. Speaker,

The council have agreed to the bill, entitled, an act to amend chapter 48 of the revised statutes, "of townships and township officers", as amended.

Bills agreed to  
Township officers

The council have agreed to the bills, entitled respectively, an act to provide for the registry of warrants to confess judgment ; an act to incorporate the Truro boot and shoe manufacturing company ; an act to amend chapter 89 of the revised statutes, "of the settlement and support of the poor" ; an act to provide for the extension of the new road from Antigenishe to the Strait of Canso ; an act to amend chapter 154 of the revised statutes, "of costs and fees" ; an act to provide for the collection of the railway damages payable to Thomas Kenny and William Davy ; an act to continue and amend the laws relating to education ; an act to amend chapter 147 of the revised statutes, "of petty trespasses and assaults" ; an act further to amend the act to establish a normal school ; and an act to amend chapter 156 of the revised statutes "of offences relating to the army and navy", severally without any amendments.

Registry of warrants

Truro company

Poor law

Antigenishe road

Costs and fees

Kenny & Davy's claim

Education

Trespasses

Normal school

Army and navy

And then the messenger withdrew.

*Ordered*, That Mr. Rinhard, Mr. McKenzie, Mr. McDonald, Mr. Morrison, Mr. McFarlane, and Mr. Brown, have leave of absence after Monday next, on urgent private business.

Leave of absence

Then the house adjourned until to-morrow, at three of the clock.

Saturday,

*SATURDAY, 1st MAY, 1858.*

## PRAYERS.

Joint address on inter-  
colonial railway  
reported

The hon. the attorney general, from the joint committee appointed to prepare an address to her majesty on the subject of an inter-colonial railway, reported the address agreed upon by such committee; and he read the same in his place, and then delivered it in at the clerk's table, where it was again read, and is as follows:

## TO THE QUEEN'S MOST EXCELLENT MAJESTY.

THE HUMBLE ADDRESS OF THE LEGISLATIVE COUNCIL AND HOUSE OF ASSEMBLY  
OF NOVA SCOTIA.

*May it please your Majesty;*

We, the loyal and devoted subjects of your majesty, the legislative council and house of assembly of Nova Scotia, now in provincial parliament convened, approach your majesty to renew our expression of the unabated interest which the legislature and people of this province continue to take in the long agitated project of an inter-colonial railroad, by which the colonies of Canada, New Brunswick and Nova Scotia, with the sister colony of Prince Edward Island, may be bound more closely together, and their intercourse and union facilitated, and the communication between the parent state and your majesty's North American empire be improved, by a rapid and efficient mode of transport from the sea board to its distant borders, independently of passage through foreign territory.

This great enterprise of national, no less than colonial importance, has been through many years pressed upon the consideration of your majesty's government. During the last season delegates from the governments of Canada, and of this province, in person, urged the undertaking on the attention of your majesty's ministers.

The benefits of the measure, both in its national and colonial relations, are acknowledged; and we abstain from repeating arguments so recently presented, and so familiar, further than humbly to beg your majesty's consideration of the statements contained in the letter of the delegates from this province, addressed to the right honorable the colonial secretary, dated in London, on the twentieth day of August, 1857, a copy of which accompanies this address.

The gigantic work we advocate has been facilitated by the efforts and expenditures of the provinces; but its accomplishment is beyond their united resources, and on the efficient assistance of your majesty's government, depends this great result.

In urging our prayer on your majesty, we are assured that it will not be its least recommendation to your royal consideration, that while it has in view the consideration of the national power, it affords to your majesty another occasion of manifesting your benignity and regard toward your loyal colonial subjects in this portion of your extended empire, by aiding an undertaking in which their feelings and interest are deeply engaged.

We humbly pray that your majesty will be graciously pleased to extend imperial aid to this important measure, and to cause measures to be taken for ascertaining the views and ability of the several provinces with respect to it, and the nature and extent of the assistance they respectively require, and of the aid your majesty's government will be disposed to afford; that arrangements may be matured for the early commencement and the completion of this work, by the united efforts of the three provinces of Canada, New Brunswick and Nova Scotia, with such co-operation and aid from your majesty's imperial government, as may be commensurate with the greatness of the object, and the largeness of the national interest which it promotes.

And

And thereupon,

The usual question being propounded from the chair, that the address be agreed to, the same was agreed to by the house. Address agreed to

The hon. the attorney general also, from the same committee, reported a joint address to his excellency the governor, requesting him to transmit the foregoing address to be laid at the foot of the throne; and he read such last mentioned address in his place, and then delivered it in at the clerk's table, where it was again read, and is as follows : Address to governor reported

TO HIS EXCELLENCY THE RIGHT HONORABLE  
THE EARL OF MULGRAVE,

*Lieutenant governor and commander in chief in and over her  
majesty's province of Nova Scotia and its dependencies,  
&c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY—

The legislative council and house of assembly have passed a joint address to our gracious sovereign, praying the assistance of the imperial government toward an inter-colonial railroad from Halifax through New Brunswick and Canada to unite with the Canadian railroads, and form a system of communication required alike in view of national or of colonial interests.

The importance of the measure is deeply impressed on the legislature of Nova Scotia, and we earnestly pray that your excellency would transmit our memorial to the foot of the throne, with your most favorable recommendation; and that your excellency would be pleased to forward its objects as far as your power and influence may extend.

*Resolved*, That such address be agreed to by the house. Address agreed to

The hon. Mr. Young moved that the report of the committee on crown property be adopted, and referred to the committee of supply : Motion to adopt report of crown property comm.

Which being seconded, and the question put thereon,

Mr. McKeagney moved, by way of amendment thereto, the following resolution : Amendment moved

*Resolved*, That such part of the report as relates to the application of the inhabitants of the island and county of Cape Breton, be not received :

Which amendment being seconded and put, and the house dividing thereon, passed in the negative. And lost on division

The original motion was then, upon the question put thereon, agreed to by the house.

And accordingly,

*Ordered*, That the report be received and adopted, and that such parts thereof as recommends grants of money, be referred to the committee of supply. And report adopted and referred to supply

The amendments proposed by the council to the bill, entitled, an act to regulate licences for the sale of intoxicating liquors, were read a second time, and considered by the house. Amendments to licence bill passed

And thereupon, on motion,

*Resolved*, That such amendments be agreed to.

*Ordered*, That the clerk do carry the bill and amendments back to the council, and acquaint them that this house have agreed to such amendments.

An engrossed bill to amend the act to authorize the construction of railways in this province, was read a third time. Bill read 3rd time

And the question being propounded from the chair, that the same do pass.

The honorable the attorney general moved that the bill be amended, by adding thereto the following clause, by way of rider. Amendment to bill moved

Section

Section 7, chapter 13 of the acts of 1857, shall be amended by striking out therefrom the following words in the nineteenth, twentieth, and twenty-first lines of such section, viz: "and also shall consider the relative benefit as well as injury done to the property by the construction of the railway."

And lost on division

Which being seconded and put, and the house dividing thereon, there appeared for the amendment, nine; against it, twenty.

So it passed in the negative.

Motion to amend bill

The honorable the attorney general then moved that the bill be amended, by adding thereto, by way of rider, a clause to alter the juror's oath in schedule B, of chapter 13 of the acts of 1857, by striking out therefrom the following words in the third and fourth lines thereof, "and for materials taken from any lands for railway purposes":

Which amendment being seconded and put, was agreed to by the house.

And thereupon,

*Ordered*, That the bill be amended accordingly.

And agreed to

The question being then propounded from the chair that the bill as amended, do pass, the same was agreed to by the house.

And accordingly,

Bill amended  
And passed

*Resolved*, That the bill as amended, do pass, and that the title be, an act to amend the act to authorize the construction of railways in this province.

Commrs of streets

An engrossed bill to amend the law relating to commissioners of streets, was read a third time.

Passed

*Resolved*, That the bill do pass, and that the title be, an act to amend the law relating to commissioners of streets.

Pictou roads

An engrossed bill to amend chapter 49 of the acts of 1853, and chapter 62 of the acts of 1856, was read a third time.

Passed

*Resolved*, That the bill do pass, and that the title be, an act to amend chapter 49 of the acts of 1853, and chapter 62 of the acts of 1856.

Pictou loan

An engrossed bill to authorize a loan to pay for certain public services in the county and township of Pictou, was read a third time.

*Resolved*, That the bill do pass, and that the title be, an act to authorize a loan to pay for certain public services in the county and township of Pictou.

Halifax court house

An engrossed bill to provide for the erection of a county court house in Halifax, was read a third time.

And thereupon,

Motion to amend

The hon. the attorney general moved that the first clause of the bill be amended as follows:

"The governor in council may appoint commissioners for the erection of a court house in the county of Halifax, who shall be a body corporate by the name of the commissioners of the Halifax court house":

And agreed to

Which amendment being seconded and put, was agreed to by the house.

Bill amended

*Ordered*, That the bill be amended accordingly.

And passed

The question being then propounded from the chair that the bill do pass, the same was agreed to by the house.

And accordingly,

*Resolved*, That the bill do pass, and that the title be, an act to provide for the erection of a county court house in Halifax.

Bills sent to council

*Ordered*, That the clerk do carry the five foregoing bills to the council, and desire their concurrence.

Committee on bills

On motion, the house resolved itself into a committee on bills.

Mr. Speaker left the chair.

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

The

The chairman reported from the committee that they had gone through the bill relating to certain public lands in the town of Lunenburg, and had directed him to report the same to the house without any amendment; and he delivered the bill in at the clerk's table.

Committee report  
Lunenburg lands bill

*Ordered*, That the bill be engrossed.

Mr. Wade reported from the committee on the petition of Robert Davis; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read.

Report of committee  
on R. Davis' petition

(See appendix No. 77.)

*Ordered*, That the report be received and adopted.

Report adopted

Then the house adjourned until Monday next, at eleven of the clock.

MONDAY, 3rd MAY, 1858.

PRAYERS.

*Ordered*, That Mr. Robertson be added as a member of the committee on the contingent expenses of the house.

Member added to con-  
tingency committee

An engrossed bill for securing the independence of the legislature was read a third time.

Bills read 3rd time  
Disabilities

*Resolved*, That the bill do pass, and that the title be, an act for securing the independence of the legislature.

Passed

An engrossed bill for the consolidation of the laws, was read a third time.

Consolidation  
Amendment moved

And the usual question being propounded from the chair, that such bill do pass,

The hon. Mr. Young moved, by way of amendment thereto, the following resolution:

Amendment

*Whereas*, the resolution of last session authorized the appointment of a commission "for the purpose of further revising the statutes," but the commissioners in executing the work have done nothing more than to collect together, for the purpose of being reprinted, the revised statutes published in 1851, and the acts passed since that time, without alteration, amendment or improvement, leaving out the headings of the several chapters, and all the private and local acts; and whereas the public acts, before incurring the expense of a new edition, ought to be carefully examined and compared, that their language may be rendered more uniform and simple, and the sections of the several chapters made to harmonize with each other, and it is to be feared that great confusion and mischief will arise from the use of the repealing clause in numerous acts since 1851, from the want of a detailed and specific repeal of the acts superseded by the new edition, and from adopting and perpetuating the errors that have necessarily crept into the legislation of the last seven years;

*Resolved therefore*, That it is the wiser course to delay the publication of the consolidated acts for another year, that these evils may be corrected, and an improved edition prepared and submitted to the legislature:

Which amendment being seconded,

Mr. Henry moved, by way of amendment thereto, the following resolution:

Second amendment  
moved

*Whereas*, when the resolution of last session was adopted, making provision for a further revision of the statutes, it was clearly understood that the commissioners were to consolidate with the revised statutes the several acts since passed, to include those of last session, without in any way altering the same; and whereas, the commissioners have performed that duty, and the new edition can be published during the ensuing summer; and whereas it is desirable that the publication of such edition should not be delayed;

delayed ; it is *resolved*, that the bill now before the house for that object, having been read a third time, do finally pass to be sent to the legislative council :

And passed on division  
Bill passed

Which being seconded, and the house dividing thereon, there appeared for such second amendment, twenty-one; against it, fourteen.

*For the amendment,*

*Against the amendment,*

Hon. Mr. McKinnon,	Mr. Tobin,	Mr. Rinhard,	Mr. Webster,
Mr. Bill,	“ Henry,	“ Bailey,	“ Esson,
“ Caldwell,	“ Moses,	“ Gilderd,	“ Annand.
Hon. J. Campbell,	“ McClearn,	“ Parker,	
Mr. Martell,	“ McFarlane,	“ Bourneuf,	
“ Fuller,	Hon. Sol. General,	“ Robertson,	
“ Ruggles,	Hon. Atty. General,	Hon. Mr Young,	
“ McKenzie,	Hon. Pro. Secretary,	“ Mr. Howe,	
“ Brown,	Hon. Fin. Secretary,	Mr. Chipman,	
“ Killam,	Mr. Ryder.	“ Chambers,	
“ Shaw,		“ Wier,	

So it passed in the affirmative.

And accordingly,

*Resolved*, That the bill do pass, and that the title be, an act for the consolidation of the laws.

Lunenburg lands

An engrossed bill relating to certain public lands in the town of Lunenburg, was read a third time

And the usual question being propounded from the chair that such bill do pass.

1st amendment moved

The honorable the attorney general, moved by way of amendment thereto, that the bill be recommitted for the purpose of enabling the court of sessions to appoint trustees to litigate the title to the lands mentioned in the bill.

And lost on division

Which being seconded, and the house dividing thereon, there appeared for the amendment, seventeen ; against it, eighteen.

So it passed in the negative.

Second amendment moved

The hon. the attorney general then moved that the bill be amended so as to preclude the erection of any building upon the lands mentioned in the bill, without otherwise affecting the title to the lands.

And lost on division

Which amendment being seconded, and the house dividing thereon, there appeared for the amendment, seventeen ; against it, eighteen.

So it passed in the negative.

Motion to defer

The hon. the solicitor general then moved that the further consideration of the bill be deferred until this day three months :

Lost

Which being seconded, and the house dividing thereon, there appeared for the motion, seventeen ; against it, eighteen.

So it passed in the negative.

The original question being then propounded from the chair, was agreed to by the house.

And accordingly,

Bill passed

*Resolved*, That the bill do pass, and that the title be, an act relating to certain public lands in the town of Lunenburg.

Bills sent to council

*Ordered*, That the clerk do carry the three foregoing bills to the council, and desire their concurrence.

Leave of absence

*Ordered*, That Mr. Wade have leave of absence after Wednesday next, on urgent private business.

On motion of Mr. Webster,

Ordered,

*Ordered*, That the report of the committee on Indian affairs be adopted, and that so much thereof as recommends a grant of money, be referred to the committee of supply.

Mr. Annand reported from the committee on the subject of damages to lands by alterations of the main post roads; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read.

Read damage committee report

(See appendix No. 78.)

And thereupon,

On motion of Mr. Annand,

*Resolved*, That such report be adopted by the house.

Report adopted

*Resolved*, That such parts of the report as require to be passed upon in committee of supply, be referred to such committee for that purpose.

And referred

*Resolved*, That such agreements and appraisements, or portions thereof, recommended for adoption in such report, as have been made agreeably to law, be confirmed.

Agreements, &c. confirmed

The hon. the provincial secretary, by command of his excellency the governor, presented to the house a memorial to his excellency from Paul Andrews, a Micmac Indian, of Escasoni, in the county of Cape Breton, praying a grant of money to enable him to purchase seed and agricultural implements.

Memorial of Paul Andrews

*Ordered*, That the memorial do lie on the table

Mr. Henry reported from the committee to whom were referred sundry petitions and claims for extra services and expenditures connected with the construction of the railway; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read.

Report of railway com.

(See appendix No. 79.)

*Ordered*, That the report be received, and do lie on the table.

A message from the council, by Mr. Halliburton:

Message

Mr. Speaker,

The council have agreed to the bill, entitled, an act to incorporate the Grand Lake land company; and the bill, entitled, an act to amend chapter 58 of the revised statutes, "of Indians", severally, without any amendments.

Bills agreed to Grand lake land comp'y Indians

The council have agreed to the bill, entitled, an act to regulate licences for the sale of intoxicating liquors, as amended.

Licences

The council have agreed to the bill, entitled, an act further to amend the act for the municipal government of counties, with an amendment—to which amendment they desire the concurrence of this honorable house.

Municipal counties

The council have passed a bill, entitled, an act to amend the act to limit the erection of wooden buildings within the city of Halifax, to which bill they desire the concurrence of this honorable house.

Wooden buildings

And then the messenger withdrew.

The amendments proposed by the council to the bill, entitled, an act to amend the act, to limit the erection of wooden buildings in the city of Halifax, were read a first, and, *nem. con.*, a second time, and considered by the house.

Council's amendments agreed to

And thereupon,

On motion, *resolved*, that such amendments be agreed to.

*Ordered*, That the clerk do carry the bill and amendments back to the council, and acquaint them that this house have agreed to such amendments.

On motion, the house resolved itself into the committee of supply.

Committee of supply

Mr. Speaker left the chair.

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

- Resolutions reported** The chairman reported from the committee, that they had made further progress in the consideration of the supply, and had come to eleven resolutions, which they had directed him to report to the house.
- The chairman also reported from the committee, that they had directed him to move for leave to sit again on the consideration of the supply—to which the house agreed.
- Resolutions read** The resolutions reported from the committee were then read, and are as follow :
- £25 W. Anderson 1<sup>o</sup>. *Resolved*, That twenty-five pounds be granted to William Anderson for his services, in exploring and surveying a new line of road from Bridgewater to Lunenburg, in 1855.
- £5 J. & C. Pernette 2<sup>o</sup>. *Resolved*, That two pounds ten shillings each, be granted to Joseph and Charles Pernette, for their extra services in 1857, in carrying the mails across LaHave river.
- £50 training school 3<sup>o</sup>. *Resolved*, That fifty pounds be granted in aid of the model and training school in connexion with the Colonial church and school society.
- £10 Haulover at Whitehead 4<sup>o</sup>. *Resolved*, That twenty pounds be granted to complete the canal at the Haulover, at Whitehead, in the county of Guysborough.
- £19 8s. 6d.  
£5 2s. 10d.  
Indians 5<sup>o</sup>. *Resolved*, That nineteen pounds eight shillings and six pence be granted to George H. Myerson, and five pounds two shillings and ten pence to George Tooker, for the maintenance of Indians during the past year.
- £3 F. Parker 6<sup>o</sup>. *Resolved*, That three pounds be granted to Francis Parker, to reimburse him that amount advanced by him on the sum granted for the relief of the colored population in Hants county, during the past year.
- £100 Newport road 7<sup>o</sup>. *Resolved*, That one hundred pounds be granted to aid in making the new roads, required to enable the people of Newport to reach the railway stations.
- £25 road survey 8<sup>o</sup>. *Resolved*, That such sum, not to exceed twenty-five pounds, be granted and placed at the disposal of the governor, as may be sufficient to pay for surveying a line of road between the Guysborough road and the railway line, near Fletcher's.
- £100 colored population 9<sup>o</sup>. *Resolved*, That one hundred pounds be granted for the relief of the colored population of the county of Halifax, by purchasing seed or provisions, as circumstances may require.
- £100 colored population in counties 10<sup>o</sup>. *Resolved*, That one hundred pounds be granted in aid of the colored population in the counties of Hants, Queen's, Yarmouth, Guysborough, Annapolis, Sydney, Shelburne, Digby, King's, and Cumberland, to the amount of ten pounds in each county.
- £25 T. Murphy 11<sup>o</sup>. *Resolved*, That twenty-five pounds be granted to Thomas Murphy, to aid him in maintaining his son, a deaf mute, at the deaf and dumb asylum in Halifax, for another year.
- 8 resolutions passed The resolutions, except the seventh, eighth, and ninth, being read a second time, were then, upon the question put thereon, respectively agreed to by the house.
- 7th resolution passed on division The seventh resolution for granting one hundred pounds to open a road in the township of Newport, having been read a second time,  
Mr. Martell moved that such resolution be not received, which being seconded and put, and the house dividing thereon, passed in the negative.  
The original resolution was then, upon the question put thereon, agreed to by the house.
- 8th resolution passed on division The eighth resolution, granting twenty-five pounds for the survey of a road from Musquodoboit to the railway line, having been read a second time,

The hon. C. J. Campbell moved that such resolution be not received—which being seconded and put, and the house dividing thereon, passed in the negative.

The original resolution was then, upon the question put thereon, agreed to by the house.

The ninth resolution, granting one hundred pounds for the benefit of the colored population in the county of Halifax, having been read a second time,

9th resolution passed on division

The hon. C. J. Campbell moved that such resolution be not received :

Which being seconded and put, and the house dividing thereon, passed in the negative.

The original resolution was then upon the question put thereon, agreed to by the house.

*Ordered*, That the clerk do carry the resolutions to the council, and desire their concurrence.

On motion of the honorable the attorney general.

*Resolved*, That the leave of absence after this day, granted to members of the house, be suspended until after Wednesday next

Leave of absence rescinded

*Ordered*, That the road scales be presented to-morrow.

Road scales

Then the house adjourned until to-morrow, at three of the clock.

TUESDAY, 4th MAY, 1858.

PRAYERS.

An engrossed bill to repeal the act for the municipal government of counties, was read a third time.

Read 3rd time Yarmouth municipality

*Resolved*, That the bill do pass, and that the title be, an act for the municipal government of counties.

Passed

*Ordered*, That the clerk do carry the bill to the council, and desire their concurrence.

And sent to council

A message from the council, by Mr. Halliburton :

Message

Mr. Speaker,

The council have agreed to the bill, entitled, an act respecting the general assessment of the city of Halifax for the present year, without any amendment.

Bills agreed to Halifax city assessment

The council have agreed to the bill, entitled, an act to enable the city of Halifax to raise additional sums by loan and by assessment, for the services therein mentioned, with amendments—to which amendments they desire the concurrence of this honorable house.

Halifax loan amended

And then the messenger withdrew.

The amendments proposed by the council to the bill, entitled, an act to enable the city of Halifax to raise additional sums by loan and by assessment for the services therein mentioned, were read a first, and, *nem. con.*, a second time, and considered by the house.

Council's amendments agreed to

And thereupon, on motion,

*Resolved*, That such amendments be agreed to.

*Ordered*, That the clerk do carry the bill and amendments back to the council, and acquaint them that this house have agreed to such amendments.

The order of the day being read,

Order of day

The under mentioned members for the several counties presented to the house scales of subdivision of the sum of twenty-five thousand pounds, for the service of roads and bridges, granted in the present session, viz. :

Road scales presented

For the county of Halifax,  
Hants,  
Kings,

Mr. Esson,  
" Chambers.  
" Chipman.

For

For the county of Annapolis, Digby, Yarmouth, Shelburne, Queen's, Lunenburg, Colchester, Cumberland, Pictou, Sydney, Guysborough, Cape Breton, Inverness, Richmond, Victoria,	Hon. attorney general, Mr. Bourneuf, " Ryder, " White, Hon. J. Campbell, Mr. Bailey, " Archibald, " McFarlane, " McDonald, Hon. Mr. McKinnon, Hon. Fin Secretary, Mr. Caldwell, " Smyth, " Fuller, Hon. C. J. Campbell.
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(See appendix No. 80.)

*Ordered*, That such scales be referred to the honorable the financial secretary, Mr McClearn, and Mr. Esson, to examine and report thereon.

Committee on road  
scales

Message

A message from the council, by Mr. Halliburton :  
 Mr. Speaker,

Bills agreed to  
Halifax loan

Municipal counties

The council have agreed to the bill, entitled, an act to enable the city of Halifax to raise additional sums by loan and by assessment for the services therein mentioned ; and the bill, entitled, an act further to amend the act for the municipal government of counties, as severally amended.

And then the messenger withdrew.

Committee of supply

On motion, the house resolved itself into a committee of supply.

Mr. Speaker, left the chair.

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

29 resolutions reported

The chairman reported from the committee that they had made further progress in the consideration of the supply, and had come to twenty-nine resolutions, which they had directed him to report to the house ; and he delivered the resolutions in at the clerk's table.

The chairman also acquainted the house that he was directed by the committee to move for leave to sit again on the consideration of the supply—to which the house agreed.

Resolutions read, viz

The resolutions reported from the committee were then read, and are as follow :

£50 F. O'Regan

1<sup>o</sup>. *Resolved*, That fifty pounds be granted and paid to Francis O'Regan, in conformity with his application to this house, referred to the committee on crown lands.

£17 5 0 G. Patterson

2<sup>o</sup>. *Resolved*, That seventeen pounds and five shillings be granted and paid to George Patterson, for damage to his land by roads, upon his establishing to the satisfaction of the government, the truth of the facts set forth in his petition.

£5 13 9 A. Myres

3<sup>o</sup>. *Resolved*, That five pounds thirteen shillings and nine pence be granted and paid to Abner Myres, pursuant to the report of the committee on road damages.

£341 5 1 transient poor

4<sup>o</sup>. *Resolved*, That three hundred and forty-one pounds five shillings and one penny be granted to defray the several sums following, for expenses of transient paupers, pursuant to the report of the relief committee, viz :

To the overseers of the township of Wilmot,		£8	0	0
Clements, Anne Connelly,		10	8	0
Windsor, Angus McDonald,	£7	2	0	
John Maxner,	11	13	0	
Dr. Harding,	5	10	0	
Dr. Fox,	5	17	6	
				30 2 6
Liverpool,				40 0 0
Clare, Alfred Crichton,	6	10	0	
Cummings & Stephen's,	6	0	0	
Dr. Ruggles,	2	11	4	
				15 1 4
Pictou, first section,	51	10	6	
Dr. Johnston,	6	7	2	
				57 17 8
Second section—E. Redpath,				
D. McLeod,	1	10	0	
A. Fullerton,	1	8	6	
A. Wilson,	4	0	0	
Dr. Kirkwood,	0	18	0	
Daniel McKay,	1	13	0	
				9 9 6
Fifth section—W. Harop,	6	15	0	
Dr. Sutherland,	3	5	0	
				10 0 0
Barrington, Mary Flinn,				7 0 0
Truro, Anne Wright,				5 0 0
Shubenacadie,				4 10 0
Sydney, C. B.,				5 0 0
Amherst,	3	0	0	
W. McKay,	3	15	0	
Dennis Burke,	2	10	0	
Dr. Page,	4	12	0	
				13 17 0
Shelburne, R. Thomson,				1 16 7
Aylesford, James Tool,				10 0 0
Dorchester, Sydney,				11 10 0
Arisaig, ditto,				1 10 0
Municipality of Yarmouth, McKay,	11	17	6	
Passage of D. McKay,	3	0	0	
Charles McQuin,	6	15	0	
Burial of P. P. Evans,	2	16	3	
Dr. Harley's bill,	2	10	0	
				26 18 9
Cornwalls, Frederick Hilbert,	7	4	6	
L. C. Woodworth, removal,	1	15	3	
Drs. Hamilton & Shaw,	15	0	0	
				23 19 9
Round hill, Annapolis,				5 13 3
Digby, Augustus Robinson,				7 13 6
Thomas Lemon, Horton,	9	3	1	
David Poor,	2	1	0	
Robert Bentley,	5	7	0	

To

	£1	17	3	
To Martin Cleveland, for removing do.,				
Ditto for Thomas Mahoney,		2	5	0
Drs. McLatchy & Brown,		4	15	3
Granville,				25 8 7
				13 0 0
				£341 5 1

- £500 deaf and dumb school      5<sup>o</sup>. *Resolved*, That three hundred pounds be granted to the directors of the deaf and dumb school in Halifax, pursuant to the report of the relief committee.
- £2000 paors' asylum      6<sup>o</sup>. *Resolved*, That two thousand pounds be granted to the commissioners of the poor in Halifax, for the support of transient paupers for the present year.
- £50 visiting dispensary      7<sup>o</sup>. *Resolved*, That fifty pounds be granted to the managers of the Halifax visiting dispensary, to aid them in their humane undertaking for the present year, pursuant to the report of the relief committee.
- £5 W. Freeman      8<sup>o</sup>. *Resolved*, That the sum of five pounds be granted to Whitman Freeman, principal crown surveyor for Queen's county, for surveys made by him in the county of Shelburne, pursuant to the report of the committee on crown lands.
- £15 J. Webster      9<sup>o</sup>. *Resolved*, That the sum of forty-five pounds be granted to John Webster, pursuant to the report of the same committee.
- £23 5 7 inhabitants of Broad cove      10<sup>o</sup>. *Resolved*, That twenty-three pounds five shillings and sevenpence, be granted to the inhabitants of Broad Cove, in the county of Lunenburg, pursuant to the report of the same committee.
- £200 surveying instruments      11<sup>o</sup>. *Resolved*, That two hundred pounds be granted for the use of land surveyors, to provide circumferenters, pursuant to the report of the same committee.
- £50 surveying instruments      12<sup>o</sup>. *Resolved*, That fifty pounds be granted for the purchase of superior instruments for the commissioner of crown lands, pursuant to the report of the same committee.
- £10 Little Bras d'Or ferry      13<sup>o</sup>. *Resolved*, That ten pounds additional be granted to the ferryman at Little Bras d'Or, pursuant to the report of the committee on navigation securities.
- £5 P. Fraser      14<sup>o</sup>. *Resolved*, That five pounds be granted to Peter Fraser, for additional services conveying the mails across Lennox passage, pursuant to the report of the same committee.
- £2 10 0 A. Ross      15<sup>o</sup>. *Resolved*, That two pounds ten shillings be granted to A. Ross, ferryman at Little Narrows, between Inverness and Victoria, pursuant to the report of the same committee.
- £2 10 0 Great Bras d'Or ferry      16<sup>o</sup>. *Resolved*, That two pounds ten shillings be granted in aid of the ferry at the entrance of the Great Bras d'Or, in addition to seven pounds ten shillings already granted—to be equally divided between the ferrymen on the opposite sides of the Strait, pursuant to the report of the same committee.
- £7 10 0 Granville ferry      17<sup>o</sup>. *Resolved*, That seven pounds ten shillings be granted to the ferryman between Granville and Digby, to aid in repairing a horse boat, pursuant to the report of the same committee.
- £163 11 0 fog bell      18<sup>o</sup>. *Resolved*, That one hundred and sixty-three pounds eleven shillings be granted and placed at the disposal of the governor, to defray the balance due for the erection of the fog bell at Yarmouth, pursuant to the report of the same committee.

- 19°. *Resolved*, That twelve pounds ten shillings be granted to J. C. Fox, for his services as keeper of the fog bell at Yarmouth, during the present year, pursuant to the report of the same committee. £12 10 J. C. Fox
- 20°. *Resolved*, That twelve pounds ten shillings be granted to J. C. Fox, keeper of the fog bell at Yarmouth, for his services for the past year, pursuant to the report of the same committee. £12 10 J. C. Fox,
- 21°. *Resolved*, That eighty-eight pounds fourteen shillings and nine pence be granted to the commissioners of the normal school, to reimburse certain sums advanced by them, pursuant to the report of the committee on education. £88 14 9 comm'rs normal school
- 22°. *Resolved*, That seventy-two pounds five shillings be granted to the commissioners of the normal school, to enable them to pay certain liabilities incurred by them, pursuant to the report of the same committee. £72 5 0 comm'rs normal school
- 23°. *Resolved*, That fifteen pounds be granted to the commissioners of the normal school, to enable them to insure the normal school building, pursuant to the report of the same committee. £15 insurance normal school
- 24°. *Resolved*, That fifteen pounds be granted to the commissioners of the normal school, to enable them to sink a well upon the normal school premises, pursuant to the report of the same committee. £15 normal school well
- 25°. *Resolved*, That seventy-six pounds fifteen shillings and one-penny be granted and placed at the disposal of the governor, to be paid to the superintendent of the normal school, to defray arrearages in 1855 and 1856, arising from the deficiency in the grant for incidental expenses in those years, pursuant to the report of the same committee. £76 15 1 superintendent of normal school
- 26°. *Resolved*, That thirty-eight pounds ten shillings be granted to Hugo Reid, principal of Dalhousie college, out of the funds granted for school libraries, to pay for two hundred copies of his map of Nova Scotia remaining on hand; such maps to be placed at the disposal of the superintendent of education, pursuant to report of the same committee. £38 10 0 Hugo Reid
- 27°. *Resolved*, That fifteen pounds be granted to J. S. Cunnabell, to enable him to provide three sets of the school illustration board invented by him, on condition that one of them be sent to the normal school, that its utility may be tested, pursuant to the report of the same committee. £15 J. S. Cunnabell
- 28°. *Resolved*, That the sum of fifty pounds be granted to the managers of the infant school at Halifax, in support of that institution for the present year, pursuant to the report of the same committee. £50 infant school
- 29°. *Resolved* That forty-five pounds be granted to the trustees of the union African school in Halifax, to discharge the debt due on that institution. £45 union African school
- The several resolutions were then, upon the question put thereon, respectively agreed to by the house. Resolutions agreed to
- Ordered*, That the clerk do carry the resolutions to the council and desire their concurrence.

Then the house adjourned until to-morrow, at eleven of the clock.

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 WEDNESDAY, 5th MAY, 1858.
 

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## PRAYERS.

Wooden buildings bill  
agreed to

The engrossed bill from the council to amend the act to limit the erection of wooden buildings within the city of Halifax, was read a first, and, *nem. con.*, a second time.

*Resolved*, That the bill be agreed to by the house.

*Ordered*, That the clerk do carry the bill back to the council, and acquaint them that this house have agreed thereto.

Committee on  
contingencies report

The hon. the financial secretary reported from the committee on the subject of the incidental expenses of the house ; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read.

Report adopted and  
referred

*Ordered*, That the report be received and adopted, and referred to the committee of supply.

Committee to ascertain  
particulars of contin-  
gencies of council

On motion of the hon the financial secretary,

*Resolved*, That a committee be appointed to search the journals of the legislative council, to ascertain the particulars of the account for the contingent expenses of the council, for the present session.

*Ordered*, That the hon. the financial secretary, Mr. Chambers, and Mr. Moses, be a committee for such purpose.

Committee of supply

On motion, the house resolved itself into the committee of supply.

Mr. Speaker left the chair,

Mr. Ryder took the chair of the committee.

Mr. Speaker resumed the chair.

Report finally  
of resolutions

The chairman reported from the committee that they had gone through the business referred to them, and had come to eight resolutions, which they had directed him to report to the house ; and he delivered the same in at the clerk's table, where they were read, and are as follow :

£73 10 0 deaf mutes

1<sup>o</sup>. *Resolved*, That twenty-four pounds ten shillings be granted to Susan Kelly ; twenty-four pounds ten shillings to John Barnaby, and twenty-four pounds ten shillings to John Gully, to aid them in completing the education of their deaf and dumb children now at institutions in the United States.

Post offices expenses

2<sup>o</sup>. *Resolved*, That such sum be granted and placed at the disposal of the governor, as will be sufficient to defray the expenses of the post office department for the present year ; and also to pay the several grants recommended in the reports of the committee on the post office, including the post office money order system.

Collegiate institutions

3<sup>o</sup>. *Resolved*, That the allowances now made to collegiate and academical institutions, including King's college, Windsor, is continued under existing regulations for the present year.

£738 1 7 A. & W.  
McKinlay

4<sup>o</sup>. *Resolved*, That three hundred and thirty-three pounds one shilling and sevenpence be granted to A. and W. McKinlay, in full of their account for stationery and binding for the house of assembly during the past year.

£332 16 10 contingencies  
of assembly

5<sup>o</sup>. *Resolved*, That three hundred and thirty-two pounds sixteen shillings and tenpence be granted to defray the expense of extra messengers and other services, and to pay for fuel and other articles for the house of assembly during the present session, pursuant to the report of the committee on contingencies.

£995 17 2 contingencies  
of council

6<sup>o</sup>. *Resolved*, That nine hundred and ninety-five pounds seventeen shillings and twopence be granted to defray the contingent expenses of the legislative council for the present session.

*Resolved*,

7°. *Resolved*, That such sum be placed at the disposal of the honorable the financial secretary, as may be necessary to purchase copies of the ancient journals of the house of assembly for the use of the legislature. Journals of assembly

8°. *Resolved*, That twenty pounds be granted to defray the extra expense of publishing one hundred additional copies of the debates and proceedings of the assembly, for the present session. £20 debates of assembly

The several resolutions, except the first, being read a second time, were then, upon the question put thereon, respectively agreed to by the house. 7 resolutions agreed to

The first resolution, granting seventy-three pounds ten shillings for the support and education of deaf mutes now at institutions in the United States, being read a second time, and the question put thereon, that the same be agreed to by the house, 1st resolution received on division

Mr. Chambers moved, by way of amendment thereto, that such resolution be not received :

Which being seconded, and the house dividing thereon, there appeared for the amendment, fifteen ; against it, twenty-one.

*For the amendment,*

*Against the amendment,*

Mr. Bailey,	Hon. Mr. Howe,	Mr. Ryder,	Hon. Pro. Secretary,
“ Rinhard,	Mr. Munro,	“ Caldwell,	“ J. Campbell,
“ Gilderd,	“ Parker,	“ Martell,	Mr. White,
“ Killam,	Hon. Fin. Secretary,	“ Ruggles,	“ Bourneuf,
“ Wier,		“ Chipman.	“ Tobin,
“ Webster,		Hon. Sol. General,	“ McFarlane,
“ Moses,		Mr. Esson,	Hon. Atty. General,
Hon. Mr. Young,		Hon. Mr. McKinnon,	Mr. Bill,
Mr. Robertson,		Mr. Wade.	“ Henry,
“ Chambers,		Hon. C. J. Campbell,	“ Robecheau.
“ Annand,		Mr. Shaw,	

So it passed in the negative.

The resolution was then upon the question put thereon, agreed to by the house. And agreed to

*Ordered*, That the clerk do carry the resolutions to the council, and desire their concurrence.

On motion of the hon. the financial secretary,

*Resolved*, That his excellency the governor be authorized and respectfully requested to direct advances from the treasury of such sums as may be required towards defraying the expenses of public printing, provided that no greater sum be advanced in the whole than six hundreds pounds. Vote of credit for printing

On motion of the honorable the financial secretary,

*Resolved*, That the resolution of this house relating the to expenses of supplies to Indians, passed on the twenty-ninth day of April, 1857, be printed for circulation, and that one thousand copies thereof be circulated by the honorable the financial secretary during the recess. Resolution as to Indians

On motion of the honorable the attorney general,

*Resolved*, That the sums hereunder mentioned, granted for the road service in 1856 and 1857, for the county of Annapolis, amounting to one hundred and thirty-one pounds six shillings and nine pence, and remaining in the treasury undrawn be added to the road scale of that county, for the year 1858, viz : Change of appropriation

No. 174	William Crosscup, 1856,	£7	18	9
8	Abner Foster, 1857,	0	6	0
21	Walter Willett, "	0	2	0
105	unappropriated, "	84	0	0
117	James E. Whitman, "	25	0	0
118	William Dargie, jr., "	2	0	0
124	Benjamin Schoffeld, "	5	0	0
138	Peter Morse, "	7	0	0
		£131 6 9		

*Ordered*, That the resolution be sent to the council for concurrence.

Leave of absence

*Ordered*, That Mr. Munro, and Mr. Caldwell, have leave of absence after to-morrow, on urgent private business.

Message

A message from the council, by Mr. Halliburton :  
Mr. Speaker,

Bills agreed to

Pictou roads

Pictou loan

Commissioners of streets

The council have agreed to the bill, entitled, an act to amend chapter 49 of the acts of 1853, and chapter 62 of the acts of 1856 ; the bill, entitled, an act to authorize a loan to pay for certain public services in the county and township of Pictou ; and the bill, entitled, an act to amend the law relating to commissioners of streets, severally, without any amendments.

Halifax court house

The council have agreed to the bill, entitled, an act to provide for the erection of a court house in Halifax, with an amendment—to which amendment they desire the concurrence of this honorable house.

And 71 resolutions

The council have agreed to seventy-one resolutions of this honorable house, granting sums of money for the public service, viz :

£400	0	0	Seizing officers,
1000	0	0	Controllers,
200	0	0	Bras d'Or steamer,
25	0	0	James Fitzgerald,
25	0	0	J. B. McDonald,
200	0	0	Charlottetown steamer,
550	0	0	Reporting debates,
2938	7	11	Government advances, Board of works balance, Insane hospital,
13	0	0	Sergeant-at-arms, Members' pay, Council's pay,
31	0	0	Road damages,
15	0	0	Mrs. Kalle,
294	7	2	Record commission,
540	0	0	Agriculture,
80	0	0	Adjutant general,
1500	0	0	Penitentiary,
7	13	0	John Munro,
4	5	0	C. Blanchard,
35	3	11	Joseph Dickson,
643	17	9	Public printing,
12	15	0	W. Anderson,
5	0	0	J. & C. Pernette,
50	0	0	Training school, Halifax,
20	0	0	Whitehead canal,
24	11	4	Indians,

£3	0	0	F. Parker,
100	0	0	Newport road,
25	0	0	Road survey,
100	0	0	Colored population, Halifax,
100	0	0	ditto, counties,
25	0	0	T. Murphy,
50	0	0	F. O'Regan,
17	5	0	G. Patterson,
5	13	9	A. Myres,
341	5	1	Transient poor,
300	0	0	Deaf and dumb school,
2000	0	0	Poor asylum,
50	0	0	Visiting dispensary,
5	0	0	W. Freeman,
45	0	0	J. Webster,
23	5	7	Inhabitants of Broad cove,
200	0	0	} Surveying instruments,
50	0	0	
10	0	0	Little Bras d'Or ferry,
5	0	0	P. Fraser,
2	10	0	A. Ross,
2	10	0	Great Bras d'Or ferry,
7	10	0	Graaiville and Digby ferry,
163	11	0	Balance due on fog bell,
12	10	0	Keeper of fog bell last year,
12	10	0	ditto present year,
88	14	9	Commissioners, normal school,
72	5	0	Normal school,
15	0	0	Normal school,
15	0	0	ditto,
76	15	1	ditto,
38	10	0	Hugo Reid,
15	0	0	J. S. Cunnabell,
50	0	0	Infant school,
45	0	0	African school,
73	10	0	Deaf and dumb,
			Post offices expenses,
			Collegiate institutions,
333	1	7	A. & W. McKinlay,
332	16	10	Contingent expenses of house,
995	17	2	Contingencies of council,
			Ancient journals of assembly,
20	0	0	Extra copies debates.

And then the messenger withdrew.

The amendment proposed by the council to the bill, entitled, an act to provide for the erection of a court house in Halifax, was read a first, and, *nem. con.*, a second time, and considered by the house. Council's amendment agreed to

And thereupon, on motion,

*Resolved*, That such amendment be agreed to.

*Ordered*, That the clerk do carry the bill and amendment back to the council, and acquaint them that this house have agreed to such amendment.

Mr.

Report of post office committee

Mr. Henry reported from the committee on post office affairs ; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read.

(See appendix No. 45—PART 2.)

*Ordered,* That the report be received, and do lie on the table.

Message

A message from the council, by Mr. Halliburton :

Mr. Speaker,

Halifax court house bill

The council have agreed to the bill, entitled, an act to provide for the erection of a court house in Halifax, as amended.

And then the messenger withdrew.

Motion to adopt report of railway com.

Mr. Henry moved that the report of the committee on railways, be adopted by the house :

Which being seconded,

Resolutions moved in amendment

The hon. Mr. Howe moved, by way of amendment thereto, the following resolutions :

*Whereas* it appears by the accounts of the railway board, and the measurements of their engineers, that there has been over-paid to Messrs. Johnston and Blackie, the sum of £744 10s. 8d.—that there has been advanced to them in addition, £10,564, being all the ten per cents, which by law should have been retained to secure the fulfilment of their contracts ; while there is due to the board from the same firm, for the use of locomotives, carriage of materials, and other services, £1644 6s. 6d., making in all £12,952 17s. 2d., while the amount due them for measured work unpaid for is but £377 13s.

*And whereas* it appears by the accounts and returns aforesaid, that there has been over paid to Duncan McDonald £5497 13s.—that out of the ten per cents aforesaid £6833 have been advanced to him in addition—that he owes to the board for the use of locomotives, carriage of material, and other services, £947 15s. 5d, while the work unpaid for amounts, by measurements, to but £309 9s. 8d.

*And whereas* it appears by the accounts and measurements aforesaid, that there has been over paid to Spencer Sutherland and Sons £4286 2s., and advanced to them in addition £2200 that should have been retained to the credit of contracts numbers 9 and 10, still unfinished, while the amount due by them to the board for use of locomotives, carriage of material, and other services, is £446 13s. 5d.

*And whereas* in addition to the large sum of £32,854 10s. 4d, thus advanced to and due by the said contractors, there is due by them to the government up to the first of May, £9810, being forfeitures for non-fulfilment of contracts.

*And whereas* about £1400 has already been expended in the employment of an additional engineer, and £1000 in legislative expenses, occasioned by the failure of these parties to complete their engagements with the province, and by the unreasonable pressure of claims which, even if they have any foundation in law or equity, had been liberally covered by the advances aforesaid, and could not be adjusted until after the contracts were fulfilled.

*And whereas*, £12,000 will still be required to finish the contracts for and on account of which extra claims have been preferred. And whereas, but £1000 per month, has been for the last four months, sufficient to cover the amount of work done by these contractors under six contracts, extending over forty miles of road.

*And whereas*, the loss of interest on £300,000 expended upon these unfinished contracts, amounts to £18,000 per annum, or to nearly £50 per day, for every day lost by their non-fulfilment.

*And whereas* there is great reason to apprehend that taking advantage of the large advances made by the board, these contractors may not fulfil their obligations ; while there is no reason to believe that moneys which, on the completion of the works, can be shewn to be due either in law or equity, will be withheld by the government.

Therefore

*Therefore resolved*, that the railway board be instructed to call upon the contractors aforesaid forthwith, to complete and hand over their works for the use of the public ; that should they delay or fail to do so, the commissioners shall serve the notices provided for in the contracts, and proceed to finish the road at the cost and on account of the contractors.

*Resolved*, That whenever it shall be certified to the board that the contract work has been finished, and that the upholding is about to commence, then the whole work shall be measured by the officers of the board who shall make their returns, to be certified by affidavit if required. That those measurements shall include all the extra quantities put by Spencer Sutherland & Sons, into embankment, number 3 in the Grand Lake—put by Johnston and Blackie into embankment, number two at Mount Uniacke—and put by Duncan McDonald into embankment number 10 at the Beaver Pond, but shall not relieve them from the general risks of subsidences and loss of material which they assumed under their contracts.

*Resolved*, That wherever it has been or shall be found necessary, in the judgment of the chief engineer, to flatten the slopes of clay cuttings  $1\frac{1}{2}$  to 1, the additional quantity shall be paid for and allowed by the board in all cases where the material has not been due to, or is not required to complete or uphold the embankments.

*Resolved*, That there shall be deducted from the final measurements to be made by the board, all quantities saved to the contractors by alterations of grade, or other advantages, conceded to them at their own request, while the works were in progress ; that where grades have been changed to their disadvantage, the additional quantity shall be paid for, and that there shall be deducted from any amount that may be due to them upon the final measurement, such proportion of the forfeitures as, in the judgment of the board, shall be fair and equitable.

*Resolved*, That should any dispute arise between the commissioners and contractors, and the final adjustment of accounts be thereby delayed, then the contractors shall cause the works to be measured, and make returns thereof to the board, under affidavit, if such shall be required. Should there be discrepancies of measurement, or other obstacles to a final settlement, then the board and contractors may select referees, who, if necessary, may choose a third, and the decision of these referees shall be final.

Which resolutions in amendment being seconded, and a debate arising thereon, after some time spent in such debate,

*Ordered*, That the debate be adjourned until to-morrow.

Debate adjourned

Then the house adjourned until to-morrow, at eleven of the clock.

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THURSDAY, 6th MAY, 1858.

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PRAYERS.

Mr. Speaker informed the house that he had received an official communication from the honorable the provincial secretary, announcing that the prorogation of the legislature will take place to-morrow, at three of the clock.

Speaker announces prorogation

Mr. Bill moved that the house do come to the following resolution :

*Resolved*, That the committee on the road scales be instructed to alter the scale of sub-division for King's county, so as to divide such moneys between the different townships, upon the same principles as were adopted previous to the year, 1857 :

Resolution as to King's county road scale

Which resolution being seconded, and the house dividing thereon, there appeared for the resolution, sixteen ; against it, thirteen.

Passed on division

For

*For the resolution,*

Hon. Pro. Secretary, Hon. Sol. General,  
 " McClearn, " Moses,  
 Hon. C. J. Campbell, " Bill,  
 Mr. White, " Tobin,  
 Mr. Keagney, Hon. Atty. General,  
 Hon. Fin. Secretary, Hon. Mr. McKinnon,  
 Mr. Henry, Mr. Shaw,  
 " Bourneuf, Hon. J. Campbell.

*Against the resolution,*

Mr. Killam, Mr. Chambers,  
 " Rinhard, " Annand,  
 " Bailey, " Wier,  
 " Parker, " Robertson,  
 " Chipman, " Gilderd.  
 Hon. Mr Young,  
 Mr. Webster,  
 Hon. Mr. Howe,

So it passed in the affirmative.

**Message**

A message from the council, by Mr. Halliburton :  
 Mr. Speaker,

**Bills agreed to**  
**Railway construction**  
**Disabilities**  
**Consolidation of laws**

The council have agreed to the bill, entitled, an act to amend the act to authorize the construction of railways in this province ; the bill, entitled, an act for securing the independence of the legislature, and the bill, entitled, an act for the consolidation of the laws, severally, without any amendments.

**Bills amended**  
**Lunenburg lands**  
**Municipal counties**

The council have agreed to the bill, entitled, an act relating to certain public lands in the town of Lunenburg, and the bill entitled, an act to repeal the act for the municipal government of counties, so far as relates to the township of Yarmouth, and have made amendments to such bills respectively—to which amendments they desire the concurrence of this honorable house.

**And 16 changes of**  
**appropriation**

The council have also agreed to sixteen resolutions of this honorable house, changing the appropriation of road moneys granted in previous years.

And then the messenger withdrew.

**Committee on road**  
**scales report**

The hon. the financial secretary reported from the committee on the road scales, that they had examined the same, and amended the road scale for King's county, pursuant to the instructions of the house, and recommend to the house the adoption thereof.

*Ordered,* That the report be received and adopted by the house.

**Road scales passed**

*Ordered,* That the several scales of sub-division of road moneys be agreed to, and do pass as separate resolutions for each of the counties respectively.

**Lunenburg lands bill.**  
**amendments read 1st**  
**time**

The amendments proposed by the council to the bill, entitled, an act relating to certain public lands in the town of Lunenburg, were read a first, and ordered to be read a second time.

**Municipal counties bill**  
**amendments agreed to**

The amendments proposed by the council to the bill, entitled, an act to repeal the act for the municipal government of counties, so far as relates to the township of Yarmouth, were read a first, and, *nem. con.*, a second time, and considered by the house.

And thereupon, on motion,

*Resolved,* That such amendments be agreed to.

*Ordered,* That the clerk do carry the bill and amendments back to the council, and acquaint them that this house have agreed to such amendments.

And then the messenger withdrew.

**Message**

A message from the council, by Mr. Halliburton :  
 Mr. Speaker,

**Municipal counties bill**  
**agreed to**

The council have agreed to the bill, entitled, an act to repeal the act for the municipal government of counties, as amended.

**Road scales agreed to**

The council have also agreed to nineteen resolutions of this honorable house, for the division and sub-division of road moneys for the present year.

And then the messenger withdrew.

**Debate resumed**

Pursuant to order, the house resumed the adjourned debate on the motion to adopt the

the report of the railway committee, and the resolutions moved yesterday, by way of amendment thereto.

And the question being propounded from the chair, that such resolutions in amendment, be agreed to by the house,

The hon. Mr. Howe moved that such resolutions, in amendment, be amended, by striking out the preamble thereto, and instead thereof, inserting the following preamble : 2d amendment moved

*Whereas*, it appears by the accounts of the railway board, and the measurements of their engineers, that there has been over paid to Messrs. Johnston and Blackie, the sum of £14393 6s. 6d., including all the ten per cents which, by law, should have been retained, to secure the fulfilment of their contracts.

*And whereas* it appears by the accounts and measurements aforesaid, that there has been over paid to Spencer Sutherland and Sons £5179 13s. 5s.

*And whereas* it appears by the accounts and returns aforesaid, that there has been over paid to Duncan McDonald £9441 19s. 4d.

*And whereas* in addition to the large sum of £29015 9s. 3d., thus advanced to, and due by, the said contractors, there is due by them to the government, up to the first day of May, £9810, being forfeitures for non-fulfilment of contracts.

*And whereas* £4502 have been paid to the contractors aforesaid, on account of extra sloping.

*And whereas* about £1400 has already been expended in the employment of an additional engineer, and £1000 in legislative expenses, occasioned by the failure of these parties to complete their engagements with the province, and by the unreasonable pressure of claims, which, even if they have any foundation in law, or in equity, had been liberally covered by the advances aforesaid, and could not be adjusted until after the contracts were fulfilled.

*And whereas* £12000 will be still required to finish the contracts, for and on account of which extra claims have been prepared ; and whereas but £1000 per month has been for the last four months, sufficient to cover the amount of work done by these contractors, under six contracts, extending over 40 miles of road.

*And whereas* the loss of interest on £300,000, expended on these unfinished contracts, amount to £18,000 per annum, or to nearly £50 per day for every day lost by their non-fulfilment.

*And whereas* there is great reason to apprehend, that, taking advantage of the large advances made by the board, these contractors may not fulfil their obligations ; while there is no reason to believe that moneys which, on the completion of the works, can be shewn to be due, either in law or in equity, will be withheld by the government."

Which being seconded,

Mr. Henry moved, by way of amendment to the resolutions in amendment moved yesterday by the hon. Mr. Howe, and to the amended preamble thereto moved this day, the following resolutions : 3rd amendment moved

*Whereas* the resolutions moved by the hon. member for Windsor, recognize the principle of paying the railway contractors for work performed beyond the amount stated in the schedules and sections, and the report of the committee adopts the same principle ; but under this principle it is impossible to know how the account between the contractors named in the resolutions and the province will stand, until accurate measurements of such extra work shall be made ; and therefore, if the statements contained in the preamble to the resolutions could be assumed to be correct, which this house is not in a condition to do, yet the assertion that those contractors have received more money than they are entitled to, can only be calculated to mislead until the just amount of their claims shall be ascertained after such admeasurement of the extra work shall have been made ;

*Therefore resolved*, that the report of the committee be received and adopted.

And

*And further resolved*, that the contractors be not settled with under the terms of the report, until the works they contracted to perform shall be completed, within such reasonable periods as the commissioners, with the sanction of the government, shall limit and appoint.

Which being seconded, and the house dividing thereon, there appeared for such last mentioned amendment, twenty-two; against it, twelve.

*For the amendment,*

Mr. Killam,  
 " Ryder,  
 " Bourneuf,  
 " Martell,  
 Hon Sol. General,  
 Mr. Robecheau,  
 " McLearn,  
 " Bill,  
 Hon. J. Campbell,  
 Mr. Caldwell,  
 " White,

Mr. Moses,  
 " Shaw,  
 Hon. C. J. Campbell,  
 Mr. McFarlane,  
 Hon. Fin. Secretary,  
 Mr. Henry,  
 Hon. Atty. General,  
 Hon. Pro. Secretary,  
 Mr. Tobin,  
 Hon. Mr. McKinnon,  
 Mr. McKeagney.

*Against the amendment,*

Mr. Webster,  
 " Bailey,  
 " Parker,  
 " Gilderd,  
 Hon. Mr. Young,  
 Mr. Chambers,

Mr. Annand,  
 " Wier,  
 " Munro,  
 Hon. Mr. Howe,  
 Mr. Chipman,  
 " Robertson.

So it passed in the affirmative.

*Ordered*, That the clerk do prepare and present to the house an engrossed bill for appropriating such part of the supplies, granted in the present session, as are not already appropriated by acts of the general assembly.

And accordingly,

The clerk presented to the house an engrossed bill for applying certain moneys therein mentioned, for the service of the year one thousand eight hundred and fifty-eight, and for other purposes; and the same was read a first, and, *nem. con.*, a second time.

*Resolved*, That the bill do pass, and that the title be, an act for applying certain moneys therein mentioned, for the service of the year one thousand eight hundred and fifty-eight, and for other purposes.

*Ordered*, That the clerk do carry the bill to the council, and desire their concurrence.

It being past one of the clock, a. m., on Friday the seventh day of April, the house adjourned until this day at twelve of the clock.

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FRIDAY, 7th MAY, 1858.

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PRAYERS.

Message from council      A message from the council, by Mr. Halliburton:

Mr. Speaker,

Appropriation bill      The council have agreed to the bill, entitled, an act for applying certain moneys therein mentioned to the service of the year one thousand eight hundred and fifty-eight, and for other purposes.

And then the messenger withdrew.

Report from committee  
on privileges

The hon. Mr. Young reported from the committee on privileges, on the subject of Lord Stanley's despatch, relating to the power of colonial houses of legislature to arrest in certain cases; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read.

(See appendix No. 57.—PART 2.)

*Ordered*, That the report be received and adopted.

On

On motion of Mr. Henry,

*Ordered*, That the final report of the committee on the post office presented on the first day of May, instant, be adopted by the house.

Post office committee report adopted

On motion of the honorable the attorney general,

*Ordered*, That the evidence taken before the committee on the claims of railway contractors for payment for extra services, be printed in the appendix to the journals.

Order to print evidence taken before railway committee

On motion of the honorable the attorney general,

*Resolved*, The expenditures on roads or bridges, not sanctioned by the legislature, shall be strictly confined to cases of necessity, arising in the recess, and previously submitted to, and sanctioned by the government; and the money shall be laid out under the guards and in the manner required by law in the case of road expenditures, otherwise the advances shall not be in any manner recognized by the government or the house.

Resolution as to road expenditures

*Ordered*, That the foregoing resolution be published in the newspapers for four weeks.

Order to publish

A message from his excellency the governor, by the gentleman usher of the black rod :

Message from governor

*Mr. Speaker,*

His excellency the governor commands this honorable house to attend his excellency immediately in the council chamber.

Accordingly, Mr. Speaker, with the house, attended his excellency in the council chamber, when his excellency was pleased to give his assent to sixty-five bills, severally entitled as follow, viz :

House attend  
Governor assents to  
65 bills

An act to amend the act for the incorporation of certain bodies connected with the Wesleyan Methodist church in Nova Scotia.

An act to provide for the registry of warrants to confess judgment.

An act to amend the act to establish a more equal and just system of assessment, and the act in amendment thereof.

An act to amend the act passed in the year of our Lord 1855, respecting public landings.

An act to define, extend and establish the lines of townships in the county of Lunenburg.

An act to alter certain polling places and the boundaries of certain electoral districts in Cumberland.

An act to extend to this province certain provisions of part 3rd of the merchant shipping act 1854.

An act to authorize the placing of a draw in the lower Cornwallis bridge.

An act to incorporate the Grand Lake land company.

An act to incorporate the Londonderry iron company of Nova Scotia.

An act to amend chapter 168 of the revised statutes, "of criminal justice."

An act to provide for the erection of a poor house in Cornwallis.

An act to amend chapter 42 of the revised statutes, "of clerks of the peace."

An act to incorporate Baxter's harbor pier company.

An act to incorporate the Truro boot and shoe manufacturing company.

- 
- An act to amend the acts relating to river fisheries.
- An act for regulating the office of inspector of mines in this province.
- An act further to amend chapter 46 of the revised statutes, "of county assessments".
- An act for the more summary trial and punishment of petty offences.
- An act to regulate the purchase of old marine stores.
- An act for the management of the provincial hospital for the insane.
- An act to enable the city of Halifax to raise additional sums by loan, and by assessment, for the services therein mentioned.
- An act respecting the general assessment of the city of Halifax for the present year.
- An act relating to fires.
- An act to amend the act to incorporate the Union bank of Halifax.
- An act to amend the jury law.
- An act to amend chapter 48 of the revised statutes, "of townships and township officers."
- An act for the relief of Stephen Selden.
- An act to amend the act concerning the elective franchise.
- An act to authorize a loan for the purchase of a lot, and for the construction of a water tank thereon, for the town of Pictou.
- An act to legalize the proceedings of the special sessions in Pictou.
- An act to repeal the act for the municipal government of counties, as far as relates to the township of Yarmouth.
- An act to authorize the sale of the Colchester academy.
- An act to regulate licences for the sale of intoxicating liquors.
- An act to amend the law respecting licences in the city of Halifax, and prosecutions connected therewith.
- An act to amend chapter 89 of the revised statutes, "of the settlement and support of the poor.
- An act to revive and continue the laws relative to the militia.
- An act relating to trusts and trustees.
- An act in relation to the inland navigation company.
- An act to establish the boundary line between the provinces of Nova Scotia and New Brunswick.
- An act further to amend the act for the municipal government of counties.
- An act relating to the width of certain roads in the county of Digby.
- An act to amend the law relating to commissioners of streets.
- An act to provide for the construction of certain roads in Hants county.
- An act further to amend the law relating to witness and evidence and the proof of written documents.
- An

An act to amend the act to authorize assessments for railway damages.

An act to amend chapter 2 of the revised statutes, "of executive and legislative disabilities".

An act to provide for the extension of the new eastern road between Manchester and the Strait of Canso.

An act to provide for the extension of the new road from Antigonishe to the Strait of Canso.

An act to amend chapter 154 of the revised statutes, "of costs and fees".

An act to provide for the collection of the railway damages payable to Thomas Kenny and William Davy.

An act to amend the act passed during the present session, entitled, an act for giving effect to the surrender to her majesty by the legal personal representatives of the late duke of York and Albany, and by the General Mining Association, and their trustee, of the mines in Nova Scotia, and to the lease of part of such mines to the said association.

An act to amend the act to authorize the construction of railways in this province.

An act to amend chapter 58 of the revised statutes, "of Indians".

An act to continue and amend the laws relating to education.

An act to amend chapter 147 of the revised statutes, "of petty trespasses and assaults."

An act for securing the independence of the legislature.

An act further to amend the act to establish a normal school.

An act for the consolidation of the laws.

An act to amend chapter 156 of the revised statutes, "of offences relating to the army and navy."

An act to amend chapter 49 of the acts of 1853, and chapter 62 of the acts of 1856.

An act to authorize a loan to pay for certain public services in the county and township of Pictou.

An act to provide for the erection of a court house in Halifax.

An act to amend the act to limit the erection of wooden buildings within the city of Halifax.

After which, Mr. Speaker spake as follows :

MAY IT PLEASE YOUR EXCELLENCY :

Your excellency having been graciously pleased to give your assent to all the bills passed in the present session, it becomes my agreeable duty, on behalf of her majesty's dutiful and loyal subjects, her faithful commons of Nova Scotia, to present to your excellency a bill for appropriating the supplies granted in the present session for the support of her majesty's government during the present year, and to request your excellency's assent to the same.

His excellency was then pleased to give his assent to the following bill, viz :

An act for applying certain moneys therein mentioned for the service of the year one thousand eight hundred and fifty-eight and for other purposes. His

His excellency was then pleased to make the following

SPEECH :

*Mr. President, and honorable gentlemen of the legislative council :*

*Mr. Speaker, and gentlemen of the house of Assembly :*

Necessarily protracted as your labours have been by the magnitude and importance of the subjects upon which you have been called to deliberate, it gives me much pleasure to release you from further attendance.

The final settlement of the vexed questions in connection with the mines and minerals, which have so long agitated the country will distinguish the history of this legislative session, and will, I believe, be found highly advantageous to the best interests of Nova Scotia.

The discussion which has taken place upon the proposed measure to alter the constitution of the legislative council, will have the effect of bringing that question more fully under the consideration of the people.

Your deliberations have resulted in maturing and perfecting a number of useful laws which will, no doubt, contribute to the happiness and prosperity of the country at large.

*Mr. Speaker, and gentlemen of the house of assembly :*

I thank you for the provision you have made for the public service, which, although less than that of the proceeding year, is, I am satisfied, as large as a due regard to existing liabilities would warrant.

*Mr. Speaker, and honorable gentlemen of the legislative council :*

*Mr. Speaker, and gentlemen of the house of assembly :*

As this is the first opportunity I have had of addressing you since I assumed the government of this colony, I cannot refrain from assuring you how anxious I shall be on every occasion to co-operate with you in all measures calculated to promote the interests of this province.

Allow me, in parting with you, to express the hope that you may enjoy individual happiness and prosperity, and that each succeeding year may find us as a country advancing in all that tends to elevate us in the colonial scale.

After which, the President of the legislative council, by his excellency's command, said :

*Gentlemen,*

It is the will of his excellency that this general assembly be prorogued to Thursday, the seventeenth day of June next; and this assembly is accordingly prorogued until Thursday, the seventeenth day of June next, to be then here held.

ALEXANDER. JAMES,

Clerk of the house of assembly.





**APPENDIX**

TO THE

**JOURNAL**

OF THE

**HOUSE OF ASSEMBLY**

OF THE

**PROVINCE OF NOVA-SCOTIA.**

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**FOR THE SESSION**

**COMMENCING FOURTH FEBRUARY AND ENDING THE SEVENTH MAY, 1858.**

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**HALIFAX :**

**W. A. PENNEY, PRINTER TO THE ASSEMBLY.**



# APPENDIX.

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No. 1.

(See page 410.)

## MINES AND MINERALS.

(COPY.)

No. 29—Executive.

*Government house, Halifax, N. S. 23d April, 1857.*

SIR,—

I have the honor to transmit herewith, for the information of her majesty's government, the enclosed copy of a resolution which has passed the legislative council and house of assembly of this province.

The interests involved in the questions that are for discussion having now been centered in the general mining association, subject to the result of their arrangements with the legislature of the province of Nova Scotia, and the association being prepared to discuss terms of compromise, as may be inferred from their suggestion of a delegation from this province, it is considered essential that they should be requested to make and transmit a proposal embodying the terms on which they are prepared to adjust the conflicting interests at issue.

I would also recommend for the consideration of that body the propriety of delegating an authorised agent to this province for the purpose of negotiating the settlement here.

The nature of the questions, and the consolidation of the interests of the association, seem to me to make this the most proper and effectual mode of bringing this very important subject to a satisfactory conclusion.

I shall be gratified should you concur in this view of the subject, if you will use your influence with the association to induce them to adopt the mode of negotiation I have suggested in this despatch.

I have, &c.

(Signed)

J. GASPARD LEMARCHANT,

Major-general.

The right honorable HENRY LABOUCHERE, &c. &c. &c.

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*House of assembly, Thursday, 23rd April, 1857.*

On motion of the honorable attorney general :

Whereas, the correspondence laid before the legislature on the subject of the mines and minerals of the province, leads to the hope that this question may at length be terminated by a satisfactory compromise :—

*Resolved therefore, That if the provincial government shall find it necessary, for effecting*

effecting a satisfactory compromise of this question, to employ commissioners, the legislature does authorise the selection by the provincial government, of two members prominently representing the different views held therein on the subject, who shall have power to effect a settlement of the controversy, provided both of the commissioners shall agree thereto, subject to the ratification of the legislature; and this House will provide for the expense.

*Ordered*, That the clerk do carry the resolution to the council and desire their concurrence.

*Legislative council chamber, 23rd April, 1857.*

Agreed to without amendment.

No. 23.

*Downing street, 5th June, 1857.*

SIR,—

I transmit to you copy of a letter which I have received from the secretary of the general mining association, on the subject of your despatch of the 23d April last, respecting their affairs.

It appears to me that the proposal of the association is substantially the same with that of the council and assembly, whose resolution (of the 23d April) I should interpret as importing their readiness to send commissioners here; and for the reasons alleged by the association, I am inclined to think that this would be the most probable way of bringing this business to a conclusion.

Your own views however appear to be different, and I shall therefore recommend to the association to endeavor to arrive at a distinct understanding with yourself and your council on this question.

I have, &c.

(Signed)

H. LABOUCHERE.

Lieut.-governor Sir G. LEMARCHANT, &c. &c. &c. Nova Scotia.

*General mining association,  
52 Old Broad street, 22nd May, 1857.*

SIR,—

I have the honor to acknowledge the receipt of your letter of the 21st instant, transmitting, for the information of the directors of the general mining association, a copy of a despatch from the lieutenant-governor of Nova Scotia, accompanied by a copy of a resolution passed by the legislative council on the subject of the adjustment of the claims of the association.

In reply, I am instructed to acquaint you that the object in view in suggesting the importance of a deputation from the government of Nova Scotia to this country was, that as the several parties directly interested in the settlement, viz., the duke of York's representatives, her majesty's government, and the association, would be on the spot, no difficulty or delay could arise in referring to these respective parties such points as, in the progress of the discussions, might possibly lead to a difference of opinion.

Under these circumstances I am instructed to repeat the conviction entertained by the directors that the important object in view will be most readily accomplished by the presence in London of two members of the local government, as respectfully suggested in my letter of the 27th of January last, in which opinion it is hoped that Mr. Labouchere would coincide.

I have, &c.

J. B. IVORS, secretary.

HERRMAN MERIVALE, ESQ. &c. &c. &c.

Nova

## NOVA SCOTIA.

*At a council held at the government house, Halifax, on the 16th day of June, 1857.*

## PRESENT :

His Excellency Sir J. Gaspard Le Marchant, lieutenant governor.

The Honorable James W. Johnston,  
 “ Charles Tupper,  
 “ Michael Tobin,  
 “ Martin I. Wilkins,  
 “ Staley Brown,  
 “ John J. Marshall,  
 “ John Campbell, (councillors.)

His excellency calls the attention of the council to a resolution passed on the 23rd day of April last by the house of assembly, in which the honorable legislative council concurred, authorizing the local government to select two commissioners, representing the different views held on the subject of the mines and minerals of the province, with power, if they shall agree on the terms, to effect a compromise and settlement of the questions between the imperial government and this colony and the general mining association, such settlement to be subject to the ratification of the legislature.

Whereupon the honorable James W. Johnston, attorney general, and Adams G. Archibald, esq., members of the legislative assembly, are nominated and appointed as such commissioners, and they are hereby authorized and requested to proceed to England for the purpose, at the first convenient opportunity and instructed to use their best endeavors to effect such an arrangement of the questions at issue as may conduce to the prosperity of the province and meet the approval of the legislature.

No. 41.—Executive.

*Government house, Halifax, N. S., 16th June, 1857.*

SIR,—

I have the honor to acknowledge the receipt of your despatch, No. 23, 5th June, transmitting for my information copy of a letter from the secretary to the general mining association, based on the propositions made on behalf of the government of Nova Scotia, in my despatch No. 29, 23d April, and reiterating the desire of the association that a delegation should be sent from this province to aid in negotiating the settlement in England of the conflicting interests at issue.

This despatch, with its enclosures, I submitted to my council, who having carefully considered, have acquiesced in the suggestion therein contained, and I have accordingly accredited as commissioners or delegates for the purpose of assisting in the adjustment of the claims of the association, and the differences which have existed between them and this province,—the honorable J. W. Johnston, the attorney general of Nova Scotia and leader of my administration; and Adams G. Archibald, esq., representative in general assembly of the county of Colchester, and late solicitor general.

These gentlemen, selected in accordance with the resolution of the legislative council and house of assembly, are empowered to enter into any arrangement with the imperial government, the representatives of the duke of York, and the association, of which they may approve, subject to the ratification of the provincial legislature.

Deeply impressed with the importance of inter-communication by railroad between the colonies of Canada, New Brunswick and Nova Scotia, both to the imperial government and these colonies, as calculated to draw more closely the bonds of union between the latter and the parent state, and to afford security to the colonial possessions in the event of war,—my government have instructed the delegates to solicit imperial

co-operation

co-operation in the construction of the road in question, convinced that its accomplishment is alike demanded for the advancement of the colonies, and for the interests of the empire.

In connection with this subject, the delegates are also instructed to confer with her majesty's government on the importance of establishing a judicious system of immigration into the colonies, and to bring under its serious consideration the subject of a union of the British North American provinces, as tending to their elevation and perpetuating their connection with the parent kingdom.

I have, &c.

(Signed)

J. GASPARD LEMARCHANT,

Major-general.

The right honorable HENRY LABOUCHERE, &c. &c. &c.

*London, 31st July, 1857.*

SIR,—

We have the honor to report for the information of his excellency the lieutenant governor, the progress of the negociation with the general mining association, with which we are charged.

Having reported our arrival to the secretary of state for the colonies, we were put by her majesty's government in formal communication with the directors of the association.

Our first act was to call the attention of the secretary of the board to the address of 1856, as containing the proposals for compromise on the part of the province, and to request that the directors would in return communicate to us their views. The reasonableness of the request was frankly admitted, and we were furnished in writing with the propositions of the directors, a copy of which accompanies this report, marked A. It will be seen that, surrendering all other minerals, the board desired a reservation of coal at four places, viz : at Sydney, Pictou, Spring Hill, and the Joggins. The territory in Cape Breton being described by specific boundaries extending from Cow Bay to the Great Bras d'Or, and including the whole coast in that district, and the north-east end of Boularderie Island, the reservations in Nova Scotia being undefined as to boundary, and in no otherwise controlled than by being limited to four square miles.

As regards two of the stipulations contained in these proposals, viz., an extension of the lease and compensation at its termination for materials and plant, we thought it proper to lose no time in informing the committee, in a conference with them on the subject, that unless these clauses were withdrawn from their propositions, we could entertain no hopes of arriving at any amicable adjustment of the question at issue. We also suggested the necessity of some definitiveness in the boundaries of the three coal mines in Nova Scotia proper, which otherwise might be laid out with so great length in proportion to the breadth as hereafter to embarrass other mining operations in their vicinity.

These two clauses were subsequently withdrawn by the directors, and the paper which accompanies this report marked B, was furnished to us containing certain modifications of the first proposition.

The boundaries also were so defined as to guard against the possibility of the inconvenience we had suggested, by limiting the length of each reserve as specified in the paper B B enclosed herewith.

On looking at the proposals on the part of the association, as thus modified, and considering that the directors had, without hesitation, unreservedly abandoned all the minerals in the province which the crown, by the lease to the duke of York, had demised, and which the association claimed under their sub-lease from the duke, except only the coal, and that the area of coal they desired to reserve in Nova Scotia proper,

however,

however large in itself, was but a small portion of the coal deposits, we did not deem the reservations claimed to be unreasonable as to extent, nor could we object to those in Nova Scotia proper as tending to exclude competition, because we were satisfied that at Pictou, the Joggins, and Spring Hill, there remained outside these reserves abundance of coal accessible for convenient working, and as near to water conveyance as any contained within the limits of the reserves.

It was otherwise, however, in Cape Breton. The tract in that Island, described in the proposition of the directors, included, as we believe, all the available coal seams in that vicinity, and we insisted on such a limitation of their claims as would leave outside these limits a sufficient quantity of a known coal field capable of being conveniently worked and shipped, and possessing every advantage for the carrying on of mining operations.

Much difficulty arose in this question, which threatened for a time to defeat the negotiation.

At length, however, a satisfactory solution of it was arrived at, and the directors consented to give up, with the reserve of a small portion immediately surrounding their works at Bridgeport, the whole of that extensive coal field, (the largest and, we believe, the most valuable coal field, and containing some of the best and most workable seams in Cape Breton,) extending from Lingan Harbor on the north, to Mire River on the south.

We declined to go so far in the reduction in the royalty as the directors desired, but we named 6d per ton for the first 250,000 tons, instead of 4d., but we fixed the weight per ton at 2240 lbs, instead of 2640 lbs. as prescribed by the duke of York's lease, and thereby, so far as regards the receipts for the first 250,000 tons, making the amount to exceed, by nearly a fifth, the sum which would have been payable if we had recognised the standard of weight fixed in the duke of York's lease.

To bring the negotiation to a definitive conclusion, after repeated personal discussions with the committee had narrowed the questions and made each party generally acquainted with the views of the other, we reduced to writing specific propositions embracing the whole subject. These were accepted without qualification by the directors, and thus the negotiation was brought to a termination on the terms contained in our proposals. We refer to the copies of these offers and of their acceptance by the association, accompanying this report and marked C and D, as containing the terms on which we have agreed with the directors finally to compromise and adjust all existing disputes.

It will be seen that the arrangement we have made is based on the address of the house of assembly in 1856, and that it embraces all the questions in controversy, and we trust it is calculated to avoid the occasion of future differences.

It was with this view that the mode of estimating the royalty has been changed from measurement to weight, and the weight defined. As tending to this object, as well as part of the equivalent for the concessions made by the association, the royalty is confined to the large coal sold, and with a view to uniformity and simplicity, more especially in contemplation of other lessees besides the association, the rent has been merged in the royalty.

The remission of revenue is somewhat greater than the half of the royalty offered in the address, but this we have deemed unimportant when contrasted with the great advantages of the settlement of the controversy on the terms agreed upon.

In the situation and definition of the coal measures reserved for the association, we desired not only to save for provincial industry and for general competition abundant field for operation in the province, but also that in the vicinity of each reservation there might be offered to general enterprise the same local advantages as those enjoyed by the association, and thus to exclude, as far as possible, any objection to the association on the ground of monopoly. We believe we have succeeded in accomplishing this object, and that while the association will hereafter be enabled to pursue and expand their operations

operations, relieved from embarrassment and apprehension, the means of competition are, as far as practicable, offered to the public on terms of equality in relation to situation.

It would be wrong to omit mentioning that throughout the negociation the gentlemen connected with the association, with whom we were brought into intercourse, met us with the utmost frankness and conciliation, and although questions arose which unavoidably tended to recall unpleasant recollections and excite exasperation of feeling, yet the discussion never deviated from the most courteous and friendly tone, and was marked throughout by an evident desire on the part of the directors to terminate, even at sacrifices they believed to be great, a painful controversy injurious to both parties. It is due to Mr. Cunard especially, who attended throughout the negociations, to say that his superior local information over that possessed by his associates, was of great advantage to us on the negociation, and enabled him to perceive and to urge on them with effect that the concessions to the province which the directors believed to be excessive, were, to a large extent, compensated by the unembarrassed use of what would be reserved.

The memorandum of the agreement concluded with the directors is now in the hands of their solicitor to be put in a shape to be submitted to us

We have also thought it proper to require that the draft of the lease from the province to the general mining association, and of the surrender to the province of all the interest of the duke of York's representatives and of the association, and of other documents that might be required for perfecting the agreement, should be at once prepared. We have done this in the belief that while we are here and in the recency of the transaction, misapprehensions, should any arise, will be more easily explained away, and the delay incident to correspondence after our return avoided.

We are now waiting until the solicitor and conveyancer shall be prepared to submit these drafts to us.

A good deal of the delay which has occurred has arisen from the committee, with whom alone we treated, having considered it necessary to refer to the general board of directors the different modifications of their first propositions as they occurred.

It is hardly necessary to add that the association quite understand the arrangement we have made to be dependent for its validity upon the ratification of the local legislature.

We have the honor to be, Sir,

Yours, &c.

(Signed)

J. W. JOHNSTON,  
A. G. ARCHIBALD.

To the honorable the provincial secretary.

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A

*The proposals of the board of directors of the general mining association are as follows :*

To give up all mines of gold, silver, ironstone, limestone, slatestone, slaterock, tin, copper, lead, clay, and all other ores and minerals in the provinces of Nova Scotia and Cape Breton, save and except coal, comprised within the following limits, and on the following terms, viz :—

1st. In the Island of Cape Breton, the coal seams in the vicinity of the Sydney and Point a Coni mines, bounded on the west by a straight line drawn from Stubbart's point on the north shore of Sydney harbor to the head of Mill pond on the north side of Boulardrie Island, and on the north, east, and south, by the sea shore.

2nd. The coal seams in the district surrounding the Bridgeport and Lingan mines, bounded on the south-west by a straight line drawn from the boat entrance into the Barrasois,

Barrois, on the north side of Cow Bay, to the mouth of the brook near McPhee's ferry on the eastern shore of Sydney harbor, and on the north-east, north-west, and south-east, by the sea shore.

3rd. The coal deposits in the county of Pictou, comprised within an area of 4 square miles, to be 3 miles in length by  $1\frac{1}{3}$  in breadth, the boundaries of which to be determined by the association.

4th. The coal deposits in the county of Cumberland, comprised within an area of 4 square miles, 4 miles in length by 1 in width at the Joggins mines, and 4 square miles at Spring Hill,  $2\frac{2}{3}$  miles in length by  $1\frac{1}{2}$  in width, the boundaries of which to be determined by the association.

5th. The rent and royalty on all the large coal sold to be at once reduced to half the present rate now paid, and the small coal to be free. All coal used on the works to be also free as heretofore.

6th. That no export duty either now, or at any future period, be levied on the coal in the province.

7th. That the term of the lease be extended for a further period of 30 years from the date of the termination of the grant to the duke of York.

8th. That an act be passed by the provincial legislature to prevent the smuggling of coal in Nova Scotia and Cape Breton.

9th. That the provincial legislature shall agree to take all the stock and property existing in or about the mines of the association at the period of the termination of the lease, at a fair valuation.

10th. That the same rent and royalty be levied on all coal sold by any other parties to whom leases may be granted.

The association are already in possession of the fee simple of a great part of the land containing coal for which they are stipulating, and by the concessions now proposed, which are made in the desire to settle all points of difference, and that they may hereafter carry on their operations in harmony with the local government,—they are not only giving up the right to all the minerals (except a portion of the coal) which have always been considered by the legislature of such value and importance to the province, but are also conceding an area of coal known to exist in Cape Breton, Pictou and Cumberland, equal to 300 square miles, in addition to which there are 5,000 square miles of carboniferous strata, under which coal may be found, as will be verified by a reference to Dawson's and other well known geological works published in the province.

B.

*General mining association,  
52 Old broad street, London, 17th July, 1857.*

GENTLEMEN,—

The board of directors having had under their consideration this day the objections which have been urged by you to the two clauses in the proposals already submitted to you as the basis of an amicable settlement of all matters in dispute with the province, viz. :

1st. The extension of the lease for a further period of 30 years from the date of the termination of the grant to the duke of York.

2nd. That the provincial legislature shall agree to take all the stock and property existing in or about the mines of the association at the period of the termination of the lease, at a fair valuation.

I have been instructed to acquaint you, that, fully appreciating the force of your statement that the colony would object to an arrangement extending a lease which has still a term of 29 years unexpired, and that an adherence to that, as well as the other clause

clause adverted to, would greatly endanger the chance of effecting that settlement so desirable to all parties, the directors are willing that these two clauses be expunged from the proposals.

They are willing also, as suggested by you, that the coal be sold for the future at the mines of the association by weight, instead of measure, provided the payment of rent and royalty be at once merged into a charge of 4d. currency per ton on all the large coal sold. That the small coal be free—and that all coal used on the works be also free, as heretofore.

To these modifications of the original proposals, the board are willing to accede; but they feel it to be their duty to adhere rigidly to the remaining terms proposed, the concessions submitted by the committee being much greater than were ever contemplated by the board.

I have the honor to be, gentlemen,

Your obedient servant,

J. B. FOORD, Sec'y.

The hon. J. W. Johnston, and  
A. G. Archibald, esquire.

### C.

*Propositions submitted by the delegates of Nova Scotia, in modification of those of the general mining association:*

The province will lease to the general mining association, for a term to expire on the 25th August, 1886, all the coal seams comprised within the areas hereinafter described.

#### ISLAND OF CAPE BRETON.

1st. In all that tract which lies to the eastward of a straight line drawn from Stubbert's Point, on the north shore of Sydney harbour, to the head of Mill Pond, on the north side of Boularderie island, bounded on the north-east and south by the sea shore, as the same has been defined on the sketch made by Mr. Brown.

2nd. In all that tract which lies to the eastward of a straight line drawn from McPhee's ferry, on the south side of Sydney harbour, in a southerly direction, to the mouth of the North-West brook, so called, which empties into Bridgeport basin, bounded south by the said basin and Indian Bay, and on the north and east by the sea shore.

3rd. In all that tract near Bridgeport, comprising an area of two square miles, bounded on the north by the sea shore, westwardly by a line coinciding with the out-cross of the coal seam now opened, south by a line at right angles to the strike of the seam, and distant south-west from the last pit sunk thereon not more than 160 rods. On the east by a straight line as near as may be parallel with the west line, and at such a distance therefrom as to include two square miles of area.

#### COUNTY OF PICTOU.

4th. In an area of four square miles, including the Albion mines works, such area to be bounded by straight lines in the form of a rectangular parallelogram, whose longest sides shall not exceed three miles.

#### COUNTY OF CUMBERLAND.

5th. In an area of four square miles at Spring Hill, to be laid off in a block two miles square.

6th.

6th. In an area of four square miles at Joggins to be laid off on the principles specified in respect of the Albion Mines, except that the longest side of the parallelogram may be four miles.

The above areas are to include as part of them the space already wrought at Joggins, Pictou and Bridgeport, and the whole of the areas at all the localities are to be surveyed and marked on the ground by distinct and well defined boundary lines and corner posts; and plans shewing all natural boundaries or distinguishing features at or near the areas, are to be furnished to the province, within 3 months after the conclusion of the arrangement with the company. Within that period the survey may be made by the officers of the association making their selection within the limits defined; on default the province may, after the lapse of such 3 months, make the survey according to their best judgment.

On the conclusion of this arrangement the province are, by the appointment of an inspector, or in such other way as may be deemed best, to take measures to ensure the proper working of all mines belonging to the crown, and shall pass such legislative enactments as may be necessary to prevent the sale or exportation of coal without payment of royalty.

And shall in any lease to other parties impose no less royalty than is now demanded from the company. And will not at any time hereafter impose any duty upon the export of coals.

In lieu of the rent and royalty now paid, the association shall, after the first day of January next, pay to the province on all large coal sold by them the sum of 6d. currency per ton of 2240 lbs. on all quantities up to 250,000 tons, and 4d. per ton upon all over that quantity.

Slack coal and coal used by the workmen and in carrying on the works to be free.

For the present year the rents and royalties to be as heretofore paid, and the royalties due on coal raised at Joggins, &c, and not received, to be paid up as if raised at Pictou.

The province remits and gives up all right to lease to any other party the coal seams hereby agreed to be leased, in the event of the association failing to work them upon a twelve months notice, but with this exception and that of the rent, it is to be understood that the lease to be executed is to contain such covenants and stipulations for the protection of the rights of the province as were inserted for the benefit of the crown in the lease granted on the 25th August, 1826, to the duke of York, and also any additional stipulations that may be required to carry out the spirit of this agreement, or which usually are inserted for the protection of the landlord in the case of leases of mines in England.

The association are to procure a release to the province from themselves and the representatives of the duke of York, of all the interests or rights which they or either of them have in all the mines or minerals of Nova Scotia under the lease above referred to, or under any other contract or agreement made by or on behalf of the crown in respect of such mines and minerals, and they are to hold only under the lease hereby stipulated to be given.

And in order to render the mines so to be surrendered available to the province of Nova Scotia, the association are to allow to the government of Nova Scotia and its lessees of such mines, liberty to make and use ways and roads across any land owned by the association intervening between any mine so to be surrendered and such navigable water as shall be considered by the government or its lessee most convenient and suitable for the shipment of coal, in such places as shall be deemed best, and also the liberty of erecting on the lands of the association any such works, buildings, wharves, or other establishments necessary or convenient for the working and winning of coal, or the successful carrying on of any collieries or mining establishments, so as not unnecessarily to interfere with the operations of the association; and for this privilege

the association are to be paid whatever may be considered as a fair equivalent by any two of three persons to be appointed to appraise the same, one to be named by the government, one by the association, and one by the two so named.

Until some other mine shall be opened in the county of Cumberland, the association are to keep and supply at the Joggins, such coal as may be required by the inhabitants of that county and the neighbourhood, for their local and domestic consumption.

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D

*General Mining Association, 52 Old Broad street, London, 23rd July, 1857.*

GENTLEMEN,—

The board of directors having had under their consideration at a special meeting held this day, the propositions submitted by you in modification of those of the general mining association, I have been instructed to acquaint you that they agreed to the same, and they will instruct their solicitor, Mr. T. T. Bircham, 45 Parliament street, to draw up a formal document, which shall embody the several points referred to in your said propositions, and who will be happy to confer with you thereon, whenever you will favor him with a call.

I have the honor to be,

Your most obedient servant,

J. B. FOORD, secretary.

The hon. J. W. JOHNSTON, and  
ADAMS G. ARCHIBALD, esquire.

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(Copy.)

*Halifax, 6th November, 1857.*

SIR,—

We have the honor to report finally, for the information of his excellency the lieutenant governor, the progress and conclusion of our negotiations in fulfilling the mission with which we were charged, for the arrangement with the general mining association of the subjects in controversy between them and the province.

In our letter to you from London, dated 31st July last, we reported the successful issue of the negotiations, by an agreement settling the heads for a final adjustment, and that the memorandum of the terms was in the hands of the solicitor of the association for the preparation of the necessary documents.

On the second day after Mr. Foord's letter of the 23rd July, putting us in communication with Mr. Bircham, the solicitor of the association, we met that gentleman by appointment, and discussed with him the nature and terms of the different instruments.

There were—First, a formal agreement containing the terms of settlement. Second, a surrender of the claims of the duke of York's representatives and of the general mining association to the mines and minerals in Nova Scotia. Third, a lease to the association. Fourth, an act to be passed by the provincial legislature for adopting and carrying into effect these arrangements.

Although not a day was lost by us, in pressing the business forward, it was not until the 20th August that the drafts were agreed upon, and a considerably later period that the

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the agreement was interchanged and the engrossed copies of the other documents were delivered.

In settling the terms of the several instruments, many questions arose of greater or less importance, which required repeated interviews between Mr. Bircham and us, and between him and his principals in the city, and it is certain that had these documents not been settled by personal explanations, their adjustment by correspondence after our return to Nova Scotia, as was at first proposed to us, would have been very dilatory and doubtful. It is, however, justice to Mr. Bircham to say, that he met us with great promptitude, and caused the documents to be prepared with as much despatch as was in his power.

Before we left England the sanction of the crown had been given to the arrangements, and to the documents proposed for carrying them into effect.

It remained for the court of chancery to pass an order to a like effect. It will be seen by Mr. Chambers's letter herewith, that no doubt was entertained of the obtaining of the necessary order, when that court should meet in the present month.

We transmit herewith a schedule of correspondence in the course of the negotiations—also the following documents:

1st A.—Heads of arrangements executed by the association and ourselves.

2dly B.—Copy of a draft of surrender signed on behalf of association and of the delegates from Nova Scotia.

3dly C.—Copy of draft of lease signed as above.

4thly D.—Copy of draft act of assembly signed as above.

Entertaining the strong conviction that the arrangements we have agreed to are calculated to promote the harmony and prosperity of the province, and to give increased efficiency and success to the operations of the mining association, it will yield us great satisfaction to find that our labors meet the approbation of his excellency and provincial government, and the ratification of the legislature.

We have the honor to be, sir,

Your obedient servants,

(Signed)

J. W. JOHNSTON.

(Signed)

A. G. ARCHIBALD.

The hon. the provincial secretary.

## A

### HEADS OF ARRANGEMENT

*Entered into between the honorable James William Johnston and Adams George Archibald, esquire, delegates on behalf of the province of Nova Scotia, of the one part, and the board of directors of the General Mining Association, of the other part*

The province will lease to the association for a term, to commence on the 1st January, 1858, and to expire on the 25th August, 1886, all the coal seams comprised within the areas hereinafter described, with such powers for working the same as the province has power to confer.

#### ISLAND OF CAPE BRETON.

1st.—In all that tract which lies to the eastward of a straight line drawn from Stubbo-t's point, on the north shore of Sydney harbour to the head of Mill pond on the north side

side of Koularlerie Island, bounded on the north-east and south by the sea shore, as the same has been defined in the sketch made by Mr. Brown.

2d.—In all that tract which lies to the eastward of a straight line drawn from McPhee's ferry on the south side of Sydney harbour in a southerly direction to the mouth of the North-west brook, so called, which empties into Bridgeport basin, bounded south by the said basin and Indian Bay, and on the north and east by the sea shore.

3d.—In all that tract near Bridgeport, comprising an area of two square miles, bounded on the north by the sea shore, westwardly by a line coinciding with the outcrop of the coal seam now opened, southwardly by a line at right angles to the strike of the seam, and distant south-west from the last pit sunk thereon not more than 160 rods, on the east by a straight line as near as may be parallel with the west line and at such a distance therefrom as to include two square miles of area.

#### COUNTY OF PICTOU.

4th.—In an area of four square miles, to be selected by the association, including the Albion mines works, such area to be bounded by straight lines in the form of a rectangular parallelogram, whose longest sides shall not exceed three miles.

#### COUNTY OF CUMBERLAND.

5th.—In an area of four square miles at Spring Hill, to be selected by the association, and to be laid off on a block two miles square.

6th.—In an area of four square miles at the Joggins, to be selected by the association, and to be laid off on the principles specified in respect of the Albion mines, except that the longest side of the parallelogram may be four miles.

The above areas are to include as part of them the space already wrought at the Joggins, Pictou and Bridgeport, and that the whole of the areas at all the localities are, before the 15th day of December next, to be surveyed and marked on the ground by the association, by distinct and well defined boundary lines and corner posts, in conformity with this agreement, under the inspection of an officer or officers to be appointed by the government of Nova Scotia, and plans of such surveys, shewing all natural boundaries or distinguishing features at or near the areas, are to be furnished by the association to the province, on or before the 15th day of January, 1858; and in default of such surveys, landmarks and plans being made and furnished, in conformity with this agreement, by the association, within those respective periods, it shall be lawful for the province to make the same, and to select the said areas in Pictou, Cumberland and Bridgeport, within the limits aforesaid, according to their option; and also to raise and establish the south-western or land lines in Cape Breton with respect to the districts first and secondly above described.

During the lease, the province shall not, by lease, license or otherwise, empower or allow any other party to work or sell coal in the province at a less royalty, or on more favorable terms in any respect than are to be reserved and contained in the lease to be granted to the association, and shall pass, and during the lease enforce, such legislative enactments, and take such other measures by the appointment of an inspector, and otherwise as may be requisite, to prevent the working of any coal in the said province, by unauthorised persons, and to prevent the sale or export of coal except such as may be worked on payment of a royalty equivalent to that to be paid by the association, and subject to terms not more favorable than those contained in the lease to the association.

During the lease, the province shall not, without the consent of the association, impose any duty on the export of coal.

In lieu of the rent and royalty now paid the association shall, after the 1st day of January, 1858, pay to the province on all large coal sold by them, a royalty of 6d. currency

currency per ton of 2,240 lbs. on all quantities up to 250,000 tons, and 4d. per ton upon all quantities over that quantity; slack or small coal, and coal used by the workmen and in carrying on the works to be free from royalty.

Until the 1st January, 1858, the rents and royalties to be as heretofore paid, and the royalties due on coal raised at the Joggins and other mines, and not yet received by the provincial treasury, to be paid up at the rate of 2s. currency per Newcastle chaldron.

The clause in the lease granted by the crown to the late duke of York and Albany on the 25th day of August, 1826, reserving to the crown the right to enter upon any mines not worked by the lessee, and to work or lease the same after twelve months notice, shall not, nor shall any clause to the like effect, be included in the lease to be granted by the province, it being intended that during the lease the province shall not work or lease to any other party the coal seams hereby agreed to be leased, whether the association shall fail to work them upon a twelve months or other notice or not, but with this exception and that of the rent, it is understood that the lease to be granted to the association is to contain such covenants and stipulations for the protection of the rights of the province and of the association respectively, as were inserted for the benefit of the crown and of the said duke of York and Albany respectively, in the said lease granted on the 25th August, 1826, and also any additional stipulations that may be required to carry out the spirit of this agreement. And during the lease the provisions of the act passed in the year 1853, intituled, "an act to regulate the mines of this province," shall not apply to or affect the mines to be comprised in the lease to be granted to the association, nor shall any other act be passed during the lease inconsistent with the rights of the association as they will be established under the terms of this agreement.

The association are to make and procure proper surrenders and releases from themselves and the representatives of the said late duke of York and Albany, of all the interest or rights which they or either of them have in all the mines or minerals of Nova Scotia and Cape Breton under the lease above referred to, or under any other contract or agreement made by or on behalf of the crown in respect to any mines and minerals in Nova Scotia or Cape Breton, and they are to hold only under the lease hereby stipulated to be given.

And in order to render the mines so to be surrendered and not intended to be included in the lease to be granted to the association available to the province of Nova Scotia, the association are to allow to the government of Nova Scotia and its lessees of such mines, but with such restrictions as are hereinafter mentioned, liberty to make and use ways and roads across any land owned by the association intervening between any mine so to be surrendered and such navigable water as shall be considered by the government or its lessees most convenient and suitable for the shipment of coal or other minerals, in such places as shall be reasonable and be deemed best; and also, but with such restrictions as are hereinafter mentioned, the liberty of erecting on the lands of the association any such works, buildings, wharves, or other establishments necessary or convenient for the working and winning of coal or other minerals, or the successful carrying on of any collieries or mining establishments, but so as not to obstruct in any material degree, nor unless in case of absolute necessity, to interfere with the operations, from time to time, of the association, and so that such lessees shall not exercise any such liberty except where the same shall be specially granted, and shall also be (as nearly as conveniently may be) particularly and precisely specified, limited and described as to position, dimension, and other material particulars in the leases under which such lessees shall respectively claim, or be entitled to the aforesaid mines, or any of them; and the association are to be paid by the government of Nova Scotia full and fair compensation for any damage, loss, or inconvenience whatsoever which may be sustained by them by reason of the exercise of the said privileges, the position and dimensions and other material particulars of the said ways and roads, works, buildings, wharves, and other establishments, and the amount of the said compensation to be determined,

determined, in case of difference, by any two or three persons to be appointed in manner following to appraise the same, (that is to say,) one to be named by the government of Nova Scotia and one by the association, or both to be named by one of the said parties in case the other shall refuse or neglect to appoint an arbitrator, and the other of the said three persons to be named by the two so named.

Until some other mine shall be opened in the county of Cumberland, the association are to keep and supply at the Joggins such coal as may be required by the inhabitants of that county and the neighbourhood for their local and domestic consumption, at a price not greater than the sale price of coal at Pictou.

The legislature of Nova Scotia, in case of their ratification of this agreement, shall at their next session pass such enactments as may be necessary or requisite for giving effect to the lease to be granted to the association as aforesaid, and for otherwise carrying out this arrangement, and shall procure the assent of her majesty thereto.

These heads of arrangement are entered into subject to the ratification of the legislative assembly of the province of Nova Scotia.

(Signed)

J. W. JOHNSTON,  
ADAMS G. ARCHIBALD,  
Delegates on behalf of Nova Scotia.

ROBERT MOSER,  
Chairman of the general mining association.

J. B. FOORD,  
Secretary of the general mining association.

London, 20th August, 1857.

B

*THIS INDENTURE, made the* \_\_\_\_\_ *day of* \_\_\_\_\_ *1858,*  
*between Christopher Pearse, of* \_\_\_\_\_ *and John George Nulling, of*  
*of the first part,*  
*of the second part, the General Mining Association, of the third part, and the Queen's*  
*most excellent majesty, of the fourth part.*

Whereas, by letters patent, bearing date the 25th day of August, 1826, being in the form of an indenture made or expressed to be made between his late majesty king George the fourth, of the one part, and his late royal highness Frederick, duke of York and Albany, of the other part, his said late majesty king George the fourth granted and demised certain mines and minerals in the province of Nova Scotia unto the said duke of York and Albany, his executors, administrators, and assigns, for the term of 60 years, from the day of the date of the said letters patent, at the rents or royalties therein mentioned. And whereas, by an indenture of underlease, bearing date the 12th day of September, 1826, and made between the said duke of York and Albany, of the one part, and John Bridge, Edmond Waller Rundell, Thomas Bigge, and John Gawler Bridge, all since deceased, of the other part, the said duke of York and Albany granted and demised the same mines and minerals unto the said John Bridge, Edmond Waller Rundell, Thomas Bigge and John Gawler Bridge, their executors, administrators and assigns, for the then residue of the said term of 60 years, except the last day thereof, at the rents or royalties therein mentioned. And whereas, in the reign of his late majesty king William the fourth, an agreement was entered into between his said majesty's then secretary of state for the colonies on behalf of the crown, and

and the said John Bridge, Edmond Waller Rundell, Thomas Bigge, and John Gawler Bridge, for a grant or lease from the crown to them the said John Bridge, Edmond Waller Rundell, Thomas Bigge and John Gawler Bridge, of certain mines and minerals in the said province, which were not included in, or were excepted out of, or were alleged not to be included in or to be excepted out of the said letters patent and indenture of underlease respectively at certain rents and royalties, but no grant or lease was ever executed in pursuance of the said agreement. And whereas, the said association became absolutely entitled to all the beneficial estate and interest under the said indenture of the 12th day of September, 1826, and the said agreement, but no assignment to them of the premises comprised therein respectively, or any part thereof, has ever been executed. And whereas, the said association has worked various coal mines under or by virtue of the said indenture of underlease and the said agreement respectively. And whereas, the said Frederick, duke of York and Albany, died in the month of January, 1827, having duly made his last will, bearing date the 26th day of December, 1826, and thereby appointed Sir Herbert Taylor and Sir Benjamin Charles Stephenson his executors, by whom the said will was duly proved in the prerogative court of the archbishop of Canterbury. And whereas, the said Sir Benjamin Charles Stephenson survived the said Sir Herbert Taylor, and died on the 10th day of June, 1839, intestate. And whereas, on the 19th day of February, 1840, letters of administration to the estate and effects of the said duke of York and Albany, then left undadministered, were granted to the said Christopher Pearse and John George Nutting by the prerogative court of the archbishop of Canterbury. And whereas, on the 27th day of May, 1851, letters of administration to the estate and effects of the said duke of York and Albany, in the said province of Nova Scotia, were granted to Lawrence Hartshorne as the attorney and on the behalf of the said Christopher Pearse and John George Nutting as such administrators as aforesaid, by the proper court in the said province, and by an indenture bearing date the 5th day of February, 1852, and made between the said Lawrence Hartshorne, of the one part, and the said Christopher Pearse and John George Nutting, of the other part, the said mines, minerals, and premises, comprised in and granted and demised by the said hereinbefore recited letters patent, were assigned by the said Lawrence Hartshorne unto the said Christopher Pearse and John George Nutting, their executors, administrators, and assigns. And whereas, many years ago, disputes arose between the said Sir Herbert Taylor and Sir Benjamin Charles Stephenson as the legal personal representatives of the said duke of York and Albany and the said association, concerning the rents and royalties payable under or by virtue of the said indenture of the 12th day of September, 1826, and suits were instituted in the high court of chancery by the said Sir Herbert Taylor and Sir Benjamin Charles Stephenson as such legal personal representatives as aforesaid, against the said Edmond Waller Rundell and others, for determining such disputes, and suits of revivor and supplement have since been instituted in relation thereto. And whereas, an agreement for compromising the said disputes was entered into between the said Christopher Pearse and John George Nutting and the said association, with the approbation of the legal advisers of her present majesty, Queen Victoria, and with the approbation of the said court of chancery in the said suits, and in certain suits instituted in the said court for administering the estate of the said duke of York and Albany, and the terms of such agreement were expressed in an indenture, bearing date the 29th day of May, 1849, and made between the said Edmond Waller Rundell, Thomas Bigge, and John Gawler Bridge, of the first part, the said association of the second part, the said Christopher Pearse and John George Nutting, of the third part, and Robert Moser, Alfred Charles Bridge and Henry Warre, of the fourth part, and such terms were in part to the effect that the said letters patent, bearing date the 25th day of August, 1826, and the said indenture of underlease of the 12th day of September, 1826, and the said agreement entered into in the reign of king

William

William the fourth, for a lease from the crown hereinbefore respectively recited c mentioned should be surrendered to her majesty, and that a new lease of the said mines should be granted by her majesty to the said Christopher Pearse and John George Nutting, as such legal personal representatives as aforesaid, at certain rents or royalties, and that a new underlease of the same mines should be granted by the said Christopher Pearse and John George Nutting to the said association at certain rents or royalties, and further, that in the meantime and until such lease and underlease should be granted, the said association should invest the rents and royalties which would be payable as part of the estate of the said duke of York and Albany, if such lease and underlease had been actually granted in the purchase of bank £3 per cent. annuities, and should accumulate the dividends thereof. And whereas, the terms of the said agreement were afterwards modified with the approbation of the said court in the said suits. And whereas, it became impracticable to carry the said agreement into effect by reason of the provisions of the act of general assembly of the said province of Nova Scotia, intituled "An act for transferring the crown revenues of Nova Scotia and providing for the civil list thereof," which was passed on the eighth day of March, 1849, and received the royal assent on the                    day of                   , 1849, and whereby the right and title of her majesty in and to the said mines and minerals and the rents and royalties payable for or in respect of the same, were assigned, transferred and surrendered to the disposal of the general assembly of the said province, without making any provision for carrying out the said agreement. And whereas, the said Edmond Waller Rundell survived the said John Bridge, Thomas Bigge, and John Gawler Bridge, and died on the                    day of                   . And whereas, with a view to a final settlement of all matters in difference between the said Christopher Pearse and John George Nutting, as such legal personal representatives as aforesaid, and the said association, it has been agreed between them, with the approbation of her majesty, and of the said court in the said suits so instituted as aforesaid, that the said association should purchase for the sum of £120,000 all the term, estate and interest whatsoever of the said Christopher Pearse and John George Nutting, as such legal personal representatives as aforesaid, whether under or by virtue of the said letters patent of the 25th day of August 1826, or the said indenture of underlease of the 12th day of September, 1826, or the said indenture of the 29th day of May, 1849, or the modifications of the agreement expressed therein, or otherwise howsoever, of and in all the mines, minerals and premises in the said province of Nova Scotia, comprised in and demised by the said indenture of underlease or forming the subject of the said indenture of the 29th day of May, 1849, or the modifications of the agreement expressed therein, and of and in the rents, royalties, reservations and payments payable in respect of the same, and of and in all the bank annuities in which any of the said rents, royalties, reservations and payments have been invested, and the accumulation thereof. And the said Christopher Pearse and John George Nutting, at the request of the said association, have agreed to make and execute the surrender hereinafter on their part contained. And whereas, all the rents, royalties and reservations which have become payable to her majesty for or in respect of the said mines and minerals, or any of them, up to and including the 31st day of December, 1857, have been duly paid and satisfied. And whereas, it has been agreed that the surrenders hereinafter contained on the part of the said                    and of the said association should be made and executed by them respectively. And it has been agreed that the releases hereinafter contained should also be executed, it being understood and agreed that an act of the general assembly of the said province of Nova Scotia will be passed and assented to by her majesty for confirming and giving more full effect to these presents :

Now this indenture witnesseth, that in pursuance of the said agreement in this behalf, and in consideration of the sum of £120,000 to the said Christopher Pearse and John George Nutting, by the said association, paid at or immediately before the sealing and delivery of these presents, and for other the considerations hereinbefore recited, the

said Christopher Pearse and John George Nutting, and the said general mining association, according to their several and respective estates and interests in the premises, do each, and every of them doth, surrender, release, and yield up unto the queen's most excellent majesty, her heirs and successors, all the mines, minerals, powers, and premises whatsoever, comprised in and granted or demised by the said hereinbefore recited letters patent of the 25th day of August, 1826, and all the mines, minerals, and premises agreed to be granted or demised by or forming the subject of the said agreement entered into in the reign of his late majesty king William the fourth, for a lease from the crown as hereinbefore is mentioned. And all the estate, right, title, interest, claim, and demand whatsoever, either at law or in equity, of the said surrendering parties and every of them, in, to, and out of the said premises, to the intent that the several residues now unexpired of the said term of sixty years, granted by the said letters patent, and of the said term of sixty years wanting one day, granted by the said indenture of underlease, and all the interest agreed to be granted by the said agreement entered into in the reign of his late majesty king William the fourth, for a lease from the crown, and all other the estate, term, and interest of the said surrendering parties, and every of them, in the mines or minerals in the said province of Nova Scotia and every part thereof may be merged and extinguished in the reversion and inheritance of the said premises. And this indenture further witnesseth, that in consideration of the premises, our said sovereign lady the queen, of her special grace, certain knowledge, and mere motion, doth acquit, release, and for ever discharge the said Christopher Pearse and John George Nutting, their heirs, executors, and administrators, and the estate and effects of the said duke of York and Albany, and also the said his heirs, executors, and administrators, and the estates and effects of the said John Bridge, Edmond Waller Rundell, Thomas Bigge, and John Gawler Bridge, respectively, and also the said association and their successors, of and from all and all manner of actions, suits, extents, accounts, reckonings, sums of money, rents, royalties, reservations, costs, charges, expenses, claims, and demands whatsoever, which either at law or in equity our said sovereign lady the queen, her heirs or successors, now hath or have, or hereafter shall or may or otherwise could or might have, under or by virtue of the said hereinbefore recited letters patent and underlease, or the said hereinbefore mentioned agreement, entered into in the reign of his late majesty king William the fourth, for a lease from the crown, or the said indenture of the 29th day of May, 1849, or the modifications made in the agreement therein expressed, or by reason of the said suits instituted as aforesaid, or any of them, or in any wise relating to the premises. And this indenture further witnesseth, that in consideration of the premises the said Christopher Pearse and John George Nutting, do, and each of them doth, acquit, release, and for ever discharge the said his heirs, executors, and administrators, and the estate and effects of the said John Bridge, Edmond Waller Rundell, Thomas Bigge, and John Gawler Bridge, respectively, and also the said association and their successors, of and from all and all manner of actions, suits, accounts, reckonings, sums of money, rents, royalties, reservations, costs, charges, expenses, claims, and demands whatsoever, which either at law or in equity they, the said Christopher Pearse and John George Nutting, as such legal personal representatives as aforesaid, or either of them, or the heirs, executors, or administrators of them, or either of them, or the legal personal representative, or legal personal representatives for the time being, of the said duke of York and Albany, have or hath or hereafter shall or may or otherwise could or might have, under or by virtue of the said hereinbefore recited underlease, or the said indenture of the 29th day of May, 1849, or the modifications made in the agreement therein expressed, or by reason of the said suits instituted as aforesaid, or in anywise relating to the premises. And this indenture further witnesseth, that in consideration of the premises the said and the said association do and each of them doth acquit, release, and for ever discharge the said Christopher Pearse and John George Nutting, and each of them, and the heirs, executors, and administrators of them, and each of them

them, and the estates and effects of the said duke of York and Albany, Sir Herbert Taylor, and Sir Benjamin Charles Stephenson, respectively, of and from all and all manner of actions, suits, accounts, reckonings, sums of money, rents, royalties, reservations, costs, charges, expenses, claims and demands whatsoever, which, either at law or in equity, the said his heirs, executors, or administrators, or the said association or their successors or assigns hath or have, or hereafter shall or may, or otherwise could or might have, under or by virtue of the said hereinbefore recited underlease, or the said indenture of the 29th day of May, 1849, or the modifications made in the agreement therein expressed, or by reason of the said suits instituted as aforesaid, or any of them, or in anywise relating to the premises.

In witness, &c.

We approve this draft on behalf of the province of Nova Scotia.

J. W. JOHNSTON,

A. G. ARCHIBALD,

Delegates on behalf of the province.

I approve this draft on behalf of the general mining association,

FRANCIS T. BIRCHAM.

Westminster, 21st August, 1857.

C.

*THIS INDENTURE, made the            day of           , between the queen's most excellent majesty of the one part, and the general mining association of the other part,*

Witnesseth :

That in consideration of certain surrenders and releases effected and contained in and by a certain indenture, bearing even date with these presents, and made or expressed to be made between Christopher Pearse and John George Nutting, of the first part, of the second part, the said association, of the third part, and her majesty of the fourth part, and in consideration of rents and royalties hereby reserved, and of the covenants and agreements herein contained, and on the part of the said association, their successors and assigns, to be observed and performed, our said sovereign lady the queen, of her especial grace, certain knowledge, mere motion, doth grant and demise unto the said association, their successors and assigns, all and singular the beds and seams of coal, whether opened or unopened, within, under or upon all that tract in the Island of Cape Breton which lies           . And also, so far as her majesty, with the concurrence of the general assembly of the said province of Nova Scotia, can or lawfully may give or grant the same, full and free liberty, license and authority, to and for the said association, their successors and assigns, and their tenants, servants, workmen and agents, to search for, dig, work and take such beds and seams of coal, and to make or use any pit and pits, trench and trenches, quarry and quarries, groove and grooves, and to drive and use any drift and drifts, watergate and watergates, waygate and waygates, airgate and airgates, watercourse and watercourses, as well for working, winning, obtaining and getting the said coal, as also for voiding and carrying away the water, foul air, and rubbish from the mines thereof, and also to make or use and enjoy sufficient and convenient pit room, ground room, and heap room within the limits of the said tracts or districts hereinbefore described, for the laying and placing as well the coal which has heretofore been had, wrought, won, or gotten, or which shall, from time to time, hereafter be had, wrought, won or gotten from or out of the said coal mines, or any of them, as also all such stones, gravel, sand, deads, and other rubbish, which has heretofore proceeded or been had or gotten, or shall

shall hereafter proceed or be had or gotten from or out of the said mines, or any of them, or in the working or digging thereof, or in getting or raising the said coal, and also to make, place, erect and set up or use within the limits of the said tracts or districts, and every of them, all such gins, engines, furnaces, refineries, cupolas, founderies, cranes, forges, mills, houses, stables, hovels, lodges, sheds, offices, and other machinery, buildings and erections as shall, from time to time, be needful or convenient for opening, working or drawing the said mines, and every or any of them, and for lodging, slacking, depositing or placing the same, and for burning and making bricks, tiles and pipes, and for withdrawing or carrying away of water from the said mines, and every or any of them, or for the standing, lodging, laying or placing of the workmen, work-horses, and work-gear, to be used or employed in or about the making and carrying on the works of the said mines, respectively, and also within the limits of the said tracts or districts, and every or any, of them, to use and enjoy all such gins, engines, furnaces, refineries, cupolas, founderies, cranes, forges, mills, houses, stables, hovels, lodges, sheds, offices, and other machinery, buildings, and erections, as have been heretofore made, placed, erected, and set up within the limits of the said tracts or districts, or any of them, for the purposes aforesaid, and are now standing or being thereon, and also within the limits of the said tracts or districts, and every or any of them, to use and enjoy sufficient and convenient way, leave, and liberty of passage, and liberty to make, lay, and place, one or more way or ways, railway or railways, tramroad or tramroads, and to remove, take away, amend and repair, alter and change the same, respectively, and to take, load, drive, and carry away, in, through, along, and over, the said way or ways, railway or railways, tramroad or tramroads, and in, through, along, and over any way or ways, railway or railways, tramroad or tramroads, heretofore made and now subsisting within the limits of the said tracts or districts, or any of them, and with horses, carts, wains, waggons, or any other carriage or carriages, and with engines, all the coals to be had, wrought and gotten forth and out of the said mines, and all other substances necessary or convenient to be removed therefrom. And also, so far as her majesty, with the concurrence of the general assembly of the said Province, can or lawfully may give or grant the same, full and free liberty, license and authority for the said association, their successors and assigns, to make such ways, roads, railways and tramroads, through, across, or over any lands in the vicinity of and other than the said tracts or districts, from and to any mine or mines under or upon the said tracts or districts, any of them, to and from such navigable water as shall be considered by the said association, their successors and assigns, most convenient and suitable for the shipment of coal or the carriage of materials for the purposes of their mining operations and the agents and workmen of the said association, in such places as shall be reasonable, and shall by the said association, their successors or assigns, be thought best, and for the purposes aforesaid, and no other purposes, to use all such ways, roads, railways and tramroads as shall be so made, the said association, their successors and assigns, doing as little damage as possible thereby, and paying to our sovereign lady the queen, her heirs or successors, by the hands of the lieutenant-governor, for the time being, of the said province, for the use of the said province, a full and fair compensation, in respect of the exercise of the said last mentioned rights of way, the position and dimensions of such ways, roads, railways and tramroads, and the amount of the said compensation to be respectively determined, in case of difference, by the arbitration and award, in writing, of any two out of three indifferent persons, to be appointed in manner following, that is to say : one to be appointed in writing by the lieutenant governor, for the time being, of the said province, and another to be appointed in writing by the said association, their successors, or assigns, or in case either of the said parties shall refuse or neglect to appoint an arbitrator for the space of one calendar month after being required in writing by the other party so to do, then both the said two indifferent persons to be appointed in writing by such other party, and the other of such three indifferent persons to be appointed in writing by the said two indifferent persons, to be first appointed as aforesaid ;

aforesaid; and generally to have, hold, use, and enjoy, during the continuance of this grant or demise, all other powers and privileges whatsoever, within, over and upon the said tracts or districts, or any of them, which shall or may be useful, necessary, or convenient for, or in or about the searching for, winning, working, digging, getting, or drawing of coal from and out of the said mines, or any of them, and taking and carrying away the same, and for slacking and lodging the same, or any part thereof, and which her majesty, with the concurrence of the general assembly of the said province, can or lawfully may give or grant, they, the said association, their successors and assigns, and their tenants, servants, agents and workmen, doing as little spoil and damage of ground as possible, within the limits of the said tracts or districts, in searching for, winning, working, having, exercising and enjoying of the premises, and the several powers, liberties and privileges hereby granted and demised, save and except nevertheless and reserving out of these presents unto our said sovereign lady the queen, her heirs and successors, and her or their lessees, of all or any of the mines in, under or upon any part of the said province, except the said tracts or districts hereinbefore described, but with such restrictions as hereinafter mentioned, full and free right and liberty to make, and to use when so made, such ways, roads, railways and tramroads, through, across or over the said tracts or districts, or any of them, from and to any mine or mines in, under, or upon any part of the said province, except the said tracts or districts, to and from such navigable water as shall be considered by the lieutenant governor, for the time being, of the said province, or the lessees of the said mine or mines, most convenient and suitable for the shipment of coal and other minerals, in such places as shall be reasonable, and shall by such lieutenant governor, for the time being, or such lessees, be deemed best, and also full and free right and liberty for the said lieutenant governor for the time being, or the lessees of such mine or mines, but with such restrictions as hereinafter mentioned, to erect on the said tracts or districts hereinbefore described, or any part thereof, and to use and enjoy, when so erected, any such works, buildings, wharves, or other establishments necessary or convenient for the working and winning of coal or other other minerals, or the successful carrying on of any collieries or mining establishments in, under, or upon any part of the said province, except the said tracts or districts hereinbefore described, but not so as to obstruct in any material degree, nor, unless in case of absolute necessity, to interfere with the operations, from time to time, of the said association, and so that said lessees as aforesaid shall not have or be entitled to use or exercise any such rights or liberties as are hereby expressed to be excepted and reserved, save only when the same rights and liberties shall be specially granted in, and shall also be (as nearly as conveniently may be) particularly and precisely specified, limited, and described as to position and dimension and other material particulars in the leases under which such lessees shall claim or be entitled to the aforesaid mines or any of them, the said province or the lessees of such mines as aforesaid paying to the said association, their successors or assigns, a full and fair compensation in respect of the exercise of the said rights and privileges so accepted and reserved, as aforesaid, or any of them, the position and dimensions and other material particulars of the said ways, roads, railways and tramroads, works, buildings, wharves or other establishments, and the amount of the said compensation to be respectively determined, in case of difference, by the arbitration and award, in writing, of any two out of three indifferent persons to be appointed in manner following, (that is to say,) one to be appointed, in writing, by the lieutenant governor, for the time being, of the said province, or in the case of a lease of any of the said mines by such lessees, as aforesaid, who may be interested in the question, another to be appointed, in writing, by the said association, their successors or assigns, or in case either of the said parties shall refuse or neglect to appoint an arbitrator for the space of one calendar month after being required in writing by the other party so to do, then both the said two indifferent persons to be appointed, in writing, by such other party, and the other of the said three indifferent persons to be appointed, in writing,

writing, by the two indifferent persons to be first appointed, as aforesaid. To have and to hold the said beds and seams of coal, mines, powers, authorities, and all and singular other the premises hereby granted and demised, or expressed so to be, unto the said association, their successors and assigns, for and during and unto the full end and term of 28 years, to commence and be computed from the 1st day of January, 1858, and also for such portion of the next succeeding year as shall elapse previously to the 25th day of August in the same year, being the year 1886, and fully to be complete and ended, yielding and rendering therefore unto our sovereign lady the queen, her heirs, and successors, yearly and every year, on the 1st day of March, during the continuance of this grant or demise, at Halifax, in the said province, or at such other place or places, as the lieutenant governor for the time being, of the said province shall think fit, and, by writing under his hand, appoint through the hands or by the receipt of the lieutenant governor, for the time being, of the said province of Nova Scotia, for the use of the said province, the rent or royalty of six-pence, Halifax currency, for every ton of coal of 2240 lbs. (except coal now known in the said province as slack coal, and except coal to be used by the workmen of the said association, or to be used in carrying on the works or operations of the said association), which shall, in any or each year, commencing with the said 1st of January, 1858, and thenceforth during the continuance of this grant or demise, be wrought or gotten forth or out of the said beds or seams hereby granted and demised, or any of them, and sold up to and including the first 250,000 tons which shall be so wrought or gotten and sold in any or each year, and the rent or royalty of four pence, Halifax currency, for every ton of coal of 2240 lbs., (except as aforesaid) which shall in any and each year, commencing with the said 1st day of January, 1858, and during the continuance of this grant or demise, be wrought or gotten forth or out of the said beds or seams hereby granted or demised, or any of them, and sold over and above the first 250,000 tons, which shall be wrought or gotten and sold in such and the same year; the first payment of the said rents or royalties, hereby reserved, to be made on the 1st day of March 1859, and the rents and royalties which shall be payable for or in respect of all coal which shall be wrought or gotten and sold during the portion of a year, commencing with the 1st day of January, 1886, and ending with the 25th day of August, 1886, to be paid on the 25th day of October in the same year, 1886. And the said association, for themselves, their successors and assigns do covenant with our sovereign lady the queen, her heirs and successors, that the said association and their successors shall and will well and truly pay or cause to be paid unto our said sovereign lady the queen, her heirs and successors, through the hands or by the receipt of the lieutenant-governor, for the time being, of the said province, at the times and in manner aforesaid, the said rents or royalties hereby reserved, or intended so to be. And that the said association, their successors and assigns, shall and will, during the continuance of this grant or demise, keep or cause to be kept one or more book or books of accounts, wherein true entries shall be made of all such coal as shall from time to time be wrought or gotten forth or out of the said beds or seams hereby granted and demised and sold by the said association, their successors, or assigns or their workmen or servants, on and from the said 1st day of January, 1858, during the continuance of this grant or demise, distinguishing in such account large coal from the said slack coal. And that it shall be lawful for the lieutenant governor, for the time being, of the said province, or such person or persons as he shall appoint under his hand and seal, from time to time, to have free access and liberty to inspect and take copies of the said books of account; and that the said association, their successors or assigns, shall and will on the 1st Monday in February, or within two calendar months afterwards in every year during the continuance of this grant or demise, deliver or cause to be delivered unto such lieutenant-governor, as aforesaid, or to such person or persons as he shall appoint, in manner aforesaid, one or more affidavit or affidavits, to be made by two or more credible persons principally employed in or about the working and management of the said beds or seams hereby granted

granted and demised, that the entries which shall from time to time be made in such book or books of account, as aforesaid, to contain a full and true account of the quantities of all such coal as shall be wrought or gotten and sold in each and every year in all or any part of the premises, which affidavit or affidavits shall be duly sworn before the said lieutenant governor for the time being, or before some justice of the peace in the same province. And likewise that the said association, their successors or assigns, shall and will annually, during the continuance of this grant and demise, lay or cause to be laid before the said lieutenant governor, for the time being, upon the oaths of two or more credible persons, principally employed in or about the working and management of the said mines, respectively, a full, true and particular account in writing of the numbers, names and situation of the said mines, respectively, and other competent and sufficient descriptions thereof, and also of the numbers, names, and situation and other competent and sufficient descriptions of all and every the shafts, adits, levels, drains and other works whatsoever belonging thereto respectively, and the several works thereof. And also a full, true and particular account, to be authenticated, as aforesaid, of the number on the average of the two preceding years of persons employed in and about the said mines, respectively, and the works thereof. And also that the said association, their successors or assigns, shall and will, during the continuance of this grant and demise, keep and have forthcoming, at all seasonable times, to the lieutenant governor, for the time being, of the said province, or such person or persons as he shall in that behalf, by writing under his hand, appoint (with liberty to him and them to make copies of or extracts from the same). and at some convenient place, upon each of the said areas, the coal mines whereof are hereby granted or demised, or within two miles thereof, respectively, an accurate plan or plans of the mines comprised in such area, and of the workings thereof, and of all the shafts, adits, levels, drains and other works whatsoever belonging thereto. And also that the said association, their successors or assigns, shall not, nor will, at any time or times hereafter, during the term hereby granted, assign, transfer or set over, or otherwise part with, the premises hereby granted and demised, or any part thereof, to any person or persons whomsoever, without the license, consent or approbation of our said sovereign lady the queen, her heirs or successors, first had and obtained for the doing thereof, to be signified under her or their signet, or sign manual, or under the sign manual of the lieutenant governor for the time being, of the said province, or under the great seal of the united kingdom of Great Britain and Ireland, or of the said province. And also that it shall be lawful for any inspector or inspectors, viewer or viewers, agent or agents, to be by the said lieutenant governor for the time being, appointed under his hand, at any time during the continuance of this present grant or demise, when, and as any of the shafts of the said mines are at work, to descend by the ropes, rollers, gins or engines, or other utensils used at any of the said shafts of, or belonging, or which shall belong, to the said mines, respectively, or any of them, into the said mines, shafts, mines or pits, or any of them, to plumbline, view and survey the works thereof, and to view and see that the same are regularly and fairly wrought and carried on, and by the same ways and means to ascend and come up the said mines, shafts or pits, or any of them, and shall and may, in the doing thereof, have the help and assistance of the workmen and servants employed in the said mines, or of such other person or persons as he or they shall think fit. And also that the said association, their successors and assigns, shall and will from time to time, and at all times during the continuance of this grant or demise, well and effectually maintain and support all and every the working pits, shafts, levels, drifts and watercourses of and belonging to the said respective mines, with all such timber and deals and other materials as shall be requisite or necessary for that purpose, and so as to prevent the same and the roofs of the said mines from falling in or being otherwise damaged, and shall and will, at the end or other sooner determination of the said term, peaceably and quietly yield and deliver unto such person or persons as our said sovereign lady

lady the queen, her heirs or successors, shall appoint, under her or their signet, or sign manual, or under the sign manual of the lieutenant governor, for the time being, of the said province, to receive and take possession thereof, all the said mines, and all and singular other the premises hereinbefore mentioned, except such furnaces, engines, mills, forges, founderies, railroads, implements, houses and buildings, as shall not be attached to the freehold, in such good order, plight, and condition, as fair wrought mines ought to be left, with such timber, deals, and other materials as aforesaid, (such mines as, during the term hereby granted, shall be abandoned by reason of their being unproductive only excepted,) provided always, and it is hereby agreed and declared, and the said association, for themselves, their successors, and assigns, do accept this grant or demise, under the condition that in case any default shall be made by the said association, their successors and assigns, in keeping such book or books of account, or in delivering such affidavit or affidavits as aforesaid, or in the payment of the said rents or royalties hereby reserved, for the space of forty-two days after the periods hereinbefore appointed for paying the same; or if the said association, their successors or assigns, shall omit or neglect, for the space of any one year during the continuance of this grant or demise, to lay before the said lieutenant governor, for the time being, such account or accounts in writing, as aforesaid, or to keep and have forthcoming, as aforesaid, such plan or plans, as aforesaid, or shall at any time or times assign, transfer, and set over, or otherwise part with the premises hereby granted, or any part or parcel thereof, to any person or persons whomsoever for the term above granted, without the license, consent or approbation of our said sovereign lady the queen, her heirs or successors, to be signified as aforesaid, contrary to the true intent and meaning of the said covenant or agreement in that behalf hereinbefore contained, then and in every or any of the said cases when the same shall have been adjudged and declared by any six or more of the privy council of our sovereign lady the queen, her heirs or successors, to have arisen or happened, these presents, and all and every the powers and privileges hereby granted, shall be utterly null and void, anything to the contrary thereof in these presents notwithstanding; and it is hereby agreed and declared, and our said sovereign lady the queen doth hereby grant, that during the continuance of the grant and demise hereby made, our said sovereign lady the queen, her heirs or successors, shall not, without the consent in writing of the said association, their successors or assigns, by lease, license or otherwise, empower or allow any party or parties to work or get and enjoy or sell any coal whatsoever in the said province at a less rent or royalty, or on more favorable terms in any respect than the rent or royalty and terms respectively reserved by and contained in these presents. And that the said province shall, before the 1st day of January, 1859, pass, and during the continuance of said grant or demise hereby made, enforce such legislative enactments, and take such measures, by the appointment of an inspector and otherwise, as may be required to prevent the working of any coal in the said province by unauthorised persons, and to prevent the sale or export of coal, except the coal which may be sold or exported by the said association, their successors or assigns, by any party or parties, and except such as may be worked on payment of rent or royalty equivalent to the rent or royalty hereby reserved, and subject to terms not more favorable than the terms hereby granted to the said association, their successors and assigns. And further, that during the continuance of the grant or demise hereby made, the said province shall not, without the consent in writing, of the said association, their successors or assigns, impose any duty on the export of coal.

In witness, &c.

We approve this draft on behalf of the province of Nova Scotia.

(Signed)

J. W. JOHNSTON.

(Signed)

A. G. ARCHIBALD.

Delegates of the province.

I approve this draft on behalf of the general mining association.

FRANCIS T. BIRCHAM.

Westminster, 21st August, 1857.

D

## D.

*An act for giving effect to the surrender to her majesty by the legal personal representatives of the late duke of York and Albany, and by the general mining association and their trustee, of the mines in Nova Scotia, and to the lease of part of such mines to the said association :*

Whereas an arrangement has been made and entered into between and by or on behalf of her majesty and the general assembly of this province, and Christopher Pearse and John George Nutting, as the legal personal representatives of his late royal highness, Frederick, duke of York and Albany, and the general mining association, for the surrender to her majesty of all the terms, estates and interests of the said Christopher Pearse and John George Nutting, and the said association, and of as the legal personal representative of Edmond Waller Rundell, deceased, and a trustee for the said association, in the mines and minerals in this province, and for granting to the said association a new lease of the beds or seams of coals in certain parts of the said province, with full powers for working the same for the term of twenty-eight years, to commence and be computed from the 1st day of January, 1858, and also for such portion of the next succeeding year as shall elapse previously to the 25th day of August in the same year, being the year 1886, at certain rents and royalties and subject to certain other terms which have been agreed upon. And whereas it is intended that for effecting the said arrangement a certain indenture, already prepared and engrossed, and bearing date the 1st day of January, 1858, and expressed to be made between the said Christopher Pearse and John George Nutting,, of the first part, the said of the second part, the said association of the third part, and her majesty, of the fourth part, a true copy of which indenture is contained in the schedule hereto, shall be executed by the said several parties thereto, of the first, second, and third parts respectively, by which indenture all the estate, term, and interest, of the said Christopher Pearse and John George Nutting, and of the said and of the said association, in the said mines and minerals, are expressed to be surrendered and yielded up to her majesty, her heirs, and successors, and whereby certain releases are expressed to be made concerning the mines and minerals and the rents, royalties, and reservations, reserved, or agreed to be reserved by certain leases and agreements for leases of the said mines and minerals, and also that a certain other indenture, already prepared and engrossed, and bearing date the 1st day of January, 1858, and expressed to be made between her majesty, of the one part, and the said association, of the other part, a true copy of which last mentioned indenture is contained in the schedule hereto, should be executed by the said association, by which same indenture all the beds and seams of coal in certain parts of this province are expressed to be demised to the said association, their successors and assigns, for the said term of 28 years, and such portion, as aforesaid, of another year, at certain rents or royalties, and upon certain terms therein mentioned. And whereas the said two indentures so prepared and engrossed as aforesaid, have not, nor hath either of them, been executed by or on behalf of any of the parties named as parties thereto, but the same have been duly signed and approved of by the solicitor to her majesty's treasury, on behalf of her majesty, and by the honourable James William Johnston and Adams George Archibald, esquire, delegates appointed under the authority and on behalf of the general assembly of this province, and by Messrs. Farrer, Ouvry, and Farrer, the solicitors of and on behalf of the said Christopher Pearse, and John George Nutting, and by Messrs. Wilson and Bristoe, the solicitors of and on behalf of the said and by Francis Thomas Bircham, the solicitor of and on behalf of the said association. And whereas the said arrangement cannot be fully carried into effect without an act of the general assembly of this province.

Be it therefore enacted by the lieutenant governor, council and assembly, That when  
and

and so soon as the said first hereinbefore mentioned indenture shall have been duly executed by the said Christopher Pearse and John George Nutting, or the legal personal representative, or legal personal representatives, for the time being, of the said duke of York and Albany, and by the said \_\_\_\_\_, or the legal personal representative, or legal personal representatives, for the time being, of the said Edmond Waller Rundell and by the said association, and the said secondly hereinbefore mentioned indenture shall have been duly executed by the said association, and when and so soon as the said two several indentures, duly executed as aforesaid, shall have been delivered to the lieutenant governor, for the time being, of this province, then and in such case, and notwithstanding the same indentures shall not have been executed by or on behalf of her majesty, but not before all the executions hereinbefore mentioned shall have been duly effected, and the said two several indentures shall have been delivered to the said lieutenant governor, as aforesaid, the said two several hereinbefore mentioned indentures shall respectively thereupon stand and be absolutely confirmed by the general assembly of this province, and the said first mentioned indenture shall operate and enure as an effectual surrender of all the terms, estates, and interests thereby expressed to be surrendered, and an effectual merger and extinguishment thereof in the reversion and in heritance, and as effectual releases of all the claims and demands thereby expressed to be released, according to the tenor and purport of the said indenture, and the said secondly mentioned indenture shall operate and enure as a valid an effectual grant, lease, and demise of all the premises thereby expressed to be granted, released, and demised for the term, at the rents, royalties, and reservations, and with, under, and subject to the covenants, agreements, conditions, and provisoes by and in the same indenture respectively granted, reserved, and contained, or expressed so to be, according to the tenor and purport of the same indenture, and that when and so soon as all the said executions, hereinbefore mentioned, shall have been duly effected, as aforesaid, and the said two several indentures shall have been delivered to the said lieutenant governor as aforesaid, the same indentures shall respectively operate and take effect as from the said first day of January, 1858, and as if the same had been duly executed the same day by all the parties named as parties thereto respectively, including her majesty, and had been delivered to the said lieutenant governor, as aforesaid, on the same day. Provided always, and it is hereby further enacted, that if the said two several indentures shall not be respectively duly executed, as aforesaid, and delivered to the said lieutenant governor, as aforesaid, before or during the year 1858, then, and in that case, the same indentures and the enactments hereinbefore contained, shall be absolutely void and of non-effect.

And for giving more full effect to the said lease of the 1st day of January 1858, be it further enacted, that in case the said two several indentures shall be respectively executed as aforesaid, and delivered to the said lieutenant governor, as aforesaid, before or during the year 1858, the act to regulate the mines of this province, which was passed on the 4th day of April, 1853, and received the royal assent on the 24th day of October, 1853, shall be, and the same is hereby repealed, so far as relates to the coal mines expressed to be demised by the same lease, and during the continuance of the term expressed to be thereby granted, but not further or otherwise.

And be it enacted, That the schedule to this act shall be read and taken as part of this act.

And be it further enacted, That when and as soon as conveniently may be, after the said two several indentures shall have been respectively executed as aforesaid, and delivered to the said lieutenant governor, as aforesaid, the same indenture first above mentioned shall be recorded in the registry of deeds at Halifax, in the said province, and the indenture secondly herein mentioned shall be recorded in the registry of deeds in each of the counties in which the respective areas comprised in the said lease are situate, and this act, or certified copies of and extracts from the registry of the same indentures respectively, under the hand of the proper officer, shall be admitted as

evidence of the contents, and due execution of the same indentures respectively in all courts of law and equity, or other judicature.

We approve this draft on behalf of the province of Nova Scotia,

(Signed)

(Signed)

J. W. JOHNSTON,

A. G. ARCHIBALD,

Delegates on behalf of the province.

I approve this draft on behalf of the general mining association.

FRANCIS T. BIRCHAM.

Westminster, 21st August, 1857.

(COPY.)

2 Suffolk Place, Pall Mall, East, 24th July, 1857.

SIR,—

We have the honor to inform you that the negotiation with which we were charged in relation to the questions arising out of the lease of the mines and minerals of Nova Scotia to the late duke of York and to the general mining association, has been terminated by an agreement in which all the subjects of controversy have been adjusted.

We believe the terms agreed upon as calculated to promote alike the interests of the province of Nova Scotia and of the general mining association.

We are now in communication with the solicitor of the general mining association, who is engaged in preparing the necessary documents for putting in form and carrying into effect the terms of adjustment entered into between the directors and ourselves.

And we have the confident hope that the adjustment will meet the ratification of the legislature of Nova Scotia, upon which it is conditional, and will be generally accepted as a just arrangement of the perplexing controversies which have prevailed.

We have the honor to be,

Your most obedient servants,

(Signed)

(Signed)

J. W. JOHNSTON,

A. G. ARCHIBALD.

The right honorable HENRY LABOUCHERE,

Her majesty's principal secretary of state for the colonies,

66 Lincoln's Inn Fields, London, W C.  
26th August, 1857.

#### NOVA SCOTIA MINES.

MY DEAR SIR,—

I am glad to hear that your negotiations with the delegates for a final settlement of all differences are progressing, and I presume you will shortly have concluded an agreement with them.

As soon as the court of chancery resumes its sittings I will present a petition to obtain the approval, by the court, of the agreement entered into between the duke's representatives

representatives and the association, and I have no doubt that what I shall be able to state to the court with reference to that agreement, and the agreement between the duke's representatives and the crown, consequent thereon, the court will be perfectly satisfied and order the agreements to be performed and carried into effect, and give all necessary directions for that purpose.

I remain, my dear sir,

Yours faithfully,

R. CHAMBERS.

FRANCIS T. BIRCHAM, esquire.

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2 Suffolk Place, Pall Mall, 20th August, 1857.

SIR,—

We are aware of the terms of the letter which Mr. Bircham, as the solicitor of the general mining association, has this day addressed to you, and confirming its contents, we, as the delegates from Nova Scotia to whom he alludes, beg to join the association in urgently requesting that no time be lost in placing the draft documents, referred to in Mr. Bircham's letter, in the hands of the proper authorities for revision and approval on the part of her majesty.

The drafts in Mr Bircham's possession have received our approval, and we are most desirous, before leaving England, to have an opportunity of considering and deciding upon any modification which may be suggested on the part of the crown, although, under the circumstances, we cannot suppose that any such modification will be found necessary.

We have the honor to be, sir,

Your obedient faithful servants,

(Signed)

J. W. JOHNSTON,

(Signed)

ADAMS G. ARCHIBALD.

To the right hon. HENRY LABOUCHERE,  
Secretary to the colonies, &c. &c.

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40 Parliament street, 21st August, 1857.

MY DEAR SIR,—

I have now the pleasure of transmitting you the following documents :

1. Letter from Mr. Chambers, the managing clerk of Messrs. Farrer & Co, who are the solicitors of the duke of York's representatives.
2. The draft copies of the heads of arrangement, surrender, lease, and act, which have been, from time to time, used by your colleague and yourself.

You will find some alterations in the draft surrender in red and blue ink, made since first before you. These have proceeded from the counsel and solicitors of the duke of York's representatives, and having been adopted by me you may consider the draft complete, so far as they are concerned.

3. A copy of the letter to Mr. Labouchere which your colleague and yourself signed yesterday.

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I had hoped before this to have been in possession of the engrossed heads of arrangement signed by Mr. Moser and Mr. Foord. It has not yet arrived, but on coming to my hands it will be immediately forwarded to you.

I have had two fair copies of the draft surrender, draft lease, and draft act made. In these all the alterations agreed with you have been introduced, but they are not distinguished. These drafts I will send you, signed on behalf of the association, and I shall be obliged by your colleague and yourself signing them, on behalf of the colony.

You will retain one set, and I shall hold the other on behalf of the association.

Of course we must both understand that if Mr. Rundell's executors require any alteration in the surrender, or if the crown requires any in *either* of the drafts, they are signed by us, respectively, subject to such contingencies.

I am, my dear sir,

Yours faithfully,

FRANCIS T. BIRCHAM.

Hon. J. W. JOHNSTON, 2 Suffolk Place, Pall Mall.

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*Parliament street, 24th August, 1857.*

MY DEAR SIR,—

I annex you a copy of a letter just received from the colonial office.

I am, my dear sir,

Yours faithfully,

FRANCIS T. BIRCHAM.

The honorable J. W. JOHNSTON.

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*Downing street, 22nd August, 1857.*

SIR,—

With reference to your letters dated the 20th and 21st inst., I am directed by Mr. Secretary Labouchere to acquaint you that the documents therein contained have been forwarded to the lords commissioners of the treasury, with a request that they may be submitted to their lordship's solicitor for settlement and approval.

I am, Sir,

Your most obedient servant,

(Signed)

T. FREDK. ELLIOT.

FRANCIS BIRCHAM, esquire.

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*46 Parliament street, 25th August, 1857.*

DEAR SIR,—

We beg to forward you herewith one part of the heads of arrangement, duly executed by the chairman and secretary of the general mining association.

We are, yours faithfully,

BIRCHAM & CO.

The honorable J. W. JOHNSTON.

Parliament

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*Parliament street, 8th September, 1857.*

MY DEAR SIR,—

You will be glad to hear that the crown advisers have approved the draft deeds.

Yours truly,

FRANCIS T. BIRCHAM.

The honorable J. W. JOHNSTON.

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*Halifax, 10th November, 1857.*

SIR,—

I transmit for his excellency the lieutenant governor's information, the accompanying letter from the solicitor of the general mining association, which I received in London after the negotiations of the delegates with the association had closed, and Mr. Archibald had left London.

I have, &c.

(Signed)

J. W. JOHNSTON.

The honorable the provincial secretary.

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*Parliament street, 10th September, 1857.*

MY DEAR SIR,—

On the other side I annex an extract from a report received by the directors of the general mining association from their agent, Mr. Scott, who is the resident superintendent at the Albion Mines, and to whose suggestion as a practical and experienced man, the directors attach much importance.

I assume from our conversation yesterday on the subject, that, so far as your own voice goes, this suggestion will be considered by the province as a reasonable one, and such as may be admitted into the arrangement,—and perhaps if Mr. Archibald be of the same opinion, the right course will be to add a covenant to the lease that no grant will be made to other lessees without reserving to the province such a width of land and coal as is mentioned in Mr. Scott's communication, to form a wall, as it were, between the company's take and that of other parties.

I am, my dear sir,

Yours truly,

FRANCIS T. BIRCHAM.

Honorable J. W. JOHNSTON, &c. &c.

“ Whilst thinking over this new arrangement which has just been made with the delegates, it has occurred to me that it is of the greatest importance, that a band of coal, of not less than 100 yards, ought to be left outside of the association's boundary lines, in order to prevent any one commencing operations communicating with the association's works, either wilfully or by accident.”

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No. 2.

*(see page 410.)*

## INTERCOLONIAL RAILWAY.

(COPY.)

*Provincial secretary's office, Halifax, June 4th, 1857.*

SIR,—

I am commanded by his excellency the lieutenant governor of this province to communicate to you for the information of his excellency the governor general that the executive government of Nova Scotia feel a lively interest in the scheme to construct an inter-colonial line of railway from Quebec to Halifax, by which the British provinces may be more closely united.

Canada has already made provision for the construction of the line to the Riviere du Loup, for one hundred and ten miles of the route towards the Atlantic seaboard here, and Nova Scotia has now under contract sixty miles to Truro on this end of the line, which will be completed next summer.

New Brunswick is deeply interested in this truly national undertaking, and will, no doubt, aid its completion to the utmost of her ability.

This gigantic project is therefore being brought, by the unaided energy of the colonies, within such limits as it may fairly be inferred will attract the co-operation, and obtain the support of the British government.

Two delegates, the hon. Mr. Johnston, attorney general, and A. G. Archibald, esq., a leading member of the opposition, are to proceed shortly to England, on public business; and they will be authorized by the government to endeavor to enlist the aid of the British government in the construction of this road, which is not only essential for military purposes, but will also attach increased national importance to British America.

I have it in command to say further, that it will give his excellency and the government of this province great satisfaction to have the joint action of the government of Canada with this delegation, in any way that may seem best to his excellency the governor general, in order that due importance may be given to a question of the first magnitude both to these colonies and the mother country.

I have, &amp;c.

(Signed)

CHARLES TUPPER.

The hon. the provincial secretary, Canada.

*Provincial secretary's office, Halifax, June 4th, 1857.*

SIR,—

I have it in command from his excellency Sir John Gaspard LeMarchant, to forward for the information of his excellency the lieutenant governor of New Brunswick, the inclosed communication to the governor general, and at the same time solicit the co-operation of your government with the delegation about to proceed to England from this province in carrying forward this great work, which, whether viewed in a commercial, political or national aspect, can hardly be over-estimated in its consequences to these provinces and the parent state.

I have, &amp;c.

(Signed)

CHARLES TUPPER.

The honorable the provincial secretary, New Brunswick.

Nova

## NOVA SCOTIA.

*At a council held at the government house, at Halifax, on the 16th day of June, 1857.*

## PRESENT :

His excellency Sir J. Gaspard LeMarchant, lieutenant-governor.

The honorable James W. Johnston,  
 “ Charles Tupper,  
 “ Michael Tobin,  
 “ Martin I. Wilkins,  
 “ Stayley Brown,  
 “ John J. Marshall,  
 “ John Campbell, (co. incillors.)

The honorable James W. Johnston, attorney general, and Adams G. Archibald, esq., the commissioners appointed for the purpose of effecting a settlement of the questions relating to the mines and minerals of the province, are hereby authorized and requested, whilst in England, to solicit, on behalf of this colony, from her majesty's government, the reconsideration of the question of the construction of an intercolonial railroad between Halifax and Quebec, by the combined agency of the imperial government and the provinces of Canada, New Brunswick and Nova Scotia.

They are also authorized, either in connection with that question, or otherwise, to confer with the imperial government, or any other parties interested therein, on the subjects of immigration to this colony, and a union of the British North American provinces.

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*Extract of despatch, No. 41, dated 16th June, 1857, from lieutenant governor Sir J. G. LeMarchant, to the right hon. the secretary of state for the colonies :*

“Deeply impressed with the importance of inter-communication by railroad between the colonies of Canada, New Brunswick, and Nova Scotia, both to the imperial government and these colonies, as calculated to draw more closely the bonds of union between the latter and the parent state, and to afford security to the colonial possessions in the event of war,—my government have instructed the delegates to solicit imperial co-operation in the construction of the road in question, convinced that its accomplishment is alike demanded for the advancements of the colonies, and for the interests of the empire.

“In connection with this subject, the delegates are also instructed to confer with her majesty's government on the importance of establishing a judicious system of immigration into the colonies, and to bring under its serious consideration the subject of a union of the British North American provinces, as tending to their elevation and perpetuating their connection with the parent kingdom.”

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*Government house, Toronto, July 22, 1857.*

SIR,—

The project of constructing an inter-colonial line of railway between Halifax and Quebec, having been brought under my consideration by a despatch from the provincial secretary of Nova Scotia, dated Halifax, June 24, 1857, and concurring entirely with the executive government of Nova Scotia in the advantages that must accrue to the mother country and to the colonies on the completion of so great an undertaking, I have the honor to state that I have without delay brought the subject to the notice of my council, and I hasten to apprise your excellency of the action of the  
 government

government of Canada, in the confident hope that the provinces of New Brunswick and Nova Scotia will co-operate to the utmost of their ability in effecting what must contribute so much to the material prosperity of these colonies.

I enclose a copy of a minute of my council, pursuant to whose suggestions the honorable J. A. Macdonald, attorney general, Canada West, has already started for England on this mission.

I have the honor to be, sir,  
Your excellency's obedient servant,

(Signed)

WM. EYRE,

Lieutenant general administering the government.

His excellency the lieutenant governor of Nova Scotia, &c. &c.

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*Copy of a report of a committee of the executive council, dated 9th July, 1857, approved by his excellency the administrator of the government in council, on the 18-20th of same month :*

The committee of council beg respectfully to report to your excellency that the committee have had under consideration the important advantages which Canada and the provinces of New Brunswick and Nova Scotia would derive from the construction, or, rather, the extension, of the line of railway from Reviere du Loup to Halifax.

The committee are so deeply impressed with the importance of this inter-colonial undertaking, that they have deemed it advisable to suggest that a member of your excellency's council should proceed to England and place himself in communication with the secretary of state for the colonies, with a view of urging upon her majesty's government the reasons which should induce and impel the imperial government to aid the provincial governments to carry to completion this great and necessary national work.

The committee of council have no doubt that the government of the eastern provinces will cheerfully co-operate with your excellency in pressing the subject upon the attention of the imperial authorities, and with this view, the committee suggest that your excellency communicate to the lieutenant governors of New Brunswick and Nova Scotia, the action of your excellency's government.

The committee of council have much pleasure in stating that the hon. the attorney general for Upper Canada has consented to undertake the mission, and the committee beg further to suggest that the attorney general have authority to call to his aid the services of any gentleman whom he may deem necessary to the success of the negotiation.

Certified.

(Signed)

W. H. LEE, C. E. C.

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*Government house, Fredericton, New Brunswick, August 10th, 1857.*

SIR,—

I have the honor to transmit to you, herein enclosed, the copy of a memorandum which has been laid before me by my council, respecting the construction of an inter-colonial line of railway.

I have further the honor to inform you that I have forwarded a copy of this memorandum to the secretary of state.

I have the honor to be, sir,  
Your excellency's most obd't humble servant,

(Signed)

J. H. T. MANNERS SUTTON.

His excellency major-general Sir G. LEMARCHANT, &c., Halifax.

To

*To his excellency the honorable J. H. T. Manners Sutton, lieutenant governor, &c. &c. &c.*

The committee of council respectfully report to your excellency, that they have had under their consideration the despatch of lieutenant-general Eyre, the administrator of the government of Canada, on the subject of a railroad from Riviere du Loup to Halifax.

The legislature and people of New Brunswick have always evinced a lively interest in the proposed railway, and uniformly manifested a disposition to aid such an undertaking to the full extent of the resources of the province.

The committee of council advise your excellency to assure her majesty's government and the administrator of the government of Canada, of the interest they feel in the proposed railway, of its importance to the colonies and the parent state. They believe that the perpetuation of British power in America depends upon the consolidation of the colonial empire, which the proposed undertaking would greatly promote.

When the question in 1852 was the subject of negotiation between the province and the imperial government, New Brunswick agreed to contribute a fair proportion towards the construction of the railway. His excellency Sir Edmund Head, the present governor general of Canada, having taken an active part in the promotion of these arrangements, is fully cognizant of the views of the people of this province, and of their deep interest in the question.

To the three provinces such a railway would be of the highest importance as a means of developing their resources, promoting their material interests, and strengthening that mutual sympathy and unity of interest and feeling, so essential to secure for them that commercial and political position to which they are entitled from their situation and resources.

The committee of council are confident that if her majesty's government could be sufficiently impressed with the great importance of the proposed railway to the empire in a national point of view, and that imperial interests absolutely require it, they would not hesitate to take such measures as would secure its construction.

New Brunswick, with her large domain, could provide a vast field for future colonization, which, with her other resources, would afford a present security and future means to defray what might be considered her reasonable portion of the expenditure.

The legislature of New Brunswick, during its recent session, expressed the opinion that your excellency should ascertain whether the government of Canada would undertake the construction of a railroad from Saint John to Canada, jointly with the government of New Brunswick, upon such terms as should be consistent with the interests and means of the respective provinces, with the aid of the imperial government.

The committee of council are so fully impressed with the great importance of the matter, that they would have advised your excellency to send a delegation to England, to press the subject upon her majesty's government, did it not appear to them that from the lateness of the period your excellency received the intelligence, such delegation could not arrive in London in time to give that weight to their representations which would be the primary object of any such mission.

The committee of council advise your excellency to communicate this minute to her majesty's government, to his excellency the administrator of the government of Canada, and to his excellency Sir Gaspard LeMarchant, the lieutenant governor of Nova Scotia.

(Signed)

CHARLES FISHER,  
S. L. TILLEY,  
JAMES BROWN,  
CHARLES WATTERS,  
W. H. STEVES,  
DAVID WARK.

August 10th, 1857.

2 *Suffolk place, Pall Mall, 20th August, 1857.*

SIR,—

In preparing, agreeably to your desire at our late interview, a statement of the considerations on which we solicit, on behalf of Nova Scotia, subject to the approval of the legislature, imperial assistance towards the construction of a railroad from Halifax to Quebec, through British territory, we beg to recall the fact that the application is not now made for the first time.

2. The policy of connecting the provinces of British North America by a line of railway extending from the sea shore of Nova Scotia into the interior of Canada, was first suggested by a British statesman of great sagacity and political foresight. Lord Durham saw the immense advantage of this great work, not only to the province, but to the empire.

The idea, once suggested, was not lost sight of. Earl Grey, when colonial minister, felt the importance of the question; and, in a despatch to Lord Elgin, dated the 31st December, 1846, he referred to a convention, to be composed of delegates from the governments of the different British colonies, the consideration of “the mode in which “the provinces should co-operate with each other and with her majesty’s government “in promoting the construction of the proposed railway.”\*

3. The provinces, thus invited by her majesty’s ministers to the consideration of a question of deep interest, entered eagerly upon it, and from that period to the present have done everything in their power to promote this great work.

Up to 1850, various modes of carrying it out, were suggested from time to time, and the different colonial legislatures readily gave to each scheme that was brought forward, such offers of assistance as their resources enabled them to afford. In the summer of that year, however,† their hopes of success were frustrated by a despatch from the colonial secretary, informing the government of Nova Scotia that the British ministry, receding from their original position, would afford no assistance to carry out a project too great for unassisted colonial resources.

4. Disappointed in her original hopes, Nova Scotia turned her attention to the construction of such local railways as were required for the development of her own commerce and industry, and shortly afterwards sent to England a delegate charged to endeavor to interest the British government in the question, so as to procure such a guarantee of the provincial bonds as would enable her to borrow the money she required upon favorable terms.

The delegate, upon submitting his propositions, was informed that the government could not undertake to furnish any aid to projects of merely provincial importance, but he was invited to a renewal of the inter-colonial scheme. This was again deliberately considered by her majesty’s government, and Earl Grey communicated through Mr. Hawes, in a despatch dated the 10th March, 1851, a formal decision on the part of himself and his colleagues to afford a guarantee or advance the money from the imperial treasury, upon the express condition of provision being made by the three provinces for opening a complete line of communication from Halifax to Quebec or Montreal, through British territory; and, in a communication to Lord Elgin, then governor of British America, written four days afterwards, he put forth, as the ground of the guarantee, the importance of the work to the interests of the empire.

We refer to the correspondence on that occasion, and to the engagements given on the part of the government, as expressed in Earl Grey’s despatches to the governor general and to Mr. Howe, through Mr. Hawes, before alluded to.

The principles upon which our present application are made is stated with so much significancy in these documents, that we beg permission to quote a few passages.

In

\* See Journal of 1848, p. 75, of appendix No. 12.

† See Earl Grey’s despatches of 19th June, 1850.

In Mr Hawes' letter, the delegate of Nova Scotia was told :—

“ You are already aware, from the repeated conversations which you have had with Lord Grey, of the strong sense entertained by his lordship and colleagues of the extreme importance, not only to the colonies directly interested, but to the empire at large, of providing for the construction of a railway by which a line of communication may be established on British territory between the provinces of Nova Scotia, New Brunswick and Canada ; and the various plans which have been suggested for the accomplishment of this object, have undergone the most attentive consideration.”

Mr. Hawes is directed to state, in very distinct terms, the conditions and considerations on which the aid was granted. His language is:—“As her majesty's government are of opinion that they would not be justified in asking parliament to allow the credit of this country to be pledged for any object not of great importance to the British empire as a whole, and they do not consider that the projected railway would answer this description, unless it should establish a line of communication between the three British provinces, it must be distinctly understood that the work is not to be commenced, nor is any part of the loan, for the interest on which the British treasury is to be responsible, to be raised until arrangements are made with the provinces of Canada and New Brunswick, by which the construction of a line of railway, passing wholly through British territory, from Halifax to Quebec or Montreal, shall be provided for to the satisfaction of her majesty's government.”

The language of the colonial secretary is not less emphatic. He says—“ From the correspondence which I have already had with your lordship on the subject of the projected railroad from Halifax to Quebec, you are well aware that, although her majesty's government have not hitherto been enabled to take any steps towards the execution of that work, it is an undertaking which they have long earnestly desired to see accomplished, as they believe it to be one calculated very greatly to advance the commercial and political interests both of the British provinces in North America and of the mother country. It is therefore with great satisfaction that I have now to acquaint your lordship that I have reason to hope that the time has at length come when this great national enterprise may be undertaken with advantage, if there still exists, as I am assured there does, as strong a desire to promote it, on the part of the inhabitants of Canada and New Brunswick, as they formerly expressed, and as the people of Nova Scotia have recently manifested.”

The three provinces accepted the proffered assistance on the conditions announced to them ; and agreed upon a line of railroad along the northern shore of New Brunswick, acceptable to the British government. The contemplated enterprise was only abandoned in consequence of a misunderstanding as to the extent of the guarantee proposed by Earl Grey, which, on the one hand, was supposed to include a railroad through New Brunswick, along the bay of Fundy towards the boundary of the United States ; while, on the other hand, it was held to be confined to the direct line to Canada.

Subsequently this obstacle was attempted to be removed by an arrangement among the governments of the three provinces, that the line through New Brunswick to Canada should be transferred from the northern shore to the valley of the St. John. Her majesty's government declined to accept the latter line, on the ground that it defeated a material consideration on their part, by bringing the line of communication through the British provinces in too close proximity to the American frontier.

The positive pledge of the British government, thus deliberately given, has never been withdrawn. The conditions upon which that pledge was given, Nova Scotia has faithfully complied with ; and her people, whose policy to a large extent has been moulded by that pledge, feel that they have a strong claim upon the consideration of her majesty's government.

On the failure of the inter-colonial scheme, Nova Scotia has resorted to her former policy, but despairing of imperial assistance, has borrowed money on the credit of her own bonds, and is pushing forward her local railways as rapidly as her resources allow.

Already

Already she has put one hundred miles under contract, one fourth of the whole is in operation, and the remainder approaches completion.

Of these lines, the only part available for the inter-colonial railway, is the section between Halifax and Truro. From Truro to the New Brunswick border, the inter-colonial line presents less prospect of remunerative return, and would not be undertaken by the province without aid, and unless to connect with inter-colonial railways. Still Nova Scotia is not insensible to the position she occupies on the foreground of British America. For inter-colonial and imperial purposes she is willing to make sacrifices which commercial considerations alone would not justify. She will construct a road which, but for these considerations she would not venture upon, if Great Britain will enable her to do so; she asks no contribution, though she believes the imperial government might well give it. What she does ask is, that her bonds for the expenditure from Halifax to the New Brunswick border shall be guaranteed by the British government, and the province be thus enabled to borrow, upon the most favorable conditions, the amount she requires; and she will engage to construct and maintain and work the road throughout that distance, on the account, and at the risk, of the province.

The guarantee asked for involves no risk.

The province of Nova Scotia is advancing in material prosperity at a rate which will compare favorably with any part of the western world.

Her taxes, the lowest in the world—her revenue has always been equal to her requirements, and is rapidly increasing. From 1849 to 1854, with no material alteration in imposts, the revenue doubled in amount.

The population increases at a rate nearly equal to that of the whole United States, and much greater than that of the States immediately contiguous to our border.

Insular in its position, Nova Scotia largely engages in maritime enterprises. Her coasts, skirted by fisheries, the best in the world;—her bosom, filled with enormous deposits of coal and other minerals, not to be found on the sea-board of the United States, the natural habits of a maritime population have, in these sources, unlimited scope for enterprise; while in the interior of the country, large tracts of the best land for farming purposes, reward the industry of an agricultural population, not inferior in enterprise to any similar class in any part of the world.

Nova Scotians may, with some pride, refer to the various sources from which the prosperity of their country springs; and we allude to it now, and dwell upon it, because we wish the British government to understand that we will incur no debt that we are not able, as well as willing, to pay, and to shew them that what we now solicit, may be safely granted: to us the boon will be large, but they may confer it without loss, and without risk.

The course of events since 1851 has not weakened the claims of the colonies, or diminished the obligation or interest of the Imperial government, to extend assistance towards the object in view.

Within that period, all the three colonies, and especially Canada, by embarking largely their own resources in railroad enterprise, have earned a right to seek assistance which they did not possess before; while, by this absorption of their own resources, they have diminished their ability to accomplish this great work.

Under no circumstances would they enter without assistance upon the construction of an inter-colonial railroad from Halifax to Quebec. Neither of them, if possessed of the means, have a sufficiently large inducement, or separate interest in the undertaking, to justify encountering its hazards and burthens; and, were it otherwise, a work so large, and of so little remunerative promise, is beyond the compass of their own largely taxed resources.

Hence, it may be truly assumed, that if the British government do not afford essential aid, this great "national undertaking, calculated very greatly to advance the commercial and political interests, both of the British provinces in North America, and of the mother country," to use the language of the British cabinet in 1851, will never be accomplished.

It will not, however, fail because her majesty's North American subjects are too short-sighted to comprehend its important national bearings, or too indifferent to the general welfare to care for its accomplishment, or too much occupied with their own more immediate concerns, to be willing to contribute towards it. It is because of the higher and larger influences of the work, as much as in consideration of local benefits, that we urge the undertaking on her majesty's government.

In case of hostilities with the United States, the facility which a railroad from Halifax through British territory would afford for the transport of troops and munitions of war, would be of incalculable advantage; and, in a mere financial point of view, would probably, in a few months, repay all that the government might have contributed. In connection with large steamers on the ocean, enabling the government to transport in a few weeks, on any threatened emergency, an army to any point of her majesty's North American possessions, it would render unnecessary the constant maintenance of a large military force within them.

Nor is it the least of the advantages that would result from this facility, that the knowledge of its existence would tend to avert hostilities that otherwise might grow out of a sense of comparative impunity, attendant on aggressive movements. Not less than seventeen lines of American railroads lead through the United States to the borders of Canada, and give the means of rapid hostile approach,—not a single line of British railroad connects the provinces together, or affords communication from the Atlantic shore through national territory. Of the three routes by which Canada is reached, viz: by the St. Lawrence, by lines of railroad that traverse the United States, and through the wilderness, the latter would alone be available for the transport of troops or munitions of war, in the case of hostilities, commenced or threatened at the beginning of winter.

On such an event, the spectacle might be presented, of a large and prominent colonial possession of the empire assailed by a superior force and cut off,—except at great exposure, expense, and delay,—from effectual aid, not only from the parent state, but from the adjoining colonies.

None more than the inhabitants of Nova Scotia, appreciate the advantages of peaceful relations with the United States. They, however, who are placed in close proximity, are less credulous than others may be, as to the impossibility of hostilities between the two powers. And yet it is apparent to all, that the foreign relations of no government are so subject, as those of the United States, to the influence of popular impulse or of party interests. This consideration, illustrated as it recently was by the enlistment dispute, sufficiently indicates that a policy, founded on the assumed impossibility, or high improbability, of hostilities with that people, must be deficient in the forecast that seeks, by timely and suitable preparation, to prevent aggression, or successfully to repel it.

The great work we advocate is as necessary to enable her majesty's North American colonies to promote their mutual progress in peace, as it is requisite for their common defence in war. It is almost impossible for those at a distance to comprehend how much New Brunswick and Nova Scotia are unallied to Canada by those bonds of mutual intercourse that might be expected to subsist between colonies of the same empire, placed together under circumstances that make a close union their common interest and security.

With the United States, Canada has unlimited means of communication, by lakes, rivers, canals and railroads; and extensive and intimate intercourse is the result. The capital of New Brunswick, connected with the United States by a short and easy navigation, maintains relations as close. Nova Scotia, almost an island, sends vessels from every part of her shores to the neighbouring ports of the union, and carries on a trade so extensive that, of the annual tonnage that enters the port of Boston, more than half is from Nova Scotia.

The means of intercommunication between Canada and the Lower Provinces, is utterly insignificant in the contrast.

By

By land, for practical purposes, none exists. An uncultivated and hilly country opposes an effectual barrier. Colonel Robinson's valuable report of his surveys in 1848, gives unquestionable information on this head. By water, the comparatively distant and circuitous navigation of the St. Lawrence offers the only route—one little used while open, and closed through a large part of the year. The result is ignorance and indifference as regards each other, with little concern or ability for mutual benefit.

An inter-colonial railroad would give the means of communication at present wanting. It would open to Canada an Atlantic seaboard on British soil, from which she is now cut off; and it would offer to the lower provinces a ready access to the vast field of enterprise and progress occupied by their fellow subjects in the interior. It would prove a benefit of incalculable value, should it be the precursor of, as it is an absolute necessity towards, a legislative union of her majesty's North American provinces,—a measure essential to the full developement of the power which their situation and character are calculated to confer, and without which they never can attain the high position to which their united energies and advantages would lead them.

When the important objects to be accomplished by this work are considered, and the difficulties of carrying it out, owing to the large extent of uncultivated country through which it must pass in New Brunswick and Canada, with the consequent drawbacks upon its remunerative character, it seems not unreasonable to expect, in addition to the imperial guarantee for the loan contracted by the provinces, some more direct and substantial aid, as a contribution from the national funds, for national advantages.

Confining ourselves, however, to Nova Scotia, the aid we solicit is, we think moderate, and such as would entail neither inconvenience nor loss on the British government.

In pressing upon your urgent consideration the obligations which, in our opinion, impose upon her majesty's government the duty of extensively aiding the construction of an inter-colonial railroad, we are not insensible to the feeble influence excited by the representations of dangers distant and problematical, when the attention is already occupied by objects of present and urgent interest.

Much that we have suggested is however neither distant nor hypothetical, but is of actual existence and daily operation. For, while Canada remains cut off from communication with the lower provinces and with the Atlantic shore on British territory, the tendencies to alienation between her and the sister provinces, and to the approximation of all the colonies to the United States, must strengthen and mature.

That portion of our observations founded on the contingency of war with the United States, deals indeed with the future; but if the history of nations and the experience of the past may be relied on, it can hardly be treated as hypothetical, in the sense which would preclude it from present consideration—for the undertaking which we urge must be accomplished while the danger that prompts it is distant and contingent, otherwise it will come too late to avert the evils it is designed to counteract. That the time will come when the evils resulting from the want of such a communication between the North American provinces, will be felt, should the measure be delayed, and that the question will arise,—Where rests the responsibility for the neglect? we cannot doubt. Her majesty's colonial subjects will not be found chargeable. As early as the year 1848, at the instance of the legislature of Nova Scotia, and at the expense of the three colonies, the survey of Colonel Robinson was made, and his report full of the most useful information, exists to shew the necessity—the difficulties—and the practicability of the undertaking. Since that time, repeated and strenuous efforts have been made by those colonies towards promoting the object. Now, without mutual concert, and each acting on its own apprehension of the importance of the measure, the governments of Canada and Nova Scotia have severally commissioned delegates to press the subject on the attention of her majesty's government.

We have the honor to be, sir, &c.

(Signed)

(Signed)

J. W. JOHNSTON,  
A. G. ARCHIBALD.

To Right hon. HENRY LABOUCHERE,

H. M. P. secretary of state for the colonies.

Downing

*Downing street, 27th August, 1857.*

GENTLEMEN,—

I am directed by Mr. secretary Labouchere to acknowledge the receipt of your letter of the 20th instant, relative to the grant of imperial aid towards the construction of a railroad from Halifax to Quebec; and I am to acquaint you, that this important subject will receive the careful consideration of her majesty's government.

I am, gentlemen,

Your obedient servant,

(Signed)

J. ELLIOT.

The honorable J. W. JOHNSTON, and  
A. G. ARCHIBALD, esquire.

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*Halifax, 6th November, 1857.*

SIR,—

In obedience to the instructions of his excellency and the provincial government, we lost not the opportunity, while in London—pursuing the more important object of our mission—to urge the importance of an inter-colonial railroad, in every quarter where the consideration of the subject promised to be useful.

His excellency Sir Edmund Head being in London, we esteemed it to be our duty to him, as governor general of these colonies, to ascertain his sentiments on the question. He favored us with an interview, in which the measure was discussed, and from which we gathered in general terms, the favorable disposition of the Canadian government to the undertaking.

Mr. Labouchere spoke with us freely on the subject, and obviously appreciated its importance; although it did not at first appear that he had arrived at its practical consideration. We left him with the understanding that we would submit our views to him in writing.

The arrival of Mr. MacDonald, the attorney general of Canada West, and Mr. Rose, as delegates from Canada, gave an impulse to the movement, and a position to the question, which delegates from a single and small province could not have hoped to effect.

These gentlemen, with great earnestness and ability, enforced upon the government the importance of the measure, from the Canadian point of view. We do not doubt that the presence of the governor general, and the opinion of the commander in chief of the forces in Canada,—which is understood to be in favor of the undertaking in its military bearings,—added weight to the advocacy of the measure on the part of Canada.

We have reason to believe that an earnest impression of the necessity of national aid to a North American inter-colonial railroad, on national considerations, was made on the minds of some of her majesty's ministers; and that the question was adopted by the cabinet as of serious import.

We are not without hope that these negotiations may contribute to the accomplishment of this great object, although the pressure on the imperial exchequer, owing to the eastern war, has rendered the period unpropitious.

The absorbing interest of Indian affairs, and the engrossing engagements of the government in relation to them, and to the closing of the session of parliament, precluded our having many opportunities of urging the subject personally, and occasioned much loss of time in seeking these opportunities.

We transmit herewith a copy of our letter to Mr. Labouchere, and of his reply.

We

We shall be happy if the manner in which we have dealt with the subject shall be considered appropriate.

We beg to correct a mistake in the closing paragraph of our letter to the colonial secretary, in which we say, that Canada and Nova Scotia acted without mutual concert. We were aware that before we left Halifax, the provincial government had invited the attention of Canada and New Brunswick to the subject; but we were not acquainted with, or we had overlooked the fact, that the Canadian government, in appointing delegates to England, had acted upon that movement on the part of Nova Scotia.

Although it may not be our province to offer an opinion on the subsequent measures proper for following up with effect any favorable impressions made by the recent negotiations, yet it belongs to our duty to report, that we were met by the objection, that the absence of delegates from New Brunswick,—or rather the want of some concerted scheme for the inter-colonial railroad, agreed upon by the three provinces of Canada, New Brunswick and Nova Scotia,—rendered the consideration of the subject premature; and that no practical result was probable until those colonies should be agreed among themselves.

We are assured that the concert and harmonious action of the three colonies, however this may be best attained, is the step that next presents itself in the prosecution of this important measure.

From what fell under our observation, we are further induced to express our belief that valuable assistance, through the influence of persons in England interested in the North American colonies, would be secured toward the attainment of the object, were the reasons in its favor made public in the form of a pamphlet, illustrated by a map.

We have the honor to be, sir,

Your very obedient servants,

(Signed)

J. W. JOHNSTON.

(Signed)

A. G. ARCHIBALD.

To the honorable the provincial secretary.

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*Provincial secretary's office, Halifax, Nov. 23rd, 1857.*

SIR,—

By command of his excellency the lieutenant governor of Nova Scotia, I have the honor again to invite the attention of the government of Canada to the important project of completing an inter-colonial line of railway between Quebec and Halifax.

I enclose for the information of his excellency the governor general, a copy of the communication of the delegates from this province, when urging upon the British government,—in conjunction with the hon. Mr. McDonald, the delegate from Canada,—the re-consideration of this great enterprise, during the past summer.

The embarrassment caused by the difficulties in India rendered the time unpropitious, and the absence of any delegate from New Brunswick, probably prevented more than a warm expression, on the part of the colonial secretary, of the deep interest felt upon the subject by the British government.

The despatch forwarded by the government of New Brunswick, although too late to subserve the views of the delegates, evinces the anxiety entertained by that province in this undertaking, and shows that that colony was not represented in the delegation, owing to the late period at which the despatch of lieutenant general Sir William Eyre, reached Fredericton.

His excellency Sir Gaspard LeMarchant thinks it very desirable that a mutual understanding on this subject should be had at an early period between the three provinces so  
deeply

deeply interested ; and I am commanded to invite the communication of the sentiments of the governments of Canada and New Brunswick, respectively, and to solicit their suggestions as to the mode most acceptable to them by which such an interchange of opinions may be obtained. The legislature of this province will meet in the early part of February.

We have now under contract all that portion of the railway which is common to the trunk line and the branch to Pictou ; and it is very important that we should know whether there is a probability of an inter-colonial line being arranged before we expend the means at our command in carrying the road to Pictou.

Should the improbability of the trunk line being carried through compel us to adopt the latter policy,—by which we open communication with the Gulf of St. Lawrence,—we see no reasonable prospect of our being able to construct a railway to the New Brunswick border for many years.

A copy of this letter, as also the enclosure, will be sent to the government of New Brunswick, and their co-operation invited.

I have the honor to be, sir,

Your obedient servant,

CHARLES TUPPER.

The hon. the provincial secretary, Canada.

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*Provincial secretary's office, Halifax, Nov. 23rd, 1857.*

SIR,—

I have it in command from his excellency Sir Gaspard LeMarchant, to forward, for the information of his excellency the lieutenant governor of New Brunswick, the enclosed copy of the communication of Messrs. Johnston and Archibald to the British government, on behalf of Nova Scotia, with reference to an inter-colonial railway, and also a copy of a letter addressed this day to the government of Canada, upon the same subject.

It is much to be regretted that New Brunswick was not represented by a delegate, when this question was recently pressed upon the home government.

His excellency the lieutenant governor of this province considers it highly desirable that no time should be lost in ascertaining the views of the three provinces on a subject fraught with such deep consequences to all of them, and trusts that some means will be suggested by which the views of each may be understood, and, if possible, a basis of co-operation be devised.

New Brunswick and Nova Scotia are alike engaged in the construction of railways which are as yet sectional, and not calculated to be of material advantage to each other.

Previous to the meeting of our legislature in February, his excellency would be glad to learn the intention of the government of New Brunswick, with reference to connecting these two provinces, at all events.

It has been the avowed policy of Nova Scotia to carry a trunk line of railway to the borders of New Brunswick, provided that province would agree to meet us there, but if not, to continue our road to Pictou.

Our railway is now under contract to Truro, and we must decide whether it shall be extended towards the New Brunswick border, or Pictou.

It remains, then, for the government of New Brunswick to indicate whether we shall be united by a common line, stretching from Windsor to Halifax, and thence to Shediac and St. John, by the arrangements now in progress, and it is to be hoped, that at no distant

distant day to be extended to Quebec, (either by the northern route, or a connection with the line from St. Andrew's to that place,)—or disjointed and apart, expend our resources upon local and isolated railways without a communication or object.

I am further commanded to solicit the consideration of this subject, and a communication thereupon at as early a period as convenient.

I have the honor to be, sir,

Your most obedient servant,

CHARLES TUPPER.

The honorable the provincial secretary,  
New Brunswick.

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*Provincial secretary's office, Fredericton, Dec. 12th, 1857.*

SIR,—

By direction of his excellency the lieutenant governor, I transmit to you herewith a copy of a minute of council, (approved by his excellency on the 10th instant,) on the subject of inter-colonial railroads, and I have to request that you will be pleased to lay the same before the government of Nova Scotia for their information.

I have the honor to be, sir,

Your obedient servant,

(Signed)

S. L. TILLEY.

The hon. CHARLES TUPPER, provincial secretary,  
Nova Scotia.

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*To his excellency the honorable John Henry Manners Sutton, lieutenant governor and commander in chief of the province of New Brunswick, &c. &c. &c.*

The committee of the executive council respectfully report to your excellency that they have had under their consideration the letter of the provincial secretary of Nova Scotia on the subject of an inter-colonial railroad, with the enclosures—the copy of a letter addressed to the right honorable the secretary of state for the colonies by the attorney general of Nova Scotia and the honorable A. G. Archibald, and the copy of a letter addressed to the provincial secretary of Canada by the provincial secretary of Nova Scotia. The government of New Brunswick have always evinced a deep interest in the proposed railroad, and believing it to be an object of great national importance, have at all times manifested their readiness to unite in pressing the subject upon the imperial government.

On the tenth of August last we advised your excellency to assure her majesty's government, and the respective governments of Canada and Nova Scotia, that we were fully alive to the subject, and would have been prepared to have sent a delegation to England to unite with the delegates from Canada and Nova Scotia, in bringing the question under the notice of the home government, had we received timely intimation that the government of Nova Scotia was moving in the matter.

The despatch of lieutenant general Eyre, administrator of the government of Canada, informing your excellency of the action of the government of Nova Scotia, inviting the co-operation

co-operation of this province in securing "the construction, or, rather, extension, of the line of railway from Riviere du Loup to Halifax," dated at Toronto on the twenty-second of July, 1857, was received by your excellency late in the evening of the twenty-ninth day of that month. The members of the executive council were immediately summoned to Fredericton to advise your excellency.

It appeared evident, that however important a delegation might have been, it was then too late to secure its arrival in London in time to unite with the delegates from Canada and Nova Scotia in pressing the subject on the home government. We submitted our views to your excellency in writing, which were approved of and transmitted to the principal secretary of state for the colonies, by the first mail.

It now appears that we advised the only course that was open at that late period, and the statement in our minute "That the delegation could not arrive in London in time to give that weight to their representations which would be the primary object of any such mission," is admitted in the letter from the provincial secretary of Nova Scotia to the provincial secretary of Canada, to be correct.

The legislature and people of New Brunswick have at all times expressed a readiness to aid in the construction of an inter-colonial railroad, in proportion to the means of the province, and its interest in the work.

During the last session of the legislature, the house of assembly passed an address to your excellency, praying that your excellency would correspond with the governor general of Canada, to ascertain whether Canada would unite with New Brunswick in the construction of a railroad from St. John to Quebec, on joint account, with the aid of the imperial government.

The desirableness of a railroad uniting the colonies has always been felt, and is daily assuming a greater degree of importance.

We believe that the three provinces are interested in the work—that New Brunswick would assume a fair share of the responsibility if imperial aid could be obtained; but the provinces of Canada and Nova Scotia have each an interest beyond their respective boundaries, the road through New Brunswick being absolutely necessary to the success of their respective lines.

New Brunswick is now constructing railroads which would form part of any general system.

We feel that by our unaided resources our operations must necessarily be limited. If the joint action of the other provinces could be secured, and the aid of the imperial government obtained, the great work of constructing an inter-colonial railroad could be accomplished, and each province also enabled to construct such local lines as trade and travel might require, with greater facility and less risk than the lines now in progress.

We advise your excellency to assure the government of Nova Scotia that we are prepared, in concert with the other provinces, to enter upon the consideration of the mode by which this great measure may be accomplished; and if any plan can be devised to secure it, and the guarantee of the imperial government obtained, we believe the legislature of New Brunswick would render such facilities as the means of the province would justify, and proportioned to its interest in the work.

(Signed)

CHARLES FISHER,

JAMES BROWN,

J. M. JOHNSTON, Jr.

W. H. STEEVES,

S. L. TILLEY.

Secretary

*Secretary's office, Toronto, 7th Dec. 1857.*

SIR,—

I have the honor, by command of the governor general, to acknowledge the receipt of your letter of the 23rd ult., again inviting, on the part of the government of Nova Scotia, the attention of the government of Canada to the important project of completing an inter-colonial line of railway between Quebec and Halifax; and to state that your letter will be laid before his excellency's executive council, for their consideration and report.

I have the honor to be, sir,

Your most obedient servant,

E. PARNEY.

The hon. the provincial secretary, &c. &c. &c.  
Halifax, N. S.

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(COPY.)

No. 173.

*Downing street, 15th January, 1858.*

SIR,—

I send you copy of a despatch which I have addressed to lieutenant governor Manners Sutton, in answer to his application on the part of the government of New Brunswick, for an imperial guarantee towards the construction of an inter-colonial line of railway.

Although I have not to acknowledge any despatches of your own on this subject, I received a memorandum from Messrs. Johnston and Archibald, as representing the views of your council, and had also personal communication with those gentlemen during their stay in England last season. You will therefore consider my despatch to New Brunswick as equally addressed to yourself.

I have, &c.

(Signed)

H. LABOUCHERE.

Lieutenant governor Sir J. G. LEMARCHANT, &c. &c. &c., Nova Scotia.

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No. 1.

*Downing-street, 15th January, 1858.*

SIR—

Her majesty's government have had under their consideration during the recess of parliament, the subject of your despatches Nos. 13 and 14, of August 10th and 15th last, and of the memorandum of your council enclosed in the former, namely, the proposal that assistance should be furnished from the imperial treasury, in the form of a guarantee of interest, towards the construction of an inter-colonial line of railway from Halifax to Quebec.

The same proposal in principle has been advocated by the governments of Canada  
and

and of Nova Scotia, through the intervention of gentlemen deputed by those governments to communicate personally with myself; and I have further to acknowledge your despatch, No. 29, of the 28th ultimo, transmitting copies of documents which have recently passed between the governments of Nova Scotia and New Brunswick on the same subject.

Although participating with the members of the several local governments, and with their own predecessors in office, in a strong sense of the importance of this object, her majesty's advisers cannot feel themselves justified in applying to parliament for the required guarantee. Their reasons for declining to take this step are solely of a financial description. They feel that the heavy expenditure to which this country has been subjected of late years, and the continued calls on the resources of the empire for pressing emergencies, do not leave them at liberty, for the present at least, to pledge its revenue to so considerable an extent for the purpose of assisting in the construction of public works of this character, however in themselves desirable.

Under these circumstances, I forbear to make any observations on some questions of detail in the proposed scheme, to which I should otherwise have adverted.

I have, &c.

(Signed) H. LABOUCHERE.

Lieutenant governor the honorable T. MANNERS SUTTON, &c. &c. &c.

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PART 2.

(COPY.)

Government house,

Toronto, 22d February, 1858.

SIR—

I have the honor to transmit herewith a copy of a minute of the executive council of this province, of which I have approved, relative to the joint action to be adopted by the provinces of Canada, Nova Scotia, and New Brunswick, for bringing before the imperial government the subject of the proposed inter-colonial railway between Halifax and Quebec.

I have the honor to be,

Sir,

Your excellency's obedient servant,

(Signed)

EDMUND HEAD.

His excellency lieutenant general Sir J. G. LE MARCHANT.

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*Copy of a report of a committee of the honorable the executive council, dated 18th Feb'y, 1858, approved by his excellency the lieutenant governor.*

The committee have had under consideration a communication dated 23rd November, 1857, from the provincial secretary of Nova Scotia, enclosing copy of the letter from the delegates of that province to the right honorable the secretary of state for the colonies, when urging upon the British government, in conjunction with the honorable Mr. McDonald, the delegate from Canada, the consideration of the important project

project of completing an inter-colonial line of railway between Halifax and Quebec, and stating that his excellency Sir Gaspard Le Marchant thinks it very desirable that a mutual understanding on this subject should be had between the three provinces so deeply interested, and has intimated him to invite the communication of the sentiments of the governments of Canada and New Brunswick, respectively, and solicit their suggestions as to the mode most acceptable to them by which such an interchange of opinions may be obtained.

They have also had before them two despatches, dated respectively the 10th and 26th December, 1857, with their enclosures, from the lieutenant governor of New Brunswick, having reference to the same subject.

The honorable the attorney general for Upper Canada recommends that assurances be conveyed to the respective governments of Nova Scotia and New Brunswick, of the undiminished interest of this province in the construction of an inter-colonial railway, connecting the three provinces, and suggests that the interest should be manifested by an address to her majesty on the subject from the Canadian legislature at its next session ; that if similar addresses were presented by the two other colonial legislatures, such joint action would bring the subject strongly before the imperial government ; that this might be followed by a meeting of delegates from each colonial government, at Fredericton or elsewhere, and at some convenient period, for the purpose of organizing some united mode of action in the matter. The committee concur in the views expressed by the honorable the attorney general, and recommend his suggestions for your excellency's approval.

Certified.

(Signed)

WM. H. LEE, C. E. C.

No. 3.

(See page 410)

## UNION OF THE NORTH AMERICAN COLONIES.

### NOVA SCOTIA.

*At a council held at government house, at Halifax, on the 16th day of June, 1857.*

PRESENT :

His excellency Sir J. GASPARD LEMARCHANT, lieutenant governor.

The honorable James W. Johnston,  
 Charles Tupper,  
 Michael Tobin,  
 Martin I. Wilkins,  
 Stayley Brown,  
 John J. Marshall,  
 John Campbell, (councillors.)

The honorable James W. Johnston, attorney general, and Adams G. Archibald, esq., the commissioners appointed for the purpose of effecting a settlement of the questions relating to the mines and minerals of the province, are hereby authorized and requested, whilst in England, to solicit, on behalf of this colony, from her majesty's government, the reconsideration of the question of the construction of an inter-colonial railroad between

between Halifax and Quebec, by the combined agency of the imperial government and the provinces of Canada, New Brunswick, and Nova Scotia.

They are also authorized, either in connection with that question, or otherwise, to confer with the imperial government, or any other parties interested therein, on the subjects of immigration to this colony, and a union of the British North American provinces.

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*Extract of a despatch, No. 41, dated 16th June, 1857, from the lieutenant governor of Nova Scotia, to the right honorable the secretary of state for the colonies :*

“ Deeply impressed with the importance of inter-communication by railroad between the colonies of Canada, New Brunswick, and Nova Scotia, both to the imperial government and these colonies, as calculated to draw more closely the bonds of union between the latter and the parent state, and to afford security to the colonial possessions in the event of a war,—my government have instructed the delegates to solicit imperial co-operation in the construction of the road in question, convinced that its accomplishment is alike demanded for the advancement of the colonies, and for the interests of the empire.

“ In connection with this subject, the delegates are also instructed to confer with her majesty’s government on the importance of establishing a judicious system of immigration into the colonies, and to bring under its serious consideration the subject of a union of the British North American provinces, as tending to their elevation and perpetuating their connection with the parent kingdom.”

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(COPY.)

*Halifax, 6th Novmeber, 1857.*

SIR,—

We have the honor to report for the information of his excellency the lieutenant governor, that in pursuance of the instructions we had received from the provincial government, we brought the subject of the union of the North American colonies under the notice of the colonial secretary, during our recent mission to London

In our interview which we had with Mr. Labouchere, this question was freely discussed. He informed us that her majesty’s government had no desire to interfere with the determination to which the colonies themselves might come on a point so immediately affecting their own interests; and that if they should be of opinion that union would advance their prosperity, the government would oppose no obstacle to the accomplishment of their wishes. Mr Labouchere’s own opinion we learnt to be, that while he doubted whether the union of Canada and the Lower provinces might not embrace too wide a circle for convenience and efficiency, he believed that the union of the lower provinces would be highly beneficial, and tend greatly to improve their position, and assist their progress. This declaration of the freedom of the colonies to decide this important question for themselves, seemed to be all that could be desired from the government, while, as yet, neither the legislature nor the people of Nova Scotia had given an expression of opinion on the subject, and when we had no authority to answer the enquiry of the colonial secretary, whether the people of Nova Scotia desired the change.

We

We therefore considered that the question had been brought to a point at which the next step must be taken by the colonies ; and that nothing more remained to be at present pressed on the consideration of the imperial government.

We have the honor to be,

Your most obedient servants,

(Signed)

J. W. JOHNSTON,  
ADAMS G. ARCHIBALD.

To the honorable the provincial secretary.

No. 4.

(See page 411.)

## TRADE RETURNS.

### GENERAL STATEMENT OF IMPORTS,

Being a detailed account of the principal articles of British and Foreign merchandize imported into Nova Scotia during nine months, ended 30th September, 1857, shewing the quantity and value of each article entered at each port, and indicating from what countries imported.

No. 5.

(See page 411.)

### GENERAL STATEMENT OF EXPORTS,

Being a detailed account of the principal articles shipped from Nova Scotia, during nine months ended 30th September, 1857, shewing the quantity shipped at each port, and indicating to what country exported.

No. 6.

(See page 411.)

### STATEMENT OF IMPORTS

Into the port of Halifax, during nine months ended 30th September, 1857, shewing the quantity and value of each article imported, and indicating from what country imported.

### STATEMENT OF EXPORTS

From the port of Halifax, during nine months ended 30th September, 1857, shewing the quantity and value of articles exported, and indicating to what country exported.

## No. 7.

(See page 411.)

AN ACCOUNT of the number and tonnage of vessels entered inwards at each port in Nova Scotia from each country, during nine months, ended 30th September, 1857, with the number of men navigating the same—distinguishing vessels with cargoes from those in ballast, and distinguishing British from Foreign ships.

## No. 8.

(See page 411.)

AN ACCOUNT of the number and tonnage of vessels cleared outwards at each port in Nova Scotia, to each country, during nine months ended 30th September, 1857, with the number of men navigating the same—distinguishing vessels with cargoes from those in ballast, and distinguishing British from Foreign ships.

## No. 9.

(See page 411.)

STATEMENT of the number, tonnage, and value of vessels owned in the different ports of Nova Scotia on the 30th September, 1857, indicating those built during nine months; shewing also those sold out of the province, and whither sent for sale.

MEMORANDUM.—The foregoing Trade Returns being for nine months only, are not printed in the appendix for 1858.

By order of the chairman of the committee on printing and reporting.

A. JAMES, clerk.

No. 37.

*(See page 456)*

## EDUCATIONAL REPORT FOR 1857.

MAY IT PLEASE YOUR EXCELLENCY,—

In presenting to your excellency my report of the common, grammar, normal and model schools of Nova Scotia, for the past year, it affords me much satisfaction to be able to state that, on the whole, the cause of the general education of the province is advancing, and, in some respects, at least, beginning to assume that position in the public estimation which its importance demands.

In my last report, I stated it to be my intention, as the normal and model schools, which had engrossed so much of my time, were now organized and in full operation, to devote more attention to the general interests of education throughout the province, and expressed the hope of being able to collect such a body of statistics as would give something like a fair representation of its real condition, both in its elementary and advanced stages.

In pursuance of this intention, during the course of the season, I addressed a circular to the clerks of the various boards of school commissioners, containing queries regarding school sections, population, children receiving instruction, teachers, &c. &c. To these queries I have received answers more or less full, of which I have availed myself to a certain extent, in drawing up my statistical report.

To the grammar schools I have devoted a separate table, that the character of these institutions may be at once perceived. In some of the general returns there is no report given of the grammar schools. This deficiency has however been supplied by the direct grammar school returns that have been forwarded to me.

Including Goreham college, Liverpool, there are seven collegiate institutions in the province, under the direction and control of the denominations of professing christians to which they respectively belong. Independently of Mount Allison Wesleyan Methodist academy at Sackville, N. B., which, in part, may be fairly considered as belonging to Nova Scotia, there are six academies in the province, viz.: Collegiate school, Windsor, Horton academy, Dalhousie College high school, Free Church academy, Pictou academy and Arichat academy. To these institutions, along with a number of private schools scattered up and down the province, I have allotted a separate table, embodying as much information as I could gather regarding them.

Among the statistical tables will also be found one relating to the normal school, showing the attendance of pupil-teachers during the different sessions, the counties whence they came, their religious persuasion, and the counties where they are now labouring in the discharge of their vocation; which, I hope, may be of some service in furthering the objects of that department of our educational machinery.

Notwithstanding all my efforts, I regret to say that these tables are not nearly so complete as I would like to see them; that, in fact, they can be considered in no other light than as an approximation to the truth. This state of things is nothing more than was to be expected, seeing that this is the first attempt to present a statistical report of the whole of our educational institutions; and, still more, seeing that there are no officers in the shape of local inspectors, whose business it is to furnish all the information that may be required by the superintendent for the above mentioned purpose. I

take

take leave here to tender my best thanks to the clerks of the boards, and to the commissioners themselves, for the assistance they have kindly rendered me on all occasions. Still there are many points beyond the sphere of their observation, and which none but local inspectors could be supposed to investigate. And, indeed, I despair of ever being able to make out an accurate and full tabular statement of educational statistics, without the appointment of a well equipped staff of such officers.

Though the tables, as far as they go, speak for themselves, it may not be improper that I direct the attention of your excellency to some of the more prominent points, offering, as I go along, such suggestions thereon as may appear best fitted, at once to increase the quantity and to elevate the quality of the education of the province.

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## I.—SCHOOL DISTRICTS OR SECTIONS.

[See TABLE A.]

From the above table it will be seen, that, whilst there are twenty-two returns in which the sections are marked, there are not less than ten in which they are not; and from which we may safely conclude, either that there are no school sections within the bounds of these boards, or that they are so indistinctly defined as scarcely to be worthy of the name. But even in those returns where these sections are given, there is too much reason to fear that, in not a few, the boundaries are not very accurately delineated; at all events, there does not seem to be any general principle established for regulating the division of counties, or the districts assigned the different boards of school commissioners, into school sections. Since 1826, the time when the present system of school boards came into existence, there does not appear to have been any authoritative revision or re-appropriation. The commissioners, it is true, under successive enactments, have been charged with a supervision of these sections, and, in several instances, have undergone no small amount of labor and of personal inconvenience to adjust matters, in certain localities. But they have naturally felt a delicacy in interfering, unless where the initiative was taken by the people of the sections themselves; and thus their instrumentality has been mainly directed to particular cases, to meet some pressing emergency, or to settle some local differences. In these circumstances, need we wonder that so much confusion and irregularity should prevail respecting the whole matter of school sections; that there should exist so many boards of school commissioners without any clearly defined school sections; and, what is worse, that, in not a few instances where the settlements are more densely peopled, or where villages may have sprung up or largely increased, there should be found two or three bodies of trustees, sometimes self-elected, and sometimes without any specific boundaries assigned them, all carrying on their operations quite irrespective of one another, and that, too, in what properly and legally constitutes but one section. This last mentioned irregularity has placed a complete arrestment on the whole progress of education wherever it has existed. It has broken down and frittered away into mere fragmentary schools what might have been one or two largely attended and efficient educational establishments. It has encouraged an inferior class of teachers, because of the inadequate remuneration afforded. And what has been the result? In those very localities, where, from the abundance of materials, education should have been in the most efficient and flourishing condition, both in point of quantity and quality, and shedding its benign influence over the whole surrounding country, there is it most sickly and languishing.

This matter demands from the legislature the most grave and earnest consideration, as little or no progress can be made in the common education of the country without some remedy being applied thereto. A careful and formal revision and readjustment of the school sections of each county ought to be effected, under the auspices and direction

of

of some special local commission, and provision made for a repetition of the same every ten years. Whoever may be charged with this duty, whatever the discretionary powers given, they ought to have certain instructions for their general guidance and direction. The following are a few of the points to which, in my opinion, they ought to pay due regard:—1st. That, if possible, the section shall contain such a number of families as shall, generally speaking, furnish between 50 and 60 children capable of receiving instruction; 2nd. That the capabilities of the section to support, in point of means, an efficient school, be taken into account and well weighed; 3rd. That, in the allocation of any section, the minimum ought to be three miles square, so that if the school-house is placed pretty near the centre, the children will have about a mile and a half to travel.—Horace Mann and Dr. Ryerson, the two greatest educational authorities on this side the Atlantic, both deprecate the too great splitting up, territorially, of the school sections, and state, as the uniform result of their observation, that the children living at the greatest distance from the school house make the greatest progress;—4th. That where the population of a section extends to upwards of 75 and less than 150 children capable of attending school, arrangement ought to be made for providing two teachers—a primary and a more advanced. If the population is densely located, these two teachers ought to carry on their operations under the same roof; if not, the school houses may be situated at a proper and convenient distance, and still be under the same trustees, the same system, and the same mode of management. By this means the education would be much cheaper and vastly more efficient;—5th. That in towns and villages, with a population of school attending children exceeding 200, these towns or villages should be divided into sections containing that number of children, and provision made for the erection of model schools in each, with three or more teachers, all carrying on their operations under the same roof and under the same head.

## II.—MONEYS EXPENDED IN PAYMENT OF THE SALARIES OF TEACHERS OF COMMON AND GRAMMAR SCHOOLS.

[See Table A.]

The legislative grants appropriated to the teachers of common and grammar schools, amounted to £13,379 16s. 4½d. In this sum there is only the half yearly proportion of the additional grant made to common schools at last session of the legislature. The sum raised by the people for the same purpose amounted to £32,055 11s 1½d., making in all £45,435 7s 6d., being an increase of £6491 8s. 11½d. over that of the preceding year. Considering the difference of population, this state of things contrasts very favorably with the sum raised in Upper Canada and the state of New York for the same object.

It is gratifying to notice that the sum raised by the people is considerably more than double the amount granted by the province;—the former contributing £2 5s. 2¾d. for every pound of the latter. It will be seen by comparing the above table with table B, that the average cost of each child receiving instruction at the common and grammar schools of the province is 12s. 10¾d., being for the people 8s. 7¾d., and for the province 4s. 3d. This sum, though abundantly low, might be still further reduced were a better adjustment of the school sections, and a more thorough classification of the schools effected.

The above aggregate amount makes the average salary of each teacher £45 per annum, being an increase of about £9 within the last five or six years. This is an encouraging state of things, and indicates decided progress in this department of our educational machinery. It is to me alike matter of regret and satisfaction, that the addition made last year by the legislature to the common school fund has not realized my expectations. I urged the propriety of such an addition being made mainly on the ground that, in the poorer districts of the province, it would add considerably to the income

income of the teachers. Instead, however, of this being the result, the average salary of teachers is one pound less during the summer half year than it was during the preceding or the winter half, *i. e.*, that the teachers since the addition was made, have a pound less than they had before. And what is the cause of this? It is not because there is any falling off in the sum raised by the people. That is proportionally increased. Neither is it owing to any diminution in the number of children receiving instruction. That, too, has received an accession of upwards of 5,000. It is owing entirely to the circumstance that in summer there were nearly 200 more teachers than in winter, and about 300 more than in the preceding summer. This state of things discloses many important facts respecting the real condition of our educational affairs. It argues no small deficiency in the matter of quantity. It conveys much important instruction as to the condition of things with respect to our teachers, that there is about a third of them following teaching, not as a profession, but as a mere matter of convenience; and presses thereby upon the legislature the indispensable necessity of instituting a thorough investigation into the literary and professional qualification of our teachers, and, founded thereon, a new and formal classification of the same.

Without going further into the details of this table, I may here take the liberty of expressing, as briefly as I can, my views on the subject of the support of education.

And need I say that this is a subject which has been warmly and elaborately discussed, though not one whit beyond what its importance demands. Not that I at all sympathise with those who seem to imagine that this constitutes the very essence or life blood of success in any system of popular education, or that it is altogether hopeless to use any means for the furtherance of education, unless a certain plan be pursued for raising the adequate amount for its sustentation. I admit that the method adopted for this purpose is a mean, and a very important one, for giving effect to any system of popular instruction. But it is nothing more. Whatever is the plan pursued, whether it be by funds or by direct assessment, or by the combination of both, that will never of itself awaken in the public mind correct views on the subject matter of education, or leaven that mind with a due appreciation of its importance. Other means must be called into operation for this purpose; such as the diffusion of sound information by lectures, by the distribution of tracts, by local educational journals, &c. &c.

And here the question presents itself—What is the best method of providing for the support of education, so that the end to be aimed at in all systems of popular education may be most extensively secured and perpetuated, *viz.*, that every child in the state or province shall receive a sound, wholesome education? We unhesitatingly reply—*direct assessment*;—the practical recognition of the principle “that the property of the state should educate the children of the state,” and the right of the majority to levy a direct tax for the whole population, so that every child shall be provided with the means of education, the poor having the same right as the rich. There may or may not be funds either vested, or granted periodically out of the general revenues of the country; but if the method provided for the support of education is to serve as a means for keeping alive and extending correct views on the whole subject of education, there must, in addition, be something in the shape of a direct school tax; and the sum thus raised must be amply sufficient for furnishing a free education for every child in the land.

Without any illustration I shall now enumerate twelve of the more prominent reasons that have shut me up to the above view on the matter of the support of education:—

- 1st. Because it appears to me the one most fully accordant with the principles of justice and equity.
- 2nd. Because it breathes the spirit of purest philanthropy and patriotism.
- 3rd. Because it is strikingly in consonance with the true principles and ends of civil government.
- 4th. Because it is the most economical.
- 5th. Because it generates in those educated under its auspices, a spirit of self-reliance and industry.

6th.

- 6th. Because it is best fitted to keep alive and extend the deepest interest in the whole matter of education.
- 7th. Because it is the most advantageous to the teacher, and cannot fail to impart dignity and importance to his office.
- 8th. Because it makes the best provision and furnishes the strongest inducement for the education of every youth in every school section of the land.
- 9th. Because it will elevate the quality, as well as most effectually secure the adequate quantity.
- 10th. Because it is in perfect keeping with the great practical principles of our common christianity.
- 11th. Because it has been proved for 200 years and nobly stood the test.
- 12th. Because wherever it has been faithfully and honestly tried, it has received the cordial support of the most enlightened and benevolent of the community,—and the people themselves have coveted its continuance rather than its removal.

### III. —NUMBER OF CHILDREN RECEIVING INSTRUCTION.

[See TABLE B.]

This is a most important table, as it is the one from which we obtain anything like correct information as to the number of school attending children, actually receiving instruction. This is a point that comes under the special cognizance of every government. It may not be able to regulate or control the quality of education given, but it can and ought to see after the matter of quantity, that is, that all the children capable of attending school are actually receiving instruction. And all this, on the ground of the principle, that prevention is better than cure; that it is in this way, and this way alone, the evils of ignorance will be dissipated, the productiveness of human labor augmented, pauperism and crime diminished, and the prosperity and happiness of the whole community increased and perpetuated.

And here I must express my regret that the column in the table for the insertion of the number of children between 4 and 15 years of age is so meagre and defective. There are upwards of 200 school sections that have made no returns at all on the point, and it is much to be feared that a goodly number of those that have, can be looked at in no other light than the merest approximation to the truth. Nevertheless, the number of children actually in attendance at school, seems carefully and correctly given; and from this we may obtain pretty accurate information on the matter of quantity, if not of the proportion of the children of a school attending age actually receiving instruction, at least of the proportion of the population. It appears, then, that last summer there were in attendance at all the common and grammar schools of the province, for a longer or lesser period, 37,087. The attendance, in winter, was 31,626, making a difference of 5,461. This difference is mainly owing to the female sex, there being upwards of 5,000 more of that sex attending school in summer than in winter. In the attendance of the male sex there is little or no difference. Taking the summer attendance as the criterion,—and this is the most favorable view,—and adding 600 for private schools and 500 for academies and colleges, there are as nearly as possible 38,187 receiving instruction, which according to the last census will give 1 to every  $6\frac{1}{2}$  of the population, or, according to the common increase of the population since that time, will give 1 to every 7. This, and we have viewed all in the most favorable aspect, indicates considerable deficiency in point of amount or quantity. In the New England states, where the free system, as it is called, has been in operation for upwards of 200 years, the average proportion of the children attending school is 1 to 4 of the population. In the States of Maine, New Hampshire and New York, the average is 1 to 3. On the continent of Europe, in those nations where more attention has been paid, and that for a lengthened period, to the cause of national education, the proportion is 1 to 6. And in other less enlightened

enlightened nations, it is considerably less. In England, where there is no national system, it is 1 to 10 ; in Ireland, where there is, it is 1 to 7 ; in Scotland, where the population has far outgrown the national system, it is 1 to 8. And yet in all these countries, whether on the continent of Europe, or in the British Isles, loud complaints are being made by all true patriots and philanthropists of the deficiency, in point of quantity. I know of no remedy for all this, but the awakening of the public mind to a due sense of the vast importance of a sound education, by every possible appliance, by a healthful agitation, by direct though limited assessment, &c.

#### IV. — SCHOOL HOUSES, FURNITURE, &c.

[See TABLE C.]

One of the most decided evidences of progression in the education of any country, is the gradual improvement in school houses, with all the necessary appurtenances. If education be undervalued or unappreciated by any community, little or no interest will be taken in the erection of suitable school fabrics, or in providing the necessary apparatus for carrying it on. If, on the contrary, it is regarded as one of the necessities of life, if the work to be done in the school be looked upon as not even second in importance to the work performed in the halls of legislation, nay as even paramount to all ; then no expense will be spared to procure such accommodation and such machinery as shall seem best calculated to do justice to the work itself.

It is gratifying to notice, that within the last eight or ten years, the school premises of Nova Scotia have undergone considerable improvement in external structure, in internal fitting up and in furniture. From the above table it will be seen, that there are reported 186 log school houses, and these are principally to be found in Cape Breton, the most recently settled part of our province. Those reported as good and comfortable, amount to 598, and as bad, to 171. The furniture, in a goodly number, has also undergone some improvement. There are about 100 school houses, principally in the western parts of the province, where the furniture is moulded after the American fashion. The normal and model schools, are, I believe, doing good service in the furtherance of this object. There is scarcely a school I have visited, taught by a student of the normal school, where there is not the most marked improvement in this respect, if not in the architectural beauty, at least in the furniture and internal arrangements. I was not a little gratified last summer, in visiting a school of this description in the very heart of Cape Breton. There was nothing very attractive in its external appearance, being built of the logs of the forest with which it was surrounded. But it was far otherwise within. There the seats and desks, though rude and unchiselled, were graded according to the ages of the pupils, and arranged in parallel lines. There too were to be seen the teachers platform and desk, the black board and the arithmeticon, homely enough in manufacture, it is true, and yet serving the purpose as well as the most ornate and polished.

But although there are evident symptoms of improvement in all that pertains to school accommodation and furniture, there is abundant room for yet greater.

The first thing to be attended to in the erection of a school house is the site. This should be in a dry, airy, and pleasant situation, detached, if possible, from other buildings, in towns or villages, and a few feet back from the street or road. Instead of being in a low swampy, gloomy situation, surrounded by woods or houses, it should be on a small eminence, with southern aspect and a pleasant prospect, so as to give a favorable impression to the young mind and associate with the school what is pleasant and agreeable. The next thing is the size of the building, and this should be proportioned to the number of children intended to occupy it. Six feet square is considered by all experienced educationists to be indispensably necessary for each pupil. This, with a ceiling of 10 or 12 feet in height, would secure a sufficient supply of atmospheric air for

for one diet. Provision should also be made for having all the apartments thoroughly ventilated, for the egress of the foul and the ingress of the pure air. For this purpose ventilators should be fixed in the ceiling, and the windows, which should be cross, made to let down their upper sash. Both in winter in summer, at every intermission, care should be taken to see that the end for which these were constructed, is subserved. Whatever is the character of the furniture it should be so arranged, as that the teacher shall see every face from the platform, and every scholar see his. The seats should be graduated, rising a few inches the one above the other, and arranged two and two, in parallel rows, not in squares or semi-circles. If the attendance exceed 50 scholars, a gallery ought to be constructed at the end of the school opposite the teacher's platform, and sufficiently large to accommodate all the children. It is also of the greatest consequence, if the moral nature of the scholars is to be cultivated and developed, that a play ground, with all the necessary appendages, be provided. If these simple directions are attended to,—and they can be carried out without almost any additional expense, they will go far to render the school premises subservient to the accomplishment of the work for which they are intended.

#### V.—DURATION OF SCHOOLS—BRANCHES TAUGHT.

[See TABLE C.]

The number of children attending school, in the course of the year, does not determine the real amount of instruction given, and far less the character of that instruction. To ascertain these points, other elements must be taken into consideration ; such as the duration of time in which the schools have been in session in the course of the year, the branches taught, and the mode of communicating these branches of knowledge. In table C some of these points are referred to. The average time, in weeks, in which the schools were held, was, in winter,  $18\frac{3}{4}$ , and in summer,  $21\frac{3}{4}$ , making, as near as may be, ten months in the year. Looking at this state of things, it presents the amount of education in rather an encouraging light. In the report of the superintendent of Upper Canada for 1855, it is stated that the average time during which the schools were kept, was nine months and twenty days, and in the state of New York it was much less, only eight months. But there may and there ought to be some abatement made here, in so far as Nova Scotia is concerned. There is, for example, the great disparity between the attendance in summer and in winter. There is, too, the vast difference between the number enrolled and the actual daily average attendance. There is also no small amount of irregularity, some of the members of the family attending for one quarter, or, it may be, even for a shorter period, and others for another ;—a practice this almost inseparable from the mode in which education is supported in this country ;—a practice which, however much it may suit the convenience of parents, neither does justice to the children, nor to the teachers, nor to the system they are pursuing. There is another practice which operates very powerfully against the advancement of education, and which seems to prevail to a great extent all over this continent, I refer to the removal of children from school at too early a period, at the very time when their minds are beginning to expand, and when, with ordinary attention, as much progress might be made in one year as during the whole of their previous attendance. Neither can I omit noticing here the nomadic habits of the teachers themselves. It is comparatively a rare occurrence to find a teacher occupying the same field for more than twelve months. Matters may be going on very satisfactorily, and his constituents may evince no desire for a separation, but he wishes to see a little more of his native country, or of the land of his adoption, and he takes his departure. Thus, at the very time when his instrumentality is likely to be most effectual, when he has become acquainted with the peculiar phase and character of the intellect of his scholars, and when they have acquired familiarity with his method of teaching, if method he has, does he repair to some other situation,

situation, leaving, it may be, 40 or 50 fine children, without any apparent compunctions, to the next teacher who may pass along, and that may not be for months to come. It might go far for the removal of these and similar obstacles in the way of progress in education, were a code of regulations made and authoritative instructions given as to the time of the commencement of the quarterly terms, the number of hours in which the schools should be in session daily, the time and duration of the general holidays, and, still more, were the commissioners empowered to give a kind of bonus of encouragement to all teachers who shall remain longer than two years in the same place.

In the same table will be found some important facts touching the various branches taught. There are 273 schools in which neither geography nor grammar is taught. There are 13 of the common schools in which classics are taught. And, for carrying on the most improved methods of teaching by visible representations, there are 56 globes, 2,521 wall maps, and 640 black boards. In the two last mentioned there is the greatest increase, which would seem to indicate some advancement in the general style of teaching, in the organization and management and classification of schools. But whatever be the amount or variety of the branches of learning taught, whatever be the symptoms of improvement in the general character of the school-rooms, these furnish but imperfect data as to the real quality of the education imparted. The best and most valuable instruction ought to be administered; but this may be done, and the education after all be very incomplete. The grand end to be aimed at in all education, is the cultivation and development of the various powers and energies which the Creator has bestowed on his rational offspring. Knowledge is necessary for this purpose, but it is so merely as a mean. It is the instrument by which the end is effected, and in very proportion to the importance of the end so is the instrument. But is it not much to be feared that with too many knowledge constitutes the *summum bonum* of all education. And hence the all but universal cry is—"give us quantity or variety";—and hence, too, the prevalence of the notion, that, if the mind is stored with facts and the memory duly cultivated, it is all that is requisite to constitute an accomplished scholar. Such attainments may fit or qualify for a creditable discharge of the duties of a particular vocation or profession, but they will never elevate man to that nobility of position which his nature and his destiny alike entitle him to claim.

## VI.—TEXT BOOKS AND APPARATUS.

From the returns of the different boards of school commissioners, it is manifest that there exists no small diversity in the school books used. In some districts the Scottish association series preponderates; in others, Chambers' series; and in others, Lennie's grammar, Grey's arithmetic, and Morse's geography. It is to be hoped however, that this state of things will not continue much longer; and that, from arrangements already made, in less than a year greater uniformity will prevail. In previous reports I dwelt at length on the great desirableness of having the same books in all our schools, and stated my reasons for the preference of the Irish national series. These reasons may be reduced to two,—its being the series used by all denominations of christians in Ireland and in Upper Canada, and its extreme cheapness. I do not say that the books of this series are out, and out the best. As in every other series, there are some superior to the others, owing to the greater capabilities of the parties who compiled or edited them. Still upon the whole the series is an excellent one, and having the *imprimature* of the different denominations of professing christians in these countries, Roman catholic as well as protestant, none can bring any reasonable objection to its general circulation. Two years ago I brought the matter under the special notice of the educational committee of the house of assembly, and obtained their approbation and sanction. It was deemed advisable however, not to make any sudden change, and to introduce the series and gradually accordingly the first year, I only ordered as many as would furnish something like a specimen to the different boards of school commissioners.

This year nearly half the sum placed at my disposal, has been expended in purchasing those books of the series in more frequent use. And next year the greater portion of the £600 granted by the legislature for the purchase of books for the poorer districts will be expended in this way. At the meetings I have held with the commissioners during the past year, I have pressed this matter on their attention, and I look forward with satisfaction to their co-operation in their general introduction. Besides, I am in hope that the firm of A. & W. MacKinlay, to which the province is already so much indebted for their cheap editions of Lennie's grammar, Grey's arithmetic, Murray's spelling books, &c., may be induced to get the most important of the series stereotyped. By this means we shall not only be encouraging home manufacture, but procuring them at a lower rate than they could be imported from Dublin, Canada, or New York.

But there should be uniformity of books, not only in our common schools, but in our high schools, academies, colleges, &c., though greater latitude may be taken here in consequence of a greater sameness among classical and scientific works, yet it were also of the greatest importance, both to the scholar and teacher, were the same grammars of the Greek, Latin and French languages, the same editions of the classics in general use.

It is equally necessary that more decided steps be taken with the view of introducing into all our educational institutions a better equipped apparatus, that, in fact, no school should be without black boards, wall maps, globes, and a small museum.

All these things would not only vastly lighten the general expenditure of the educational service, but operate powerfully in bringing about uniformity in the whole organization and government of schools; and, still more, in introducing one system of education, even that system which most closely accords with our physical, intellectual, and moral nature.

For the accomplishment of these and similar objects, it would be of the greatest benefit to the general cause of education were some responsible standing committee or some authoritative council instituted, whose province it would be, along with the superintendent of education, not only to exercise a constant supervision over this department of the public service, but be prepared to reduce to practical detail great and important principles, as the opportunity presented itself; and which could not be provided for in the best concocted educational measure.

## VII. — SCHOOL LIBRARIES.

It may here be proper to state for the information of all, that the sum of £500 voted by the legislature to be applied every year in the purchase of books for school libraries, has not been expended for the past two years. This, I believe, is, in some measure, owing to the views I expressed to the then leader of the government anent these libraries, and since repeated to the present provincial secretary; and it is right that I now briefly state these views.

Feeling a deep interest in the success of these libraries, as calculated when properly managed to elevate, in no ordinary degree the intellectual and moral condition of the whole community; on my first tour through the province, as superintendent of education, I made diligent enquiry regarding the working of these institutions; I was gratified to find that in some localities they were highly appreciated, and that the books selected by the honorable Mr. Howe and my predecessor, Mr. Dawson, were diligently perused. I was equally grieved on the other hand to find that, in as many cases, perhaps in more, few of the people had heard anything about these libraries, and still fewer had profited by them. I endeavoured, to the best of my ability, to meet these two classes of individuals. I encouraged the former to persevere, and obtained from them much valuable information as to the kind of books they most prized. There seemed to prevail a pretty general feeling that many of the books were not sufficiently elementary, and still more, that there were few if any suited for sabbath reading—the day which the working men,  
for

for whom these books were mainly intended could devote to such employment. In the latter case I exerted myself to arouse them from supineness, pointed out the boon conferred on them by the legislature for their mental improvement, and, by expostulating with influencial individuals in the locality, I believe, I succeeded, in some instances, in putting the books into circulation.—That year I was requested by the government to make the selection most suitable according to the information I had gathered. It happened, that about that time, Mr. MacKinlay was making arrangements to visit the States, and, after consultation with him as to the books most likely to prove of most extensive usefulness, he kindly undertook to order them at as reasonable a cost as they could be procured. The books arrived in due time and were distributed in the usual way. Some of the boards expressed their highest approbation of the selection, and others objected to them in no measured terms. In these circumstances, I was led *de novo* to canvass all matters connected with these libraries, and after due deliberation the conclusion forced upon me was, that it was scarcely possible, even for the most judicious to make such a selection as would meet the views of all ; at all events, I felt disinclined to undertake the responsibility of ordering more, and recommended the adoption of the plan pursued with much success in Upper Canada; viz, to draw out a descriptive catalogue of the books most likely to be profitable; and after obtaining the sanction of the legislature to the same, to allow each section to choose from that catalogue the books most agreeable. And should the section spontaneously contribute any portion of funds, with a view to the formation of a library, that that section be entitled to a larger allowance, according to a certain understood scale. The longer I reflect on the matter, I am the more thoroughly satisfied, that the above or some similar plan is the only one that will enlist the sympathies of the people, ensure a diligent perusal of the books, and render the boon of real service to the province.

### VIII. — GRAMMAR SCHOOLS.

[See TABLE D.]

It will be seen from the above table, that, according to the returns I have received, there were 44 of these seminaries in operation during the course of the past year, being an increase of 10 since the last report in 1851. The support derived from the people amounted to £2,453 10s. 5d., and that from the province to £818 14s. 9d. The whole number of pupils in attendance, in winter, was 1,476, and, in summer, 1,738. Those studying the higher branches, viz., mathematics and classics, were 1,074 and that number, I have reason to believe, is considerably above the reality.

From the above statistics it will be seen that a comparatively small proportion of the pupils attending those schools are pursuing the studies which constitute their distinguishing characteristic, thereby involving a considerable expenditure of means without any adequate compensation. The fact of so many other pupils attending these seminaries only renders them the more inefficient, and less likely to accomplish the end for which they were established.

Upon the whole I am strongly inclined to believe that just as the province was found incompetent to support one academy in each county, so neither is it ripe to support the class of schools contemplated under this head, and that the funds would be much more advantageously expended in some other way. The character of the education given in the common schools is not yet sufficiently far advanced to require the institution of grammar schools. And the population, in many places, at least, where they are sought to be established is not yet dense enough to provide the necessary support, or to furnish anything like an adequate supply of pupils, in the more advanced stages of learning.

What then, it may be asked, would I propose to substitute in their place? It appears to me that something like the following plan would be more in keeping with the present condition of the province, and more likely to further the general interests of education

education. In the more rural districts, that the commissioners be empowered to give remuneration to every first class teacher of a common school, who has pupils studying the higher branches of learning, either mathematics or classics; and that that remuneration be proportioned to the number and stage of advancement of the pupils thus employed. In the more densely peopled settlements, or villages, or towns, that every possible encouragement ought to be given to a regular system of consecutive schools, consisting of three classes or grades, viz., primary, intermediate and high;—the primary carrying on those branches usually taught in a second class common school, the intermediate, those of a first class; and the high, those of grammar schools, or academies, all of course of a high order. These schools may be all carried on under the same roof, or apart, if need be, provided the same system is thoroughly followed out in all, and the one made to feed or pave the way for the other, from the lowest to the highest. No pupils should be allowed to pass from the one to the other without a certain fixed amount of qualification, certified by the teachers they last attended. Were this plan judiciously prosecuted, it would produce an entire revolution in the more advanced branches of learning throughout the province. It would save a large outlay, and, at the same time, secure a far more efficient style of education. The carrying into detail of this or some such plan is another matter that should be committed to the standing board or council of public instruction already referred to.

#### IX.—COLLEGES, ACADEMIES AND OTHER SEMINARIES.

[See TABLE E.]

It will be seen from the above table that, including Goreham college, Liverpool, there are seven collegiate institutions in the province, all denominational. Three of these are partly supported by the province, and partly by the religious persuasion to which they belong. The other four are entirely supported by the latter.

Besides Mount Allison institution, at Sackville, N. B., there are six academies all receiving more or less aid from the province. These are all under the supervision of the different bodies of professing christians to which they respectively belong, with the exception of the high school in Dalhousie college, and Pictou academy.

The other seminaries and private schools are not numerous. Whatever information I could gather regarding them is contained in the table.

#### X.—NORMAL AND MODEL SCHOOLS.

[See TABLE F.]

In this table will be found an abstract of all the information that can be given in this form, regarding this educational institute;—the number of students enrolled each session, the counties whence they came, their religious persuasion, the number who obtained diplomas and scholarships, and, as far as I can ascertain, the counties in which they are now discharging the duties of their vocation. The attendance of pupil-teachers, exclusive of paying pupils, has averaged 52, which, in proportion to the population of the province, is fully equal to any similar institution on this or the other side of the Atlantic, with whose history I am acquainted. And at this the fifth session of its existence, the attendance of regular pupil-teachers is considerably larger than it has ever been. It will be seen from the table that the greater proportion of the students is from the eastern counties, and especially from the one in which the institute is located. This is, generally speaking, the case with all similar provincial or national undertakings. It is so with the normal school at Toronto, Upper Canada. It is so with almost all the normal schools in the neighboring states; and it is on the strength of this very circumstance that the state of Massachusetts has considered it advisable to establish four normal schools instead of one. Though the students generally return to the

the bounds of the school boards whence they came, in accordance with my own recommendation, still it is gratifying to observe, that there are now comparatively few counties in which there are not laboring two or more normal-trained teachers, and if this is the case at the end of the second year of the existence of the normal school, what may not reasonably be expected at the end of five or ten years?

The leading event connected with this establishment since the drawing up of my last report, is the opening of the model schools, which took place in June last. The teachers are four in number, two males and two females. One of the females presides over the primary, and the other, over the industrial department. One of the males takes charge of the intermediate, and the other, of the high school department, who is also head master of the whole institution, and whose province it is to give harmony to all the parts, to see that one system reigns throughout, that the one prepares or paves the way for the other. These teachers were selected from amongst the pupils of the normal school, and were of course well acquainted with my views on the theory and practice of education; and I have yet seen no reason to regret the selection made. The attendance of children at the model school, has fully averaged 160, a sufficiently large number for all the purposes of experimentalizing. The main difficulty to be encountered here, and which is seriously felt in almost all the schools of the province, is the irregularity of attendance. When changes are taking place every quarter, it is almost impossible to do justice to any system, however excellent, or even to make manifest its adaptation to the end intended. Nevertheless, there is little ground for discouragement even here. As the benefits of a popular and thorough education take a firmer hold of the public mind, all these obstacles in the way of progressive advancement will disappear.

As the system of education unfolded in its principles to the pupils of the normal school, and now reduced to practice in the model schools, has never yet been referred to in any of my previous reports; it may not be improper, that I here present to your excellency a brief outline of the same.

Taking the term education in its true and legitimate acceptation, as the drawing out, the developing and the strengthening of all the energies and powers and sensibilities of our complex being, it has been my aim to adopt and carry out a system the most entirely accordant with this its genuine import—instructing or teaching or imparting knowledge—and the more valuable that knowledge, the more it is to be prized.—all this is necessary, indispensably necessary, but, as already hinted, it is so entirely as a means; a means for the cultivating and disciplining of the various powers of our nature. This, this is the grand end to be aimed at in the whole education of the young. If the child is the father of the man, and the duty of the man is to go on in endless progression, in the expansion of every power, and in the acquisition of every virtue, that that character may be formed which will best fit and qualify him for the higher destinies of his being, then it is clear and palpable that this ought to be the grand aim of all the educator's efforts, in reference to the child, even to put him in that position in which he shall be able to educate himself. That this end be served, it is manifest that the young must be treated or educated, just as they are presented to us, in all the complexity of their nature, as physical, intellectual and moral beings. We may separate these in our consideration, and we may talk of educating the body, or the intellect, or the conscience, but it is evident that if justice is to be done to them all, they must be regarded conjunctly and educated simultaneously, according to their intrinsic worth or relative importance. It were the veriest perversion of our nature to attempt to educate the intellect, without having regard to the body, or the body and intellect without having regard to the conscience or moral nature. In one word, we are presuming to be wiser than the creator; we are violating the very laws of the nature of those we profess to educate, unless we are blending all their powers into one harmonious whole, unless we are rendering them subservient the one to the other, according to the relationship established by infinite wisdom and goodness.

And now it may be asked, how is this high and important end to be secured? I  
know

*now* no other specific but exercise or use. As to the physical and moral part of our nature, this is plain. If we wish to strengthen any bone or muscle we must use it. If we wish to render conscience increasingly tender and sensitive, we must hearken to its dictates and obey its requirements. And so must it be with the intellectual faculties, though the using or exercising of these is somewhat more complicated and difficult. The proper food must be administered to each faculty, and administered in such a way as that it shall be digested. In other words, the subject most congenial to the nature of the particular intellectual power intended to be strengthened must be presented and so presented as that the power itself shall be exercised. This can alone be done by proceeding from the known to the unknown, involving the use of figures, or similes, or illustrations, with which the children are perfectly familiar; and which, by a process of questioning and ellipsis, gives full play or exercise to the faculty in question, and thereby contributes to its development and strength. And this exercise, this process of questioning and ellipsis, being carried on simultaneously with the whole class, not only adapts itself to the diversified phase of intellectual endowment, but, by the sympathy of numbers, operates powerfully in stimulating all;—and more still, this exercise adapts itself to the various ages or epochs of development or attainments of the pupils, even by presenting an outline of the subject,—giving to the youngest a mere skeleton, and going on step by step until it stand forth in all its native bulk and form, and in all its varied affections and relations.

Now these views and principles have been reduced to practice in the model schools. All the arrangements and adjustments of that establishment have for their object the unfolding, the expanding, and the enlarging not of a part but of the whole complex nature of the children, so that the mode of teaching the alphabet is substantially the same as that pursued in teaching mathematics or classics.

Physical exercises, within doors and without, are given in every variety and form; and these not merely for the health of the body, but for arresting the attention and securing a larger amount of intellectual effort; and as the cultivator of habits of order and physical obedience, for strengthening and assisting the moral training. And the younger the children, the more frequent and diversified must these physical exercises be.

The intellect is exercised by a variety of subjects of the most important character, presented at different intervals and in regular succession, alike in the more initiatory and advanced stages. Every means is employed to stimulate the children to work out the subject for themselves, and the difficulties only are solved, when they seem to them to be unsurmountable. As the various intellectual endowments are all there in a state of embryo, though some are more prominently developed than others, so is a portion of meat administered, suited to their various powers and capacities. Instead of rules and principles being given and committed to memory, and then the examples, the examples or particulars are presented first, and then the principles, the laws or rules; that is, the process of generalization is made to succeed that of individualizing. The objective principle, founded as that is on the nature of man as a sensible being, is largely called in, and that not merely by the exhibition of objects whether natural or artificial; but by the picturing out of words; every word representing some object, or action or relation; and all in the shape of oral lessons through the living voice of the educator, who is at once the text-book and the trainer.

The conscience too is strengthened by the exercise of its various parts,—the discriminative, the impulsive, and the emotional. In the one or the other of these parts, the children are required to repeat the act until it has been woven into their moral constitution, until in fact, they cannot act otherwise. Whatever is the evil they are required to abandon, they must just continue in the practice of the opposite virtue, until it has gained the triumph and asserted its supremacy. For the accomplishment of all this, they are habitually brought in contact with the bible, as the only sufficient and infallible enlightener and director of the moral faculty. The precepts of the divine

word

word are not taught merely or deposited in the memory, but every opportunity is taken to reduce them to practice in the daily intercourse between master and scholar, between scholar and scholar—and all this not merely with reference to the conduct of the children within but also without doors. Indeed the grand object of a commodious playground with which every school ought to be furnished, is to present an arena, on which the children, away from the restraints and confinements of the school-room, may give full vent to their natural tempers and dispositions; and, which being observed by their teachers, may be afterwards improved for the benefit of all, in the shape of oral lessons on moral duty, and all is blended together and carried on simultaneously. It is not physical exercises at one time, and intellectual at another, and moral training at another, but these are all mingled and intermingled the one with the other; and these are so simple, because they are all found in the same living being; and, by the law of nature, so act and react the one upon the other, that due justice cannot be done to the exercise of the one without the exercise of the whole.

Such, in its leading features, is an outline of the system of education pursued in the model schools, the philosophy of which we endeavour to unfold to the pupil-teachers at the normal school, and train them to the practice of. And what it may be asked is the ground on which we proceed in embracing such a range, what is the warrant of the teacher in the discharge of these functions, what imposes on him such a weight of responsibility?—It is simply the fact, that, for the time being, the teacher is *in loco parentis*, stands as the proxy or representative of the parents. They, the parents, are not only the natural protectors and guardians, but the educators of their offspring,—the educators not merely of their bodies but of their minds and consciences. This is the law of nature, ratified and sealed by the law of revelation. The teacher's authority then, is entirely delegated. This is to co-operate with the parents in the education of their children, to lend his aid in the accomplishment of those high and important purposes which they have neither the time nor, it may be the ability, nor, in fact are placed in circumstances, to carry out; both, however, being amenable to the same authority, subject to the same law, and liable to the same responsibilities. And all this seems well and wisely provided for in the present educational arrangements of the province. The majority of the inhabitants of a school section, have the right of electing the school trustees of the section. These trustees select the teacher who has been professionally licensed by the school guardians of the county or district, and make with him all the necessary conditions, and yet, after all, what is this but the state giving expression to the will of the parents, in the matter of the education of their children.

But there is still another point to which I must briefly advert, I mean the nature of the connection subsisting between the normal and the model schools. The very object of these model schools is to inoculate the minds of the future teachers of the province with a thorough acquaintance with this system, both theoretically and practically. And this is done in the following manner. For the first six weeks of the term of the normal school, the pupil-teachers are instructed in the principles or philosophy of the system. Then the advanced section is drafted off, and repairs to the model school for the purpose of seeing these principles reduced to practice, and then engaging in the practice themselves. English reading in all its stages is the first branch to which their attention is called. For a week or more they are mere spectators, and it so arranged, that during this time they see the English exercises gone through in all the departments, beginning with the primary and finishing with the high school. After they have become familiar with the manner of the teachers, and the mode of conducting this branch of education, they are then required to conduct the class in rotation, in the presence of the principal of the normal school, and the master of the department, having accurately prepared the lesson beforehand. When the exercise is over, they generally repair to a private room, when the whole appearance of the pupil-teachers who practised is criticised by the principal,—the defects and excellencies commented on. After they have acquired some measure of proficiency in one branch of education, another is  
taken

taken up, and then another, until the whole has been gone over. Then the second section is admitted ; and so onwards till the whole of the pupil-teachers have had a due share of the practising process—their own advancement in scholarship going on at the same time, spending about two hours every day in the model schools, and the rest of their time in the normal.

It is in this way that the normal and model schools mutually assist one another, and impart to the pupil-teachers the science and the art of their future vocation. When these pupil-teachers are respectable in their scholarship, when they enter and remain two terms, or a period of ten months, they, generally speaking, turn out competent teachers, and understand pretty thoroughly the practical working of the system. We do not say that all holding diplomas from the normal school will turn out equally good teachers, just because all have not originally the same gifts, all have not the same measure of attainment when they commence their professional preparations. But what we do say, and unflinchingly maintain, is that all who obtain diplomas at the normal school will make vastly better teachers than they would if they had never attended the institution. This is all that is practicable—it is all we aspire to. And I believe that, generally speaking, the normal-trained teachers throughout the province will stand this test.

I take this opportunity of thanking the legislature for the provision made last winter for the encouragement of meritorious students. In the expenditures will be found a list of students who graduated and obtained scholarships at the end of last term amounting to £50. At the end of the present term, which takes place the last week of March, there is every probability that the whole sum will then be expended. As I believe this boon is of great utility, and promotes extensively the interests of the institution, it will, I hope, be renewed by the legislature.

## XI. — TEACHERS.

[See TABLE G.]

From this table it will be seen that the number of teachers employed in winter were of males 655, and of females 250, and in summer, of males 579, and of females 520, making in all, in winter, 905, and in summer, 1099, being 194 more in summer than in winter, and 305 more than in the summer preceding. As I have already referred to the lessons taught by this statement, there is no need for resuming the subject. The facts speak for themselves.

From the table it will also be seen, that last summer the number of male and female teachers was nearly the same. Though in many districts there exists no small amount of prejudice against female teaching altogether, to me there is not a more favorable or propitious symptom, in the whole of our educational prospects, than the point just noticed. When the females are thoroughly trained, we have not the slightest hesitation in giving them the preference in all the primary departments, and, in some cases, even in the more advanced. And this just because they ply the affections of their scholars, as well as their understandings; or rather through the influence of the affections they reach their understandings. But there is another reason for congratulation in the above mentioned circumstance. The active and intelligent young men throughout the province have so many advantageous openings presented to them, that it can scarcely be expected they will devote their time and energies to an employment that is still so little respected, and in too many instances, so poorly remunerated. The young females of the province are not exposed to the same temptations, and therefore when thoroughly enlisted, more likely to dedicate their time and their talents to the cause of education to realize teaching as a permanent calling or profession; and thus to bring to the discharge of its duties not only a high measure of attainment and a painstaking preparation, but engage in them with the zeal and enthusiasm of those who are determined to arrive at eminence

eminence in their calling—one of the surest harbingers of success. As in former reports I have dwelt at length on the vast importance of elevating the standard of teaching qualifications, it is unnecessary that I say more here. I may be allowed however simply to enumerate a few things which appear to me well fitted for the promotion of this most desirable object.

1. That steps be forthwith taken for effecting a general classification of all the teachers of the province, according to a uniform standard of qualification, both as it respects scholarship and professional knowledge.

2. That provision be made for securing to the same class of teachers an equal amount of provincial endowment.

3. That arrangements be entered into for holding regular diets of examination in the more central localities, to give industrious teachers the opportunity of rising from a lower to a higher class.

4. That the boards of school commissioners, trustees of schools, parents and others interested in the cause of education, present every possible encouragement to teachers to improve themselves, not merely for their own comfort and usefulness, but for the elevation of the profession generally.

5. That the most promising and talented of the young men and women in the various districts who may evince any aptness to teach, be urged and aided to attend the normal school, and that commissioners be empowered to grant a certain bonus to all holding a first class certificate from that institution.

6. That the legislature give every encouragement to the formation of teachers' associations and the holding of teacher's institutes.

7. That a fund be originated, and contributed to by the teachers themselves for granting a retiring allowance to superannuated teachers.

## XII.—TEACHERS' INSTITUTES.

The high value I attach to teachers' institutes has already been recorded. I introduce the subject here for the purpose of stating that I have now held institutes with the teachers of every board within the bounds of the province. Last autumn I met with the teachers of the following boards—Amherst, Parrsborough, Northern and Southern Pictou, Guysborough, St. Mary's, Halifax City, Halifax West, Sterling; and, in Cape Breton, South and North Inverness, Victoria, Cape Breton, Richmond. At these meetings about three fourths of the teachers attended—many important matters were discussed relative to the subject matter of education as well as to the most improved methods of teaching the most important branches of a common school education. These institutes were generally speaking, exceedingly interesting, very spiritedly sustained, and judging from oft-repeated declarations of the teachers themselves, productive of no small amount of good. I also met with the boards of school commissioners of the above districts, and addressed public meetings at the following places—Amherst, Parrsborough, Tatamagouche, Pictou, New Glasgow, Antigonishe, St. Mary's, Halifax, Dartmouth; and in Cape Breton, River Denis, Whycocomah, Hogamah, Port Hood, Margaree, Baddeck, Middle River, Boulardrie Island, Sydney Mines, Sydney, Grand River, Arichat, Straits of Canso. The whole of these meetings were better attended than on occasion of my former visit, and in not a few places a very lively interest seemed to be felt in the cause of education. I am persuaded that it only requires a thorough staff of local inspectors to arouse every settlement and hamlet to a due appreciation of the vast importance of education.

## GENERAL OBSERVATIONS.

Having called the attention of your excellency to some of the more prominent points contained in the statistical report, as well as to a brief statement of what has been done in my own more immediate field of operations, I would now take leave to offer a few observations

observations on matters that appear to me deeply to affect the general interests of education and its welfare throughout the province,—and the first point to which I would advert, is the appointment of local inspectors of schools.

When Mr. Dawson prepared and carried his plan of separating the office of superintendent of education from that of inspectors of schools, and combining with it the principalship of the normal school, it was with the distinct understanding that local inspectors would straightway be appointed. This was my expectation when I undertook the duties of my present office, but it is well known that these officers have not yet been appointed, thereby largely diminishing the amount of my usefulness as superintendent of education, and entailing on me an accumulation of labor beyond what my physical and mental energies are much longer able to sustain.

These officers are deemed indispensably necessary in old countries, and of course must be much more so in countries like Nova Scotia, where the means of transit are so much more limited, and the opportunities of diffusing information so much more scanty. The duties of the inspectors are twofold:—First, to carry into practical detail throughout the remotest regions of the land the various legislative enactments on the subject of education, and the instructions that may from time to time be issued by the superintendent of education; and secondly, to stimulate the school districts committed to their care in all that appertains to the general interests and prosperity of education. A more minute detail of these duties might easily be given, but as these have been expatiated on so often already, it is here altogether unnecessary. It is earnestly hoped that the legislature in its wisdom, will ere long see meet to take steps with a view to the appointment of this class of officers.

The next topic to which I would allude, is that of a journal of education for the province.

The real prosperity of education in any country depends entirely on the tone of public sentiment that may obtain regarding it,—on the due appreciation of its blessings by the community at large. And if this be an end of incalculable moment, the means by which it is reached must be not less so. These means are not one or two, as some seem to suppose, but many. We have just referred to one, and a local journal of education is another. The *viva voce* utterance of the inspectors of schools, or of the superintendent of education are of great service in arousing attention and exciting interest on any subject connected with education, but to render these impressions abiding, the subject must be presented in some more permanent shape, and nothing meets the case so completely as a local journal of education. By such a vehicle all official information is diffused amongst commissioners and trustees and local inspectors,—the doings of one locality are related that the supineness of another in similar or even in more favorable circumstances may be aroused,—the most enlightened views on the subject—matter of education, and on the particular method pursued and practised in the model schools are propagated,—as well as instructive information on the past history and present condition, and future prospects of education throughout the world.

Provision should be made for the circulation of such a periodical gratuitously amongst the teachers, inspectors and school commissioners. This would be an acknowledgement on the part of the province of the value attached to the services of these gentlemen, and prove a capital means of having them thoroughly instructed in all that is going on, both within and without the province, on the general subject.—

The other and the only subject to which I would refer is, the experimental garden and farm.

It is well known that a considerable quantity of land surrounding the normal school buildings, was purchased by the province for the above mentioned purpose, and that £100 were granted last year, that the grounds might be brought into some order, and partially stocked. I presume that a full account of the expenditure of this sum will be given by the secretary of the normal school commissioners.

It appears to me that as the purely educational affairs of the normal school establishment are fairly organized and in full equipment, the time has now arrived for more decided steps being taken for the furtherance of this object, and for rendering the grounds referred to subservient to the end intended. That end may be regarded in a two fold light :—1st.—To impart to the pupil-teachers an acquaintance with the theory and practice of horticulture and agriculture ; that through them a knowledge of the same may be spread all over the province, and especially among the young. It is well known that the present educational bill provides for instruction being given in the more advanced seminaries in the science of agricultural chemistry. I have little doubt that, in some instances, this provision has been productive of good to the cause of agriculture. Still something more is necessary. If practising schools are considered an indispensable requisite for a normal school, not less so is an experimental garden and farm for showing the practical application of chemical science to the cultivation of the soil. The teachers may be very good chemists, and they may be able to work a few interesting experiments ; but if they have never had an opportunity of seeing the application of its principles in the garden or in the field, its real substantial benefits in the large additional produce, they cannot be supposed to feel the same lively interest in the diffusion of this branch of knowledge ; and this is just what is proposed to be done through the medium of the experimental garden and farm. At present the students of the normal school have their attention specially called to the various branches of natural science,—chemistry, mineralogy, botany, zoology, and geology.—Lectures are delivered, experiments made, and specimens shown in all these departments, and a searching examination instituted; and all this is done not merely to impart a knowledge of these sciences, and that, especially, as connected with agriculture; but still more to give them the command of illustrations borrowed from the field of nature, in the exposition both of secular and religious subjects.—I feel confident that it will be of vast advantage, if, in addition to all this, actual experiments be shown them of the effects of different kinds of soil, the rotation of crops, the various processes of propagation, &c. &c. This will be worth a dozen lectures on chemistry, and will tend largely not only to exalt their views of the whole subject, but also to imbue them with a right spirit in reference to these pursuits, and to give a powerful impulse to them, in their dissemination throughout the province. The benefits arising from such a course to the cause of agriculture, and, by consequence to the industrial economics of the province, can scarcely be estimated.

2.—The other object to which this garden and farm might be advantageously devoted is the qualifying of 15 or 20 of the young men of the province, every year, for a more skilful style of farming.

There is, I believe, a goodly number of the young men of the province intending to follow the pursuits of agriculture, who are accordingly desirous to become acquainted with the real science of farming, were the opportunity presented them. Now it appears to me that 15 or 20 of such young men might be admitted every summer term of the normal school for the above purpose, on the recommendation of the various agricultural associations throughout the province. These individuals would attend the lectures on natural science, and especially the branches of organic chemistry, and vegetable physiology, or any other general class that their necessities may require. Three hours of the day they would spend on the garden or farm, acquiring a knowledge of the names and properties of the various soils and manures, of the best way of handling the implements employed, the proportion of the quantity of the different kinds of seed for a certain given space, the different methods of engrafting, of propagating by roots and otherwise. Were these individuals to pay each a fee of £3 or so for the term, it would aid considerably in supporting this department. Indeed I believe that were the legislature to grant the amount of £100 per annum for 3 or 4 years, until it were stocked and put into good working order, the whole would hereafter become self-sustaining. I can see no injury arising to the normal school from the admission of these young men,

any

any more than there was from the admission of paying pupils before our model schools were erected. The summer term is generally more thinly attended, and this is the term when the garden and farm would be turned to any profitable account, in so far as the promotion of these purposes is concerned. The £100 granted by the province with the £60 or so arising from the fees of these students would, I think, be sufficient to procure the services of an experienced horticulturist as well as gradually stock the grounds. Besides there are other ways in which these grounds, if judiciously applied, might be rendered eminently serviceable to the cause of agriculture. They might, for example, be used as a touchstone for proving new kinds of grain roots, plants, trees; their suitability to the climate, their growth, mode of management, &c. Publicity might be given as to the results of these experiments, and much valuable practical information might thus be disseminated. The seeds or the roots too of those grains or esculents, that prove their adaptation to the climate, might through the agricultural societies, be distributed over the province; and so be the means of advancing largely the cause of agriculture.

If the legislature see meet to give its approbation and sanction to this proposal, and allow the necessary steps to be taken for its being carried into effect, then will the Provincial Normal School be second to none in its completeness and general usefulness, and occupy the exalted position of spreading the most inestimable blessings throughout the length and breadth of the land.

I have the honor to be,

Your excellency's

Most obedient servant,

ALEXANDER FORRESTER.



TABLE

## NUMBER OF SCHOOLS AND

SCHOOL BOARDS.	No of Schools.		No. of Districts.	SUPPORT FROM DISTRICTS.								
	w.	s.		Support in winter.	Support in summer.			Total support.				
					£	s.	d.					
1. Halifax City,	15	15	15	406	11	4½	462	15	0½	869	6	5
2. Do. East,	16	14		555	6	6	546	13	4	1101	19	10
3. Do. West,	24	26	41	524	9	11	528	12	1	1053	2	0
4. Do. Shore,	14	16	32	217	5	0	104	12	0	321	17	0
5. Chester,	16	13	22	198	14	3	129	0	0	327	14	3
6. New Dublin,			21				257	6	10	257	6	10
7. Lunenburg,	32	29		397	12	8	422	9	7	820	2	3
8. Queen's,	26	34	30	494	2	5	447	3	5	941	5	10
9. Shelburne,	13	8		160	4	11	270	4	6	430	9	5
10. Barrington,	13	12	28	130	3	3½	233	18	10	364	2	1½
11. Argyle,	17	23	27	180	10	8	200	3	0	380	13	8
12. Yarmouth,	18	27	37	625	12	8	542	15	2	1168	7	10
13. Clare,	14	18		148	14	6	199	5	5	347	19	11
14. Digby,	31	41	31	670	5	0	755	2	9	1425	7	9
15. Annapolis West,	20	28		325	2	6	468	2	5	793	4	11
16. Do. East,	24	36	35	442	2	10	687	2	3	1129	5	1
17. Kings,	55	73	69	1433	3	10	1644	6	10	3077	10	8
18. Hants, West,	28	37		684	12	6	873	2	5	1557	14	11
19. Do. East,	20	36	36	520	8	4	502	1	6	1022	9	10
20. Colchester,	40	68	71	792	13	0	1072	11	7	1865	4	7
21. Stirling,	15	19	19	238	10	10	284	11	9	523	2	7
22. Cumberland,	45	64	55	959	14	7	1142	16	6	2102	11	1
23. Parrsboro',	9	11		90	11	0	163	8	0	253	19	0
24. Pictou, North,	57	67	61	889	6	6	1039	11	11	1928	18	5
25. Do. South,	47	54		727	5	10	737	19	11	1465	5	9
26. Sydney,	54	54		695	11	6	714	8	0½	1408	4	6½
27. St. Mary,	8	6	17	97	4	11	151	9	2	248	14	1
28. Guysborough,	23	30	39	248	18	10½	388	18	5	637	17	3½
29. Inverness, South,	41	43	58	372	10	6	416	16	6	789	7	0
30. Do. North,	26	25	37	252	17	0½	273	18	10½	526	15	11
31. Victoria,	36	25		376	18	0	313	15	0	690	13	0
32. Cape Breton,	52	56		784	17	0½	770	9	4½	1555	6	5
33. Richmond,	31	35	35	313	11	11	354	5	0	667	16	11
Total,	879	1074	785	14955	14	8½	17099	17	5	32055	11	1½

Total average cost of each pupil, 12s. 10¼ ;

A.

DISTRICTS—SUPPORT OF SCHOOLS, &c.

SUPPORT FROM PROVINCE.			Am't from people for every £1 of province.	Cost per pupil to people.	Cost per pupil to province.
Support in winter.	Support in summer.	Total support.			
£ s d.	£ s d.	£ s d.	£ s d.	£ s d.	£ s d.
314 10 0	380 0 0	694 10 0	1 5 0	0 5 7½	0 4 5½
120 11 9	155 16 0	276 7 9	3 13 3½	0 17 5½	0 4 9
205 15 0	243 10 4	449 5 4	2 6 10¾	0 8 0½	0 3 5½
80 12 0	104 15 0	193 7 0	1 13 3½	0 7 10½	0 4 8½
89 6 0	106 10 0	195 16 0	1 14 2½	0 7 6	0 4 5½
	123 16 0	123 16 0	2 1 7	0 10 5½	0 5 0¾
166 14 6	214 10 7	381 5 1	2 3 9¼	0 8 2	0 3 11¼
195 0 0	255 12 6	450 12 6	1 19 6¾	0 10 9¼	0 5 5½
173 10 0	163 5 0	336 15 0	1 15 6¾	0 10 10¾	0 8 6½
92 5 0	146 12 6	238 17 6	1 10 6½	0 7 4¼	0 4 9¾
137 10 3	162 9 0	299 19 3	1 5 5¼	0 8 6¼	0 6 8½
160 11 0	223 19 5	383 10 5	3 0 10½	0 10 1½	0 3 3¾
81 1 0	106 18 0	187 19 0	1 17 0½	0 7 11¼	0 4 3½
219 6 8	260 16 8	480 3 4	2 13 0¾	0 11 5	0 4 3½
130 2 0	187 4 8	317 6 8	2 9 11¾	0 10 10¾	0 4 4¼
178 10 0	234 6 3	412 16 3	2 13 2½	0 11 4	0 4 3
331 3 4	422 10 0	753 13 4	4 7 10½	0 12 11	0 2 11¼
214 6 10	277 10 0	491 16 10	3 3 4	0 12 11½	0 4 1
108 16 6	145 11 6	254 8 0	4 0 4½	0 12 0	0 2 11¾
223 18 6½	290 1 6	514 0 0½	1 19 9¼	0 5 5	0 2 9
71 0 0	88 19 5	159 19 5	3 5 4¾	0 7 2¾	0 2 2¼
231 3 6	311 16 9	543 0 3	3 17 5¼	0 10 11	0 2 9¾
54 0 0	72 0 0	126 0 0	1 9 2¼	0 8 5¾	0 5 9¾
297 3 4	389 5 7	686 8 11	2 16 2¼	0 7 8¾	0 2 8¾
277 18 4	367 3 0	645 1 4	2 4 9¾	0 6 1	0 2 8½
330 0 6	443 4 2	773 4 8	1 16 5	0 7 8¾	0 4 2¼
60 0 0	96 13 4	156 13 4	1 11 1¾	0 7 10¾	0 4 11¾
141 10 0	181 10 0	323 0 0	1 19 5¾	0 8 5¾	0 4 3½
257 10 2	363 12 10	621 3 0	1 5 4¾	0 6 11½	0 4 9¾
122 12 6	163 11 6	286 4 0	1 16 9½	0 6 8	0 3 7½
194 7 6	210 8 0	404 15 6	1 14 1¾	0 7 8½	0 4 5½
356 13 10	378 10 0	735 3 10	2 2 3½	0 7 9¾	0 3 8½
205 12 10½	275 3 11½	480 16 10	1 9 7¼	0 6 6¾	0 4 6¼
5833 2 11	7546 13 5½	13379 16 4½	2 5 2¾ average.	0 8 7¾ average.	0 4 3 average.

Total average salary of each teacher, £45.

Table

TABLE B.  
NUMBER, AGE, AND SEX OF SCHOLARS—NUMBER OF CHILDREN.

SCHOOL BOARDS.	Paid pupils.		Free pupils.		Total number of pupils.		AGE OF PUPILS.				SEX OF PUPILS.				No. of pupils returned.
	W.	S.	W.	S.	W.	S.	Under eight.		Over eight.		Male.		Female.		
							W.	S.	W.	S.	W.	S.	W.	S.	
Halifax city,	970	755	668	709	1638	1464	381	386	1208	1228	782	829	804	685	
" East,	586	539	10	24	596	569	112	160	474	403	381	305	265	258	846
" West,	1129	1244	198	116	1308	1360	256	358	1052	992	755	742	554	618	8113
" Shore,	334	367	45	69	379	436	118	141	273	267	209	203	168	218	1328
Chester,	429	349	42	52	471	401	128	148	323	252	251	201	199	199	884
New Dublin,	433	433	40	40	473	473	143	143	388	388	240	240	241	241	563
Lunenburg,	851	708	186	128	987	825	143	186	844	639	617	452	370	373	11
Queen's,	659	812	76	109	734	921	132	311	602	610	451	444	223	474	3
Shelburne,	310	382	41	56	351	438	46	123	305	309	218	210	138	228	9
Barrington,	514	346	37	75	401	589	46	207	335	382	284	260	117	329	1309
Argyle,	374	384	67	97	414	481	82	81	302	300	296	239	120	272	2203
Yarmouth,	887	1001	173	242	1095	1243	100	163	965	880	793	590	272	653	4090
Clare,	268	426	77	106	345	582	41	88	304	444	188	241	157	291	1819
Digby,	779	993	154	202	933	1195	101	301	832	894	655	563	278	632	30
Annapolis. West,	534	640	123	158	657	798	108	153	499	494	384	358	232	390	18
" East,	715	1034	63	122	778	1156	81	317	697	839	524	508	632	270	1536
Kings, West,	1776	1969	279	390	2055	2859	284	733	1771	1626	1404	1046	651	1313	2354
Hants, West,	909	1103	116	152	1025	1380	157	374	868	1026	641	677	384	718	2805
" East,	765	875	33	40	798	916	144	230	643	612	420	390	388	486	749
Colchester,	1387	1995	139	207	1526	2241	245	575	1281	1625	883	1144	643	1097	1887
Stirling,	621	755	21	50	642	805	92	233	550	572	368	446	274	359	1113
Cumberland,	1532	1904	187	223	1719	2127	266	547	1433	1530	987	1077	734	1050	1164
Parrsborough,	162	230	7	23	179	255	44	109	132	148	101	126	75	141	431
Pictou, North,	2235	2486	106	168	2341	2654	424	700	1905	1954	1320	1409	1028	1245	15
" South	2280	2369	103	151	2393	2520	395	643	1998	1877	1353	1292	1040	1228	15 not returned.
Sydney,	1628	1625	176	209	1804	1834	221	295	1533	1539	1107	1094	697	780	1826
St. Mary's,	219	316	32	63	251	378	47	107	204	274	142	214	109	664	28
uGyborough,	499	685	130	188	629	873	134	237	495	636	381	456	248	417	1870
Inverness, South,	1006	1246	154	168	1166	1414	130	222	1050	1192	958	893	402	521	5 not returned.
" North,	630	782	79	85	709	867	88	179	621	688	465	538	244	329	1886
Victoria,	902	712	98	80	1000	792	114	137	886	655	537	458	413	334	9 not returned.
Cape Breton,	1717	1794	209	265	1926	2059	298	435	1628	1624	1175	1152	751	907	7 not returned.
Richmond,	684	829	291	312	974	1141	165	250	810	891	488	548	487	593	15 not returned.
	28291	32083	4065	5079	31626	37087	5103	9222	25923	27730	19519	19365	12852	18258	



TABLE C.  
DURATION OF SCHOOLS—SEX OF TEACHERS—CHARACTER OF SCHOOLS—SCHOOL HOUSES.

SCHOOL BOARDS.	SCHOOLS IN WEEKS.		SEX OF TEACHERS.				Common Schools teaching classes.		No. teaching geog. and gram.		Registers kept.		SCHOOL HOUSES.			LIBRARY SCHOOL APPARATUS.				Other apparatus.	
	WEEKS.		Male.		Female.		Common Schools		No. teaching		Registers kept.		Frame.	Log.	Good.	Bad.	BOOKS.		GLOBES.	Maps.	Black boards.
	w.	s.	w.	s.	w.	s.					w.	s.					w.	s.			
1. Halifax City,	21	20½	9	10	10	1	5	all	5	all	1	900	703	243	2	70	15				
2. " East,	16½	15½	15	9	4	none	all	none	8	all	2	183	1187	207	3	147	12				
3. " West,	24	25½	20	19	4	7	all	8	30	none	24	180	157	292	1	129	14				
4. " Shore,	21½	19½	10	11	4	6	none	5	17	all	5	120	120	134	1	122	6				
5. Chester,	23½	25½	11	6	5	7	none	7	3	all	2	103	82	52	66	28	7				
6. New Dublin,	23	21½	10	10	7	11	7	7	7	20	2	119	none	54	103	24	9				
7. Lunenburg,	24	22½	24	15	7	13	27	none	none	all	17	119	none	257	199	17	12				
8. Queen's,	18½	22½	15	10	10	24	6	6	2	all	all	198	168	139	45	55	12				
9. Shelburne,	21	22	9	4	4	14	8	8	4	all	all	191	163	18	6	15	7				
10. Barrington,	13½	18½	10	10	3	21	none	8	1	all	all	258	277	68	88	4	15				
11. Argyle,	14½	21½	15	7	3	16	7	7	none	all	all	35	352	278	none	48	29				
12. Yarmouth,	24½	26	20	7	4	26	6	6	14	all	16	282	237	355	112	4	126	56			
13. Clare,	17	24	5	3	9	17	none	19	4	all	4	82	14	252	176	4	30	9			
14. Digby,	23½	24½	23	16	7	25	none	9	8	all	2	77	58	104	27	1	43	17			
15. Annapolis, West,	22	20½	16	15	4	13	none	3	4	all	15	87	102	33	140	4	36	13			
16. " East,	22½	23	17	15	18	20	1	all	7	70	67	135	255	297	188	4	163	61			
17. Kings, West,	25	23½	42	29	14	42	none	all	12	1	24	313	408	40	219	2	90	27			
18. Hants, West,	23½	25½	19	19	9	16	none	3	1	all	31	129	68	92	15	3	81	13			
19. " East,	19½	20	10	7	10	17	1	2	5	2	51	92	15	3	3	3	3	3	3		
	667½	725	655	579	250	520	13	273	127	469	186	598	171	5207	6844	6360	4592	56	2521	640	2

Average duration of each school, 10 months 2 weeks, 1 day.

20. Colchester,	18½	20	26	29	18	39	2	11	3	14	33	96	71	53	97	1	152	45			
21. Stirling,	21	22	9	10	6	9	9	3	4	64	17	162	160	167	79	3	57	18			
22. Cumberland,	24	24½	33	30	15	36	7	11	11	9	all	190	45	13	9	1	79	32			
23. Parrsborough,	15	21	5	3	3	7	none	4	2	9	9	13	24	13	9	2	2	2			
24. Pictou, North,	24½	23½	44	46	13	21	3	3	1	62	59	244	275	435	344	5	206	65			
25. " South,	21½	20½	33	35	14	19	3	11	8	45	42	85	128	240	191	1	88	34			
26. Sylene,	18½	20	39	37	15	17	2	16	2	47	51	190	140	562	212	1	155	17			
27. St Mary's,	21	19½	6	5	2	7	none	1	1	11	10	39	133	202	100	1	41	8			
28. Guysboro',	20½	20½	15	17	8	14	none	16	4	24	22	160	174	202	158	2	73	12			
29. Inverness, South,	23½	21½	38	41	3	4	none	20	1	6	8	87	157	431	305	3	85	0			
30. " North,	23	23½	23	22	3	3	none	11	12	11	all	114	124	90	305	2	56	11			
31. Victoria,	19	17	33	33	2	2	none	3	6	2	18	12	271	492	176	1	64	12			
32. Cape Breton,	20	24	42	37	12	21	none	19	9	30	51	136	206	593	74	1	108	19			
33. Richmond,	24½	25	20	23	11	12	none	18	3	12	17	271	864	194	361	44	44	23			
	667½	725	655	579	250	520	13	273	127	469	186	598	171	5207	6844	6360	4592	56	2521	640	2

TABLE D:  
ABSTRACT OF GRAMMAR SCHOOL RETURNS.

	TEACHERS.	NO. OF PUPILS.		AVERAGE ATTENDANCE.		No of pupils in higher branches.		SUPPORT FROM DISTRICT.		SUPPORT FROM PROVINCE.		Globes.	Maps.	Bk. boards.	BRANCHES TAUGHT.
		W.	S.	W.	S.	W.	S.	£	s.	d.	£				
Halifax City,	Rev. E. Gilpin,	63	63	58	58	30	30	340	0	0	150	0	10	2	Classics & Mathematics.
“ East,	James Johnson,	55	55	32	32	12	12	45	0	0	24	7	6	1	Do.
“ West,	James Davison,	73	84	27	33	12	12	75	0	0	24	7	6	1	Mathematics.
“ “ Shore,	Geo. Draper,	50	31	28	21	12	12	87	10	0	24	7	6	1	Latin, French & Math.
Chester,	Richard Payne,	31	31	19	21	11	13	40	0	0	24	7	6	1	Classics, French & Math.
New Dublin,	Hinckley Condon,	49	49	31	31	17	17	30	0	0	12	10	0	1	Mathematics.
Lunenburg,	William Lawson,	43	43	36	35	14	14	40	0	0	23	15	0	1	Math. & Ag. Chemistry.
Queen's,	Nicholas Smith,	49	80	27	54	12	12	50	0	0	23	15	0	3	Latin and Mathematics.
Barrington,	J. D. Murray,	35	35	30	30	6	6	26	5	0	23	15	0	1	Do.
Shelburne,	William Richan,	39	37	28	25	11	11	27	17	4	25	0	0	1	Mathematics.
Argyle,	J. H. Munroe,	117	101	69	50	20	49	116	0	0	26	0	0	5	Latin and Mathematics.
Yarmouth,	Geo. Christie,	67	70			12	12	100	0	0					Latin, Math. & French.
Clare,	William Laudett,	36	37	12	12	12	12	110	0	0					Do.
Digby,	William Shipley,	45	45	36	36	11	11	23	0	0	12	10	0	1	Latin, French & Math.
Annapolis, West,	Jos. R. Hea,	57	57	35	35	38	38	100	0	0	12	10	0	2	Classics, French & Math.
“ East,	Rev. W. Summerville,	56	56	34	34	22	22	36	3	9	12	10	0	1	Do.
Kings,	John Morse,	27	27	26	26	17	17	30	0	0	12	10	0	2	Latin and Mathematics.
	Jonathan Borden,	39	39	19	19	10	10	40	0	0	12	10	0	1	Mathematics.

Hants, West,	Benjamin Curren,	65	43	48	32	19	18	105	0	0	31	13	4	2	3	Classics, French & Math.
“ East,	Geo. F. McDonald,	37	45	25	34	13	11	68	6	8	31	13	4	2	2	Ag. Chem. and Math.
Stirling,	No return.															
Colchester,	No return.															
Cumberland,	Donald McKay,	72	53	40	32	24	33	75	0	0	35	0	0	1	5	Latin, French & Math.
Parrsboro',	Donald McCauley,	40	32	22	19	15	17	97	0	0	31	5	0	1	10	Latin and Mathematics.
Pictou, North,	Isaac Patterson,	78	40	40	40	13	8	40	0	0	16	10	0	3	1	Do.
	Jacob McLellan,	22	26	16	17	15	8	75	0	0	33	9	7	5	5	Classics and Math.
	Alex. Falconer,	60	66	20	32	10	11	45	0	0	16	6	8	1	1	Do.
	D. McDonald,	78	62	47	48	10	10	35	11	0	2	11	4	1	1	Do.
	Thos. Cumming,	85	26	30	20	11	11	4	3	4	2	11	4	2	2	Do.
	David McLean,							20	0	0	10	18	2			Do.
	Alex. Fraser,							40	0	0	12	3	10			Do.
	J. Willoughby,							49	0	0	29	6	2			Latin and Mathematics.
	Ronald McGilvray,							38	10	0	27	2	2			Classics and Math.
Sydney,	Dan. McDonald,	62	22	26	27	13	2	20	0	0	15	0	0	1	1	Latin and Mathematics.
	John McDonald,							9	13	4	3	12	9			Do.
	Robt. Kennedy,							20	0	0	15	0	0			Latin, French & Math.
	Matthew G. Henry,							10	3	0	16	13	4			Classics and Math.
St. Mary's,	Thos. A. Taylor,	51	27	30	14	13	7	22	9	0	15	0	0	1	1	French, Ag. Ch. & Math.
Guysboro',	John McEachan,							22	9	0	2	0	0			Do.
Inverness, N.,	Dan. Fraser,	38	25	24	20	15	10	26	16	0	25	15	10	1	1	Classics and Math.
“ S.,	John McKinnon,							23	0	0	11	2	3			Do.
	Harding Murray,							10	0	0	8	8	6			Do.
Victoria,	W. H. Waddle;							40	0	0	16	13	4			Ag. Ch. Math. & Latin.
Cape Breton,	W. Hudson,	25	37	16	17	9	18	150	0	0	16	13	4			Do.
Richmond,	John Forbes,	46	20	20	22	21	16	20	5	0	16	13	4			Mathematics.
	No return.															
	Total—	1476	1738	677	1074	387	561	2453	10	5	818	14	918	277	64	

Total number of higher branches in winter and summer, 948.

TABLE E.

COLLEGES.			ACADEMIES.						PRIVATE SCHOOLS.				
DESIGNATION.	No. of students	Provincial aid.	Other support.	NAMES.	Teachers	No. of pupils.	Provincial aid.	Other support.	No. of Scholars.	Support from fees or otherwise.	Total number of Colleges, Academies and Private Schools.	Total number of students and pupils.	Total amount from Province and other sources.
		£ s. d.	£ s. d.				£ s. d.	£ s. d.					
St. Mary's, Halifax,	699	250 0 0	245 19 0	High school, Dalhousie Col., Halifax,	3	68			20	550			
Free Church, Halifax,	326			Free Ch. Academy, Halifax,	4	62 250 0	0 175 0 0						
St. Francis Xavier's, Antigonish,	5	250 0 0		Horton Academy, Wolfville,	3	250 0 0							
King's, Windsor,	518	250 0 0	1319 10 0	Collegiate School, Windsor,	2								
Acadia, Wolfville,	424			Pictou Academy, Pictou,	3	156 250 0	0 136 0 0						
Theological Seminary of Presbn. Church Nova Scotia,	421			Arichat Academy, Arichat,	3	74 100 0 0							
Goreham, Liverpool,				Sackville Academy,	10	*63 250 0 0							

\* This is the proportion of pupils reported as belonging to Nova Scotia. The attendance at both departments is upwards of 200.

N. B.—The Superintendent of Education has given the above table, with the view of showing what ought to be furnished, so as to present a complete view of the educational institutions of the province. Only two reports of academies received.

TABLE F.  
NORMAL SCHOOL.

SESSIONS.	STUDENTS.				COUNTIES FROM WHENCE CAME.																		
	Total number,	Males,	Females,	Paying pupils.	Halifax,	Lancaster,	Queen's,	Shelburne,	Yarmouth,	Digby,	Annapolis,	Kings,	Hants,	Colchester,	Cumberland,	Pictou,	Sydney,	Guyaboro,	Inverness,	Victoria,	Cape Breton,	Richmond,	
1855—56, - - -	54	23	31	10	3	2			1		1	6	3	17		5	4	5		2	6		
1856, - - -	58	34	24	20	5	2		1	2		1	5	3	22	1	3	2	3		1	3	1	
1856—57, - - -	44	18	26	20	7	2		1	2		2	2	1	19	1	3	1	2	1	2	2		
1857, - - -	40	15	25	2	2	1			1		3	1	3	19	2	2	1	1	2	2	2		
1857—57, - - -	64	33	41	1	3	2					1	1	2	32		9	3	10			1		

SESSIONS.	DIPLOMAS AND SCHOLARSHIPS.				COUNTIES NOW LABOURING.																			
	Received Diplomas,	Grammar School,	1st Class,	2d Class,	Scholarships,	Halifax,	Lancaster,	Queen's,	Shelburne,	Yarmouth,	Digby,	Annapolis,	Kings,	Hants,	Colchester,	Cumberland,	Pictou,	Sydney,	Guyaboro,	Inverness,	Victoria,	Cape Breton,	Richmond,	
1855—56, - - -	19	4	15	4																				
1856, - - -	44	12	32	11																				
1856—57, - - -	33	18	15	6		11	2		3	2		1	6	7	20	10	6	4	4	3	5	4	1	
1857, - - -	25	11	13	10																				
1857—58, - - -																								

RELIGIOUS PERSUASION.

SESSIONS.—1855—6.—4 Episcopalians, 24 Presbyterians, N. S., 12 Free Church, 9 Baptists, 5 Methodists.  
 1856.—6 Episcopalians, 25 Presbyterians, N. S., 12 Free Church, 8 Baptists, 6 Methodists, 1 Covenanter.  
 1856—7.—4 Episcopalians, 20 Presbyterians, N. S., 6 Free Church, 1 Kirk of Scotland, 6 Baptists, 7 Methodists.  
 1857.—4 Episcopalians, 15 Presbyterians, N. S., 5 Free Church, 2 Kirk of Scotland, 7 Baptists, 6 Methodists, 1 Covenanter.  
 1857—8.—4 Episcopalians, 27 Presbyterians, N. S., 15 Free Church, 2 Kirk of Scotland, 11 Baptists, 5 Methodists.

TEACHERS IN NORMAL AND MODEL SCHOOLS.—3 Episcopalians, 1 Presbyterian, 1 Free Church, 1 Baptist, 1 Methodist, 1 Covenanter.

MODEL SCHOOLS.

Number enrolled,	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	195
Average attendance,	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	165

N. B.—Receipts and expenditures of Normal and Model schools to be given in to educational committee. No.



## GENERAL ABSTRACT—continued.

PORTS.	CRACKERS.	FLOUR.	GENEVA.	LEATHER.	MOLASSES.	ONIONS.	RAISINS.		RUM.
							Box.	Cask.	
Halifax,	305 3 17	1000	35919 <sup>38</sup>	159281	878347	377 2 20	90842	9080	44097
Amherst,	7 2 9		202	4683	3295		1446	100	445
Antigonishe,				133					
Arichat,	3 3 14		151	815	471		24		121
Advocate Harbor,				228	872				
Annapolis,	7 2 0			1922	6727		198		240
Barrington,	1 0 0			1088	4168		186		
Beaver River,				50	45				
Bridgetown,	16 2 23			3053	1940		210		
Bear River,				627	1311		50		
Bridgeport,									
Baddeck,									
Canada Creek,	1 0 0			1111	4321		40		100
Church Point,	1 3 19			431	2693		24		100
Clementsport,	5 2 0			907	1216				
Cornwallis,	9 3 0			3420	5695		769		617
Cape Causo,					526		50		414 <sup>4</sup>
Digby,	18 3 15			1158	6805		894		1
French Cross,				100	1023				142
Great Bras d'Or,				13	82				92
Guysboro',									
Harbor au Bouche,				25	40				
Horton,	5 3 9			913	1720		295		
Hantsport,				78	15				
Joggins Mines,				1027	838				
Liverpool,	1 1 7		204		14836		4218	100	15
Lunenburg,					245				

Londonderry,	5 1 21			3103	2651	1 0 0	168		
LaHave,				310	1561				
Little River,				752					
Maitland,				976	1128		150	100	400
McNair's Cove,	1 2 0		75	436					489
North Sydney,	2 0 0		213	207	6716		240	224	
Pictou,	1 2 18		905 <sup>4</sup>	11431	3935		50		
Parrsboro',	0 0 14			300	840				
Pugwash,				509					105
Port Hood,									196
Pubnico,				58	925		240		
Port Medway,					1863				
Ragged Islands,				25630	13309				
Sydney, C. B.,									70
Shelburne,	5 0 0			132	139				
Ship Harbor,					80				
Sherbrooke,					475				
Sandy Cove,									
Tatamagouche,									
Truro,	1 1 26			1043	809		272		100
Tusket,	0 2 0			211	120		937		
Thorne's Cove,				167	1223		175		52
Walton,					317		368		
Wilmot,			79	540	7465				
Windsor,	6 3 5		192	4481	420				
Wallace,				572 <sup>4</sup>	2367				572
Westport,				5715	585				10
Weymouth,	19 2 8				35518 <sup>4</sup>		5652	100	
Yarmouth,									
	430 3 19	1000	37940 <sup>38</sup>	237636 <sup>4</sup>	1018775 <sup>4</sup>	378 2 20	107498	9704	48378 <sup>4</sup>

## GENERAL ABSTRACT—continued.

PORTS.	SUGAR.			TEA.		TOBACCO.	WHISKEY.	WINE.			
	Refined, &c.			Black.	Green.			1s. 3d. per gal.	2s. 6d. per gal.	3s. per gal.	
	Muscovado.										
Halifax,	23851	0 5	2455	2 5	783096	1912	357641	40255	128603	88163	1459
Amherst,	253	1 14	34	0 23	5506		3604	76		42	
Antigonish,			1	3 17			275				
Arichat,	20	2 0	0	3 14	2936		2910		60		
Advocate Harbor,					400		272				
Annapolis,	61	2 16	0	1 19	2065		2090				
Barrington,	6	0 6			1746		2629				
Beaver River,					33		129				
Bridgetown,	54	1 7	6	3 14	1444		1666				
Bear River,	7	2 14			1028		514				
Bridgeport,											
Baddeck,											
Canada Creek,	18	0 0	0	2 0	2585		1312				
Church Point,	77	2 0			540		860				
Clementsport,	4	1 22			1233		958				
Cornwallis,	44	3 0			2041		3019				
Cape Canso,	156	0 15	12	0 20	631		2529				
Digby,	6	0 0			6049		2440				
French Cross,					495		212				
Great Bras d'Or,					559		630				
Guysboro',											
Harbor au Bouche,											
Horton,	12	0 24			717		304				
Hantsport,			2	0 0	183		404				
Joggins Mines,	10	0 0			431		314				
Liverpool,	449	2 26	24	3 26	5068		7149	116			
Lunenburg,							115				

Londonderry,	16	2 0	1	3 21	2607		3858				
LaHave,	4	0 0			226		349				
Little River,					133						
Maitland,	4	0 16			798		1884				
McNair's Cove,	2	0 0	0	0 25	1587		1471			50	
North Sydney,	195	0 22	5	0 0	100		405	38	12	32	
Pictou,	231	2 13	71	2 25	62408	775	4475	117		153	4
Parrsboro',	1	3 12			552		240				
Pugwash,	2	1 2	5	1 19	1241		1048				
Port Hood,											
Pubnico,					278		343				
Port Medway,	28	2 12			188						
Ragged Islands,	32	2 26									
Sydney, C. B.,					95		605				
Shelburne,					80		46				
Ship Harbor,					1055		606				
Sherbrooke,					388		112				
Sandy Cove,	14	0 0			201		114				
Tatamagouche,					445						
Truro,			5	2 20	1206		3012				
Tusket,					779		1101				
Thorne's Cove,	2	2 0			182		167				
Walton,					87		40				
Wilmot,	92	2 16			4769		3030				
Windsor,	20	2 5	16	1 0	932		1872				
Wallace,	10	2 0			2081						
Westport,	9	3 0			1060		1088				
Weymouth,	2	0 0			160		200				
Yarmouth,	832	2 5	66	0 18	146959	27	12876		2		
	26536	2 26	2711	3 4	917143	2714	430448	4373	12932	9096	1468

## GENERAL ABSTRACT—continued.

PORTS.	VALUE OF GOODS.				AMOUNT STERLING.
	per cent.				
	2½	6¼	10	20	
Halifax,	£79628 4 11	£42363 14 0	£405845 18 5	£629 14 6	£88170 12 5
Amherst,	529 17 2	87 12 8	6727 8 3	12 12 10	1057 18 9
Antigonishe,	203 15 4		1422 13 2	16 15 9	155 1 9
Arichat,	1120 5 11	47 0 0	3513 14 11	12 2 0	486 6 9
Advocate Harbor,	210 0 0		154 0 0		35 14 4
Annapolis,	1001 11 3	210 15 4	4202 19 5	17 3 8	620 8 4
Barrington,	106 14 0	156 14 9	1373 18 9	12 14 0	246 17 7
Beaver River,	9 16 0		62 2 0	2 10 0	9 7 7
Bridgetown,	174 6 11		3809 2 6	14 3 7	479 0 6
Bear River,	359 1 4	34 16 0	1327 9 11	9 11 0	181 1 8
Bridgéport,			88 9 2		8 16 11
Baddeck,			68 0 0		6 16 0
Canada Creek,	64 0 0	258 4 0	2120 0 0	3 15 0	324 15 10
Church Point,	198 15 0		975 0 5		178 15 3
Clementsport,	273 5 9	32 11 9	924 1 5		140 18 8
Corwallis,	500 5 0	655 14 0	4474 12 6	14 7 6	683 17 1
Cape Canso,	38 17 0		100 19 3		71 17 9
Digby,	535 3 6	830 0 0	6238 5 6		911 16 10
French Cross,	108 11 3		262 12 6		58 8 8
Great Bras d'Or,	177 10 0		147 5 7		39 8 3
Guysborough,			7 3 6		0 14 4
Harbor au Bouche,			8 17 6		1 8 2
Horton,	3 7 11	49 4 9	2240 8 5	16 9 0	266 16 0
Hantsport,	352 19 0	60 8 6	480 1 4		68 1 4
Joggins Mines,	32 7 0		302 12 6		54 8 6
Liverpool,	97 1 5	245 6 6	4041 16 8	60 4 8	904 5 7
Lunenburg,			151 10 1		19 1 10

Londonderry,	5135 0 0	167 10 0	2950 16 8	33 5 0	594 0 0
LaHave,			414 2 5	8 5 1	68 10 8
Little River,			43 14 7		8 12 4
Maitland,	600 3 0	52 0 0	928 10 7	3 0 6	150 13 8
McNair's Cove,	58 9 8	169 2 10	646 18 5	23 0 8	165 13 3
North Sydney,	2201 0 0		2870 5 0	10 0 0	576 4 9
Pictou,	10700 9 1	15 11 5	24378 19 11	143 17 8	3796 10 8
Parrsboro',	400 15 6	415 5 8	171 19 10		70 12 11
Pugwash,	668 12 13		650 1 11		112 7 3
Port Hood,					14 14 0
Pubnico,	16 0 0	8 14 0	176 6 11	1 0 0	36 8 4
Port Medway,	632 2 2		233 16 6	7 19 7	72 17 6
Ragged Islands,		11 18 0	253 8 10	2 19 0	180 14 3
Sydney, C. B.,	11 19 7		1128 7 1	21 11 0	230 3 6
Shelburne,	0 12 0		159 7 0	1 2 0	18 7 7
Ship Harbor,	128 14 8	674 0 0	234 16 6		38 1 2
Sherbrooke,			4 9 10		55 16 1
Sandy Cove,	622 1 0		35 14 9		16 1 7
Tatamagouche,	480 14 5		435 18 0		63 15 7
Truro,	1 6 8		5157 6 11	61 8 6	591 17 11
Tusket,	235 5 4	45 17 5	527 5 1	5 14 3	72 14 8
Thorne's Cove,	516 15 3		292 17 6		63 7 0
Walton,	419 6 0		22 1 2		19 11 4
Wilmot,	1474 2 10		4371 9 7		670 6 9
Windsor,	167 12 0	685 0 0	7471 15 2	6 8 0	882 13 10
Wallace,	150 1 0	131 8 4	130 15 0		106 15 7
Westport,	131 4 0	801 7 4	1027 6 9		178 6 7
Weymouth,	4997 0 8	2465 2 4	789 14 0		91 12 6
Yarmouth,			13560 4 0	124 6 0	2671 1 9
	£115475 4 7	£50174 19 7	£520139 8 7	£1276 0 11	£11884 13 8

No. 11.  
(See page 411.)

ABSTRACT OF ARTICLES IMPORTED INTO THIS PROVINCE ON WHICH DUTY WAS COLLECTED IN THE YEAR 1857.

ARTICLES.	BARRELS.	GALLONS.	LBS.	CWT. QR. LBS	£	S. D.	RATE OF DUTY.	AMOUNT.
Brandy,		21125					2s. 8d. per gal.	£ 2816 18 4
Beef,	14½			2	2 17		4s. per barrel.	2 18 0
Bacon, hams & tongues,							9s. per cwt.	1 3 10
Cordial,		78					2s. 8d. per gal.	10 8 0
Cheese,			27471				5s. per cwt.	13 0 6
Candles,			7553				1d. per lb.	114 9 3
Ditto,			197780				3d. "	94 8 3
Coffee,			19795				1d. "	824 1 8
Ditto,			876				2d. "	164 19 2
Chocolate,				430	3 9		1d. "	3 13 0
Crackers,	1000						3s. 4d. per cwt.	71 16 1
Flour,		37940 <sup>10</sup> / <sub>100</sub>					1s. per barrel.	50 0 0
Geneva,			237636½				2s. 8d. per gal.	5058 15 10
Leather,							1d. per lb.	990 3 0
Molasses,		1018775½		378	2 20		2½d. per gal.	10612 4 10
Onions,			107498				2s. 6d. per cwt.	47 6 8
Raisins,			9704				½d. per lb.	223 19 1
Ditto,							¼d. "	10 2 2
Rum,							1s. 6d. per gal.	3628 7 9
Sugar,		4378½		26536	2 26		7s. per cwt.	9287 17 1

Ditto,				2711	3 4		10s. "	1355 17 10
Tea, black,			917143½				2d. per lb.	7042 17 3
Tea, green,			2714				4d. "	45 4 8
Tobacco,			430448				1½d. "	2090 6 0
Whiskey,		4373 <sup>3</sup> / <sub>100</sub>					2s. 8d. per gal.	583 2 5
Wine,		12932 <sup>2</sup> / <sub>100</sub>					1s. 3d. "	808 5 9
Ditto,		9096 <sup>1</sup> / <sub>100</sub>					2s. 6d. "	1137 0 3
Ditto,		1463 <sup>3</sup> / <sub>100</sub>					3s. "	219 10 9
Value of goods,							2½ per cent.	2886 17 7
Ditto,				115475	4 7		6½ per cent.	3135 18 8
Ditto,				50174	19 7		10 per cent.	52013 18 10
Ditto,				520139	8 7			255 4 2
Amount received from distilleries				1276	0 11			5083 4 0
							Sterling,	£111884 13 8

JOHN J. MARSHALL, Financial Secretary.

Financial Secretary's office, 30th January, 1858.

No. 12.  
(See page 411)

COMPARATIVE STATEMENT EXHIBITING THE INCREASE AND DECREASE OF THE AMOUNT OF EXCISE DUTIES COLLECTED AT THE DIFFERENT PORTS OF THIS PROVINCE FOR THE YEARS 1856 AND 1857.

PORTS.	DUTIES, 1856.	DUTIES, 1857.	INCREASE.	DECREASE.	NET INCREASE.
Halifax,	£73459 15 9	£88170 12 5	£14710 16 8		
Amherst,	946 3 3	1057 18 9	111 15 6		
Antigonishe,	129 15 4	155 1 9	25 6 5		
Arichat,	335 13 6	486 6 9	150 13 3		
Advocate Harbor,	6 2 8	35 14 4	29 11 8		
Annapolis,	505 17 5	620 8 4	114 10 11		
Barrington,	118 3 9	246 17 7	128 13 10		
Beaver River,	29 15 10	9 7 7		£20 8 3	
Bridgetown,	315 2 1	479 0 6	163 18 5		
Bear River,	149 6 0	181 1 8	31 15 8		
Bridgeport,	1 15 4	8 16 11	7 1 7		
Baddeck,		6 16 0	6 16 0		
Canada Creek,	196 4 5	324 15 10	128 11 5		
Church Point,	203 13 9	178 15 3		24 18 6	
Clementsport,	161 2 5	140 18 8		20 3 9	
Cornwallis,	437 2 6	683 17 1	246 14 7		
Cape Canso,	37 13 1	71 17 9	34 4 8		
Digby,	817 16 7	911 16 10	49 0 3		
French Cross,	59 11 8	58 8 8		1 3 0	
Great Bras d'Or,	134 12 4	39 8 3		95 4 1	
Guysboro',	65 18 3	0 14 4		65 3 11	
Harbor au Bouche,	0 7 0	1 8 2	1 1 2		
Horton,	231 7 10	266 16 0	35 8 2		
Hantsport,	77 19 1	68 1 4		9 17 9	
Joggins Mines,	77 1 11	54 8 6		22 13 5	
Liverpool,	530 13 9	964 5 7	433 11 10		
Lunenburg,	27 17 1	19 1 10		8 15 3	

Londonderry,	387 16 10	534 0 0	146 3 2		
LaHave,	44 16 5	68 10 8	23 14 3		
Little River,	6 11 7	8 12 4	2 0 9		
Margaree,	12 12 3			12 12 3	
Maitland,	140 10 7	150 13 8	10 3 1		
McNair's Cove,	85 15 11	165 13 3	79 17 4		
North Sydney,	407 10 5	576 4 9	168 14 4		
Pictou,	2852 4 0	3796 10 8	944 6 8		
Parrsboro',	89 11 1	70 12 11		18 18 2	
Pugwash,	226 6 4	112 7 3		113 19 1	
Port Hood,	38 2 2	14 14 0		23 8 2	
Pubnico,	28 7 5	36 8 4			
Port Medway,	17 7 0	72 17 6	55 10 6		
Ragged Islands,	226 10 0	180 14 3		45 15 9	
Sydney, C. B.,	222 0 7	230 3 6	8 2 11		
Shelburne,	30 5 9	18 7 7		11 18 2	
Ship Harbor,	47 3 3	38 1 2		9 2 1	
Sherbrooke,	39 14 5	55 16 1	16 1 8		
Sandy Cove,	12 16 11	16 1 7	3 4 8		
Tatamagouche,	73 6 9	63 15 7		9 11 2	
Truro,	447 19 2	591 17 11	143 18 9		
Tusket,	87 16 6	72 14 8		15 1 10	
Thorné's Cove,	45 14 10	63 7 0			
Walton,	8 0 11	19 11 4			
Wilnot,	419 14 8	670 6 9	250 12 1		
Windsor,	958 2 9	882 13 10		75 8 11	
Wallace,	39 9 11	106 15 7			
Westport,	154 7 2	178 6 7			
Weymouth,	73 9 3	91 12 6			
Yarmouth,	2436 14 10	2671 1 9	234 6 11		
Received from distilleries,	5600 0 0	5083 4 0		516 16 0	
	£94317 12 3	£111884 13 8	£18688 0 11	£1120 19 6	£17567 1 5

(See page 411.)

COMPARATIVE STATEMENT OF ARTICLES IMPORTED INTO THIS PROVINCE, AND THE AMOUNT OF EXCISE DUTIES COLLECTED THEREON, FOR THE YEARS 1856 AND 1857.

ARTICLES.	IMPORTS, 1856.	IMPORTS, 1857.	INCREASE.	DECREASE.
Brandy, gallons,	29102	21125		7977
Bacon, ham and tongues, cwt.,	1 3 11	2 2 17	3 6	
Beef, barrels,		14½	14½	
Cordials, gallons,	94.8	78		16.9
Cheese, cwt.,	38 3 22	52 0 12	13 0 18	
Candles, (tallow,) lbs.,	44308	27471		16837
Do. (other kinds,) lbs.,	7283	7553	270	
Coffee, (green,) lbs.,	154228	197780	43552	
Do. (roasted,) lbs.,	15500	19795	4295	
Chocolate, lbs.	2280	876		1404
Crackers, cwt.,	417 2 2	480 3 9	13 1 7	
Flour, bbls.,		1000	1000	
Geneva, galls.,	33482½	37940 <sup>20</sup>	4458 <sup>5</sup>	
Leather, (upper,) lbs.,	694			694
Do. (soles,) lbs.,	138035	237636½	99001½	
Lard, cwt.,	1 2 17			1 2 17
Molasses, galls.,	1199563	1018775½		180787½
Onions, cwt.,	167 0 9	378 2 20	211 2 11	
Pork, bbls.,	26			26
Raisins, (boxes,) lbs.,	135355	107498		27857
Do. (other packages,) lbs.,	7071	9704	2733	
Rum, galls.,	25663	48378½	22715½	
Sugar, cwt.,	28552 0 25	26536 2 26		2015 1 27

Sugar, cwt.,	2209 1 14	2711 3 4	502 1 18	142128½
Tea, (black,) lbs.,	1059272	917143½		
Do. (green,) lbs.,	1511	2714	1203	
Tobacco, lbs.,	402401	480448	28047	
Whiskey,	35733	48733	795	
Wine, galls.,	15758½	129823		2826½
Do. galls.,	7846½	9096½	12493	
Do. galls.,	1556½	1463½		98½
Goods at 2½ per cent.,	124121 9 5	115475 4 7		8646 4 10
Do. at 6¼ per cent.,	520277 4 0	50174 19 7		470102 4 5
Do. at 10 per cent.,	28845 12 7	520139 8 7	491793 16 0	
Do. at 20 per cent.,	1373 14 4	1276 0 11		97 13 5
Shrub, galls.,	54			54
Sugar, cwt.,	42 0 11			42 0 11

## COMPARATIVE STATEMENT—continued.

ARTICLES.	DUTIES, 1856.	DUTIES, 1857.	INCREASE.	DECREASE.	NET INCREASE.
Brandy, gallons,	£3880 5 4	£2816 13 4	0 7 3	£1063 12 0	
Bacon, ham and tongues, cwt.,	16 7	1 3 10	2 18 0		
Beef, barrels,	12 13 0	10 8 0	3 5 10	2 5 0	
Cordials, gallons,	9 14 8	13 0 6	3 7 7	70 3 1	
Cheese, cwt.,	184 12 4	114 9 3	3 7 7		
Candles, (tallow,) lbs.,	91 0 8	94 8 3	181 9 4		
Do. (other kinds,) lbs.,	642 12 4	824 1 8	35 15 10		
Coffee, (green,) lbs.,	129 3 4	164 19 2	2 4 4	5 17 0	
Do. (roasted,) lbs.,	9 10 0	3 13 0	50 0 0		
Chocolate, lbs.	69 11 9	71 16 1	594 8 8		
Crackers, cwt.,	4464 7 2	50 0 0	415 0 1	5 15 8	
Flour, bbls.,	5 15 8	5058 15 10	26 9 0	0 13 3	
Geneva, galls.,	575 2 11	990 3 0	1883 4 1		
Leather, (upper,) lbs.,	0 13 3	10612 4 10		58 4 0	
Do. (soles,) lbs.,	12495 8 11	47 6 8		58 0 8	
Lard, cwt.,	20 17 8	223 19 1	2 14 11		
Molasses, galls.,	6 4 0	10 2 2	1703 13 3		
Onions, cwt.,	281 19 9	3628 7 9	251 4 1	705 8 5	
Pork, bbls.,	7 7 3	9287 17 1	20 1 0	1184 8 1	
Raisins, (boxes,) lbs.,	1294 14 6	1355 17 10	175 5 11		
Do. (other packages,) lbs.,	9993 5 6	7642 17 3			
Rum, galls.,	1104 13 9	45 4 8			
Sugar, cwt.,	8827 5 4	2690 6 0			
Sugar, cwt.,	25 3 8				
Tea, (black,) lbs.,	2515 0 1				
Do. (green,) lbs.,					
Tobacco, lbs.,					

Whiskey, gallons,	477 2 5	583 2 5	106 0 0	176 12 9	
Wine, “	984 18 6	808 5 9	156 3 8		
Do. “	980 17 0	1137 0 3		15 9 7	
Do. “	235 0 4	219 10 9		216 3 1	
Goods at 2½ per cent.,	3103 0 8	2886 17 7	49179 7 7	29381 7 10	
Do. at 6¼ per cent.,	32517 6 6	3135 18 8			
Do. at 10 per cent.,	2834 11 3	52013 18 10		19 10 8	
Do. at 20 per cent.,	274 14 10	255 4 2		3 12 0	
Shrub, gallons,	3 12 0			29 9 4	
Sugar, cwt.,	29 9 4				
• Amount received from distilleries,	5600 0 0	5083 4 0		516 16 0	
	£94317 12 3	£111884 13 8	£52909 15 11	35842 14 6	£17567 1 5

JOHN J. MARSHALL, Financial Secretary.

Financial Secretary's office, 30th January, 1858.

No. 14.  
(See page 411)

COMPARATIVE STATEMENT OF THE GROSS AMOUNT OF LIGHT DUTIES COLLECTED AT THE DIFFERENT PORTS OF THIS PROVINCE FOR THE YEARS 1856 AND 1857.

PORTS.	DUTIES, 1856.	DUTIES, 1857.	INCREASE.	DECREASE.	NET INCREASE.
Halifax,	£1969 4 6	£1924 14 3	£0 4 0	£44 10 3	
Amherst,	19 3 6	19 7 6			
Antigonish,	20 6 0	13 17 0		6 9 0	
Arichat,	282 12 6	262 12 6		20 0 0	
Advocate Harbor,	4 10 0	4 18 0	0 8 0		
Annapolis,	59 17 6	57 19 0		1 18 6	
Barrington,	50 0 3	40 19 6		9 0 9	
Beaver River,	11 4 0	8 1 6		3 2 6	
Bridgeport,	82 17 6	67 15 6		15 2 0	
Bear River,	73 1 9	17 15 0		55 6 9	
Canada Creek,	57 1 6	27 2 6		9 19 0	
Church Point,	37 10 0	20 14 6		16 15 6	
Clementsport,	18 18 3	19 0 6	0 2 3		
Cornwallis,	36 1 0	24 1 6		11 19 6	
Cape Canso, (G. Norris,)	0 7 0	3 13 0	3 6 0		
Do. (Bigelow,)	425 2 0	383 2 6		41 19 6	
Canso Strait,	1304 6 0	1215 19 8		88 6 4	
Digby,	50 0 6	40 17 6		9 3 0	
French Cross,	12 10 6	3 6 6		9 4 0	
Great Bras d'Or,	16 4 6	21 9 6	5 5 0		
Guyshoro',	19 4 0	19 10 6	0 6 6		
Harbor au Bouche,	11 3 0	11 3 6			
Hantsport,	50 18 9	67 12 0	16 14 0		
Horton,	16 11 6	25 5 0	8 13 6		
Joggins Mines,	22 2 0	34 11 0	12 9 0		
Liverpool,	176 18 3	188 19 0	12 0 9		
Lunenburg,	27 7 6	30 11 6	3 4 0		

Londonderry,	23 2 0	22 12 6	8 1 0	0 9 6	
LaHave,	23 1 6	31 2 6	11 12 3		
Little River,	9 3 6	9 6 0	0 2 6		
Margaree,	0 11 0			0 11 0	
Margaree Island,	51 3 0	49 18 0		1 5 0	
Maitland,	1 18 0			1 18 0	
McNair's Cove,	589 18 0	606 3 0	16 5 0		
North Sydney,	547 4 3	798 10 0	251 5 9		
Pictou,	56 14 0	62 10 0	5 16 0		
Parrshoro',	128 3 6	91 13 6		36 10 0	
Pugwash,	6 1 0	10 10 6	4 9 6		
Port Hood,	44 11 3	48 19 3	4 8 0		
Pubnico,	26 19 6	42 10 9	15 11 3		
Port Medway,	27 5 0	43 9 6	16 4 6		
Ragged Islands,	13 10 0	11 16 0		1 14 0	
Sydney,	36 16 0	49 2 6	12 6 6		
Shellburne,	9 2 6	13 11 6	4 9 0		
Ship Harbor,	20 16 0	24 15 6	3 19 6		
St. Mary's,	9 13 0	8 0 0		1 13 0	
Sheet Harbor,	13 1 0	7 4 0		5 17 0	
St. Ann's,	11 1 6	27 17 6	16 16 0		
Sandy Cove,	13 17 6	31 12 0	17 14 6		
Tatmagouche,	2 0 6	2 7 6	0 7 0		
Truro,	27 3 6	21 19 6		5 4 0	
Tusket,	45 13 6	38 19 6		6 14 0	
Thorne's Cove,	39 19 6	60 16 3	20 16 9		
Walton,	24 3 6	29 12 6	5 9 0		
Wilmot,	211 5 3	221 2 3	9 17 0		
Windsor,	18 1 0	14 6 0		3 15 0	
Wallace,	39 9 6	65 5 0	25 15 6		
Westport,	39 16 6	50 16 0	10 19 6		
Weymouth,	302 13 0	222 13 3		79 19 9	
Yarmouth,					
Currency,	£7249 3 0	£7285 15 2	£524 19 0	£488 6 10	£36 12 2

Financial Secretary's office, 30th Jan., 1858.

JOHN J. MARSHALL, Financial Secretary.

## No. 15.

(See page 414.)

*Dr.* THE PROVINCE OF NOVA SCOTIA IN ACCOUNT CURRENT WITH THE RECEIVER GENERAL  
FROM 1ST JANUARY to 31ST DECEMBER, 1857.

To cash paid advances per abstract,	£	2938	7	11
Chairman board of works, do.		28932	5	4
Criminal prosecutions, do.		259	8	3
Coroner's inquests, do.		300	0	0
Drawback of duties, do.		3263	4	3
Erection of oatmills, do.		0	0	0
General education, do.		19528	8	1
Judiciary expenses, do.		344	3	4
Legislative expenses, do.		10666	7	4
Miscellaneous expenses, do.		4485	3	7
Militia expenses, do.		540	9	11
Piers and breakwaters, do.		2690	10	3
Post communication, do.		6886	11	2
Poor asylum, do.		2788	16	9
Provincial railway, do.		27131	6	5
Public printing, do.		1689	19	7
Revenue expenses, do.		9471	17	5
Rations to troops, do.		34	4	0
Support of Indians, do.		324	8	0
Support of agriculture, do.		983	6	8
Support of transient poor, do.		417	12	4
Support of packets, steam boats and ferries, do.		1346	0	0
Salaries to officers of government, do.		15130	8	4
Copyright,		68	15	9
Interest,		4440	9	5
Casual revenue,		0	0	0
St. Peter's canal,		142	12	6
Wrecks,		2595	14	3
Copper coin,		0	0	0
Savings' bank,		6500	0	0
Prothonotaries,		28	14	4
Crown land department,		1837	19	7
New court house,		100	17	6
		<hr/>		
		£155868	2	8

## ROAD SERVICE :

To paid for road advances,	£2184	13	7
Road compensation,	387	8	3
Old road votes,	1196	17	3
Annapolis,	1835	0	0
Colchester,	2436	3	1
Cumberland,	2301	16	7
Cape Breton,	2222	2	4
Digby,	1799	9	7
Guysborough,	1579	17	7
Halifax,	3360	11	3
Hants,	2578	2	8

To

To paid Inverness,	£2322	18	7	
Kings,	1703	3	10	
Lunenburg,	2926	8	0	
Pictou,	2802	0	2	
Queens,	1824	0	0	
Richmond,	1822	6	11	
Sydney,	1781	19	10	
Shelburne,	1975	0	3	
Victoria,	1848	6	10	
Yarmouth,	1695	19	9	
				42584 6 4
				£198452 9 0
Balance,				6593 14 5
				£205046 3 5

1856,	<i>Cr.</i>			
Dec. 31. By balance at this date,				22384 9 3
1857. Cash received for colonial duties, viz :				
From Halifax,	£110200	0	0	
Annapolis,	741	11	9	
Amherst,	1466	13	4	
Antigonishe,	191	5	0	
Arichat,	939	10	7	
Advocate Harbour,	34	16	3	
Barrington,	308	5	6	
Baddeck,	8	10	0	
Beaver River,	31	1	10	
Bridgeport,	0	0	0	
Bridgetown,	463	13	8	
Bear River,	232	8	6	
Cornwallis,	656	13	6	
Cape North,	0	0	0	
Cape Canso,	44	10	1	
Canada Creek,	367	14	6	
Clements Port,	221	16	9	
Church Point, Clare,	248	5	1	
Digby,	1100	11	5	
French Cross,	84	18	7	
Guysborough,	19	7	1	
Great Bras d'Or,	75	14	4	
Horton,	260	0	0	
Hants Port,	130	7	3	
Harbour Buchie,	13	0	7	
Joggins,	116	2	9	
Lunenburg,	43	10	2	
Liverpool,	1231	13	0	
Londonderry,	700	6	11	
Little River,	13	6	3	
LaHave,	61	10	4	
Maitland,	244	15	11	
McNair's Cove,	176	9	11	
Margaree,	22	3	3	



1857. Cash received from Wreck money,	£2595	14	3
Copper coinage,	1500	0	0
To cash paid Copyright,	49	0	6
Interest,	493	12	6
Prothonotaries,	43	16	4
Rations to troops,	2	15	6
Port Hood harbor—dues,	34	0	3
	<hr/>		
	£205046	3	5
	<hr/>		
Balance brought down,	£6593	14	5

Receiver General's office,  
Halifax, 31st December, 1857.

Examined February 10th., 1855.

JOHN J. MARSHALL,

Financial Secretary.

STAYLEY BROWN,

Receiver General.

(See page 414.)

## GENERAL STATEMENT OF THE AMOUNTS CERTIFIED BY THE FINANCIAL SECRETARY, FOR PAYMENT ON ACCOUNT OF THE DIFFERENT PUBLIC SERVICES OF THE PROVINCE FOR THE YEAR ENDED 31ST DECEMBER, 1857.

TO WHOM PAID.	SERVICE.	AMOUNT.	TOTAL CURRENCY.
His excellency Sir J. G. LeMarchant,	CIVIL LIST. Salary as lieutenant governor, for one year ended 30th Sept., 1857,	£3750 0 0	
B. Halliburton,	do do	1250 0 0	
W. B. Bliss,	do do	812 10 0	
E. M. Dodd,	do do	700 0 0	
W. F. DesBarres,	do do	700 0 0	
Lewis M. Wilkins,	do do	700 0 0	
William A. Henry,	as provincial secretary, for 4½ months ended 14th Feb., 1857,	262 10 0	
Charles Tupper,	do do for 7½ months ended 30th Sept., 1857,	437 10 0	
James McNab,	do do for 6 months, ended 31st March, 1857,	300 0 0	
Staley Brown,	do do for 6 months ended 30th Sept., 1857,	300 0 0	
Samuel Chipman,	as receiver general, for 5 months ended 28th Feb., 1857,	250 0 0	
John J. Marshall,	do do for 5 months ended 30th Sept., 1857,	350 0 0	
William Young,	as attorney general, for 5 months ended 28th Feb., 1857,	208 6 8	
James W. Johnston,	do do for 7 months ended 30th Sept., 1857,	291 13 4	
A. G. Archibald,	do do for 7 months ended 28th Feb., 1857,	52 1 8	
M. I. Wilkins,	do do for 7 months ended 30th Sept., 1857,	72 18 4	
J. B. Uniacke,	as commissioner of crown lands, for one year ended 30th Sept., 1857,	500 0 0	
Provincial secretary,	for clerks in his office, for one year ended 30th Sept., 1857,	575 0 0	
Ditto,	For contingencies of his office, do	125 0 0	
Edward Duckett,	Salary as clerk to receiver general, do	300 0 0	
J. B. Wallace,	do do for one month,	16 13 4	
J. Blanchard,	as clerk to financial secretary for one year	250 0 0	

Commissioner of crown lands, Salary of clerks in his office, for one year ended 30th Sept., 1857,	657 10 0	
R. H. Bullock,	as private secretary to lieutenant governor, do	312 10 0
J. W. Nutting,	as clerk of the crown, do	100 0 0
James Venables,	as keeper of the provincial building, do	60 0 0
Joseph Skallish,	as messenger of the governor and council, do	40 0 0
Alexander Stewart,	Pension as late master of the rolls, do	400 0 0
W. Q. Sawers,	do do judge of the court of common pleas, do	300 0 0
J. G. Marshall,	do do do do do	300 0 0
John S. Morris,	commissioner of crown lands, do	300 0 0
H. W. Crawley,	do do do do do	300 0 0
N. W. White,	registrar of the court of chancery, do	125 0 0
Miss Cox,	for three months ended 31st December, 1856,	31 5 0

£15130 8 4

## LEGISLATIVE EXPENSES.

The president and als.,	Pay and travelling allowance as members of L. council, session 1857,	£1829 10 0	
The Speaker and als.,	do do as members of assembly, do	4805 5 0	
Stewart Campbell,	Salary as Speaker of house of assembly,	200 0 0	
Alexander James,	as clerk of do do do	300 0 0	
James G. Tobin,	do do do do do	200 0 0	
H. C. D. Twining,	do do on bills, do	200 0 0	
J. Halliburton,	Grant of 1857, for contingencies of legislative council,	967 17 0	
Postmaster general,	do do postage of members, do	182 13 7	
Ditto,	do do do members of assembly,	445 16 9	
Alexander James,	do do contingencies of house of assembly,	292 7 6	
A. & W. MacKinlay,	do do stationery and binding,	288 7 6	
J. Fitzgerald,	Salary as messenger of the house of assembly,	40 0 0	
G. R. Grassie,	as sergeant-at-arms, do	88 0 0	
Edward Joyce,	as assistant sergeant-at-arms, do	45 0 0	
Revd. Dr. Twining,	as chaplain of do do do	25 0 0	
O. Weeks, junr.,	Grant of 1857 for reporting debates, do	690 0 0	
S. S. Thorne,	do do as chairman of committee, do	20 0 0	
J. Dimock,	do do do do do	20 0 0	
E. McPhee,	do do for extra services, do	26 10 0	

10666 7 4

## GENERAL STATEMENT—continued.

TO WHOM PAID.	SERVICE.	AMOUNT.	TOTAL CURRENCY.
<b>REVENUE EXPENSES.</b>			
B. B. Oxley,	Salary as clerk to the board of revenue, for 11 months ended 30th Sept., 1857,	£91 13 4	
Joseph Austen, William Condon, Joseph Quinman, Edward Binney,	guager and proof officer, for one year ended 30th Sept., 1857, do 4½ months ended 14th Feb. 1857, do 4½ months ended 30th Sept., 1857, acting collector of excise at Halifax, for one year ended 30th Sept., 1857,	150 0 0 56 5 0 56 5 0	0 0 0
H. B. Paulin, W. G. Fife, John U. Ross, J. M. Tidmarsh, Peter Donaldson, James Fitzgerald, John R. Wallace, Thomas P. Ryan, Ditto,	comptroller, do do do do do warehouse keeper, do do do do do landing waiter, do do do do do do do do do do clerk to warehouse keeper, do do do do do clerk to comptroller, do do do do do first clerk in excise office, for 11 mons. ended 1st Sept., 1857, do 1 month ended 30th do do do do do second clerk do 11 mons. ended 1st do do do do do do do 1 month ended 30th do do do do do do do 1 month do do do do do	250 0 0 250 0 0 250 0 0 250 0 0 190 0 0 160 0 0 150 0 0 137 10 0 12 10 0 123 15 0 12 10 0 8 6 8	0 0 0 0 0 0 0 0 0 0 0 0 0
B. B. Oxley, S. McQ. Smith, Edward Binney, Ditto, Ditto, Ditto, Ditto,	Pay of shipping officers at Halifax, for 1 year ended 30th Sept., 1857, warehouse lockers, do do do do do tide surveyors, boatmen and waiters, do do do do do messenger and truckmen, do do do do do Incidental expenses of revenue department, for 1 year ended 31st Dec., 1856,	410 12 6 1258 12 6 1916 13 0 93 3 9	6 6 0 9
J. B. Davison, Ditto, N. C. McKeen,	Collector, Wallace, salary as comptroller of customs for 1856, Commissions on colonial duties collected to 30th Sept., 1857, Collector, Margaree Island, salary as seizing officer for 1856,	161 16 0 20 0 0 12 14 8 15 0 0	0 0 8 0

Simon Donovan, James Muir, Ditto, A. D. Morrison, Ditto, David Rogers,	Collector, Arichat, salary as comptroller for 9 months ended, Collector, Shelburne, salary as comptroller for 1856, Commissions on colonial duties collected to 30th Sept., 1857, Collector, Londonderry, salary as comptroller for 1856, Commissions on colonial duties collected to 31st Dec., 1856, Collector, Pugwash, salary as comptroller for 18 months, ended June, 1857,	57 10 0 20 0 0 10 7 4 20 0 0 49 12 6 30 0 0 10 11 0 13 13 2 20 0 0 0 9 4 20 0 0	0 0 4 0 6 0 0 2 0 4 0
Ditto, James McNab, Edward Mudge, Ditto, William Campbell, E. T. Moberly,	Commissions on colonial duties collected to 30th Dec., 1856, Collector, Pugwash, commissions on duties collected to 30th Sept. 1857, Collector, Margaree, salary as comptroller for 1856, Commissions on colonial duties collected to 30th Sept., 1857, Collector, Tatamagouche, salary as comptroller for 1856, Collector, Yarmouth, salary as comptroller for 1 year ended 30th Sept., 1856,	200 0 0 11 19 9 1 0 0 80 0 0 100 0 0 20 0 0 5 14 0 230 0 0 80 0 0 115 10 0 75 0 0	0 9 0 0 0 0 0 0 0 0 0
Ditto, Ditto, C. Huntington,	Commissions on light duty collected, ditto, Appraising goods, Surveyor of shipping at Yarmouth, salary for 1 year ended 30th Sept., 1857,	107 4 7 80 0 0 20 0 0 20 0 0 20 0 0 20 0 0 4 5 6 20 0 0 35 9 0	7 0 0 0 0 0 6 0 0
S. Durkey, A. B. Thorne, Ditto, D. McCulloch, Ditto, Ditto, J. H. Freeman, Ditto,	Landing waiter at Yarmouth, do do do, Collector, Thorne's Cove, salary as comptroller for the year 1856, Commissions on colonial duties collected in 1856, Collector, Pictou, salary for 1 year to 30th Sept., 1856, Salary of G. Hattie, clerk, do do, Wages of boatmen, do do, Collector, Liverpool, salary do do, Commissions on colonial duties collected for 1 year ended 30th Sept., 1857,	107 4 7 80 0 0 20 0 0 20 0 0 20 0 0 4 5 6 20 0 0 35 9 0	7 0 0 0 0 6 0 0
William Bryden, Alexander McDonald, B. H. Ruggles, Charles R. Allison, W. S. Raymond, Ditto, C. V. Rawding, Ditto,	Surveyor, &c, salary for 1 year, ditto, Comptroller, St. Mary's, salary for 1 year ended 31st Dec., 1856, Collector, Westport, salary as comptroller, for 1 year to ditto, Collector, Walton, salary as comptroller for ditto ditto, Collector, Beaver River, salary as comptroller for the year 1856, Commissions on colonial duties collected to 30th Dec., 1856, Collector, Canada Creek, salary as comptroller for 1856, Commissions on colonial duties collected to 30th Sept., 1857,	107 4 7 80 0 0 20 0 0 20 0 0 20 0 0 4 5 6 20 0 0 35 9 0	7 0 0 0 0 6 0 0

## GENERAL STATEMENT—continued.

TO WHOM PAID.	SERVICE.	AMOUNT.	TOTAL CURRENCY.
H. Blanchard,	Collector, Port Hood, salary as comptroller for the year 1856,	£20 0 0	0
Ditto,	Commissions on colonial duties collected to 30th Dec., 1856,	4 15 3	3
R. B. Porter,	Collector, Windsor, salary as collector for 9 months, ended 30th June, 1857,	37 10 0	0
Ditto,	Commissions on colonial duties collected to ditto,	90 13 6	6
R. G. Troop,	Collector, Bridgetown, salary as seizing officer for 18 months to 30th June, 1857,	22 10 0	0
Ditto,	Commissions on colonial duties collected, to ditto,	36 19 8	8
James H. Thorne,	Ditto ditto to 30th Sept., 1857,	9 7 8	8
Allan McDouell,	Collector, Antigonish, salary as comptroller for 1856,	20 0 0	0
Thomas McColl,	“ Guysboro’, salary for one year, to 30th June, 1857,	50 0 0	0
Thomas S. Bown,	“ North Sydney, salary for one year, to 30th Sept., 1857,	50 0 0	0
Ditto,	Wages of boatmen for one year to 30th Sept. 1857,	80 0 0	0
Ditto,	Repairs of revenue boat,	1 10 0	0
H. M. Moyle,	Collector, Lunenburg, salary for one year, ended 30th Sept. 1857,	100 0 0	0
Ditto,	Commissions on light duty collected to 30th Sept., 1857,	3 1 3	3
James Annand,	Collector, Digby, salary for 15 months, ended 30th Sept., 1857,	62 10 0	0
Ditto,	Commissions on colonial duties collected to 30th Sept., 1857,	107 17 5	5
T. C. Tobias,	Collector, Annapolis, salary as comptroller for 1856,	20 0 0	0
Ditto,	Commissions on colonial duties collected to 30th Sept. 1857,	71 4 9	9
G. F. Ditmars,	Collector, Clementsport, salary as comptroller for the year 1856,	20 0 0	0
Ditto,	Commissions on colonial duties collected to 30th Sept., 1857,	20 7 4	4
George Norris,	Collector, Cape Canso, salary as comptroller for the year 1856,	20 0 0	0
David Power,	Collector, McNair’s Cove, salary as seizing officer for 1856,	15 0 0	0
Ditto,	Commissions on colonial duties collected to 31st Dec., 1856,	10 14 6	6
R. McCulley,	Collector, Amherst, salary as comptroller for the year 1856,	20 0 0	0
R. B. Boggs,	Collector, Joggins, salary as comptroller for 1 year 9 months, to 30th Sept., 1857,	35 0 0	0
Thomas M. Crow,	Collector, Truro, salary as comptroller for 1856,	20 0 0	0

E. M. Dodd,	Acting collector, Bridgeport, salary as comptroller for 1856,	20 0 0	0
Edward Lockwood,	Collector, Cornwallis, salary as comptroller for 1856,	20 0 0	0
Ditto,	Commissions on colonial duties collected to 31st March, 1857,	9 14 3	3
Ambrose Bourneuf,	Collector, Church Point, salary as comptroller for 1856,	20 0 0	0
Ditto,	Commissions on colonial duties collected to 31st Dec., 1856,	27 6 8	8
A. Munro,	Collector, Great Bras d’Or, salary as comptroller for 1856,	20 0 0	0
Ditto,	Commissions on colonial duties collected to 31st Dec., 1856,	17 12 9	9
H. D. Sellon,	Collector, St. Ann’s, salary as seizing officer for 1856,	15 0 0	0
William Stalker,	Collector, Ragged Islands, salary as comptroller for 1856,	20 0 0	0
Ditto,	Commissions on colonial duties collected to 36th June, 1857.	15 4 6	6
Adam Roy,	Collector, Maitland, salary as comptroller for 1856,	20 0 0	0
Ditto,	Commission on colonial duties collected to 31st Dec., 1856,	20 2 5	5
J. W. Homer,	Collector, Barrington, salary as comptroller for 1856,	20 0 0	0
Ditto,	Commissions on colonial duties collected to 30th June, 1857,	15 3 10	10
John Barr,	Collector, Bear River, salary as comptroller for 1856,	20 0 0	0
Edward Corbet,	Collector, Harbor Bouctie, salary as seizing officer for 1856,	18 13 1	1
Ditto,	Commissions on colonial duties collected in 1855-56,	15 0 0	0
S. D’Entremont,	Collector, Pubnico, salary as comptroller for 1856,	1 11 8	8
Ditto,	Commissions on colonial duties collected to 31st Dec., 1856,	20 0 0	0
Abram Lent,	Collector, Tusket, salary as comptroller for 1856,	3 10 10	10
Ditto,	Commissions on colonial duties collected to 31st Dec., 1856,	20 0 0	0
John Orpin,	Collector, French Cross, salary as comptroller for 1856,	12 6 8	8
Ditto,	Commissions on colonial duties collected to 30th Sept., 1857,	20 0 0	0
P. J. Brownard,	Collector, Ship Harbor, salary as comptroller for 1856,	13 1 1	1
Ditto,	Commissions on colonial duties collected to 31st Dec., 1856,	20 0 0	0
N. T. Harris,	Collector, Hantsport, salary as comptroller for 1856,	6 7 0	0
Ditto,	Commissions on colonial duties collected to 31st Dec., 1856,	20 0 0	0
William Geldert,	Collector, LaHave, salary as seizing officer for 1856,	10 12 5	5
Joseph Brown,	Collector, Sheet Harbor, salary as comptroller for 1856,	15 0 0	0
Ditto,	Commissions on light duty collected in 1856,	20 0 0	0
John Hearn,	Salary as seizing officer at Arichat for the year 1856,	0 9 7	7
Cornelius Rulley,	Ditto	12 10 0	0
Whitman Spinney,	Ditto	7 10 0	0
W. H. Lovett,	Ditto	15 0 0	0
	Ditto	10 0 0	0

## GENERAL STATEMENT—continued.

TO WHOM PAID.	SERVICE.	AMOUNT.	TOTAL CURRENCY.
Joseph Banks,	Salary as seizing officer at Barrington, for the year 1856,	£ 15 0 0	
John L. Rice,	Ditto	15 0 0	
W. Nickerson,	Annapolis, ditto	15 0 0	
James M. Lent,	C. Sable Island, ditto	15 0 0	
Nathan Snow,	Argyle, ditto	15 0 0	
Samuel Stone,	Barrington, ditto	15 0 0	
Timothy Brooks,	Co. Annapolis, ditto	15 0 0	
John Clark,	Parker's Cove, ditto	10 0 0	
Donald McKinnon,	Margt'svie. pier, ditto	7 10 0	
David Power,	Great Bras d'Or, ditto	7 10 0	
	Commission on £ received and remitted from Strait of Canso, at 2½ per cent.	17 12 6	
James Purcell,	Salary as light collector at Strait of Canso,	225 0 0	
J. H. Freeman,	Collector, Liverpool, pay of waiters, and other services in connection with wrecked vessel "Williams,"	4 2 2	
R. Stone,	Collector, Wilmot, salary as comptroller and commissions of collections,	9 17 6	9471 17 5
	<b>POST COMMUNICATION.</b>		
Postmaster general,	For postage of public departments for the year ended 30th Sept. '57, His excellency the lieutenant governor,	£55 13 3	
	The provincial secretary,	169 11 9	
	Receiver general,	128 8 9	
	Financial secretary,	94 5 6	
Ditto,	For payment of mail contractors,	4500 0 0	
Ditto,	For postage due United Kingdom for 1 year, to 30th Sept., 1857,	1938 11 11	6886 11 2

TO WHOM PAID.	SERVICE.	AMOUNT.	TOTAL CURRENCY.
Comms. of Normal School,		£225 0 0	
Ditto,	For erection of model schools, grant of 1856,	137 16 2	
Ditto,	Grant of 1857, for balance of account,	100 0 0	
Ditto,	Ditto to ornament grounds,	200 0 0	
Ditto,	Ditto for building outhouses and fencing play ground,	125 0 0	
Revd. Dr. Forrester,	Ditto for furnishing model schools,	800 0 0	
Ditto,	Salary as superintendent of normal school for 1 year to 1st Nov., 1857,	100 0 0	
C. D. Randall,	Ditto of teachers in model school, ditto,	150 0 0	
W. Mulholland,	Ditto as teacher in normal school, ditto,	150 0 0	
Superintendent of education,	Ditto do do	600 0 0	
Ditto,	For purchase of school books, &c., grant of 1857,	100 0 0	
Ditto,	To be distributed in prizes among the pupils of the normal school,	100 0 0	
The trustees,	Grant for fuel, repairs and books for the normal school, &c.,	100 0 0	
	Trustees of combined female and grammar school at Antigonish, grant of 1856,	25 0 0	
Managers,	Infant school at Halifax, grant of 1857,	50 0 0	
The governors,	Grant to King's college for 1 year ended 30th Sept., 1857,	250 0 0	
The trustees,	Acadia college do do	250 0 0	
Ditto,	St. Mary's college do do	250 0 0	
Ditto,	St. Francis Xavier do do	250 0 0	
Ditto,	do do do	100 0 0	
Ditto,	Free church academy do do	250 0 0	
Ditto,	Pictou academy do do	250 0 0	
Ditto,	Sackville academy do do	250 0 0	
Ditto,	Halifax grammar school do do	150 0 0	
Commissioners of schools,	City of Halifax for common school, 1 year to 31st Oct., '57,	816 10 0	
Ditto,	Halifax county, rural district, for do do	251 18 6	
Ditto,	do do do for grammar do do	44 4 7	
Ditto,	do do do shore district, for common do do	206 0 0	
Ditto,	do do do western district, for common and grammar, do.	503 10 0	
Ditto,	Annapolis county, eastern district, do do do	456 10 0	
Ditto,	do do do western district, do do do	388 0 0	
Superintendent of education,	for travelling expenses for the year 1857,	100 0 0	
Commissioners of schools,	Colchester co. south district, for common school, for 1 year ended 31st Oct., 1857,	558 10 0	

## GENERAL STATEMENT—continued.

TO WHOM PAID.	SERVICE.	AMOUNT.	TOTAL CURRENCY.
Commissioners of schools,	Colchester co. north district, for common school, for 1 year ending 31st Oct., 1857,	165 10 0	0
Ditto,	Ditto grant to Truro academy,	75 0 0	0
Ditto,	Cumberland co. western district, for common and grammar schools, do,	150 7 1	1
Ditto,	Ditto eastern district do do,	579 0 0	0
Ditto,	Cape Breton co. do do,	868 6 8	8
Ditto,	Digby co. Digby district do do,	465 13 4	4
Ditto,	Ditto Clare district do do,	199 10 0	0
Ditto,	Guysboro' co. Guysboro district do do,	368 13 4	4
Ditto,	Ditto St. Mary's district do do,	140 0 0	0
Ditto,	Hants co. Windsor district do do,	518 3 4	4
Ditto,	Ditto Raven district do do,	270 10 0	0
Ditto,	Inverness co. north district do do,	352 0 0	0
Ditto,	Ditto south district do do,	620 13 4	4
Ditto,	Kings co. do do,	800 0 0	0
Ditto,	Lunenburg co. Lunenburg district do do,	430 0 0	0
Ditto,	Ditto New Dublin, do do,	202 10 0	0
Ditto,	Ditto Chester do do,	215 0 0	0
Ditto,	Pictou co. north district do do,	686 8 11	11
Ditto,	Ditto south district do do,	705 3 6	6
Ditto,	Queen's co. do do,	586 14 8	8
Ditto,	Richmond co. do do,	505 0 0	0
Trustees of academy,	Ditto allowance to academy do,	100 0 0	0
Commissioners of schools,	Shelburne co. Shelburne district, for common and grammar schools, do,	302 10 0	0
Ditto,	Ditto Barrington district do do,	277 10 0	0
Ditto,	Sydney co. do do,	800 0 0	0
Ditto,	Victoria co. do do,	579 0 0	0
Ditto,	Yarmouth co. Yarmouth district do do,	409 13 4	4
Ditto,	Ditto Argyle do do,	250 10 0	0

TO WHOM PAID.	SERVICE.	AMOUNT.	TOTAL CURRENCY.
Ditto,	Ditto do from undrawn grammar school monies, grant 1857,	216 13 4	4
W. C. Eaton,	MISCELLANEOUS.		
M. McLean,	Salary as warden of river fisheries for 1856, county of Colchester,	25 0 0	0
Samuel Betts,	Ditto do Guysboro',	25 0 0	0
D. Dimock,	Ditto do Cumberland,	25 0 0	0
Charles Stalker,	Ditto do Lunenburg,	25 0 0	0
James Bradshaw,	Ditto do Shelburne,	25 0 0	0
J. Thomas Lane,	Ditto do Sydney,	25 0 0	0
P. Gough,	Ditto do Halifax,	25 0 0	0
R. Gibbons, junr.,	Ditto do Queens,	25 0 0	0
J. K. Veiths,	Ditto do Cape Breton,	25 0 0	0
John Munro,	Ditto do Digby,	25 0 0	0
James Songster,	Ditto do Victoria,	25 0 0	0
Henry Martell,	Ditto do Hants,	25 0 0	0
W. McDonald & A. McInnis,	Ditto do Richmond,	25 0 0	0
T. W. Chesley,	Ditto do Inverness,	25 0 0	0
George McDonald,	Ditto do Annapolis,	25 0 0	0
Joseph Shaw,	Ditto do Kempt,	25 0 0	0
James Murdock,	Ditto do Yarmouth,	25 0 0	0
Commissioners,	Ditto do Pictou.	120 0 0	0
Judge of vice admiralty,	For signing province notes $\frac{1}{2}$ per cent., on £24,000,	12 10 0	0
Joseph Shallish,	For fuel and erier of court, grant of 1856,		
	For attendance on offices of financial secretary and receiver general to 30th Sept., 1857,	10 0 0	0
J. & W. Compton,	For binding 5,000 volumes of Dawson on Agriculture, grant 1856,	201 5 0	0
J. B. Hadley,	For apprehending Wm. and L. Snow, convicted of murder, do.	8 0 0	0
Richard Gibbons, junr.,	Sheriff, county of Cape Breton, for return of member to assembly,	1 10 0	0
Murdock McLean,	Ditto Guysboro' do do	1 10 0	0
Peter Bonnett,	Ditto Annapolis, do do	1 10 0	0
Joseph Allison,	Ditto Hants, do do	1 10 0	0
W. H. Harris,	Ditto Pictou, do do	1 10 0	0
Provincial secretary,	For purchase of sword for General Williams, grant of 1857,	187 10 0	0
A. & W. MacKinlay,	For stationery for offices of receiver general and financial secretary,	25 0 0	0

## GENERAL STATEMENT—continued.

TO WHOM PAID.	SERVICE.	AMOUNT.	TOTAL CURRENCY.
M. McLean,	Sheriff, county Guysboro', for maintenance of Wm. and Lewis Show, from 5th Aug. to 31st Dec.,	£22 0 0	0 0 0
Cornelius White,	Grants of 1856 and 1857 to colored population, Shelburne county,	20 0 0	0 0 0
A. Whitman,	Grant of 1857	10 0 0	0 0 0
John Wade,	Ditto	10 0 0	0 0 0
Hon. J. Campbell,	Ditto	10 0 0	0 0 0
Dr. Brown,	Ditto	10 0 0	0 0 0
W. A. Henry,	Ditto	10 0 0	0 0 0
John Esson,	Ditto	100 0 0	0 0 0
Provincial secretary,	Ditto	10 0 0	0 0 0
Hon. Joseph Howe,	Ditto	10 0 0	0 0 0
Stewart Campbell,	Ditto	10 0 0	0 0 0
Joseph A. B. Kerr,	Ditto	10 0 0	0 0 0
Stewart Campbell,	to compensate him for loss sustained in irregular grant of crown land to Amos Purdy,	47 10 0	0 0 0
Samuel Chipman,	for report in case of Queen vs. Snows of Guysboro',	10 0 0	0 0 0
Sarah A. Crosskill,	for preparing trade returns for assembly,	35 0 0	0 0 0
John McLean,	as per report of commissioners of crown lands,	100 0 0	0 0 0
Hon. J. McKinnon,	From grant of 1857 to defray travelling charges of members of government,	23 11 7	0 0 0
Hon. M. I. Wilkins,	do	16 10 0	0 0 0
Hon. Jno. Campbell,	do	30 0 0	0 0 0
Revd. Mr. Cochran,	do	17 5 0	0 0 0
Hon. W. Young,	Grant of 1857 to deaf and dumb institution at Halifax,	300 0 0	0 0 0
Charles Twining,	Ditto	26 13 0	0 0 0
James Murdoch,	Ditto	25 0 0	0 0 0
Deputy military storekeeper,	Ditto	14 7 10	0 0 0
J. Thomas Lane,	Ditto	15 11 3	0 0 0
	for tents, &c, supplied in 1856,	25 0 0	0 0 0

TO WHOM PAID.	SERVICE.	AMOUNT.	TOTAL CURRENCY.
Mr. Munro,	Ditto	15 0 0	0 0 0
Alexander Campbell,	to enable him to keep half-way house between Liverpool to Annapolis,	25 10 0	0 0 0
William Bowlan,	From grant of 1856 for survey of new line of road from Dalhousie road to Northfield,	2 10 0	0 0 0
Jacob Stevens,	Grant of 1857, for boarding wrecked seamen,	1 14 2	0 0 0
Donald Ross,	Ditto	25 0 0	0 0 0
John Gully,	Ditto	25 0 0	0 0 0
John Nelson,	Ditto	15 0 0	0 0 0
Joseph Dickson,	to aid him in keeping half-way house between Musquodoboit and St. Mary's,	76 10 5	0 0 0
John Thompson,	to reimburse him expenses incurred in keeping an insane criminal,	3 8 9	0 0 0
Thomas Pass,	Ditto	2 10 0	0 0 0
Finlay Cameron,	for boarding wrecked seamen,	20 0 0	0 0 0
George Murry,	Ditto	15 0 0	0 0 0
Trotten and Murphy,	for attendance on labourers injured on railway,	200 0 0	0 0 0
Joseph Clark,	Ditto	4 0 0	0 0 0
James B. Davison,	to reimburse him for province notes lost,	15 0 0	0 0 0
Lieutenant governor,	to repay expense of importing pheasants,	100 0 0	0 0 0
Patrick Gough,	Ditto	12 4 0	0 0 0
Job Dart,	Ditto	10 0 0	0 0 0
James Thompson,	to ferryman at Shubenacadie for building boat,	100 0 0	0 0 0
Overseers of poor (Clare.)	Grant of 1856, for reporting decisions of the supreme court,	44 10 8	0 0 0
Rodrick McLean,	Grant of 1857, for supply to destitute Indians,	1 10 0	0 0 0
Governors,	Sheriff, county Cumberland, for return of member to assembly,	100 0 0	0 0 0
Chairman of committee,	Grant of 1857, to Halifax visiting dispensary,	200 0 0	0 0 0
John Comeford,	Ditto	2 0 0	0 0 0
Joseph Skallish,	for erecting monument to capt. Parker and Welsford,	8 13 4	0 0 0
Treasurer of New Brunswick,	Ditto	564 4 2	0 0 0
Thomas Killam,	For fuel for offices of receiver general and financial secretary,	500 0 0	0 0 0
Financial secretary,	The Nova Scotia proportion of building a bridge over Missequash River,	8 10 0	0 0 0
Hon. John Campbell,	To aid in erecting fog bell at Yarmouth, grant of 1857,	20 0 0	0 0 0
	Expenses incurred in visiting Arichat, Little Arichat and Discouse, and investigating charges made against collector at Arichat,	8 10 0	0 0 0
	For attendance in Halifax, as executive councillor,	20 0 0	0 0 0

## GENERAL STATEMENT—continued.

TO WHOM PAID.	SERVICE.	AMOUNT.	TOTAL CURRENCY.
Susan Kelly,	Grant of 1857, to deaf and dumb son,	24 10 0	
Overseers of poor, Aylesford,	“ for destitute Indians,	6 9 4	
Hon. attorney general,	Amount paid George Copes, on opinion Queen vs. Kennedy,	5 4 9	
Rev. Mr. Cochran,	Grant of 1857, to Donald Ross, for the year commencing 2d of November, 1857,	25 0 0	
P. S. Haviton,	“ for publishing work on emigration,	100 0 0	
Edward Crowell,	“ for keeping up boat establishment, Seal Islands,	80 0 0	
W. Goodwin & G. W. Smith,	“ to residents on Mud Islands,	20 0 0	
Hon. Charles Campbell,	For attendance on executive council,	34 0 0	
Hon. John Campbell,	Ditto ditto,	11 10 0	
Hon. J. McKinnon,	Ditto ditto	16 10 0	
Managers,	Grant of 1857, for aid to the house of refuge,	50 0 0	
John H. Hodson,	“ 1856, to bone mill,	50 0 0	
Alex. Campbell,	“ for survey of new line of road from Bridgetown to Northfield, Queen's county,	32 11 3	
Commissioners,	For signing province notes,	26 13 4	
Receiver general,	To pay truckage of coppers from warehouse	0 7 6	
Trustees of Freedom school,	Grant of 1857, for school and school house at Pine Grove, Cornwallis,	5 0 0	£4485 3 7
President and secretary,	AGRICULTURE.		
Ditto,	Wallace society, Cumberland county, grant of 1856,	16 13 4	
Ditto,	New Annan society, Colchester county, ditto,	12 10 0	
Ditto,	Maxwelton society, Pictou county, ditto,	12 10 0	
Ditto,	Antigonish society, Sydney county, ditto,	50 0 0	
Ditto,	Eastern Annapolis society, Annapolis county, ditto,	16 13 4	
Ditto,	Barrington society, Shelburne county, ditto,	25 0 0	
Ditto,	Chester society, Lunenburg county, ditto,	12 10 0	
Ditto,	St. Mary's society, Guysborough county, ditto,	25 0 0	

Ditto,	Lower Musquodoboit society, Halifax county, ditto,	12 10 0	
Ditto,	Caledonia society, Queen's county, ditto,	25 0 0	
Ditto,	Aylesford society, King's county, ditto,	12 10 0	
Ditto,	Guysborough society, Guysborough county, ditto,	25 0 0	
Ditto,	Shelburne society, Shelburne county, ditto,	25 0 0	
Ditto,	Lunenburg society, Lunenburg county, ditto,	12 10 0	
Ditto,	Argyle society, Yarmouth County, ditto,	25 0 0	
Ditto,	Big Baddeck society, Victoria county, ditto,	25 0 0	
Ditto,	Salmon River society, Digby county, ditto,	12 10 0	
Ditto,	N. E. Margaree society, Inverness county, ditto,	12 10 0	
Ditto,	Lake Ainslie society, Inverness county, ditto,	12 10 0	
Ditto,	Parrsborough society, Cumberland county, ditto,	16 13 4	
Ditto,	East Cornwallis society, King's county, grant of 1857,	12 10 0	
Ditto,	Central Board, ditto,	200 0 0	
Ditto,	Margaree society, Inverness county, ditto,	12 10 0	
Ditto,	Yarmouth society, Yarmouth county, ditto,	25 0 0	
Ditto,	Digby society, Digby county, ditto,	12 10 0	
Ditto,	Upper Stewiacke society, Colchester county, ditto,	12 10 0	
Ditto,	East Rawdon society, Hants county, ditto,	12 10 0	
Ditto,	West Cornwallis society, King's county, ditto,	10 0 0	
Ditto,	Lower Stewiacke society, Colchester county, ditto,	12 10 0	
Ditto,	Clare society, Digby county, ditto,	12 10 0	
Ditto,	Pictou society, Pictou county, ditto,	15 0 0	
Ditto,	Windsor society, Hants county, ditto,	12 10 0	
Ditto,	Broad Cove society, Inverness county, ditto,	12 10 0	
Ditto,	Weymouth society, Digby county, ditto,	12 10 0	
Ditto,	Middle River society, Victoria county, ditto,	25 0 0	
Ditto,	Upper Musquodoboit society, Halifax county, ditto,	12 10 0	
Ditto,	Horton society, King's county, ditto,	15 0 0	
Ditto,	Caledonia and Kempt society, Queen's county, ditto,	25 0 0	
Ditto,	Dartmouth society, Halifax county, ditto,	12 10 0	
Ditto,	Mahone Bay society, Lunenburg county, ditto,	12 10 0	
Ditto,	Halifax society, Halifax county, ditto,	12 10 0	
Ditto,	Truro society, Colchester county, ditto,	12 10 0	
Ditto,	Hopewell society, Pictou county, ditto,	12 10 0	

## GENERAL STATEMENT—continued.

TO WHOM PAID.	SERVICE.	AMOUNT.	TOTAL CURRENCY.
President and secretary, Ditto, Ditto, Ditto, Ditto,	Springville society, Picton county, grant of 1857, North Sydney society, Cape Breton county, ditto, New Germany society, Lunenburg county, ditto, Bridgetown society, Annapolis county, ditto, Annapolis Royal society, Annapolis county, ditto,	£10 0 0 25 0 0 12 10 0 16 13 4 16 13 4	£983 6 8
E. M. Dodd, Ditto, Ditto, Judge DesBarres, Ditto, Judge Wilkins, Ditto, Judge Bliss,	JUDICIARY EXPENSES. Travelling fees on western shore circuit, spring, 1857, Ditto Cape Breton do spring, do, Ditto Cape Breton do autumn, do, Ditto eastern do spring, do, Ditto western shore do autumn, do, Ditto western do spring, do, Ditto eastern do autumn, do, Ditto western do autumn, do,	40 16 8 47 16 8 51 6 8 32 13 4 44 6 8 60 13 4 32 13 4 33 16 8	343 3 4
A. S. Hauglan, R. McKay & al., John Crichton, Ditto, Ditto, S. P. Fairbanks, Ditto, Ditto, C. W. H. Harris,	CRIMINAL PROSECUTIONS. Witness fees in criminal prosecution in supreme court, Colechester co., Queen vs. J. McKenzie & al. Ditto in supreme court, Halifax county, Queen vs. G. Izatt & al., Cost of conducting criminal prosecutions in supreme court, Yarmouth county, May term, 1857, Robert Hardwick, Bathilda Irahain, Ditto Hants county, spring term, 1857, Ditto King's county, spring term, 1857, Ditto Annapolis county, spring term, 1857, Ditto King's county, June term, 1857,	2 6 0 70 9 0 14 18 0 7 10 0 21 18 0 21 13 8 7 10 0 7 10 0	

Ditto, W. A. Henry, Ditto, Ditto, John Creighton, Ditto, Ditto, Ditto, Ditto, James R. Smith, Ditto, S. P. Fairbanks, C. W. Harris,	Digby county, June term, 1857, Cape Breton county, June term, 1857, Guysboro' county, June term, 1857, Inverness county, June term, 1857, Queen's county, June term, 1857, Lunenburg county, October term, 1857, Queen's county, October term, 1857, Yarmouth county, September term, 1857, Cumberland county, October term, 1857, Ditto ditto King's county, October term, 1857, Annapolis county,	4 11 10 7 10 0 7 10 0 7 10 0 6 16 0 6 19 0 6 4 0 17 7 0 7 10 0 7 10 0 20 .5 8 6 0 6	259 8 8
Edward Wallace, James Black, W. C. Eaton, W. Dickson, P. S. Archibald, Joseph M. L. Dickson, Executors of H. Gesner's estate, William Grant, junr., J. W. Johnston, junr., Joshua Huestis, H. G. Enslow, Ditto, George Bingay, James M. Lent, Michael Kilfoyle, James Songster, Daniel Dimock, Joseph P. Miller, Robert Stone, W. A. Henry, A. W. Chisholm,	MILITIA. Grant for services as adjutant general of militia, Ditto quarter master general, for 1856, Ditto adjutant 1st batt. Colechester regt. for 1856, Ditto adjutant 2d batt. ditto Ditto ditto 1855, Ditto adjutant 3d batt. ditto 1856, Ditto late adjutant 1st batt. King's co'ty. for 1855-56, Ditto acting adjutant 1st batt. Halifax regt. 1856, Ditto adjutant 6th batt. Halifax regt. 1856, Ditto adjutant 2d batt. Cumberland regt. 1856, Ditto adjutant 1st batt. Shelburne co'ty. regt. 1855, Ditto ditto 1856, Ditto adjutant 2d batt. Yarmouth co'ty. regt. 1855-56, Ditto adjutant 2d batt. ditto 1854-55-56, Ditto adjutant 1st batt. Guysboro' regt. for 1856, Ditto adjutant 1st batt. Hants co'ty. regt. 1856, Ditto adjutant 4th batt. Lunenburg regt. 1856, Ditto adjutant 3d batt. ditto ditto Ditto adjutant 2d batt. East Annapolis regt. 1856, Ditto adjutant 2d batt. Sydney co'ty. regt. 1855-56, Ditto adjutant 1st batt. ditto 1854-55-56,	160 0 0 40 0 0 10 0 0 10 0 0 10 0 0 10 0 0 20 0 0 10 0 0 10 0 0 10 0 0 10 0 0 10 0 0 20 0 0 24 0 0 10 0 0 10 0 0 10 0 0 10 0 0 10 0 0 20 0 0 30 0 0	454 0 0

## GENERAL STATEMENT—continued.

TO WHOM PAID.	SERVICE.	AMOUNT.	TOTAL CURRENCY.
	<b>PUBLIC PRINTING.</b>		
Queens Printer,	Balance of vote of credit for this service for 1856,	£50 0 0	
Ditto,	From ditto 1857,	400 0 0	
Alpin Grant,	Grant of 1857, for amount due for this service, 31st December, 1856,	28 14 9	
Queen's Printer,	ditto	678 14 6	
W. A. Penny,	ditto	138 15 11	
J. & W. Compton,	ditto	28 7 9	
English & Blackadar,	ditto	18 8 9	
E. M. McDonald,	ditto	9 2 6	
Richard Nugent,	ditto	20 17 10	
Thomas Annand,	ditto	17 7 4	
James Bowes & Son,	ditto	27 17 6	
Liverpool Transcript,	ditto	7 2 3	
James Boyd,	ditto	7 13 0	
R. Huntington,	ditto	8 12 6	
Alexander Lawson,	ditto	6 3 9	
James Barnes,	ditto	9 13 9	
James P. Ward,	ditto	6 15 0	
Provincial secretary,	ditto for sundries,	15 1 6	
William Gossip,	ditto	6 12 3	
Christian Messenger office,	ditto	3 18 9	
W. A. Penny,	From vote of credit for this service for 1857,	200 0 0	£1689 19 7
	<b>POOR ASYLUM.</b>		
The commissioners,	Balance of grants of 1856, including grant to school,	525 0 0	
Ditto,	Grants of 1857, including special and school grants,	2263 16 9	2788 16 9

TO WHOM PAID.	SERVICE.	AMOUNT.	TOTAL CURRENCY.
	<b>TRANSIENT POOR.</b>		
Overseers of poor,	Grant for expenses of transient paupers, Township of Newport, 1856,	6 10 0	
Ditto,	Liverpool,	10 0 0	
Ditto,	Minudie,	8 0 0	
Ditto,	Pictou, 1st sec.	40 0 0	
Ditto,	Granville,	19 18 11	
Ditto,	Annapolis,	21 19 10	
Ditto,	Dartmouth,	62 2 9	
Ditto,	Horton,	22 10 0	
Ditto,	Guysboro',	16 8 6	
Ditto,	Inverness,	28 8 0	
Ditto,	Windsor,	13 2 4	
Ditto,	Barrington,	7 0 0	
Ditto,	Aylesford,	15 0 0	
Ditto,	Albion Mines,	39 0 0	
Ditto,	Amherst,	6 0 0	
Ditto,	Weymouth,	12 4 0	
Ditto,	Yarmouth,	32 0 0	
Ditto,	Clements,	10 8 0	
Ditto,	Pictou, 6th sec.	7 0 0	
Ditto,	Liverpool,	40 0 0	417 12 4
	<b>INDIAN GRANTS.</b>		
T. & E. Kenney,	For blankets for Indians at Sackville,	19 14 0	
Dr. Page,	From grant of 1857 for Indians, Cumberland county,	10 0 0	
Francis Carroll,	at Parrsboro,	10 0 0	
Revd. Dr. Hannan,	at Halifax,	10 0 0	
Provincial secretary,	to pay for blankets,	11 5 0	
Francis Paul,	ditto	.18 0 9	
Hon. M. I. Wilkins,	ditto	7 10 0	
Edward Butler,	ditto	20 0 0	
Ditto,	Pictou county,	30 0 0	
Revd. M. Courteau,	Western counties,	10 14 11	
	Hants county,	20 0 0	
	Richmond county,	20 0 0	

## GENERAL STATEMENT—continued.

TO WHOM PAID.	SERVICE.	AMOUNT.	TOTAL CURRENCY.
Rev. A. McSween,	From grant of 1857, for Indians, Pictou county,	£20 0 0	0
Hon. J. McKinnon,	ditto	30 0 0	0
Hon. J. Campbell,	Queen's county,	15 0 0	0
Dr. Geddis,	in full of account,	8 1 6	0
Newell Jeddore,	towards his support,	3 0 0	0
Dr. Forbes,	Queen's county,	8 16 3	0
Rev. Mr. Holden,	Lunenburg county,	10 0 0	0
Dr. McLatchey,	Horton,	1 16 6	0
Capt. Chearnley,	ditto	11 12 6	0
Dr. Creed,	ditto	2 6 0	0
Rev. Mr. Hannan,	King's county,	8 0 0	0
D. O. Caskill,	in full of account,	2 19 4	0
Dr. Jeans,	ditto	8 16 10	0
Overseers of poor,	Cornwallis, for funeral expenses,	1 9 10	0
James McKeagney,	ditto	1 19 7	0
Rev. Mr. Kennedy,	to aid,	5 0 0	0
Overseers of poor,	Aylesford,	0 17 6	0
L. Roache,	for articles furnished Mrs. Morris,	0 15 0	0
Dr. Masters,	King's county,	1 12 6	0
Edward Butler,	Annapolis county,	15 0 0	0
			£324 8 0
	<b>STEAMBOATS, PACKETS AND FERRIES.</b>		
Samuel Cunard & Co.,	Grant of 1856 for steamer between Halifax and St. John's, Newfld.,	375 0 0	0
Sydney steam boat company,	ditto	175 0 0	0
Thomas Condon,	Sydney and St. Peter's,	50 0 0	0
Daniel Coffill,	packet between	25 0 0	0
William Chappell,	Horton and Parrsboro'	25 0 0	0
Basil,	Bay de Verte and Charlottetown,	25 0 0	0
Denis Sullivan,	Weymouth bridge & Sandy Cove,	20 0 0	0
	Eastport and Montegan,	25 0 0	0

Charles Pernette,	ditto	12 10 0	0
Joseph Pernette,	ferry at LaHave river, west side,	12 10 0	0
John Leary,	ditto	5 0 0	0
James O'Brien,	over Basin Gut, Sambro,	8 0 0	0
J. Nauffts & W. Pride,	at mouth of Ship Harbor.	10 0 0	0
W. Morrill,	at St. Mary's, Guysboro' county,	10 0 0	0
A. McGuire,	at Grand Passage, Digby county,	10 0 0	0
Samuel Nelson,	between Carter's landing and McPherson's,	10 0 0	0
Wm. Cunningham,	mouth of the Shubenacadie river,	10 0 0	0
Malcolm McDonald,	between Cape Sable Island and the main,	15 0 0	0
John & William McDonald,	between McMillan's Point and Auld's Cove,	19 0 0	0
Cornelius Craig,	at Port LeHerbert.	20 0 0	0
John McPherson,	at entrance Sable River, Shelburne,	10 0 0	0
James Thompson,	between Carter's and McPherson's landing,	10 0 0	0
Eliphalet Read,	at Margaree River, Inverness county,	5 0 0	0
John & William McPherson,	between Amherst and Mipudie,	15 0 0	0
Duncan McPhee,	at Wallace harbor, Cumberland county,	10 0 0	0
Samuel Outhouse,	between Low Point and Sydney Mines,	10 0 0	0
Peter & David Fraser,	at Petite Passage, Digby county,	5 0 0	0
Kenneth McLennan,	North side Grandique,	10 0 0	0
Joseph Blackford,	Sydney River, Cape Breton county,	5 0 0	0
John Ross,	Grant of 1856, to ferry at eastern side Petite passage,	5 0 0	0
John McNeil,	south side Great Bras d'Or,	15 0 0	0
Donald McLean,	entrance of ditto,	7 10 0	0
Godfrey Hynds,	St. Ann's, Victoria county,	7 10 0	0
Maurice Walsh,	Ingonish, ditto	7 10 0	0
Mary Ann Woods,	Pugwash Harbor,	5 0 0	0
Neil McIntosh,	Grandique River,	10 0 0	0
Michael McNeil,	between North Bar and Sydney,	5 0 0	0
Job Dart,	north side Grand Narrows,	4 0 0	0
Alexander McNeil,	mouth of Shubenacadie River,	10 0 0	0
Joseph Purcell,	Grand Narrows,	4 0 0	0
Charles Winchester,	North-west Arm,	10 0 0	0
Patrick Howley,	Bear River,	5 0 0	0
Kenneth Matheson,	Little Bras d'Or,	10 0 0	0
	Great Bras d'Or,	15 0 0	0

## GENERAL STATEMENT—continued.

TO WHOM PAID.	SERVICE.	AMOUNT.	TOTAL CURRENCY.
David Low,	Grant of 1856, to ferry at Sheet Harbor,	£10 0 0	
Charles Smith,	ditto	7 10 0	
John McNair,	Gut of Canso,	10 0 0	
Edward Forrester,	between Auld's Cove and McMullan's Point,	15 0 0	
Angus McDonald,	Mire Gut, C. B.	5 0 0	
J. R. Morrison,	west side Jordan ferry,	5 0 0	
J. Boucher and B. Burtong,	Tusket, Yarmouth county,	6 0 0	
W. A. Lang,	Liscomb's Harbor,	5 0 0	
Margaret Pie,	ditto	5 0 0	
Young and Mullins.	and 1857, Liscomb's Harbor,	15 0 0	
W. J. Smith,	Grant of 1857, to ferry between the counties of Colchester and Hants,	10 0 0	
Ditto,	ditto Londonderry and Douglas,	20 0 0	
Digby & Anna. Steam Pkt. Co.	to aid them in their enterprise,	200 0 0	
Joseph J. Amero,	Grant of 1855, to ferry at Pubnico, Yarmouth county,	5 0 0	£1346 0 0
<b>NAVIGATION SECURITIES.</b>			
L. Porter and R. D. West,	From grant of 1856, to Hall's Harbor breakwater,	55 6 0	
E. Burbridge & E. Kinsman,	“ “ Canada Creek breakwater,	10 0 0	
John R. Mayo,	“ “ for clearing Sissiboo River,	37 10 0	
H. Blanchard and al,	“ “ for improving Port Hood Harbor,	300 0 0	
J. Darcy and J. Banks,	Balance of grant of 1855, to Trout Cove breakwater,	95 15 0	
Gideon Power and al,	“ “ 1856, to Canada Creek breakwater,	49 16 11	
George McKenzie and al,	“ “ for deepening East River,	129 6 8	
W. and A. Baxter,	“ “ 1855, to Baxter Harbor breakwater,	23 13 0	
H. Blanchard and al,	“ “ 1856, for improving Port Hood Harbor,	642 1 3	
Joseph J. Amero,	Grant of 1856, to replace buoys in Pubnico Harbor,	10 0 0	
W. Connell and Ogilvie,	“ “ to Ogilvie Brook breakwater,	100 0 0	
Thomas B. Church,	“ “ to public wharf at Fort Lawrence,	25 0 0	
Amos Seaman and Co,	“ “ to breakwater at Minudie,	200 0 0	

Benjamin Raymond,	Grant of 1855 to breakwater at Plaister Cove, Digby county,	100 0 0	
James W. Morton,	From grant of 1857 to Trout Cove breakwater,	34 61 6	
John Cameron and al,	ditto for deepening Pictou harbor east river,	217 15 8	
Gideon Power and al,	ditto to Canada Creek breakwater,	39 9 1	
W. A. Henry,	Grant of 1857 to Arisaig pier,	200 0 0	
C. F. Corneau,	ditto breakwater at Corneau's brook, Digby county,	110 0 0	
M. Comeau,	do Montegan River do,	110 0 0	
E. P. Borden,	do Horton, near mouth of Windsor river,	25 0 0	
Augustus Melanson,	do Groscoque Digby county,	100 0 0	
Silas Rice,	do do for clearing Bear River, Digby county,	15 0 0	
M. McClearn,	ditto to aid in placing a bridge in Liverpool harbour,	20 0 0	
J. H. Mayo and al,	ditto for clearing east end and west branch of Bear River,	15 0 0	
W. Sanders,	ditto to breakwater,	25 0 0	2690 10 3
Chairman of Board,	BOARD OF WORKS.		28932 5 4
	On account of expenditure, for 1857, including grant for balance due,		
<b>CORONERS' INQUESTS.</b>			
Honble. W. Grigor,	Coroners' fees on inquisitions held in the county of Halifax, 1857,	65 0 0	
Dr. Jennings,	ditto ditto	22 10 0	
James Croucher,	ditto ditto	2 10 0	
W. Harrison,	ditto ditto	2 10 0	
C. C. Hamilton,	ditto ditto	2 10 0	
A. V. Buskirk,	ditto ditto	5 0 0	
John Fisher,	ditto ditto	2 10 0	
C. W. H. Harris,	ditto ditto	2 10 0	
J. Borden,	ditto ditto	2 10 0	
Stephen Crosscup,	ditto ditto	5 0 0	
Alexander Fowler,	ditto ditto	2 10 0	
James Gray,	ditto ditto	5 0 0	
D. Dimock,	ditto ditto	2 10 0	
James Heckman,	ditto ditto	2 10 0	
H. S. Jost,	ditto ditto	2 10 0	
John Creighton,	ditto ditto	7 10 0	
Aaron Morse,	ditto ditto	12 10 0	





## GENERAL STATEMENT—continued.

TO WHOM PAID.	SERVICE.	AMOUNT.	TOTAL CURRENCY.
G. C. Laurence,	To repairs on Main Post road, Inverness county,	£13 18 7	
J. S. Harris,	Bear river bridge,	44 7 6	
S. E. Daniels,	the Joel Daniel's bridge,	6 16 9	
Gilbert Shirling,	Lawrence town bridge,	19 14 3	
D. Harrington,	bridge over Salmon river,	12 12 2	
George Devous,	ditto	18 13 9	
Joseph Cook,	main post road and bridges,	14 2 10	
John Journey,	ditto	17 10 6	
Abraham Gravel,	Over-expenditure on grant No 93,	6 3 0	
John Cosset,	ditto No. 94,	9 5 8	
Stephen McGuire,	To repairs on bridge and road near S. McGuire's, Guysboro' county,	10 1 0	
William McKeen,	road from Jas. Tates' spring to cross roads,	15 0 0	
James B. Hadley,	road in 1856,	7 5 10	
Peter Grant,	the Great Eastern road,	19 7 11	
Duncan Cameron,	bridge over Hattie's brook,	1 19 9	
George Norris,	main post road to Canso,	100 0 0	
J. McKeen and A. Kirk,	Fork's bridge, St. Mary's,	40 0 0	
John Stewart,	bridge over Stewart's brook,	15 0 0	
James Tory,	For building Fyfy's bridge,	63 8 0	
Joseph Young,	Over-expenditure on grant No. 122, Lunenburg county,	8 4 0	
B. Wier & Co.,	For supplies furnished to destitute, Victoria county,	189 18 11	
John Campbell & al.,	For repairs on various roads and bridges, Guysboro' county,	38 6 2	£2195 19 10
Cashier,	SAVINGS' BANK.		6500 0 0
J. G. Hill,	NEW COURT HOUSE.		100 17 6

TO WHOM PAID.	SERVICE.	AMOUNT.	TOTAL CURRENCY.
Principal secretary,	COPY RIGHT ACCOUNT.		68 15 9
Robert McKenzie,	For account received during,		
Archibald Jordan,	ROAD COMPENSATION.		
Thomas Whitman and al.,	Grant of 1854, for damage sustained by road passing through his		
William McDonald,	land, Guysborough county,	2 0 0	
J. Symonds,	ditto for soil,	0 11 3	
Angus McLeod,	Grant of 1856,	1 12 6	
Francis Bourneuf,	ditto for land and fencing, Sydney county,	3 0 0	
Alpheus Jones,	ditto ditto	19 1 3	
Donald McGilvray,	ditto ditto	4 10 0	
S. G. W. Archibald,	ditto ditto	2 16 0	
Isaac Barshill,	ditto ditto	2 16 9	
John Bishop,	Grant of 1857,	9 0 0	
David E. Clark,	ditto ditto	15 0 0	
Joseph Dickson and al.,	ditto ditto	2 12 6	
W. McNutt,	ditto ditto	36 0 0	
Robert Johnston,	ditto ditto	39 12 0	
J. R. Henderson,	ditto ditto	13 0 0	
Thomas Dickey,	ditto ditto	8 15 0	
Thomas Miller,	ditto ditto	4 6 0	
William Faulkner,	ditto ditto	6 10 0	
Isaac Dunlap,	ditto ditto	3 14 6	
Thomas Johnston, rd,	ditto ditto	2 0 0	
Alexander Kent,	ditto ditto	3 0 0	
S. G. W. Archibald,	as appraiser,	25 4 0	
John Bent,	for plan,	4 10 0	
Moses Law,	land and fencing,	3 0 0	
Ditto,	ditto ditto	6 4 0	
Daniel Casey,	for soil,	35 0 0	
Alexander Campbell,	for soil,	6 1 0	
W. R. Evans,	for fencing,	2 0 0	
	for land,	7 10 0	
	ditto	10 0 0	
	Cumberland county,		
	ditto		
	ditto		
	ditto		
	Inverness,		
	Pictou,		

## GENERAL STATEMENT—continued.

TO WHOM PAID.	SERVICE.	AMOUNT.	TOTAL CURRENCY.
W. McKenzie,	Grant of 1857,	£8 17 6	
F. W. McKenzie,	ditto	18 11 6	
Adam McKenzie,	ditto	12 5 0	
Donald Nicholson,	ditto	7 17 6	
A. Fraser,	for land,	2 0 0	
Rev. D. M. McKuhran,	as appraisers,	0 10 0	
W. Smith and al.,	as chaimen,	9 0 0	
A. McKenzie and al.,	for land and fencing,	2 10 0	
John Strachn,	ditto	7 0 0	
W. Irving,	ditto	1 0 0	
W. Harvey,	ditto	0 5 0	
Neil McDonald,	ditto	7 0 0	
E. E. Armstrong,	for survey, chairmen, &c.,	3 0 0	
W. Johnston and al.,	as appraisers,	10 15 0	
W. Anderson,	ditto	15 0 0	£387 8 3
MILITIA.			
F. W. Pickman,	For storage of arms and accoutrements, Annapolis,	5 0 0	
E. P. Archibald,	ditto	5 0 0	
James Studd,	1st batt. 1st regt. Cape Breton militia,	15 11 9	
Joseph Dickson,	ditto	5 1 0	
John Marshall,	2d batt. Colchester regt.	8 6 6	
Edward O'Brien,	2d regt. Pictou county regt.	9 19 6	
Josiah Doane,	1st regt. Hants county regt.	5 11 0	
John Burke,	2d batt. Shelburne county regt.	2 2 6	
J. Ratchford,	2d batt. Lunenburg county regt.	2 10 0	
H. G. Enslow,	Parrsboro' militia,	3 8 0	
	1st batt. Shelburne county regt.		

Charles Randall,  
James Black,

ditto 2nd batt. King's county regt.  
ditto at Halifax to 20th April, 1857,

3 5 0  
20 14 8  
86 9 11

## CROWN LAND DEPARTMENT.

Commissioners of crown lands, To pay surveyors and registrars' accounts and return purchase monies, to 31st December, 1857,

1837 19 7

## ROADS AND BRIDGES.

Annapolis county,	Paid on account of this service from grants of 1857,	1835 0 0
Ditto,	old road votes undrawn 31st December, 1856,	35 0 0
Colchester county,	this service from grants of 1857,	2436 3 1
Ditto,	old road votes undrawn 31st December, 1856,	362 3 6
Cumberland county,	this service from grants of 1857,	2301 16 7
Ditto,	old road votes undrawn 31st December, 1856,	9 18 9
Cape Breton county,	this service from grants of 1857,	2222 2 4
Ditto,	old road votes undrawn 31st December, 1856,	93 17 6
Digby county,	this service from grants of 1857,	1799 9 7
Ditto,	old road votes undrawn 31st December, 1856,	161 1 4
Guysboro' county,	this service from grants of 1857,	1579 17 7
Ditto,	old road votes undrawn 31st December, 1856,	70 10 0
Halifax county,	this service from grants of 1857,	3360 11 3
Ditto,	old road votes undrawn 31st December, 1856,	56 13 9
Hants county,	this service from grants of 1857,	2578 2 8
Ditto,	old road votes undrawn 31st December, 1856,	29 1 4
Inverness county,	this service from grants of 1857,	2322 18 7
Ditto,	old road votes undrawn 31st December, 1856,	177 0 0
King's county,	this service from grants of 1857,	1703 3 10
Ditto,	old road votes undrawn 31st December, 1856,	59 2 7
Lunenburg county,	this service from grants of 1857,	2926 8 0
Ditto,	old road votes undrawn 31st December, 1856,	12 8 6
Pictou county,	this service from grants of 1857,	2802 0 2
Ditto,	old road votes undrawn 31st December, 1856,	80 0 0
Queen's county,	this from grants of 1857,	1824 0 0

## GENERAL STATEMENT—continued.

TO WHOM PAID.	SERVICE.	AMOUNT.	TOTAL CURRENCY.
Queen's county,	Paid on account of old votes undrawn 31st December, 1856,	1822 6 11	
Richmond county,	ditto this service from grants of 1857,	20 0 0	
Ditto,	old road votes undrawn 31st December, 1856,	1781 19 10	
Sydney county,	ditto this service from grants of 1857,	10 0 0	
Ditto,	old road votes undrawn 31st December, 1856,	1975 0 3	
Shelburne county,	ditto this service from grants of 1857,	1848 6 10	
Ditto,	old road votes undrawn 31st December, 1856,	20 0 0	
Ditto,	this service from grants of 1857,	1695 19 9	
Yarmouth county,	ditto		
Ditto,	old road votes undrawn 31st December, 1856,		
Ditto,	ditto		

No. 17.

*(See page 114.)*

## SUPERINTENDENT'S REPORT ON LIGHT HOUSES, 1857.

*Halifax, December 15th, 1857.*

SIR,—

I beg leave to submit, for the information of the board of works and the government, the following report of my proceedings in connection with the light house service since the 24th of June last.

In accordance with your instructions, I left Halifax on that date, in the government schooner "Daring," captain Daly, commander, on a trip of inspection to the light houses and humane establishments east of Halifax; the usual supplies for the service being on board. On the 25th of June we landed the oil and stores for

## No. 1.—BEAVER HARBOUR LIGHT HOUSE.

SIMON FRASER, keeper; salary, £100; fuel money, £15; total, £115 per year.

*Character of Light.*—A clear "revolving," and revolves every two and one half minutes. Interval of light  $1\frac{1}{2}$  minute. Nine lamps and reflectors in use. The building is square, and painted white, with two black balls on the seaward side. I found the lantern, lamps, and machinery in good order; the building also, with the exception of the chimney, which required repairing. Gave the keeper orders to have this done as soon as the materials reached him. The building is used as a light house and dwelling, and is quite commodious.

There is a store belonging to the establishment, which is not in very good order, but I did not conceive it necessary to order any repairs to be done on it for the present.

## No 2.—WHITEHEAD LIGHT HOUSE.

PATRICK DILLON, keeper; salary £60; fuel money, £20; total, £80 per year.

*Character of light*—A "flash," and revolves every 90 seconds, shewing eight flashes during that time from 8 catoptric lamps with reflectors. Building square and painted white, and used both for light house and dwelling. Arrived at this place on the morning of the 27th June, landed stores and inspected the establishment. I found the lantern, lamps, and machinery in excellent order, every thing being remarkably clean and neat.

The keeper has made an excellent landing wharf, and built a store near it. He has also made a good road from the landing place to the light house, and he has shewn about the whole of the premises a commendable interest and industry. I have to report on this building as being entirely too small for the purposes intended. In the first place it is scarce large enough for a light house fitted with revolving apparatus, and being also used as a dwelling, makes it still more contracted.

There is a family of ten persons now living in this building, viz: the keeper, his wife, and eight children. They have in the winter time to keep the oil in the cellar or kitchen where they cook. I would recommend that a small addition be put to this house next season, so as to make it fit for a family to live in. Mr. Dillon complains of his salary being too low, in all, only £80 per annum—while the keepers of Beaver harbour and Cape Canso light houses are each receiving £115 per year, for doing the same work.

He requested me to bring his complaint on this head to the notice of the board, and hopes they will take his case into due consideration.

## No. 3.—CAPE CANSO LIGHT HOUSE.

JAMES HANLON, keeper ; salary, £100 ; fuel money, £18 ; total, £118 per year.

*Character of light.*—Two fixed vertical ones. The upper, or lantern one, is a powerful light from 12 Argand lamps ; the lower light is from 5 lamps in a bow window. Light house is a large octagon building, painted white, with red horizontal stripes. There is dwelling house along side of the light house, for the keeper.

Landed the stores for this establishment and inspected it on the 27th June. I found everything appertaining to the light house, lantern, lamps, &c., in good order, and both the light house and dwelling clean, and having the appearance of being well kept. I directed some trifling repairs that were necessary to be made.

I will take the liberty of here noticing what I consider a very unequal arrangement of salaries. I have called attention to Whitehead light house, its inconveniences, and the low salary of the keeper ; here, at Cape Canso, only five leagues away, is a man receiving £38 per year more than the keeper of the Whitehead light house, while he has a spacious building for the light house, and also a very comfortable dwelling house for himself and family.

## No. 4.—ARICHAT BEACON.

JOSEPH COSTE, keeper ; salary, £30 ; fuel money, £8 ; total, £38 per year.

*Character of light.*—A fixed white light from two Argand lamps. A small building painted white, with a very small wooden lantern.

Arrived here the 29th June, and landed stores. I found everything in good order, with the exception of the stove used for heating the building ; this was worn out, and dangerous. A new stove has since been supplied. The keeper does not reside in this house, as there is no accommodation for him ; he lives in his own house about half a mile distant. Two persons generally stay in the light house at night, one small room being used as a bed room.

## No. 5.—GUYSBORO' BEACON.

GODFREY S. PEART, keeper ; salary, £30 ; fuel money, £— ; total, £30 per year.

*Character of light.*—A fixed white light from two catoptric lamps. Building painted white.

Arrived here the afternoon of the 29th June, landed stores and inspected the establishment. I found every thing in good order as far as lamps, &c. were concerned, but the building somewhat out of repair, and door and windows very leaky. I gave the keeper instructions to have the necessary repairs made at once, which he has done.

This building has no lantern, the light shews through two windows. The building is very small, too small for the purpose intended, and at first must have been poorly built. The keeper resides in his own house quite close to the beacon.

## No. 6.—SANDPOINT LIGHT HOUSE.

JOSEPH MUNDALL, keeper ; salary, £50 ; fuel money, £20 ; total, £70 per year.

*Character of light.*—Two horizontal white fixed lights show from bow windows in the eastern and western roofs, one catoptric lamp with reflector, and one Argand lamp, without reflector, in each window. Two lights show north, two south, one to the east, and one to the west or land side. The building is square and painted white, with a black diamond on the southern side. Landed stores and inspected the establishment on the 30th June ; lamps and lantern, windows, glass, &c. in tolerable order, but the house very much in want of inner repairs, which I directed the keeper to have made. The keeper asks for a small outhouse to be erected near the light house, I think his request

request a reasonable one, as there is not any store or outhouse attached to the light house. The keeper informed me that from want of a place to put his wood in, it is often washed off the beach by high tides. The oil, &c. is now put in an outhouse of the keeper, across a beach, and a considerable distance from the light house.

#### No. 7.—NORTH CANSO LIGHT HOUSE.

GEORGE MCKAY, keeper; salary £100; fuel money, £15; total, £115 per year.

*Character of light.*—A fixed white light from three catoptric lamps, with reflectors, and seven Argand lamps without reflectors. The building is square and painted white, and is used both for a light house and dwelling. Arrived at this place on the 30th of June, landed stores and inspected the establishment. I found every thing appertaining to lantern, lamps, &c. in perfect order, and the dwelling part of the house very clean and neat. This light has a very good reputation for being always well kept, and the keeper has the name of being very attentive to his duties.

The chimney and foundation walls required repairing, as also the roof of the outhouse. I directed the keeper to have the necessary repairs made as soon as possible.

#### No. 8.—PORT HOOD LIGHT HOUSE.

THOMAS POWER, keeper; salary, 60*l.*; fuel money, 10*l.*; total, 70*l.* per year.

*Character of light.*—A white fixed light to the southward and westward, and a fixed red light to the northward. Has four catoptric lamps, with reflectors, in use, and occasionally, in dark and stormy weather, uses an extra lamp or two. This light is discontinued when the ice closes the North bay, and is re-lighted at the opening of navigation in the spring. The building is square and painted white.

Arrived at this place the 30th June, landed stores, and inspected establishment. I found every thing in good order, and the light house and premises having the appearance as well as the name of being well kept. The building is the same size as that at Whitehead, and also used as a light house and dwelling. The keeper has also here to put the oil in the cellar or kitchen. I would strongly recommend that a small addition be made to this building next season.

#### No. 9.—PICTOU ISLAND LIGHT HOUSE.

WILLIAM HOGG, keeper; salary, £60; fuel money, £20; total, £80 per year.

*Character of light.*—A fixed white light from six catoptric lamps, with reflectors. Building square, and painted white, and used as light house and dwelling.

Arrived here the 1st of July; landed stores and inspected the establishment. I found the lantern, lamps, &c., in good order, and having every appearance of being well attended to. The building required some little repairing, which I authorized to be done.

This light is discontinued at the close of navigation, and re-lighted as soon as requisite in the spring.

This building was the same size, and erected in a similar manner to those at Port Hood, Whitehead, &c., but the late board of works authorized an addition to be made to it, which renders it quite comfortable for a family.

#### No. 10.—PICTOU HARBOUR LIGHT HOUSE.

HENRY B. LOWDEN, keeper; salary, 100*l.*; fuel money, 15*l.*; total, 115*l.* per year.

*Character of light.*—A white fixed light in lantern, from seven Argand lamps, and one catoptric lamp, with reflectors, and a fixed red light in a window underneath the lantern, as a distinguishing mark to seaward. The light house is a large octagon building,

building, painted white, with red vertical streaks. There is a dwelling house close alongside the light house for the keeper.

Arrived at this place the 1st of July, landed stores and inspected the establishment. I found everything in good order, and bearing indication of attention and care on the part of the keeper. Some repairs were required to the foundation wall of light house, which I ordered the keeper to have made.

The breakwater erected to protect light house and dwelling, to make it perfect will require considerable more stone, and a quantity of logs, which I believe were ordered by the former board of works. The light house buildings stand on a low sandy beach, not over nine or ten feet above the level of the sea. Where so much valuable property was at risk, the breakwater was required to prevent the inroads of the sea, which in severe gales, the past few years, injured the beach very much. The keeper has done considerable to aid the formation of a good beach, by piling and spreading brush, and endeavoring to get a sward or sod on the part of the beach adjoining the light house. The materials required for the breakwater are best procured in the winter, as they can be hauled on the ice, and furnished cheaper than at any other season.

The light at this place is also discontinued at the close of navigation, until the opening in the spring.

#### No. 11.—MARGAREE LIGHT HOUSE.

NATHANIEL C. McKEEN, keeper; salary, 60*l.*; fuel money, 20*l.*; total, 80*l.* per year.

*Character of light.*—A fixed white light from four catoptric lamps, with reflectors, and two Argand lamps, without reflectors, occasionally in dark and stormy weather one or two extra lamps are used.

Building square and painted white. When the navigation closes in the fall, the light is discontinued until the opening of navigation in the spring.

Arrived off this place 3rd July, landed stores and inspected the establishment. I found the lantern, lamps, &c. in very good order, and the light having the appearance of being well attended to.

I have to report this building as being in bad order, and requiring next season some repairs which are necessary for its preservation. The foundation wall has given way, and the roof is leaky; the kitchen cellar, the only place where the family have to cook in, overflows, which renders the family very uncomfortable. The plastering has also fallen from several places. This must have been a most wretchedly built affair, as it was only erected in 1854, to be so soon in such bad condition. I have also to call the attention of the board to the building as being too small for the purpose intended; it is of the same size as those I have already called attention to at Port Hood and Whitehead, and being like them used as a light house and dwelling, affords but little accommodation for a family. I would recommend that a small addition be put to this house, to make it somewhat comfortable for a family to live in; this could be done, if thought advisable, when the repairs are being made. The keeper requested me to bring the lowness of his salary to the notice of the board, and hopes that they will grant him an increase. He says, he has to keep a man and woman servant, no other persons but his own family residing on the Island in winter time, and he has no communication with the main land for three or four months in the winter time.

#### No. 12.—ST. PAUL'S ISLAND, LIGHT HOUSES AND HUMANE ESTABLISHMENTS.

SAMUEL C. CAMPBELL, superintendent; salary, 100*l.*; fuel money, 15*l.*; wages of 3 men at 30*l.* per annum, 90*l.*; total, 205*l.* per year.

## No. 13.—SOUTH-WEST LIGHT HOUSE, ST. PAUL'S.

NORMAL CAMPBELL, keeper ; salary, 90*l.*; fuel money, 15*l.*; total, 105*l.* per year.

*Character of light.*—A revolving white light from a fountain lamp, with four concentric burners. The lantern is fitted with lenses and mirrors. The light house is a large octagon building, painted white—there is a dwelling house for the keeper, close by the light house.

## No. 14.—NORTH-EAST LIGHT HOUSE, ST. PAUL'S.

DOUGALD MCKAY, keeper ; salary, 90*l.*; fuel money, 15*l.*; total, 105*l.* per year.

*Character of light.*—A fixed white light from a fountain lamp, with four concentric burners—the lantern is fitted with lenses and mirrors. The light house is a large octagon building, painted white—there is a dwelling house for the keeper connected with the light house by a covered passage. We arrived off St. Paul's Island the morning of the 4th July, but were not able to land until the afternoon, when we got the stores ashore in good order. Owing to the lateness of the day I could not visit the house occupied by the superintendent, but this I did not deem essential. I, however, visited and inspected the light houses, and found them both in most excellent order, all the apparatus being in first rate condition. In point of appearance and neatness those light houses are superior to any I have visited. The keepers appear to faithfully discharge their duties.

There is a fog bell attached to the south-west light house, but I should deem it of very little service as 'tis too light to be heard at any distance. I put the bell in operation while I was there, the "the Daring," was not very far off, but no one on board heard the bell.

There are cannon discharged every four hours in thick weather, but there is no doubt of a *powerful* bell being of much service in this very dangerous place.

The dwelling house at the S. W. end, is in *very* bad order, and will next year require a thorough repair. The dwelling at the N. E. end is also in want of some small repairs, which can be done at the same time. A small shed or outhouse is required at the S. W. end, the one now in use being worthless, and unfit to keep a beast in during cold weather. A very small affair will do, as the keeper has but one cow. In addition to my own inspection, I directed the superintendent to thoroughly examine the buildings, and report their state to the board, which I understand he has done to a certain extent. The idea has been advanced that this Island should be conducted similarly to Sable Island, and there are good reasons in its favour; but as the establishment has, I understand, worked well thus far under the present arrangement, the necessity of a change of management does not appear, and as the provinces of Canada, New Brunswick, and Prince Edward Island, contribute, as well as Nova Scotia, to the support of this establishment, there might be some difficulty in making a change of management. In addition to the list of articles required at this establishment, I beg leave to recommend that one of Francis' "life boats" be sent to this Island—the life boat now in use there, being small, and of very little service.

## No. 15.—LOWPOINT LIGHT HOUSE.

ROBERT MCNAB, keeper ; salary, 100*l.* ; fuel money, 15*l.* ; total, 115*l.* per year.

*Character of light.*—A white fixed light from a fountain lamp, 8 burners in use, with 3 Argand lamps. Light house, a large octagon building painted white and red, sides alternately and vertically. There is a dwelling house for the keeper close to the light house.

Arrived

Arrived at this place the 6th July, landed oil and stores, and inspected the establishment. I found the light house lantern in good order, but the lamps are old and defective, and for the quantity of burners used and oil consumed, there is a very poor light, this I had an opportunity of observing for two or three nights in succession. The light house building in good order, but the dwelling requires some repairs. A new porch was wanted, and the cellar required planking. The outhouse also required shingling. I gave the keeper orders to have the necessary repairs made as soon as possible. The keeper informed me that it is 19 years since there was any repairs of consequence made to this establishment. Some new lamps will be required here next year, and the old burners will have to be repaired.

#### No. 16.—FLINT ISLAND LIGHT HOUSE.

GEORGE CANN, keeper ; salary, 60*l.* ; fuel money, 20*l.* ; total, 80*l.* per year.

*Character of light.*—A white flash light from 6 catoptric lamps, with reflectors, in a sexangular frame, which revolves every 90 seconds, and shows during that period six distinct flashes. Light house, an octagon building, and unpainted when I was there—it is to be painted white. There is a dwelling house close to the light house.

Arrived at this place on the morning of the 10th of July, had stores safely landed, and inspected the establishment.

I found the lanterns, &c. in excellent order. This light house is somewhat larger than those at Whitehead, Port Hood, and Margaree, and as there is also a dwelling house for the keeper, the accommodations will be ample. The dwelling was in an unfinished state when I was there. The keeper stated that himself and family suffered much from cold last winter, and quite used up a new cooking stove in their endeavours to keep themselves warm. The dwelling is intended to be lined with boards instead of plastering. The boards and other articles required have been sent.

There was no water on the Island except what was caught in casks. I informed the keeper that if he succeeded in digging a good well, the sum of £4 would be allowed him. The keeper requested me to bring the lowness of his salary, and the nature of his situation before the board. This Flint Island, is a small one, and some distance from the main land, it is quite barren, not a tree or shrub being on it. There is but one landing place on the Island, and at that a boat cannot lie safe in anything like heavy weather, but has to be hauled up the cliff. This obliges Mr. Cann to keep a man, and pay him out of his small salary. The keeper also informed me that when he took charge, he was led to think the salary would be more. Whether this statement is correct or not I cannot say. I have, though, complied with his wishes in thus bringing the matter to the notice of the board for their consideration.

#### No 17.—SCATTARIE LIGHT HOUSE AND HUMANE ESTABLISHMENT.

EDMUND S. DODD, superintendent ; salary, 100*l.* ; fuel money, 15*l.*—115*l.* ; 3 men's wages ; 30*l.* per year—90*l.* ; total, 205*l.* per year.

*Character of light.*—A revolving light from 12 Argand lamps, with reflectors. The light house is a large octagon building, painted white; there are also the following buildings : A dwelling house for the keeper, pretty comfortable, a store, a house of refuge, two barns and a boat house, all small, and rough affairs.

Arrived at this place the afternoon of the 10th July, landed stores, and inspected the establishment. The light house clean and in good order, and the lantern, lamps and machinery in excellent condition. The light house badly in want of painting outside—otherwise in good condition. The roof of the dwelling requires repairs, and the plastering in the interior. In one of the rooms it has entirely fallen off. All the buildings require painting more or less, outside, which will have to be done next season.

There

There were several things required for the use of this establishment, and which I enumerated in the list of articles. In addition to those, I would recommend that a "life boat" be sent to this place, the one now there being old and small, and at first, but a poor affair.

This establishment is supported in a similar manner to St. Paul's, and is conducted the same way. Being stations of much importance, every thing required should be furnished so as to make them in reality what the four provinces expect them to be, a refuge for the unfortunate who suffer from shipwreck, and amply supplied with the means of saving life and property.

#### No. 18.—LOUISBURG LIGHT HOUSE.

LAURENCE KAVANAGH, keeper; salary, 100*l.*; fuel money, 15*l.*; total, 115*l.* per year.

*Character of light.*—A white fixed light from four catoptric lamps, with reflectors, and four Argand lamps, without reflectors. Building square, and painted white, with a black streak vertical, on the east, south and west sides. The building is used both for light house and dwelling, and is commodious.

Arrived at this place on the 11th July, landed stores, and inspected the establishment. Lantern, lamps, &c., in excellent order, and as well as the interior of the building, creditable to the keeper. The wall of the light house, as also that of the outhouse, required repairing, which I authorized the keeper to have done. A well is required very much at this place. I informed the keeper that the sum of £3 would be allowed him if he made a good well and walled it around with stone.

I would here call attention to the necessity of a spar buoy on the rock called "Nags Head," at the entrance of Louisburg harbour. A very small sum would put one there, and would be of much service to vessels entering the harbour of Louisburg.

#### No. 19.—SABLE ISLAND.

P. S. DODD, esquire, superintendent.

Arrived at this place from Louisburg, on the morning of the 14th July.

I had not time to visit the outposts or stations on this island, but made a minute inspection of the buildings and everything connected with the principal station, or head quarters, where the superintendent lives, and including the superintendent's house, sailors' home, the mens' dwelling house, barns and stores. Every thing was in excellent order. The new barn is a large and well built building. The superintendent was erecting an "oil house" when I was there, to keep such oil in as may be made on the island from the seals that are killed.

This establishment appeared to be well conducted; the superintendent and the men under him were in harmony, and everything, as far as I could judge, or hear, working well.

Having every thing ready, I again left Hali'ax in the "Daring" on the 25th July, with the stores for the Western light houses.

Arrived at Liverpool on the 27th July, and visited the Beaver light erected at

#### No. 20.—FIRST POINT—LIVERPOOL.

SAMUEL SELLOM, keeper; salary 50*l.*; fuel money, 10*l.*; total, 60*l.* per year.

*Character of light.*—A white fixed light from 2 catoptric lamps, with reflectors, and one Argand lamp, without reflector. A small square building, painted white. I found the lantern, lamps, &c., in good order, and the building clean. I have to report this building as being *entirely* too small, as after taking off the lantern room, and the lower part

part, where the oil and stores are placed, there is scarce room for the people in charge to sleep in.

I would recommend that a small addition be put to this building, so as to make it in some way tenantable for the persons in charge. I gave orders to have a "ventilating pipe" put in the lantern, which has been done, and to the benefit of the light, as the keeper has since informed me.

#### No. 21.—COFFIN'S ISLAND—LIVERPOOL LIGHT HOUSE.

JOHN McLEOD, keeper; salary, 100*l.*; fuel money, 15*l.*; total, 115*l.* per year.

*Character of light.*—A revolving white light from 8 Argand lamps, with reflectors. Light house is a large octagon building, painted white and red, in alternate horizontal stripes. There is a dwelling house for the keeper close to the light house, also two outhouses, and a store at the landing place, about three quarters of a mile from the light house, to put the stores in before they are carried to the light house. I visited this place on the 29th July, and found every thing in good order as regards lantern, lamps, &c. The light house in good order, but the dwelling badly in want of repairs to the sills, porch, &c. Gave the keeper orders to have the necessary repairs made.

The lamps and reflectors in this light house are old, and will soon require renewing, in fact the light is not as good at this place as it ought to be, from the want of good lamps. The keeper requested me to bring the state of the road from the landing place, three quarters of a mile, to the light house, to the notice of the board. The road is now in a very rough state, and almost unfit to haul the oil and stores over it. If the members for the county of Queen's could not be induced to grant a small sum of £8 or £10 to repair this road, out of the grant for their county, I would recommend that £5 be allowed the keeper next spring to repair this road.

#### No. 22.—SHELBURNE LIGHT HOUSE.

ALEXANDER H. COCKEN, keeper; salary, 100*l.*; fuel money, 18*l.*; total, 118*l.* per year.

*Character of light.*—There are two fixed vertical lights, the upper or lantern light was from a fountain lamp with 12 burners, the lower light in a bow window, was from a lamp with 3 burners. The light house is a large octagon building of stone, and encased in a wooden frame and boarded and shingled. Light house is painted white with black streaks vertical, on the sea-ward side. There is dwelling house along side for the keeper, and an outhouse used as a barn and store. Arrived at this place on the 31st July, visited the light house, and found lantern, lamps, &c. in very bad condition, not from any fault of the keeper, but from the fact of being worn out and almost useless. Landed stores on the 1st of August, and went to the light house and took down the old fountain lamps, had tables made, and the new lamps all ready for lighting at the usual time. I put 9 new catoptric lamps in the lantern, and 3 in the bow window. I put the lamps in operation before I left the light house for the vessel, and was much pleased with its appearance from the water, it exhibited quite a contrast to the light of the night before.

This light house and dwelling attached, are in want of extensive repairs, which will have to be made as early next season as the weather will permit of working to advantage. There is a new lantern required, as the one now on the building is almost useless, and endangers at times the existence of the light, as it admits both rain and snow. The upper part of the light house is also in a bad state in consequence of leaks in the roof, and will have to be repaired previous to putting on the new lantern. The bow window also requires some repairs. The safety of the building as well as the importance of the light being perfectly secure, requires the earliest attention to this establishment. The dwelling house is in a very leaky and wretched condition, in fact a new house is almost required,

required, but a thorough repairing and shingling may make it answer for some years to come. The dwelling was built the same year as the light house, 1787, and an addition made to it 22 years ago, this addition, the keeper informs me, was never comfortable, as it was badly built and always leaked. The outhouse is also in a bad state of repair, in fact all those buildings required attention for some time back.

There has been pretty general complaint against Shelburne light for some time back, but with the imperfect lamps the keeper had to work with, I do not think the keeper was to blame. Since I put the new lamps in operation, I have heard the lights spoken of favourably, still it cannot be as good as wished for, until the repairs I have mentioned are made.

The new lantern is made, and is now in the light house, ready to be put up next spring.

#### No. 23.—SEAL ISLAND LIGHT HOUSE.

RICHARD HICHENS, keeper; salary, 100*l.*; fuel money, 20*l.*—120*l.*; allowance for extra man, 20*l.*; total, 140*l.* per year.

*Character of light.*—A fixed white light from 9 catoptric lamps, with reflectors, and 4 Argand lamps, without reflectors. Light house is a large octagon building painted white, there is a dwelling house for the keeper close to the light house, and a small store at the landing place, about  $\frac{1}{2}$  a mile from the light house. Mr. Hichens has a good supply of small boats, and one large sail boat. Arrived at this place the night of the 6th August, landed stores the morning of the 7th, and inspected the establishment. I found the light house, lamps, lantern, &c. in fair order. The light house required some trifling repairs, which I ordered to be made. The roof of the dwelling house was in very bad order and required shingling, the plastering on the house also required repairing. I directed Mr. Hichens to have this work done so soon as the materials reached him from Halifax. The buildings were badly in want of painting outside, the paint and oil have been furnished with the other articles required.

I have heard several complaints of this light house not being as useful as it might be, on account of the light exhibited being very poor. I did not see any apparent neglect on the part of the keeper, during my visit of inspection, and I am inclined to think that here, as at Shelburne, the principal fault is with the lamps in use. I am strengthened in this opinion, from my own observation of the "light," which even at an early period of the night did not exhibit that brilliancy desirable, and which is expected from a light house so important in position as that of Seal Island, and where so many lamps are in use,

As half of the expense of this establishment is borne by New Brunswick, care should be taken that there be no cause of complaint against this light house, on the ground of want of proper lamps, &c. I would therefore recommend that the present old lamps be replaced by new ones early next season, the new lamps to be fewer in number, but more effective in power and brilliancy.

There is scarcely a more important light on our coast than this one at Seal Island, and I will do all in my power to make it as effective as possible early next season. There are two families residing on this Island, in addition to that of Mr. Hichens's, viz.: Richard Thomas and family, and Edward Crowell and family. Mr. Crowell receives from the province an annual grant of 30*l.*, to enable him to render assistance to shipwrecked people. There is an annual grant also given to persons residing on the Mud Islands, 20*l.* is the sum, but I believe neither the above sums are drawn from the board of works, although the Seal and Mud Islands are named in the act forming the board, and are placed under its controul. I have heard the Mud Islands are now claimed by Mr. John McKinnon, who lives in Argyle, and who says he has a grant of them. They are leased to Mr. Goodwin and Washington Hunt, who, with their families, now reside there.

## No. 24.—PUBNICO LIGHT HOUSE.

MATURIN AMIERO, keeper ; salary, 35*l.* ; fuel money, 10*l.* ; total, 45*l.* per year.

*Character of light.*—A fixed red light on the seaward side, and shows a white light up the harbour from two catoptric lamps, with reflectors, and one Argand lamp, without reflector.

The building is a small one, painted white, and similar in size and design to that at Fort point, Liverpool. Arrived at this place the afternoon of the 7th August, landed stores, and inspected the establishment. I found every thing in excellent order and remarkable clean and neat. This building, like that at Fort point, is entirely too small, and is not more than large enough for a beacon, not to speak of a family of eight to live in it. The keeper has put up a small building at his own expense, which he uses as a kitchen. There is no cellar to the light house, nor can any be made, and the oil has to be kept in the dwelling.

The keeper asks for aid to erect a small addition to the light house, the building he put up, is detached from it. As he is a carpenter, he will do the work himself. I would advise that the sum of 15*l.* be allowed him for this purpose, especially as he has now neither store, nor shed, even to keep his wood in.

This light house stands on a low spit or beach, which extends a considerable distance into the harbour, and at high tide the water is within a few feet of the door. They can keep no cow here, and all the water they use has to be brought in a boat nearly a mile. This case is I think a peculiar one, and the keeper, who bears an excellent character for attention to his duties, is, I think, worthy of the favor he asks. His salary was raised to 50*l.* this year, which was quite necessary, as he had too little before.

The character of this light was changed from red to white when seen from seaward, and that without any public notice being given. I directed the keeper to replace the red glass as soon as he received some from Halifax. The keeper informed me that he took out the red glass by the orders of Mr. McKenna, who said he would send red chimnies for the lamps, which was never done. The light is now restored to its original character, and corresponds with its description, as generally known and published.

## No. 25.—YARMOUTH LIGHT HOUSE.

C. J. T. Fox, keeper ; salary, 100*l.* ; fuel money, 20*l.* ; total, 120*l.* per year.

*Character of light.*—A white revolving light from 5 catoptric lamps, with reflectors, and 5 Argand lamps, without reflectors. The light house is a large octagon building, painted white and red vertically, on alternate sides. There is a dwelling house close to the light house, also a store, wharf, and a "boat slip," belonging to the establishment.

Arrived at this place Sunday, August 9th, and next day landed stores, and inspected the establishment. I found everything appertaining to the lantern, lamps and machinery in excellent order, but both the light house and dwelling badly in want of repairs. The lantern pedestal, or roof of building, was leaky, and admitted water into the building, some of the top timbers I found were decaying from this cause. Some of the windows also were leaky, and required attention. The light house porch was quite decayed, and would have to be replaced by a new one. The dwelling house roof was in bad repair, and a very large portion of it wanted shingling. The chimney was in bad order, the top quite gone, and requiring immediate repairs, as I considered the house in danger from a defective chimney. The plastering was quite gone in one of the rooms, and required renewing ; several other small repairs were necessary. The store or outhouse, as also the fence between the light house and dwelling, required some boards to repair them. I directed the keeper to have the necessary repairs made. I estimated the repairs here enumerated would cost about £25.

## No 26.—YARMOUTH FOG BELL.

This bell is erected close to the light house, the keeper of which keeps it in operation in foggy weather, for which service he informed me he expected pay. As the labour attending this duty is considerable during the year, I should think Mr. Fox is fairly entitled to some compensation. The frame work that supports the bell is strong, and well put together, and every thing connected with it appeared to be of the best workmanship. The under-pinning of the frame was not quite finished when I was there, all the rest of the work was complete. The exact distance at which this bell could be heard was not determined when I was at Yarmouth, and the impression seemed to be that it did not quite come up to the expectations formed, still, it had not time to have a fair trial, and even if heard but a moderate distance, it must be very useful to vessels approaching Yarmouth, especially steamers. I called on Mr. Killam by direction of the chairman; he had not then received the accounts, but stated he would forward them to Halifax as soon as they came to hand.

## No. 27.—WILMOT LIGHT HOUSE.

JOHN D. SUTHERN, keeper; salary, 60*l.*; fuel money, 15*l.*; total, 75*l.* per year.

*Character of light.*—Two fixed horizontal lights in the windows of the eastern and western roofs. There are two catoptric lamps, with reflectors, in each window. Building a small square one, painted white, and used for light house and dwelling.

Arrived at this place August 11th; landed stores, and inspected establishment. I found everything connected with the light house, lamps, &c, in excellent order, and the dwelling portion of the building in the same good state. This light has the name of being well kept, and everything around it evidences a careful keeper.

The same objections apply to this building as to many others, viz., that of being entirely too small for light house and dwelling. The keeper here is very much cramped for room for his family, and offered to put up an addition to be used as a kitchen, if the cost of materials would be allowed him. The keeper requested me to bring the lowness of his salary to the notice of the board, and hopes they will favorably take his case into consideration.

With respect to the addition spoken of, as Mr. Suthern offered to do the carpenter work, and as he could then purchase a suitable frame for 6*l.* 10*s.*, I told him it was likely the board would allow him 10*l.* this year on account of the work.

## No. 28.—BRIER ISLAND LIGHT HOUSE.

JOHN SUTHERN, keeper; salary, 100*l.*; fuel money, 15*l.*; total, 115*l.* per year.

*Character of light.*—A white fixed light from a fountain lamp with 10 burners, nine of them having reflectors, and 3 catoptric lamps, with reflectors.

Light house a large octagon building, painted white. There is a dwelling house for the keeper close to the light house, also a small store.

Visited this place August 13th, found lantern, lamps, &c., in excellent order, and the whole establishment very clean and neat.

I found the lantern in a very bad state, it is old and defective, but with care may do for a year longer. The lamps now in use are also very defective. The light is supplied from an old fountain lamp having 10 burners in use, and 3 catoptric lamps also in bad order, in all 13 burners. I am confident that 8 or 9 good lamps would show far more light, and save a great deal of oil, of which there is a large quantity burnt at this light house. But, leaving economy out of the question, on the score of necessity, a set of new lamps will have to be supplied next season.

This light house has also been spoken of lately, as exhibiting a very poor light. I am

am satisfied this is from no want of care on the part of the keeper, but from the cause I have mentioned—the defective state of the lamps.

The province of New Brunswick contributed 100*l.* per year to this light house. Some necessary repairs I directed Mr. Suthern to have made when I was there, have been done, and the account of the same furnished.

#### No. 29.—ANNAPOLIS LIGHT HOUSE

FREDERICK BRAG, keeper; salary, 100*l.*; fuel money, 15*l.*; total 115*l.* per year.

*Character of light.*—A fixed white light in a pentagon lantern, at north end of the the building, from a fountain lamp, with 5 burners, 2 catoptric lamps, and one Argand lamp, all with reflectors, except Argand lamp. Building is used for light house and dwelling—is painted white, with read vertical streaks on the north end, and the two sides. Arrived at this place August the 14th, landed stores, and inspected the establishment. I found every thing in good order, and the lantern, lamps, and dwelling very clean and neat.

I saw the light as we came up from Brier Island, it did not shew as well as I thought it should; this, I found on inspection, was not from any neglect of the keeper, but because his lamps and reflectors were not as good as they should be. I have since then had some alterations made, which I trust will be of benefit to the light. The lantern on this building is now old and defective, and will soon have to be replaced by a new one. The platform or pedestal on which it stands is now in a very defective state, and admits the rain and snow water into the building. This will have to be attended to next season; with this exception the building is in a very good state of repair, and is quite commodious for the purposes intended.

#### No. 30.—HORTON BLUFF LIGHT HOUSE.

ROBERT KING, keeper;\* salary, 50*l.*; fuel money, 8*l.*; total, 58*l.*; per year.

*Character of light.*—A fixed white light from 2 catoptric lamps, with reflectors, and one Argand lamp, without reflector. Building, a small square one, painted white, and used for light house and dwelling.

Arrived at this place the 17th August, landed stores, and inspected establishment. I found every thing in good order, lamps, &c., very clean, and the dwelling in the like good condition. The building was badly in want of painting, which I directed the keeper to have done as soon as the paint would reach him. There is in connection with this light house an unsettled matter about right of way, and two acres of land. It appears there is now but  $\frac{1}{2}$  an acre belonging to the light house, and no right of way to the main road, but by the pleasure of the owner of the adjoining property, a Mr. Armstrong. From Mr. King's statement it appears that Mr. Armstrong was to let the government have two acres more land, with the right of way to the main road, but after Mr. King had cleared the trees and brush off the land, and opened the road, and after £5 had been appropriated by the legislature, or a member for that township, for the improvement of this road, Mr. Armstrong forbid Mr. King from doing any more work upon it.

There is quite a necessity for having this matter properly arranged, as the light house stands in such a position on the "bluff," that no safe landing of the stores, &c., can be made less than half or three quarters of a mile from the light house, and all the the stores have to be carted from the landing place through the ground now in dispute. My time did not permit me to see Mr. Armstrong, to learn his views on this matter, but I should think there can be little trouble in arranging it, unless he is very unreasonable

\* Since I was at the light house Capt. Lockhart has been appointed in his place.

able. When I next visit this establishment, I will make it my business to inquire further into this affair.

The road from the light house to the main road is now unfit to haul over, and endangers the safety of the oil and stores.

#### No. 31.—PARRSBORO' LIGHT HOUSE.

JAS. R. HOWARD, keeper ; salary, 60*l.*; fuel money, 10*l.*; total, 70*l.* per year.

*Character of light.*—A fixed white light, from two catoptric lamps, with reflectors, and four Argand lamps, without reflectors. Building octagon, and painted white, and used both for light house and dwelling. This building was the same size as that at the "Devil's Island," but an addition was made to it, which renders it more comfortable for a family.

Arrived at this place the afternoon of the 17th August, landed stores and inspected the establishment. I found the dwelling portion clean enough, but the lantern, glass, lamps, &c., in a very dirty state. The building was also in a bad state of repair, and the repairs ordered by Mr. McKenna last year were not attended to.

This building will require considerable repairs to put it in order.

Mr. Howard, the keeper, did not reside at the light house, but left the premises in charge of a young brother, 17 or 18 years of age, who had a sister keeping house for him.

I visited this light house again on the 30th October. Since my last visit to it, Mr. Howard had been removed from the charge, and captain John Pettis appointed in his place. On my arrival, I found the light house, lamps, lantern, &c. in a filthy and disgraceful state. There was not a lamp fit for use, many of them were quite spoiled, the lantern was dirty and full of soot and oil, the glass of it broken in places, and some of the pains encrusted with dirt, and the whole establishment showing marks of culpable carelessness, and wilful neglect.

Captain Pettis informed me that the late keeper left every thing as I saw it, and also refused to give him any information respecting his duties. I took steps at once to put things in order in the lantern, and had some new lamps put up, and employed a carpenter and mason to do the necessary repairs. Previous to my leaving, I strictly informed captain Pettis to give his careful attention to the duties he had undertaken, and I left with the impression that there will not be again a similar case of disorder and neglect to notice respecting this light house.

#### No. 32.—APPLE RIVER LIGHT HOUSE.

GAIUS LEWIS, keeper ; salary, 100*l.* ; fuel money, 15*l.*; total, 115*l.* per year.

*Character of light.*—Two fixed horizontal lights show from two windows in the west end of the building. There are three catoptric lamps in use, with reflectors, and one Argand lamp, without reflector. Building square, and painted white, and used for light house and dwelling.

Arrived here the 20th August, landed stores, and inspected the establishment. I found the lamps, &c., in tolerable order. The building is in very good order, with the exception of being badly in want of painting, and some repairs to the cellar wall. I directed Mr. Lewis to have this attended to as soon as possible.

There has been, to my own knowledge, many complaints about this light being very dim, and at times scarcely visible. I cannot say whether the keeper neglected his duty at times, or not, but of one thing I am certain, that this light will never show to advantage until there is an alteration made in the windows where the lamps are placed, so as to cause the lights to have a wider range, and show more brilliantly. I consider the present arrangement of windows as capable of improvement ; and as this light is of  
much

much service to mariners, and is much looked for, it is of much importance that it should be a good one, and pains taken to make it as useful as possible. The point of land on which the light house stands has worn away very much of late years, and should the danger increase, it will be necessary to remove the building farther in from the point. This removal would be attended with the expense of a new cellar, walls, &c., and the erection of the chimney, but will be far less expensive than any attempt to erect any thing in the shape of an embankment or breakwater. The bank has crumbled within a few feet of the light house, but years may elapse before it will be necessary to remove the building.

Since I visited this light house, captain Fowler has been appointed to the charge of it in place of Mr. Lewis.

#### No. 33.—BLACK ROCK LIGHT HOUSE.

JOHN CLOTTY, keeper; salary, 100*l.*; fuel money, 15*l.*; total, 115*l.* per year.

*Character of light.*—A white fixed light from 8 catoptric lamps, with reflectors. Building square, and painted white, and used as a light house and dwelling, and is quite commodious. There is a small barn belonging to the establishment.

Arrived at this place on the 23d August, landed stores and inspected the establishment. I found lamps, lantern, and the whole of the interior of the building remarkably clean and neat. The building is somewhat out of repair inside. The plastering wants repairing, and also the lantern room. The building is also badly in want of painting inside, as it has never been painted since it was erected in 1848. The wall under the porch is defective, and I directed the keeper to have it repaired as soon as possible. The paint and oil for the building will be sent early next season, as there was no opportunity this fall to send it in time for doing the work properly.

#### No. 34.—MAUGHER'S BEACH LIGHT HOUSE.

DAVID GEORGE, keeper; salary, 100*l.*; fuel 20*l.*; total, 120*l.* per year.

*Character of light.*—A white fixed light from 6 lamps, with reflectors. The light house lantern is erected in the stone tower, which belongs to the Imperial government, but has been used for this purpose since 1827. The cost of converting the tower into a light house was incurred by the government of Nova Scotia.

There is a dwelling house for the keeper close to the light house, and also a small store or shed.

I visited this place on the 11th September. Found every thing in connection with the light clean and well attended to. The lantern and the roof required painting, and also to be rendered tight, as it leaked in several places. The dwelling house was in want of several repairs, and required painting outside. The shed attached to dwelling required repairing and the roof of it shingling.

I visited this place again on the 1st of October. The person sent to make the necessary repairs had nearly completed his work, which was all done in a manner satisfactory to myself and the keeper.

#### No. 35.—SAMBRO ISLAND LIGHT HOUSE.

WILLIAM GILKIE, keeper; salary, 100*l.*; fuel money, 20*l.*; total, 120*l.* per year.

*Character of light.*—A white fixed light from 13 lamps, 11 of them with reflectors, and exhibits a very powerful light. Light house is a large octagon stone building, encased in a wooden frame, boarded, and shingled. It is painted white.

There is a dwelling house for the keeper, and a store and oil house.

I visited this place on the 18th Sept., and inspected the establishment. I found the lantern, lamps, &c. in excellent order, and the buildings very clean and tidy.

The light house, porch, and adjoining parts were entirely decayed, the dwelling house porch, in a like condition, and several other repairs were required, as well as new porches. There was also plank and joist required for the covering of the well, and a new well curb, the old materials being quite rotten and unsafe.

There was also a new store required, the old one having fallen in from rottenness, and become worthless. This store was erected over the cellar, there being no cellar under the dwelling house, and in consequence of its state last winter, the keeper lost his supply of vegetables.

The repairs I have enumerated, as well as the store, should have been attended to long before this time.

I visited this place again on the 14th October, and gave the contractors for erecting the store final directions about the work. I also directed them to make the new porches required, to renew the well covering and curb, and do the other necessary repairs. I directed Mr. Gilkie to keep an exact account of the time occupied in this latter work. Mr. Gilkie has since then certified to the time and the faithfulness of the work done by the men employed. I consider this important light establishment as now being in first rate order.

#### No. 36.—DEVIL'S ISLAND LIGHT HOUSE.

EDWARD BOWEN, keeper; salary, 60*l.*; fuel money, 15*l.*; total, 75*l.* per year.

*Character of light.*—A fixed red light to seaward, from 5 catoptric lamps, with reflectors, and one Argand lamp without reflectors. Building octagon, and painted dark brown, except the lantern pedestal, which is painted white; there is a small building used as a store adjoining.

I visited this light house the 19th September, and found the lantern, lamps, &c., and the light house, clean and in the best order.

In my opinion, the true cause of the numerous complaints hitherto made of the dimness of this "light," arises from the fact of there not being lamps enough to create the brilliancy required. I have endeavored to supply that want in part, by putting a large extra lamp there. One reason why more lamps are required here, is the fact of the glass of the lantern being red, which causes more (much more) of the light to be absorbed than if the glass was white. I am inclined to think that since I have made the alteration alluded to, there is a change for the better in this "light." The keeper of Sambro light house, when I was last there, spoke to me of the improved appearance of the light, without knowing I had been there to make any alteration; he has done the same when lately in Halifax. His opportunities for observing the light at "Devil's Island" are of the best kind.

"Devil's Island" light is, from its important position, now as anxiously looked for by mariners as either Sambro or Maugher's Beach, especially by vessels coming from the eastward, and everything should be done to make it as effective as possible.

There are several repairs and improvements required at this place to render the building fit for a family to live in. The building was erected in 1852, and was never finished, with the exception of one room, where the keeper cooks, eats and sleeps, Mr. Bowen lives entirely alone, and assigns as his reasons for so doing, that he has no fit place to bring his family to, and his small salary will not enable him to hire any person. I think those reasons are just ones. His family reside in the Eastern Passage, two or three miles away from him; sometimes in stormy and wintry weather he does not see them for weeks.

I would strongly advise that next spring the building be made fit for a family to live in, for, in addition to the unpleasant position the keeper and his family are now in, the safety

*safety* of the light renders it necessary for more than *one* person to live in the building, and this for reasons that must easily suggest themselves.

Parrsborough light house was erected in a similar manner to this one, but has since been finished for a family to live in; something of the same kind requires to be done here. The outside of this building required painting very much—the paint and oil have been supplied for this purpose. The retorts, gas pipes, &c. at this place, intended for making Kerosene gas, have been sent to the lunatic asylum. The keeper, like many others, requested me to bring the lowness of his salary to the notice of the board, and hoped they would grant him an increase.

#### No. 37.—CROSS ISLAND LIGHT HOUSE.

JACOB SMITH, keeper; salary 100*l.*; fuel money, 15*l.*; total, 115*l.* per year.

*Character of light.*—A flash light in the lantern from 8 Argand lamps, without reflectors, and a fixed light in a bow window, underneath the lantern, from 4 Argand lamps, without reflectors. Light house an octagon building, painted red. There is a dwelling house close to the light house.

#### No. 38.—IRONBOUND LIGHT HOUSE.

JOHN WOLFE, keeper; salary, 75*l.*; fuel money, 15*l.*; total, 90*l.* per year.

*Character of light.*—A flash light from 8 catoptric lamps, with reflectors, the whole revolve once in 80 seconds, and show every 20 seconds a flash from 2 lamps at a time. The building is square and painted white, and used for light house and dwelling. There is a small store close to the light house.

#### No. 39.—PORT MEDWAY LIGHT HOUSE.

ELSON PERRY, keeper; salary, 50*l.*; fuel money, 15*l.*; total, 65*l.* per year.

*Character of light.*—A fixed white light from one catoptric lamp, with reflector, and two Argand lamps, without reflectors. Building small square one, painted white, with a black square on the seaward side, and is used for light house and dwelling.

#### No. 40.—GULL ROCK LIGHT HOUSE.

SAMUEL HAYDEN, keeper; salary, 80*l.*; fuel money, 20*l.*; total, 100*l.* per year.

*Character of light.*—A white fixed light from 6 catoptric lamps, 5 having reflectors. Building square, and painted white, and is used for light house and dwelling.

#### No. 41.—BACCARO LIGHT HOUSE.

JAS. S. SMITH, keeper; salary, 75*l.*; fuel money, £20*l.*; total, 95*l.* per year.

*Character of light.*—A flash light from six catoptric lamps, with reflectors, on triangular frames, which revolve every 90 seconds, and shews during that time three distinct flashes. Building square, and painted white, with a black ball on three sides, and is used for light house and dwelling.

This closes the list of light houses in the province, all of which I have personally inspected with the exception of the last five, viz: Cross Island, Ironbound, Gull Rock, Port Medway, and Baccaro. The supplies of oil and stores were sent to those places early in the season, and before I was appointed to office.

It was my intention to have visited them after I returned from refitting Parrsboro' light

light house, but my illness prevented me from so doing. I will, however, visit them as early as possible.

Many of the repairs I have mentioned as necessary, have already been done this season, and the accounts of the expenditure furnished. I have made it a rule to enforce upon the minds of the keepers, the necessity of economy in the use of their stores, and also the keeping of an exact account of the time of men employed, as well as seeing that their work was faithfully done in places, where I could not, at all times, exercise a personal supervision.

The remarks I have made respecting the salaries of the keepers, and their other complaints were caused by the requests of the parties complaining, some of them very justly remarking, that the superintendent was the only person they came in contact with, while in the discharge of their duties, and they look to whoever holds that office as the person to state their wants to the board.

Respecting the repairs already made, and the others enumerated by me as necessary to be made next season, I have been guided solely by the desire to place the buildings in proper order, as I do not deem it a wise economy to delay requisite repairs longer than is necessary to have the work properly done, as each months delay in the exposed situation of those buildings renders the cost of repairing much greater.

I am gratified in being able to state that with the exception of one case that I have noticed of what I deemed a gross neglect of duty, I have had scarcely any cause of complaint, and had not to find fault with more than one or two cases of want of attention, on the part of the keepers. Taken as a whole, the light house keepers are a correct, respectable class of men, and attentive to their duties.

I found in no light house any thing like printed or written instructions, the light house keepers are acting from verbal directions, and having no regular code of rules to guide them. I am compiling a code of regulations which I deem necessary for the light house service, as it will bring about uniformity of action, and always be a guide to both old and new keepers. When I have this code completed, I will respectfully submit it for the consideration of the board.

I have completed my remarks respecting the light houses now in operation.

And remain,

Your obedient servant,

WILLIAM CONDON,  
Superintendent board of works.

S. S. THORNE, esquire, chairman of the board of works.

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PART 2.

CORRESPONDENCE RESPECTING LIGHT HOUSES.

[COPY.]

“*Indus*,” at *Halifax*, November 26th 1857.

SIR,—

Before quitting this part of the station for Bermuda, I am desirous of bringing under your excellency's notice officially, what I have already stated in conversation, that it has been remarked by commander Shortland and other officers employed on the survey of the Bay of Fundy, as well as on two occasions, by commander Phagre of the *Basilisk*, that the lights on part of the coast of Nova Scotia are not lit till some time after dark, and that in some instances they have been indistinct, and apparently carelessly attended to during the night. The cases of late lighting, particularly mentioned, were once at Point Lepreau, several times at Apple River light, and at Seal Island light.

This last, as well as the Devil's Island light, were also mentioned as being indistinct at only a short distance from them in clear weather.

As your excellency has already assured me that orders should be given, enforcing more careful attention in future, I need only observe that navigators attach great importance to the early lighting of the coast lights, which, I am of opinion, should take place on all occasions a little before sunset.

With regard to the Seal Island light, I understand that the lamp and reflectors are of old construction, and do not exhibit so brilliant a light as those of newer construction. It is therefore worthy of consideration whether an improvement in this respect should not be made.

From conversations I have had with commander Shortland and others on the subject generally, I am under an impression that the sites for the light houses have not always been judiciously selected for marking the off-lying dangers; for instance, the Bragil rock is marked by Baccaro light, whereas a light on the extreme point of the salvages to the eastward of that point, would equally well mark the Bragil, and serve better for purposes of coast navigation.

Two lights are very much wanted to facilitate the navigation from Sambro to Seal Islands—to Cape Sable. This being the turning point entering the Bay of Fundy from the eastward, should have a first class light placed upon the extreme point, and a fog bell would be found highly useful to warn vessels of their danger during foggy weather. The light should be mounted on a tower, and not on the roof of an ordinary dwelling house, it being very difficult in day time to distinguish a light house from any other when they are constructed upon the ordinary dwelling house form.

2. *Little Hope Island*.—This being only twelve feet above water, is a danger lying in the track of vessels bound either way; a beacon is at present established on it, but a second class light might be placed there with great advantage to the general navigation of that part of the coast.

It has also been pointed out to me that "Isle Haute" should have a first class light placed upon the highest part of the island, which would keep vessels clear of that well known danger—the Quaco ledge—which lies W. by N.  $\frac{1}{2}$  N, 16 miles from it.

And as "Petit Passage" is much in want of a light, I would suggest that one of the third class would be found sufficient for that navigation, and that it be placed upon "Eddy Point," which may be approached within fifty fathoms by a vessel of any draught of water.

Vessels bound either way would find this highly useful. I understand it was proposed to place the light upon the "Boar's Head," but as the land to the southward would shut it in if placed there, one half of its utility would be lost.

It is matter of surprise and regret to me, that the commissioners of light houses in Nova Scotia should not have been more anxious to avail themselves of the knowledge and experience of the officers who, for a long series of years, and at so great expense, have been employed by her majesty's government to survey the coasts of this province and the Bay of Fundy; and I think that were the suggestions of the officer in charge of the survey to be attended to in future, it might be the means of improving the lights for the purposes of coast navigation, and of obviating the expenditure of large sums of money for the construction of light houses that serve only the interests of a few fishermen or other persons in certain localities.

I have the honor to be, sir,

Your excellency's most obedient humble servant,

(Signed)

HOUSTON STEWART,  
Vice Admiral and commander in chief.

To his excellency major-general

Sir J. GASPARD LEMARCHANT, lieutenant-governor, Halifax

## PART 3.—(See page 528.)

## REPORT OF COMMITTEE ON NAVIGATION SECURITIES

The committee on navigation securities beg to state that they have carefully considered all matters referred to them, and report as follows, viz :

On fourteen petitions, praying aid to breakwaters.

Thirteen, for canals and the clearing of rivers.

Five, for aid to steam navigation—for which they do not recommend any grants.

On petition of the inhabitants of Parrsborough, praying that the sum usually granted to the Horton packet, should hereafter be paid to the owners of a vessel owned in Parrsborough, do not recommend any change.

They recommend the following grants in aid of ferries :

To the ferryman at Little Bras d'Or, in addition to the sum formerly granted,	£10	0
To Peter Fraser, at Lennox passage, county of Richmond, in addition to the sum of ten pounds formerly granted in consideration of additional service with mails,	5	0
To Alexander Ross, at Little Narrows, between Inverness and Victoria counties, same sum as granted in 1857,	2	10
To Donald Ross, at Big Harbour, Great Bras d'Or, for extra service with mails,	5	0
To Joseph Pernette and Charles Pernette, at LaHave, for extra service conveying mails, each,	2	10
To Roderick McLeod at the entrance of Great Bras d'Or, and to the ferryman on the opposite side, instead of £7 10s. formerly granted to one person.	5	0
To John Regan, Sheet Harbor, in addition to the grant of last year,	2	10
To the ferryman between Granville and Digby, to aid in repairing horse boat,	7	10

On petition of inhabitants of Molasses harbor, recommend grant of 1857 to be continued.

On petition of John McDonald Port LeHebert, and James Hall, do not recommend any grant.

Your committee have noticed the report made by the committee on navigation securities last year, recommending that no grant thereafter be made in aid of ferries, except upon special petition, in which should be stated the rate of charge established by the court of sessions for passengers, &c., under whose jurisdiction they were, together with an account of the amount received from passengers and travel, duly attested to, and regret that such recommendation has not been complied with in a single instance. Your committee now recommend that a circular be sent at an early day, to every ferryman receiving provincial aid, with the report of the committee of 1857, distinctly stating that unless complied with, no payments will be made on account of grants, or grants hereafter made.

We have also had under our consideration the numerous applications for increase of pay in consequence of conveying the mails, and recommend that hereafter in all mail contracts offered for tender, it should be distinctly stated that the tenders must include the expense of ferriage, if any.

On petition of the inhabitants of Richmond county, do not recommend any grant for steam navigation on the lake. Refer the part referring to road appropriation to the members of the county. Make no recommendation in reference to St. Peter's canal.

On petition of Stephen McPherson, praying that a sum of money due from John McLeod, contractor, should be paid him from the treasury, the committee beg to state that they have made enquiry of the commissioners that have had the work in charge, as to the nature

of McPherson's claim, who stated that they did not consider McPherson's claim—in distributing the amount granted last session, to be distributed among the labourers remaining unpaid—as he, Mr. McPherson, was clerk and book keeper to the contractor. Do not recommend any grant on petition of the inhabitants of Annapolis for aid to a road over marsh land—and refer the petition to the members of the county.

On the subject of light houses, the committee have carefully examined the superintendent's report, it gives a particular description of each light house and humane establishment visited, embracing all under his charge except Cross Island, Ironbound, Gull Rock, Port Medway and Baccaro, the supplies for which had been forwarded before his appointment, these he states will be visited first in order this spring. The committee have particularly noticed the reference made by him to the light house keepers' accommodation, and would recommend such alterations made as would effect the object so much desired, believing so valuable a class of men should have comfortable dwellings for themselves and families.

The superintendent reports that a number of the keepers complain of their salaries being inadequate, and your committee having been furnished with a list of all the light houses, names of keepers, with salaries attached, find a great disproportion in the amounts paid; those of long service having about £100 each per annum, and appointments made within the last eight years, from £60 to £80 for coast lights, and from £35 to £60 for Harbour and Beaver lights, and after duly considering the subject, recommend the following alteration in salaries :

To the keeper of Flint Island light,	£80 instead of	£60
Margaree,	80	“ 60
White Head,	80	“ 60
Devil's Island,	80	“ 60
Sand Point light,	60	“ 50
Arichat,	50	“ 35
Apple River,	80	“ 100
Parrsboro',	50	“ 60

These two last appointments having been made during the last year, should have been put on the lower scale at the time, not in the higher.

The superintendent reports that the light house keepers are a very respectable class of men, worthy of the confidence reposed in them—keeping their respective establishments neat and clean, except in one or two cases, and that he has enjoined on them the necessity of the most rigid economy, in the use of light house stores.

Superintendent states in his report to the board of works, which has been laid before your committee, that during his tour of inspection to the different light houses and humane establishments, he has visited and personally inspected all the sites of lights recommended by former committees, except the Isle of Haute, when passing which, the weather was unfavourable, and nothing could be gained by waiting, as the only site spoken of, is the highest part of the Island, which is now a forest. He is of opinion that Liscomb Island is preferable to Wedge Island for a coast light, having visited it in company with captain Daly, who entertained the same opinion; it being in the vicinity of a good harbour that can be visited by day or night; whereas, Wedge Island is off St. Mary's, a harbour only accessible by day, having a bar at its mouth.

The vice admiral's letter to the lieutenant governor has had our best consideration; and your committee recommend the suggestions therein contained, to be acted upon as far as circumstances will permit. On the despatches from the colonial secretary, and an order of her majesty in council, with copy of a letter from the lords of the committee of privy council for trade, all having reference to the light house service, of this, as well as other colonies, and particularly to the collection of dues in this province in aid of Cape Race light; your committee are fully aware that the principles laid down in these papers, in

reference

reference to the placing and distinguishing of lights are correct, but think that carrying on a correspondence with the committee of the privy council on trade, before fixing on any light to be hereafter erected in this province, would be attended with delay, without any corresponding advantage; yet, as soon as a light is determined, the fullest information in reference thereto, should be immediately forwarded to the board of trade. Your committee also recommend that measures should be adopted for the collection of dues in aid of Cape Race light, also that the government should put themselves in correspondence with the board of trade, to induce the erection of a first class light at Cape Sable, to be supported by a general tax on shipping passing it.

On petition of captain Daly for lights on Sable Island, are of opinion that lights there would be of great advantage to the trade between Europe and America, but of no particular advantage to Nova Scotia, and if erected, should be at the cost of the shipping passing that Island, and on the principle of Cape Race light.

On despatch from the governor of Prince Edward Island, in reference to lights there, your committee do not deem them of sufficient importance to the trade of this Province, to warrant any additional charge on our shipping, particularly as Nova Scotia is really the outlying danger to Prince Edward Island, and principally supports, at present, no less than twelve lights, available for all the trade of that Island, to and from the Atlantic ocean.

On petition for lights at Cape St. Mary's and Tuskent Island, do not recommend any grants.

On petition of inhabitants of Maitland, praying that the light recommended in 1855 at Burncoat, in Hants county, should be proceeded with, report that that light now stands fifth on the list, the whole number being ten, as per statement herewith.

Your committee submit to the house whether, in their opinion, the policy heretofore adopted, of recommending lights to be built, year after year, without providing adequate funds, is the right principle—they believe it is not, and recommend that no light not actually commenced, should have any preference, if a stronger case is made out, even if the application should be for the first time made. With this view, we recommend the light house at Burncoat Head be at once proceeded with; and from information obtained by your committee, and from the personal knowledge of some of them, we are of opinion that the next light erected should be on the most eligible site, to point out the dangers in the vicinity of Jeddore, and if sufficient funds remain unexpended, granted for the erection of light houses, that it be proceeded with.

On petition of inhabitants of Margaretville in reference to a light at that place, and from the inhabitants of Port Williams, in favor of their locality, your committee report that a light was recommended by a committee to be erected at Margaretville, in the county of Annapolis, in session of 1856; that Margaretville is distant about 20 miles westerly from Black Rock light, and Port Williams 35 miles. Margaretville is the place having the greatest trade; that Port Williams is a growing place, and being near half way between Black Rock and Annapolis, is the most eligible for a coast light; but your committee are of opinion that no case has been made out for the necessity of a coast light in that vicinity, but are aware of the great importance a light would be at the end of each wharf on that bleak coast, particularly as these places of refuge can only be approached at tide time; and without reference to any general trade, recommend that lantern lights, without buildings, be established at Margaretville and Port Williams, and the sum of twenty pounds allowed the keepers thereof.

To erect the lights now recommended, at a moderate estimate will cost 5 or £6000, beside their yearly cost. There was expended in maintaining the thirty-eight lights supported wholly or in part by this province, in 1857, £7500, and the light dues collected about £7000.

Nova Scotia has, as before stated, thirty-eight light houses, besides humane establishments, which in proportion to population and resources, must far exceed those of any other country, and being as we are, the breakwater for nearly all the lower provinces,  
your

your committee believe the amount contributed by New Brunswick, Canada and P. E. Island, entirely inadequate to the advantages they receive, and that a more equitable adjustment should be agreed on. Herewith is list of lights, with keepers' salaries, &c.

We have had submitted to us the expenditure for fog bell at Yarmouth; whole cost of erection £663 11s., leaving now due £163 11s., which we recommend to be granted; also recommend that J. C. Fox, the keeper, be paid £12 10s. for past years services, and £12 10s. for the year 1858. Would not recommend any further expenditure for fog bells, until the usefulness of that at Yarmouth is more fully tested.

Your committee have had brought to their notice the great necessity there is for a signal gun at Cape Canso light, and recommend that a suitable gun be placed there, to be fired every two hours in foggy weather.

All which is respectfully submitted.

Committee room, April 19, 1858.

THOMAS KILLAM, chairman.  
GEORGE McKENZIE,  
T. D. RUGGLES,  
BENJAMIN RYNARD,  
C. R. BILL,  
T. H. FULLER.\*

\* Except as to the petition of the inhabitants of Richmond.

GRANTS ON NEW LIGHT HOUSES SINCE 1851.

1852,	Appendix 51,	£1500	0	0
1853,	Appendix 46,	800	0	0
1854,	Appendix 58,	2000	0	0
1855,	Appendix 79,	1000	0	0
1856,	Appendix 53,	1500	0	0
1857,	Appendix 61,	1000	0	0
		<u>£7800</u>	<u>0</u>	<u>0</u>

EXPENDITURE.

1852, Devil's Island, Parrsborough,	£677	5	4	
	250	0	0	
				£927 5 4
1853, Pubnico, White Head, Pictou Island, Port Hood, Gull Rock,	170	2	5	
	385	7	8	
	350	16	0	
	347	11	3	
	271	13	4	
				1475 10 8
1854, Gull Rock, Margaree, Pictou Island,	79	18	6	
	476	16	6	
	164	9	3	
				721 4 3
1855, Margaree, Iron Bound, Fort Point,	82	7	4	
	735	5	6	
	230	3	9	
				1047 16 7
1836, Flint Island,	1011	19	11	
				1011 19 11
				<u>£5185 16 9</u>

Light

## LIGHT HOUSES RECOMMENDED, BUT NOT YET BUILT.

Boars Head, Isle of Haute, west end, Scattarie—Recommended in 1854 ; *see journals*, p. 534.

Wedge Island, Burncoat—Recommended in 1855 ; *see journals*, p. 702.

Margaretville pier, Great Bras d'Or, Barrington—Recommended in 1856 ; *see journals*, p. 680.

The present grants are insufficient for the erection of the above.  
Board awaiting the action of the legislature.

Office of board of works,  
Halifax, 16th March, 1858.

S. S. THORNE, Chairman.

Whole amount paid for 1857,		£9607	10	2
Credits,		896	1	7
		£8711	8	7
Canada pays for St. Paul's and Scattarie,	630	16	8	
New Brunswick,	250	0	0	
Prince Edward Island,	37	17	0	
Also, New Brunswick for Brier and Seal Island lights,	298	6	4	
		1217	0	0
		£7494	8	7
Light duties collected, 1856,	£7250.			

## LIGHT HOUSES—KEEPERS' SALARIES.

	Salary.	Fuel allowance.
1. Sambro, William Gilkie, (fuel furnished by board of works),	£110 0 0	£20 0 0
2. Cross Island, Jacob Smith,	100 0 0	15 0 0
3. Ironbound, Benjamin Fulker,	75 0 0	15 0 0
4. Port Medway, Elson Perry,	50 0 0	15 0 0
5. Liverpool, Coffin's Island, John McLeod,	100 0 0	15 0 0
6. Gull Rock, Samuel Hayden,	80 0 0	20 0 0
7. Shelburne, A. H. Coken,	100 0 0	20 0 0
8. Barrington, James S. Smith,	75 0 0	20 0 0
9. Pubnico, Maturine Amiero,	50 0 0	10 0 0
10. Yarmouth, C. J. T. Fox,	100 0 0	20 0 0
11. Westport, Peter's Island, John D. Suthern,	60 0 0	15 0 0
12. Annapolis, Frederick Bragg,	100 0 0	15 0 0
13. Black Rock, John Crotty,	100 0 0	10 0 0
14. Horton Bluff, James Lockhart,	50 0 0	8 0 0
15. Parrsborough, John Pettis, senr.,	60 0 0	10 0 0
16. Apple River, John Fowler,	100 0 0	15 0 0
17. Fort Point, Samuel Sellon,	50 0 0	10 0 0
18. Brier Island, John Suthern, New Brunswick, annual grant to this light, £100,	100 0 0	15 0 0

	Salary.	Fuel allowance.
19. Seal Island, Richard Hichens, New Brunswick, paying one-half expenditure for this light,	100 0 0	20 0 0
20. Maugher's Beach, David George, Fuel furnished by board of works,	100 0 0	20 0 0
21. Devil's Island, Edward Bowen,	60 0 0	15 0 0
22. Beaver Island, Simon Fraser,	100 0 0	15 0 0
23. White Head, Patrick Dillon,	60 0 0	20 0 0
24. Cranberry Island, James Hanlon,	100 0 0	18 0 0
25. Guysborough, Godfrey S. Peart, (salary and fuel),	30 0 0	
26. Arichat, Joseph Corte	30 0 0	8 0 0
27. Sand Point, Joseph Mundell,	50 0 0	20 0 0
28. North Canso, George McKay,	100 0 0	15 0 0
29. Port Hood, Thomas Power,	60 0 0	10 0 0
30. Pictou Harbour, H. B. Lowden,	100 0 0	15 0 0
31. Pictou Island, William Hogg,	60 0 0	20 0 0
32. Margaree, N. C. McKeen,	60 0 0	20 0 0
33. Low Point, Robert McNab,	100 0 0	15 0 0
34. Louisburg, Lawrence Kavanah,	100 0 0	15 0 0
35. Flint Island, George Cann,	60 0 0	20 0 0
36. St. Paul's, N. E., Walter McKay, self and man,	90 0 0	15 0 0
37. St. Paul's, S. W., Norman Campbell, ditto,	90 0 0	15 0 0
38. Scattarie, Edmund J. Dodd, self and 3 men,	190 0 0	15 0 0
J. C. Campbell, superintendent St. Paul's Island, receives	190 0 0	15 0 0
Canada pays into the treasury of Nova Scotia, annually,	£500 0 0	
New Brunswick,	250 0 0	
Nova Scotia,	250 0 0	
P. E. Island,	30 0 0	
And Canada and P. E. Island pay their proportion of over-expenditure. Nova Scotia pays New Brunswick's proportion over-expenditure, as well as her own.		

J. B. McNAB.

Office of board of works,  
Halifax, March 15th, 1858.

No. 18.

(See page 414.)

## ANNUAL REPORT ON PENITENTIARY.

NUMBER OF CONVICTS RECEIVED AND DISCHARGED FROM THE PROVINCIAL PENITENTIARY, AND  
ABSTRACT OF LABOR PERFORMED IN EACH DEPARTMENT, FROM 1ST JANUARY TO  
31ST DECEMBER, 1857.

## Labour performed in stone cutting and masonry

	No. of days		No. of days.
January 31,	166	August 31,	104
February 28,	106	September 30,	104
March 31,	156	October 31,	108
April 30,		November 30,	104
May 31,		December 31,	130
June 30,	185		
July 31,	136		
		Total—	1302

## Labour performed in prison, such as cleaning, washing and cooking for establishment.

	No. of days.		No. of days.
January 31,	39	August 31,	62
February 28,	62	September 30,	60
March 31,	62	October 31,	62
April 30,	84	November 30,	60
May 31,	31	December 30,	62
June 30,	30		
July 31,	51	Total—	665

## Labour performed in leveling yards, &amp;c.

	No. of days.		No. of days.
January 31,	78	August 31,	12
February 28,	24	September 30,	
March 31,	70	October 31,	6
April 30,		November 30,	
May 31,		December 31,	985
June 30,			
July 31,	10	Total—	1185

## Labour performed in Blacksmith's shop.

	No. of days.		No. of days.
January 31,	27	August 31,	26
February 28,	24	September 30,	26
March 31,	16	October 31,	13
April 30,		November 30,	26
May 31,		December 31,	26
June 30,			
July 31,	22	Total—	206

## Labour performed in Shoemaker's shop.

	No. of days.		No. of days.
January 31,		August 31,	14
February 28,	24	September 30,	26
March 31,	24	October 31,	13
April 30,	26	November 30,	
May 31,	11	December 31,	13
June 30,			
July 31,			
		Total—	151

## Labour performed on farm, clearing land, making dry wall, and breaking stones.

	No. of days.		No. of days.
January 31,		August 31,	
February 28,	35	September 30,	
March 31,		October 31,	
April 30,	176	November 30,	
May 31,	209	December 31,	
June 30,	73		
July 31,	16		
		Total—	509

## Labour performed in Tailor's shop.

	No. of days.		No. of days.
January 31,		August 31,	37
February 28,	24	September 30,	26
March 31,	11	October 31,	14
April 30,	26	November 30,	30
May 31,	26	December 31,	36
June 30,	34		
July 31,	27		
		Total—	291

## Labour performed in womens' department.

	No. of days.		No. of days.
January 31,	96	August 31,	78
February 28,	72	September 30,	52
March 31,	78	October 31,	62
April 30,	40	November 30,	40
May 31,	26	December 31,	19
June 30,	52		
July 31,	108		
		Total—	723

## Labour performed in attending sick in hospital.

	No. of days.		No. of days.
January 31,	11	August 31,	
February 28,		September 30,	
March 31,	15	October 31,	
April 30,		November 30,	
May 31,		December 31,	
June 30,	9		
July 31,			
		Total—	66

Amount

Amount of produce raised on Provincial Penitentiary farm, 1857.

Tons of hay,	3	Dozens of cabbage,	2½
Bushels of potatoes,	33	Dozens of corn,	6
Bushels of carrots,	4	Quarts of gooseberries,	18
Bushels beets,	1½	Bunches of rhubarb,	36
Bushels beans,	1	Squash and pumpkins,	24

Labour performed in attending stock.

	No. of days		No. of days.
January 31,	93	August 31,	62
February 28,	84	September 30,	60
March 31,	93	October 31,	62
April 30,	76	November 30,	60
May 31,	71	December 31,	62
June 30,	60		
July 31,	62		
			Total 845

Labour performed at Carpenter's work.

	No. of days.		No. of days.
January 31,		August 31,	71
February 28,		September 30,	68
March 31,		October 31,	72
April 30,		November 30,	56
May 31,		December 31,	73
June 30,			
July 31,	10		
			Total—350

Number of days in solitary confinement.

	No. of days.		No. of days.
January 31,	109	August 31,	155
February 28,	112	September 30,	150
March 31,	124	October 31,	155
April 30,	120	November 30,	150
May 31,	135	December 31,	155
June 30,	150		
July 31,	155		
			Total—1670

Labour performed in quarry.

January 31, No. of days, 66—February 28, 39—Total, 105.

Number of convicts received and discharged from Provincial Penitentiary from January 1st to December 31st, 1857.

No. of males received,	- - - - -	41
females received,	- - - - -	3
males discharged,	- - - - -	45
females discharged,	- - - - -	7
male convicts in prison to December 31st, 1857,		20
female convicts in prison, none.		
Average per annum,		38½

Amount

## Amount of clothing issued to convicts, from January 1st to December 31st, 1857.

	No.		No.
Pairs of drawers,	22	Jackets,	5
“ shoes,	31	Pairs of blankets,	13
“ socks,	71	“ rugs,	
Cotton shirts,	44	“ sheets,	5
Woollen shirts,	53	“ pillow cases,	5
Comforters,	30	“ mittens,	25
Caps,	22	“ trowsers,	38

## Amount of clothing issued to female convicts, from January 1st to December 31st, 1857.

	No.		No.
Pairs of chemise,	6	Pairs of new stockings,	10
“ cotton jackets,	4	“ footed stockings,	4
Cotton petticoats,	2		

## Amount of clothing on hand, December 31st, 1857.

	No.		No.
Pairs of new drawers,	7	Caps,	15
“ new trowsers,	10	Pairs of old trowsers,	11
New jackets,	6	Old jackets,	2
“ woollen shirts,	3	“ woollen shirts,	13
“ bedticks,	16	“ cotton shirts,	2
“ pillow cases,	14	“ bedticks,	7
“ canvas sacks,	8	“ pillow cases,	7
Towels,	27		

## Amount of females clothing on hand, December 31st, 1857.

	No.		No.
New pairs of chemise,	4	Jackets, $\frac{1}{2}$ worn,	4
Petticoats, $\frac{3}{4}$ worn,	4		

## Amount of tools on hand in mason's shop, December 31st, 1857.

	No.		No.
Points,	70	Axes,	2
Chissels,	39	Hammers,	5
Mesh hammers,	7		

## Amount of iron on hand in Blacksmith's forge, December 31st, 1857.

Iron bars,  $10\frac{1}{2}$  inches,  $4\frac{1}{2}$  cwt.

I have the honor to be

Your very obedient servant,

WILLIAM FISH, superintendent.

Provincial penitentiary, January 18th, 1858.

Returns made to S. S. THORNE, esquire, chairman of board of works.

## PART 2.—(See page 511.)

## REPORT OF COMMITTEE ON PENITENTIARY.

The committee on the penitentiary beg leave to report as follows :

That they have examined that establishment, and find it in good order, and well conducted. During the past year 44 prisoners were received, and 52 were discharged ; and on the 31st December last there were 20 prisoners in the establishment.

Your committee have examined the report of the chairman of the board of works, by which it appears that the sum of £1876 0s. 4½d. was paid during the past year. Your committee have examined the various vouchers, and have to report the following particulars of expenditures connected with the establishment during the past year :

*Salaries :*

Mr. Fish,	£150	0	0	
Matron,	25	0	0	
Under keeper,	68	0	0	
Ditto,	37	0	5	
Ditto,	58	0	0	
Ditto,	20	13	4	
Dr. Black,	50	0	0	
Chaplain,	25	0	0	
	<hr/>			£433 13 9
Dr. Black, for 1856,				50 0 0

*Building :*

Carpenters,	£56	7	6	
Masons,	68	12	9	
Blacksmith,	91	5	0	
Granite,	253	15	5	
Lumber, &c.,	53	18	9½	
Pump,	4	15	0	
Lime, sand and cement,	58	17	0	
Iron, steel and hardware,	105	11	4	
Advertising,	13	3	5½	
	<hr/>			706 6 3

*Provisions :*

78 cwt. oatmeal,	78	0	0	
71 do. bread,	86	9	2	
1413 loaves bread,	17	13	3	
31 barrels corn meal,	26	4	0	
25 do. flour,	15	12	6	
200 bushels potatoes,	13	18	9	
193 do bran,	10	5	3	
20 do turnips,	2	0	0	
ox heads and feet,	67	7	11½	
390 gallons molasses,	45	10	0	
31 bushels peas,	11	7	4	
80 lbs. tea,	6	19	6	
548 lbs. soap,	7	19	10	
15 qtls. codfish,	13	18	3	
	<hr/>			403 5 9½

Other

*Other charges :*

Clothing,	£139	17	9	
Leather,	10	17	6	
Straw, hay, &c.,	17	17	3	
Tobacco,	4	16	10½	
11½ chaldrons coals,	18	3	6	
32½ cords wood,	23	1	9	
60½ lbs. candles,	3	0	6	
30½ bushels salt,	3	1	0	
Tinware, stoves and pipe,	17	1	9	
Truckage,	8	13	9	
Sundries,	36	2	11½	
				<u>282 14 7</u>
				£1876 0 4½

Cr.

*Cash support :*

Naval prisoners,	£13	0	0	
Articles sold,	13	17	8½	
				<u>26 17 8½</u>
				£1849 2 8

Of this sum £235 16s. 8½d. was paid for 1856, and £63 10s. 6d. has been expended in feeding the pigs which are kept at the establishment for distribution. Deduct from the above for these services,

299 7 2½

Leaving a balance of

£1549 15 5½

And your committee recommend that the sum of £1500 be granted for the support of the establishment in the present year.

There remained on hand at the close of the year, 48 bushels of lime, 354 bushels of sand, 235 tons granite, 20 bushels potatoes, 26 chaldrons coals, 1½ cords wood. The stock of clothing for the prisoners is about the same as at the close of 1856.

In the years 1854, 1855, 1856 and 1857, 193 pigs have been distributed, as follows : Annapolis 6, Cape Breton 8, Colchester 20, Cumberland 4, Digby 4, Guysborough 8, Halifax 81, Hants 14, King's 6, Lunenburg 16, Pictou 2, Queen's 2, Sydney 7, Shelburne 4, Yarmouth 2, Newfoundland 3, New Brunswick 2, Bay of Islands 4, and 11 remain on hand, which, with the bull kept on the premises, your committee recommend to be sold before the close of the present session.

On the petition of Mr. Fish, the committee recommend that the sum of £10 be added to the salary of the matron.

On the petition of Rev. H. Pope, the committee recommend that the sum of £10 be allowed to furnish him with a conveyance. These two sums will raise the salaries of the establishment to the sum of £453 13s. 9d.

During the past year, considerable addition has been made to the prison wall, and a new building has been erected, containing blacksmith's shop, carpenter's shop, and shed for stone cutting, at a cost, as near as it can be estimated, of £706 6s. 3d.

Deducting

Deducting this sum from the above amount of £1549 15s. 5½d., and there remains the sum of £843 9s. 2½d. as the actual cost of guarding and maintaining the prisoners; the average number was 38½; the cost, therefore, of each one to the province was £21 18s., or thereabouts.

All which is respectfully submitted.

Committee room, March 30th, 1858.

ROBERT ROBERTSON, chairman.  
SAMUEL CHIPMAN,  
M. ROBICHAU,  
E. D. DAVISON,  
EZRA CHURCHILL,  
HENRY BAILLY,  
THOS. CALDWELL.

No. 19.

(See page 415.)

## REPORT OF CHAIRMAN OF BOARD OF WORKS.

Office of Board of Works,

Halifax, January 11th, 1858.

SIR—

I beg respectfully to submit, for the information of his excellency the lieutenant governor, the report of the board of works on the several departments under its supervision, for the year 1857.

### PENITENTIARY.

The number of prisoners now in custody is twenty; the average for the year being thirty-eight and a half. The large increase (and consequent expenditure) during the year, was caused by the reception of prisoners from H. M. ships of war during the summer, as will more fully appear on reference to the annual report of the superintendent, which is herewith submitted. The number of keepers has been the same as last year. There has been an outlay of 254*l.* for granite; continuing the walls round the prison yard, involving the removal of the old work shed; a new one has been built in a more substantial manner, (thoroughly shingled and furnished with a stove), conveniently arranged with blacksmith shop and stone-cutting room, the whole attic forming carpenter's shop; large addition has been made to the granite wall; a cess-pit (of granite) constructed for manure; considerable improvement made to the sea wall; and also to the interior of the prison, in new stoves and pipe, cross bars to windows, &c. The expenditure, including 63*l.* 10s. 6d. cost of pigs kept for improvement of stock, 1876*l.* 0s. 4½., (235*l.* 16s. 8½d. of which was for 1856), with a credit of 26*l.* 17s. 8½d., will favorably compare with the previous year.

As it is desirable that the granite wall should be progressed with as rapidly as possible, and a probability of an increase of prisoners, the amount required for the current year will be 1700*l.*

### PUBLIC BUILDINGS.

Although the amount paid, 2680*l.* 18s. 10d., appears large, the council chamber and assembly room having been recently fitted up, the outlay for the past year is comparatively small—government house 415*l.* 2s. 3d.; provincial buildings 756*l.* 7s.

The

The out-building of government house require extensive repairs, if not re-building. The fences are in a dilapidated state, particularly that portion on Spring Garden road, which is but temporarily fastened up for the winter. Some outlay in the spring will be indispensable.

The roof and water courses of the provincial building will require some improvement to prevent leakage; the foundation and sewerage are demanding attention. It is very desirable that some more efficient mode of heating this building should be adopted, and as heating by steam is about being tried at the hospital for the insane, at Dartmouth, should it prove satisfactory, it might be advisable to apply it here.

#### HOSPITAL FOR INSANE.

The work is progressing as favorably as could be expected under existing circumstances. The exterior walls were finished, and the roofing completed in November; the interior lathed, and one coat plaister put on the greater portion; the deafening done, and about two thirds of the floors laid. All the window frames, and a portion of the door frames are in, but being unable to get the iron sashes made agreeably to contract, the windows had to be boarded up, causing a delay in finishing the interior, and compelling the board to substitute oak sashes instead, which have been contracted for, and will shortly be put in.

Two boilers, and requisite amount of pipe, have been imported from Scotland, and are now being put up for purposes of heating the building by steam. Some improvements have been commenced to the grounds. A new road, substantially built of broken stone, nearly completed; drains round and leading from the building to a large extent finished; but in excavating for the drains immediately round the building, it was discovered that the foundation wall was defective on the outer face, and not built at all in accordance with the contract, being in some places of loose rubble stone, with but little mortar (and of an inferior quality), in consequence of which the building had settled unequally, causing rents in the brick walls, and breakage of over twenty of the granite window sills in the basement.

To remedy, as far as possible, this defect in the foundation, it was necessary to spall up, and in some places build an outer wall, which work was finished in December, at a heavy cost of 306*l.* 13*s.* 9*d.*

The brick used during the season were made on the yard of the grounds, and there is a surplus of 150,000 available when the detached buildings for heating, lighting, &c. are being constructed. The amount expenditure for last year is 8313*l.* 19*s.* 8*d.*, the amount of cost previous to 1857, including purchase of ground, 12,532*l.* 1*s.* 9*d.*, making the total cost, including the 10 per cent. (on contractor's bills) retained agreeably to contract, 21,331*l.* 2*s.* 6*d.*

An estimate is herewith submitted of the probable amount required to finish and furnish the section of the hospital, now commenced, for the reception of patients; the erection of detached buildings for culinary purposes and generating gas, steam, &c. Also the probable cost of securing a supply of water, which is indispensable for purposes of the institution.

Insurance against fire has been effected on the building for 6000*l.*, at 10*s.* per cent. per annum.

#### LIGHT HOUSES.

All the lights have been kept in operation, and repairs made at many of the stations. That of Sambro, among other requirements, a new store for oil, &c., which was contracted for, and has been finished. A new lantern has been provided for Shelburne, and will be put in its place early in the spring. A few gross lamp glasses imported for

for

for the service, some expressly for St. Paul's and Scattarie. A fog bell has been erected at Yarmouth, but the accounts in connection therewith not having been presented, the cost cannot be stated. The board were anxious to ascertain the cost and working of this bell before proceeding with the erection of the one on Cranberry Island, (Cape Canso).

The season being far advanced when the present board was formed, it was deemed prudent to postpone advertising for the erection of light houses as recommended by the committee on navigation securities last session; and on reference to the grants, it will be found that the undrawn balance is altogether inadequate, and a further grant will be necessary to enable the board to carry out this service.

The expenditure for light houses, (deducting £3015 5s. 10d., balance paid for 1856) is £8516 7s. 9d., from which a credit of £58 12s. 8½d., sales refuse oil, corks, &c., leaves £8457 15s. 1d. nett, against which there is in our light house store a considerable amount of property—memorandum of which is annexed.

The superintendent having visited nearly all the light stations, east and west, during the season, his report on that service is herewith submitted.

A communication from his excellency the vice admiral to his excellency the lieutenant governor, in reference to the general light house service of the province, with our superintendent's report thereon, is also submitted.

#### SABLE ISLAND.

This establishment, under the supervision of P. S. Dodd, esquire, has progressed satisfactorily. A new barn has been erected. Two new boats (built by contract) for the transport of wrecked property, have been sent to the island; the material and finish of which do the contractor much credit.

There has been no wrecks during the year. Cost of establishment, including supplies for the present winter, £1367 12s. 1½d.; balance paid for 1856, £235 8s. 5d.

The schooner "Daring" has made her usual number of visits to Sable Island; conveyed the oil and stores to most of the light houses, including St. Paul's and Scattarie; which, with a cruise east and west on excise service, has kept her actively employed during the year. Her sails being much worn, it was found necessary to furnish her with a new suit. Taking from her disbursements balance paid for 1856, £256 18s. 3d., leaves £1305 14s. 10d., against which are her credits.

I have the honor to be, sir,

Your obedient humble servant,

S. S. THORNE, chairman.

To the honorable the provincial secretary, &c. &c.

#### INVENTORY OF ARTICLES IN THE LIGHT HOUSE STORE, DECEMBER 31st, 1857.

93 casks containing 3000 gallons of oil,  
 1 new lantern for Shelburne light house,  
 1 " do for a new light house,  
 2 boats for light house,  
 17 new catoptric lamps,  
 2 old do do  
 24 new do reflectors,  
 2 old do do  
 9 do Argand lamps,  
 1 do do reflector,

36	new catoptric burners,
5	gross do glasses,
8	dozen do red do
3	do condensing glasses for St. Paul's,
50	gross lamp wicks,
5	boxes window glass, } assorted sizes,
5	ullage boxes do }
- 1	temporary lantern,
2	mattresses,
2	counterpanes,
4	pairs blankets,
4	old oil tanks,
1	cannon,
1	portable forge,
3	sheets copper,
24	bundles sheet iron,
2	old stoves,
1	dbl. lime,
1	lot of blocks, &c.

## PART 2.

## ACCOUNT CURRENT—BOARD OF WORKS.

DR. THE PROVINCE OF NOVA SCOTIA IN ACCOUNT WITH THE BOARD OF WORKS.

1857.

Dec. 31, 1856.—To balance claimed,	£41	5	10	
amount short claimed,	218	15	9	
				260 1 7
To government house,	904	13	5	
province building,	776	5	5½	
penitentiary,	1876	0	4½	
hospital for insane,	8828	4	2	
celebration, 9th June, '56,	4	2	6	
Sable Island,	1603	0	6½	
schr. Acadienne,	1562	13	1	
schr. Daring,	0	5	0	
schr. Lady Vivian,	496	8	6	
genl. light house service, including } St. Paul's and Scattarie, }	11531	13	7	
board of works,	905	12	1	
paid over to the receiver general } for various services, }	4601	1	8	
				34090 0 4½
				34350 2 0
To balance carried down,				109 19 4
				£34460 1 4

Cr.

Cr.

By cash from receiver general,	£28932	5	4
province building,	5	8	10
penitentiary,	26	17	8½
Sable Island,	4365	9	4
Acadienne,	243	0	8
Lady Vivian,	15	6	11
light houses,	871	12	6½
	<u>5527</u>	16	0
	<u>£34460</u>	1	4
By balance brought down,		109	19 4

J. J. MARSHALL, financial secretary.

Examined January 27th, 1858.

No. 20.

(See page 415.)

## RETURNS OF COAL RAISED AND SOLD—1856 &amp; 1857.

ABSTRACT OF RETURNS OF COAL RAISED, SOLD AND EXPORTED AT HER MAJESTY'S MINES IN NOVA SCOTIA IN THE YEAR ENDING  
31ST, DECEMBER, 1856,

	Total quantity raised and sold in chaldrons, Newcastle measure.			Number of chaldrons sold for home consumption.			Number of chaldrons exported to the United States.			Number of chaldrons exported to the neighboring colonies.					
	Siftings or slack coal.		Bus.	Large coal.		Bus.	Siftings or slack coal.		Bus.	Large coal.		Bus.	Siftings or slack coal.		Bus.
	Chal.	Bus.		Chal.	Bus.		Chal.	Bus.		Chal.	Bus.		Chal.	Bus.	
Albion Mines, Pictou,	39674	24	4962	48	2987	24	1848	48	85194	1475	1498	1089			
Sydney,	88849	20½	2398	3	15712	20½	830	3	3516	1503	14621	65			
Lingan,	3143	18	181	30	566	18	181	30	2577						
Aconi,	35	33	56	26	35	33	56	20							
Joggins,	2686	63	202	54	295	27	58	9	873	100	1518	44	9	18	
	79389	21½	7781	17	19596	57½	2974	44	42160	27	17632	1748	9	18	

Provincial Secretary's office, Halifax, Feb. 11, 1858.

ABSTRACT OF RETURNS OF QUANTITIES OF COAL RAISED, SOLD AND EXPORTED AT HER MAJESTY'S MINES IN NOVA SCOTIA IN THE YEAR ENDING 31ST DECEMBER, 1857.

	Total quantity raised and sold in chaldrons, New Castle measure.			Number of chaldrons sold for home consumption.			Number of chaldrons exported to the United States.			Number of chaldrons exported to neighboring colonies.					
	Siftings or slack coal.		Large coal.	Siftings or slack coal.		Large coal.	Siftings or slack coal.		Large coal.	Siftings or slack coal.		Large coal.			
	Chal.	Bus.		Chal.	Bus.		Chal.	Bus.		Chal.	Bus.		Chal.	Bus.	
Albion Mines, Pictou,	45913		7382	48	2613		2032	48	42538		3634		762		1716
Sydney,	38368	3	3086	3	13815	3	764	3	3983		2246		20570		76
Lingan,	3406	28½	122	13½	600	10½	77	13½	2786		45		20	18	
Aconi,	161	12	53		110	30	53						50	18	
Joggins,	2387	49	199	55	134	13	89	19	372	18	7	18	1881	18	103
	90236	20½	10843	47	17272	56	3016	11	49679	18	5932	18	23283	54	1895

Provincial Secretary's office, Feb. 11, 1858.

No.

No. 21.

(See page 417.)

**EXPENSES OF CIVIL GOVERNMENT.**ESTIMATE OF THE EXPENSES OF THE CIVIL GOVERNMENT OF THIS PROVINCE FOR THE  
YEAR 1858.

Salary of his excellency the lieutenant governor,	£3750	0	0	
“ Private secretary to do.	312	10	0	
	<hr/>			4062 10 0

**ADMINISTRATION OF JUSTICE.**

Salary of the chief justice,	1250	0	0	
Ditto Judge Bliss,	812	10	0	
Ditto Other assistant judges,	2100	0	0	
Ditto Attorney general,	500	0	0	
Ditto Solicitor general,	125	0	0	
Ditto Clerk to the crown	100	0	0	
Judges' travelling fees,	365	0	0	
Cost of criminal prosecutions,	270	0	0	
Coroners' inquests,	350	0	0	
	<hr/>			5872 10 0

**PROVINCIAL SECRETARY'S OFFICE.**

Salary of provincial secretary,	700	0	0	
Salaries of clerks to ditto,	575	0	0	
Contingencies of office,	125	0	0	
	<hr/>			1400 0 0

**RECEIVER GENERAL'S OFFICE.**

Salary of the receiver general,	600	0	0	
Salaries of clerks to do.				
Contingencies of office,	<hr/>			

**FINANCIAL SECRETARY'S OFFICE.**

Salary of the financial secretary,	600	0	0	
Ditto clerk to ditto,				
Contingencies of office,	<hr/>			

**PENSIONS.**

Miss Cox,	125	0	0	
Judges of common pleas,	600	0	0	
Master of the rolls,	400	0	0	
J. S. Morris, commissioner of crown lands,	300	0	0	
H. W. Crawley, ditto C. Breton,	300	0	0	
N. W. White, registrar of court of chancery,	125	0	0	
	<hr/>			1850 0 0
				Revenue.

## REVENUE.

Salaries of officers of excise department at Halifax,	£1385	0	0	
Guagers and proof officers	300	0	0	
Lockers and extra lockers of the warehouse department, and extra and temporary waiters,	3600	0	0	
Comptrollers of customs and registrars of shipping,	1800	0	0	
Seizing officers,	200	0	0	
				<u>7285 0 0</u>
Drawbacks, Revenue board				

## LEGISLATIVE.

Pay and travelling expense of members of legislative council,	2900	0	0	
Ditto ditto assembly,	7250	0	0	
				<u>10150 0 0</u>

## INTEREST.

To pay interest on provincial debentures and on deposits in savings bank,

## EDUCATION.

For support of Normal school,  
Ditto colleges and academies,  
Ditto grammar and common schools,  
For purchase of books, &c.,

## MISCELLANEOUS.

For support of light houses,  
Ditto Sable Island,  
In aid of post communication,  
Steamboats, packets and ferries,  
Poor asylum, Halifax,  
Provincial penitentiary,  
Service of roads and bridges,  
Casualties to ditto  
Commissioners for Indians,  
Public buildings,  
Halifax dispensary,  
Lunatic asylum,

No. 22.

(See page 417.)

**HOSPITAL FOR INSANE.**

ESTIMATE OF AMOUNT REQUIRED FOR THE DARTMOUTH HOSPITAL FOR THE INSANE, TO COMPLETE THE PORTION NOW BUILT, AND TO FURNISH THE SAME.

1st. There remains unfinished of the carpenters' work, all the doors and door frames, the window casings, closets, partitions and a stair case ; also a portion of the flooring. The cost of these will be about two thousand pounds.

2nd. The plastering of the entire building will cost about six hundred and seventy pounds.

3rd. The painting of the wood work will cost about two hundred and thirty-six pounds.

4th. At the rate paid for that portion of the hospital already built, the erection of the detached building will require about two thousand eight hundred and thirty-eight pounds. This structure will contain the kitchen, wash-house, laundry, boiler house, engine room, gas house, and fan room for ventilation.

5th. A large shaft or chimney is also needed ; probable cost two hundred pounds.

6th. Two steam boilers have already been imported, and are now used for heating the building.

An engine of ten horse power will be required in connection with the ventilation and washing, as well as for other purposes ; probable cost, one hundred and twenty-five pounds.

7th. The gas retorts and other apparatus (on hand) from other service, having been transferred to the asylum, some additional pipes only will be necessary, and a reservoir to contain the gas ; cost about fifty pounds.

8th. Furnishing of a kitchen in which to cook by steam for upwards of an hundred persons, including attendants, will amount to about one hundred pounds.

9th. The wash house should be provided with all the labour saving appliances of the present day, a judicious outlay here will tend very materially to diminish the annual expense, and will be the wisest economy ; cost about one hundred and fifty pounds.

10th. A stable and granary of moderate size, costing about one hundred and seventy five pounds, will be wanted not far from the building.

11th. A barn and piggery of larger dimensions, at some distance off, to cost about two hundred and fifty pounds.

12th. Four or five good cows will be indispensable, and a pair of oxen very desirable. Farming utensils also will need to be provided, and seed for the ensuing spring ; probable cost about one hundred and twenty pounds.

13th. The drainage is only partially completed ; to build the main sewer and tanks at present contract price, will cost about one hundred and fifty pounds.

14th. The laying out and improving the grounds has been commenced by Mr. Harris. He recommends the importation of seventy pounds worth of shrubbery and young trees, and

and twenty pounds worth of hawthorn for a hedge of enclosure. This matter is worthy of special attention, as it is very important the place should present an agreeable aspect.

15th. The supply of water for washing, bathing and domestic purposes, also for extinction of fires (should any unfortunately occur), must be liberal and ample. If brought from one of the lakes in the rear of the building, it will require an outlay of about seven hundred and twenty pounds.

16th. Large iron tanks will be necessary, both for hot and cold water; these are likely to cost sixty pounds.

17th. The furnishing the bath rooms and water-closets, eight in number, and the fixtures requisite for the ventilating flues, will probably require an outlay of one hundred and sixty pounds.

18th. The present edifice will accommodate ninety patients. It will require furniture of a plain substantial character, which ought to be made expressly for the purpose.

Judging from the furnishing bills of other hospitals for the insane, I estimate the cost of this at an average cost of eleven pounds for each patient, making nine hundred and ninety pounds.

19th. A further sum will be needed to furnish the apartments of the superintendent, matron and steward; cost about two hundred pounds.

20th. The original plan contemplated the addition of a two story section, for violent and filthy patients. No provision has yet been made for these, and if such are admitted to the part now built, (probably they will be among the first for whom application will be made,) it will be rendered comparatively unfit for the quiet and orderly classes. A grant of five thousand pounds is exceedingly desirable for this object.

## ABSTRACT OF THE FOREGOING ESTIMATE.

1. Carpenter's work,	£2000	0	0
2. Plastering,	670	0	0
3. Painting,	236	0	0
4. Detached building,	2838	0	0
5. Chimney stack,	200	0	0
6. Engine and blowers,	125	0	0
7. Gasometer and pipe,	50	0	0
8. Kitchen furniture,	100	0	0
9. Washing machine, wringing machine, mangle and drying closet,	150	0	0
10. Stable and granary,	175	0	0
11. Barn and piggery,	250	0	0
12. Stock and seed,	120	0	0
13. Sewer and tanks,	150	0	0
14. Shrubbery, trees and hawthorns,	90	0	0
15. Supply of water,	720	0	0
16. Cisterns (within the building),	60	0	0
17. Bath rooms and water closets,	160	0	0
18. Hospital furniture,	990	0	0
19. Household furniture,	200	0	0
20. South wing (for violent patients),	5000	0	0
	£14284	0	0

No. 23.

(See page 417.)

CORRESPONDENCE RELATING TO THE LEGISLATIVE RESOLUTION PLACING 150 GUINEAS AT THE DISPOSAL OF THE LIEUTENANT GOVERNOR, FOR THE PURCHASE OF A SWORD TO BE PRESENTED TO GENERAL WILLIAMS.

[COPY.]

No. 59.—Executive.

*Government House, Halifax, 21st May, 1856.*

SIR—

I have the honor to transmit to you the enclosed copy of a resolution, passed by the house of assembly of this province, and concurred in by the legislative council, in the last session, placing at my disposal one hundred and fifty guineas to be expended in the purchase of a sword to be presented to General Williams.

London artists have been employed to prepare the sword, from a design that I have approved. The blade of it will be composed of Nova Scotia steel.

As soon as I have learned that it is finished, I shall decide upon the mode of presentation to the gallant major-general, of this well merited tribute from the legislature of his native country.

I shall then do myself the honor to apprise you of my decision in that respect, and I feel assured that I shall be permitted to communicate, through you, with Sir William Williams, in order to the accomplishment of the pleasing duty which has devolved upon me.

I have &amp;c.

(Signed)

J. GASPARD LEMARCHANT,

Major general.

The right honorable H. LABOUCHERE, &amp;c. &amp;c. &amp;c.

[COPY.]

*Government house, Halifax, N. S., 3rd September, 1856.*

SIR—

As the Queen's representative in Nova Scotia, the gratifying duty has devolved on me of announcing the designed presentation at an early day, and in a manner of which you will be informed, of a "sword of honor" voted to you by both houses of the colonial parliament, in the last session, as a mark of the high estimation in which your distinguished services in the east, and especially in the memorable and brilliant defence of Kars, are held by all her majesty's subjects in this province.

They indulge an honest pride in claiming you as a countryman. With their native land they proudly associate your name—your justly acquired honor, and your high position in the British army.

Permit me to assure you how fully I enter into their feelings, and to say that it would afford me, as an old soldier, both pride and pleasure, to make the personal acquaintance of one in whom the people of this province are so deeply interested, and who has added lustre to the military renown of the great empire to which he belongs.

I have, &amp;c.,

(Signed)

J. GASPARD LE MARCHANT,

Lieutenant governor and major general.

Major general Sir WILLIAM F. WILLIAMS, K.C.B., commandant of Woolwich.

[Copy.]

[COPY.]

No. 86.—Executive.

*Government house, Halifax, N. S., 4th September, 1856.*

SIR—

The legislature of Nova Scotia having in the last session voted a “sword of honor” to major general Sir Fenwick Williams, of Kars,

I have, in my capacity as lieutenant-governor of this colony, addressed to him the accompanying letter, communicating such honorable notice.

As my council have no means of carrying out the wishes of the legislature, except through the medium of Messrs. Hunt and Roskill, they have particularly requested me to beg that you would have the kindness to permit this mark of honorable distinction to be forwarded through the colonial department.

Such mode of presentation would not only enhance its value, but at the same time be highly gratifying to the feelings of all parties in the province.

I have, &amp;c.

(Signed) J. GASPARD LEMARCHANT.

The right honorable H. LABOUCHERE, &amp;c. &amp;c.

*Woolwich, 2nd October, 1856.*

SIR—

I have the honor to acknowledge the receipt of your excellency's despatch, dated 3rd September, announcing to me the designed presentation of a “sword,” voted to me by both houses of the colonial parliament of Nova Scotia, as a mark of their estimation of my services in the East, and especially for the defence of Kars.

I need not assure your excellency that the pride and satisfaction I must feel on this occasion, is materially heightened by the very flattering manner in which you have conveyed this intelligence to me, because I received those expressions not only from her majesty's representative in the colony in which I was born, and of which my great grandfather, Sir Jeffry Amherst, was governor, but, also, from a general officer who owes his own high advancement to distinguished services in the field, and who, therefore, can and does express feelings so acceptable to an old soldier who has endeavored to do his duty.

In returning your excellency my sincere thanks, I beg to assure you, that the desire expressed by your excellency to make my personal acquaintance, is most fully responded to by me, with regard to yourself.

When I shall have the honor of receiving the sword voted to me, I hope that I may not fail in my endeavour to express myself towards my fellow subjects and countrymen of Nova Scotia, in terms suitable to the occasion, and consonant with my appreciation of so high an honor.

I have, &amp;c.

(Signed) F. W. WILLIAMS.

His excellency major-general

Sir GASPARD LEMARCHANT, &amp;c. &amp;c.

*Woolwich, September 24th, 1857.*

SIR—

On a former occasion I had the honor of receiving, through your excellency, an intimation of the honor intended to be conferred upon me, by the presentation of a sword by the legislative body of my native province.

This

This sword of exquisite workmanship, I received several months ago from the colonial office, accompanied by a very kind note from Mr. Labouchere, the secretary of state for the colonies, to whom I acknowledged having received the same.

From the conversation I have recently had with the honorable James Johnston, now in England, and one of my oldest friends, I feel that I have committed a great error in not addressing your excellency on the occasion of the reception of the sword; and hasten to do so, with a hope that you will accept my unfeigned thanks for the interest your excellency evinced on the occasion, and further to do me the favor of conveying to the colonial parliament my warmest thanks for the great honor it has conferred upon me, assuring my countrymen that I shall endeavour on all future occasions where my services may be called for, to render myself worthy of a continuance of that favorable opinion which my efforts in the defence of Kars, induced them to form of me.

The sword has been exhibited at Manchester, at the request of the committee of the arts treasures, and has thus led to a wide extension of the knowledge that such an honor has been conferred upon me.

Again begging your excellency personally to accept my warm thanks on this gratifying occasion,

I remain,

Your excellency's faithful servant,

(Signed)

W. F. WILLIAMS,  
Major general.

To his excellency Sir GASPARD LE MARCHANT, &c. &c. &c.

No. 24.

(See page 419.)

## REPORT OF POSTMASTER GENERAL FOR 1857.

*General post office, Halifax, January 22, 1858.*

SIR—

I have the honor to transmit herewith, for the information of his excellency, and his government, returns, in detail, numbered from 1 to 11, in reference to the management of the revenue, &c. of this department in this province, under my control, during the year ended 30th of September last, and in the usual form which has accompanied my annual report to the honorable the provincial secretary.

On a reference to return No. 7, it will be seen that since my last report up to September, 1856, an addition of 4 post offices and 18 way offices has been made to the number then established, shewing in all a total of 69 post and 280 way offices.

With respect to the several mail services which were recommended by the post office committee to be established during the past year, upon the condition that a bond from the parties interested should be obtained, binding them to make up the difference between one half the sum paid to the courier, and the amount of postage collected on the line. I beg to report that a circular was accordingly addressed by me to the members who represented the counties where the routes were recommended to be established, and I have to state that only *three* have availed themselves of the arrangement, as will appear on reference to my report No. 7. These additional mail routes have not (to any extent to speak of) added to the number of miles of annual mail travel, of last year, which amounts to 800,302 miles. I have also to add that in this return (No. 7), will be seen a charge the department has to bear for the carriage of the mails per rail from the  
Richmond

Richmond terminus to the Grand lake, amounting to £81 per annum, which the railway commissioners have called upon the department to pay from the 26th January, 1857—(the date when the mails were first conveyed by rail)—at the same rate, at which Mr. Hyde reduced the amount of his contract, as will be seen on reference to the concluding part of my report of last year, viz: “that upon each mile shortened and saved, a deduction of £4 10s. should be made.”

There are at present 156 mail routes under contract, at an annual cost of £8309 8s. 10½d.—(See report No. 3.)

During the past year, several old rides have been submitted to competition, and, in the generality of cases, tenders accepted at an increased cost. This augmentation is, in a great measure, owing to the additional weight of the mails, caused by the large increase of local, but more especially of *American newspapers and pamphlets*, which are now circulated through the post in this province, and that, too, without their adding anything to the revenue of the department. This subject, from its importance, and from the fact of its bearing so heavily upon the funds of the post office, must, I conceive, ere long force itself upon the consideration of the legislature, and lead to the adoption of a measure by which the department will have the power to impose a small tax, or charge, upon all *American* and other *foreign* newspapers and pamphlets, when sent by mail. British, colonial and local newspapers, however, and also *exchange papers*—viz., those addressed to *proprietors* and *editors*, to be *exempted* from this tax, and to be sent and received *free* of charge, as at present.

With respect to the “bag service,” (so called) every exertion has been made to carry out the views of the committee of the last session, viz.: that unless a contract was entered into for the carriage of the mails from Annapolis, Digby and St. John, by steamer, the service was to be performed by sailing vessel.

This service was submitted to competition on two separate occasions; on the 1st, viz.: in July, notices were issued inviting tenders, both by steam and sailing packet, for twice a week during eight months in the year, and once the remaining four. The tenders received exceeded the amount authorized by the legislature, viz., £500. Amended tenders were then called for, for once a week by sailing vessel. One tender only was received, viz., £312 10s. per annum: which offer was submitted for the consideration of the government; but, as the public would be deprived of one mail a week should the tender be accepted, it was deemed expedient to continue the then existing arrangement.

In October the service was again put up to public tender, viz.: to carry the mails from Annapolis, Digby, and St. John, twice a week, by sailing vessel, for eight months in the year, and one the remaining four. The result of these tenders was communicated to the government, who came to the determination to let the present arrangement remain 'till the meeting of the legislature, as it might be considered necessary by the post office committee, to recommend further alterations, when the railroad reached Windsor, when a *powerful, efficient, and fast* boat, would probably be placed on the route, and grants authorized by the legislature for these mail services by steam packet, viz.: one via Windsor, and the other via Annapolis.

Respecting the number of newspapers, and letters passing through the Halifax and other offices throughout the province during the past year—as compared with the year 1853, when my first annual report was furnished, I beg to remark that in 1853, the average number of *letters* of all descriptions passing the Halifax post office alone—

Amounted to	457,400
In 1857, to	587,981

showing an increase of over 25 per cent.

Passing through the several offices in the province during the past year, the number was 1,131,312.

With reference to *newspapers*, a considerable decrease has taken place in the number received from England, induced probably, by the fact of the British postal authorities having

having levied a charge of one penny sterling each, on all these forwarded to this province, &c., by mail packet.

But with respect to newspapers, magazines, and pamphlets, under 2 ounces, published in the United States, in the British provinces, and in our own province, and forwarded through the post office, the reverse is the case, the increase in four years being very considerable, as shewn by the following statement, viz :

in 1853,	732,000
in 1857,	1,593,488

These figures give, I think, unmistakeable evidence of the gradual growth of this department, and of the large additional amount of labor, the newspaper matter alone entails upon the officers of this department, without, however, as I have previously stated, any pecuniary advantage accruing to the revenue therefrom.

The number of registered letters posted at, and despatched from the Halifax office during the past year, at a fee of sixpence each, amounted to 3,515; the revenue derived from this source (exclusive of the postage) was £57 17s. 6d. The number of letters passing through the Halifax post office, received from other offices was 6,606.

— Again, the number of this class of letters sent from the several country post offices was 7,571, yielding a revenue of £189 5s. 6d. Those passing through the several offices, 6,032—making a total of 23,724 *money letters*.

In connexion with this subject, I would beg to call attention to my report No. 9, a perusal of which will shew how very few of this large number of letters, containing either money or articles of value, have gone astray; and even in these few cases, there was no evidence to prove abstraction; this fact speaks well in reference to the care and attention which has been bestowed upon this class of letters:—and I would here beg to observe, that the postmasters generally manage their offices with credit and ability—and as I have received but few complaints of want of accommodation on their part—I have every reason to believe, with satisfaction to the public.

The private letter boxes, (established originally for the accommodation of the merchants, but at present also used by the public department and many private persons)—now number 170; and during the past year yielded a revenue of £81 6s. 8d.

The amount of postage stamps sold during the year, was	£2855	5	2
In 1852,	335	2	6
		<hr/>	
Increase,	£2520	2	8

Good evidence, I conceive, of their convenience, and of their appreciation, as such, by the public generally.

A further supply of postage labels has been procured from England for the use of the department, which, for safe keeping, are deposited with the receiver general, viz : 13,750 sheets, valued at £40,000—the cost of which, including premium on exchange on London, amounted to £120 16s 1d. currency.

A further reduction in the book postage between Nova Scotia and Great Britain, has been made by the imperial government, viz. :—

For a packet not exceeding 4 oz.	3d. sterling, 4d. currency.
4 oz. and not exceeding ½ lb.	6d. “ 7½d. “
½ lb. “ 1 lb	1s. “ 1s. 3d. “

and so on, increasing 6d. sterling, 7½d. currency, on every ½ lb. The postage on this mail matter must be prepaid.

Previous to this reduction, no book, however small in size or trifling in weight, could be forwarded through the post for less than 6d. sterling, or 7½d. currency. This reduction of postage on books, is, therefore, a very great accommodation and boon to those persons who are in the habit of sending to and receiving from England, by mail, books of the description above alluded to.

The recommendation of the committee on the post office, in reference to the "*money order*" system, has not been carried into effect, as difficulties of a very serious nature presented themselves, which had to be carefully considered before so important a measure could be introduced, even into the larger towns, much less generally throughout the province, as recommended by a majority of the committee. It is true the system is in good working order in Canada, and is recommended by the postmaster general of New Brunswick, to be carried out in thirteen of the principal towns in that province; but it will be remembered, that at each of these places *branch banks* are established, and have been some time in active operation.

In Nova Scotia such, however, is not the case; banks having been established at Pictou and Yarmouth only. If any feasible plan had been, or could be suggested, by which this important measure could be practically and satisfactorily introduced generally throughout the province, or even at a few of its chief or larger towns, I would most gladly have adopted it, as I am fully alive to the many and great advantages the public—the *poorer* classes especially—would derive by being thus enabled to remit or receive small sums of money through the post, which at present are transmitted by "registered" or ordinary letters, as the case may be, and, in some cases, probably with less security than if the "*money order*" system were in operation.

In view of the many difficulties to be overcome in the establishment of a system, which, in order to ensure its efficient working, should be so *perfect* in all its *details*, it was, after mature deliberation, deemed inexpedient to carry out, at present, the recommendation of the committee in this particular; and the introduction of the money order system has accordingly for a time been postponed.

With reference to the payment of postmasters by a "*commission*" on the revenue collected, according to the scale recommended by the committee of the post office of last session, instead of a stated salary as at present, I have to report, for the information of the legislature, that the government, to whom I had been directed to submit the matter, after much consideration decided not to adopt the scheme proposed, and for the following reasons, viz:

1st.—That no pecuniary advantage would accrue, either to the postmaster or the department, by the change recommended, commensurate with the additional time and labor which would have to be bestowed, first, by the postmaster in striking his commission, and at this office afterwards on the examination of his accounts, and the checking his calculations, &c., as will be apparent by a reference to the return itself, as propounded in the report of the committee—see journals, appendix No. 11, page 90; and further, when the payment under the new scale falls short of the stated salary, the postmaster is to be paid as at present, thus, in many cases, entailing a large amount of labor to no purpose.

2d.—The difficulty in most cases, of making the postmasters clearly comprehend the mode of calculating their commission, and ascertaining the amount of salary to which they would be entitled under the proposed scheme; and,

Lastly, the arrangement, if carried out, would have rendered useless the large stock of mail books, blank printed forms, bye sheets, letter bills, accounts current, &c. &c., then on hand.

If any change at all is to be made in the mode by which postmasters are to be paid in future—which, however, I deprecate, I would beg respectfully to recommend, (as I did to the post office committee when before its last session)—the adoption of a scheme similar to that now in successful operation in Canada, and which has been found, after a fair trial, to work so well, and to give such general satisfaction to the postmasters in that province, viz: 33 and  $\frac{1}{3}$  per cent. on the 1st £20 collected in a quarter—25 ditto on all sums over £20, and not exceeding £40—and 20 per cent on all sums over £40—also, a stated sum for "*night*," "*forward*," and other duty, the maximum allowance for which not to exceed £12, and the minimum £6, to be modified or altered as may be rendered necessary by circumstances.

This

This scheme possesses, in my opinion, many advantages over the one which has been recommended by the committee, and will, I feel assured, when examined, approve itself to the minds of all, by its *simplicity*;—being less complicated, and therefore, much more easily understood by the deputies, than the other, besides being fair and equitable.

In reference to the “*financial*” condition of this important branch of the public service, I would here beg respectfully to remark, that, by a reference to “*report No. 1,*” herewith transmitted—being a statement of the actual revenue and expenditure of the department during the past year—and a comparison of it with the statement of the previous year—(see journals, appendix No. 11, page 67)—it will be seen that, from every source, the revenue of the post office in this province is steadily progressing—shewing an augmentation in the past year of £300; and I trust I shall not be considered over sanguine in my anticipations, when I assert, that, though the accounts submitted do not shew anything like an approach to a balance sheet of revenue and expenditure, yet I have every reason to hope and believe, from the fact of our great public works being still in course of construction—with the almost certainty of their being continued, and a prospect of offering employment to many for years to come,—together with the contemplated opening of “*inland navigation*” early in the ensuing spring, and the increased circulation of money thereby, the additional amount of labor which the railroads, &c, and the canal, when open, will probably bring into this province, and the consequent *increase of postal revenue* accruing from the correspondence which must necessarily be induced between the parties employed in these works, and otherwise engaged here, and their families elsewhere, that the post office department will in a few years hence be nearly, if not entirely, *self-sustaining*. But it should, however, be borne in mind, that to effect this consummation (so much to be desired), it will be necessary that the “*expenditure*” of this department should not, to any considerable extent, exceed its present amount.

A rigid economy is observed in the use of the multifarious blank printed forms, stationery, letter bags, and other “*official stores,*” indispensably necessary in the proper and efficient working of a service so extensive and varied as that of the post office.

The consumption of gas and fuel, as you will readily conceive, cannot be otherwise than very great in an establishment where the duty—in the “*circulation department*” especially—is carried on chiefly at night and before daybreak, and that, too, in a damp and dark office, where it is sometimes necessary to light the gas at *mid-day*. Under this head I have also directed that the strictest economy be practised.

An examination of the accompanying “*accounts current,*” which constitutes return No. 10, will show the amount of balance in my hands at the time of the transfer of the department to provincial control, and how said balance was disposed of; and also the date and amount of monies received from the honorable the receiver general, and paid into the commissariat chest at Halifax, in payment of “*packet postage*” due the British post office; and further, the date and amount of sums drawn by me from the provincial chest towards paying the salaries of mail couriers, &c., and defraying the other expenses of the department.

These accounts have been prepared, and are now submitted in accordance with the recommendation of the committee on the post office of last session, and will, I trust, prove satisfactory.

It will be seen by these documents that the large sum of £10,196 12s. 6d. currency, has been paid by this department to the imperial post office, through the commissariat here, on account of British packet postage, since the transfer of the office to local control in 1851.

It was my intention last year to have introduced into my report, a subject, which I then considered, and still consider to be of great importance, and one which, if carried out, would be found to possess many advantages both to the public and the department, but on reflection I abstained from then referring to the matter, as I thought I might possibly be *premature*; however, I have decided to bring the subject forward in my report

report this year, as I feel satisfied the time has now arrived when it should be submitted for the consideration of the members of the assembly, and whether any action is or is not taken upon it by the legislature, the matter at all events will be before them for future consideration. I allude now to the system of "*compulsory pre-payment of letters by stamp*." Any one who is at all conversant with, or who takes an interest in post office matters, will perceive the many advantages that would be gained if "*compulsory pre-payments*" were substituted for the present mode. In several European countries the system is in successful operation; and in the United States it is working satisfactorily and well, although it met with much opposition on its introduction into that country.

The following are a few among the many arguments which could be advanced in its favor.—

1st. The *revenue* would, in my opinion, be largely increased, as there would of course be no loss on the dead letters, whether refused or otherwise, as the postage thereon would have been already collected, and as the number of "*refused*" letters would be few in comparison, a large amount of time and labor would be saved, which, under the present system, is indispensable, in the treatment and disposition of letters of this description.

2dly. The duties of a postmaster would be materially *lessened* in making up and despatching a mail, and the delivery of a mail would be much facilitated, and a saving effected in the consumption of printed forms, &c.

3rdly. The number of dead letters from the United States would be largely decreased, the great bulk of the letters sent from this province to that country being forwarded *unpaid*, a very large number consequently are refused, and returned to the department as "*dead*"—no less than 2,892 were forwarded from Washington to this office, by the 3rd assistant postmaster general, during the past year.

These letters, on their receipt at this office, are opened and returned to the writer, by an officer of the department appointed for that purpose; but, as the writers in most cases are unwilling to pay the postage thereon, the letters are again refused, and returned at the proper period, from every part of the province to the head office, where they are finally disposed of, together with them which have originated in Halifax.

The faithful performance of this duty necessarily entails a large amount of labor, loss of time, and unnecessary consumption of stationery, but with no corresponding advantage to the revenue of the department.

4thly. A large amount of labor would also be saved to the examiner of the account branch at the Halifax office, in the checking of the postmasters' monthly bye sheets, their dead letters, and other accounts, in the examination of which, much time and care is now necessarily bestowed.

There are other advantages of minor importance, the foregoing, however, appear to me to be the most prominent and weighty.

It may possibly be objected to by parties, who have to communicate with others on subjects not immediately connected with their own private matters, that they should be compelled to *prepay* the postage on such letters, but their objection can easily be overcome by the person to whom the letter is addressed, enclosing in his reply, "*stamps*" to the amount of the postage which his correspondent has been required to pay.

This subject I perceive, has been incidentally referred to by the postmaster general of New Brunswick, in his first report to the lieutenant governor, on the state of his department; he strongly advocates the adoption of the measure in that province, and adduced the following, among other reasons—I quote the postmaster general's own words.—“If "*prepayment*" of all letters which are only liable to 3d., could be enforced, and "*postage stamps*" used for that purpose, a vast amount of labor would be saved to the several clerk's in the general post office, and to the postmasters throughout the province; besides

such a regulation would be the means of augmenting, very materially, the revenue from that source alone.”

\* \* \* \* \*

Again,—“ if the system of the prepayment of all letters chargeable with the three-penny rate could be universally adopted, I know of no measure of improvement that would lessen so much the duties of the department, while it would *materially increase the amount of revenue.*”

In this opinion I entirely concur.

In conclusion I beg to report that it affords me pleasure in being enabled again to express my approbation of the general good conduct of the several officers of this department during the past year.

I cannot close this report without making special mention of the “ examiner” of the account branch of this department,—I mean Mr. Passow,—from him I have more than once, in the discharge of the arduous duties of my office, received assistance of a valuable kind ;—and, as a painstaking, and efficient officer, I need only refer to the returns which accompany this, and former reports, prepared as they are, and always have been, in a manner alike creditable to the officer, and the office from whence they emanate ;—and I have not a doubt that his zeal, efficiency, and uniform attention to his official duties, taken in connection with his long services as a public servant—(extending over a period of six and twenty years)—will receive that consideration, to which, in my estimation, they are so justly entitled.

I have the honor to be,

Sir,

Your most obedient humble servant,

A. WOODGATE, P. M G.

The hon. CHARLES TUPPER, M.D., M. P P., &c , Halifax.

P. S.—Since the foregoing was written, I have received a “ *circular*” from Rowland Hill, Esq., secretary to the imperial post office department, informing me that on the 1st of February next, and thence forward, the “ *compulsory prepayment of postage*” will be extended to all letters addressed to the following colonies, viz :

Malta,	Bahamas,	St. Lucia,
Gibraltar,	Honduras,	St. Kitts,
Hong Kong,	Dominica,	Tortola,
Jamaica,	Montserrat,	Tobago,
Antigua.	Nevis,	Caniacou,
Demerara,	St. Vincent,	Grenada.
Berbice,		

The postage also of letters posted in the several colonies mentioned, addressed to the United Kingdom, will be required to be “ *prepaid*” by the tenders.

#### SCHEDULE

ACCOMPANYING THIS REPORT ARE THE FOLLOWING DOCUMENTS THEREIN REFERRED TO :

- No. 1. Statement of the revenue and expenditure of the post office department of Nova Scotia, during the year ended 30th September, 1857.
2. Report in detail of all charges for salaries, and the amount paid, during the said year. (Vouchers A & B in report No 1.)
3. Return of all payments made and charges incurred for mail carriage in Nova Scotia in the said year. (Voucher C in report No. 1.)
4. Detailed account of all incidental and miscellaneous items of disbursement for the said year. (Vouchers D to L in report No. 1.)

5. Amount paid to way office keepers in the province of Nova Scotia, being commission on revenue collected by them for said period. (Voucher B, No. 2 in report No. 1.)
6. Report of all fines imposed and deductions made from the pay of mail contractors, during the year ended 30th September, 1857.
7. Report of new post and way offices, and of post routes established, during the year ended as above.
8. Report of post and way offices, and post routes, discontinued or closed, within the said year.
9. A report of all cases occurring within the year ended the 30th of September last, of the abstraction or loss of letters containing money, sent through the post in Nova Scotia.
10. Accounts current with the province of Nova Scotia, commencing with the quarter ended the 5th of July, 1857, and ending with the quarter ended 30th September, 1857, furnished in accordance with the recommendation of the post office committee of last session.
11. Account current with the province of Nova Scotia, for the year ended 30th September, 1837.

A. WOODGATE, postmaster general.

### REPORT No. 1.

*Statement of the revenue and expenditure of the post office department of Nova Scotia,  
year ended 30th September, 1857.*

REVENUE.	TOTAL AMOUNT.
Postage of towns in Halifax, including Halifax,	£5563 4 8½
Packet postage collected at Halifax, on unpaid letters from the United Kingdom,	611 4 11½
Packet postage collected at Halifax, on paid letters for the United Kingdom,	645 15 0
Packet postage collected at Halifax, on paid letters sent to, and on unpaid letters received from Newfoundland, Bermuda, the West India islands, and the United States,	612 5 10½
Way letter postage,	195 12 5
Ship letter postage,	41 14 9½
Letters returned from country offices, and delivered in Halifax,	3 16 4½
“Forward” letters detained and delivered at Halifax,	13 10 0
Private letter boxes at the Halifax office,	81 6 8
Local, or “penny postage,”	25 3 10
Postage stamps sold,	2590 19 3
Errors in postmaster general’s account in the year,	0 13 6
	£10385 7 4½
“Missent,” and “re-directed,” and “dead letters,”	467 12 4
	9917 15 0½

Deduct

Deduct British portion of packet postage, quarters December, 1856,  
March, June and September, 1857,

1938 11 11½

Total revenue for the year,

7979 3 1

Deficiency,

6439 19 5½

£14419 2 6½

EXPENDITURE.	VOUCHER.	AMOUNT.	TOTAL AMOUNT.
Salaries,	A & B,		£4706 10 10
Carriage of mails,	C,		8309 8 10½
Ship letter gratuities,	D,	£56 8 11	
Tradesmen's bills,	E,	53 14 2	
Rent,	F,	200 0 0	
Law expenses,	G,	0 0 0	
Stationery, printing and advertizing,	H,	309 1 3½	
Gas, coals, wood, &c. &c.,	I,	88 5 9	
Buildings and repairs,	J,	0 17 6	
Miscellaneous,	K,	83 9 2	
Five per cent. commission allowed to postmasters for sale of "postage stamps,"	L,	141 2 1	
			938 8 10½
Commission on W. O. keepers on revenue collected by them,	B, No. 2,		300 5 4½
Premium on "exchange" on St. John, N. B., remitted in payment of Col. Favor, express mail to and from the United States,			3 12 6
Amount paid to T. Lindsay, for conveying the mails by express, from Antigonishe to the West River of Pictou,			40 0 0
Amount paid to the honorable the provincial secretary, in payment of an exchange purchased to remit to E. Stanford, London, for post- age stamps, for the use of the post office department, Halifax,			120 16 1
			£14419 2 6½

E. E.

A. WOODGATE, P. M. G.

F. M. PASSOW, examiner account branch.

*General account between the offices of the United Kingdom and Nova Scotia, year ended  
30th September, 1857.*

To the credit of the British office.	Amount sterling.
	£ s. d.
Amount due to British office on the correspondence between the United Kingdom and Nova Scotia,	1383 4 7
Amount due to the British office on the correspondence between Nova Scotia and other colonies, not passing through the United Kingdom,	687 8 6½
Amount due to the British office for "dead letters" returned to Nova Scotia,	1 12 3½
Balance of errors on the year,	1 1 6
Total,	£2073 6 11

To

To the credit of Nova Scotia.	Amount sterling.
	£ s. d.
Amount due to Nova Scotia on the correspondence between the United Kingdom and Nova Scotia,	501 5 8½
Amount due to Nova Scotia office on the correspondence between Nova Scotia and other colonies, not passing through the United Kingdom,	nil.
Amount due to Nova Scotia for "dead letters" returned to England, and letters re-directed to Newfoundland and Bermuda,	20 3 10½
Balance of errors,	0 0 0
Amount paid to Richard Ireland, being amount of money order, under authority of the secretary to the post office department, London,	0 19 9
Balance due to the United Kingdom on the year,	*1550 17 7
	£2073 6 11
	Total,
*1550 17 7 sterling.	
£1938 11 11½ currency.	

A. WOODGATE, P. M. G

F. M. PASSOW, examiner account branch.

## REPORT No. 2.

## VOUCHERS A AND B, IN REPORT No. 1.

*A report, in detail, of all charges for salaries, and the amount paid, for the year ended the 30th September, 1857.*

NAME.	SERVICE, OR DUTY PERFORMED.	AMOUNT FOR THE YEAR.
Arthur Woodgate,	Postmaster general,	£600 0 0
Charles H. Hamilton,	Chief clerk,	225 0 0
Frederick M. Passow,	Examiner, account branch,	225 0 0
William Small,	Clerks in the "circulation" department,	151 17 6
John M. Inglis,		151 17 6
Hugh Kerr,		151 17 6
Henry Driscoll,		151 17 6
Godfrey M. Schwartz,	Messenger,	42 3 9
Alexander Church,*	Messenger,	42 3 9
William Craig,	1st letter carrier,	112 10 0
A. Church,	2nd letter carrier,	45 0 0
George Craig,	3rd letter carrier,	90 0 0
Osmond Whitaker,†	Junior letter carrier,	45 0 0
	Total,	2034 7 6

\* Appointed messenger on the death of Schwartz.

† Appointed letter carrier, on the promotion of A. Church to the office of messenger.

Recapitulation.

## RECAPITULATION.

Department at Halifax,	£2034	7	6
Postmasters,	2015	2	6
Way office keepers,	657	0	10

Total salaries in the year, £4706 10 10

A. WOODGATE, postmaster general.

F. M. PASSOW, examiner account branch.

## VOUCHER A.

*Salaries to the postmaster general, his assistants, letter carriers, &c. and his deputies, for the year ended 30th September, 1857.*

TOWNS.	AM'T. CUR.	TOWNS.	AM'T CUR.
	£2034 7 6		
Halifax,		New Glasgow,	50 0 0
Albion Mines,	25 0 0	Newport,	30 0 0
Amherst,	115 0 0	North Sydney,	20 0 0
Annapolis,	58 0 0	Parrsboro'	25 0 0
Antigonish,	62 0 0	Pictou,	100 0 0
Arichat,	40 0 0	Plaister Cove,	50 0 0
Aylesford,	14 0 0	Port Hood,	40 0 0
Baddeck,	37 10 0	Port Medway,	10 0 0
Barrington,	30 0 0	Pugwash,	30 0 0
Boulardarie,	2 0 0	River John,	10 0 0
Bridgetown,	42 0 0	River Philip,	10 0 0
Bridgewater,	20 0 0	Shelburne,	35 0 0
Canning,	3 2 6	Sherbrooke,	15 0 0
Cape Canso,	15 0 0	Shubenacadie,	12 0 0
Chester,	20 0 0	St. Ann's,	10 0 0
Clemensport,	8 0 0	St. Margaret's Bay,	10 0 0
Digby,	70 0 0	St. Peter's,	12 10 0
Durham,	20 0 0	Sydney,	90 0 0
Guysboro,	45 0 0	Sydney Mines,	12 10 0
Hantsport,	12 10 0	Tatamagouche,	15 0 0
Kentville,	100 0 0	Truro,	65 0 0
Lawrencetown,	20 0 0	Upper Musquodoboit,	15 0 0
Liverpool,	75 0 0	Upper Stewiacke,	8 0 0
Locke's Island,	12 10 0	Wallace,	35 0 0
Londonderry,	40 0 0	Walton,	10 0 0
Lower Horton,	20 0 0	Westport,	15 0 0
Lower Stewiacke,	16 0 0	West River,	22 10 0
Lunenburg,	40 0 0	Weymouth,	20 0 0
Mabou,	2 0 0	Wilmot,	10 0 0
Mahone Bay,	12 0 0	Windsor,	80 0 0
Maitland,	15 0 0	Wolfville,	20 0 0
Margaree,	8 0 0	Whycocomagh,	8 0 0
McNair's Cove,	10 0 0	Yarmouth,	85 0 0
Middle Musquodoboit,	10 0 0		
Mills Village,	15 0 0	Total Postmasters.	£2,015 2 6

F. M. PASSOW, examiner account branch.

Voucher

## VOUCHER B.

*Salaries paid to way office keepers in the province of Nova Scotia for the year ended  
30th September, 1857.*

TOWNS.	AM'T.	CUR.	TOWNS.	AM'T.	CUR.
Addington Forks,	£2	0 0	Church Street (Cornwallis)	2	0 0
Acadia Mines,	2	0 0	Clare,	2	0 0
Advocate Harbour,	2	0 0	Clyde River,	4	10 0
Alma (Middle River)	7	0 0	Cornwallis East,	2	0 0
Apple River,	2	0 0	Cornwallis West,	2	0 0
Argyle,	4	10 0	Country Harbour,	2	10 0
Arisaig,	2	10 0	Cow Bay, C B.,	2	0 0
Aspay Bay, C. B.,	2	0 0	Cross Road Bridge,	10	0
Bailey's Brook,	2	0 0	Cross Roads (Country Har- } bour), }	2	0 0
Barrington Passage,	2	0 0	Cross Roads (St. Mary's)	3	10 0
Bedford Basin,	2	0 0	Crow Harbour,	3	0 0
Barney's River,	4	10 0	Christmas Island,	2	0 0
Bay St. Lawrence,	2	0 0	Conquerall Bank,	2	0 0
Berwick,	2	0 0	Cape Negro,	2	0 0
Big Baddeck,	2	0 0	Chester Basin,	2	0 0
Big Bras d'Or,	2	0 0	Chester Cove,	2	0 0
Big Interval (Grand Nar- } rows, C. B.) }	2	0 0	Churchville,	2	0 0
Big Pond,	2	0 0	Dartmouth,	2	0 0
Bill Town,	2	0 0	Diligent River,	2	0 0
Black Rock,	2	0 0	Discoose,	2	0 0
Blue Mountains,	2	0 0	Dublin Shore,	2	0 0
Boulardarie,	2	12 6	Earltown,	3	10 0
Boisdale,	2	0 0	East Bay,	2	0 0
Bridgeport (Glance Bay),	2	0 0	East Bay (North side)	2	0 0
Bridgeville,	16	8	East River, St. Mary's,	2	0 0
Boom,	2	0 0	Economy,	2	0 0
Broad Cove (Interval)	2	0 0	Eastville,	2	7 6
Broad Cove (Marsh),	2	0 0	English Town,		
Broad Cove (Lunenburg),	2	0 0	Economy, Upper,	2	0 0
Brookfield (Queen's)	2	10 0	Elmsdale,	2	0 0
Brookfield (Co. Colchester),	4	10 0	Eel Brook,	10	0
Brookfield (or South side } Mire), }	2	0 0	East Port Medway,	10	0
Buckley's,	2	0 0	Falmouth,	2	0 0
Belleveaux Cove,	2	0 0	Falmouth (Windsor Bridge)	2	0 0
Canard (Cornwallis)	2	0 0	Five Islands,	2	10 0
Canning,	1	10 0	Fox Harbour,	2	0 0
Carlton,	10	0	Forristall's,	7	0 0
Cape George,	2	0 0	Forks, Margarec,	2	0 0
Cape Sable Island	2	0 0	Fraser's Mills,	2	0 0
Catalone,	2	0 0	Gaberouse,	2	0 0
Caledonia Corner,	2	10 0	Garden of Eden,	2	0 0
Chesley Corner (New Ger- } many) }	2	0 0	Gaspereau,	2	0 0
Cheticamp	2	0 0	Gay's River,	3	0 0
Cheverie,	2	0 0	Glenelg,	3	0 0
Church Point Cleare,	10	0	Goose River,	4	10 0
			Gore,	3	0 0
			Goshen,	2	0 0

Towns

TOWNS.	AM'T.	CUR.	TOWNS.	AM'T.	CUR.
Grand Narrows,			Low Point Shore,	2	0 0
Grand River,	2	0 0	Lower Barney's River,	2	0 0
Granville Ferry,	4	10 0	Lower Macan,	2	0 0
Great Village,	4	10 0	Lochartville,		10 0
Gulf Shore,	2	0 0	Mabou,		10 0
Guysboro Intervale,	4	10 0	McNutt's,		10 0
Greenwich,	1	19 2	Mabou Bridge,	1	10 0
Greenfield,		10 0	Maccan,	3	10 0
Head of Indian River,		10 0	Maccan Intervale,	2	0 0
Hall's Harbour,	2	0 0	Mainidieu,	2	0 0
Halfway River,	3	10 0	Maitland (Co. Yarmouth),	4	10 0
Harbour a' Bouchet,	2	0 0	Malagawatch,	2	0 0
Head of Amherst,	2	0 0	Malagash,	2	0 0
Head of Wallace Bay,	2	10 0	Malignant Cove,	2	0 0
Hebron,	4	10 0	Manchester,	2	0 0
Hillsboro, C. B.,	2	0 0	Marie Joseph,	2	15 0
Hillsboro, N. S.,	4	0 0	Margaretville,	2	0 0
Hopewell,	2	0 0	Marshall Town,	2	0 0
Hubbard's Cove,	4	10 0	McLellan's Mountain,	2	0 0
Head of Lochabar Lake,	2	0 0	Melford,		
Head of Wallace Bay,	2	10 0	Merrigomish 1st,		
Head of West Bay,	2	0 0	Merrigomish,	2	0 0
Indian Harbour,	2	0 0	Metaghan,	4	10 0
Ingonish,	2	0 0	Middletown, (Guysboro),	2	0 0
Isaac's Harbour,	2	0 0	Middle Settlement River } Inhabitant, }	2	0 0
Joggin Mines,	2	0 0	Middle River, C. B.,	2	0 0
Judique,	3	10 0	Middle River, Durham,	2	0 0
Kempt (Co. Queen's),	2	10 0	Middletown, Co. Annapolis	4	10 0
Kempt Town,	3	0 0	Middlefield,	2	10 0
Kennetcook,	2	0 0	Miller's Creek,	2	0 0
Kennetcook, Upper,	2	0 0	Mill Brook,	2	0 0
Kingston Village,	2	0 0	Milton,	4	0 0
Ketch Harbour,	2	0 0	Milltown, County Annapolis,		10 0
LaHave. Cross Road,	2	0 0	Minudie,	2	0 0
Lake Ainslie,	2	0 0	Molasses Harbour,	2	0 0
Lake Ainslie, East side,	2	10 0	Moidart,	2	0 0
L'Ardoise,	2	0 0	Morristown,	2	0 0
Lewis Head,	2	0 0	Musquodoboit Harbour,	2	0 0
Lewis Bay,	2	0 0	Marshall's Cove,	2	0 0
Lime Rock,	2	0 0	Medford,	2	0 0
Lingan Mines,	2	0 0	Mordan,	2	0 0
Little Bras D'or,	3	10 0	Meagher's Grant,	2	0 0
Little River,	2	0 0	New Tusket,	2	0 0
Little Arichat,	2	0 0	Necum Teuch,	2	0 0
Little Harbour,	2	0 0	New Annan,	2	0 0
Little Tracadie,	4	10 0	New Larig,	2	0 0
Lochabar,	2	0 0	New Caledonia,	2	0 0
Loch Lomond,	2	0 0	Newport Corner,	4	10 0
Long Island,	2	0 0	New Germany,	2	0 0
Long Point,	3	10 0	Newport Landing,	2	0 0
Louisbourg,	2	0 0	Nicholl's Corner,	2	0 0
Lower Ward,	2	0 0	Nictaux Falls,	2	0 0
Low Point,	3	10 0			

Nine

TOWNS.	AM'T. CUR.	TOWNS.	AM'T. CUR.
Nine Mile River,	£2 0 0	Sand Point,	2 0 0
North East Branch Margaree,	2 10 0	St Ann's, C. B.,	2 0 0
Noel,	3 0 0	St. Andrew's,	2 0 0
Noel Shore,	2 0 0	St. Croix,	3 10 0
North West Arm,	2 0 0	St. George's Channel,	2 0 0
North Shore,	2 0 0	St. Mary's Bay,	2 0 0
North River Bridge St. Ann's,	2 0 0	St. Patrick's Channel,	2 10 0
North East Harbour,	2 0 0	Scott's Bay,	2 0 0
New Harbour,	2 0 0	Sheet Harbour,	2 0 0
North Mountain, Cornwallis,	6 8	Sheffield Mills,	2 0 0
Ohio,	2 0 0	Sherbrooke (Co. Lunenburg),	3 10 0
Old Barns,	2 0 0	Ship Harbour,	4 10 0
Onslow,	3 10 0	Shubenacadie River,	2 0 0
Onslow, Upper,	3 10 0	South Side French River,	1 10 0
Oyster Ponds,	2 0 0	South Gut, St. Ann's,	2 10 0
Paradise Lane,	4 10 0	Spence's,	2 0 0
Peggy's Cove,	2 0 0	Spring Hill Road,	2 0 0
Petite Reviere,	4 10 0	Springville,	2 0 0
Pleasant River,	2 0 0	Steep Creek,	3 10 0
Port Jolly,	2 0 0	Stewiacke (Middle)	2 0 0
Port George,	2 0 0	Smith's Cove,	2 0 0
Portapique,	2 0 0	Stewiacke,	2 0 0
Pomket Forks,	2 0 0	Stoddart's,	3 10 0
Port Matoon,	2 0 0	Shag Harbour,	2 0 0
Porter's Lake,	2 0 0	South Branch (Co. Colchester),	2 0 0
Prospect,	2 0 0	Ship Harbour, (Co. Halifax),	2 0 0
Pubnico,	4 10 0	Sutherland River,	2 0 0
Portlatour,	2 0 0	Short Beach,	2 0 0
Pero,	2 0 0	Shinemacas Bridge,	2 0 0
Red Islands,	1 3 4	Tracadie,	4 10 0
Ragged Islands,	2 0 0	Tusket,	4 10 0
Ragged Head,	2 0 0	Turns' Bay,	2 0 0
Ratchford River,	2 0 0	Tatamagouche Mountain,	2 0 0
Rawdon,	2 0 0	Upper Dyke Village,	10 0
Rawdon (Upper),	2 0 0	Upper Settlement (South River,)	2 0 0
Rawdon (South),	2 0 0	Upper Settlement (West River,	2 0 0
River Hebert,	2 0 0	Upper settlement of Big Baddeck,	3 4
River Inhabitant,	4 10 0	Wallace River,	2 10 0
River Debert,	2 0 0	West Chester,	3 10 0
River John (West Branch)	2 0 0	Willis Foster,	2 10 0
River Dennis,	2 10 0	Wood Harbour,	2 0 0
Roger's Hill,	2 0 0	White Head,	2 0 0
Round Hill,	4 10 0	Walton,	10 0
Scotch Village,	1 6 8		
Sackville, Windsor Road,	2 0 0		
Sable River,	4 10 0		
Salmon River (Co. Halifax),	2 0 0		
Salmon River (Co. Guysboro',	2 10 0		
Sandy Cove,	3 10 0		
		Total,	£657 0 10

A. WOODGATE, P. M. G.

F. M. PASSOW, examiner account branch.

## REPORT NO. 3.

(C IN REPORT No. I.)

*A return of all payments made, and charges incurred for mail carriage in Nova Scotia, during the year ended 30th September, 1857.*

Name of route.	Amount paid.
Albion Mines to New Glasgow,	£12 1 10½
Amherst to Parrsborough,	53 0 0
Annapolis to Digby,	98 0 0
Antigonishe to Cape George,	24 0 0
Antigonishe to Lochabar, &c. &c.	10 15 0
Antigonishe to Sherbrooke,	28 0 0
Arichat to Disconse,	10 0 0
Arichat to Grandance,	36 0 0
Arichat to Little Arichat,	15 0 0
Aylesford to Morden,	4 17 6
Aylesford through western part of township,	2 10 0
Aylesford through eastern part of township,	4 10 0
Aylesford to Willis Foster's and Pero's, &c.,	16 10 0
Baddeck to English Town,	19 18 0
Baddeck to Plaister Cove,	112 14 3
Baddeck to upper settlement of Big Baddeck River,	4 3 4
Ball's Creek to Narrows,	47 0 0
Barrington to Port LaTour, &c ,	17 5 0
Barrington to Wood harbor, and east side of Pubnico harbor,	88 0 0
Billtown to Hall's harbor,	13 19 10
Bridgewater to Petite Reviere,	32 0 0
Bridgewater to Middlefield,	17 8 9
Bridgewater to Chute's Cove, Marshall's Cove and Granville Ferry, via Parker's Cove,	32 10 0
Bridgetown to Granville Ferry and Annapolis Gut,	24 0 0
Bridgetown to Lawrencetown, <i>via</i> south side of the river,	9 19 0
Brookfield to Pleasant River,	9 0 0
Buckley's to Canada Creek and Black Rock,	9 18 8
Canning to Pero,	4 0 0
Canning to Scott's Bay,	11 10 0
Cape North to Bay St. Lawrence,	7 0 0
Cape Sable Island round the island,	12 19 6
Catalone to Louisbourg,	12 0 0
Chester to Kentville, <i>via</i> Sherbrooke,	72 0 0
Cheverie to Newport Corner,	23 10 7
Clyde River to Gunning Cove,	18 9 0
Clementsport to Hillsboro', <i>via</i> Shaw road and Hessian Line corner,	11 10 0
Country Harbor to Isaae's Harbor,	13 0 0
Cross roads to Country Harbor,	5 16 8
Crow Harbor to Molasses Harbor and Tolliver's Cove,	16 10 0
Digby to Brier Island,	119 15 0
Digby to Marshall town,	5 0 0
Drysdales' to Twin's Bay,	8 0 0
Dunlap's to Lock's Island, Lewis' Head, and east side of Ragged Island,	54 10 0
Durham to New Larig and Lime Rocks,	26 0 0
English Town to Ingonishe, <i>via</i> North Shore,	25 0 0
Falmouth to Hantsport,	15 0 0

Forestill's

Forestall's to McMair's Cove,	£14	0	0
Forks to St. Margaret's Bay and Lower Ward,	30	0	0
Guysboro' to Canso,	66	13	4
Grand Lake to Pictou,	244	10	0
Grand River to Loch Lomond,	6	17	0
Guysboro to New Harbor,	13	8	0
Halifax to Guysboro', via the Great Eastern road,	199	18	8
Halifax to Kentville and Annapolis,	499	0	0
Halifax to Liverpool and Yarmouth, including Bridgewater,	699	0	0
Halifax to Musquodoboit Harbor,	56	14	0
Halifax to Pictou,	270	7	6
Halifax to Grand Lake, per rail,	27	2	5½
Halifax to Prospect,	21	0	0
Halifax to Sambro,	30	0	0
Halifax to Lower Horton,	9	19	6
Ingonishe to Cape North,	25	0	0
Kennetcook to Cockmagun,	2	10	0
Kentville to East Cornwallis,	29	5	0
Kentville to West Cornwallis,	45	10	6
Lawrencetown to LeHave bridge,	71	1	1½
Liverpool to Annapolis,	100	0	0
Liverpool to Port Medway,	12	10	0
Liverpool to Milton,	9	0	0
Londonderry to Five Islands, via Portapique,	56	0	0
Londonderry to Pugwash, via Wallace River,	35	0	0
Lower Macan to Minudie and Joggin Mines,	38	15	2
Louisbourg to Gabarouse,	25	15	11½
Lower Stewiacke to New Lairig,	50	0	0
Lower Stewiacke to Phillips' on Shubenacadie River,	17	0	0
Lower Ward to Peggy's Cove,	7	10	0
Lunenburg to Cross Roads, LaHave,	12	10	0
Mabou to Baddeck,	8	0	0
Mahone Bay to New Economy,	18	10	0
Maitland to the Gore,	38	18	0
Maitland to Shubenacadie,	17	8	2
Malagawatch to River Inhabitants,	20	0	0
Margaree to Baddeck,	40	0	0
Margaree to Cheticamp,	10	0	0
Milford to Guysboro',	57	0	0
Middleton to Port George,	7	10	0
Morden to Walton,	1	11	3
Musquodoboit Harbour to Ship Harbour,	23	0	0
New Glasgow to Barney's River, and Cape George, via Gulf Shore,	70	0	0
New Glasgow to Glenelg, St. Mary's, via Blue Mountain,	32	0	0
New Glasgow to Hopewell,	12	19	0
New Glasgow to Churchville and Springville,	7	10	3
New Glasgow to Fraser's mills,	6	4	7
New Glasgow to Little Harbour,	5	19	0
Newport to the Gore, Douglas, &c.,	57	9	0
Newport to Newport Landing,	22	7	6
Newport to South Rawdon,	10	0	0
Newport Corner to Walton,	42	9	9
Parrsboro' to Apple River, via Advocate Harbour,	37	6	2
Parrsboro' to Black Rock,	9	15	0
			Parrsboro'

Parrsboro' to Five Islands,	£14	0	0
Pero to Canning, via Medford,	6	17	6
Pictou to Amherst,	200	0	0
Pictou to Earltown,	19	15	0
Pictou to New Glasgow,	33	10	0
Plaister Cove to Port Hood,	112	10	0
Port Hood to Margaree,	88	0	0
Port Hood to Whyccomah, and Lake Ainslie,	11	18	9
River Dennis, to Straits of Barra, via The Boom,	21	0	0
Sheet Harbour to Marie Joseph,	40	0	0
Sherbrooke to Glenelg, St. Mary's,	12	19	0
Sherbrooke to Indian Harbour,	10	0	0
Sherbrooke to Marie Joseph,	25	0	0
Sherbrooke, county Lunenburg, to Stoddart's,	36	15	0
Shubenacadie to Maitland, Noel and Gore, returning by Indian Road,	49	7	6
Shubenacadie to Belleanan, and Gays' River,	22	7	6
Shubenacadie to Upper Musquodoboit,	35	0	0
Skinner's way office to Givan Wharf, and Ogilvie Breakwater,	12	9	6
South Gut of St. Ann's to St. Anne,	9	10	0
Spencer's to Acadia Mines,	9	19	6
St. Ann's to North River Bridge,	6	12	6
St. Andrews to Lochaber, via Goshan,	9	15	0
St. George's channel, to head of W. Bay,	5	10	0
St. Peter's to L'Ardoise and Grand River,	18	0	0
Sydney to Cow Bay and Grace Bay,	19	18	10
Sydney to Grand Mire,	19	16	10
Sydney to North Sydney, by packet,	4	19	10
Sydney to Minadien,	38	0	0
Sydney to Lingan and Low Point,	15	0	0
Sydney to Sydney Mines,	23	10	0
Sydney Mines to Baddeck,	100	0	0
Tatamagouche to New Amman, and Belfour Mills,	15	0	0
Truro to Adam McNutt's,	3	5	0
Truro to Amherst,	369	0	0
Truro to Maitland and Phillips',	22	0	0
Truro to Earltown,	25	5	0
Upper Musquodoboit to Sheet Harbour,	39	0	0
Upper Musquodoboit to Upper Stewiacke,	12	0	0
Upper Onslow to DeBert,	10	8	0
Wallace to Malagash,	10	0	0
Wallace to Pugwash, via Gulf Shore,	14	10	0
Walton to Chevarie,	5	15	0
Walton to Newport post office,	13	0	0
Walton to Noel and Burncoat,	22	10	0
West River to Plaister Cove and Sydney, including Guysboro',	1125	0	0
Weymouth to Sabeaus,	12	0	0
Whyccomah to Forks, Margaree, via East side of Lake Ainslie,	14	15	0
Wilmot to Lawrencetown,	17	10	0
Willis Foster's to Nicholls' Corner, and Bridgetown,	24	10	0
Wilmot to Margaretville,	9	19	10
Wilmot to Nictaux, via Middleton,	2	19	11½
Windsor to Falmouth,	7	10	0
Wolfville to Gaspereau,	7	10	0
Yarmouth to Digby,	241	0	0
			Yarmouth

Yarmouth to Kemptville,	£28	0	0
St. John to Digby and Annapolis,	500	0	0
St. John to Boston, via Portland,	100	0	0
Railway terminus to Grand Lake, per rail,	54	0	0
Windsor to Parrsboro', by steam packet,	75	0	0
Total,	£8309	8	10½

A. WOODGATE, P. M. G.

E. M. PASSOW, examiner account branch.

## REPORT No. 4.

DETAILED ACCOUNT OF ALL INCIDENTAL AND MISCELLANEOUS ITEMS OF DISBURSEMENT FOR  
THE YEAR ENDED 30TH SEPTEMBER, 1857.

## VOUCHER D.

*Account of sums paid as gratuities to shipmasters in the year ended 30th September, 1857.*

No. of inner voucher.	Name of office.	Amount currency.			
<i>December quarter, 1856.</i>					
1	Halifax,	£6	14	9	
2	Port Medway,	0	7	6	
3	Liverpool,	0	12	7½	
4	Lock's Island,	0	4	4½	
5	North Sydney,	0	18	6	
6	Yarmouth,	1	4	6	
					10 2 3
<i>March quarter, 1857.</i>					
1	Halifax,	7	14	9	
2	Liverpool,	1	0	1½	
3	Lock's Island,	0	19	3	
4	Port Medway,	0	4	6	
5	Sydney,	0	11	9	
6	Yarmouth,	0	13	1½	
					11 3 6
<i>June quarter, 1857.</i>					
1	Halifax,	10	18	4	
2	Bridgewater,	0	1	0	
3	Digby,	0	3	8	
4	Liverpool,	1	3	9	
5	Lock's Island,	0	8	4½	
6	North Sydney,	1	11	4½	
7	Pictou,	2	3	7½	
8	Shelburne,	0	6	0	
9	Sydney,	0	1	9	
10	Weymouth,	0	7	0	
11	Wolfville,	0	1	10½	
12	Yarmouth,	2	2	0	
					19 8 4½
					September

<i>September quarter, 1857.</i>		
1	Halifax,	7 1 9½
2	Annapolis,	0 1 3
3	Liverpool,	0 14 1½
4	Lock's Island,	0 6 3
5	North Sydney,	3 13 4½
6	Sydney,	1 19 7½
7	Westport,	0 1 3
8	Weymouth,	0 0 6
9	Yarmouth,	1 16 7½
		15 14 9½
Total,		£56 8 11

## VOUCHER E.

*Statement of sums paid in discharge of tradesmen's bills or articles supplied for the service of the post office department, in the province of Nova Scotia, in the year ended 30th September, 1857.*

No. of inner voucher.		Amount currency.
<i>December quarter, 1856.</i>		
1.	Barrs & Harris—1 platform scale,	£5 10 0
2.	Cogswell & Son—Twine &c.	4 12 5
3.	G. Scarfe—Repairing portmanteaus,	4 2 6
4.	J. & E. Longard—Articles furnished for P. O.,	2 13 9
5.	Messrs. Studley—Lettering mail bags.	1 11 6
6.	James Hunter—Gas burners, &c.	0 18 9
7.	George Bolton—Brass post office stamps,	0 12 6
8.	Esson & Co.—Candles, matches, soap,	0 7 6
		£20 8 11
<i>March quarter, 1857.</i>		
1.	Cogswell & Son—Twine, thread, &c.,	9 7 3
2.	Muir & Blackadar—Making mail bags,	4 10 0
3.	Messrs. Studley—Lettering do.	1 14 6
		15 11 9
<i>June quarter, 1857.</i>		
1.	George Scarfe—Repairing portmanteau for use of post office department, Halifax,	6 18 3
<i>September quarter, 1857.</i>		
1.	John Lanigan—Making nine dozen cotton canvas bags for the post office department,	£11 2 0
2.	John Brander—Jobs done at the Halifax office,	4 3 9
3.	James Hepburne—Repairing portmanteau and mail bags, Pictou,	0 9 6
		15 15 3
Total,		£58 14 2

Voucher

## VOUCHER F.

*Account of sums paid for rent on account of the general post office department in the Province of Nova Scotia, in the year ended the 30th September, 1857.*

No. of Inner voucher.	Particulars of Disbursements.	Amount currency.
<i>December quarter, 1856.</i>		
1	Rent of apartments in "Dalhousie college," occupied as the post office department,	£50 0 0
<i>March quarter, 1857.</i>		
1	Rent of apartments in "Dalhousie college," occupied as the post office, Halifax,	50 0 0
<i>June quarter, 1857.</i>		
1	Amount paid to the governors of "Dalhousie college," being rent of apartments in the college, occupied as the post office.	50 0 0
<i>September quarter, 1857.</i>		
1	Amount paid to the governors of "Dalhousie college," being for rent of apartments in said building, occupied as the post office department,	50 0 0
		£200 0 0

## VOUCHER H.

*Account of sums paid for printing, &c. in the year ended the 30th September, 1857.*

No. of inner voucher.	Particulars of Disbursements.	Amount currency.
<i>December quarter, 1856.</i>		
1	Stationery.—Creighton & Co.,	£30 0 10½
2	Graham & Son,	5 11 6
		£35 12 4½
3	Printing and advertising.—Halifax,	99 7 8½
4	Pictou,	0 15 0
5	Yarmouth,	1 2 6
		136 17 7
<i>March quarter, 1857.</i>		
1	Stationery.—McKinlay,	0 17 6
1	Printing, &c.—Bowes & Son,	51 11 10½
2	R. Nugent,	8 10 7
3	E McDonald,	0 15 0
4	R. Huntington,	0 7 6
		62 2 5½
<i>June quarter, 1857.</i>		
1	Printing and advertising.—Bowes & Son,	57 0 0
2	R. Nugent,	0 5 0
3	E. McDonald,	0 15 0
4	R. Huntington,	0 7 6
		58 7 6
		September

<i>September quarter, 1857.</i>		
1	Printing and advertising.—Bowes & Son,	49 12 6
2	O. Weeks,	0 18 9
3	E. McDonald,	0 15 0
4	R. Huntington,	0 7 6
		51 18 9
Total,		£309 1 3½

## VOUCHER I.

*Account of coal, wood, gas, &c., for the year ended 30th September, 1857.*

No. of inner voucher.	Particulars of Disbursements.	Amount currency.
<i>December quarter, 1856.</i>		
1	Gas supplied to post office department at Halifax,	£12 6 0
<i>March quarter, 1857.</i>		
1	Amount paid the Halifax "Gas Company," for gas supplied to post office, Halifax,	17 17 0
<i>June quarter, 1857.</i>		
1	Amount paid the Halifax "gas company," for Halifax post office,	13 10 0
<i>September quarter, 1857.</i>		
1	Amount paid to James McLcan, for fuel, truckage and labor, &c., for post office, Halifax,	36 16 3
2	Amount paid to "gas company," for gas supplied to the post office, Halifax,	8 6 6
		45 2 9
Total,		£88 15 9

## VOUCHER J.

*Account of sums paid for buildings and repairs, on account of the general post office department, in the province of Nova Scotia, in the year ended the 30th September, 1857.*

No. of inner voucher.	Particulars of Disbursements.	Amount currency.
<i>December quarter, 1856.</i>		
1.	Amount paid J. Brander, for repairs, &c. at the Halifax office,	0 17 6
<i>March quarter, 1857.</i>		
		nil.
<i>June quarter, 1857.</i>		
		nil.
<i>September quarter, 1857.</i>		
		nil.
Total,		£0 17 6

VOUCHER K.

*Account of sums paid for miscellaneous services in the year ended 30th September 1857.*

No. of inner voucher.	Particulars of Disbursements.	Amount currency.
<i>December quarter, 1856.</i>		
1	Petty Disbursements made by the P M. General,	£9 5 11
2	Mrs. Catherine McPherson, for affording accommo- dation to the couriers, Grandance, C. B.	1 5 0
		£10 10 11
<i>March quarter, 1857.</i>		
1	Thos. O'Flavin, salary as W. O. keeper, Marie Joseph, omitted last quarter.	1 10 0
2	Jno. Comerford, fines remitted,	3 0 0
3	Mrs. McPherson, for affording accommodation to the couriers at Grandance, C. B.,	1 5 3
4	Petty disbursements made by the P. M. General,	6 0 7
		11 15 7
<i>June quarter, 1857.</i>		
1	J. Archibald, for loss sustained by termination of mail contract,	30 0 0
2	T. G. Berri, of London, stamps and seals for post office department,	7 10 0
3	Wm. Cunningham, for conveying mails across the W. passage ferry, Barrington,	5 0 0
4	Mrs. McPherson, for affording accommodation to the couriers, Gradance, C. B.,	1 5 0
5	Disbursements made by the P. M. general,	6 14 0
		50 9 0
<i>September quarter, 1857.</i>		
1	Paid John Fraser, W. O. keeper, additional pay as postmaster, West River,	2 10 0
2	D. Duncan, for map of the United States,	2 0 0
3	W. Crawford, for repairing P. O. clock,	1 12 6
4	Mrs. McPherson for accommodation to the couriers Grandance, C. B.	1 5 0
5	Petty disbursements made by P M. general,	3 6 2
		10 13 8
Total for the year,		£83 9 2

VOUCHER L.

*Discount of five per cent. allowed to postmasters, merchants, stationers, and others on the  
the purchase of postage stamps, for the quarter ended 31st December, 1856.*

TOWNS.	AM'T. CUR.	TOWNS.	AM'T. CUR.
Halifax,	4 14 6	Barrington,	0 8 6
Albion Mines,	0 8 0	Bridgetown,	1 0 0
Amherst,	1 9 0½	Bridgewater,	0 7 0
Annapolis,	1 4 0½	Chester,	0 6 6
Aylesford,	0 4 0	Cape Canso,	0 5 2
Baddeck,	0 6 3	Clemensport,	
		Towns.	

TOWNS.	AM'T	CUR.	TOWNS.	AM'T	CUR.
Digby,	0	17	0	St. Margaret's Bay,	
Durham,				St. Peter's,	0 5 0
Guysboro,	0	17	0	St. Ann's,	
Hantsport,	0	3	4	Shelburne,	0 6 6
Kentville,	1	15	0	Sherbrooke,	0 2 0
Lawrencetown,				Sydney,	0 6 0
Liverpool,	1	16	0	Sydney Mines,	
Londonderry,	0	11	0	Shubenacadie,	0 3 0
Lower Horton,	0	3	0	Tatamagouche,	0 7 0
Lunenburg,	0	2	6	Truro,	1 4 0
Lower Stewiacke,	0	3	0	Upper Musquodoboit,	0 2 10
Locke's Island,	0	3	7	Wallace,	0 9 6
Maitland,	0	4	6	Weymouth,	0 11 0
Middle Musquodoboit,				Windsor,	2 7 6
Mahone Bay,	0	4	0	Wolfville,	0 18 0
Mills Village,	0	3	3	Walton,	
New Glasgow,	1	0	6	Westport,	0 8 6
Newport,	0	4	0	West River,	
North Sydney,	0	3	6	Wilmot,	0 3 10½
Parrsboro',	0	3	0	Whycocomagh,	0 1 6
Pictou,	2	4	2	Yarmouth,	1 16 0
Plaister Cove,	0	13	0	McNair's Cove,	0 5 5
Port Hood,	0	2	6	Margaree,	0 0 6
Pugwash,	0	12	0	Upper Stewiacke,	
Port Medway,	0	1	10		
River John,	0	1	0		
River Philip,	0	1	2		
				£33	5 11

## Quarter ended 31st March, 1857.

Halifax,	£4	7	6	Lunenburg,	2	0
Albion Mines,		7	9	Lower Stewiacke,	4	0
Amherst,	1	10	0	Locke's Island,	6	9½
Annapolis,	1	4	0	Maitland,	4	6
Antigonish,		9	0	Middle Musquodoboit,		
Arichat,				Mahone Bay,	3	2
Aylesford,		5	6	Mill's Village,	3	9
Baddeck,		4	3	New Glasgow,	1	4 6
Barrington,		10	9	Newport,	8	0
Bridgetown,	1	0	0	North Sydney,	2	0
Bridgewater,		8	4	Parrsboro',		
Chester,		7	6	Pictou,	1	14 10
Cape Canso,		16	0	Plaister Cove,	9	0
Clementsport,				Port Hood,	2	6
Digby,		18	0	Pugwash,	9	0
Durham,				Port Medway,	2	10½
Guysboro',		15	0	River John,	1	6
Hantsport,		10	6	River Philip,	2	4½
Kentville,	1	18	0	St. Margaret's Bay,		
Lawrence Town,				St. Peter's,	2	0
Liverpool,	1	0	0	St. Ann's,		
Londonderry,		14	6	Shelburne,	6	0
Lower Horton,		2	0	Sherbrooke,	4	0

Towns.

TOWNS.	AM'T CUR.	TOWNS.	AM'T CUR.
Sydney,	£0 5 0	Walton,	£0 4 0
Sydney Mines,		Westport,	
Shubenacadie,	3 0	West River,	10 0
Tatamagouche	5 6	Wilmot,	1 6
Truro,	1 5 0	Whycocomagh,	2 0 0
Upper Musquodoboit,	3 7½	Yarmouth,	0 4½
Wallace,	7 0	Margaree,	3 4
Weymouth,	10 0	McNair's Cove,	
Windsor,	2 1 6	Upper Stewiacke,	
Wolfville,	17 0		
			£32 18 2½

## Quarter ended 30th June, 1857.

Halifax,	7 6 3	Newport,	4 0
Albion Mines,	6 6	North Sydney,	3 0
Amherst,	1 11 0	Parrsboro',	5 0
Annapolis,	1 4 0	Pictou,	2 4 8
Antigonish,	18 0	Plaister Cove,	13 0
Arichat,		Port Hood,	2 6
Aylesford,	4 2	Pugwash,	15 0
Baddeck,	3 6	Port Medway,	2 5
Barrington,	12 9	River John,	2 7½
Bridgetown,	15 0	River Phillip,	1 5½
Bridgewater,	6 11½	St. Margaret's Bay,	
Chester,	6 0	St Peters,	3 0
Cape Canso,	4 7½	Shelburne,	7 6
Clementsport,		Sherbrooke,	2 0
Digby,	18 0	Sydney,	7 0
Durham,		Tatamagouche,	5 6
Guysboro',	18 0	Truro,	1 5 0
Hantsport,	0 4½	Upper Musquodoboit,	5 0
Kentville,	1 16 0	Wallace,	7 8
Lawrence Town,		Weymouth,	13 0
Liverpool,	1 2 0	Windsor,	2 8 1½
Londonderry,	15 0	Wolfville,	1 0 6
Lower Horton,	5 0	Westport,	4 0
Lunenburg,	2 6	Wilmot,	8 8
Lower Stewiacke,	6 0	Whycocomah,	3 0
Locke's Island,	2 4½	Yarmouth,	1 18 0
Maitland,	5 0	Margaree,	0 6½
Middle Musquodoboit,		McNair's Cove,	13 3
Mahone Bay,	5 9½		
Mills Village,	2 0		
New Glasgow,	1 0 6		£37 2 8½

## Quarter ended 30th Sept. 1857.

Halifax,	4 7 0	Baddeck,	4 9
Albion Mines,	7 9	Barrington,	11 0
Amherst,	1 12 2½	Bridgetown,	1 1 0
Annapolis,	1 4 0	Bridgewater,	8 2½
Antigonish,	1 0 0	Canning,	5 6
Arichat,	1 0	Chester,	6 6
Aylesford,	4 3	Cape Canso,	5 5
			Towns,

TOWNS.	AM'T. CUR.	TOWNS.	AM'T. CUR.
Digby,	£0 19 0	Pugwash,	£0 15 2
Guysboro'	1 0 0	Port Medway,	1 9
Hantport,	2 10	River John,	1 10½
Kentville,	1 13 0	River Phillip,	1 4½
Lawrence Town,	3 0	St. Peter's,	2 0
Liverpool,	2 7 0	Shelburne,	5 6
Londonderry,	15 0	Sherbrooke,	2 0
Lower Horton,	7 3	Sydney,	3 0
Lunenburg,	3 6	Shubenacadie,	8 0
Lower Stewiacke,	6 0	Tatamagouche,	8 6
Locke's Island,	4 0½	Truro,	1 5 0
Maitland,	5 0	Upper Musquodoboit,	2 9
McNair's Cove,	1 2 0	Wallace,	7 1½
Mahone Bay,	4 0	Weymouth,	12 6
Mills Village,	3 7½	Windsor,	2 2 10½
New Glasgow,	1 0 6	Wolfville,	18 0
North Sydney,	1 0	Westport,	4 0
Parrsboro',	10 0	Wilmot,	10 8
Pictou,	3 1 4	Whycocomagh,	1 0
Plaister Cove,	13 6	Yarvismouth,	2 0 0
Port Hood,	2 0		
			£37 15 3
Add—December, Quarter, 1856,			33 5 11
March, do 1857,			32 18 2½
June, do do.			37 2 8½
		Total in the year	£141 2 1

## RETURN No. 5.

## VOUCHER B—(No. 2.)

*Amount paid to way office keepers in the province of Nova Scotia, for the year ended 31st of December, 1856,—being commission on revenue collected by them.*

TOWNS.	AM'T. CUR.	TOWNS.	AM'T. CUR.
Addington Forks,	£0 9 0½	Big Bras d'Or,	
Acadia Mines,	1 16 11	Big Interval (Grand Nar- } rows, C. B.) } Big Pond,	£0 2 9½
Advocate Harbour,	1 16 9½	Bill Town,	16 10½
Alma (Middle River),	1 6 7	Black Rock,	1 6 10
Apple River,	5 9	Blue Mountains,	5 3½
Argyle,	2 3 11½	Boulardarie,	7 8
Arisaig,	11 11½	Boisdale,	3 0 5½
Aspay Bay, C. B.,	14 4	Boisdale,	4 9
Bailey's Brook,	12 11½	Bridgeport (Glance Bay),	9 1
Barrington Passage,		Boom,	7 10
Bedford Basin,	2 16 8	Broad Cove (Interval)	1 2 9
Barney's River,	1 18 1½	Broad Cove (Marsh),	1 5 5½
Bay St. Lawrence,	1 7½	Broad Cove (Lunenburg),	1 0 3
Berwick,	1 18 6	Brookfield (Queen's)	1 18 2
Big Baldeck,	1 8 7½		

TOWNS.

TOWNS.	AM'T.	CUR.	TOWNS.	AM'T.	CUR.
Brookfield (Co. Colchester),	1	1 6	Garden of Eden,	£0	4 8
Brookfield (or South side } Mire), }	1	3 3	Gaspereau,	1	1 9½
Buckley's,	1	18 8½	Gay's River,	1	1 4½
Belleveaux Cove,		4 0½	Glenelg,		19 2
Canard (Cornwallis)	1	0 11	Goose River,		17 8½
Canning,	7	0 9½	Gore,	1	11 2½
Cape George,	1	9 1½	Goshen,		11 2½
Cape Sable Island	2	8 7	Grand River,	1	10 4½
Catalone,		12 3	Granville Ferry,	4	18 11½
Caledonia Corner,	2	2 1	Great Village,	6	13 8
Chesley Corner (New Ger- } many) }	4	2½	Gulf Shore,		9 1½
Cheticamp,	1	11 11½	Guysboro Intervale,	1	3 6½
Cheverie,	2	1 6½	Hall's Harbour,	1	13 4
Church Street (Cornwallis)		19 1½	Halfway River,		10 9½
Clare,		9 6½	Harbour a' Bouchet,	1	16 1
Clyde River,	1	18 9½	Head of Amherst,		12 4½
Cornwallis East,		19 4½	Head of Wallace Bay,		7 8½
Cornwallis West,	1	6 8	Hebron,	2	13 7
Country Harbour,		19 1	Hillsboro, C. B.,	2	2 4
Cow Bay, C. B.,		14 0½	Hillsboro, N. S.,	3	9 9
Cross Roads (Country Har- } bour), }	11	2½	Hopewell,	1	9 1
Cross Roads (St. Mary's)		12 6	Hubbard's Cove,	1	0 9½
Crow Harbour,		19 6	Head of Lochabar Lake,		1 8½
Christmas Island,	1	9 4½	Head of Wallace Bay,		4½
Conquerall Bank,		15 5½	Head of West Bay,		2 8
Cape Negro,		16 7	Indian Harbour,	1	0 3
Chester Basin,		8 5	Ingonish,		7 8
Chutes Cove,		6 9	Isaac's Harbour,		11 2½
Churchville,		4 1	Joggin Mincs,	1	2 9½
Dartmouth,	11	3 1	Judique,		17 4½
Diligent River,		9 4½	Kempt (Co. Queen's),		11 2½
Discoose,		14 6½	Kempt Town,		4 9½
Dublin Shore,		6 4	Kennetcook,	1	13 4
Earltown,	1	18 4½	Kennetcook, Upper,		1 11½
East Bay,	1	2 2½	Kingston Village,	1	0 1½
East Bay (North side)		3 7	Ketch Harbour,		14 1½
East River, St. Mary's,		8 0½	LaHave. Cross Road,		12 5
Economy,	4	6 6	Lake Ainslie,		3 3½
English Town,		10 10½	Lake Ainslie, East side,	1	1 9½
Economy, Upper,		7 3	L'Ardoise,		14 2½
Eastville,		5 5	Lewis Head,		10 5
Elmsdale,		13 0½	Lewis Bay,		10 6½
Falmouth,		7 7½	Lime Rock,		6 8½
Falmouth (Windsor Bridge)	1	7 4	Lingan Mines,		11 8½
Five Islands,	2	8 11	Little Bras D'or,	2	4 8½
Fox Harbour,		9 8½	Little River,	1	17 9½
Forristall's,		18 10	Little Arichat,	1	7 11½
Forks, Margarec,		8 4½	Little Harbour,		8 10
Fraser's Mills,		16 4½	Little Tracadie,		16 8½
Gaberouse,	1	5 9	Lochabar,	1	2 2½
			Loch Lomond,		12 1½
			Long Island,	1	8 4
			Long Point,		10 2½
					Towns.

TOWNS.	AM'T. CUR.	TOWNS.	AM'T. CUR.
Louisbourg,	£1 7 8	North East Branch Margaree,	1 16 5
Lower Ward,	2 0 1	Noel,	15 10
Low Point,	8 2½	Noel Shore,	1 11½
Low Point Shore,	7 6½	North West Arm,	8 11½
Lower Barney's River,	18 7½	North Shore,	14 0
Lower Maccan,	4 10½	North River bridge, St Ann's,	4 3
Mabou Bridge,	2 8 9	North East Harbour,	1 6 9½
Maccan,	17 5½	New Harbour,	1 10½
Maccan Intervale,	7 4½	Ohio,	
Mainidieu,	1 11 10½	Old Barns,	18 6½
Maitland (Co. Yarmouth),	2 13 8	Onslow,	1 12 11½
Malagawatch,	17 1½	Onslow, Upper,	2 5 6
Malagash,	15 0½	Oyster Ponds,	7 5
Malignant Cove,	6 7	Paradise Lane,	19 5
Manchester,	1 3 5	Peggy's Cove,	6 0½
Marie Joseph,	11 5½	Petite Reviere,	1 8 2½
Margaretville,	11 3	Pleasant River,	7 9
Margaree (6 months),	19 3½	Port Jolly,	1 7½
McLellan's Mountain,	4 10½	Portapique,	1 9 4½
Marshall Town,	6 3	Pomket Forks,	1 0 4½
Merrigomish 2nd,	2 2 5	Port Matoon,	14 8½
Metaghan,	1 9 11	Porter's Lake,	11 4½
Middletown, (Guysboro),	3 1½	Prospect,	18 2
Middle Settlement River } Inhabitant, }	3 8½	Pubnico,	2 8 8½
Middle River, C. B.,	1 9 3½	Port George,	6 4½
Middle River, Durham,	18 4	Port Latour,	1 7 3
Middletown, Co. Annapolis	4 16 10½	Perc,	7 2
Middlefield,	8 0½	Ragged Islands,	0 11
Miller's Creek,	1 0 2½	Ragged Head,	7 9
Mill Brook,	1 0 2	Ratchford River,	1 0 3½
Milton,	7 8 7	Rawdon,	11 3
Minudie or Barronsfield,	1 12 4	Rawdon (Upper),	19 9
Molasses Harbour,	14 8	Rawdon (South),	13 1
Moidart,	8 4	River Herbert,	1 1 1½
Morristown,	7 2	River Inhabitant,	1 5 6
Musquodoboit Harbour,	2 11 6	River-Debert,	13 7
Marshall's Cove,	9 9½	River John (West Branch)	16 6
Medford,	5 7½	River Dennis,	1 6 10
Mordan,	5 4½	Roger's Hill,	17 6
Meagher's Grant,	5 7½	Round Hill,	1 5 3
New Tusket,	1 0½	Sackville, Windsor Road,	2 7 7½
Napan,	16 7½	Sable River,	7 4
Necum Teuch,	6 1	Salmon River (Co. Halifax),	5 2½
New Annan,	1 3 0½	Salmon River (Co. Guysboro'),	2 6
New Larig,	13 8½	St. Ann's,	3 10
New Caledonia,	3 9½	Sandy Cove,	2 14 3
Newport Corner,	4 16 0½	Sand Point,	11 11
New Germany,	15 1½	St. Andrew's,	2 11 0½
Newport Landing,	3 2 6½	St. Croix,	4 18 4½
Nicholl's Corner,	5 2	St. George's Channel,	1 5 4
Nictaux Falls,	9 0	St. Mary's Bay,	1 8 11
Nine Mile River,	16 5	St. Patrick's Channel,	5 3½
		Scott's Bay,	7 0
			Towns.

TOWNS.	AM'T CUR.		
Sheet Harbour,	£1 0 4½	Ship Harbour, (Co. Halifax),	£0 3 8½
Sheffield Mills,	1 19 7½	Sutherland River,	2 10½
Sherbrooke (Co. Lunenburg),	15 1	Shoal Beach,	4 10
Ship Harbour,	2 8 4½	Shinemacas Bridge,	3 9
Shubenacadie River,	2 9	Tracadie,	3 7 7½
South Side French River,	1 8 4	Tusket,	3 5 6
South Gut, St. Ann's,	10 5	Turns' Bay,	4 11
Spence's,	3 3	Tatamagouche Mountain,	1 6
Spring Hill Road,	14 8½	Upper Settlement (South River,)	9 11½
Springville,	1 1 6½	Upper Settlement (West River,)	12 7
Steep Creek,	2 6 1½	Wallace River,	2 5 8
Stewiacke (Middle)	8 7½	West Chester,	19 8
Stewiacke (Upper)	19 1½	Willis Foster,	10 0
Stewiacke (Cox),	12 6	Wood Harbour,	9 5
Stoddart's,	6 8½	White Head,	4 4
Smith's Cove,	4 9½		
Shag Harbour,	10 7½		
South Branch (Co. Colchester),	6 5	Total,	£300 5 4½

A. WOODGATE, P. M. G.

F. M. PASSOW, examiner account branch.

## REPORT No. 6.

*Report of all fines imposed, and deductions made from the pay of mail contractors, for failure to deliver the mails, or for any other cause, showing the name of the contractor, the nature of the offence, the route on which it occurred, the amount of fines, the time when it was imposed, and whether the fine has been remitted, and for what reason, during the year ended 30th September, 1857.*

NAME OF ROUTE.		NAME OF CONTRACTOR.	NATURE OF OFFENCE.	DATE OF FINE.	AMOUNT OF FINE.	WHETHER REMITTED AND FOR WHAT REASON.
From	To					
Sydney Mines & North Sydney,	Sydney,	J. Comerford,	{ Behind time in arrival at Sydney post office, from Sydney Mines and North Sydney. The courier's excuse, which was not satisfactory, was that the steamer which plies between Sydney and N. Sydney, had left before the usual hour; in which case it was the duty of the courier, in accordance with the terms of his contract, to have conveyed the mails by the land route, which he did not do. }	1856.	£1 0 0	Fine remitted on the strong recommendation of Hugh Munro esq., M. P. P. for Victoria, & petition from N. Sydney and Sydney Mines.
Sydney,	Sydney Mines,	J. Comerford,	{ No courier in attendance to convey the mails, thereby subjecting the public to much inconvenience, 16th Decr. }	27th Dec.	1 0 C	Ditto
Sydney,	Sydney Mines,	J. Comerford,	{ Similar offence committed, 18th Decr. }	27th Dec.	1 0 0	Ditto
Sydney Mines,	Sydney,	J. Comerford,	{ No courier to convey the mails, 20th February, 1857, }	3d March, 1857.	1 0 0	Not remitted.

F. M. PASSOW, examiner account branch.

A. WOODGATE, postmaster general.

Report

## REPORT No. 7.

*Report of new post and way offices, established in Nova Scotia, during the year ended 30th September, 1857.*

NAME OF OFFICE.	WHETHER POST OR WAY OFFICE.	COUNTY.	NAME OF OFFICER.	DATE WHEN DUTIES COMMENCED.
Boulardarie,	Post office,	Victoria,	Alex. Munro,	1st July,
Canning,	do.	King's,	W. H. Harris,	do.
Mabou,	do.	Inverness,	Don'd McLellan,	do.
Sandy Cove,	do.	Digby,	Morse,	1st October,
Greenwich,	} Way Offices	King's,	Lewis Bishop,	1st February
Scotch Village,		Hants,	John Cochran,	do.
Red Islands,		Richmond,	James Johnstone,	1st March,
Bridgeville,		Pictou,	John Forbes,	1st May,
Eel Brook,		Yarmouth,	John B. White,	
Upper Dyke Village,		King's,	A. Beckwith,	
Lockhartville,		Do	Oliver Lochart,	
McNutt's,		Colchester,	Adam McNutt,	
Cross Roads Bridge,		Cumberland	Hugh McDonald,	
Carlton,		Yarmouth,	James McKillam,	1st July,
Middleton (Co. Annapolis),		Annapolis,	Nat. Parker,	
Greenfield,		Queen's,	Nat. Freeman,	
Head of Jordan River,		Shelburne,	Thomas Holden,	
Walton,		King's,	J. Smith Welton,	
Church Point, (Clare),		Digby,	Claude Malanson,	
East Port Medway,	Queen's,	Z. P. Armstrong,		
North Mountain, Cornwallis,	King's,	J. S. V. Aspinall,	1st August,	
Upper Settlement of } Big Baddeck River, }	Victoria,	Niel McMullen,	1st Sept.	

A. WOODGATE, P. M. G.

F. M. Passow, examiner account branch.

*Report of new post routes established in the year ended 30th September, 1857.*

NAME OF ROUTE.	WHEN ESTABLISHED.	NUMBER OF TRIPS PER WEEK.
From Halifax,	1857.	
" Truro,	26th January,	Six.
" *Baddeck,	1st July,	Three.
" *Mabou,	1st August,	Once.
" *Wilmot,	ditto,	Once.
	ditto,	Three.

\* Parties interested in these mail services, having given bonds to the department, pledging themselves to pay one half of the expense incurred in their establishment.

A. WOODGATE, P. M. G.

F. M. Passow, examiner account branch.

## REPORT No. 8.

*Report of post and way offices, and post routes, discontinued and closed within the year ended 30th September, 1857, shewing in each case the reason for the proceeding.*

POST AND WAY OFFICE.		NAME OF OFFICER.	COUNTY.	DATE WHEN CLOSED.	REASON FOR CLOSING.
Post office.	Way office.				
Tatamagouche,		John Lombard,	Colchester,	1857 30th June,	{ Removed to south side of French river, it being deemed more centre, &c.
	Boulardarie, Canning, Mabou,	Alex. Munro, W. H. Harris, Don. McLellan,	Victoria, King's Inverness,	30th June,	Converted into post office.
	Broad Covo Marsh, M. R. Durham, Sandy Cove,	A. McDonald, Alex. Fraser, M. Morse,	ditto Pictou, Digby,	30th June, 30th June, 31st Aug.	{ Removed to Donald McLeod's, site of office not being convenient for the public. Removed to G. McLeod's, ditto, Converted into post office.
POST ROUTE.		SERVICE TIMES PER WEEK.	DATE OF DISCONTINUANCE.	REASONS FOR DISCONTINUANCE.	
From	To				
River Inhabitants, Ditto	Malagawatch St. George's Channel,	once, once.	{ 30th Sept. 1857.	{ It was considered better for the greater accommodation of the public, to divide these rides as follows, viz., from Malagawatch to River Inhabitants and from St. George's Channel to head of West Bay.	
Baddeck,	Plaister Cove,	once.	28th Feb.	{ Ride abolished,—mails conveyed from Plaister Cove to Baddeck, via Port Hood to Lake Ainslie.	

Port Hood,	{ Whycocomah and Lake Ainslie	once.	28th Feb.	{ This service was included in the contract entered into by Delhanty, for conveying the mails from Plaister Cove to Baddeck, via Port Hood.
New Glasgow,	{ Churchhill and Springville,	once.	30th April	{ Courier between New Glasgow and Fraser's Mills, employed—the change of the route being considered a better arrangement.
Newport Corner, Kennetcook	{ Walton, Cockmagun,		31st March,	{ On the recommendation of the parties chiefly interested, these services were discontinued, and the following ride substituted, viz., from Walton to Chevarie—Chevarie to Newport Corner and Walton to Newport post office.
Aylesford,	{ Willis Foster's and Pineo's, on Ward's Road,	once.	30th June,	{ The original route from Aylesford to Willis Foster's and Pineo's on Ward's road, divided into two separate services, viz.—from Aylesford through western part of township; and from Aylesford through eastern part of township.

F. M. Passow, examiner account branch.

A. WOODGATE, postmaster general.

## REPORT No. 9.

*A report of all cases occurring within the year ended 30th September, 1857, of the abstraction or loss of letters containing money, sent through the post in Nova Scotia, shewing the particulars of each case, and stating the result of the proceedings instituted by the department.*

## PARTICULARS OF EACH CASE.

By whom mailed.	When mailed.	Where mailed.	Stated contents of letter.	ADDRESS.		Evidence of loss or abstraction.	Result of the proceedings instituted by the department in each case.
				Name.	Place.		
George Colter,	1856 31st Jan.	Lower Steviacke,	£ s. d. 4 0 0	Mrs. Colter,	Eastport, State of Maine,	Stated as not rec'd at destination.	{ Traced as far as St. Andrews, where all further trace was lost. { Neglect in the treatment of this letter having been proved against the postmaster, he was required by the department to make good, and did make good the amount. { Enquiry instituted — result not yet known. { The letter not having been "registered," cannot be traced. { Every enquiry made for the letter, but without success; the amount was the balance of the postmaster's account for the July quarter, which sum was afterwards paid by the postmaster.
Banks Winsley,	5th June,	Aylesford,	10 0 0	John Winsley,	Pugwash,	ditto	{
Wm. N. Smith,	21st May,	{ River Hobert { way office.	Not stated	Hannah J. Smith,	New Bandon, Bay Chaleur,	ditto	{
Joseph Richards,	10th Sep.	Windsor,	2 5 0	A. Richards,	Halifax,	ditto	{
Postmaster, Newport	3rd July,	Westport,	5 9 1½	P. M. general,	Halifax,	ditto	{
Donald Gillies, for { Lauchlan Gillies, }	31st Oct.	{ Way office, { Lewis Bay, St.	4 0 0	M. O'Brien,	Halifax,	£2 only stated to have been rec'd.	{
John McDonald,	19th July	{ Way office, St. { Croix,	6 0 0	Hugh McDonald,	Mira River,	£2 stated to have been rec'd only.	{
Roderick Campbell,	9th Sept	Ditto	5 0 0	Widow Campbell,	Marian bridge, Brookfield, Mira.	£4 only received.	{
Francis Parker,	31st July,	Newport Corner,	15 0 0	Dr. Parker,	Halifax,	Stated as not having been received,	{
Bridget Whiteley,	In April,	Halifax,	0 10 0	Ben. Taylor,	76th rgt. Fred ton	ditto	{
Frank Jones,	16th June	Halifax,	3 0 0	Geo. Jones,	Boston,	ditto	{

F. M. Passow, examiner account branch.

A. WOODGATE, postmaster general

## REPORT No. 10.

## AMOUNT OF REVENUE COLLECTED AT COUNTRY POST OFFICES.

*Account of postage of towns in the province of Nova Scotia, in the quarter ended the 30th of September, 1857,—including stamps sold.*

TOWNS.	AM'T. CUR.	TOWNS.	AM'T CUR.
Albion Mines,	£14 19 6	New Glasgow,	57 10 1
Amherst,	63 18 0	Newport,	38 18 8½
Annapolis,	38 7 2½	North Sydney,	15 12 9
Antigonish,	45 17 9½	Parrsboro',	22 7 7
Arichat,	31 4 10½	Pictou,	121 4 5
Aylesford,	13 15 0	Plaister Cove,	33 3 8½
Baddeck,	41 2 8½	Port Hood,	16 7 7½
Barrington,	42 12 7½	Port Medway,	6 18 11½
Boulardarie,	5 1 3½	Pugwash,	32 16 0½
Bridgetown,	58 13 11	River John,	8 15 11
Bridgewater,	18 9 6½	River Philip,	4 14 6½
Canning,	13 7 8½	Shelburne,	16 4 3½
Cape Canso,	11 18 0	Sherbrooke,	17 17 9
Chester,	13 7 6	Shubenacadie,	21 16 10½
Clemensport,	6 14 3	St. Ann's,	19 19 11
Digby,	39 6 1	St. Margaret's Bay,	5 10 3
Durham,	12 5 1	St. Peter's,	13 0 4½
Guysboro,	64 5 2½	Sydney,	127 9 3
Hantsport,	8 10 5	Sydney Mines,	8 18 8½
Kentville,	87 7 11	Tatamagouche,	20 18 0
Lawrencetown,	9 12 1½	Truro,	61 2 0
Liverpool,	82 8 6	Upper Musquodoboit,	7 10 4
Locke's Island,	10 13 8½	Upper Stewiacke,	6 4 10
Londonderry,	34 18 5½	Wallace,	22 0 3
Lower Horton,	15 18 2	Walton,	3 17 10
Lower Stewiacke,	14 5 9	Westport,	10 0 8½
Lunenburg,	17 13 2½	West River,	9 19 2
Mabou,	10 0 5	Weymouth,	23 3 3½
Mahone Bay,	8 11 7½	Wilmot,	19 3 11
Maitland,	9 18 9½	Windsor,	74 18 9½
Margaree,	8 8 8	Wolfville,	30 19 4½
McNair's Cove,	29 16 1	Whycocomagh,	12 3 3
Middle Musquodoboit,	5 1 3½	Yarmouth,	106 6 8½
Mills Village,	8 1 3½		

*Discount of five per cent. allowed to postmasters, on the the purchase of postage stamps, for the quarter ended 30st September, 1857.*

Halifax,		Boulardarie,	
Albion Mines,	0 7 9	Bridgetown,	1 1 0
Amherst,	1 12 2½	Bridgewater,	0 8 2½
Annapolis,	1 4 0	Canning,	0 5 6
Antigonish,	1 0 0	Chester,	0 6 6
Arichat,	0 1 0	Cape Canso,	0 5 5
Aylesford,	0 4 3	Clemensport,	
Baddeck,	0 4 9	Digby,	0 19 0
Barrington,	0 11 0	Durham,	

Towns.

TOWNS.	AM'T.	CUR.	TOWNS.	AM'T.	CUR.
Guysboro'	£1	0 0	Port Medway,	£0	1 9
Hantport,	0	2 10	River John,	0	1 10½
Kentville,	1	13 0	River Phillip,	0	1 4½
Lawrence Town,	0	3 0	St. Margaret's Bay,		
Liverpool,	2	7 0	St. Peter's,	0	2 0
Londonderry,	0	15 0	St. Ann's,		
Lower Horton,	0	7 3	Shelburne,	0	5 6
Lunenburg,	0	3 6	Sherbrooke,	0	2 0
Lower Stewiacke,	0	6 0	Sydney,	0	3 0
Locke's Island,	0	4 0½	Sydney Mines,		
Mabou,			Shubenacadie,	0	8 0
Maitland,	0	5 0	Tatamagouche,	0	8 6
Margaree,			Truro,	1	5 0
Middle Musquodoboit,			Upper Musquodoboit,	0	2 9
McNair's Cove,	1	2 0	Upper Stewiacke,		
Mahone Bay,	0	4 0	Wallace,	0	7 1½
Mills Village,	0	3 7½	Weymouth,	0	12 6
New Glasgow,	1	0 6	Windsor,	2	2 10½
Newport,			Wolfville,	0	18 0
North Sydney,	0	1 0	Walton,		
Parrsboro',	0	10 0	Westport,	0	4 0
Pictou,	3	1 4	West River,		
Plaister Cove,	0	13 6	Wilmot,	0	10 8
Port Hood,	0	2 0	Whycocomagh,	0	1 0
Pugwash,	0	15 2	Yarmouth,	2	0 0

## AMOUNT OF PRESENT SALARIES OF POSTMASTERS—INCLUDING COMMISSION ON POSTAGE STAMPS.

*Salaries to the deputies, for the quarter ended the 30th of September, 1857.*

Albion Mines,	6	12 9	Londonderry,	10	15 0
Amherst,	30	7 2½	Lower Horton,	5	7 3½
Annapolis,	15	14 0	Lower Stewiacke,	4	6 0
Antigonish,	16	10 0	Lunenburg,	10	3 6
Arichat,	10	1 0	Mabou,	2	0 0
Aylesford,	3	14 8	Mahone Bay,	5	15 0
Baddeck,	9	12 3	Maitland,	4	0 0
Barrington,	8	1 0	Margaree,	2	0 0
Boulardarie,	2	0 0	McNair's Cove,	3	12 6
Bridgetown,	11	11 0	Middle Musquodoboit,	2	10 0
Bridgewater,	5	8 2½	Mills Village,	3	18 7½
Canning,	3	8 0	New Glasgow,	18	10 6
Cape Canso,	4	0 5	Newport,	7	10 0
Chester,	5	6 6	North Sydney,	5	1 0
Clementsport,	2	0 0	Parrsboro',	6	15 0
Digby,	18	9 0	Pictou,	28	1 4
Durham,	5	0 0	Plaister Cove,	13	3 6
Guysboro',	12	5 0	Port Hood,	10	2 0
Hantsport,	3	5 4	Port Medway,	2	11 0
Kentville,	26	13 0	Pugwash,	8	5 2
Lawrencetown,	5	3 0	River John,	2	11 10½
Liverpool,	21	2 0	River Philip,	2	11 4½
Locke's Island,	3	6 6½	Shelburne,	9	0 6

Towns.

TOWNS.	AM'T.	CUR.	TOWNS.	AM'T.	CUR.
Sherbrooke,	3	17 0	Wallace,	9	2 0
Shubenacadie,	3	8 0	Walton,	2	10 0
St. Ann's,	2	10 0	Westport,	3	19 0
St. Margaret's Bay,	2	10 0	West River,	7	10 0
St. Peter's,	3	4 0	Weymouth,	5	12 6
Sydney,	22	13 0	Wilmot,	3	0 8
Sydney Mines,	3	2 6	Windsor,	22	2 10½
Tatamagouche,	4	3 6	Wolfville,	5	18 0
Truro,	17	10 0	Whycocomagh,	2	1 0
Upper Musquodoboit,	2	2 9	Yarmouth,	23	5 0
Upper Stewiacke,	2	0 0			

SALARIES OF POSTMESTERS UNDER THE SCHEME PROPOSED BY POSTMASTER GENERAL—VIZ., 33½ PER CENT. ON ALL SUMS OF £20 AND UNDER, COLLECTED IN A QUARTER—25 PER CENT. ON SUMS NOT EXCEEDING £40, AND 20 PER CENT. ON ALL SUMS ABOVE £40.

*Salaries to the deputies, for the quarter ended the 30th of September, 1857, including per centage on postage stamps sold, and Forward and night duty.*

Halifax,			Mills Village,	2	17 4½
Albion Mines,	5	7 7	New Glasgow,	16	3 10
Amherst,	25	1 1½	Newport,	11	8 0
Annapolis,	13	19 2	North Sydney,	6	15 3
Antigonish	15	12 10	Parrsboro',	7	15 3
Arichat	10	10 1	Pictou,	35	9 6
Aylesford	4	15 11	Plaister Cove,	16	12 9
Baddeck,	12	3 10	Port Hood,	5	11 2
Barrington,	10	7 6	Port Medway,	2	8 1
Boulardarie,	1	13 10	Pugwash,	10	12 6
Bridgetown,	16	9 2	River John,	3	0 7½
Bridgewater,	6	11 4½	River Philip,	1	12 10½
Canning,	4	14 9	Shelburne,	8	13 7
Cape Canso,	4	4 9	Sherbrooke,	6	1 3
Chester,	4	15 8	Shubenacadie,	7	13 8
Clementsport,	2	4 9	St. Ann's,	6	13 4
Digby,	18	8 10	St. Margaret's Bay,	1	16 9
Durham,	4	1 8	St. Peter's,	4	8 9
Guysboro',	19	0 4	Sydney,	32	6 2
Hantsport,	2	19 8	Sydney Mines,	2	19 7
Kentville,	27	4 11	Tatamagouche,	7	6 4
Lawrencetown,	3	7 1	Truro,	20	2 9
Liverpool,	22	10 0	Upper Musquodoboit,	4	2 10
Locke's Island,	3	15 3½	Upper Stewiacke,	2	1 7
Londonderry,	11	3 0	Wallace,	7	10 7
Lower Horton,	5	13 4	Walton,	1	6 0
Lower Stewiacke,	5	1 3	Westport,	3	10 11
Lunenburg	9	1 3	West River,*	7	10 0
Mabou,	3	6 10	Weymouth,	8	6 11
Mahone Bay,	3	1 3	Wilmot,	6	18 7
Maitland,	3	11 3	Windsor,	23	16 0
Margaree,	2	16 3	Wolfville,	10	6 2
McNair's Cove,	10	4 5	Whycocomagh,	4	2 1
Middle Musquodoboit,	1	13 9	Yarmouth,	26	18 8

Memo.

\* Stated salary.

## MEMO FOR POST OFFICE COMMITTEE.

*List of 1st and 2nd class "forward offices," and of offices at which "night duties" is performed by postmasters, with the amount of remuneration in each case recommended therefor,—to be altered by P. M. General, should circumstances require it.*

FORWARD OFFICES.		Amount per ann.
Name of Office.		
1st class.—Amherst,		£12 0 0
Digby,		12 0 0
Kentville,		12 0 0
Pictou,		12 0 0
Plaister Cove,		12 0 0
Truro,		12 0 0
Windsor,		12 0 0
		-----
		£84 0 0
2nd class.—Annapolis,		6 0 0
Antigonishe,		6 0 0
North Sydney,		6 0 0
		-----
		18 0 0
		-----
Total,		£102 0 0

NIGHT DUTY.		Amount per ann.
Name of Office.		
Amherst,		12 0 0
Digby,		12 0 0
Guysboro'		6 0 0
Kentville,		12 0 0
Luenburg,		12 0 0
New Glasgow,		6 0 0
Pictou,		12 0 0
Plaister Cove,		12 0 0
Shelburne,		12 0 0
Sydney,		12 0 0
Upper Musquodoboit,		6 0 0
		-----
Total for night duty,		£114 0 0

A. WOODGATE, P. M. G.

Post office department, Halifax, 16th March, 1858.

## REPORT No. 11.

*Post-master general in account current with the province of Nova Scotia, ended 30th September, 1857.*

DR.	CHARGE.	Amount currency.
To Balance from previous year,		
amount of postage stamps on hand,		£5975 3 8
amount of postage of towns in the province of Nova Scotia, including Halifax, (per abstract),		5563 4 8½
		-----
		To

To amount of unpaid postage upon British letters collected at Halifax, (per abstract),	£611 4 11½
amount of paid postage upon letters for England collected at Halifax, (per abstract),	645 15 0
amount of postage on Colonial and Foreign letters,	612 5 10½
amount of way letter postage,	195 12 5
amount of ship letter postage,	47 14 9½
amount of letters returned to the dead letter office from offices in the interior, and delivered at Halifax, (per voucher),	3 16 4½
amount of fees collected upon letters addressed to towns in Nova Scotia, but delivered at Halifax,	13 10 0
amount of fees collected for merchants' private boxes,	81 6 8
amount of local postage, (per voucher),	25 3 10
*amount of "postage stamps" received from receiver general and provincial secretary,	450 0 0
amount received from the honorable the receiver general in the the year 1857, in aid of post communication in Nova Scotia, and towards defraying the other necessary expenses of the department, viz. 31st December, 1856, £1500; 30th March, £1500; 27th June, £1200, and the 25th September, 1857, £800.	5000 0 0
amount drawn from the provincial chest, in the year 1857, being "packet postage," due the British post office, on the correspondence between Great Britain and Nova Scotia, and Nova Scotia and the United States, Newfoundland, Bermuda and the West Indies, viz.: on the 13th December, 1856, For three quarters, viz.: March, June, and September, 1856, £1501 14 4½. On the 18th May, 1857—for quarter ended 31st December, 1856, £444 3 6½.	1945 17 11
errors on the year, ended 30th September, 1857,	1 16 0
To balance,	0 0 0
	£21166 12 2½

## DISCHARGE.

CR.		
By balance from previous quarter,		£155 11 0
salaries of post master general, assistants, &c., and postmasters,	£4049 10 0 }	4706 10 10
ditto of way office keepers,	657 0 10 }	
conveyance of mails,		8309 8 10½
ship letter gratuities,		56 8 11
tradesmen's bills,		58 14 2
rent,		200 0 0
law expenses,		0 0 0
stationery, printing and advertising,		309 1 3½
coals, gas, &c.		88 15 9
buildings and repairs,		0 17 6
miscellanies,		83 9 2
5 per cent. discount all owed to postmasters, merchants, &c., on postage stamps,		141 2 1

\* May 8th, 1857, £200 from receiver general. }  
ditto. £250, "penny stamp," from provincial secretary. }

F. M. P.

By postage stamps on hand unsold, viz :—Halifax office, £3328 11 8	}	3592 17 7
ditto ditto ditto country offices, 264 5 11		
amount of dead, missent, and re-directed letters, (per statement),		467 12 4
premium on "exchange," on St. John, N. B.—remitted in payment of colonel Favor's express,		3 12 6
amount paid into the commissariat chest, at Halifax, being "packet postage" due the British post office, on the correspondence between Great Britain and Nova Scotia, and Nova Scotia and Bermuda, the West Indies, Newfoundland, and the United States—for 4 quarters, viz : December, 1856, September, June, and March quarters, 1856,		1945 17 11
amount of commissions paid to way office keepers, year ended 31st December, 1856,		300 5 4½
amount paid to J. Lindsay for conveying mails from Antigonishe to West River of Pictou, by express,		40 0 0
errors on the year ended 30th September, 1857,		0 12 6
amount paid to the honorable the provincial secretary, in payment of an "exchange" purchased to remit to E. Stanford, of London, for postage stamps,		120 18 1
By balance,		584 18 4
		<hr/>
		£21166 12 2½

Note—Letters remaining on hand { Halifax office, £11 10 8 } 54 12 0  
 { Country offices, 43 1 4 }

I, Arthur Woodgate, postmaster general of Nova Scotia, do solemnly and sincerely declare that the above is a just and true account of all matters and things contained therein, and I make this solemn declaration conscientiously believing the same to be true.

A. WOODGATE, P. M. G.

Declaration made before me this 21st day of January, 1858.

JOHN ESSON, J. P.

I, Frederick M. Passow, examiner, account branch of the post office department, Halifax, do solemnly and sincerely declare that the above is a just and true account of all matters and things contained therein, and I make this solemn declaration conscientiously believing the same to be true.

F. M. PASSOW, examiner account branch.

Declaration made before me this 21st day of January, 1858.

JOHN ESSON, J. P.

DESPATCH FROM COLONIAL OFFICE ON THE SUBJECT OF COMPULSORY PRE-PAYMENT OF POSTAGE,  
 WITH THE REPORT OF THE POSTMASTER GENERAL THEREON.

[COPY.]

(Circular.)

Downing street, 15th February, 1858.

SIR—

It has been ascertained by the practical effects of the two systems of optional pre-payment of postage on letters, and of compulsory pre-payment, that the latter system is in every respect preferable.

Under the system of optional pre-payment, much time is consumed by the operations of

of charging letters with postage, and more time is wasted in collecting the postage on letters, to say nothing of the labour and responsibility which are entailed on the officers of the post office who have to keep accounts with the letter carriers. Under the system of compulsory pre-payment, all these inconveniences are avoided.

Such is the beneficial result of the arrangements which have been in operation between this country and the Australian colonies during the last twelve months ; and her majesty's government have resolved to extend at once the system of compulsory pre-payment of postage to all those colonies, the posts of which are under the control of the post office.

The question, then, which I offer for your consideration is, whether your government is prepared to establish a similar arrangement between this country and Nova Scotia.

All that your government need do is, simply to require that the postage on all letters for the United Kingdom shall be pre-paid at the places where they are posted.

It is true that the system of compulsory pre-payment is not entirely free from some degree of public inconvenience, or rather I should say, of inconvenience to certain individuals, as it entails the necessity of sending back to the senders, letters on which pre-payment of the full amount of postage has been neglected.

As a practical remedy against that inconvenience to individuals whose neglect may have proceeded from inadvertence, it is proposed to apply the rule of the colonial book post under the following regulations:—

1st. That all letters dropped into letter boxes, either wholly unprepaid, or on which pre-payment has been made of less than a single rate of postage, shall be detained and returned to their senders.

And 2ndly. That all letters insufficiently pre-paid, or on which at least a single rate of postage has been paid, shall be forwarded to their destinations, but charged with the deficient postage and a fine of sixpence.

The fine of sixpence would be equally divided between this country and the colony.

Letters and despatches for the public departments in this country would be exempted from pre-payment of postage, the charge of which would continue to form matter of account between the post office and such public departments.

I have to request that you will acquaint me whether your government is willing to accept the proposed new arrangement, and upon being apprised of such acquiescence, the post master general will fix a period for carrying it out in this country and in the colony under your government simultaneously.

I have, &c.,  
H. LABOUCHERE.

(Signed)

The lieutenant governor of Nova Scotia.

[COPY.]

*General post office, Halifax, March 23rd, 1858.*

SIR—

I beg to acknowledge the receipt of a memorandum from W. H. Keating, esq., deputy secretary, enclosing copy of a despatch from Downing street, dated 15th of February, 1858, signed H. Labouchere, relative to the proposed arrangement of compulsory pre-payment of postage, and requesting me to report, whether in my opinion, there is any objection to the adoption of the measure suggested.

In reply I beg to state, that the government are in possession of my views on the subject of *compulsory pre payment*, having already offered a few remarks on this important question in my report of this year, which has been submitted for the information of the legislature, and is now before the post office committee for consideration.

With respect to the proposed arrangement being carried out between Great Britain and

and this province ; I beg to report, that I entirely approve of the proposition, and would recommend its adoption by the government of Nova Scotia, being satisfied that the measure is fraught with many advantages to this province.

I have, &c.,  
(Signed) A. WOODGATE.

The honorable CHARLES TUPPER, M.D., M.P.P.

No. 25.

(See page 419.)

## RAILWAY RETURNS FOR 1857.

*Railway office,*

*Halifax, 5th February, 1858.*

SIR—

We have the honor to submit to you for the information of his excellency the lieutenant governor, and both branches of the legislature, the following report :

A balance sheet showing the amount received and expended by the commissioners, to 31st December, 1857, together with the accounts and vouchers, have been lodged with the financial secretary, as the law directs.

On reference to the accounts it will appear that there has been expended

	Currency.
To 31st December, 1857.	£732,024 8 4
Cash on hand,	671 12 7
	£732,696 0 11

Of this amount there was received

From the receiver general to 31st Decr. 1857,	£695,100 0 9
From the revenue of the road,	2,855 14 4½
Due on sundry accounts,	34,740 5 9½
	£732,696 0 11

	Currency.
There will still be required, to pay the contractors for work yet to be done, including all extra work for drainage, &c., as far as can be ascertained,	£78,750 0 0
For stations and sidings,	15,000 0 0
probable cost of iron, &c., for contracts Nos. 10 and 11,	25,500 0 0
additional rolling stock,	32,000 0 0
	£151,250 0 0

For this sum we are of opinion that the road from Halifax to Windsor and Truro, including the siding accommodation already executed, or likely to be required for some time, may be completed.

The expenditure of the past year covers a large importation of machinery for a machine shop, also wheels, axles, and fittings for new cars, and different qualities of iron for forge work.

The statement marked A, exhibits the whole expenditure to 31st December, 1857, arranged under distinctive heads.

During

During the last year a considerable amount was expended in providing the necessary accommodation for the traffic anticipated on opening the road to Windsor, and including a stone engine house at Richmond, buildings and engine shed at Windsor, platforms, watering places, depots, and way stations, at various places along the Windsor branch and main line as far as Elmsdale.

The rolling stock has been largely increased during the past year,—a detailed statement of which will be found marked B, and in which your attention is respectfully called to the number of cars built at the Halifax depot during the year, which the board find equally good, and as cheap, as those imported from the United States.

The accompanying report of the chief engineer explains the present condition of the works. The board regret, that notwithstanding every exertion was made to open the Windsor branch and main line to the road crossing one mile beyond Elmsdale, before the close of the year, they were unable to accomplish this object. The main line to Elmsdale has since been opened, and they feel sanguine that the expectations, expressed in the engineer's report of the whole distance to Truro being ready for traffic this year will be realized.

The result of the working of the line during the past year is shown by statement C. In referring to this department it is highly satisfactory to be able to state that no accident has occurred during the year, through any negligence on the part of the servants of the board, and the time bills exhibit as great regularity as could be expected.

The number of passengers carried has been		64,835
The total receipts for passengers has been	£4,437	2 3
Ditto do. freight ditto	4,189	4 7
		<hr/>
	8,626	6 10
The total expenses	5,646	2 3
		<hr/>
	£2,980	4 7

as will appear in the detailed statement referred to.

The interruption to the running of the trains to Grand Lake in early spring, has lessened the receipts for the past year.

The charge of hire of engines and ballast cars to the contractors may appear to have swelled the nett receipts, but this is not in reality the case, as the cost attending their repairs and working, has equally increased the expenses.

Judging from their present experience, and taking in consideration the reduction in the cost of working, which it is reasonable to anticipate when the whole road to Windsor and Truro is finished, and the facilities which will then be afforded for the transit of both passengers and freight, the board believe that a large and profitable trade can be secured.

For many years to come the costly arrangements of older and wealthier countries ought not to be attempted. The rates of travelling should be moderate, with the view of securing the greatest possible accommodation to the public at the minimum cost of working. With these precautions, due economy in the working department, and a tariff suited to the traffic, we think there need be little apprehension as to the ultimate result.

We have the honor to be,  
Sir,  
Your obedient servants,

JAMES McNAB, chairman.  
WILLIAM PRYOR, junr.  
JOHN H. ANDERSON.

The hon. the provincial secretary.

(A.)

(A.)

*Statement exhibiting amount expended to 31st December, 1857.*

(Referred to in report.)

Construction,	£497,999	1	11
Permanent way,	149,554	5	8½
Rolling stock,	40,166	2	3
Stations,	16,305	17	8½
Engineering,	11,790	1	4
Salaries,	7,140	8	1
Machine shop,	6,447	18	8½
Miscellaneous,	2,620	12	7½
Cash on hand and in bank	671	12	7
	£732,696	0	11

Construction includes earth work, drainage, ballasting, fencing, bridging, sleepers, and all other works connected therewith.

Permanent way includes rails, chairs, spikes and side keys.

Rolling stock includes engines, and carriages of all descriptions.

Stations includes buildings, wharves, platforms, loading ground, &c..

Machine shop includes buildings, machinery, tools, &c.

(B.)

*Schedule of locomotives and cars, 13st December, 1857.*

## LOCOMOTIVES.

NAME.	Tons weight.	Diameter of driver.	Number of drivers.	Diameter of cylinder.	Length of stroke.
No. 1, Mayflower,	19	5 feet.	4	15 inch.	20 inch.
2, Sir Gaspard LeMarchant,	15½	5 "	2	12 "	18 "
3, Joseph Howe,	15½	5 "	2	12 "	18 "
4, Ballast engines,	9	3½ "	4	10 "	18 "
5, Ditto	9	3½ "	4	10 "	18 "
6, New locomotive,	25	5 "	4	16 "	21 "
7, Ditto	25	5 "	4	16 "	21 "

## PASSENGER CARS.

6 first class with 8 wheels.

2 second class with 8 wheels.

## BAGGAGE CARS.

1 with 8 wheels.

1 fitted for second class passengers.

## FREIGHT CARS.

4 covered 8 wheel cars.

31 platform cars, with 8 wheels.

1 small platform car. with 4 wheels.

5 horse cars, with 8 wheels.

2 cattle cars, 8 wheels.

1 sheep car.

Gravel

## GRAVEL AND OTHER CARS.

2 single dumpers.  
2 hand do.  
2 hand cars.

Of the above, 2 second class passenger cars, 3 horse cars and 28 platform cars, have been constructed at the depot; and 3 platform cars, 2 freight cars, and 2 horse cars, are in process of construction.

(C.)

*Statement of working for the year ending 31st December, 1857.*

Miles open—Halifax to Grand Lake,	22½
Trains run,	833
Miles run,	32647
Passengers carried.	64835

## RECEIPTS.

	Passengers.	Freight.	Total.
January,	£198 6 8½	£89 6 5	£287 13 1½
February,	248 3 8	103 18 6	352 2 2
March,	331 16 5½	140 0 2	471 16 7½
April,	201 3 2	50 3 8	251 6 10
May,	166 12 1½	85 5 5	251 17 6½
June,	608 8 0	133 5 6	741 13 6
July,	573 13 3½	284 5 1½	857 18 5
August,	517 5 8½	189 3 10½	706 9 7
September,	452 16 4	262 17 10½	715 14 2½
October,	455 17 10	210 12 3½	666 10 1½
November,	366 18 6½	171 7 4½	538 5 11
December,	316 0 5	831 6 11½	1147 7 4½
<b>Totals,</b>	<b>£4437 2 3</b>	<b>£2551 13 2</b>	
For hire of locomotives,		1624 0 0	
Storage,		13 11 5	
		4189 4 7	
		4437 2 3	
			£8626 6 10

## CHARGES.

Firewood,	£878 3 0	
Coal,	32 6 7½	
Salaries,	294 12 6	
Locomotive charges,	1321 14 9	
Traffic charges,	1049 10 4½	
Repairs of stock,	685 16 10	
Upholding,	1057 11 7½	
Miscellaneous,	74 2 10½	
Oil, tallow and waste,	245 17 1	
Expense of sawing machine,	6 6 7	
		5646 2 3
<b>Nett,</b>	<b>£2980 4 7</b>	<b>Freight</b>

FREIGHT CARRIED.	
Mail coaches,	786
Mail coach horses,	2900
Single horses,	8431
Empty waggons,	3030
Loaded waggons,	3102
Hogsheads and puncheons,	239
Barrels,	7436
Boxes,	1233
Quintals fish,	338
Bags,	2642
Oxen,	1205
Sheep, calves and pigs,	2617
Cords of wood,	22
Timber, tons,	17
Masts, wharf logs and spars,	168
Lumber, feet,	39895
Shingles, bundles,	64
Bricks,	500
Building stone, tons,	832
Lathes, bundles,	31
Sundry packages,	5785

Nova Scotia railway,

Engineer's office, 30th January, 1858.

SIR—

I have to submit the following report upon the progress of the works during the year ending the 31st December, 1857.

Since the date of my last report, seventeen miles termination at the village of Truro have been let at a cost of £51,576 5s. 3d., to be completed by the 1st August, 1858.

The expectations held out that the main line to Stewiacke and the whole of the Windsor branch would be opened by this date have not been realized, though every exertion has been made to secure this result. At the present moment the branch to Windsor is so far advanced as to require but a few weeks of suitable weather to make it ready for the trains, in a few days nine additional miles of the main line will be opened, and I confidently anticipate that Truro will be reached before the close of the year.

The sudden thaws which occur during the winter and in the spring, accompanied as they often are with heavy rains, are very trying to the earth works, on this account it has been found advisable, in many instances, to flatten the slopes; for the same reason, and in the absence of sufficient data to ascertain with accuracy the greatest volume of water in streams intersecting districts of country not previously opened up, and in many instances unprovided with roads or bridges of any kind, drainage beyond what was at first anticipated had to be provided: these extra operations it is estimated cost on an average about £600 per mile. The fencing, understood and treated heretofore as a county charge, is now included in the contracts, and costs about £200 per mile.

In reference to the works constructed, I have to state that every care has been taken to economize to the utmost compatible with the stability of the road. All the large bridges with the exception of those for the Shubenacadie and the Stewiacke rivers are completed, and there is no indication of want of permanency in any of the works.

Of the 22½ miles opened for traffic the first 11¼ miles have been maintained by workmen employed by the board; the total outlay under this head charged to traffic, is £1057 11s. 7½d., being an average of £94 per mile; the remaining 11¼ miles have been maintained by the contractors under the terms of the specifications. The permanent way is in fair order for the season of the year.

An assortment of machines and tools sufficient for extensive workshops have been ordered. In a new country it is absolutely necessary to provide for all the repairs that may be required on the rolling stock, including the manufacture and replacement of every part of a locomotive.

The rolling stock on hand consists of two ballast engines, two small engines for light traffic, three large engines for general purposes, six first-class passenger carriages, two second-class passenger, carriages five covered cars, five horse cars, two cattle cars, one sheep car, thirty-two platform cars, and six gravel and other cars.

I have the honor to be, sir,  
Your obedient servant,

J. R. FORMAN, engineer.

HON. JAMES McNAB, chairman, &c., &c.

No. 26.

(See page 425.)

## LIGHT HOUSES.

(COPY.)

(Circular.)

*Downing street, 8th January, 1857.*

SIR—

You have already been apprized that the lords of the committee of privy council for trade have undertaken the duty, as far as the home government is concerned, of superintending the erection of light houses.

In cases where funds are to be found for the purposes of erecting or maintaining any such light, by levying tolls under the merchant shipping act amendment act, 1855, or by means of a grant from the imperial parliament, applications will of course be made to the board of trade, and they will then have an opportunity of considering the character and position of the light in question, with reference to other lights in the neighbourhood. But when a light is erected in a colony without application to the lords of the committee, it may happen that their lordships receive no notice of the light until the completion is notified to the public in the usual way.

It is evident that this may in some cases lead to great difficulty and confusion.

It is of course of the utmost importance that all the lights on a coast should be arranged on one system, and with reference to each other, and if whilst one colony is erecting a light on its own coast, the board of trade are erecting a second light on the coast of an adjoining colony without notice of the former light, the result may be that the lights are made similar in character, and may thus prove impediments instead of aids to safe navigation.

The benefits to be derived from an arrangement under which the colonial authorities may obtain the advantage of the experience of the nautical advisers of the board of trade, and of the three light house boards of the United Kingdom, are so fully adverted to in previous correspondence on the subject, that it is unnecessary to advert to them further.

But I am especially desirous of impressing upon you, that in all cases where the colony under your government intends or wishes to erect light houses, or to alter lights already erected, without assistance or advice from the home government, it is most desirable that a full intimation of such intention, and of the plans by which it may be proposed to carry it into effect, should be transmitted to the board of trade at the earliest possible period.

I have, &c.

(Signed)

H. LABOUCHERE.

Lieut. governor Sir J. G. LEMARCHANT, &c. &c.

(Circular.)

*Downing street, 3rd August, 1857.*

SIR—

With reference to my despatch of the 13th November, I transmit herewith the copy of an order of her majesty in council, authorizing the levying of a toll on ships passing or deriving benefit from the light house erected on Cape Race, Newfoundland.

I have, &c.

(Signed)

H LABOUCHERE.

*At the court at Buckingham palace, the 16th day of July, 1857.*

PRESENT :

THE QUEEN'S MOST EXCELLENT MAJESTY. IN COUNCIL.

Whereas, by the "merchant shipping act amendment act, 1855," it is enacted, that in any case in which any light house had been or should be thereafter erected or placed on or near the coasts of any British possession, by or with the consent of the legislative authority of such possession, her majesty might, by order in council, fix such dues in respect thereof, to be paid by the owner or master of every ship which passes the same or derives benefit therefrom, as her majesty might deem reasonable.

And whereas a light house has, by and with the consent of the legislative authority of the colony of Newfoundland, been erected on Cape Race, in the said colony, and a light is already exhibited therein ;

And whereas the several classes of ships, following, that is to say :

All ships, whether sailing ships or steam ships, navigating from any port or ports in the British colonies in North America, to any port or ports in the United Kingdom ;

All ships, whether sailing ships or steam ships, navigating from any port or ports in the United Kingdom to any port or ports in the British colonies in North America ;

All ships, whether sailing ships or steam ships, bound from any port or ports in the British colonies in North America, upon any transatlantic voyage ;

All ships, whether sailing ships or steam ships, arriving in any port or ports in the British colonies in North America, after any transatlantic voyage ;

All ships, whether sailing ships or steam ships, arriving at any port or ports in the United Kingdom, from New York, or any port in the United States, north of New York ;

All steamships leaving any port or ports in the United Kingdom for New York or any port in the United States, north of New York :

Will pass the said light house, and will derive benefit therefrom ;

Now, therefore, her majesty in exercise of the powers vested in her by the said recited act, by and with the advice of her privy council, is pleased to direct, that, from and after

after the date of this present order, the dues in respect of the said light house upon Cape Race, to be paid for every such ship as aforesaid, except ships belonging to her majesty, her heirs and successors, shall be one-sixteenth of a penny per ton, of the burthen of every such ship, for every such voyage as aforesaid ;

But no such dues as aforesaid shall be levied in any colony, unless and until the legislative authority in such colony has, either by address to the crown, or by an act or ordinance duly passed, signified its opinion that the same ought to be levied in such colony.

C. C. GREVILLE.

(Circular.)

*Downing street, 31st August, 1857.*

SIR—

With reference to my circular despatch of the 3rd instant, enclosing a copy of the order of her majesty in council, authorizing the levying of a toll on ships passing or deriving benefit from the light on Cape Race, I transmit for your information and guidance copy of a letter addressed to this department by desire of the lords of the committee of privy council for trade, pointing out the mode in which the tolls should be collected, and stating that the accounts thereof should be rendered quarterly to their lordships' department.

I have, &c.

(Signed)

II. LABOUCHERE.

Lieutenant-governor Sir J. G. LEMARCHANT, &c. &c. &c.  
Nova Scotia.

*Office of committee of privy council for trade,  
Whitehall, 22nd August, 1857.*

SIR—

With reference to the letter from this department of the 29th May, relating to the light house on Cape Race, Newfoundland, I am directed by the lords of the committee of privy council for trade to transmit to you for the information of Mr. Secretary Labouchere, the enclosed printed copies of the order in council authorizing the levying of dues in respect thereof.

My lords direct me to request that you will move Mr. Labouchere to forward a copy of the order to the governor of Newfoundland.

My lords also request that copies of the order may be forwarded to the governors of the other British North American colonies, and that they may be instructed to bring the subject of the tolls for this light house, as soon as possible, before their respective governments, with a view of obtaining either the formal assent of the colonial legislature to the levying of the dues in the respective colonies, or the adoption of some other equally efficient arrangement for securing the requisite income.

As regards the mode of collecting the tolls, it appears desirable that they should be collected whenever it is possible to do so at the port of clearance before the vessel sails, and so far as applies to the collection in ports of the United Kingdom, my lords have requested the commissioners of customs to issue instructions to the various collectors to collect the tolls before the ship clears on her outward voyage, and in case of ships arriving in the United Kingdom, not to demand the tolls if a colonial receipt is produced, showing that the toll for the voyage has been paid in the colony.

My lords are of opinion that this mode of collecting the tolls at the port of clearance should, if possible, be adopted in the colonies.

In the case of ships arriving in colonial ports, the tolls will be demanded only when

no receipt is provided, shewing that the toll for the voyage has been paid for at the port from which the ship had cleared.

My lords request that the governor of Newfoundland may be instructed to cause an account and vouchers to be rendered quarterly to this department of the cost of managing and maintaining the light, and also of the amount of tolls received in that colony, with the particulars of the vessels which have paid the tolls.

A complete set of forms will be forwarded to the colonial office in a few days for transmission to Newfoundland.

Five per cent. will be allowed to defray the cost of collection.

If there is a balance due to the colony of Newfoundland, upon such accounts, it may be settled quarterly, by a draft on the accountant of the board of trade.

The accounts of the tolls collected in the other British North American colonies, should be rendered in the like manner quarterly to this department.

With reference to placing the light house at Cape Pine, on the same footing as that of Cape Race, proposed in the despatch from the governor of Newfoundland of the 8th January, 1856, my lords direct me to request that his excellency may be informed, that until it has been seen how the arrangements in respect of the Cape Race light house answer, their lordships think it better to defer the consideration of the mode of dealing with Cape Pine.

I have, &c.

(Signed)

J. H. FARRER.

HERMAN MERIVALE, &c.

No. 27.

(See page 425.)

## MILITIA.

(COPY.)

*Downing street, 8th December, 1856.*

SIR,—

I am very desirous that you should take every opportunity to impress upon your government that it behoves them not to neglect that reasonable amount of warlike preparation, during peace, which it is desirable should be everywhere maintained.

It is evident that the state of defence in which each colony is maintained must have great influence upon the general resources of the empire during war.

They will be a source of weakness, in so far as it is necessary for the land and sea forces of the mother country to defend them against aggression; and a source of strength, if, while they are able from their own resources to repel any ordinary efforts of an enemy's squadron, they will afford shelter and support to our own forces.

In fact, the defences of the colonies, from whatever source maintained, form parts of the defences of the empire, and it will be necessary that the secretary of state for war should have on record information as to the state of defence in which each colony is kept.

I would therefore suggest that you should once a year call upon the officer commanding her majesty's troops in Nova Scotia to report to you upon the numbers and state of efficiency of any local forces maintained by the colony—whether permanently embodied, or as militia or volunteers—pointing out how often they meet for drill, and, as far as he can judge, their state of discipline and military efficiency.

The officer commanding her majesty's troops will add to his report, the report of the commanding officer of artillery upon the numbers and efficiency of all guns, carriages, platforms and military stores (if any), under the care of the colonial government, and the

the report of the commanding officer of royal engineers upon the condition of all fortifications, batteries, barracks, magazines, tanks, or other military structures (if any), the maintenance of which has been entrusted to the colonial government.

I have to add that corresponding instructions will be sent to the officer commanding the troops in Nova Scotia.

I have, &c.,

(Signed)

H. LABOUCHERE.

Lieutenant governor SIR G. LEMARCHANT, &c. &c. &c.  
Nova Scotia.

*Government house, Halifax, 4th March, 1857.*

SIR—

In obedience to directions conveyed in a despatch, under date 8th December, 1856, from the secretary of state for the colonies, and in conformity with corresponding instructions from his royal highness the commander in chief of her majesty's forces, calling for information upon the existing state of the defences of this colony, more particularly with reference to the number and efficiency of its militia and other local forces, I have the honor to report with regard to their enrolment and organization.

1st. That under a provincial act, passed in the year 1851, the militia forces of this province, including the Island of Cape Breton, as at that period established, is comprised under two classes, viz. :

*First class.*—Every man from 18 years of age to 45.

*Second class.*—From 16 years to 18; and from 45 to 60.

The two latter cases only to be called upon in case of emergency or actual invasion.

2nd. The entire force is divided into 39 regiments in Nova Scotia, and 9 regiments in Cape Breton, all infantry, their strength ranging in proportion to the population of the several counties in which they are formed.

3rd. By the returns rendered in the year 1855, the total strength of the militia of these provinces was 57,855 men, including 1435 commissioned officers.

4th. The general staff of the militia consists of:

1 adjutant general, 1 quarter master general, 2 brigade majors, 1 surgeon general, 1 paymaster general.

The regimental staff:—

1 lieutenant colonel, 1 major, (or more, according to the strength of the corps), 1 adjutant, 1 quarter master, 1 surgeon.

To each company there is attached 1 captain and 2 lieutenants.

5th. 2 volunteer artillery companies have also been formed—one in Halifax, the other in Pictou.

The former is efficient in every respect, and consists of:

1 captain, 2 lieutenants, and 55 rank and file.

They have no guns under their immediate charge, but they are furnished to them when required for drill, or other purposes, by the officer commanding the royal artillery in this garrison.

6th. A volunteer rifle or light infantry company, under an act of the legislature, may be formed in every regiment; and, from the habits of the population, I have reason to believe that if the necessity existed, and encouragement were given, efficient bodies of this arm could be organized.

7th. With regard to arms and equipment, the whole of those in possession of the Militia—as the attached return from the quarter master general will show—are totally unserviceable and inefficient. The stores of the war department however, at Halifax, hold a reserve of 6158 stand.

8th.

8th. Under a statute of the existing law, the commander in chief (the lieutenant governor) is empowered to call out the militia *annually* for three days, for the purpose of training and drill. But this authority has never been exerted since the year 1843.

9th. In estimating the efficiency of this force for purposes of defence against aggression, it must be borne in mind that the demand for manual labour in these provinces is now so great, and the concurrent rate of wages so high, (5s. per diem the commonest rate), that with the contrasted efforts and advantages it commands, attraction to the soil and domestic pursuits is preserved, to the almost entire exclusion of inclination or disposition (even among the younger portion of the population) for the chances of military service:

And when, moreover, it is reflected that the whole able-bodied population of the province, capable of bearing arms, is included within the roll of the militia, and that the embodiment of any section of them must be followed by a corresponding sacrifice or stagnation in agriculture and trade, their value as a resource for self-defence against aggression in time of need, must not be over-weighed, or their efficiency as a body too highly estimated.

10th. An attempt to enforce, in time of peace, the provisions of the statute for the annual training of any portion of this body, would be a measure charged with difficulty, —certainly most distasteful,—probably wholly inoperative.

11th. In time of hostilities, the first excitement springing from them may always command the voluntary services of a certain number of the younger population; and such may be trained to any useful auxiliary aid in support of the regular forces.

But the pressure of even this temporary withdrawal of labor from trade and the cultivation of the soil, in districts but thinly populated, will be found in these colonies a sacrifice of interest too real and too keenly felt to operate as a permanent strength, or be recognized as contributing to influence to any material degree the general resources of the empire during war.

12th. I have the honor to append the reports, respectively, of the officer commanding the royal artillery in these provinces, and the commanding royal engineer.

I have, &c.

(Signed) J. GASPARD LEMARCHANT,  
Lieutenant governor, and major general commanding the forces.

The right honorable the secretary of war,  
&c. &c. &c., War department.

*Return of the militia of Nova Scotia and Cape Breton for 1855.*

	No. of regts. and batt's.	No. of general staff.	No. of comm'd. officers.	No. of N. C. officers.	Rank and File.		Total.
					1st class. 18 years to 45.	2nd class. under 18-16 over 45-60.	
N. Scotia,	39	6	1175	2007	33810	11022	44832
C. Breton,	9	0	260	487	7840	1248	9088
Total,	48	6	1435	2494	41650	12270	53920

E. WALLACE, A. G. M.

Head quarter's, Halifax, }  
Adj. general's office, militia, February, 1857. }

Return

*Return of arms and accoutrements in charge for the militia of Nova Scotia.*

Muskets, 4844—Ramrods, 4470—Bayonets, 4954—Bayonet belts, 5058—Scabbards, 4084—Pouches, 4926—Slings, 2451—Pouch Belts, 4670—Rifles, 19.

The above statement includes the whole number of arms and accoutrements in the province of Nova Scotia. The arms are old flint lock muskets that have been upwards of 50 years in the province, and many of them broken and deficient, and, together with the accoutrements, are quite unserviceable for any efficient purpose.

(Signed)

JAMES BLACK, lieut. colonel,  
Qr, mr. general of the militia of Nova Scotia.

*Royal engineer office, Halifax, N. S. 6th Jan 1857.*

SIR—

In obedience to the commands of his excellency the major general commanding, with reference to the last paragraph of the circular, dated Downing street, 8th December, 1856, I have the honor to report, that I am not aware of any fortifications, batteries, barracks, magazines, tanks, or other military structures within this command, including New Brunswick, Prince Edward Island, and Cape Breton, the maintenance of which has been entrusted to the colonial governments of those provinces.

I have, &c.

(Signed)

R. J. STOTHERD,  
Colonel commanding royal engineer

Ltutenant colonel LEMARCHANT,  
Assistant military secretary, &c. &c.

*Royal artillery office, Halifax, N. S. 9th Jan. 1857.*

SIR—

In compliance with your instructions, I have the honor to submit the following report of the numbers and efficiency of all guns, carriages, platforms, and military stores, in my charge at the militia posts in Nova Scotia, or in the charge of the colonial government:—

*Chester, N. S.*—There are at this port, 2 light 3 pounders, with limbers, and 90 rounds of ammunition, the whole in serviceable condition.

*Lunenburg, N. S.*—2 light 6 pounders, with limbers complete, and in serviceable condition, but no ammunition.

*Yarmouth, N. S.*—2 light 3 pounders, with limbers, unserviceable.

*Shelburne.*—1 light 3 pounder, unserviceable.

*Antigonish.*—2 light 3 pounders, dismantled and unserviceable.

*Pictou, N. S.*—2 12 pounder iron guns, with iron garrison carriages, and 2 light 3 pounders, with limbers, all in serviceable condition.

These pieces of ordnance are borne upon the returns of the commanding officer of artillery, with the exception of those at Lunenburg, which were issued to the commanding officer of the militia by order of the board of ordnance in the year 1853.

The organization of the militia and the volunteer artillery in this province is very imperfect.

I visited all the stations reported upon during the years 1855-6, except Antigonish, and I found that there was a general wish to have the artillery companies placed upon a better footing, which I have no doubt could be easily done, if they were provided with guns, as there appears no want of zeal on the part of the inhabitants.

I have, &c.

(Signed)

FRANCIS DICK,  
Lieut.-colonel commanding royal artillery, Nova Scotia.

Major-general Sir GASPARD LEMARCHANT.

No. 22.

*Downing street, 4th June, 1857.*

SIR—

I have to acknowledge the receipt of your despatch, No. 22, of the 7th of April, accompanied by a copy of a report on the militia and other local forces in Nova Scotia.

Having referred this report for the consideration of the secretary of state for the war department, I now transmit to you a copy of Lord Panmure's reply, and have to express my hope that it may be in your power to repair the imperfections in the militia system of Nova Scotia, to which his lordship has felt it his duty to advert.

I have, &c.

H. LABOUCHERE.

Lieutenant-governor, Sir G. LEMARCHANT, &c. &c.,  
Nova Scotia.

*War office, 28th May, 1857.*

SIR—

I have received and laid before Lord Panmure your letter of the 28th ultimo, with its enclosed report, from the lieutenant governor of Nova Scotia, on the militia of that province.

I am to request that you will call the particular attention of Mr. Secretary Labouchere to this report. He will perceive that the militia of Nova Scotia is neither armed, exercised, or even embodied. It is needless to observe that a force which is unarmed, and which is never assembled, even for the shortest muster or training, cannot be considered in any degree as a military body, or relied upon for service, whatever may be the emergency.

With regard to the neglect of periodical assembling and exercising on the plea of the interruption to industrial occupation, Lord Panmure would point to the example of the militia of the Channel Islands, where the devotion of a few hours to this object at periods selected purposely, on the grounds that they are the hours the least inconvenient to the parties concerned, has greatly tended to remove the objection.

I am, &c.,

(Signed)

B. HAWES.

H. MERIVALE, esq., &c. &c. &c.

No. 28.

*(See page 425.)*

## SIGNAL STATION, HALIFAX.

[COPY.]

No. 27.—Nova Scotia.

*Downing street, 29th September, 1857.*

SIR—

I transmit to you a copy of a letter from the war department, from which you will find that Lord Panmure does not consider the maintenance of the signal establishment in Nova Scotia during peace necessary for military purposes; and that the payment on this account will be discontinued as soon as possible.

It will now remain for the local legislature to decide whether the establishment shall be kept up at the expense of the colony.

I have the honor to be, sir,  
Your most obedient humble servant,

(Signed)

H. LABOUCHERE.

SIR GASPARD LEMARCHANT, &amp;c. &amp;c. &amp;c.

*War office, Pall Mall, S. W., 22nd September, 1857.*

SIR—

The attention of Lord Panmure having been called to the expense of the signal establishments at Barbadoes, and Halifax, N. S., I am instructed by his lordship to acquaint you, for the information of Mr. Labouchere, that he does not consider the maintenance of those establishments necessary during peace for military purposes; and that he intends to take steps for discontinuing the payments made on their account as soon as possible.

As, however, it may be considered by the colonial governments expedient to keep up the signal establishments for the purpose of the mercantile communities and custom house authorities, Lord Panmure requests that Mr. Labouchere will communicate with the governors of Barbadoes and Nova Scotia on the subject, so that arrangements may be made, if considered desirable, for defraying the necessary expense from other sources.

I am, &amp;c.

(Signed)

J. R. GODLEY.

H. MERIVALE, &amp;c. &amp;c. &amp;c.

*War office, S. W. 31st December, 1857.*

GENTLEMEN—

I am directed by Lord Panmure to acknowledge the receipt of your memorial dated 2nd instant, requesting on behalf of the merchants of Halifax, that the signal establishment at that station, which was ordered to be discontinued, may be maintained as a boon to the mercantile community; and I am to acquaint you that his lordship does not consider the expense of this establishment as a charge properly falling on army funds, but that you should address the treasury, which is the department to determine whether this is an expense for general and national purposes.

I am, gentlemen,

Your most obedient servant,

B. HAWES.

Messrs. Tobin and others, Halifax, N. S.

(COPY.)

*Assistant quarter master general's office,  
Halifax, 1st February, 1858.*

SIR—

Referring to a despatch No. 2, dated Downing street, 12th January, 1858, in answer to a memorial from the merchants of Halifax, on the subject of the discontinuance of the signal station at Fort George citadel,

I am directed to communicate to you, that the decision being adverse to the prayer of the memorial, and in conformity with the instructions already received from the war department.

The parties at the several stations will be withdrawn, and the signal stations cease all operation from about the 11th instant, or immediately after the arrival of Lord Mulgrave.

I have, &amp;c.

(Signed)

C. F. FORDYCE,

Lieutenant colonel and assistant quarter master general.

The honorable CHARLES TUPPER, M.D., provincial secretary.

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 PART 2.—(See page 455.)

(COPY.)

*Provincial secretary's office, 19th February, 1858.*

SIR—

I have it in command from his excellency the lieutenant governor, to request that you will state to the officer commanding her majesty's forces in this garrison, the desire of the local government to be informed whether the secretary at war will sanction the continuance of the signal establishment at Halifax, by competent officers appointed and directed by the military authorities on condition that the annual expense incidental to its maintenance is defrayed by the colony; and in that case, I am instructed to request that a statement of the amount required to be provided by this province may be furnished for the information of the legislature now in session.

I have, &amp;c.

(Signed)

CHARLES TUPPER.

Lieutenant colonel LEMARCHANT, assistant military secretary.

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 [COPY.]

*Assistant quarter master general's office,  
Halifax, 20th February, 1858.*

SIR—

I am directed by the major-general commanding, to acquaint you, for the information of his excellency the lieutenant governor, that the application of the local government, in connection with the service of the signal establishment at Halifax, shall be forwarded by the earliest mail, together with a letter from himself, recommending it to the favorable consideration of the secretary of state for war.

I am further directed to state that an approximate estimate of the amount required to be provided for the maintenance of that establishment, shall, as soon as possible, be furnished, as requested in your letter of yesterday, for information of the legislature now in session.

I have, &amp;c.,

(Signed)

C. F. FORDYCE,

Lt. colonel and qr. mr. general.

The provincial secretary, &amp;c, Halifax.

(COPY.)

Assistant quarter master general's office,  
Halifax, 22nd February, 1858.

SIR—

With reference to your letter of the 19th instant, I have the honor herewith to transmit an approximate estimate of the expenses incurred in maintaining the establishment of signal posts in connection with the harbor of Halifax.

In forwarding this document, I am directed by the major general commanding, to call your attention to the fact, that in addition to the sum amounting to £253 0s. 11d.— (£316 6s. 1d. currency), as per enclosed return, the services of twenty-six soldiers are lost to her majesty's government; and the major general would further submit as worthy of consideration, whether, in the event of these posts being continued, it might not be advisable to simplify the system of their management, as well as to curtail their number.

I have, &amp;c ,

C. F. FORDYCE,

Lieutenant colonel and assistant quarter master general.

The honorable the provincial secretary, Halifax.

*Approximate estimate of the cost of maintaining the signal posts at Halifax, Nova Scotia.*

Pay of signal directors,	£89	14	3	sterling.
Pay of issuers of stores,	36	10	0	
Fuel, light, &c., after deducting the allowance which the men would be entitled to, if residing in barracks with their respective corps in Halifax,	86	16	8	
Repairing flags, ropes, &c., &c.,	25	0	0	
Average annual cost of new flags, balls, &c.	15	0	0	
	£253			0 11

By command,

(Signed)

C. F. FORDYCE,

Lieutenant colonel and quarter master general.

23rd February, 1858.

No. 29.

(See page 425.)

## RECORD COMMISSION.

The report of Thomas B. Akins, appointed by his excellency the lieutenant-governor, on the twenty-ninth day of May, one thousand eight hundred and fifty-seven, to be commissioner of Public Records, under a resolution passed by the house of assembly, on the thirtieth day of April, in the same year, as follows:

“That his excellency be respectfully requested to cause the Ancient Records and Documents, illustrative of the history and progress of society in this province, to be examined, preserved, and arranged, either for reference or publication, as the legislature may hereafter determine, and that this house will provide for the same.”

To

*To his excellency major general Sir John Gaspard LeMarchant, knight, &c. &c. lieutenant governor and commander in chief in and over her majesty's province of Nova Scotia, and its dependencies, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY—

Early in June last, I entered upon the duties assigned me. As the first step towards the examination of the public documents, I obtained the removal of a large quantity of papers from various parts of the province building to the committee room of the assembly, for inspection, preparatory to their arrangement. Owing to the great accumulation of papers, consequent on the increase of business in the secretary's and treasurer's offices, during late years, and the changes which have taken place in those departments, quantities of old papers had been taken from the offices where they had become an incumbrance to the progress of business, and deposited in the attics of the province building, under the charge of the keeper of the building, where they have been preserved from damp.

In collecting the papers I found them in bundles, with little arrangement either as to date or contents. Those documents, however, which were preserved in the office of the secretary of the province, consisting principally of the English despatches and old letters, were tied up and arranged under their respective years, and generally in good condition, except a few letters which had been injured by the damp.

A great part of the summer months were occupied in examining and arranging, under various heads and dates, this immense mass of papers, preparatory to selecting such as are important to the objects of the commission; and from their confused state, I found it necessary to cause every bundle of documents to be opened and examined with more or less care, in order to obtain any knowledge of the contents. Having kept in view the object proposed by the legislature, I caused to be selected,

1st—All papers having reference in any way to the early history of the country previous to the commencement of the present century

2nd—Those connected with the land department.

3rd—Such as had reference to the financial affairs of the province. The remainder consisting chiefly of vouchers for money, road bonds, road commissions, and other papers of no permanent value or interest, were carried back to the attics of the building.

From the investigation I have made of the papers and documents so selected, being those having a connection with provincial history, and such as were important to the titles of landed property. I am now enabled to report on the character and condition of those which chiefly belong to the early government of the province down to about the year 1780.

Very few papers of the former government at Annapolis could be discovered. The royal instructions to governor Phillips in 1727, were the only remnants yet obtained of that government in addition to the letter book and two order books kept during the administration of governors Phillips, Armstrong, and Mascarine, now deposited in the secretary's office.

The despatches of the board of trade and plantations to the governors at Halifax, were found almost complete, from the year 1749 to 1799. Many go at length into the affairs of the colony, and embrace much of the early history of the settlement. I have caused these important despatches to be arranged and bound up in five folio volumes, and a copious catalogue or calendar of their contents to be carefully prepared and bound up in a separate volume, uniform with the other five. Believing that exact and full catalogues and indexes to records are absolutely necessary to render them accessible to inquiry; and finding a great deficiency in this respect to have hitherto existed, I have bestowed much attention and care upon the preparation of proper catalogues to the documents under inspection. A great part of the last three months has been occupied in the details of this labor, which I trust will be amply repaid by the facilities which they will afford future reference.

The general course pursued in the arrangement and preservation of the public papers is as follows :

Those worthy of particular preservation have been arranged according to dates, and carefully set up in books, or bound up when the condition of the papers permitted, and catalogues prepared of the contents of each volume, referring to the number of each article, following as closely as possible the method pursued in the Harleyan collection of manuscripts in the British museum. I did not deem it necessary to put the government to the expense of alphabetical indexes. The number of letters or papers in each volume was not so great as to retard inquiry, the tables of contents containing as far as practicable full statements of the subjects of each document. The probable date of any paper for which search is made, having been previously determined, the search can rarely be unsuccessful. There are, however, portions of the collection I have bound up, containing papers worthy of preservation, but at the same time of such limited interest, and so unlikely to be often referred to, that they would not warrant the expense of such catalogues as the more valuable and interesting portions evidently require.

In the arrangement and classification of papers where those connected with any particular subject, were found to be sufficiently voluminous and interesting, they have been placed in separate books appropriated to such express subjects. The great body of the papers, has, meanwhile, been arranged, not so much with a reference to the subjects as to date, but in all cases to be supplied with indexes or catalogues to each volume. Twenty-four folio volumes have been set up and bound in this way, embracing documents to the date of 1780, and catalogues to ten carefully prepared and collated. The four last contain a collection of the yearly accounts of the province from 1758, to 1844 complete, with the exception of two years, by which the progress of the state of the public revenue and resources of the province may be traced back to the year 1758 when the representative government was first established. The accounts previous to that period consist chiefly of the parliamentary grants and estimates, these have been preserved in a separate volume not yet completed.

The first and second volumes of those already set up contain a collection of letters and documents relating to the progress of the old French war in America, between 1755 and 1762, particularly on the frontiers of this province. The settlement of the town of Halifax in 1749. The removal of the Acadian French inhabitants from Nova Scotia and their settlement by government in the other colonies. The siege of Quebec. Treaties of peace made with the Indians, &c. There are many original letters from Sir Jeffery Amherst, the commander in chief of the British forces in America at that period, dated from the camp, New York, and other places, addressed to governors Lawrence and Belcher, at Halifax. Several from Quebec during the progress of the siege of that city, and correspondence between governors Shirley, Phipps and Hutchison of Massachusetts, and the governors of this province, with many other important documents, more or less explanatory of the events which terminated in the downfall of the French power in America.

The second volume contains the original drafts of letters from the governors of Nova Scotia to the governors in the older colonies, many of them being answers to those letters contained in the first volume.

The papers relating to the Acadian French are numerous, and throw some additional light on the subject of their removal from this province.

The third volume is of a more local nature, and contains chiefly papers relating to the settlement of the French lands and the erection of the townships on the Basin of Minas,—the progress of the colony at Halifax, and other local affairs of the province.

The papers relating to the Indians, including copies of treaties made at Casco Bay, Massachusetts, in 1754, under the superintendence of governor Mascarine as commissioner for Nova Scotia, together with numerous original letters and accounts connected with Indian affairs from 1753 to 1840. Also the papers connected with the settlement of the loyalists at the River Saint John in 1783, have been each preserved in separate books.

books. Such papers as could be found respecting the mines and minerals of the province, down to the year 1836 have also been collected and set up in a separate volume and indexed.

There is also a large collection of original public proclamations under the seals of the governors, orders of the king and council relating to the disposal of crown lands, commissions, mandamuses and other official papers, under the sign manual, which have been collected, carefully arranged, and constitute four volumes of the series already completed. A collection of parchment manuscripts have also been made, consisting of treaties with the Indians in 1725, 1727, and 1749, oaths of fidelity by the Acadian French inhabitants, commissions to governors previous to 1763. Oaths of allegiance subscribed at Halifax, and other documents. They were found in a very dirty and torn condition. They have been cleaned, pressed out, mended and placed in a port folio, and a catalogue of their contents appended.

Many of the most valuable and important documents of an early date were found to have been materially injured by damp, others worn through the folds, and others torn. To preserve such muniments from falling to pieces and being lost, much pains was required in mending and placing them in books. Their eventual preservation can only be properly effected by publication.

If the publication of any part of the manuscript documents of the province should be adopted by the legislature, I beg respectfully to submit the following suggestions as the course most advantageous to be pursued. An indiscriminate publication of all letters and papers bearing upon the history and progress of the colony, though not without its utility, yet would, as they are so voluminous, be attended with perhaps too great expense. It would be apparently desirable that those of the greatest interest and value should be carefully selected and arranged for publication; of this character are those which relate to the leading events of colonial history, such as the downfall of French rule in America. The removal of the French Acadians from Nova Scotia and their settlement elsewhere. The founding of the colony at Halifax. The events of the American revolutionary war. The erection of the old townships. The settlement of the French lands and the events connected with the emigration scheme undertaken for that purpose, with other select documents illustrative of the progress of the country.

In making such an arrangement and selection, the models we have of similar publications in the state of New York and elsewhere, would give much aid. Two or three most interesting volumes of provincial records, illustrative of colonial history, could be thus produced. The information they contain, which otherwise must soon cease to exist by the decay of the original manuscripts, would be preserved in this way to the country.

On examining the Whitehall and Downing street despatches, a number of important letters previous to the year 1815 are missing, and appear to have been lost many years ago.

Should your excellency and the legislature resolve on directing publication of any portion of the public records in the way proposed, or in any other, it would perhaps be necessary to obtain copies of a few of the more important missing despatches of the commencement of the present century, from the state paper office in London, into which all the papers of the old board of trade and plantations have been removed, and bound up for reference. This would be attended with little or no expense beyond that of the established charges made by the clerks in the state paper office for making copies, provided the documents required were particularly pointed out, which could be easily done by referring to those despatches which still remain among the archives of the province.

I may here be permitted to mention, that much attention has of late been paid by the states of New York and Massachusetts, to the preservation, by publication, of their historical records. The legislature of the former has, at a very great expense, obtained from London, Paris and the Hague, upwards of eighty folio volumes of manuscript copies

copies of letters and other documents connected with the colonial history of that state, which have been lately published in ten volumes, royal quarto, and a copy of them presented by the state to the government of Nova Scotia.

The early council books, letter books, and order and commission books, deposited in the provincial secretary's office, have been carefully examined, and a complete catalogue of them annexed to this report. Many of those books are in a broken and torn condition, and their binding requires immediate repair in order to their preservation. Much of the early history of the colony is contained in the first three or four council books, wherein during the first thirty years of the settlement, all transactions which came under the notice of the government were fully recorded, and many valuable documents are to be found copied therein at full length. The early letter books of the government are very imperfect, many of them are in a torn condition, and require immediate attention; several are missing, particularly that of governor Cornwallis,\* and others contain but very few letters, having been only partly written up, owing, apparently, to the negligence of those whose duty it was to copy the letters.

This, however, only occurs at particular periods during the last century. The letter books from the commencement of the present century, appear to have been kept with care and precision.

Several important books of public record are missing.

The original book of registry of the settlers who came out with governor Cornwallis in 1749, containing a register of the name, number of the family, and other particulars of each settler, has disappeared; every means in my power has been used to obtain tidings of this most remarkable relic of the first settlement of our city, but without success. At some remote period it appears to have been placed, by mistake, in the custody of the registrar of the court of vice admiralty, where it was to be seen a few years ago; since the death of the late registrar of that court it cannot be found. This book has probably fallen into private hands, and a further search should be made by government for its recovery. An old French registry book, one of those sent down from Annapolis at the time of the removal of the seat of government from Halifax, is also missing. The record of the proceedings of the church of England in this country, from 1752, or thereabouts, to the period of the administration of Lord William Campbell, previous to the erection of the bishopric, was contained in an unbound book, which about thirty years ago, probably at the time of the removal of the papers from the boxes as arranged by Mr. Gautier, was handed over to the late bishop of Nova Scotia. It was carefully preserved by his lordship, and while in his hands I was permitted to examine it; since his death it has disappeared, and though inquiry has been frequently made in various quarters, no tidings of it can be obtained.

The original allotment book of the town of Halifax still exists. This important record contains the names of all those to whom lots were assigned, and who settled in the town between September 1749 and 1753, with the number and description of every lot in the town and suburbs; also memoranda or entries of many of the transfers of property during the first two or three years of the settlement. It has now fallen to pieces, and is so torn and defaced as to be unfit for reference. A correct copy of this book should be made, and the old book itself carefully mended and preserved, as being the oldest and most authentic record of the first settlement of Halifax, now extant.

I beg, also, most respectfully to bring to your excellency's notice the necessity of good indexes being immediately prepared of the early council books, letter books, &c. The council books are defective in indexing, some being without any, and the indexes of others very imperfect; the worn and defaced condition they are in may be attributed to this, as it evidently makes it necessary to turn over the pages much oftener than would be otherwise required.

With respect to the records of the Island of Cape Breton, nothing can be found except the council books from 1785 to 1820, the period during which the Island was a  
separate

\* This book has been missing for upwards of thirty years.

separate government. They are in a raged condition, several without covers and falling to pieces. They require immediate binding, in order to their preservation.

I may here notice that in the year 1802, Mr. James Gautier, clerk of council, assorted and arranged the public papers then in the secretary's office; also, those of the legislature and the courts of chancery, escheats, errors, and marriage and divorce. They were deposited by him at the time in eleven boxes, and he drew up a list of the contents of each box. These lists I have found much torn and defaced, but sufficiently legible to show that many valuable documents then in existence are not now forthcoming. The papers appear to have been removed from these boxes many years ago, and another disposition of them made. A great number of original grants of land, including several grants of townships, were deposited in one of them. A list of such as have come into my hands is appended to this report.

The late Titus Smith, deputy surveyor, had been employed by government in the years 1802, 3 and 4, to make a tour of the province, and report on the state of the lands and timber in the interior of the country, with a view to the formation of new settlements, and making timber reservations. Mr. Smith spent several summers in traversing the uninhabited parts of this province, and his reports contain much valuable and useful information. The manuscript report of his journies has disappeared from the secretary's office for many years. Through the kindness of W. A. Hendry, esq., of the crown land office, a copy of the journal or report of his observations in the eastern parts of the province was obtained from a private individual, and with his permission I have had a copy made of this valuable document, and bound up for the use of government.

The practical result of the labours performed under this commission to the present date is, that all the historical papers, books and documents which could be discovered in the custody of the public officers of the province, with the exception of the papers of the legislative bodies, have undergone a careful scrutiny. From them I have been enabled to select materials connected with provincial events and history, from an early date of the Annapolis government, say 1720 to 1780, or thereabouts, and to give them the best arrangement of which they were susceptible. They are now bound up in appropriate volumes, and lettered on the back. A list of them is appended to this report.

The remaining materials of the same class, embracing documents from 1780 to about the year 1815, or perhaps later, remain to be inspected, arranged, and bound in a similar manner. Likewise all the papers connected with the proceedings of both branches of the legislature, from 1758, when the representative government first began in this province, down to the year 1800, still remain to be more particularly examined for the purpose of selecting from them any special matter that may have any historical interest.

When so much shall have been accomplished, there will still remain several sources of inquiry for a commission like the present, to avail itself of, for example, the old grants of land, the plans and surveys of the province, and the more remarkable early records of the courts of justice. It is probable that documents of value in reference to provincial history may exist in some of the county offices, and even in private hands.

Before closing this report I think it important to observe that, while there appears to be no deficiency in letters and documents to illustrate the history of the colony from its commencement down to the period of the American revolutionary war, 1775, during the succeeding period of hostilities from 1775 to 1783, there appears a paucity of information or documents among the papers which I have been enabled to discover. It is more than probable that this deficiency may be supplied by the discovery of papers hitherto overlooked.

From what I have noticed in performing these researches, I consider it my duty to call attention to the subject of some suitable place of deposit being provided for the safe keeping of the class of documents which came within the range of inquiry in this commission. In the event of this idea being carried into effect, the repository so appointed could be easily made available for the keeping and securing of a great variety of official records connected with the courts of justice, original wills, &c. &c.—the more ancient portion

portion of which, by accumulation, have become an incumbrance to the offices connected with these courts.

In carrying on a duty of this novel character, I am happy to state that I have received every facility and politeness from all persons connected with the public offices of the province in which the documents to be investigated were kept; and I have particularly to thank the honorable Charles Tupper, provincial secretary, James W. Nutting, esq., clerk of the crown and prothonotary, William H. Keating, esq., deputy secretary, William A. Hendry, esq., in charge of the crown land office, John C. Halliburton, esq., clerk of the legislative council, Alexander James, esq., clerk of the house of assembly, Henry C. D. Twining, esq., clerk of bills, and F. LeBlanc, esq., of the land office, for the facilities afforded me by them in my labour.

I have necessarily had to employ the assistance of clerks and others, in the arrangement of papers, making up books, and preparing catalogues of them, and have been fortunate in obtaining the services of gentlemen well qualified and particularly suited to the work in hand, and to their diligence and attention I can cheerfully testify.

In carrying on this duty, I have endeavored to proceed with as much economy as possible, and have incurred no expenditure beyond that which was found indispensable to the work immediately in hand.

I have the honor to be,

Your excellency's most obedient,

Very humble servant,

THOS. B. AKINS.

HALIFAX, January 25th, 1858.

#### A LIST OF THE BOOKS COMPLETED TO JANUARY, 1858.

*Despatches from the board of trade and the secretaries of state, to the governors of Nova Scotia, dated Whitehall—bound up in five vols.*

- Vol. 1. Despatches from 1748 to 1755.
- 2. " " 1755 to 1761.
- 3. " " 1761 to 1769.
- 4. " " 1769 to 1783.
- 5. " " 1784 to 1799.
- 6. Index to the five vols.

#### SECOND SERIES.

- Vol. 1. Colonial manuscripts, consisting of miscellaneous papers arranged according to date, commencing with 1748 ending 1763.
- 2. " " from 1752 to 1784, principally drafts of letters from the governors of Nova Scotia to England and the surrounding colonies.
- 3. " " from 1757 to 1781.
- 4. " " papers relating to Indian affairs, from 1751 to 1848.
- 5. " " containing royal proclamations and proclamations of governors, from 1748 to 1857.
- 6. " " containing orders in council, from 1752 to 1767.
- 7. " " ditto from 1767 to 1827.
- 8. " " containing papers relating to refugee negroes, from 1813 to 1816.

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- Vol. 9. Colonial manuscripts, the same, from 1816 to 1818.  
 10. " " the same, from 1818 to 1839.  
 11. " " papers relating to settlement of loyalists at St. John's, from 1764 to 1808.  
 12. Treasury accounts of the period, from 1758 to 1780.  
 13. " " from 1780 to 1798.  
 14. " " from 1798 to 1820.  
 15. " " from 1820 to 1846.  
 16. Colonial manuscripts, containing original commissions and orders under the sign manual, from 1763 to 1838.  
 17. Containing manuscript copy of Titus Smith's tour through the eastern part of the province, with remarks, natural history of the province, &c. &c.  
 18. A large portfolio containing parchments—being Indian treaties, oaths of allegiance, &c. &c.  
 19. Catalogues of the contents of several of the above vols.
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*Crown land department, Halifax, 23rd December, 1857.*

DEAR SIR—

In answer to your note of the 20th ultimo, in which you kindly offer to append to your report any suggestions I might offer in reference to the original plans and ancient records of this department,

I beg to inform you that I have had all the ancient plans I found loose in the office stretched on cotton and arranged in port folios, one port folio to each county, and indexed so that any plan may be found at once.

I regret, however, to say that very few of the old plans in this office, particularly those having reference to the town and peninsula of Halifax are authenticated by signature, date, or scale; and there are no means of ascertaining how long they have been in the office or how they came there.

Of course it is but reasonable to presume that there were original plans, though not now to be found, and that some of these referred to may possibly have been copies. All could not have been, as some contradict the others, and are entirely inconsistent with the facts existing on the ground.

I am therefore of opinion that it would be of great importance to the country, if the government could obtain from the public archives in England, certified copies of any plans that may have been transmitted from this country with the government despatches at an early period, otherwise it will continue impossible to fix the true position of main boundary lines, unless by a new general survey authorized by legislative enactment.

I feel myself the more borne out in these remarks and suggestions, having lately been shown by the naval store keeper in Halifax, an original official letter of Sir John Wentworth—then chief surveyor of woods—which states that the original plans of certain reserves by the crown for naval purposes had been forwarded to England. No trace of any of the papers referred to by him are to be found in this department.

I have the honor to be,  
 Sir,  
 Your obedient servant,

W. A. HENDRY,  
 For commissioner of crown lands.

THOMAS B. AKINS, esquire, commissioner of ancient records.

Descriptive

DESCRIPTIVE CATALOGUES OF BOOKS IN THE IRON SAFE OF PROVINCIAL SECRETARY'S OFFICE,  
HALIFAX, JANUARY, 1858.

I. Books containing minutes of his Majesty's executive council.

No. of book as arranged by record commission.	Description of book as known at secretary's office.	Date of beginning.	Date of last entry.	REMARKS.
1	A—a parchment covered book,	14 July, 1749,	26 October, 1753,	Not indexed.
2	B—a parchment covered book, with red.	3 Novr., 1753,	17 July, 1757,	Indexed.
3	C—parchment, covered with red cloth.	17 August, 1757,	21 August, 1766,	Part of index torn out.
4	†C—land grant book, smaller book parchment covered,	22 May, 1761,	17 Sept., 1763,	No index.
5	Intestate estate book,	4 March, 1761,	19. Feb'y, 1781,	No index and torn—requires binding.
6	D—bound in brown calf,	23 August, 1766,	6 October, 1783,	Indexed.
7	E—marked No. 7,	10 October, 1783,	24 Decr., 1798,	Copious index.
8	F—bound in calf and marked No. 8,	28 January, 1799,	30 August, 1809,	Indexed.
9	G—bound in calf,	28 August, 1809,	23 Decr., 1815,	A small index attached.
10	A rough calf folio,	10 January, 1816,	9 October, 1820,	Indexed.
11	I—a rough calf folio,	1 Decr. 1820,	30 Decr., 1825,	Well indexed.
12	A rough calf folio,	23 January, 1826,	4 October, 1833,	Well indexed.
13	Respecting intestate estates,	20 Feb'y, 1826,	30 August, 1839,	Indexed, and in good condition.
14	Calf bound folio,	10 Decr. 1832,	15 Decr., 1857,	This book about half blank. Indexed.
15	Respecting intestate estates,	15 October, 1839,	29 Sept., 1842,	About half blank—it was discontinued when the law changed.
16	Roan binding,	23 January, 1838,	24 April, 1841,	No index.
17	Roan binding,	24 April, 1841,	30 January, 1847,	No index.
18	Roan binding,	30 Decr. 1846,	8 July, 1851,	No index.

II. *Descriptive catalogue of letter books.*

No. of book by record commr.	Description of book as known at secretary's office.	Date of commencement.	Date of ending.	REMARKS.
1	Old Annapolis letter book, a parchment vol.	2 January, 1719,	8 June, 1742,	Containing letters to the board of trade to the secretary of state, and to individuals, but no communication entered from 11th August, 1721 to 3d June, 1727. See further particulars in remarks on commission book (No. 2) B.
2	Inland letter book.	2 Novr., 1753.	5 June, 1755,	Containing inland letters during those dates—correspondence on French affairs and of other matters.
3	Correspondence with English and French governors. (Inland.)	12 January, 1754,	5 October, 1756,	Only 57 pages of this book written—no continuance of it in any other book. It contains 18 letters altogether. There are one or two letters from the governor of Cape Breton. No index.
4	A parchment bound folio.	19 October, 176C,	16 October, 1784,	Containing letters to Sir Jeffery Amherst to the governors on the continent and leading individuals in Nova Scotia, begun during governor Belcher's administration, and ended when governor Parr administered, with the hon. R. Buckley, senr. councillor.
5	Parr and Buckley's letter book—a calf bound folio. (Inland.)	11 October, 1784,	14 Feb'y, 1791,	Containing letters to persons in the provinces. There are 258 pages in it, but only 112 pages written.
6	A small parchment bound vol.	14 October, 1782,	25 July, 1798,	Containing letters to the lords of the committee of privy council. The book seems to be complete so far as it goes, except letter 34, torn out, but marked on the margin in

7	Lords of trade. A.	27 Sept., 1763,	17 Decr., 1764,	the same hand writing—"A letter not necessary to be entered in this book." About one half of the book is left blank.
8	To the secretary of state.	7 October, 1763,	9 Novr., 1764,	About one eighth of this book is written, the rest is blank. It contains twelve letters to the lords of trade.
9	To the secretary of state.	2 May, 1765,	17 Sept., 1767,	Containing eight letters from governor Wilmot. The book has not been finished. It is in a tattered condition, and would be required to be bound.
10	To the board of trade.	17 August, 1778,	19 Novr., 1779,	Contains twenty letters—book in a very tattered condition. Contains from No. 4 to No. 29, letters of governor Hughes—much damaged.

III. *Descriptive catalogue of commission, license and order books.*

No. of book by record commr.	Description of book as known at secretary's office.	Date of beginning.	Date of last entry.	REMARKS.
1	Annapolis commission book. A.	25 May, 1720,	8 Decr., 1741,	Much damaged, some of it cannot be read—it seems to have been kept in loose sheets, and then bound. Several of the papers wanting. Find the index incomplete and incorrect.
2	Annapolis commission book. B.	16 June, 1742,	13 Novr., 1759,	Though marked on the back "commission book," contains principally the letters of P. Mascarine during the period of his administration at Annapolis Royal, with a few commissions and proclamations. It is in good condition, having been carefully kept. No index of its contents. (See descriptive catalogue, letters No. 2.)

## Descriptive catalogue of commission, license and order books.—Continued.

No. of book by record commr.	Description of books as known at secretary's office.	Date of beginning.	Date of last entry.	REMARKS.
3	Commission book, license and order. C.	14 July, 1749,	27 June, 1749,	Containing important papers of a miscellaneous kind. It is divided into three sections—section I, pages 1 to 150 has instructions, commissions, licenses, warrants, and other documents issued by his excellency governor Cornwallis, or officers under him. Section II, pages 1 to 96 contains instructions, &c. &c.; by his excellency governor Hopson. Section III, page 1 to 175, contains many of the commissions, orders, instructions, &c. by his excellency governor Lawrence. (See remarks on No. 4, book D). Indexed, but index much damaged.
4	Commission book. D.	6 May, 1749,	4 June, 1766,	This book has been re-bound and contains two sections. (1) From page 1 to 88, contains many of the commissions issued by governor Cornwallis, and not in No. 3, book C. (2) page 1 to 336, commissions by governors Hopson, Belcher and Wilmot, 30th March, 1766, and may be said to be two books, which may account for the absence of a book E—indexed.
5	A small torn book,	13 August, 1749,	14 July, 1756,	Contains governor Cornwallis' certificate and accounts, with sloops engaged in the service of government. It seems to have been partially destroyed for the sake of the blank paper—no index.

6	A parchment covered vol., marked order book,	20 August, 1739,	13 June, 1766,	This book contains copies of orders, commissions, letters, and other documents, copiously indexed.
6½	A thin marble covered book,	23 May, 1766,	23 Sept., 1766,	Both 6½ and 7, contain proclamations, warrants, commissions, &c. issued during the administrations of governors Green, Campbell and Franklin—indexed.
7	Commission book—a thin covered book,	17 July, 1766,	19 May, 1768,	This book has been re-bound and indexed.
8	Commission book. F.	31 October, 1768,	6 Sept., 1781,	This book is in good condition, and indexed.
9	Commission book. G.	16 October, 1781,	1 August, 1783,	About one-eighth of this book unfinished. It contains commissions, proclamations, pardons, advertisements, and other documents—copiously indexed.
10	Order book—a parchment covered folio,	18 Novr., 1768,	28 April, 1792,	About one fourth at the first of this book is left blank—it is in the handwriting of J. Gatuier, esq. It contains commissions, death warrants, licenses and other documents—no index.
11	Commission, license and order book. J.	1 January, 1795,	6 April, 1796,	Containing copies of instructions and commissions to and by governors in Nova Scotia during the period between 1787 and 1809, proclamations, and other documents—copiously indexed.
12	Commission book. I.	25 August, 1787,	30 Decr., 1809,	Commissions, instructions, and other papers issued by governors—indexed.
13	Commission book. K.	1 January, 1810,	17 May, 1821,	In a pretty good condition, the index damaged, but well constructed—it has been much used.
14	Commission book. L.	17 October, 1821,	3 July, 1835,	Indexed, and in pretty good condition.
15	Commission book. M.	20 July, 1835,	19 Feb'y, 1849,	91 pages of this book written.
16	Commission book,	1850,	1853,	

## IV. Descriptive catalogue of Cape Breton books.

No. of book by record commr.	Description of book as known at secretary's office.	Date of beginning.	Date of last entry.	REMARKS.
1	Council minutes,	July, 1785,	17 July, 1787,	Nearly complete but much damaged—should be bound to save it, no index.
2	Council minutes. D.	13 October, 1787,	8 Decr., 1792,	The book is marked D, (B and C not yet found, but the connection seems to be complete without it, and the letter may have reference to some other books)—the book in a damaged state and would require binding—no index.
3	Council minutes,	3 Sept., 1789,	9 May, 1810,	(It will be observed that there is a want of 6 years council minutes from 1792 to 1798) This volume is much damaged—require binding—no index.
4	Small vol. of council minutes,	7 May, 1810,	3 June, 1818,	In pretty good condition, but would require a little repair—it has a good index.
5	Council minutes,	30 June, 1818,	4 October, 1820,	62 pages of this book is written—no index.

## V. Descriptive catalogue of grant books.

1	Grant book, 1731 to 1749, Annapolis Royal, 1.	23 June, 1788,	14 April, 1749,	This book contains besides grants, many deeds of conveyance, wills, and other documents executed in the time of the old governors at Annapolis. There are 150 pages written and in good condition—indexed by J. G., containing grantees names. No. of acres of district, date of grant, and page, in good condition.
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2	Grants, 1759 to 1760. A. 1	2 May, 1759,	29 August, 1760,	When the division of the departments of registry of deeds took place, several of the books containing deeds and grants were removed to the register office, and hence the break in the numbers. This book is only written on the right hand side of the page. Some places left blank with only the No. of page. In other places the title and date of grant is only entered—indexed.
3	Grants, 1759 to 1763. B. 1.	Date Aug. 29, 1759, Register Oct. 1759,	Date 24 Aug. 1763, Reg. 14 Oct. 1763,	In good condition and indexed.
4	Grant book, 1761 to 1763. A a.	9 January, 1761,	17 Sept., 1763, 26 April, 1764,	Part of this book is old paper, another part kept in loose paper, many appear as if they were copied from other documents.
5	Grant book, 22d November, 1763, to 20th October, 1765. 2.	24 Novr., 1763,	13 July, 1765, Reg. 1 Oct., 1765,	Containing grants from 1 to 166, in good condition. Two indexes to this book.
6	Grant book, 12th Octr., 1763, to 28th April, 1768. 3.	12 October, 1763,	12 April, 1768,	This book contains grants and licences of occupation of lands, but the documents are not numbered as (No. 5, and 7), indexed.
7	Grant book, from 16th August, 1765, to *7th October, 1767. 2.	13 July, 1765,	7 October, 1767,	Containing grants, numbered from 1 to 112, no index—in good condition, having been recently bound.
8	Grant book, 7th October, 1767, 11th January, 1772. 4.	7 October, 1767,	20 Decr., 1772,	*Prefixed to the book is a grant entered on the 29th Nov. 1845, not having been previously registered—it is on modern paper.
9	Grant book, from 30th Sept. 1767, to 15th November, 1771. 4.	30 Sept., 1767,	15 Novr. 1771,	Book in good condition, but index much torn.
10	Grant book, from 31st July, 1772, to 20th November, 1775, 5.	31 July, 1772,	29 Sept., 1772,	In good condition with index.
11	Grants and licenses, 1771 to 1775, December to December. 5.	4 Decr., 1771,	31 Decr., 1778,	In pretty good condition, index prefixed. In a torn state, requiring binding.

## V. Descriptive catalogue of grant books.—Continued.

No. of book by record commr.	Description of book as known at secretary's office.	Date of beginning.	Date of last entry.	REMARKS.
12	Docquet of grants, 1750 to 1769. D.	22 Sept., 1750,	23 August, 1769,	Docquet of grants of land in the province of Nova Scotia from settlement of Halifax, in 1749 to 1769. The book about half written, index torn, but book itself in pretty good condition.—To be catalogued among miscellaneous land books.
13	Grant index, 1739 to 1772,	22 Sept., 1750,	3 August, 1759,	This book contains name of grantee, quantity of land, situation, when granted, rent re-payable, when audited, quit rents, and when index much torn.
14	Grant book, 1775 to 1783,	6 March, 1775, D. 31 Oct. 1765, Reg. 15 Apr. 1775. R. 3d July, 1775,		In good condition and indexed. Prefixed to the book, and bound in with others is a grant to — on modern paper, and in Mr. Gautier's hand writing, with the following memorandum, viz: "original copy of this grant lay at the office, not finding it registered, this copy was made, after which the original was called for."
15	Grant book, 1783 to 1785, &c.	D. 27 Aug. 1783,	3d Oct. 1782, but regtr'd. 1785,	In pretty good condition and indexed. The last entry was registered in 1785, though dated 1782.
16	Grant book, 1784 to 1785. B.	D. 20 Feb'y, 1784,	D. 1st April, 1785,	Indexed, and in a torn condition.
17	No title on the back of this book, it is a large folio,	3 Novr., 1785,	2 Feb. 1787,	Grants in this book numbered from 1 to 94,
18	1784,	1 October, 1784,	30 Nov. 1785,	torn index—book itself much damaged.

19	1784,	20 Feb'y, 1784,	1 Oct. 1784,	Numbered from 1 to 69, and indexed. At the end of this book there are a number of grants not the same size as the others, they seem to have been put in after the general book was made up—indexed—the book requires binding.
20	1787 to 1792,	2 Feb'y, 1757,	2 Dec. 1757,	
21	Grant book, 1784 to 1787,	22 March, 1784,	4 Dec. 1787,	Indexed and in good condition. Containing 64 grants with index—the whole book in a tattered condition.
22	Grants, 1793—1807,	13 April, 1793,	14 July, 1807,	
23	Grant book, 1793 to 1807,	1 April, 1793,	14 July, 1807,	Containing 147 grants, index, the whole book in a tattered condition. Containing 156 grants and plans annexed to each grant—indexed and in good condition.
24	A. 1808—1811,	18 Novr., 1808,	9 May, 1811,	
25	B. 1811 and 1812,	20 May, 1811,	4 Feb. 1812,	Containing 128 grants. The grant dated 4th February, is marked "error, see page 96" and, there the same grant is fully executed. The book is indexed.
26	Grant book, C, 1812—1813,	24 April, 1812,	12 May 1813,	Contains 107 grants, indexed, and in good condition.
27	Grant book, D, commencing 12 May, 1813, ending 25 May, 1814,	12 May, 1813,	9 June, 1814,	Contains 130 grants. There is one placed at the end not numbered, and has no plan annexed, but is otherwise completed—the book indexed, but index much torn.
28	Grant book, E, 1814 and 1815,	9 June, 1814,	3 July, 1815,	Containing 152 grants, the last two or three have no plans annexed, the last one is dated 19th April, but the one next to it is 3rd July—indexed, but index torn out and the leaves loose.
29	Grant book, F, 1815 and 1816,	3 July, 1815,	7 May, 1816,	The first entry seems to be a confirmation of some old grant respecting markets in Windsor, with a pencil memorandum, "see minutes of council book C., page 517." The second entry is dated 26th June, 1815. It contains 146 grants, a torn index, and the book much in want of repair.

## Descriptive catalogue of grant books.—Continued.

No. of book by record commr.	Description of book as known at secretary's office.	Date of commencement.	Date of ending.	REMARKS.
30	Grant book, G, 1816 and 1818,	26 June, 1816,	11 Dec. 1817, 21 January, 1818,	Containing 141 grants, the four next to the last are dated 21st January, 1818—indexed, and in pretty good condition.
31	Grant book, H, 1818 and 1819,	21 Jan. 1818,	3 Nov. 1819,	Contains 142 grants, indexed, requiring repair.
32	Grant book, I,	20 April, 1820,	28 April, 1821,	Contains 119 grants, indexed.
33	Grant book, K, 1821 and 1824,	28 April, 1821,	2 Feb. 1824,	Containing 119 grants, indexed.
34	Grant book, L, 1824 and 1827,	27 April, 1824,	7 March, 1827,	Containing 125 grants, indexed.
35	Grant book, M, 22 March, 1827, 26 May, 1828,	22 March, 1827,	16 May, 1828,	Containing 151 grants indexed, the index partly in front, and partly at the end of the book.
36	Grant book, N, 1828—1829,	16 May, 1828,	19 Feb. 1829,	146 grants in good condition, indexed, the index part at first, and part at the last of the book.
37	Grant book, O, 1829—1831,	19 Feb. 1829,	7 April, 1831,	145 in good condition.
38	Grant book, P, 1831—1833,	29 April, 1831,	9 April, 1833,	Containing 118 grants, with index.
39	Grant book, Q, 1833—1835,	18 June, 1833,	19 August, 1835,	95, indexed.
40	Grant book, R, 1832—1835. By purchase,	18 Sept., 1832,	4 May, 1835,	216 grants.
41	S.	18 May, 1835,	11 April, 1838,	162 grants, the book in good condition.
42	Grant book, T,	19 August, 1835,	10 August, 1838,	119 grants.
43	{ Grant book, U. Joint grants, Cape Breton island, &c. &c. 1838 to 1848. Joint grants.	10 August, 1838,	28 January, 1848,	85, about one eighth of this book is blank.
44	Grant book, V, commencing 31 July 1838, ending 31 January, 1840,	23 July, 1838,	31 January, 1840,	237, the book in good condition, and indexed.
45	Grant book, W, 6 April, 1840, 19 September, 1842,	6 April, 1840,	19 Sept. 1842,	262 grants indexed.

46	Grant book, X, 19 September, 1842, 7 February, 1845,	19 Sept., 1842,	7 Feb. 1845,	305 grants, the book in good condition. Indexed.
47	Grant book, Y, 18 March, 1845, 24 July, 1846,	18 March, 1845,	25 July, 1846,	276—indexed.
48	Grant book, Z, 28 July, 1846, to 26 August, 1847,	28 July, 1846,	26 August, 1847,	286—indexed.
49	Grant book, A a.	26 August, 1847,	21 Nov. 1848,	283 grants.
50	Grant book, B b,	21 Nov., 1848,	21 March, 1850,	Contains 213.
51	Grant book, C c,	21 March, 1850,	29 August, 1851,	238 grants—indexed on a separate book for C c, D d, E e, F f.
52	Grant book, D d,	29 August, 1851,	16 Jan. 1853,	Contains 217 grants—see remarks on index, No. 51, C c.
53	Grant book, E e,	2 March, 1853,	6 Dec. 1853,	241.
54	F f	6 Decr. 1843,	18 March, 1854,	The last four have a complete index in one vol.

## VI. Descriptive catalogue of several land books.

1	A bound vol. No title or title page,	8 April, 1765,	7 Feb'y, 1775,	Principally contains abstracts from the register's office for the town of Horton, with dates of registry, names of parties and dates of deeds, lands conveyed and consideration, fees, during those dates, largely indexed. At the end of the book there is a beginning of the same system for some other counties.
2	Parchment covered book. Warrants to survey,	25 Sept., 1766,	28 July, 1785,	About one-half of this book written, and contains warrants by the governors to survey certain lands during the period, from 1766 to 1785, they are nearly all numbered from 1 to 137.

VI. *Descriptive catalogue of several land books.*—Continued.

No. of book by record commr.	Description of book as known at secretary's office.	Date of beginning.	Date of last entry.	REMARKS.
3	License book for occupation of land, No. 7.	28 January, 1779.	10 October, 1791,	177 pages or half this book written, indexed and in pretty good condition. On the last written page, the following memorandum appears in Mr. Gautier's hand writing—“N.B.—This book was mislaid for some years, and accidentally found in a dark damp closet in Mr. Bulkeley's office—continuation in a marble covered book, No. 2, put and kept in this book.”
	Docquet of grants, 1759 to 1769. D,	22 Sept., 1750,	23 August, 1769,	Docquet of grants of land in the province of Nova Scotia, from settlement of Halifax, in 1749 to 1769. The book about half written, index torn, but book itself in pretty good condition—also catalogued, see grant book, No. 12.
4	Docquets of grants entered in the auditor's office, 1773 to 1775—a small parchment bound book,	27 Feb'y, 1773,	21 Nov. 1775,	In good condition, no index, about half written.
5	Warrant book of survey,	11 Novr., 1808,	March, 1832,	About one-eighth of this book not written, rather torn—indexed.
6	Warrant book, Old allotment book of Halifax,	4 March, 1821, 1749,		No date can be assigned to this book's last entry, it is in such a torn condition, that it had to be sealed up to prevent it from falling in pieces. It would require to be copied or bound, or both.

VII. *Descriptive catalogue of miscellaneous books.*

1	A thin paper folio,	4 July, 1778,	15 Nov. 1781,	A memorandum of the vessels arriving at Halifax harbour between these dates, with the names of their masters and crew, with other memoranda.
2	A thin folio,	1 January, 1760,	8 January, 1765,	Containing warrants by the governors to draw from the treasury the sums named for support of government. A parchment covered book in good condition, one-half of it written, it seems to have been discontinued—when old funded debt was discharged or transferred. This book contains the names of the persons to whom the warrants were granted, and dates. The purpose of which each were granted. Date of drawing and sum.
3	Cash warrant book,	13 Feb'y, 1765,	7 Feb. 1788,	
4	Cash warrant book,	10 Nov'br. 1768,	10 January, 1777,	
5	Stock book, B Green, 1789,	1 January, 1789,	30 June, 1797,	
6	Entry of cash warrants drawn on treas'y.	23 Sept., 1799,	21 Decr., 1805,	
7	Registry of bonds,	2 June, 1817,	10 January, 1820,	

VIII. *Descriptive catalogue of books containing minutes of his majesty's council, in general assembly convened.*

1	Minutes of council, 1758 to 1763,	2 October, 1758,	21 July, 1763,	This book is in a tattered state and no index.
2	Council minutes, 1763 to 1769,	19 October, 1763,	9 Nov. 1776.	A parchment bound volume in good condition, no index.
3	Minutes of council, 1770 to 1776,	6 June, 1770,	29 June, 1776,	No index, a parchment bound volume, the parchment damaged.
4	Minutes of council in general assembly, 1777 to 1783,	6 June, 1777,	15 October, 1783,	A parchment bound volume in good condition, no index, about one half written.

IX. *Catalogue of royal commissions to governors and other persons, deposited on the top shelf of iron safe in the provincial secretary's office, January, 1858.*

No.	To whom addressed.	Date of commission, and by whom granted.	Remarks.
1	To Sir George Prevost, as governor general N. America.	21st October, fifty-first year of the reign of Geo. III.	A small piece of the seal only remaining.
2	To Sir George Prevost, Sir John Cope Sherbrooke and Alexander Croke, doctor of civil laws, and judge of the court of vice admiralty, and other persons.	29th October, in the fifty-fourth year of the reign of George the III.	A commission to try pirates.
3	To the Earl of Dalhousie, as governor general of British America.	26th April, in the first year of the reign of George the IV.	Seal taken off.
4	To Matthew Lord Aylmer, as governor general.	20th August, in the second year of the reign of Wm. the IV.	
5	To the Earl of Durham, as lord high commissioner of British N. America.	6th February, in the first year of the reign of queen Victoria.	
6	To the governors of the province, members of the council, judges of the province, and other persons.		Commission to try pirates.
7	To the governors of the province, judges and others.	1st February, in the second year of queen Victoria's reign.	Commission to try pirates.
8	To Charles P. Thompson, esq., as gov. general.	6th September, in the third year of the reign of queen Victoria.	
9	To Sir Charles Bagot, as governor general.	4th February, in the sixth year of the reign of queen Victoria.	
10	To Sir Charles Theophilus Metcalfe, as gov. genl.	7th October, in the fifth year the reign of queen Victoria.	
11	To Sir Charles Murray, Earl Cathcart, as governor general.	29th May, in the ninth year of the reign of queen Victoria.	
12	An extra commission respecting oaths to be administered to officers under him, to Charles Murray, Earl of Cathcart.	16th March, in the ninth year of the reign of queen Victoria.	
13	To Sir John Cope Sherbrooke, as governor general.	10th April, in the fifty-sixth year of the reign of Geo. III.	Seal taken off.
14	To Sir John Colborne, as governor general.	13th December, in the second year of the reign of queen Victoria.	

## PART 2—See page 532.

The committee on printing have had submitted to them the report, accounts and other papers relating to the commission appointed under resolution of house of assembly, to cause the ancient records and documents illustrative of the history and progress of society in this province, to be examined, preserved and arranged. Your committee have read the report of Thomas Akins, esquire, the commissioner appointed by his excellency to carry out the resolution of the assembly ; and have great pleasure in stating to the house, that the work has been conducted with great ability ; many volumes of curious and interesting documents have been selected from a mass of papers fast approaching to decay, and the commissioner has had them bound up in volumes, with a prepared index, which makes reference thereto easy,—that the expense incurred by Mr. Akins has been small in comparison to the labor performed,—that it appears by the commissioner's report that much remains yet to be done, and he points out an amount of labor which would require another year at least to accomplish. Impressed as your committee are with the necessity of allowing the commissioner to continue his labors, and knowing, too, the value of such documents, for reference hereafter, yet they hesitate to take upon themselves to recommend to the house the further prosecution of the work, at the present time, but leave it an open question for this house to decide, whether it is expedient, under the present state of our financial affairs, to continue the service, or leave it to be prosecuted, and completed, at some future day.

Should the house decide that Mr. Akins continue his researches and labors, your committee would recommend, that the commissioner be directed to proceed with the work, and have such documents as yet remain in his hands, and are worthy of preservation, arranged, and bound up as those of last year.

That his excellency the lieutenant governor be respectfully requested to obtain from the State paper office in England, as recommended in the report, copies of any despatches or documents that may be found necessary to complete our files, first ascertaining the probable expense of procuring the same, after which his excellency to use his discretion in obtaining them, or not.

That all books and documents belonging to the public archives of this province now missing, be advertised for, and immediate steps be taken to recover possession of the same, and the expense of such enquiry, to form part of the charges of this commission.

That his excellency the lieutenant governor be respectfully requested to advance from the treasury, during the recess, towards the payment of such persons as may be engaged in the work of the commission, any sum in the whole not exceeding the amount of expenditure of last year, and this house will provide for the same, and any other outlay which his excellency may find necessary in accomplishing the work in hand, during the ensuing recess.

The suggestion in the report for the printing of part of the already arranged documents, your committee would not deem advisable to adopt, or recommend, but think, when the work is completed, the whole should be examined by a committee of this house, or some other competent persons, and they should decide whether the whole or what part of the arranged documents should be printed.

The committee recommend that the commissioners report be printed in the journals of the house, and we recommend its perusal by members of the legislature, as it contains much valuable information, and show that the selection of Mr. Akins to perform the service, has been most judicious.

We also recommend that the expense of the commission for last year be granted and paid, viz :

Expense

Expense in labor, printing, &c., as per account and vouchers submitted,	£134 7 2
Amount to commissioner, for his services, 1857,	160 0 0
	£294 7 2

All which is respectfully submitted.  
Committee room, 21st April, 1858.

JOHN J. MARSHALL, chairman.  
JOSEPH HOWE,  
WILLIAM YOUNG,  
A. McFARLANE.

No. 30.

(See page 429.)

## POORS' ASYLUM.

AGGREGATE LIST OF ARTICLES PURCHASED FOR THE USE OF THE HALIFAX POORS' ASYLUM,  
DURING THE YEAR 1857, WITH THE BALANCE DUE THE BANK OF NOVA SCOTIA.

1857.		
Balance due the Bank of Nova Scotia, 31st Dec., 1856,		£1263 16 9
Barley, 38 cwt.,	42 4 9	
Beef, 28,348 lbs.,	338 9 7	
Butter, 1326 lbs.	65 7 10	
Bread, 30 cwt.,	30 2 6	
Bakery—baker's salary and wood,	50 13 7	
Coals, 90 chals.,	136 0 0	
		662 18 3
Contingencies—expended by the matron, whose account is audited monthly by the acting commissioner,	202 0 0	
Clothing, blankets, sheets, &c. &c. &c.	215 8 10	
Coffee, 152 lbs.,	5 17 2	
Cows and horse—rent, bran, oats, &c. &c.	48 6 7	
Cottage field—rent and mowing,	26 4 0	
Corn meal, 25 bbls.,	28 15 0	
		526 11 7
Fish, 85 qtls. dry, and 2 bbls. herring,	46 2 0	
Flour, 473 bbls.,	855 3 6	
Gas company—gas light,	28 18 6	
Ironmongery,	8 1 7	
Interest paid the bank for money advanced,	49 14 11	
Insurance premium, insurance on property,	10 0 0	
Lumber—repairs to buildings and coffins,	46 2 6	
		1044 3 0
Leather for shoes and repairing,	51 12 11	
Miscellaneous expenses required for the establishment— articles not of ordinary consumption, purchased by the commissioners, which do not come under other heads,	125 1 2	
Molasses, 1172 gals.,	143 11 11	

Oatmeal,

Oatmeal, 23 cwt. 2 lbs. 14 oz.,	£21	8	6	
Old junk for making into oakum,	137	3	11	
				£478 18 5
Oil, 105 gals.,	19	8	8	
Pork, 3481 lbs.,	85	13	10	
Potatoes, 1110 bushels,	157	0	9	
Peas and beans, 82 bushels,	25	18	9	
Removal of paupers,	9	10	0	
Repairs to buildings,	24	13	5	
Rice, 7 cwt. 3 lbs. 9 oz.,	9	9	7	
Straw, 198 cwt. 3 lbs. 5 oz.,	25	1	1	
				356 16 1
Salaries, including medicines and medical attendance.				
Dr. Almon,	£120	0	0	
Keeper and matron,	125	0	0	
School mistress,	30	0	0	
Clerk,	60	0	0	
				335 0 0
Salt, 10 hhds.,	5	5	0	
Soap, 179 lbs. hard, and 244 cwt. 3 lbs. 1 oz. soft,	75	18	4	
Stationery and printing,	11	4	10	
Sugar, 12 cwt. 3 lbs. 2 oz.,	38	4	2	
Turnips, 85 bushels,	5	4	5	
Tinware and repairing,	28	19	9	
Tea, 1294 lbs.,	120	4	5	
				620 0 11
Truckages,	13	0	5	
Vinegar, 75 gallons,	3	2	11	
Waterloo farm and hospital—rent, ploughing, mowing, &c.,	36	4	6	
Wool, 193 lbs.,	15	2	2	
Water company for water,	45	0	0	
Wine for the sick, 113 gallons,	49	8	3	
Wood, 77 cords,	61	9	3	
				223 7 6
				£5176 12 6
Balance due the Bank of Nova Scotia,				£829 11 1

*An account of funds received for the use of the Halifax asylum for the poor, during the year 1857, and from whence received.*

1857.	Commissioners.	Treasury, Transient poor.	City and county trea- surer.	Board of paupers, Sale of hats, mats, oakum, &c. Casual.	Total.
January,	William Lawson, esquire, balance due for 1856, .	£500 0 0	£ 500 0 0	£17 7 0	£1017 7 0
February,	William M. Allan, esquire,	0 0 0		5 11 8	5 11 8
March,	Andrew M. Uniacke, esquire,	0 0 0		119 19 7	119 19 7
April,	Hon. E. Kenny,	0 0 0		34 12 8	34 12 8
May,	J. H. Anderson, esquire, } Extra grant for 1856,	500 0 0		16 9 6	516 9 6
June,	John Esson, esquire,	238 16 9		0 0 0	238 16 9
July,	J. W. Nutting, esquire,	500 0 0		22 4 7	522 4 7
August,	Henry Pryor, esquire,	0 0 0		35 7 9	35 7 9
September,	Hon. Hugh Bell,	0 0 0		60 0 7	60 0 7
October,	Thomas S. Tobin, esquire,	500 0 0		46 0 7	546 0 7
November,	Hon. M. B. Almon,	0 0 0	400 0 0	27 11 6	27 11 6
December,	Charles Twining, esquire, School grant for 1856 & 1857, Balance carried down,	500 0 0	200 0 0	0 0 0	400 0 0
		0 0 0	72 19 3	772 19 3	772 19 3
		0 0 0		50 0 0	50 0 0
		0 0 0		829 11 1	829 11 1
		2738 16 9	1100 0 0	458 4 8	5176 12 6

(Errors excepted,)

A. M. UNIACKE, Chairman.

Auditors, { M. B. ALMON,  
J. H. ANDERSON.

Halifax, 31st December, 1857.

*Account of paupers remaining in the asylum for the poor on the 1st day of January, 1857, and admitted during the year ending 31st December.*

<i>Men—</i>		
Halifax,		78
Transient,		375—453
<i>Women—</i>		
Halifax,		53
Transient,		239—292
<i>Children—</i>		
Halifax,		109
Transient,		67—176
		— 921 total,

*Deaths in the asylum during the year.*

Men,		42
Women,		26
Children,		11—79 total.

*Number of paupers in the asylum on the 31st December.*

Men,	164,	of which	28	are	lunatic.
Women,	128,	“	35	“	“
Children,	83,	“	4	“	“
	<u>375,</u>	“	<u>67</u>	“	“

Average number per day, 335, at a cost of 7 $\frac{2}{3}$ d. per day each.  
1858, 11th February—Number in the asylum at date. 404.

No. 31.

(See page 431.)

## HOSPITAL FOR INSANE.

[COPY.]

*Provincial secretary's office, Halifax, June 9, 1857.*

GENTLEMEN—

The lieutenant governor and his advisers, being desirous of obtaining the best information touching the solidity and value of the workmanship of the portion of the lunatic asylum which has been erected, and of the brick used in its construction, I am commanded to request that you will make such an examination of the works as may enable you to report fully on these points, and I am to add that his excellency will be glad to be favored with such report at your earliest convenience.

CHARLES TUPPER.

JAMES R. FORMAN and HENRY G. HILL, esqrs.

*Halifax, 12th Sept., 1857.*

SIR—

In reply to your letter of the 9th June, instructing us to make such an examination of the portion of the lunatic asylum which has been erected, and of the bricks

bricks used in its construction, and to report fully touching the solidity and value of the workmanship, for the information of the lieutenant governor and his advisers, we have to state, that we visited the asylum on the 2nd and 6th July last, for this purpose, when we made a general examination of the premises.

The time required to estimate the extent of brick work executed, the quantity of material on hand, and the value of the building as it now stands, being more than Mr. Forman could properly spare from his many duties—Mr. Hill undertook to make up those details, which are therefore signed by him and submitted herewith.

Referring to our inspection we find—

*First.* That the drainage is defective, and that owing to this circumstance some of the walls are upheaved and distorted.

*Second.* That the partition walls are not connected with the outside walls, and that in consequence of unequal settlements, these walls are separated from one another to a greater or less extent.

*Third.* That sufficient attention is not given to bonding in the partition walls,—to the numerous flues throughout the building this imperfection is, to some extent, attributable; but, notwithstanding, the work in this respect is defective.

*Fourth.* That the sand used is from a salt water deposit, and, therefore, not in accordance with the specification. In reply to our enquiries, the inspector stated the contractor had excavated it from the banks at some distance from the sea, and where from long exposure it had been purified from its objectionable qualities. We did not observe any injurious effects due to this material.

*Fifth.* That though the bricks generally are of a fair quality, yet, in some instances, they are too soft, and that sufficient care has not been taken in selecting them.

To ensure the safety of the building, we recommend that proper drains be constructed with as little delay as possible, and this being attended to, and some repairs made on the walls, we believe that the permanent stability of the work will be secured.

We have, &c.

(Signed)

J. R. FORMAN,  
HENRY G. HILL.

The honorable the provincial secretary.

*Halifax, N. S., 12th September, 1857.*

In making the following statements, many difficulties have had to be surmounted in obtaining the data necessary for their compilation, and any delay that has arisen in not completing them sooner, is to be attributed to this circumstance.

I regret to say, I find it very difficult to determine what each service cost separately, as no journal, or check of time, &c., was kept to distinguish one from the other (except in years 1853 and 1854, which are very distinct,) all after years to this date, the time and materials are charged to the asylum for insane, except receipts given by Mr. Chambers to the board of works, when required to pay workmen, sometimes stated for brick yard, at others for asylum. On a thorough examination of the various papers, I find that all the work to be performed in excavations, erecting and finishing buildings for an hospital for insane, was let out at contract to Mr. Robert Davis and Messrs. Richardson & Son, and that the board of works supplied to the contractors sundry materials for the execution of their contracts. Among other things to be supplied by the board was bricks, which the board of works have manufactured on the ground. It was found necessary to build a rough sea wall to form a level platform for brickyard near the shore or beach; an office was required by the superintendent or clerk of works, a stable for horses, a house for men working a brick-yard, a road to make for contractors to cart the bricks to building site; a temporary wood wharf was built, and ground enclosed with

with fence. I also understand that a temporary roof was thrown over the walls, to what extent or how built, I could get no correct information.

A considerable number of days' work has been charged by Mr. Davis, but he does not say on what the labor was performed, in the years 1855, 1856 and 1857. Mr. Chambers gives us no account how or where Mr. Davis expended the labor.

It was found necessary to search for the information by examining all the various papers and receipts for sums of money expended, to ascertain on what service each charge should be made for this purpose. I have dissected and separated the various items charged, and placed the same under their proper head, by reference to the memoranda or analysis accompanying this report, namely, No. 1 exhibits the money received by Mr. Chambers from the board of works to pay labour in the year 1854.

The right hand side exhibits abstract from Mr. Chambers' time book, (that is, the money required to pay each service,) corresponding with the date on which the money was received from the board. Had the expenditure in the years 1855, 1856 and 1857, been checked, no difficulty would have occurred in ascertaining the amount to be charged to each service. No. 2, 1854, (extract from abstract No. 1,) exhibits the amount of money expended in each service in the year 1854, by Mr. Chambers; also money paid by the board for sundry articles, as per receipts from 1 to 24, inclusive, and also amounts paid, taken from the general account in 1853 and 1854, for which no voucher appears. No. 3, 1853 and 1854, exhibits the various sums of money expended, collected and charged to two separate services, also all the other memoranda for 1855, 1856 and 1857, to July, exhibits the charges to each service, as before described and hereafter shown—namely :

	Expended on the hospital for insane.	Brick yard.	Total.
No. 3, 1853 and 1854,	£1932 17 5	£ 744 16 0	£2677 13 6
3, 1855,	1394 11 10½	1509 13 3½	2904 5 2
3, 1856,	3546 1 4	3022 8 11½	6568 10 3½
3, 1857,	2837 18 11	1566 7 4½	4404 6 3½
Also, 1855,	309 5 4		309 5 4
	£10020 14 10½	£6843 5 8½	£16864 0 7

The above charge in 1855, £309 5s. 4d., was extracted from the printed report of the committee appointed by the house of assembly (expended 9th June on celebration). I have not seen any bills or accounts showing how the money was expended, &c.

As I before remarked that it was exceedingly difficult to distinguish the various services connected with the brick-yard from each other, as no check had been kept, either for labour or material since 1854.

The only method I could adopt to ascertain the cost of brick-yard and brick, independent of the other works, was by valuation—namely,

I value the fence at	£75 0 0
Office of superintendent at	50 0 0
Temporary wharf,	30 0 0
Road,	25 0 0
Temporary roof thrown over the asylum walls to protect from weather	200 0 0

£380 0 0

Deduct £380 from the gross amount charged to the brick-yard, and the balance, £6463 5s. 8½d., I consider the cost of the brick, &c, for the asylum to July. From the above amount I abstract the various charges made for purchase of brick at several times, amounting to £977 5s., which leaves the sum of £5486 0s. 8½d. to be charged to the brick-yard at Dartmouth. Total amount of brick required for building the first section of the hospital for insane, agreeable to plans, specifications and conditions, is 114,240; deduct purchase 248,200, leaving 894,200 made at the asylum brick-yard, at a cost of £5486 0s. 8½d., or about £6 1s. 8d. per thousand.

Since

Since the above calculations were made, and no further enquiry as to the supposed quantity of brick remaining on hand to complete the walls of the first section agreeable to plans, I find they are variously estimated. I set them down as 150 M., the burning of which is not complete; of course a further outlay must occur before they are fit for use. From July 29th to September 9th, a further expenditure of money has to be charged to the brick-yard, which we abstract from the general account up to that date, namely, £355 10s., making the whole outlay in preparation and manufacture of bricks up to the 9th day of September, £5841 10s. 8½d.; add 150,000 to the amount before stated up to July, 894,240, will make 1,044,240, the total amount of bricks manufactured at the yard, at a cost of about £5 11s. 8d. per M.

We find the actual quantity of pressed required for the west front, as per plans, which is included in the above amount, to be 53,141 bricks.

Total amount of expenditure ending 29th July, brought forward,	£16864	0	7
Less 9th from general account,	980	16	9
Mr Davis's account to 31st July, £2341 1 9 }	741	1	9
Deducting £1600 charged in general account, }			
Ditto, Mr. Davis,	38	9	3
“ “	482	7	3
Add 10 per cent. kept back	237	1	3
Ditto, Richardson,	36	6	5

Total expenditure to 9th September, £19380 3 3

By my calculations, I find the extent of brick work executed up to this period to be about 263 rods.

(Signed)

HENRY G. HILL.

*Office of board of works, Halifax, October 23, 1857.*

SIR—

Herewith I beg leave to hand you, for the information of the government, several reports from J. R. DeWolf, esquire, M. D., superintendent of the asylum now in course of erection at Dartmouth. On reference to these reports, it will be observed that the foundation walls are in an insecure condition, and not built in accordance with the contract, (an extract of which I enclose,) likewise that twenty of the stone sills in the basement are broken, and that the slating is defective. Mr. Davis, the contractor, has been notified of these defects, and has promised to repair the slating, and has proposed, that in consequence of reports being in circulation that the measurements of the brick work (or walls) of the asylum has not been correctly taken, (and over-charged for,) the government appoint two persons, and himself other two, for the purpose of re-measuring the work.

I have, &c.,

(Signed)

S. S. THORNE, chairman.

The honorable CHARLES TUPPER, provincial secretary.

*Provincial secretary's office, October 28th, 1857.*

SIR—

Since the former examinations made, at the lieutenant-governor's command, at the hospital of the insane, into the quality of the work performed there, the necessity for further examination and measurements has arisen.

A portion of the foundation wall of the hospital having been laid open in preparing drains, his excellency is desirous that the opportunity should be used for the purpose of ascertaining how that part of the work has been performed. Many of the window sills having broken, his excellency also wishes them examined, with the view of discovering the causes of the mischief. I have it in command from his excellency to request that you will make the necessary examination, and report fully the facts, and your opinion, on those portions of the building, and also that you should examine the structure at large, and report to him the facts, with your observations thereon, which, in your opinion, affect injuriously the efficiency or solidity of the work.

His excellency also desires that you should measure the whole of the walls, keeping separate the measurements of the different classes of the work as described in the contract, and paid for at different prices, and report the same.

The contractor will be notified by the board of works, of your appointment, that he may attend your examinations, and offer any explanations, should he desire so to do; and also that he may, by himself, or any suitable persons he may appoint, have opportunity to take part in the measurements.

To afford the contractor these opportunities, you will please to give the chairman of the board of works seasonable notice previously to your engaging in these duties, and it is necessary that no time should be lost in your entering upon them, as the foundation of the walls now exposed may soon be covered up. But you will understand that his excellency gives you the authority to uncover any part of the work, which, in your opinion, it may be necessary to examine.

I have, &c.,

(Signed)

W. H. KEATING,  
Deputy secretary.

JAMES LAURIE, J. B. FORMAN, HENRY G. HILL, esquires.

*Halifax, November 10, 1857.*

SIR—

In compliance with your letter of the 28th ult., we have examined the hospital for the insane, now constructing at Dartmouth, and respectfully submit, for the information of his excellency the lieutenant-governor, the following report :

We visited the building on the 31st October last. Labourers were at that time employed in uncovering the outside walls, and on the 7th instant, when these operations were further advanced, we made a careful inspection of the whole premises.

The foundation walls, with little exception, we find to be of very inferior workmanship, and by no means coming up to the requirements of the specifications, which are as follows :

“ Rubble masonry in foundations, as per article No. 24, to be large flat bedded iron stone, solidly bedded, and well flushed throughout, with good fresh mortar, jointed flush, the stones to be properly worked and bonded together and butt close at the meeting joints. The exterior, to the depth of  $3\frac{1}{2}$  feet below the surface, to be worked roughly to a line, with self-faced stones, or rough hammered if required; the inside of the exterior walls exposed in the cellars to be rough hammered on face, finished with neat flush drawn joints throughout. The largest stones to be selected by the contractor for the footing of all the walls.” Article 24, in the specifications above referred to, is in the following words : “ The masonry in the foundations to be solidly bedded and well flushed in with mortar throughout, to be levelled in courses from 14 to 20 inches in height, or as may be directed, with thorough or three quarter bond stones to be alternately placed in each longitudinal course, not exceeding 12 feet, as under, and in every other respect the transverse and longitudinal bonds of the stone throughout, to be particularly attended to by the contractors in the execution of the work.”

In the walls as actually built, we find that little attention has been paid to selecting large or flat-bedded stone for the footings, and that the projections or scarcements shown on the plan, are frequently omitted. That the large stones are put in the inside or cellar face, which presents a fair appearance, while the outside, which has to sustain most of the pressure, is composed mainly of stones of small dimensions, laid without proper bond, and with little or no mortar, and where mortar is used, it is of a very inferior quality, so much so that up to the present time it presents no indication of *setting*, although the walls have been built for two years.

We find, also, in some places that the walls have not been constructed to the full dimensions, nor in proper line, and that the brick work projects or hangs over, from three to five inches.

This is particularly observable at the south-east corner of the building, and seriously endangers that part of the structure, also in the rear wall of the south wing.

*Brick work.*—The first and most striking feature in relation to this, is that, as a general rule, no bond or connection has been made between the outside and the inside walls, and the building, which, from the thickness of the walls and the numerous internal partitions, ought to have been one of the most unyielding of structures, presents, as might have been anticipated, evidences of movement and separation. In several places  $\frac{1}{4}$  to  $\frac{3}{4}$  of an inch separation between the walls was observable on our first visit, but as the rooms are now mostly plastered, the extent to which this has taken place in many parts cannot be readily seen. Two of our number, however, having examined the building in July last, before much progress had been made in the plastering, can state that this was the general character of the work.

With the exception of the exterior walls of the building, where some pains has been taken, the workmanship of the bricklayers' work is very inferior.

The specifications require that "the brick work shall be built in English bond throughout the exterior and interior of the building"—that is to say, that the courses of brick shall be laid headers and stretchers alternately,—but no attention has been paid to this requirement. In the interior walls, in some cases, as many as ten to sixteen courses are laid one above another, without bond or headers.

We observed, also, that some of the division walls, particularly in the basement, are out of plumb, and present a curving face.

*The granite work*—both as to material and workmanship—is of a fair quality, and so far as observed, complies with the specifications and plans, but in laying the window sills no allowance or provision was made for the settlement of the walls, or compression of the mortar joints, and a number of them in the windows of the basement floor have broken, and, as we believe, from the neglect above mentioned, and in the manner following—

All structures built on a clayey soil, such as is the site of this building, will settle more or less; where the clay is soft and yielding the settlement will be more than where it is firm and hard; and where a greater weight comes on the wall at one place than another, the most settlement will take place where is the greatest weight.

All the vertical weight which comes directly on the foundations under the windows of the basement floor, is that of the seven feet of wall measuring from the sill to the foundation—while the weight falling on the foundation of the piers or spaces between the windows, is that due to the height of the walls—some 45 feet—the weight of the roof, and also the weight of the brick work and masonry above the windows, which is transferred to the piers by means of the lintels. The piers, therefore, supporting a much greater weight, settle more than do the walls under the windows, and as the *ends of the sills* are carried into the piers, they must go down with them; while the centre of each sill being kept up by the wall immediately under it, they must break when a settlement takes place, as soon as the elasticity of the stone is overcome. That this is the cause of their breaking, is obvious from an inspection of the work—from the bent form of the sills, and from the fracture commencing at and being always widest on the upper side.

The

The usual method to prevent such injury from the unequal settlement of walls and compression of mortar joints, even when the foundation is perfectly unyielding, is to leave an *easement* or open space under each sill until the building is completed and the work has got to its bearings. This precaution having been entirely neglected, we have the result in the breakage of the sills, numbering *twenty-three* at the present time, which number probably will be considerably increased by next spring.

Some incipient fractures and cracks are also observable, both in the exterior and interior walls, arising from the compressible nature of the bottom, but due more especially to the imperfect workmanship.

#### REMEDIES PROPOSED.

1st. We recommend that the foundation wall on the outside be wholly uncovered, and that it be carefully *spauled* up, pointed and grouted with good cement mortar.

2d. That wherever the brick work projects beyond or overhangs the foundation wall, it be carefully under-pinned by building a sloping wall under it of good masonry laid in cement mortar, and be wedged carefully up by means of hardwood or iron wedges, driven between the top of the wall and the granite plinth, to keep the joint open until the cement gets hard. To do this will require skilful and careful mechanics, so as not to endanger the brick walls while they are at work.

3d. That a rubble drain be made entirely around the building at the level of the foundation, with lateral drains, to carry off the water, and that the earth be then filled in and well rammed against the wall.

4th. We recommend that the pointing and mortar be scraped out from under the sills of as many of the windows in the basement floor as may be found practicable, to remain so until next spring, when they may be pointed cut. If the mortar used had been of a good quality, this would have been almost impracticable; but, having made the experiment, we are satisfied that it can, in some places, be done, and may prevent further leakage.

5th. We also recommend, for the purpose of drawing the water from the foundations and keeping the basement dry, that a small drain—say one foot square—be constructed in the corridors of the basement floor, at a level of one foot below the foundation of the walls.

6th. Some imperfections in the slater work of the roof were noticed, causing leakage, and ought at once to be remedied.

If, notwithstanding these precautions, it should be found by next spring that further movement of the outside walls has taken place, which will readily be discovered by the breaking of plastering, there will be no alternative but to secure them by means of iron tie-rods to the interior walls and flooring, a plan so unsightly, and costly withal, we hesitate to recommend it at present.

We would further state, that it will require some considerable time to measure the brick and stone work in the building, and as it is important that the work we have mentioned should be done before the cold weather, we make this report in part, and will, as soon as the estimates of quantities are completed, submit them.

We have, &c.

(Signed)

JAMES LAURIE,  
J. R. FORMAN,  
HENRY G. HILL.

To the honorable the provincial secretary.

*Office of board of works, Halifax, Nov. 12, '57*

SIR—

Inclosed we beg to hand you a copy of the report made to his excellency the lieutenant governor by the commissioners appointed to examine the state of the foundation walls, and the work in general, of the hospital for the insane, now in course of erection at Dartmouth under your contract; showing that the work has not been performed in accordance with the requirements of the specification in the contract, in many respects—particularly the inefficiency of the foundation walls, and which you acknowledged, as short time since, in this office, and proposed to make good, at your own cost, as far as possible, by finding materials and workmanship.

We have now to call upon you to proceed immediately with the work, as recommended in said report, under the direction and inspection of the superintendent of works, on the ground.

And we also notify you, that we require a greater number of workmen, &c., at the excavation we are now making for drains, and that you should now have prepared the mortar, and other materials, for completing the same, agreeably to your contract, so that the work may be finished before the setting in of winter.

I am, sir, your obedient servant,

(Signed)

S. S. THORNE, chairman.

To Mr. ROBERT DAVIS.

*Halifax, 17th November, 1857.*

SIR—

I beg leave to acknowledge the receipt, from the chairman of the board of works, of a communication, dated 12th November, 1857, accompanied by a report from James Laurie, J. R. Forman, and Henry G. Hill, esquires, persons appointed by his excellency the lieutenant governor to examine and report upon the hospital for the insane, now building at Dartmouth. I have first to notice the reference made in the report to the inferior workmanship of the foundation walls, and in reply beg leave to state that the walls were finished under a previous contract entered into by me with the then chairman of the board of works. That they were constructed under the personal superintendence and supervision of the clerk of works appointed for that purpose, who had an office upon the grounds. That all measurements of the foundation walls were made by the said clerk of works, assisted by the chief clerk to the board of works; and that I always depended upon the measurement of the said clerk of works, and clerk to the board, and sent in my bills in accordance therewith; and that the payments were made upon the certificates of the said clerk of works. That the contract for the construction of the foundation walls has been completed and paid for in full, under the certificates before mentioned; and that the mode in which the said walls were constructed was approved by the clerk of works before the said certificates were granted or the payments made.

That I, since the construction of the said walls, have entered into another contract, dated the 30th April, 1856, with the then chairman of the board of works, for the completion of the first section of the said hospital. That I was much astonished on visiting the asylum, about the first of this month, to find that the south end of the foundation walls had been excavated outside to the base of the walls, and that men were employed excavating outside the remaining foundation walls. That upon enquiry I was informed by Christopher Dart that these excavations were to be made for the purpose of draining the water from the walls, which occasioned me much surprise, as I was aware that great injury would necessarily result, as well to all other portions of the building as to the foundation walls, from their being exposed at this season of the year to the action of such weather as we have had for the last three weeks (more especially as the bottom is composed

composed of porous clay, and no drains had been constructed previously to carry the water away.)

That the appearance of the outside portions of the wall exposed by the excavations was not such as I fully expected and desired. That up to this time, from the appearance presented by those portions of the walls, exposed while they were in course of construction, to the view of myself and numerous other competent judges, who viewed the building from time to time, I was induced to believe that they were equal, if not superior, to any foundation walls ever constructed in this province; and I was also led to this conclusion from the fact that I had supplied material for the said walls infinitely superior to that specified in the contract—especially the stone.

The mortar was of good quality, composed of the best brown lime and sand, but never had a chance to set; and the gentlemen, to whose report my attention has been called, should have known that no mortar would set, when exposed to the action of water, frost and snow, for two successive winters,—the walls having been filled in behind with soft clay, and the snow and ice lying to the depth of about three feet in the cellars for the greater part of the two winters; and in the spring of the year the water working through the walls would, of necessity, wash out the mortar, which has occasioned the paucity of mortar spoken of in the report. That sufficient mortar was supplied can be proved by the parties who supplied the lime, and that it was used can be shewn by those who were engaged in constructing the building; for these reasons, and no complaints having been previously made, I was much surprised and annoyed at the appearance of portions of the outside of the walls. Not seeing Dr. DeWolf on the ground that forenoon, I called at his house in Halifax in the evening, and proposed to pin up the outside of the walls and point them with good cement where necessary, which proposition I renewed next morning at the office of the board of works, in the presence of the chairman and Dr. DeWolf, but it was not accepted. The proposition to which I have referred was made thus early because I felt assured the walls could not be left exposed at that season, with the usual bad weather (which has since ensued,) without serious injury (to what extent it is impossible to say) accruing to the building as a whole.

And it is my opinion, that—with the weather we have at present—if frost sets in before the trench is thoroughly filled up with clay and well rammed down,—not only may it be necessary to use the iron ties spoken of in the report,—but in the spring the board may be compelled to take down a portion of the building, if it does not save them the trouble by falling of itself. Nothing that can now be done, either by pointing, the construction of sloping walls, or otherwise, would be equal to the injury done by the construction of a trench around the walls, forming a receptacle for water at this season of the year with no drains to carry it off. This proposition was made, not because I felt myself bound in any way to carry it out—the contract having been fulfilled, paid for according to its terms, and taken off my hands; and I think it would be exceedingly unfair that I should be asked, as a matter of right, to remedy defects at this late period which should have been pointed out while the walls were building; but I made the offer merely for my own credit and satisfaction, and have commenced to carry out and am prepared to fulfil it. Having stated my position fully with respect to the former contract for the construction of the walls, I now beg leave to call your attention to certain statements made in the report before referred to, touching my contract for completing the first section of the hospital, and the mode in which the work had been performed. In the report, it is stated that “the brick work projects from three to five inches over the walls.” The base course about the places referred to in the report extends about from three to five inches beyond the wall, but the brick standing back three inches from the outer edge of the base course only leaves a very small portion projecting over the foundation wall, and this rarely and only in short spaces. The report goes on to state, that, as a general rule, no bond or connection has been made between the outside and inside walls. In some places this is the case, but it arose from delay in supplying the brick according to contract, which necessitated the construction of the  
outside

outside walls before the partition walls were put up; and also from the fact that when the bricks imported from New Brunswick arrived, they were found to be of a different size from those originally furnished, and therefore would not work in. These I refused to use until arrangements were made to allow me £1 per rod extra because of the smallness of the brick, which occasioned loss from the extra time and mortar required in laying them. The extra £1 per rod was allowed, but I have not yet received the sum charged in my last bill for this service, the chairman of the board of works having refused to pay it; but as I feel that I am justly entitled to it, I hope it may no longer be detained from me. The small separations of from  $\frac{1}{4}$  to  $\frac{3}{4}$  of an inch mentioned, have been caused mainly by the natural settling of the building, and are generally found in all brick buildings, especially those built on clay foundations.

The report also states that the brick work inside is of an inferior character. To this I cannot assent; it is, generally, good, substantial, and well put together, and was purposely left rough so that the plastering might take more readily and endure longer. The inside walls are bonded, except in such places as I was compelled to build of the broken and small brick. I am not aware that any of the division walls are out of plumb. The statement made in the report of the breakage in the window sills is correct; the directions given for laying the sills are also correct, and the mode prescribed in the report was followed to the letter; but last fall, the clerk of works, believing, as I suppose, that the building had settled as much as it would, ordered the sills to be pointed up tight to prevent water from coming into the building, which subsequently settled further and the sills broke in consequence. The imperfections mentioned in the slating arose from scaffolding and the accidental falling of timber and other articles used by the carpenter, plumbers, &c. Measures have, however, been taken to remedy these defects. The granite was supplied by myself and cut under my own supervision, and I am glad to find that this portion of the work is approved of.

The report recommends the construction of sloping walls, drains, &c., which, with all other requirements, I shall be prepared to perform, if authorised to do so according to the clause in my contract relating to extra work. I do not now refer to the pinning up and pointing of the outside walls, which is now being done, as I have before mentioned. In relation to that clause of the report touching contemplated new measurements, I have to request that when any new measurements of the work comprised in my existing contract are to be made, notice may be served upon me that I may have an opportunity of being present either by myself or agents.

In your letter accompanying the report, you state that you require a greater number of workmen at the excavations for drains, &c. I am only engaged in making the main drain, which would have been completed long since had the board authorised its construction when I applied to them to do so in August last; at which time I had employed a number of workmen who have been since discharged.

The order to build the drain was only given about four weeks since, and not until I had applied several times at the office of the board to obtain it, and after nearly all my laborers had been discharged for the want of work. I am of opinion that it is impossible to complete the drain during the present fall; but I will use every exertion to have it done as early as possible. I have also to request that the board will, with as little delay as possible, cause the work done since my last bill was rendered, to be measured, that I may be enabled to draw the amount due.

In conclusion, I have to call your attention to the bill rendered by me on Saturday last, for slate and slate nails supplied, independent of my contract, and request payment of the same.

I am, sir, your obedient servant,

ROBERT DAVIS.

To the chairman of the board of works.

*Office of board of works, Halifax, Nov. 19th, 1857.*

SIR—

Your reply to our communication of the 12th instant, (enclosing the "commissioner's report" on the foundation walls, &c., of the asylum) is not at all satisfactory.

The board do not deem it necessary to enter into particulars at present, but have to repeat the request: "are you prepared to proceed *at once* with the work, as recommended in the report above referred to, in reference to the walls, and at your own cost"? — *An explicit answer to this question is required.* If you are not, the board will be compelled to have the necessary work done, and call upon you for the amount so expended, as they do not intend paying anything *extra* for the work.

I am, sir,

Your obedient servant,

(Signed)

S. S. THORNE, chairman.

To Mr. ROBERT DAVIS.

*Halifax, 19th November, 1857.*

Sir—

Your reply to my communication of the 17th instant, I have this moment received; and beg leave to answer, that I have, in that communication, most explicitly stated what I am prepared to do, in relation to the foundation walls. Had I been authorized by the board, the proposition I formerly made, and which I referred to in my letter, would have been fulfilled, and the walls thereby made perfectly secure, as they were always of sufficient strength and stability, and only required some improvement in their outside appearance. By this I do not mean to say, that the injury done, or that will be done them, by the opening of the trench around the building, would have been obviated or can be prevented.

Men and material were sent by me upon the ground to fulfil my proposition, but the men were prevented from carrying it out by Mr. Dart, the overseer.

In conclusion, I have to state that I am not prepared to do any thing further, at my own expense, than I have already proposed. But I am quite willing to do anything which the board may order to be done,—the work to be paid for by them at the rates mentioned in the specification.

I am, sir, your obedient servant,

ROBERT DAVIS.

To the chairman of the board of works.

*Office of board of works, Halifax, Dec. 11th, 1857.*

SIR—

I have to inform you that all the papers in connection with your contract, in reference to the hospital for the insane, have been referred to the executive; and that the board are not authorized to make any further payments on account of your contract, until the repairs now making are finished, and the sanction of the government obtained.

I am, sir,

Your obedient servant,

(Signed)

S. S. THORNE, chairman.

Mr. ROBERT DAVIS.

Halifax,

*Halifax, December 26th, 1857.*

SIR—

Agreeably to your request, we have examined the hospital for the insane, at Dartmouth, with a view to discover the cause of the leakage and dampness of the walls, also with reference to suggesting some practicable means of remedying the evil, and beg leave respectfully to report :

We found the exterior walls of the rooms on the southern front quite damp on the inside, with evidence of water having run down or dropped from the ceiling on to the floors.

This was particularly observable on the second story of the building. In the third story the walls are comparatively dry. In other parts of the building, where exposed to the south and south-east, the walls were also more or less damp.

In all new brick or stone buildings, damp walls may be expected until the water originally in the mortar has dried out ; but in the present case, the quantity of water was too copious to be attributed entirely to this source, and making its appearance immediately after a long, continued rain storm, and in such parts only of the building as were exposed, it was evidently in some way to be accounted for in connection with the storm.

That there was no leakage in this part of the roof was obvious, from the walls being dry near the ceiling of the upper floor where protected by the eaves and cornice ; and although the pointing of the brick work showed, in many places, imperfect workmanship, the vertical joints not having been fully flushed and drawn in mortar, still, this was not sufficient to account for the whole front presenting indications of leaking ; we were led, therefore, to believe that whatever leakage there was must come through the wall itself.

But, as water ought not to penetrate through a 1½ foot wall, where the material and workmanship are both good, we had an opening made at two places, and found the mortar presenting the appearance of damp sand, not having set at all, and evidently made with a very small proportion of lime.

In order to test the quality of the bricks used, whether they would pass water freely of themselves, the superintendent, Dr. DeWolf, at our request, made the following experiment : He placed one pressed brick, such as is used in the western front of the building, and one common brick, such as is used in the southern front, on their edges in a basin of water, the water rising about half way up the bricks

In fifteen minutes each had absorbed about six ounces of water, and in twelve hours the water had penetrated through them so as to dissolve common salt placed on their upper surface.

From these experiments, and our observations, we are satisfied that the leakage and dampness comes directly through the wall, and is due to the absorbing quality of the bricks, and the poor quality of the mortar.

We are of opinion that the southern wall will always be subject to damp, if not leakage, after exposure to long, continued storms ; and, as the only effective remedy to prevent dampness in the rooms, we would recommend that it be studded out on the inside, and lathed and plastered.

If this recommendation is adopted, and the work is to be proceeded with during the winter, we consider it advisable to put in a few iron tie rods, as suggested in our former report, to give confidence in this part of the building, as it would be attended with difficulty to insert them afterwards.

We tested the wall by plumbing, and found that it was bulged out about two inches. This is no new feature, however, having been so in our first visit, and previous to commencing the under-pinning.

Some ten or twelve tie-rods we think for the present sufficient. Their cost, inserted, ought not to exceed three pounds each.

The

The under-pinning of the portions of the brick work of the exterior walls which we recommended in our former report, is completed, and has been done in a workmanlike manner.

We would also state that we have read the reply of Mr. Davis to our former report, but see nothing in it to change our statements of facts, or the opinions expressed.

We have, &c.

(Signed)

JAMES LAURIE,  
HENRY G. HILL.

The honorable the provincial secretary.

N. B. The opinion of H. G. Hill, in reference to the prevention of leakage, &c., of the southern wall, is that it would be better to cover or coat the exterior of said wall with mastic cement, as the only and sure mode against damp and leakage, and further decay of said wall, &c.,—that is, if the excess of expense be not considered.

No. 32.

(See page 440.)

## ATTORNEYS AND SOLICITORS.

[COPY]

Circular.

*Downing street, 5th September, 1857.*

SIR—

I send you herewith, copy of “an act to regulate the admission of attorneys and solicitors of colonial courts in her majesty’s superior courts of law and equity in England, in certain cases,”\* which has recently received the royal assent.

Should the colony under your government desire to avail itself of the provisions of this act, the duties which devolve on yourself in that behalf, are expressed in the last section of the act. An order in council to the necessary effect will be issued, on a report from yourself, certifying that the provisions of that section apply to the colony.

I have, &c.,

(Signed)

H. LABOUCHIERE.

Lieutenant governor

Sir G. LEMARCHANT, &c. &c. &c., Nova Scotia.

\* Act 20 & 21, Victoria, chap. 39.—Vide page 207 of statutes of 1857.

No. 33.

(See page 440.)

## REPORTS OF SUPERVISORS OF MAIN POST ROADS, 1857.

*Barney’s River, Co. of Pictou,*

*December 31st, 1857.*

SIR—

Pursuant to instructions, I now beg leave to report, for the information of the government, my doings as supervisor of the main post road from Colchester county line to Gut of Canso, during the past season, also the condition and requirements of the same.

The

The sum appropriated for the section of the post road under my charge in the county of Pictou for 1857, was insufficient to pay the large over-expenditure made the previous year, leaving a balance due me as supervisor, last spring, of £145 18s. 1d. On the recommendation of the county and township members, the government advanced £95 18s. 1d., as part of this balance, and the members for the county of Sydney, provided for the remainder, £50.

As there was no money at my disposal this year for repairing the road through this county, I only, with consent of the members, made such general repairs as to keep it in a passable state; but owing to the large bridge over the Middle River, built about nine years ago by Mr. Archibald, giving way in the centre of the span, I had to repair it; also to put new plank covering on the bridge at McKenzie's, Mount Thom, and on the centre of Caledonia bridge at the West River. The cost of repairing these bridges, including repairs on the road from Colchester county line to New Glasgow, is £63; and for repairing from New Glasgow to Sydney county line, including new covering on two bridges in Marshy Hope, is £64—making in all an over-expenditure in the county of Pictou, £127.

The travelling on this road has greatly increased during the last few years. Large quantities of ship and ton timber are carted to New Glasgow, which is very destructive to the road, cutting it into ruts, beside the material for several miles east and west of New Glasgow being of a very wet and clayey nature, with no gravel in the vicinity, it requires continual attention, and large amount of money, to keep it passable. In spring and autumn, the mail coach and heavily laden teams get along with great difficulty; in fact, the part from New Glasgow to the Pine Tree Gut, a distance of five miles, had to be abandoned during the wet weather in the fall, and the travelling public were under the necessity to take the old road over Fraser's mountain. To do anything like justice to this road, the section from Colchester county line to New Glasgow would require the ensuing year, (exclusive of New Glasgow bridge,) £160; and the section from New Glasgow to Sydney county line, £200.

I expended in the month of May on the New Glasgow bridge, the sum of £30, appropriated out of the grant for the cross road service for that purpose. I made such temporary repairs on it as would secure it from falling during the season. I would now beg leave to state, for the information of government, that this bridge is in a very decayed and unsafe condition, and will certainly have to be built anew next summer. This bridge, with abutments and pillars of stone, together with a draw, would cost £ , as near as can be ascertained, and if provision could be made to that end at an early date, the timber could be provided in winter at a cheaper rate than in summer.

The sum of £230 at my disposal this year, from Pictou county line through the county of Sydney to the Gut of Canso, was expended in making general repairs along the whole line, and opening a section of new road at John Williams's, about three miles west of the town of Antigonishe, fit for a winter road.

The portions of new roads made in this county during the last few years, are in a very good state of repair. There are, however, about four miles of the old road between Little Tracadie and Harbour Aubouche, still to alter to a leveller line—as this section of old road passed over several long and steep hills, averaging from one foot in eight to one foot in twenty of ascents and descents, and is likewise in a very bad state of repair. The new line would require to be opened next year; the making of which, including the finishing of the section commenced this year at John Williams's, and very likely a new bridge at the east end of the town of Antigonish, would cost £500, which sum would be required for the county of Sydney next year.

*Recapitulation of sums required for 1858.*

For county of Pictou :			
From Colchester county line to New Glasgow,	£160	0	0
From New Glasgow to Sydney county line,	200	0	0
For building a bridge over East River at New Glasgow,	1500	0	0
			£1860 0 0
For county of Sydney :			
From Pictou county line to the Gut of Canso,	£500	0	0

All of which is respectfully submitted.

ADAM McKENZIE, supervisor.

The hon. provincial secretary.

*Upper Musquodoboit, Jan. 20th, 1858.*

SIR—

In obedience to the commands of his excellency the lieutenant governor, I beg to present to you my report for the past year, on the state of that portion of the main post road under my supervision :

I have put this road into the best state of repair permitted by the amount placed at my disposal.

The whole sum expended from "Pollock's" to the Guysboro county line, a distance of 84 miles, was £382 5s. 11d, which sum was appropriated by the legislature in the following manner, viz :—

From "Pollock's" to Middle Musquodoboit,	£175	0	0
From Upper to Middle Musquodoboit,	17	7	1
For repairing bridges, Musquodoboit,	10	18	10
From Musquodoboit to county line,	50	0	0
To build red bridge,	103	0	0
Advanced by government for fall repairs,	26	0	0

The freshets of last winter did an unprecedented amount of damage to the roads and bridges under my charge. The red bridge was entirely swept away, and the want of it caused much inconvenience to the public and the mail carrier, especially the latter, who was obliged to cross the river on a floating bridge, which could not be rendered secure, or travel round a number of miles over an extremely bad and hilly road. The timber and other materials were, however, collected and prepared as quickly as possible, and a substantial bridge built in March, at a cost of £105.

"Brown's bridge" was also much injured—the repairs of which cost £25.

Many parts of the road were torn up to the foundations, and a number of small bridges and spouts carried away ; the repairs of which I attended to and accomplished as soon as the season would permit.

I have expended the amount entrusted to my charge for the past year, principally in day's works, having found by long experience that this method is more advantageous to the public, in *repairing* roads, than that by tender and contract.

The condition of the road before the damages to which I have referred were sustained, would have rendered the expenditure of the amount placed at my disposal indispensable for its repair.

After the repairs of these damages, I devoted my attention, and the remainder of the amount, to the worst parts of the road, and left the best parts for future work. Thus by the end of July, when the general repairs were concluded, the whole amount was expended, and the road in as good condition as could be expected under the circumstances.

I found it necessary to request from the government an advance of £26 for fall repairs. These repairs were rendered absolutely necessary by the great amount of travelling of heavy teams along the road between Middle Musquodoboit and "Pollock's," and the inferiority of the materials for road making in that neighbourhood.

The repair of the very unusual damages by freshets, before referred to, having so much reduced the original sum appropriated, rendered it the more necessary to procure this advance of £26.

I beg to state that the next year's expenditure will probably be reduced by more than the amount laid out for fall repairs, *because the filling up of the ruts and the opening of the drains allows the water to flow freely off the road, and thus effectually prevents it from being worn into channels.*

I have the pleasure to report that the bridges are generally in good repair.

As the sum granted has always been much below the amount recommended, I have never been able to do more than keep the road at its former standing, which is much below the public expectation.

I beg respectfully to recommend that the following sums be allowed for this year, viz. :—

Sect. No. 1—From Pollock's to Brown's bridge, a distance of 32 miles,	£20	0	0
No. 2—From Brown's bridge to Upper Musquodoboit, a distance of 17 miles,	15	0	0
No. 3—From Upper Musquodoboit to Guysboro county line, a distance of 35 miles,	100	0	0
	<hr/>		
Being in all,	£315	0	0

Section No. 1 is the part of the road most difficult to keep in repair, as it is nearest to the capital, and is subject to the transit of heavy loads of timber, lumber, and other weighty articles.

Section No. 2 is kept in repair principally by means of statute labour.

All of which is respectfully submitted.

JOHN PARKER, supervisor.

To the hon. CHARLES TUPPER, provincial secretary, Halifax.

*Musquodoboit Harbour, January 30, 1858.*

SIR—

I have now the honor to report the state of the road, Eastern shore, (known as Harvey road) from Dartmouth to Ship Harbor.

This road, on account of its locality and route along the sea shore, passes over a number of streams and inlets of the sea, which in the heavy freshet of December, 1856, received much damage, in carrying away bridges, and other incidental injury, the repair of which required a great portion of the amount voted for the general repair of the road, without any additional improvement as to width, &c.

There is also an arm of the sea at the head of Jedore Harbour, over which was erected a bridge called "LeMarchant," with wooden piers, but from the great depth of water, and its exposed position to the south east gales of 1855 and 1856, been partly carried away; and although I have used much effort in reconstructing, by sinking stone abutments, (of which there is abundance in the vicinity) instead of wood, still, with the small means at my disposal, the bridge is incomplete.

I regret having to incur an over-expenditure of one hundred pounds, in addition to the grant of last session, with a hope of completing the necessary repairs on the road, and making passable the above bridge, (as ferrying is at times dangerous and impossible, particularly in the winter season) but unforeseen circumstances interposed and prevented. It would require one hundred and fifty pounds to complete the stone abutments and

and finish the bridge in the substantial manner its locality and importance requires. The sum looks large, but taking into consideration the length of the bridge, sixty-eight rods, including abutments. The long neglected state of the eastern shore, its resources, and the importance of its prosperity to the revenue of the province, ought to outweigh every other consideration.

As the road and other bridges are generally in tolerable good repair, with the exception of that section lying between Musquodoboit Harbour and east side of Jeddore, I would recommend a sum not less than one hundred pounds for the general repairs of the whole line, with the extra sum above mentioned, for completing repairs on LeMarchant bridge, making together two hundred and fifty pounds.

I would again urge the necessity of having in some way, the statute labour expended on the main post roads under the control of the supervisors; and persons residing within certain distances, be required to perform their labor, or a portion of it, on such main road, as no statute labour has as yet been performed on Harvey road, east of Musquodoboit Harbour.

I have the honor to be,  
Sir,

Your most obedient servant,

WILLIAM ANDERSON,  
Supervisor of Harvey road, Eastern shore.

Hon. CHARLES TUPPER, provincial secretary.

*Port Hood, January 30th, 1858.*

SIR—

In obedience to his excellency's command, I beg leave to submit the following report of the main post road in the county of Inverness.

In consequence of the very mild and soft winter and spring of 1857, the roads were very much cut up with wheels as well as by the water breaking over them when the drains and sluices would be frozen up; and consequently required a large expenditure to put them into good repair.

Besides the large number of bridges and sluices on the road which are constantly requiring repairs and removal, I had during the summer to build six new bridges, one of which was sixty feet clear of the wharves on which it rests, and the embankments at the ends (which are heavy) having been much injured during the freshet in December, 1856, had to be made almost anew.

The long continuance of the wet weather during last fall has again, in consequence of the soft material of which a considerable portion of our roads are made, and the large and constantly increasing traffic of wheel carriages, become terribly cut up in many places, and will require a large outlay to put them again in good order.

The old road from Ship Harbour to the River Inhabitants bridge, was established as the boundary line between the counties of Inverness and Richmond, and the new road opened some years ago runs occasionally in the former, and at other places in the latter county. Since the establishment of supervisors of main roads, each party has endeavoured to get rid of as much of this road as possible, until the whole distance got into a state very uncomfortable to travel on. Last summer I took what I believe to be half the distance, and put such repairs on it as to render it passable; but nothing having been done on the other half, it got so bad in the fall that it was with difficulty carriages could get along, and when the spring opens it will be almost impassable.

The main post road in the county of Inverness is about one hundred miles in length, and from the great amount of travelling, the sum usually set apart for that service is altogether

altogether inadequate. To keep them in proper repair would require at least a thousand pounds a year.

I have the honor to be,

Sir,

Most respectfully,

Your very obedient servant,

GEO. C. LAWRENCE,

Supervisor of main post road, county of Inverness.

To the hon provincial secretary.

SIR—

I have the honor to transmit for the information of his excellency the lieutenant governor, the annual report of the great eastern road from Dartmouth to Hants county line, county of Halifax, under my supervision.

The amount at my disposal for the current year was £230, a sum which I found inadequate to put the road in travelling order, consequently I have expended about £30, a sum which was provided for by an advance from the treasury; the road was up to the fall in a very fair state of repair, but after the heavy rains and the enormous amount of heavy teaming, which was necessary for railway purposes, has again put it in a bad state, at least will be so when the frost breaks up in the spring.

I shall require for about three years operations about £350, that is from Dartmouth to Rutherford's, £100, from Rutherford's to county line, £200, and to build a new bridge which is required over Beaver brook £50—the road contiguous to this bridge must be raised as it is continually overflowing.

The remaining part of the bridge upon the road will apparently require nothing with the exception of some small spouts.

In conclusion, I beg to say, that I shall endeavour to be as economical as possible, and trust my doing will be satisfactory to his excellency and the public in general.

I have the honor to be,

Sir,

Your obedient servant,

ISAAC ISNER, superintendent.

The honorable C. TUPPER, provincial secretary.

Gay's River, 28th January, 1858.

*To the honorable the provincial secretary.*

SIR—

As supervisor of the main post road from Halifax to Windsor, I would beg leave to state for his excellency's information, that I, in accordance to my instructions, have kept it in a good state of repair, but in doing so had to make a considerable amount of over-expenditure, owing to the very heavy amount of traffic that was on the road. The principal bridges, except the St. Croix, is in a very good state of repair—the braces of this bridge will have to be spliced, and the whole bridge new planked—the bridge near Piers' mill will require new rails.

The heavy traffic from Halifax to Windsor, will principally all be taken off the post road, and sent by the cars. This line of road will not require so much to keep it up; but it should be borne in mind there is some parts of this road there will still be a considerable traffic. The road from Windsor to Three mile plain, likewise from Rawdon road

road to Mount Uniacke, station, and from Springfield to Sackville, those are three pieces on the road that are as expensive as any pieces of the same distance on the whole line.

The road around the Basin I have both spring and fall to remove loose stones that fall from banks of the new pieces that were made on account of the railroad, the slopes being left so perpendicular, that the stones roll down and obstruct the road, otherwise it is not expensive to keep in repair since the rail cars has run.

The ice in some places has caused me some trouble and expense, the water courses being frozen up, the water spread over the road and froze, and it became dangerous; I cut the drains out in worst places, and kept the road passable.

There will require the following sums to keep the road in repair the ensuing year :

Halifax county—From Three mile house to Sackville,	£40	0	0
Sackville to Springfield,	100	0	0
Springfield to Hants county line,	20	0	0
	<hr/>		
	£160	0	0
Hants county—from county to Mount Uniacke,	10	0	0
Mount Uniacke station to Rawdon road,	90	0	0
Rawdon road to St. Croix,	30	0	0
St. Croix bridge,	30	0	0
St. Croix to Windsor,	40	0	0
	<hr/>		
	£200	0	0

JOHN L. SWEET, supervisor.

February 1st, 1858.

No. 34.

(See page 445.)

## ATLANTIC TELEGRAPH.

[COPY.]

No. 4.

Downing Street, 18th January, 1858.

SIR—

Her majesty's government have had under their consideration an act passed by the legislature of Nova Scotia, in the month of May last, entitled "an act to encourage the establishment of telegraphic communication between this province and the united kingdom of Great Britain and Ireland," transmitted to me, with other acts of the session of 1857, by your despatch No. 65 of the 22d October last.

2d. This act purports to give the New York, Newfoundland and London telegraph company (subject to their performance of certain conditions, and to the conclusion of the agreement specified in section 6) the exclusive right to furnish the province with the means of telegraphic communication for a period of 25 years.

3d. I wish to refer you to the despatch addressed to you by Sir George Grey, when holding the seals of this department, on this subject, under date of the 22d March, 1855. Her majesty's government see no reason to modify the views expressed in that despatch and its enclosures, which have, on the contrary, gained additional force by latter experience. They consider that the grant for such exclusive privileges is highly inexpedient, not only for the interests of the province, but of the empire in general.

4th.

4th. They are fully aware that it was urged that similar privileges have been conceded by the legislatures of Newfoundland and of Prince Edward Island, without the disallowance of the crown. But they must reply that the implied sanction of these acts, given without fully advertng to considerations, the magnitude of which has been ever since acquiring a greater developement, does not bind them to a continuance in a course of policy, which, they are satisfied, cannot but prove extremely injurious, and this beyond the limits of the colony immediately concerned.

5th. An order for the disallowance of this act will, accordingly, be submitted to her majesty, to be passed in council, and shortly transmitted to you. But I wish to give notice of the intention of her majesty's government beforehand, because the act contains a provision repealing certain clauses of a former act, (that to incorporate the Nova Scotia telegraph company, 1851,) and I cannot be certain whether inconvenience might not be occasioned by disallowing the repealing provision, and bringing those clauses again into operation, before the legislature has had time to provide against such a contingency

I have, &c.,

(Signed)

H. LABOUCHERE.

Lieutenant governor

Sir G. LEMARCHANT, &c. &c. &c., Nova Scotia.

No. 35.

(See page 445.)

## MR. LAURIE'S RAILWAY REPORT.

*Halifax, February 5th, 1858.*

TO THE HONORABLE CHARLES TUPPER, provincial secretary.

SIR—

I have the honor to submit the following report on the Nova Scotia railway, made in pursuance of my appointment in the letter annexed, to examine into its condition, cost, and management.

I have the honor to be,

Sir,

Your obedient servant,

JAMES LAURIE, civil engineer.

*Provincial secretary's office, Halifax, 28th September, 1857.*

SIR—

In the last session of the provincial legislature, a resolution was passed, authorising the lieutenant governor "to employ competent persons to examine the books and accounts in the several public departments, including the accounts and contracts touching all public works and their condition, and to report thereon; and also upon the system on which the books and accounts are kept, and on any changes in the system of receiving monies and keeping the accounts, that they may be beneficial for the public service."

Under that resolution, a minute of the executive council dated 16th June last, required "the employment of a competent engineer, unconnected with the railway works, for the purpose of affording the fullest and most authentic information to the public with reference to the railway, the amount of money already expended, the sum required to complete

complete the line to Windsor and Truro, the cost per mile, and detailed statements of the accounts, with the particular services for which the money has been expended."

The government having selected you to carry into effect the objects specified in the legislative resolution and the minute of council, I have communicated with the chairman of the railway board, and requested him to put you in possession of all documents that may be required to enable you to fulfil this duty; and to afford you every facility in his power in making the investigations with which you have been charged. It is particularly desired by the government that you should, after careful examination, report fully upon the present state of the works, embracing every section of the proposed line, the average cost per mile, their value and character, with a detailed statement of the expenditure, classifying each account under its proper heading, and furnishing as accurate an estimate as possible of the amount required, in addition to the present outlay, to complete the road to Windsor and Truro, with a fair average equipment.

Your report will also be expected to notice any defect that may come under your observation, and, in fact, to present such a statement of the operations, that the legislature and the public may be enabled fully to understand the whole subject, and resolve any doubts as to the permanence or stability of the works.

You are further requested to suggest any changes or improvements in the mode of keeping the accounts and books of the railway board, which you may deem advisable.

Should any assistance be desired in carrying out the objects thus detailed, you will be good enough to communicate to me your wishes, which will meet with prompt attention.

I have the honor to be,

Sir,

Your obedient servant,

(Signed)

CHARLES TUPPER.

JAMES LAURIE, esquire, civil engineer.

### REPORT.

The railway works at present under construction in Nova Scotia, and to which the foregoing letter and minute of council refer, embrace the trunk, or "main line," which commences at Halifax and runs north-easterly to Truro, at the head of the Basin of Minas, a distance of  $61\frac{2}{10}$  miles; and the Windsor branch, which leaves the main line at a point  $13\frac{1}{10}$  miles from Halifax, now called the junction, and thence runs westerly to Windsor, on the Avon river, a distance of  $31\frac{6}{10}$  miles.

The construction of these roads as public provincial works, was authorized by act passed March 31st, 1854; and by a subsequent act of the same session, provision was made for obtaining the necessary funds for building them, by authorizing the contracting of a loan by the issue of debentures on the pledge of the revenues of the province—the said debentures to bear interest at six per cent. per annum, and be redeemable in twenty years.

The first of these acts provide for the appointment of a board of commissioners and a chief engineer, by the governor in council, and confers upon them all the requisite powers to carry on and complete the works.

The commissioners are authorized to draw on the receiver general for all moneys that may be required for the purposes of the act, but are restricted not to expend a larger sum, nor incur liabilities to a larger extent, in any one year, than £200,000.

The work was commenced on the main line, June 13th, 1854, and on the Windsor branch in July, 1855, and has been prosecuted without interruption up to the present time.

In February, 1855, the first four miles from Halifax, was opened for travel; on July 29th, 1855, the road was opened to Bedford, 8 miles from Halifax. In January, 1857,

an additional  $1\frac{1}{2}$  miles, extending to Shultz's or Grand Lake station, was brought into use; and on the 3rd instant 9 miles, extending to the Truro road crossing, was opened—making  $31\frac{1}{2}$  miles of the main line completed and now in operation.

The Windsor branch was passed over by a locomotive and car on the 30th December last, but a part of the grading and ballasting remain to be done, and the turntables and water stations are yet in an unfinished state, it has been deemed advisable to delay opening it to the public until those works are further advanced.

On the remaining 39 miles of the main line to Truro, about two-thirds of the work is done, and there is nothing in the character of that remaining to be accomplished, to prevent the entire road being opened for travel by the first of November next.

#### CHARACTERISTICS OF THE ROAD.

For the first 25 miles from Halifax, the main line passes through that range or belt of rocky and broken land which runs along the Atlantic shores of Nova Scotia. It is characterized by a rugged and uneven surface, full of rocky gorges and deep bogs, generally unsuited for purposes of agriculture, while the timber with which it is covered is of a stunted growth and of little value. Beyond this, or soon after passing Grand Lake, the character of the country materially improves, the rocks disappear, and the soil becomes more favorable. This improvement continues until we reach Truro, where the country presents a wide area of rich soil, adapted to the wants of the husbandman.

The Windsor branch leaves the main line in the midst of this barren track, and proceeding westerly somewhat in the range of the formation, does not emerge from it until within seven or eight miles of Windsor, where it meets the richer soil and cultivated country which lies along the southern shores of the Bay of Fundy and Basin of Minas.

These unfavorable features of the country traversed on the first part of the line, have rendered it necessary to adopt gradients and curvatures of a somewhat objectionable character, although not more so than occurs on many other roads designed as general thoroughfares for trade and travel.

The maximum grade on the main line in going north, occurs in ascending from Bedford station to Lily lake, and is at the rate of 64 8-10 feet per mile for  $1\frac{1}{2}$  miles in length. In coming south the maximum is 48 feet per mile immediately on leaving Truro, and extends for a distance of 1 mile 41 chains. The maximum grade on the Windsor branch going west, is  $71\frac{1}{2}$  feet per mile for 19 chains near Long Lake; and coming east 64 8-10 feet per mile for 62 chains, about one mile west of the Big Bog brook viaduct.

The minimum radius of curvature is 792 feet on the main line, and on the Windsor branch 1320 feet.

The aggregate amount of curvature on the main line is 2536 degrees, or an average of 41 degrees per mile. On the Windsor branch the aggregate amount of curvature is 1635 degrees, or an average of  $51\frac{1}{2}$  degrees per mile.

The whole amount of the ascents on the main line in proceeding from Halifax to Truro is 605.4 feet, and the amount of the descents is 558.3 feet. On the Windsor branch the whole amount of the ascents is 161.9 feet, and of the descents 565.7 feet. Including the portion of the main line between Halifax and the junction the amount of the ascents from Halifax to Windsor is 631.4 feet, and of the descents 619.6 feet.

The summit or highest point on the main line is six miles from Truro, and is elevated 1804-0 feet above the level of tide water. On the Windsor branch the summit is at Mount Uniacke station, 13 miles from the junction, and is elevated 518.7 feet above tide.

The whole length of straight line on the main road is 39 miles, and of curved line 22 2-10 miles. On the Windsor branch there is of straight line 18 4-10 miles, and of curved line  $13\frac{1}{4}$  miles.

Tables No. 1 and 2 in the appendix exhibit the details relative to the grades, their length and inclination,—the ascents and descents and elevation above tide. Tables No. 3 and 4 exhibit the details relative to the curvatures, the length of the radius and of the curve

curve on each portion of the road, with the amount of curvature in degrees; also, the length of straight and curved line, with the aggregate of each.

The width of the road bed is 22 feet in excavation, and from 16 to 18 feet on embankments at the formation level, which is 18 inches below the base of the rail.

The side slopes of earth excavations on the first 39½ miles of the main line, and on the whole of the Windsor branch were originally proposed to be one horizontal to one perpendicular; but the experience of two winters having proved that this was insufficient, they have in many cases been reduced or flattened so as to make them about 1½ horizontal to 1 perpendicular. On the remaining portion of the main line, the work not having been let out until last spring, the slopes were contracted for at 1½ to 1.

In rock excavations, the contracts provide that the slopes shall be three inches to one foot; and the embankments are required to have slopes of one and a half horizontal to one perpendicular, excepting when formed of rock, when they are made one to one.

*Viaducts and bridges.* There are a number of important structures of this kind on the road. Of those already completed on the main line, the Bedford viaduct across the Sackville river has five spans of 50 feet each, and is 52 feet in height. The viaduct over Fletcher's river has three spans, the centre one being 50 feet, and the end ones 30 feet each, at an elevation of 32 feet above the river. The superstructures of both are composed of wrought iron tubular girders. The bridge across nine mile river is of timber, 635 feet in length, and about 20 feet in height, in spans of 30 feet. The bridge across Barney's brook has a timber superstructure of three spans of thirty feet, supported on stone piers and abutments, at a height of 40 feet above the water. And the Shubenacadie river is crossed by a viaduct composed of wrought iron girders, resting on stone piers and abutments in three spans of 49 feet, and 22 feet in height.

On the portion of the main road under construction there are two large viaducts. One across the Shubenacadie river of three spans of 100 feet each, and 35 feet in height; and the other across the Stewiacke river of two spans of 100 feet, 52 feet above the river. The superstructures of both of wrought iron girders.

On the Windsor branch the bridge across Sackville river has three spans of 30 feet, at a height of 40 feet above the river. Section 3 viaduct has seven spans of 30 feet, from 25 to 30 feet in height. The Big Bog brook viaduct has five spans of 50 feet, and is 95 feet in height. The St. Croix viaduct five spans, one of 70 feet, and four of 30 feet each, at a height of 65 feet above the river. The superstructure of the Sackville river bridge and section 3 viaduct is composed of timber, that of the Big Bog brook of wrought iron girders, and the St. Croix viaduct has the centre span of iron and the others of timber.

All the other road and brook bridges, both on the main line and Windsor branch, have timber superstructures supported on stone piers and abutments.

*Railway superstructure.* This is constructed on a plan the same as has been adopted on a number of railways in Great Britain. The iron rails of 63 pounds per yard are supported at intervals averaging about 2½ feet by cast iron chairs, weighing 33 pounds each at the rail joints, and 22 pounds intermediate. The chairs rest upon wooden cross sleepers, 10 feet long, 10 inches wide, and 4½ inches thick. Wooden side keys are used for securing the rails to the chairs.

Wharves have been constructed at the Halifax and at the Windsor termini of the road. That at Windsor, from the great rise of the tide in the Avon river, is necessarily of great height, and has been quite costly,—but these, the station buildings, rolling stock, &c., will be referred to again.

With this brief notice of the leading characteristics of the road, I will now proceed to give the results of the investigations made as to the expenditures, with an estimate of the probable amount required to complete the work, and reserve such remarks as I may wish to make on the plan of construction and present condition of the work, to a subsequent part of this report, and first as to the expenditures.

The

The reports heretofore furnished by the railway board have contained but little information as to the details of the expenditures in an intelligible form, further than that so much money had been paid out. The quarterly balances from the ledger, and the journal entries of the running expenses which have been published, give but little insight to those wishing to become acquainted with the cost and principal affairs of the road. Neither does an inspection of the books afford the information desired. This arises mainly from the manner in which the payments have been made, the same payment frequently covering works of grading, masonry, rail laying, station buildings, and fencing; and although an effort has been made to separate the accounts in some cases by a system of transfers, it has only rendered them more complicated, from there being no general accounts by which to carry the several items to a proper classification.

The interest which the public take in the road, from its being a public work, built from the revenues and on the credit of the province—the influence which it is confidently anticipated that its completion will have upon the business and prosperity, not only of the section of country through which it immediately passes, but of the whole province,—the expectation that if it is successful and self-sustaining that the same facilities will be extended to other sections—render it desirable that the fullest information, and a fair and candid statement of the facts should be presented. To that end, every effort which time and circumstances would permit has been directed. In the discharge of this duty, and in compliance with the letter of instructions, to give “a detailed statement of the expenditure, classifying each account under its proper heading,” it was thought best to reconstruct the accounts from the vouchers and quarterly returns made to the financial secretary, and present them in as simple a form as the nature of the subject would admit.

To do this would have been of easy accomplishment had the work been let out and the books been opened with reference to a proper classification, but this not having been done, it has involved much labour to bring them into the form they are now presented.

#### RECEIVER GENERAL'S ACCOUNTS.

The railway accounts kept by the receiver general are few in number and readily understood.

The monies expended by the board of railway commissioners are drawn from him in large sums, or are placed to their credit in London on their requisition to that effect. The receiver general also pays the interest falling due on the debentures issued, the salaries of the commissioners and chief engineer, and the contingent expenses connected with his department of the railway expenditures.

From the entries made in the books, the following is the state of the accounts, September 30th, 1857 :—

#### *Nova Scotia railway in account current with the receiver general.*

Dr.				
1854, Dec. 19.	To paid commissioners, or placed to their credit,	£55000	0	0
1855, “ 31.	do. do. do. do.	146710	5	2
1856, “ 31.	do. do. do. do.	246411	17	6
1857, Sept. 30.	do. do. do. do.	161000	0	0
				609122 2 8
1854, Dec. 31.	To paid salaries,	1228	2	6
1855, Dec. 31.	do. do.	3137	10	0
1856, Dec. 31.	do. do.	2887	10	0
1857, Sept. 30.	do. do.	1724	15	7
				8977 18 1*
“ “	To paid interest on debentures, &c.			29634 10 9
	do. expense account,			392 9 11*
				£648127 1 5

\* The vouchers for the payments made on account of salaries and expense account—with the exception of those for the year 1857—are mostly missing or mislaid.

CR.

1857, Sept. 30.	By general revenue,	£128776	6	5
	Debentures sold in Nova Scotia,	49125	0	0
	do. do. in London,	381250	0	0
		<u>430375</u>	0	0
	Premium on sale of debentures and bills of exchange, including accrued interest,	5977	8	3
	Cash—nett earning of the railway for the year ending December 31, 1855,	901	18	3
	Baring, Brothers, & Co., advances made on debentures in their hands,	18311	12	10
	M B. Almon, on debentures as collateral,	16500	0	0
	Interest due bond holders,	75	0	0
	Bank of Nova Scotia,	47209	15	8
		<u>£648127</u>	1	5

## BOARD OF RAILWAY COMMISSIONERS' ACCOUNTS.

*Nova Scotia railway in account current with the board of railway commissioners.*

DR.

1857, Sept. 30.	To paid on account of the construction of the railway to Sept. 30, 1857, as per schedule marked A in the appendix,	627653	1	2
	To paid working expenses of the portion of the road in use for the years 1855, 1856, and 1857,	8406	14	4½
	To cash paid receiver general as nett profits of running the road in 1855,	901	18	3
	To cash on hand and in bank,	1832	13	5½
	To do. in hands of William McCully, Liverpool,	109	7	10
	To do. overpaid Wm. Davis, and over- charge on traffic account, to be corrected in December,	4	2	0
		<u>1496</u>	3	3½
	To paid shipment per "Thomas," vessel lost,	19274	9	2
	To cash paid Neilson & Co., Glasgow,	17736	9	1
		<u>37010</u>	18	3
		<u>£675468</u>	15	4

CR.

1857, Sept. 30.	By cash from receiver general,	609122	2	8
	By cash receipts for 1855, 1856, and 1857, from earnings of railway,	11177	4	1½
	By cash received for rent of government farm,	33	3	2
	By premium on bills of exchange,	77	17	5½
		<u>11288</u>	4	9
	By amount due Baring, Brothers & Co.,	55007	19	5½
	By amount due Conlon & Keating,	8	6	6

Sept.

Sept. 30.	By amount due P. M. Cunningham	£10 11 5	
	By amount due John Stairs,	31 10 6½	
			50 8 5½
			£675468 15 4

The schedule (A) above referred to shows:—1st, the number of the vouchers; 2nd, the dates of payment; 3rd, the names of the individuals to whom payments have been made; 4th, the amount paid; 5th, to what account the same has been charged; and, 6th, the nature of the voucher on file in the financial secretary's office.

The items of the expenditures with the notes of the vouchers are brought down to Sept. 30th, 1857, being the date to which the accounts were made up on the close of this investigation.

ESTIMATE OF THE COST OF COMPLETING THE WORK.

In contracting the work, the main line was divided into eleven sections, and the Windsor branch into five, which were severally let out in pursuance of advertisements inviting sealed proposals for the performance of the work.

The following table exhibits at one view the number of sections, names of contractors, length of sections, amount of contracts, and dates of letting.

NO. OF SECTION.	NAME OF CONTRACTORS.	LENGTH OF SECTION.	AMOUNT OF CONTRACT.	DATE OF LETTING.
		Mils. chs.		
<i>Main line.</i>				
No. 1	Cameron & Co,	6 45	£22925 0 0	June, 1854.
"	Wyman & Co.,	"	846 0 0	March 5, 1855.
"	John Cameron,	"	725 0 0	April 16, "
2	Black & Co,	1 9½	9398 16 0	Sept. 22, 1854.
"	Wyman & Co,	"	360 0 0	June, 1855.
3	Creelman & Co.,	2 57	24201 0 0	Decr. 2, 1854.
4	William Grant,	0 70	2505 0 0	Feb'y 14, 1855.
"	William Turnbull,	"	2956 10 5	" "
"	James Kennedy,	"	171 0 0	November. "
"	James Grant,	"	1145 16 3	February, 1856.
5	Black & Co.,	8 60	46360 19 3	April 14, 1855.
6	Donald Fraser,	2 40	16798 8 6	Sept. 15, "
7	Sutherland & Sons,	7 0½	30774 10 11	Nov. 27, "
8	Johnston & Blackie,	10 9½	41616 18 4	May 10, 1856.
9	Sutherland & Sons,	4 41	21993 3 10	Jan. 18, 1857.
10	Ditto	8 58	31696 19 7	June 1, "
11	Walker & Co.,	8 25	19879 5 8	" "
<i>Windsor branch.</i>				
No. 1	Cameron & Co.,	6 7½	33305 0 3	July 7, 1855.
"	Johnston & Blackie,	"	" "	Sept. 30, 1856.
2	McDonald & Simpson,	6 39	28000 0 0	July 7, 1855.
3	Cameron & Co.,	5 76	41411 11 5	" "
"	Johnston & Blackie,	"	" "	Sept 30, 1856.
4	Cameron & Co.,	5 74	47458 13 3	July 7, 1855.
5	McDonald & Simpson,	6 30	21500 0 0	" "
<i>Extension</i>	Ditto	1 0	8627 6 8	Sept. 18, "
<i>Bedford viaduct,</i>	J. & R. Caudle,		2747 14 3	April 10, "
	Thomas Hanright,		472 13 0	Jan. 29, 1856.

The contracts under which the work has been performed, with a few exceptions, provide for the entire completion of all the work of grading, masonry, bridging, and rail laying, on each section, for a gross or lump sum, and on all excepting the first four sections of the main line, for the upholding, or keeping in repair the road bed for twelve months after completion, the contractor finding all materials except iron rails, chairs, spikes and keys; subject, however, to addition or deduction by a schedule of prices, should alteration in the line or quantities, or nature of the works, be made.

On the first four sections, the grading, the finishing, the sleepers and the rail laying, were let out under separate contracts, or done by days labor. On sections 9, 10 and 11 the fencing is included in the contract sum, and on the others it has been let out separately.

The station buildings, wharves, rolling stock, &c., have generally been let out by tender and contract, but in some instances by negotiation with individual contractors, and in others the work has been done by days labor, the board of commissioners furnishing the materials.

From the work having been let out under several contracts on the first four sections, and in some cases without prices attached, it was found necessary, in order to exhibit the cost under a proper classification, to appraise the value of certain items on these sections, and charge them to their proper account. In making the appraisement and distribution of the sleepers, it was found that a much larger number had been received and paid for than went into the work; after allowing  $1\frac{1}{4}$  miles for turnouts and station tracks, there remains 14,436 sleepers, or sufficient to lay seven miles of road, and which cost £1541 7s. 11d., to be accounted for; of this number about 400 only are on the ground. As the money has been paid, however, I have charged this sum to the railway superstructure.

On other sections of the road, difficulties of another kind are encountered in endeavoring to make an estimate of the cost, originating in a difference of opinion between the engineers and contractors, as to the meaning or construction to be put on certain clauses and stipulations in the contracts.

In earth cuttings the contracts specify that the slopes shall be one horizontal to one perpendicular, and the quantities exhibited at the time of the letting were estimated on such slopes. During the progress of the work, however, they were found insufficient, and were in some instances reduced to one and a half horizontal to one perpendicular—the engineer in some cases having made agreement and given orders to that effect; while in others the contractors reduced them, or removed the material which had fallen into the cuttings to enable them to complete their work, but without instructions from the engineers; and for removing such extra material, they claim to be paid.

Again, on several of the sections where the road crosses lakes and bogs, the bottom being composed of soft mud, 10 to 50 or 60 feet in depth, large subsidences have taken place, and much larger quantities of material have been required to fill them than was anticipated or shewn on the schedule of work—and for the excess over the schedule quantities, the contractors claim to be allowed. Several of them also make claim for extra material required to supply the waste and shrinkage in making embankments when there was no subsidence. These claims are met on the other side by referring to the following clauses in the contracts:

“The quantity in each cutting and embankment is written upon the longitudinal section, and every care has been taken to insure their accuracy; contractors must, however, examine the ground previous to tendering for the work, and satisfy themselves on this point, as well as of the accuracy of the lengths, depths and quantities drawn or written upon the several sheets, and of the nature of all the cuttings, and of the sites of all the embankments; for when a tender has been accepted, no claim for extra work will be allowed for any real or supposed inaccuracy therein, nor from slips or otherwise, as the contractor shall be bound to construct the railway so that the gradient at the formation level shall be agreeable to the gradients marked upon the longitudinal sections,  
with

with the breadths and side slopes specified in the supplementary specification for the portion of the work tendered for, and so as to accurately coincide with the curves and straight portion drawn and written in red on the ground plans. Embankments shall be made from the material taken out of the excavation so far as it goes, and the deficiency shall be made up by side cutting procured and deposited at the contractor's risk and expense."

The contractors hold that the above clauses refer only to the profiles and quantities and plans exhibited, and do not cover inaccuracies of survey and soundings; and that so far from every care having been taken to insure accuracy in the quantities, no cross sections nor proper soundings had been taken, and that there are large discrepancies between the amount of work exhibited in the schedule and that actually performed. That by the contracts the commissioners reserve to themselves the right of making alterations, and of requiring extra operations of any kind to be performed by the contractors, and, that it is specified that—"such alterations or any additional labor shall in no way affect the contract entered into further than that the same shall be paid for as extras at like rates as other work, and they reserve a like right to withdraw any portion of the work, and thereupon to make a corresponding deduction in payment." And that annexed to each contract was a schedule of quantities referred to in the specifications as follows: "The contractors shall fill in prices for the several descriptions of work enumerated in the annexed schedule, and by these rates the value of any extra or altered work shall be fixed, and the contract price increased or diminished by the amount thus ascertained, as the case may be, but should there be any extra or altered work for which no price has been given, then in these instances the value shall be decided by the engineer."

Other claims, such as damages for not being furnished with iron rails, for alterations made in the grade and line of the road, and for other items, are also made.

The whole amount of extra work which has been recognised and allowed by the board of commissioners and engineer under the foregoing clauses, over and above the sums specified in the contracts, up to December 31st, 1857, is about £41,000. The additional claims which have been presented by the contractors, and which are now in dispute, amount to over £70,000.

It would, perhaps, be premature to go much into detail on the merits of these claims, although I am free to confess that for some of them—such as for additional material removed by reducing the slopes—the contractors are, in my opinion, entitled to be paid; for although the contracts provide that "the contractor shall be bound to construct the railway, 'with the breadths and side slopes specified,'" this in clay and earth cuttings—such as are met with on this road—is impracticable. The slopes originally ought to have been not less than  $1\frac{1}{2}$  to 1; and at a few places a flatter slope even than this will be required to prevent the road being obstructed by slides. On equitable principles, I can see no reason why the extra sloping, where actually required, should not, as a general rule, be embraced under the clauses referring to extra work and extra operations.

The claims of another class, however, for additional material excavated, beyond what was shown on the profile and schedule, to make up for the waste and shrinkage in making embankments, in my opinion, ought not to be allowed. The contracts specify that "embankments shall be made from the material taken out of the excavations so far as it goes, and the deficiency shall be made up by side cutting procured and deposited at the contractors' risk and expense." I see no construction that can be put on this to raise a doubt or give the contractors a claim; they were bound to make all due allowances for waste and shrinkage in making their calculations.

The important item, however, in these claims, is that for the additional material required to fill the bogs and lakes. The quantities estimated and shown on the profiles and schedules of work, at the time of the letting, having proved erroneous, is the origin of these claims.

The contracts undoubtedly mean to put the risk of quantities with the contractors, but

but it is under the representation that "every care has been taken to insure their accuracy," and although the contractors are required to satisfy themselves on this point, it could scarcely be expected that they were each to have surveys and soundings made of the entire line,—some reliance must have been placed on the soundings made and the quantities estimated by the engineer, especially under the representation above quoted.

It is difficult to understand how—where the bogs and lakes were so numerous, and where it was so evident to any one passing over the line that the bottoms were soft and yielding, and that large quantities of material would be required to fill them,—that no distinct understanding was had between the parties,—that no special mention or clause in the contract occurs in relation to them. The only mention made of subsidencies or settlements is under the head of upholding the road for twelve months after completion, and the prices attached to this item sufficiently show that the contractors did not allow for subsidencies of the character in question.

Notwithstanding, therefore, by the strict letter of some of the stipulations of the contracts, the risk of quantities appears to be with the contractors, still, taking the whole matter in view,—the general scope and spirit of the contracts, which assume that the quantities estimated are substantially correct,—I consider it a fair subject for settlement on equitable principles, depending on the facts and special merits of each claim. Some of them are undoubtedly extravagant; but as to others, a re-measurement of the work would be necessary in order to arrive at any satisfactory conclusion. If the approximate estimates made by the engineer, of the additional quantity of material moved on the sections, are correct, at least one half of the total amount claimed would be stricken off.

None of these disputed claims are included in the following estimate of cost. Where I have allowed for reducing slopes, it is in cases where the work still remains to be done.

It will be observed from the estimate, that a number of "general accounts" are open with contractors who have two or more contracts to which various payments have been carried on the books. These payments I have taken the liberty of transferring to the section accounts where they properly belong, in order to exhibit the amount paid and the amount required to complete the respective sections. I have noted, however, in the margin, the sums transferred.

On sections 1 to 4 of the main line, which have for some time been completed, I have made an allowance for reducing the earth slopes and widening the embankments where they are not now to the proper dimensions. The great amount of curvature on this portion of the road renders it desirable to have it as perfect and free from liability to obstruction as possible.

In explanation of the terms "grading" and "superstructure" which frequently occur in the estimate, I would state that under "grading" is included the formation of the road bed generally, all excavations, embankments and masonry, and all wood and iron work in the viaducts and bridges; also, all work of a similar character in forming the station grounds. "Superstructure" includes the sleepers, rail-laying, carriage of materials, ballasting, and upholding the road for twelve months under the section contracts.

From the various circumstances referred to, the details of the estimate occupy more space than is usual, but I have thought it well to give them in full, that you may have before you the process by which the general results are arrived at, and be enabled to judge of their sufficiency.

With these explanatory remarks I proceed to the estimate :

## ESTIMATE.

## HALIFAX OR RICHMOND STATION.

The following sums have been expended for work at this station :—

Thomas Cahagan, for grading at station,	£185	13	10
J. E. Edwards and others, for mason work,	330	14	0
William Hawkins, for laying siding,	80	0	0
S. Sutherland and Sons, for grading site for new engine house, laying siding, &c.	1768	10	9
Various small contracts and days work in forming new road at station, cutting clay, and working at brick yard, laying sidings, &c., per schedule A.	2088	5	10
2075 Sleepers used in station, sidings and depot track, furnished under several contracts, at 2s. 3d.,	233	8	9
Add for 14,436 sleepers paid for, but not used on the road, including 400 lying about station and along the line,	1586	17	11

Amount paid to September 30th, 1857,	6173	11	1
Add for extending station ground, grading sites for new buildings, laying additional tracks, &c., grading £4000, super. £500,	4500	0	0

	Total,	£10673	11	1		
<i>Classification.</i>						
	Amount paid.	Estimated cost.				
Grading,	£3873	11	1	7873	11	1
Superstructure,	2300	0	0	2800	0	0
	6173	11	1	10673	11	1

*Main road alteration.*

There has been paid for alteration of main road along Bedford basin,	2308	19	1
And for work on Beaver bank road,	25	0	0
	2393	19	1

## SECTION NO. 1, MAIN LINE—LENGTH 6 MILES 45 CHAINS.

Cameron & Co. for grading, &c.,	22694	0	0
Wyman & Co. for laying rails and ballasting,	870	14	9
John Cameron, for ditto ditto	725	0	0
Donald Cameron, for filling out slopes of embankment,	200	0	0
Ditto for laying and adjusting rails,	280	9	8
John Cameron, for completing embankment,	75	0	0
Various small charges and days work on this section for ballasting, laying rails, building cattle guards, truckage of iron, per schedule A.	1098	3	3½
13520 Sleepers furnished under several contracts, 2s. 3d.	1521	0	0

Amount paid to September 30th, 1857,	27464	7	8½
Add to widen out embankments, reduce slopes, &c.,	500	0	0
	27964	7	8½

<i>Classification.</i>			
	Amount paid.	Estimated cost.	
Grading, &c.,	£21149	12	8½
Superstructure,	6314	15	0
	27464	7	8½
	27964	7	8½

Section

## SECTION No. 2, MAIN LINE—LENGTH 1 MILE 9½ CHAINS.

The grading and ballasting of this section was let out to Black and McDonald, and the rail laying to Wyman & Co.,

Black & McDonald, for grading, &c., amount of contract less £100 for work not finished,	9298	16	0
Wyman & Co. for rail laying, &c.,	347	0	0
2305 Sleepers furnished under several contracts, 2s. 3d.	259	6	3
	<hr/>		
Amount paid to September 30th, 1857,	9905	2	3
Add to widen cuttings and embankments,	100	0	0
	<hr/>		
	10005	2	3

*Classification.*

	Amount paid.	Estimated cost.
Grading,	8964 3 6	9094 3 6
Superstructure,	940 18 9	940 18 9
	<hr/>	<hr/>
	9905 2 3	10005 2 3

## SECTION NO. 3, MAIN LINE—LENGTH 2 MILES 57 CHAINS.

## CREELMAN &amp; Co., CONTRACTORS.

Considerable work remains to be done to put this section in a condition not to give future trouble. The slopes of the long cutting next north of Bedford bridge require to be reduced, and several of the other cuttings require some additional sloping. The embankments also through Lily lake Rocky lake require to be widened out.

Paid Creelman & Co. for work done by them,	£21354	0	0
William Turnbull, for finishing embankments,	340	11	3
Johnston & Blackie, for grading, &c.,	3116	13	0
A Feetham's returns—days work finishing line at Sackville bridge, originally charged to bridge,	188	1	7½
A. Feetham's returns—extra work finishing and reducing slopes (£107 10s. added for use of locomotive, and credited to revenue,)	1110	1	4
James Fraser for excavating, rail laying and ballasting Sackville station,	137	5	3
Sutherland & Sons, for laying siding at Bedford,	148	0	0
J. Hanright, for raising road at Scott's bridge,	20	0	0
6090 sleepers, including 500 for Bedford turnout, furnished under several contracts, at 2s. 3d.,	685	2	6
	<hr/>		
Amount paid to September 30th, 1857,	27069	14	11½
Add—for bank walls and to reduce earth slopes to 1½ to 1, and widen embankment,	1000	0	0
	<hr/>		
	28069	14	11½

*Classification.*

	Amount paid.	Estimated cost.
Grading,	£24163 7 11½	25163 7 11½
Superstructure,	2906 7 0	2906 7 0
	<hr/>	<hr/>
	£27069 14 11½	28069 14 11½

Section

## SECTION NO. 4, MAIN LINE—LENGTH 70 CHAINS.

This section was let out in several contracts—the following are the amounts paid :—

Paid William Grant, for grading, &c.		£2514	0	3
William Turnbull for grading and rail laying,	1388	12	6	
“ for embankm't across Rocky lake,	833	6	8	
“ for completing work,	733	11	3	
				2955 10 5
James Kennedy and others for rock cutting,				376 13 3½
James Grant for rock cutting,				1332 18 4
Archibald Rutherford, for trucking iron from Sackville to section 4,				31 7 6
for loading sleepers and hauling keys,				18 2 6
for eight kegs of gunpowder, &c.,				18 9 10½
for 1805 sleepers furnished under several contracts, at 2s. 3d.				203 1 3
				7450 3 5
Amount paid to September 30th, 1857,				100 0 0
Add to widen embankments, reduce slopes, &c.				
				£7550 3 5

*Classification.*

	Amount paid.	Estimated cost.
Grading, &c.,	6577 17 2	6677 17 2
Superstructure,	872 6 3	872 6 3
	£7450 3 5	7550 3 5

## SECTION NO. 5, MAIN LINE, LENGTH 8 MILES 60 CHAINS.

## BLACK, McDONALD &amp; IRONS, CONTRACTORS.

The original contract for this section embraces the grading and superstructure, also the erection of the iron girders of Fletcher's bridge—the cost of riveting and putting the girders together at the works, being paid for by the commissioners.

Amount of original contract—grading	35675	10	9	
“ “ “ superstructure	10685	8	6	
				46360 19 3

*Extras allowed under contract, or by subsequent agreement.*

*Sloping cuttings 1½ to 1, per agreement,	2800	0	0	
Taking out and filling up bog, in cut No. 5, with stone, per agreement,	375	0	0	
Extra side ditches, 4774 l. yards, 3s.,	716	2	0	
“ “ “ in cuts 9 and 13, 397 cubic yards, at 2s. 7½d.	52	2	1	
Extra work on culverts and drains,	538	12	9	
Extra bridge at peg No. 815,	144	6	2	
Grading Fletcher's station,	333	19	9	
Ballasting, sleepers and rail laying at Fletcher's station,	92	12	6	
Laying rails at Windsor junction,	31	0	0	
Platform at Fletcher's station,	134	16	3	
				5218 11 6
				51579 10 9
				Amount

\* Of this—work to the value of £1,140 remains to be done, by engineer's estimate.

Amount paid Black & Co. to September 30th, 1857,	47832	15	5
Add to widen embankments, complete grading of way station, extra drains and contingencies, (grading 400l. super. 200l.)	600	0	0
Add iron girders of Fletcher's bridge, paid by commissioners,	917	10	6½

	Total,	£53097	1	3½
<i>Classification.</i>				
	Amount paid.	Estimated cost.		
Grading, &c.,	36688 18 2	41035 13 6		
Superstructure,	11009 1 0	11009 1 0		
Station buildings,	134 16 3	134 16 3		
Iron girders of Fletcher's bridge,	917 10 6½	917 10 6½		
	<u>48750 5 11½</u>	<u>53097 1 3½</u>		

## SECTION NO. 6, MAIN LINE, LENGTH 2 MILES 40 CHAINS.

DONALD FRASER, CONTRACTOR.

The original contract for this work embraced the grading and superstructure. In addition the contractor has graded the station grounds at Grand Lake, and erected the station building.

Two clay cuttings require to be sloped to 1½ to 1, the other cuttings are mostly through rock.

Amount of original contract—grading,	14470	18	6
“ “ “ —superstructure,	2327	10	0
	<u>16798</u>	8	6

*Extra work allowed to December 31st, 1857.*

For grading station ground at Grand Lake,	867	2	0
“ laying station tracks, &c.,	116	17	6
“ building station house and platform,	227	7	0
“ extra work on culverts and drains,	233	13	6
	<u>1445</u>	0	0
	<u>18243</u>	8	6

(Amount paid to September 30th, 1857, £18118 8 6.)

Add for reducing slopes of clay cuttings to 1½ to 1, and widening embankments,	500	0	0
For extra ditches and contingencies, and to complete grading and superstructure of station grounds—(grading 300l., super. 100l.,)	400	0	0
	<u>900</u>	0	0
	<u>19143</u>	8	6

*Classification.*

	Amount paid.	Estimate cost.		
Grading, &c.,	15471 14 0	16371 14 0		
Superstructure,	2419 7 6	2544 7 6		
Station buildings,	227 7 0	227 7 0		
	<u>18118 8 6</u>	<u>19143 8 6</u>		

Section

## SECTION NO. 7, MAIN LINE, LENGTH 7 MILES.

SUTHERLAND &amp; SON, CONTRACTORS.

Original contract on this section embraces the grading, superstructure and erection of the the girders of the first Shubenacadie bridge; and there has been added a contract for fencing, which is paid for as extra work.

Amount of original contract—grading,	24145 18 1	
“ “ “ —superstructure,	6628 12 5	
	<hr/>	£30774 10 6

*Extra work allowed 31st December, 1857.*

10532 cubic yards in raising grade of embankment No. 20, at 2s. 2d.	1140 19 4	
4385 cubic yards in sloping cut No. 15, 1½ to 1, at 2s. 2d.	475 0 10	
Extra work in bridges at peg 23 and 54,	1250 18 0	
“ “ in bridges at peg No. 513,	409 5 0	
“ “ in culverts and drains, side ditches and brook diversions,	1765 9 8	
5280 l. yards of fencing, at 1s. 1d.	286 0 0	
	<hr/>	5327 12 10

36102 3 4

\*(Amount paid Sutherland & Sons to Sept. 30th, 1857, £33917 8 4.)

Add for additional drains and side ditches, grading station grounds and turnouts, and projecting wing walls and embankments at bridges, (grading 500l., superstructure 300l.)

800 0 0

Add for reducing earth slopes to 1½ to 1,

1000 0 0

“ for wall and paving to protect railway through Long and Grand Lakes,

200 0 0

Add 3066 l. yards of fencing,

165 17 6

2165 17 6

Iron girders of 1st Shubenacadie bridge, paid by commissioners,

1799 18 5½

40067 19 3½

*Classification.*

	Amount paid.	Estimated cost.
Grading, &c.,	30657 8 4	30887 10 11
Superstructure,	3000 0 0	6928 12 5
Fencing,	260 0 0	451 17 6
Iron girders 1st Shubenacadie bridge,	1799 18 5½	1799 18 5½
	<hr/>	<hr/>
	35717 6 9½	40067 19 3½

## SECTION NO. 8, MAIN LINE—LENGTH 10 MILES 9½ CHAINS.

JOHNSTON &amp; BLACKIE, CONTRACTORS.

Amount of contract—grading,	31282 7 0	
superstructure,	10334 11 4	
	<hr/>	41616 18 4

Extra

\*Includes £2700 from Sutherland & Sons general account.

*Extra work allowed to 30th December, 1857.*

For extra work by raising grade of embankments 8326			
cubic yards, at 1s. 5d.	£589	15	2
sloping cuttings Nos. 5 and 7 to 1½ to 1, 15620			
cubic yards, at 1s. 5d.	*1106	8	4
extra work on Nine Mile River bridge,	1102	0	0
ditto Barney's brook bridge,	656	0	6
ditto bridge at pegs 690 to 694,	84	10	0
ditto bridge at Truro road,	45	14	6
ditto in culverts, drains and brook diversions,	2105	10	4
ditto in grading Elmsdale station, 7480 cubic			
yards, at 6d.	187	0	0
ditto in grading Shubenacadie station, 9722			
cubic yards at 1s. 5d.	688	12	10
		6565	11 8
		<hr/>	
		£48182	10 0

† Amount paid to September 30th, 1857, £38576.

Add for sloping cuttings 1½ to 1, completing bridges, extra drains, side and bank ditches, protecting embankments at wing walls of bridges, grading station ground and laying sidings—(grading 1600l. superstructure 400l.)			
		2000	0 0
		<hr/>	
		50182	10 0

*Classification.*

	Amount paid.	Estimated cost.
Grading, &c.,	34876 0 0	39447 18 8
Superstructure,	3700 0 0	10734 11 4
	<hr/>	
	38576 0 0	50182 10 0

## SECTION No. 9, MAIN LINE—LENGTH 4 MILES 41 CHAINS.

## SUTHERLAND &amp; SONS, CONTRACTORS.

This contract embraces the grading, superstructure and fencing, and the erection of the iron girders of the 2nd Shubenacadie bridge.

Amount of contract—grading,	16783	3	0
“      “      —superstructure,	4349	17	6
“      “      —fencing,	860	3	4
		21,993	3 10
Add for contingencies and extra masonry, in Shubenacadie bridge and culverts,	1000	0	0
Add for extra drains, side ditches, forming way station, and laying sidings, (gr. 500l., super. 300l.)	800	0	0
		1800	0 0
		<hr/>	
		23793	3 10
Iron girders for 2nd Shubenacadie bridge,		7000	0 0
		<hr/>	
		£30793	3 10

\* Of this work to the value of £575 3s. 4d. remains to be done.

† Includes £3000 from Johnston & Blackie's general account.

	<i>Classification.</i>			Amount paid.			Estimated cost.		
Grading, &c.,	£	8066	0 0	18283	3	0			
Superstructure,		1000	0 0	4649	17	6			
Iron girders,				7000	0	0			
Fencing,		150	0 0	860	3	4			
				<hr/>					
		9216	0 0	30793	3	10			

## SECTION No. 10, MAIN LINE—LENGTH 8 MILES 58 CHAINS.

## SUTHERLAND AND SON, CONTRACTORS.

This contract includes the grading, superstructure, fencing, and the erection of the iron girders of the Stewiacke River bridge.

Amount of contract—Grading,	22008	8	3			
Superstructure,	8025	0	0			
Fencing,	1663	11	4			
				<hr/>		
					31696	19 7
Add for extra masonry on the Stewiacke and other bridges, and for contingencies in crossing bogs,	2000	0	0			
Add for grading in forming way station, and for additional drains and side ditches,	1000	0	0			
Add for station tracks and sidings,	300	0	0			
				<hr/>		
					3300	0 0
					<hr/>	
Total, Sutherland & Son,					34996	19 7
(Amount paid Sept, 30th, 1857, £4973 )						
Add for iron girders of Stewiacke bridge,					4500	0 0
					<hr/>	
					£39496	19 7

	<i>Classification.</i>			Amount paid.			Estimated cost.		
Grading,	4683	0	0	25008	8	3			
Superstructure,	270	0	0	8325	0	0			
Fencing,	20	0	0	1663	11	4			
Iron girders, Stewiacke bridge,				4500	0	0			
				<hr/>					
		4973	0 0	39496	19	7			

## SECTION No. 11, MAIN LINE—LENGTH 8 MILES 25 CHAINS.

## WALKER &amp; CO., CONTRACTORS.

This contract embraces the grading, superstructure and fencing.

Amount of contract—Grading, &c.,	£11438	16	6			
Superstructure,	6733	12	6			
Fencing,	1806	16	8			
				<hr/>		
					19879	5 8
Add for grading station ground at Truro and way stations, and for extra work in public road diversions,	800	0	0			
for additional masonry and bridging for Mill brook, and extra drains and culverts,	2400	0	0			
for station tracks and sidings at Truro depot and way stations,	600	0	0			
				<hr/>		
					3800	0 0
					<hr/>	
(Amount paid Sept. 30th, 1857, 4139/.)					£23679	5 8

Classification.

*Classification.*

	Amount paid.	Estimated cost.
Grading,	£3379 0 0	14638 16 6
Superstructure,	700 0 0	7333 12 6
Fencing,	60 0 0	1706 16 8
	<u>£4139 0 0</u>	<u>23679 5 8</u>

## SACKVILLE BRIDGE

Paid R. Caudle for building bridge,	2750 18 9
William Adams, for ditto, and carpentry,	435 9 9½
Thomas Hanright, for carpentry and erecting girders, for iron girders,	501 12 7½
for materials and labor, (erecting girders, &c.) per schedule A,	2540 19 8
	<u>1309 1 11</u>
Total,	7538 2 9

*Miscellaneous construction.*

Upholding or repairs of the road for the year 1855, charged to this account,	410 14 6
Making cattle guards, collecting materials, repairing road tools, &c., in 1856, per schedule A,	243 6 8½
Repairing road tools in 1857, per schedule A,	114 6 9
	<u>768 7 11½</u>
Amount paid to 30th September, 1857,	2000 0 0
Add for miscellaneous, cattle guards, and farm crossings,	
	<u>£2768 7 11½</u>

*Classification.*

	Amount paid.	Estimated cost.
Grading, &c.,	268 7 11½	2018 7 11½
Superstructure,	500 0 0	750 0 0
	<u>£768 7 11½</u>	<u>2768 7 11½</u>

## SECTION No. 1, WINDSOR BRANCH—LENGTH 6 MILES 7½ CHAINS.

## CAMERON &amp; Co., AFTERWARDS JOHNSTON &amp; BLACKIE, CONTRACTORS.

This section was originally contracted for by Cameron & Co. The contract afterwards cancelled by mutual consent, and a new one made with Johnston & Blackie. Several changes from the original line and grade have been made and embankments substituted for two viaducts originally proposed. The cuttings are mainly through clay. One or two embankments require widening out.

Amount of contract—grading,	27383 6 0	
“ “ —superstructure,	5921 14 3	
	<u>33305 0 3</u>	

*Extra work allowed to December 31st, 1857.*

For sloping cuttings 1½ to 1, “and as much flatter as may be necessary to secure them,” per agreement,*	2000 0 0
For raising grade in cut No. 18, per agreement,	150 0 0

For

\*Of this—work to the amount of £170, still remains to be done by engineer's estimate.

For extra work on bridge at peg No. 16,	£121	8	3	
“ “ on bridge at peg No. 315,	85	7	4	
“ “ in culverts, drains and side ditches,	71	17	11	
“ “ in grading Windsor junction, 4734 cubic yards, at 2s. 3d.,	532	11	6	
For extra work in extra size of side ditches, 4207 cubic yards, at 2s. 3d.	473	5	9	
For laying one set of points and crossings,	5	0	0	
				4439 10 9
				<u>£37744 11 0</u>
(*Amount paid to Sept. 30th, 1857, £32474.)				
Add for bank walls,	1000	0	0	
Add for additional grading at Windsor junction, and laying sidings, (grading 500l., super. 200l.,)	700	0	0	
				1700 0 0
				<u>£39444 11 0</u>

*Classification.*

	Amount paid.	Estimated cost.
Grading, &c.,	27474 0 0	33317 16 9
Superstructure,	5000 0 0	6126 14 3
	<u>32474 0 0</u>	<u>39444 11 0</u>

## SECTION No 2, WINDSOR BRANCH—LENGTH 6 MILES 39 CHAINS.

McDONALD &amp; SIMPSON, CONTRACTORS.

Several alterations have been made on this section, both as to line and grade. The earth slopes have generally been reduced to about  $1\frac{1}{2}$  to 1. Some of the embankments require raising and widening out.

Amount of contract—grading,	22227	15	6	
“ “ —superstructure,	5772	4	6	
				28000 0 0

*Extra work allowed to December 31st, 1857.*

For additional embankments, &c., at Sackville river bridge, per agreement,	875	0	0	
For raising grade on embankments No. 19 and 20, 7059 cubic yards, at 2s. 8d.,	941	4	0	
For allowance on account of embankment No. 1,	1100	0	0	
“ altering road at peg No. 667, 250 cubic yards, at 2s. 8d.,	33	6	8	
For extra work on culverts, drains and water courses,	1206	6	0	
“ extra work on bridges,	31	19	0	
“ grading siding at Mitchell's road, 750 cub. yards, at 2s. 8d.,	100	0	0	
For grading siding at Beddoe's road, 1200 cub. yds., at 2s. 8d.,	160	0	0	
				4447 15 8

†(Amount paid to Sept. 30th, 1857, £28,999.)

Add to bank walls and extra sloping, and bank drains,	500	0	0	
---	-----	---	---	--

Add

\*£3000 of this amount from Johnston &amp; Blackie's general account.

†£5000 of this amount transferred from McD. &amp; S. general account.

Add for completing station grounds, earth sidings, (grading £200, superstructure £200,)	£400	0	0	
Add for masonry on rip rap wall, to protect embankment at bridges,	200	0	0	
				1100 0 0
				33547 15 8

*Classification.*

	Amount paid.	Estimated cost.
Grading, &c.,	23799 0 0	27575 11 2
Superstructure,	5200 0 0	5972 4 6
	28999 0 0	33547 15 8

SECTION No. 3, WINDSOR BRANCH—LENGTH 5 MILES 76 CHAINS.

CAMERON &amp; CO., AFTERWARDS JOHNSTON &amp; BLACKIE, CONTRACTORS.

Several alterations of the original location have been made on this section. Also, several changes of grade which affect the quantities. A viaduct was originally proposed and contracted for across 3rd lake, but a solid embankment has been substituted. The cuttings are mostly through rock. At one or two places, where the grade runs nearly level with the surface of bogs, some piling may be found necessary.

Amount of contract—grading,	£34623	10	5
“ “ superstructure,	6788	1	0
			£41411 11 5

*Extra work allowed to December 31st, 1857.*

For 17020 cubic yards of rock put into embankment No. 2, per agreement, at 3s. 6d.,	£2978	10	0
4278 cubic yards in raising grade on embankment No. 11, at 3s. 6d.,	748	13	0
this sum, per agreement, for substituting embankment in place of viaduct, &c,	500	0	0
extra work on bridge at peg No. 70,	40	12	6
“ on “ at peg No. 147,	891	14	3
“ on “ at pegs No. 87 and 91,	979	0	3
building pile bridge through bog, embankment No. 12, say	1200	0	0
extra work on road alterations,	23	8	6
“ on culverts and drains,	146	12	8
			7508 11 2
			£48920 2 7

\* (Amount paid to September 30th, 1857, £44146 8 7.)

Add for straightening road and widening cuts where line altered by Cameron & Co.	£800	0	0
for extra work, additional material to embankment No. 2, slope wall at viaducts, grading Uniacke station, laying siding, &c., (grading 600l., sup. 200l.)	800	0	0
for extra drains, side and bank ditches, and for			

excavating

\* Includes £4139 7s. 3d. from Johnston &amp; Blackie's general account.

excavating or piling where grade is near surface,

£700 0 0

2300 0 0

£51220 2 7

*Classification.*

	Amount paid.	Estimated cost.
Grading, &c.	38146 8 7	44232 1 7
Superstructure,	6000 0 0	6988 1 0
	£44186 8 7	51220 2 7

SECTION No. 4, WINDSOR BRANCH—LENGTH 5 MILES 74 CHAINS.—*Cameron & Co. cont'rs.*

Considerable work remains to be done on this section to complete it according to contract. Several of the rock and clay cuttings are not taken out to the proper width, by from 3 to 5 feet, and the larger embankments are generally narrow and require to be widened.

Amount of contract, grading,	£41705 18 9
Ditto superstructure,	5752 14 6
	47458 13 3

*Extra work allowed to December 31st, 1857.*

Grading at St. Croix station 4137 cubic yards, at 2s. 9d.	568 16 9
Extra work on Big Bog brook viaduct,	870 16 4
Extra work on culverts, drains and side ditches,	98 17 2
Allowance to the contractors for substituting embankment and culverts in place of viaduct at Little Meadow brook, viz: the contract price of the viaduct £4484 2s. 7d., and the estimated cost of the girders, which were to have been furnished by the commissioners—girders,	657 5 5
Freight and insurance,	52 12 0
Erecting,	154 0 0
	863 17 5
	2402 7 8
	49861 0 11

(Amount paid to September 30th, 1857, £46132 5 0.)

Add for reducing slopes of clay and earth cuttings, to 1½ to 1,

2500 0 0

Add for extra grading, bank, ditches, and contingencies,

600 0 0

Add for turnouts at St. Croix, &c.

200 0 0

3300 0 0

Add iron girders for Big Bog brook bridge, paid by commissioners,

2230 6 6

Total,

55391 7 5

*Classification.*

	Amount paid.	Estimated cost.
Grading, &c.	41132 5 0	47208 6 5
Superstructure,	5000 0 0	5952 14 6
Iron girders,	2230 6 6	2230 6 6
	48362 11 6	55391 7 5

Section



Add to complete filling of station grounds, 45000 cubic yards of excavation, at 1s. 3d.,	2812 10 0
Add for additional station tracks, sidings, and miscellaneous, (grading 300l., superstructure 300l.)	600 0 0

£12039 16 8

Grading, &c.,	£10998 7 6
Superstructure,	1041 9 2

£12039 16 8

*Classification of cost, &c., of section No. 5, and extension.*

	Amount paid.	Estimated cost.
Grading, &c., of section No 5,	} *27032 13 5½	{ 22919 10 7
“ extension,		{ 10998 7 6
Superstructure, section No. 5,	} 5000 0 0	{ 5040 2 8
“ extension,		{ 1441 9 2
Iron girders, St. Croix bridge,	1326 19 5	1326 19 5
	<u>£33359 12 10½</u>	<u>41726 9 4</u>

\*Includes £1108 13 5½ from McDonald & Simpson's general account.

*Recapitulation of the foregoing estimates for grading and superstructure.*

	GRADING.						SUPERSTRUCTURE.					
	Amount paid.			Estimated cost.			Amount paid.			Estimated cost.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
<i>Main line.</i>												
Richmond station,	3873	17	1	7873	11	1	2300	0	0	2800	0	0
Road alterations,	2333	19	1	2333	19	1						
Section No. 1,	21149	12	8½	21649	12	8½	6314	15	0	6314	15	0
2,	8964	3	6	9064	3	6	940	18	9	940	18	9
3,	24163	7	11½	25163	7	11½	2906	7	0	2906	7	0
4,	6577	17	2	6677	17	2	872	6	3	872	6	3
5,	37606	8	8½	41953	4	0½	11009	1	0	11009	1	0
6,	15471	14	0	16371	14	0	2419	7	6	2544	7	6
7,	32457	6	9½	32687	9	4½	3000	0	0	6928	12	5
8,	34876	0	0	39447	18	8	3700	0	0	10734	11	4
9,	8066	0	0	25283	3	0	1000	0	0	4649	17	6
10,	4683	0	0	29508	8	3	270	0	0	8325	0	0
11,	3379	0	0	14638	16	6	700	0	0	7333	12	6
Sackville bridge,	7538	2	9	7538	2	9						
Miscellaneous,	268	7	11½	2018	7	11½	500	0	0	750	0	0
	211408	11	8½	282209	16	0½	35982	15	6	66109	9	3
<i>Windsor branch.</i>												
Section No. 1,	27474	0	0	33317	16	9	5000	0	0	6126	14	3
2,	23799	0	0	27575	11	2	5200	0	0	5972	4	6
3,	38146	8	7	44232	1	7	6000	0	0	6988	1	0
4,	43362	11	6	49438	12	11	5000	0	0	5952	14	6
5,	28359	12	10½	24246	10	0	5000	0	0	5040	2	8
Extension,				10998	7	6				1041	9	2
	161141	12	11½	189808	19	11	26200	0	0	31121	6	1
Main line,	211408	11	8½	282209	16	0½	33932	15	6	66109	9	3
Windsor branch,	161141	12	11½	189808	19	11	26200	0	0	31121	6	1
Totals,	372500	4	8	472018	15	11½	62132	15	6	97230	15	4

(2). IRON AND SUPERSTRUCTURE.

The following statement shows the quantity, the total cost, and cost per ton,—including insurance, freight, commissions, and all other charges,—of the iron rails, chairs, spikes, keys, and switches, which have been delivered at Halifax and at Windsor :

Tons, cwt. qrs. lbs.	Total cost.	Average cost pr ton.
8057 2 2 13 of iron rails,	£96329 18 6½	£11 19 0
650 0 0 0 of joint chairs,	5525 19 0	8 10 4
2604 0 0 0 of intermediate chairs,	22180 11 9½	8 10 4
203 17 2 9 of spikes,	3627 12 3½	17 7 5
50027 of eight inch elm keys,	600 12 8	12 per M.
		27283,

272839 of five inch elm keys,	£2461 0 7	£9 per M.
60 sets of switches and crossings,	2511 14 10½	41 17 1
		per set.
Amount paid to Sept. 30, 1859,	133237 9 9	

Of the above, the following quantities of rails, chairs, and spikes, were lost in the Bay of Fundy, on board the "Glide," in August, 1856, on her passage from Halifax to Windsor; and as there was no insurance, the loss falls on the province, and their place must be supplied by ordering an additional quantity.

125.5 tons rails, cost	1498 5 0
10.0 tons joint chairs, cost	127 15 0
48.0 tons intermediate chairs	408 16 0
6.1 tons spikes, cost	105 9 5
<hr/>	<hr/>
194.6 tons.	2140 5 5

A lighter loaded with bridge iron, some chairs and spikes, was lost in Bedford Basin, but I have been unable to obtain the particulars. The bridge iron, of the value of 146l. 8s. 1½d., has since been replaced from England.

*Estimate of the cost of a mile of superstructure, including iron, at the average prices paid for materials and workmanship on the Nova Scotia railway.*

Rails weighing 63 lbs. per yard, or 59 tons per mile, at 12l. per ton, delivered at Halifax,	£1188 0 0
588 cast iron joint chairs, weighing 33 lbs. each, = 8.66 tons per mile, say 10 tons allowing for breakage, at 8l. 10s. 6d. per ton, delivered,	85 5 0
3528 cast iron intermediate chairs, weighing 23 lbs. each, = 36.23 tons per mile, say 40 tons allowing for breakage, at 8l. 10s. 6d., per ton, delivered,	341 0 0
8232 wrought iron spikes, weighing 10 oz. each, = 2.3 tons per mile, say 2½ tons, at 17l. 7s. 6d.	43 8 0
588 eight inch elm keys per mile, say 650, at 12l. per M.	7 16 0
3528 five inch elm keys per mile, say 3900, at 9l. per M.	35 2 0
2060 sleepers, 10 ft. long, 4½ by 10 inches, at 1s. 10d. each,	188 16 8
Laying rails per mile,	150 0 0
Carriage of materials (iron 152½ tons),	170 0 0
Switches and points per mile, say	60 0 0
Ballasting, average per mile,	420 0 0
	<hr/>
Average cost per mile,	2689 8 5

*Total length of railway superstructure.*

	Miles.	Chains.
Main line,	61	16½
Windsor branch,	31	49
Add for turnouts and station tracks,	5	69½
Add to supply place of iron lost in the Bay of Fundy,	1	25

Total, 100 miles.

And 100 miles multiplied by the average cost above stated, viz., £2689 8 5, gives us the total cost of the superstructure and iron, 268942 1 8  
There

There has been paid for iron rails, chairs, spikes, keys and switches,  
as per table page 42, 133237 9 9  
And on account of the superstructure under the section  
contracts as at page 41, 62132 15 6

Amount paid to September 30th, 1857, £195370 5 3  
Amount required to complete the superstructure and  
iron, 73571 16 5 268942 1 8

As it may be useful to know the quantity of rails, chairs, spikes, &c. still required  
to be ordered, I add the following statement :

	Iron rails.	Joint chairs.	Inter. chairs.	Spikes.	Keys.	
					8 inch.	5 inch.
	Tons.	Tons.	Tons.	Tons.	No.	No.
Required for one mile,	99	10	40	2½	650	3900
Required for 100 miles,	9900	1000	4000	250	65000	390000
Received at Halifax and Windsor,	8057	650	2694	203.8	50027	272839
Remaining to be ordered Septem- ber 30th. 1857,	1843	350	1306	46.2	14973	117161

(3). STATION BUILDINGS AND FIXTURES.

The station buildings and fixtures at present on the railway are of limited extent and convenience. At Halifax the main building is used for both merchandise and passengers, and is too small for the accommodation of both, when the road is extended. I have therefore in the estimate allowed for a separate merchandize building.

The buildings appropriated to the repairs of locomotives and cars are also entirely too small for the accommodation of this department, and must be largely increased. Additional machinery and tools will also be required. It is important that this department—from the want of local facilities to procure work done at other establishments—should be more than ordinarily complete. To keep a large stock of duplicate parts on hand, to be ready in case of accident, is expensive and the repair shops should be capable of supplying all that may be required in this respect. It would also be desirable that the passenger cars should be built at the work shops—the freight and insurance being heavy items on their importation.

I have allowed for erecting wood sheds, of which there are none on the road at present. It will be found true economy to have the wood kept dry and seasoned under cover.

In the appendix will be found a tabular statement No 5, showing the location, dimensions, and other particulars, relative to the station buildings and fixtures, already built or contracted for.

There has been expended Sept. 30th, 1857, for station buildings,  
fixtures, machinery and tools, including 362l. 3s. 3d. paid under  
the section contracts, the sum of £9578 4 7  
For the quarter ending Dec. 31st 1857, there was paid  
on account of buildings, about 3500 0 0  
And for turntables, cranes, tools and machinery for  
work shops, 6000 0 0  
To complete the buildings and platforms now under con-  
struction will cost, say 1000 0 0

To December 31st, 1857, say

20078 4 7

For the additional buildings and fixtures required, I estimate as follows :

<i>Richmond</i> —New machine and repair shop, brick or stone,	1500	0	0
Freight or merchandize building, and addition to present passenger buildings,	1500	0	0
Car house,	250	0	0
Wood sheds, &c ,	600	0	0
Machinery and tools for repairs,	1500	0	0
<i>Junction</i> —Passengers and freight building,	250	0	0
Wood sheds, water tanks, and laying down turntables,	500	0	0
<i>Truro</i> —Passenger and freight buildings, brick or stone,	1500	0	0
Engine house and fixtures,	500	0	0
Wood sheds, tanks and laying down turntables,	800	0	0
<i>Windsor</i> —Ditto ditto ditto,	800	0	0
<i>Way stations</i> —Say eight watering stations, including Bedford and Grand lake, fitted with water tanks, wood sheds, wells and pumps. or aqueducts—average for each station, 400/.,	3200	0	0
Passenger and freight buildings at the above way stations (additional),	2500	0	0
Say eight intermediate or second class stations, making stopping places about 5 miles apart—average, say for buildings and platforms, 300/.,	2400	0	0
Miscellaneous, and to fit up machinery in work shop,	2500	0	0
Total,	£40378	4	7

#### (4.) EQUIPMENT AND ROLLING STOCK.

The rolling stock at present in use on the road, is as follows :

7	locomotive engines,
6	eight wheel passenger cars,
1	ditto second class and mail car,
4	ditto covered merchandize cars,
31	ditto platform cars,
1	four wheel merchandize car,
5	eight wheel covered horse cars,
3	ditto cattle and sheep cars,
2	four wheel ballast cars,
1	snow plow, and 4 hand cars,

There are under construction in the work shops at the Richmond station :

2	eight wheel second class passenger cars,
2	ditto covered merchandize cars,
3	ditto horse cars,
5	ditto platform cars.

Two additional locomotive engines which were ordered from Neilson & Co., Glasgow, of the same size as No. 6 and 7, at present on the road, were lost on board the "Thomas," last fall. They were fully insured, and their place is being supplied by the manufacturers. Six more of the same size have also recently been ordered.

The amount paid for locomotive engines up to Sept. 30th, 1857, was	£11094	17	2½
For passenger, freight, and other cars, snow plough and omnibusses,	9996	12	6½
The two locomotives (No. 6 and 7) received since Sept. 30, cost,	8500	0	0
delivered at Halifax, say £4250 each,			Eight

Eight locomotive engines ordered, say	3	000	0	0
Two passenger cars received since September 30,	1	100	0	0
Wheels and axles, waggon mounting, &c.,	4	500	0	0
To fit up the locomotives and complete the cars now building, say	5	00	0	0

Making the cost of the rolling stock, now in use, under construction, or ordered, £69691 9 9

In addition to the above, I estimate that the following locomotives and cars will be required for the effective operation of the road when completed to Windsor and Truro, viz.:

4 locomotive engines, 30 tons each, at £4500*	18000	0	0
5 eight wheel passenger cars 1st class, at 600	3000	0	0
5 " " baggage and 2nd class, at 350	1750	0	0
40 " " freight cars, at 175	7000	0	0
6 " " cattle cars, at 175	1050	0	0
20 " " platform and lumber cars, at 140	2800	0	0
	<u>33600</u>	<u>0</u>	<u>0</u>
	£103291	9	9

## (5). WHARVES.

The Wharf at Halifax was built by contract and has been in use for some time. That at Windsor was built by days labour, and is completed with the exception of the back filling, metalling, &c.

There has been paid on account of the wharf at Halifax,	£854	17	3½
And on account of the wharf at Windsor	£2768	1	5½
To complete the latter requires 5000 cubic yards of filling, at 1s. 3d.,	312	10	0
Add for metalling, mooring, rings, &c.,	300	0	0
	<u>3381</u>	<u>11</u>	<u>5½</u>
Total,	£4236	8	9

## (6.) LAND DAMAGES AND FENCING.

The act authorizing the construction of the road, gives authority to the commissioners and those acting under them "to enter upon and take possession of any lands required for the tract of the railways, or for stations;" and also to enter "upon any lands" and take material of any kind that may be required; and provides that the monies payable for land and damages shall form a county charge, to be assessed, apportioned, and paid for, according to the relative benefits derived from the railway by the several sections of the county. The land, therefore, occupied by the railway, and the damages to property, have not been included in the payments made by the board of railway commissioners, except in the following instances:

Paid for a house at the Halifax terminus bought of R Marshall,	£175	0	0
for recording deed,	0	8	9
for land at African village, on which to place buildings interfered with by the railway (conveyance to J. Morrow),	175	0	0
for interest 1 year and 9 months on the above,	18	7	6
for recording deed,	0	8	9
for material and labor in removing and fixing up buildings at African village,	210	7	9
to T. & L. Piers for damages to property on Bedford Basin, in accordance with resolution passed by the legislature,	500	0	0
	<u>£1079</u>	<u>12</u>	<u>9</u>

\*The price of these locomotives is based on the cost of the two last received at Halifax, viz, about £4250 each, including duplicate and spare parts. It is a much higher price however than is usually paid for locomotives of that class

*Fencing.* There are now built, or contracted for, 114 miles of fence, at prices ranging from 5s. to 16s. 6d. per rod—the average price per rod being 6s. 3d. nearly, which is equal to 100*l.* per mile.

To fence the whole of the main line and Windsor branch, on both sides, would require 186 miles of fence, which would cost at the above average, 18600*l.*; but it may be deserving of consideration whether there is a necessity for fencing the whole immediately. For many miles the road passes through a sparsely settled region covered with timber and underbrush, in which few, if any, cattle are pastured; and the frequency of fires in such places would endanger wooden fences. Again, on several parts of the line the embankments are made mainly of rock, with slopes of nearly one to one, which cattle will not readily attempt. I think, therefore, that three-fourths of the line is all that it may be advisable to enclose at present. To this I add an allowance of 5*l.* for snow fences, which on some portion of the road may be found desirable.

The fences built are known as “post and rail,”—the posts generally of hackmatack and the railings of spruce. Stone is very abundant on many parts of the line, covering, indeed, the whole surface, and rendering it difficult to erect a wood fence. In such places I would give the preference to rough stone walls, which would cost but little more in the first instance, and be far more durable.

*Estimate.*

Say 140 miles of fence, including that already built, at 100 <i>l.</i> per mile,	14000	0	0
Snow fences,	500	0	0
Add land and damages, as above	1079	12	9
	<hr/>		
	£15579	12	9

Amount paid on account of fencing,	5044	10	5
“ “ for land and damages,	1079	12	9
	<hr/>		
	£6124	3	2

Table No. 6 in the appendix is a statement of the contracts for fencing.

(7.) SALARIES AND INCIDENTAL EXPENSES.

The amount expended under this head during the time the road has been under construction is as follows:

Salaries of commissioners paid by the receiver general,	£5696	13	1
Incidental expenses paid by the receiver general. (Expenses account,)	392	9	11
Salaries paid by the commissioners,	1403	5	11
Incidental expenses paid by the commissioners,	1794	17	7½
	<hr/>		
Amount paid up to September 30th, 1857,	£9287	6	6½
To which I add, on the assumption that it will require another 12 months to put the work in effective operation,	3500	0	0
	<hr/>		
Total,	12787	6	6½

(8.) ENGINEERING AND SURVEYING.

The expenditures under this head up to September 30th, 1857, have been as follows:

Salary of the chief engineer, paid by the receiver general,	£3281	5	0
Salaries and expenses of the engineer department, including wages of inspectors and time-keepers, paid by the railway commissioners,	9490	14	6½
	<hr/>		
	12771	19	6½
To which add for twelve months,	5000	0	0
	<hr/>		
Total,	£17771	19	6½

## (9.) OFFICE EXPENSES.

The expenditures have been as follows :

Postages and Telegraphs,	201	5	5½
Printing and advertising,	561	9	8½
Office expenses, furnishing fuel, &c.,	1170	5	3½
	<hr/>		
	1933	0	5½
Add for twelve months,	600	0	0
	<hr/>		
Total,	£2533	0	5½

## (10.) CONTINGENCIES.

There have been classed under this head the following expenditures :

Law charges,	243	15	0
Commissions and agencies,	333	2	6
Home insurance,	180	10	0
Interest,	765	3	2½
	<hr/>		
	1522	10	8½
Add for twelve months,	*3000	0	0
	<hr/>		
	4522	10	8½

## (11.) MATERIALS AND PLANT.

Under this head have been embraced ballast waggons, wheelbarrows, scows and road tools; also, items of lumber, timber, cement, iron, steel, oil, &c, which have not been charged to any other than general accounts,—neither the books nor vouchers showing what disposition has been made of them. The items are as follows :

<i>Plant account.</i> —Waggons, wheelbarrows and scows, derrick road tools, gunpowder, &c.,	†839	5	2½
Lumber and timber,	748	8	3
Portland cement,	20	12	4
Iron, steel, nuts and screws,	1430	11	5½
Oil and cotton waste,	71	13	3
Miscellaneous,	59	15	3
	<hr/>		
	£3170	5	9
Add for 12 four wheel ballast or gravel cars, for making repairs, at £75,	900	0	0
Add for tools, &c.,	600	0	0
	<hr/>		
	4670	5	9

## (12.) INTEREST ON DEBENTURES.

The amount paid for interest on the debentures issued up to September 30th, 1857, as entered on the books of the receiver general is

	29634	10	9
Add for accrued interest, and the interest falling due for the next 12 months,	45000	0	0
	<hr/>		
	74634	10	9

From this account there might be deducted the net profits of working the road up to the time of completion, but in the uncertainty of what this sum may be, I prefer to

\*£1300 of this for interest due Baring, Bros. & Co, December 31st, 1857.

†Of this amount, £20 2 6 is debited to the war department for 23 gunpowder barrels, returned in 1856, which remain unpaid.

leave

leave it towards meeting depreciation of rolling stock, and such claims of the contractors, as may be recognized.

## TELEGRAPH.

In the estimate, I have allowed 3500*l.* for building and equipping a telegraph line for the use of the road. I am of opinion, however, that this expenditure may, at least for the present, be deferred. The expenses of operating a railway telegraph are inconsiderable, as, to derive from it full benefit, it must communicate with every station on the line and be conducted by a man of intelligence, always at his post, and who is capable of directing and regulating the trains. A very large traffic, under proper regulations, can be conducted on a single track without such aid. If an arrangement can be made with existing lines, or if private enterprise should desire to establish one along the route of the railway, every facility and encouragement should be given. To maintain and operate a telegraph properly, would probably cost not less than 500*l.* per annum.

## SUMMARY.

Collecting the various items of the estimates together, we obtain the following results, of the amount expended, the amount required to complete the road, and the total cost of the road and equipment complete ;

	Amount paid to Sept. 30th, 1857.	Amount required to complete the road.	Total cost of road and equipment complete.
1. Grading masonry & bridging,	372550 4 8	99468 11 3½	472018 15 11½
2. Iron and superstructure,	195370 5 3	73571 16 5	268942 1 8
3. Station building and fixtures,	9578 4 7	30800 0 0	40378 4 7
4. Locomotive engines and cars,	21091 9 9	82200 0 0	103291 9 9
5. Wharves, { Halifax, 854 17 3½ { Windsor 3381 11 5½	3623 18 9	612 10 0	4236 8 9
6. Land damages and fencing,	6124 3 2	9455 9 7	15579 12 9
7. Salaries & incidental expenses	9287 6 6½	3500 0 0	12787 6 6½
8. Engineering and surveying,	12771 19 6½	5000 0 0	17771 19 6½
9. Office expenses,	1933 0 5½	600 0 0	2533 0 5½
10. Contingencies,	1522 10 8½	3000 0 0	4522 10 8½
11. Materials and plant,	3170 5 9	1500 0 0	4670 5 9
12. Interest on debentures,	29634 10 9	45000 0 0	74634 10 9
13. Telegraph,		3500 0 0	3500 0 0
Totals:	£ 666657 19 11	358208 7 3½	1024866 7 2½

The above estimate includes both the main line and Windsor branch ; but as it may be satisfactory to know the cost of each separate, I add the following statements :

*Statement shewing the approximate cost of the main line, 61 3-10 miles.*

	Total cost.	Cost per mile.
Grading, masonry, and bridging of the main line, as per tabular statement, page (301),	282209 16 0½	4611 5 5
Wharf at Halifax,	854 17 3½	13 19 4
To		

To which add at the average cost per mile, items 2, 3 & 4, and 6 to 13, as found in the foregoing summary, and we obtain	361799 11 7	5911 15 2
Making the totals for the main line	644864 4 11	10536 19 11

*Statement shewing the approximate cost of the Windsor branch, 31 6-10 miles.*

	Total cost.	Cost per mile.
Grading, masonry, and bridging, as per tabular state- ment, page (301),	189808 19 11	6006 12 3
Wharf at Windsor,	3381 11 5½	107 0 3
Add at the average cost per mile, item as above,	186811 10 11	5911 15 2
Making the totals for the Windsor branch,	380002 2 3½	12025 7 8

The average cost of the main line and Windsor branch is £11043 16 4 per mile,

In the estimate I have intended to provide not only for the expenditure necessary to open the road for traffic, but to complete the same, and erect such station buildings, and furnish such an amount of rolling stock as will be requisite for doing a profitable business. Some portions of the expenditure may be postponed until the whole of the road is in working order, such as parts of the fencing, station accommodation, telegraph, widening embankments, and perhaps a few other items. I have meant neither to omit nor include anything but what will be found actually necessary before the construction account of the road is closed.

#### REVENUE OR TRANSPORTATION ACCOUNT.

In making up and classifying this account, some difficulty has been experienced from the vouchers not always specifying the nature of the service rendered or the labor performed—an imperfection continued to the present time. For the year 1855, the running expenses were not separated from the construction accounts until the close of the year, and had to be arrived at on some items by estimation. The repairs of the road for that year amounting to £410 14 6 were charged to construction or general account. I have not deemed it necessary to transfer them, although they were properly chargeable to working expenses, and would reduce the net earnings by that amount. It is rarely ever the case that a few miles of a long road opened for travel more than pays the expenses of running.

I have not attempted materially to modify the classification made on the books of the working expenses—although it is by no means such as I would have preferred—but the items consisting mainly of labor they cannot now be apportioned in any other way.

In going over the vouchers, some items of expenditure connected with the running of the road, such as advertising trains, printing tickets, &c., were found charged to other accounts. These I have transferred to the working expenses, which reduce the net receipts below the return of the commissioners for the year 1855, £25 7 9½, and for the year 1856, £54 9 9½.

A careful scrutiny of the schedule would perhaps show that there are other items, for salaries of superintendents, station masters, watchmen at depot and crossings, which might also with propriety be transferred; but as these parties were at the same time performing duties connected with the construction of the road, it would only be a portion of their salaries that would be fairly chargeable to running expenses—an apportionment which could only be properly made at the time, with a knowledge of all the facts. There are also some items for coal, oil and cotton waste, which have been charged to other accounts—a portion of which may have belonged to running expenses, but cannot now be separated. Thus we have oil and cotton waste in the year 1855 and 6, to the amount of £134 11 10 charged to rolling stock, and £71 13 3 to construction or general account.

It

It may be proper here to state that in the revenue of 1855 for freight, as entered in the books, and in the annual report of the commissioners, the balance of the account only is given, the charges for loading and unloading amounting to £31 11 10 are not included in the expenses, but the revenue is reduced by an equal sum. This of course does not affect the general result of net earnings, but as it is an improper mode of rendering the account; and, as in schedule A, we have given the item of expenditure, a corresponding sum has been added to the revenue of that year.

The following table exhibits at one view the results arrived at, as to the receipts, the working expenses, and the net earnings for each year of the portion of the road in operation.

*Transportation account.*

	1855.			1856.			1857.		
	Feb'y., 4 miles July, 8 miles in operation.			8 miles in operation			(9 months.) 22½ miles in operation.		
Receipts from passengers,	1659	13	2½	2401	0	8	3298	5	5½
“ freight,	126	9	11½	577	1	10½	1142	19	0½
“ mail and mail coaches,	0	0	0	162	1	3	195	7	6
“ conveyance of troops,	0	0	0	25	0	0	0	0	0
“ storage,	0	0	0	12	8	4	12	9	3
“ freight of iron,	38	9	4	822	0	11	480	0	4½
“ contractors, for use of loco. eng.	105	0	7	107	10	0	1149	17	6
<b>Total receipts,</b>	<b>£ 1929</b>	<b>13</b>	<b>1</b>	<b>4107</b>	<b>3</b>	<b>0½</b>	<b>6278</b>	<b>19</b>	<b>1½</b>
<i>The expenses were :</i>									
Locomotive charges,	329	18	4½	651	17	5½	903	15	6
Traffic charges,	94	2	10	285	0	6½	645	5	2½
Repairs of stock (locomotive and cars),	241	13	9	677	0	4½	515	15	4
Wood and coal,	237	11	0	325	11	6	698	16	0
Oil and cotton waste,	101	18	11	76	17	3	318	1	5
Upholding or maintenance of way,	0	0	0	618	14	5½	697	9	0
Salaries and miscellaneous,	47	17	9	418	15	7½	360	17	1
<b>Total expenses,</b>	<b>£ 1053</b>	<b>2</b>	<b>7½</b>	<b>3053</b>	<b>17</b>	<b>2½</b>	<b>4139</b>	<b>19</b>	<b>6½</b>
<b>Net receipts,</b>	<b>£ 876</b>	<b>10</b>	<b>5½</b>	<b>1053</b>	<b>5</b>	<b>10</b>	<b>2138</b>	<b>19</b>	<b>7</b>
Number of way passengers, } “ of through passengers, } “ tons of freight moved, “ of miles run by engines,	30563			50844			22432		
Receipts per mile run,	4s. 9½d.			4s. 9½d.			5s. 7d.		
Expenses per mile run,	2s. 6d.			3s. 6½d.			3s. 8¼d.		
Gross receipts per mile of road in operation				513l. 8s. 0d.			279l. 1s. 4d.		
Net receipts per do. do. do.				131l. 13s. 3d.			95l. 1s. 3d.		

*Remarks on the plan of construction and present condition of the work.*

On the portion of the main line completed, the road bed is generally in good condition. The embankments having been made mostly of rock, not much settlement nor shrinkage has taken place, but there are some of them occasionally scant in width and require filling out. The slopes also of the earth cuttings should all be reduced to 1½ to 1, otherwise there will be liability to interruption to the travel and business of the road.

There

There are several places where the rails have not been properly bent, nor the outer rail elevated to suit the curves, matters of much importance when there are curves of small radii and a high rate of speed is to be maintained.

On the Windsor branch much remains to be done to perfect the road bed, side ditches require to be opened, points of rocks to be removed, and the side slopes of the excavations dressed and trimmed to prevent boulders and roots of trees from falling down and obstructing the road. Many of the cuttings and embankments are of less than the contract width. The clay embankments which have recently been made may be expected to settle largely by next spring, and will require a considerable amount of filling to make them good. The rails also in many places are imperfectly laid, not bent to the curves, and require adjusting. The hurried manner in which the road has been brought into use may excuse the defects at present, but they ought to be corrected at an early day.

The masonry of the viaducts and bridges on both the main line and the Windsor branch is of a very superior character, more so in fact than is usually met with on public works, and when wooden superstructures are used they are of abundant strength. The wrought iron girders used in the more important viaducts and bridges were manufactured by Fairbairn & Sons, of Manchester, England, forwarded in sections, and put together on the works. The greatest spans in which they are proposed to be used are in the bridges across the second Shubenacadie and the Stewiacke Rivers, which have each openings of 100 feet. These bridges are not yet completed. The girders, I am informed by the engineer, are proportioned to sustain a weight of seven tons per foot without breaking, which is ample; but I would, as a matter of precaution, recommend that they, and in fact all bridges, be subject to a proper test previous to opening the road for the transportation of passengers.

*Culverts and Drains.*—The masonry of this class is of a fair quality, but under some of the heavy embankments arch culverts of a larger opening would have been preferable. Some of them look small in size for the area of country drained through them. On section No. 11 of the main line no masonry has yet been constructed, and the quantity in the schedule appears to be insufficient. Truro mill brook is crossed four times, and should have a water way of not less than 25 feet. The waters of this brook are reported to spread over the meadows in high freshets to a depth 3 to 5 feet, and as the flow will necessarily be obstructed by the railway embankments, sufficient opening should be left for the passage of the whole body of the water. In the estimate I have provided for about double the quantity of masonry and bridging shown on the schedule. On the Windsor branch a few wooden culverts were permitted to be used on the western end of the line—they are poor substitutes for stone work.

*Ballasting.* The specifications call for ballasting to the depth of one foot and a width of 14 feet, both in excavations and on embankments, of clean round gravel, or stone, broken so that "each piece will pass through a ring each way two inches in diameter." It is required to be "well beaten and compressed with a double handed beater, and made smooth and uniform for receiving the sleepers, and after the rails have been permanently laid, an additional quantity of ballast is required to be well rammed round the sleepers, upon which shall be spread a stratum of clear gravel six inches thick."

The above specification, if carried out, would make a very perfect road, but it has not received much attention, and not unfrequently the sleepers rest directly on stones of considerable size, and in other cases the ballasting is of inferior material, being composed more or less of argillaceous soil, subject to be affected by frost. To have complied with the specification literally would have cost the contractors at least £100 more per mile than they have expended.

*Railway superstructure.* The plan of the railway superstructure adopted has already been referred to at page 8. The plan has been found to answer well in Great Britain, where the temperature is comparatively uniform and moderate, and the ground not liable to be frozen to great depths; but in the northern portion of the United States, where the same plan was tried, the cast iron chairs were found liable to break during



snow or ice it would be reduced to less than one-third. When the adhesion is not sufficient, the wheels will slip on the rails, and although the engines may turn the wheels, the load will not move forward.

With No. 2 and 3 locomotives, 7 tons, or 15680 lbs, rest on the driving wheels, one-sixth part of which gives 2613 pounds as their tractile power; and the friction of cars on a railway being about  $8\frac{1}{2}$  pounds per ton, it follows that these engines could move  $(2613 \div 8\frac{1}{2}) = 307$  tons on a level.

On an ascent, the gravitation of the load as well as the friction of the cars has to be overcome. The friction is a constant quantity per ton, but the resistance from gravitation increases with the angle of ascent. On an inclination of 20 feet per mile the gravitation of one ton is  $(\frac{2240 \times 20}{5280}) = 8\frac{1}{2}$  nearly, which added to the friction makes 17 lbs,—so that to draw a load up an ascent of 20 feet per mile requires double the power needed to draw it on a level. It must not be inferred from this however that an engine will draw half the useful load up such an ascent that it would draw on a level, for in moving up the ascent the resistance from the gravitation of the engine and tender, when there is one, must be deducted from the power that was available on the level to carry useful load. The engines referred to having no separate tender the gravitation of their own weight only has to be deducted, which is  $(15\frac{1}{2} \text{ tons} \times 8\frac{1}{2}) = 131,75$  lbs, which deducted from their power on the level  $(2613 - 131,75)$  leaves 2481.25 lbs. as their available power on an inclination of 20 feet per mile; and  $(2481.25 \div 17)$  gives 146 tons as the gross load they are capable of drawing up this inclination. But not to go further into details I have prepared the following table, which gives the gross load, and net or useful load which No. 2 and 3, and No. 6 and 7 locomotives are capable of drawing on a level, and on ascending gradients of 20, 40, 60, 64 8-10 and  $71\frac{1}{2}$  feet per mile,—the two last being the maximum and ruling gradients on the main line and Windsor branch respectively.

The useful load is assumed at five-tenths of the gross weight of the cars and load.

	Locomotives, No. 2 and 3.		Locomotives, No. 6 and 7.	
	Gross load in tons.	Useful load in tons.	Gross load in tons.	Useful load in tons.
On a level,	307	153	658	329
“ an ascent of 20 feet per mile,	146	73	310	150
“ “ 40 “ “	92	46	192	96
“ “ 60 “ “	66	33	135	$67\frac{1}{2}$
“ “ 64 8-10 “ “	61	$30\frac{1}{2}$	125	$62\frac{1}{2}$
“ “ $71\frac{1}{2}$ “ “	56	28	112	56

We find then that with No. 2 and 3 locomotives, the drawing of 61 tons gross or  $30\frac{1}{2}$  tons net is the limit of their power on the main line, 56 tons gross or 28 tons net the limit of their power on the Windsor branch; and with No. 6 and 7 locomotives, 125 tons gross or  $62\frac{1}{2}$  tons net on the main line, and 112 tons gross or 56 tons net on the Windsor branch.

The weight of No. 1 locomotive being intermediate to those estimated, the load she is capable of carrying would be in proportion. No. 3 and 4 have too small steam power, and are too light to be available for the purposes of general traffic; they will be useful, however, for making repairs, and in assisting trains at the termini of the road.

The power of these locomotives, unless we except No. 6 and 7, is entirely too small to allow of carrying freight at moderate rates, and from the nature of the traffic expected,—agricultural products, timber, cord wood, plaster, &c.,—it is important that the road should be capable of carrying, not only at moderate, but at low rates, as its ability in this respect may determine whether the surplus products of the counties bordering the Basin of Minas will be sent to Halifax by railway or be shipped by water. I would recommend that all new engines ordered should have from 18 to 20 tons weight resting

on the driving wheels, and have steam power sufficient to work up to their full adhesion. Such engines would be capable of carrying on the 64 8-10 feet grades, 176 tons gross or 88 tons net, and on the 71½ feet grades 162 tons gross or 81 tons net. Heavy engines are objectionable on many accounts, but with the grades on this road they become a necessity.

On the Erie Railway in the state of New York, 445 miles in length, 245 continuous miles of which has no grade in the direction of the greatest trade over five feet per mile, and with maximum grades of 60 feet per mile, out of 203 locomotives owned by the company, 92 have more than 18 tons weight on the driving wheels, and 20 have from 20 to 32 tons, the latter being used only on the portions of the road where the steepest inclinations occur. On your road there would be no economy in using heavy locomotives on the steeper grades only.

*Switches and Crossings.*—The switches and crossings of a Railway are of more importance than their cost intimates. All experience shows that accidents are more liable to occur at them than at any other points upon a road. Those in use on this railway are made on the English plan, which answers well, and is, perhaps, safer than any other for summer use, but in this climate, in the winter time, the movable rails will be liable to get blocked up with ice and snow and cannot be depended on as *self-acting*, and will require much care and attention. No greater number of them than is found actually necessary should be allowed to branch from the main track.

*Rolling Stock.*—In the estimate, I have allowed for what ordinarily would be considered a moderate equipment, but, as the amount required depends entirely on the business to be accommodated, it can readily be increased should the business warrant.

The passenger and freight cars on the road are of approved forms and substantially built. I observe one thing, however, in connection with them, which perhaps it might be advisable to correct, the wheels under the passenger cars are of cast iron, while those under the freight cars are of wrought iron. The latter are much more expensive and presumed to be safer and stronger, and as passenger trains travel at higher rates of speed, and more serious results attend any failure of their running gear, it is desirable that the best should be placed under them. Cast iron wheels are mostly used in the States, but more from motives of economy than from any opinion of their being equal or superior to those of wrought iron.

*Station Grounds.*—At Halifax the station grounds are much cramped from the vicinity of the rising grounds and from the line of the railway being mostly on a curve. They are not well adapted to accommodate a large amount of business. The terminus has also the disadvantage of being at a considerable distance from the centre of business of the city, which will cause delay, inconvenience and expense to the business of the road, but, on the other hand, a large expenditure would be required to continue the road along the water front and procure the necessary station grounds. The wharf accommodation at this station is also of limited extent, and should a large business be done over the road, in carrying freight to be shipped, it may be found expedient to increase it. For the present, however, it is sufficient. At Windsor and Truro, the station grounds are ample and convenient.

#### *System of accounts and vouchers.*

Many of the vouchers are very imperfect; a few are entirely without date of any kind, and it is necessary to refer to the books to discover even in what year they were paid,—others are very inexplicit as to the consideration for the payments, also as to what account they properly belong. Thus, in the quarter ending December 31st, 1855, voucher No. 363 is a receipt of John Kennedy for £8 for "advance for labor," without date of any kind, month or year; and voucher No. 1, for the quarter ending March 31st, 1857, is a receipt of Wm J. Wiswell for "100% on account," also without date, and there is no date to the bill on which it was part payment, amounting to 689%;

Vouchers

vouchers 125 and 134, March quarter, 1857, are returns of labor on contract No. 3, and for cutting wood and pumping water, amounting to 75*l.* 4*s.* 1½*d.*, also without date of any kind. Sometimes the vouchers do not correspond as to date with the entries in the books. Thus voucher No. 134, March quarter, 1856, is a receipt of E. Nisford for 4*l.* 4*s.* 4½*d.*, for 6¼ cords of wood, dated as received payment, Nov. 6th, 1855, is not entered in the journal as having been paid until Feb. 28th, 1856. Voucher No. 249, June quarter, 1855, is John Gunn's bill against D. Cameron, for balance due on making ten waggons, amounting to 5*l.* 15*s.* receipted as having been paid Jan. 24th, 1855. This voucher has not even evidence on its face that it was chargeable against the railway or commissioners,—their names not appearing in the bill.

Some of the vouchers which contain a number of items chargeable to different accounts, do not show how they were distributed. In bills of this kind, unless the distribution made is noted at the time, it would be difficult in many cases to select the same items, many standing on debateable ground, particularly between what is properly chargeable to construction and to working expenses: Latterly, however, the distribution has been more generally noted on the voucher. Another of this class which has been extensively practised, is the first charging bills, or cash paid, to one account, and afterwards transferring some portion of the account, and sometimes without specifying the items, to some other. In September quarter, 1856, 345*l.* 6*s.* 3*d.* is paid to Hanright on account of erecting girders of Sackville bridge, per vouchers 112 to 121, and in the same quarter 27*l.* 10*s.* 0*d.* of the amount is transferred and charged to Richmond station, and 20*l.* 16*s.* 7½*d.* to Sackville station. The transportation expenses for 1855 were largely made up in this way, and probably neither the commissioners nor book-keeper could now say in many instances what the items were that were thus transferred. In the transportation accounts of 1856 full one-third of the amount originally debited to "loco. charges" is transferred to other accounts. In this connection, however, it is but just that I should state that I discovered nothing from the books or vouchers but that the intention was to make a fair and proper distribution; although instances occur where it is evident that the whole or a portion of some bills should have been charged to other accounts, thus:

In the quarter ending Dec. 31st, 1855, 88*l.* 1*9s.* 4*d.* is paid to Johnston & Dimock on account of "fencing," per vouchers 245, 246, and 247, and in the same quarter 134*l.* 15*s.* 0*d.* is paid them on account of "New engine house," which sums, amounting to 223*l.* 14*s.* 6*d.*, are entered on Johnston & Dimock's account in the ledger as transferred to "New store;" but they are both in fact, charged to "New engine house," and afterwards transferred to "Station house and other buildings" account. In June quarter, 1855, voucher No. 221, Commercial wharf bill for wharfage on chairs, 4*l.* 4*s.* 0*d.* spikes, 8*s.* 10*d.*, and wheels and axles, 1*l.* 9*s.* 6*d.*—together 6*l.* 2*s.* 4*d.*—is all charged to rolling stock, while the latter sum only was properly chargeable to that account. In March quarter, 1856, voucher 166, bill for lumber for Sackville bridge, is charged to Richmond station. In March quarter, 1857, Joseph Mitchell's bill for wharfage of 30½ tons bridge iron, is charged to "iron rails." Entries like these show great carelessness in making up the books.

Payments are frequently made on account of several contracts, when separate accounts have already been opened. Thus: D. McDonald is paid, per voucher No. 38, Sept. quarter 1857, "3000*l.* on account works No. 2 and 5, Windsor branch," which of course cannot be charged to either contract; and in the same quarter S. Sutherland & Sons are paid "2700*l.* on account," being part of the per centage retained on three sections, viz, 7, 9 and 10, which must make numerous transfers and entries necessary in order to distribute and charge to the proper accounts. Of course, with such a system of making payments, when neither the engineer, commissioners, nor contractors can know how much has been paid on any particular section, errors will be likely to occur,—and we accordingly find in the quarter ending December 31st, 1855, that McDonald & Simpson

Simpson were paid on engineer's estimate, per voucher No. 345, "1439*l.* on account of contract for grading section No. 5, Windsor branch," but this, by mistake, is charged on the books to contract No. 2, Windsor branch, and so remains. In March quarter, 1857, vouchers 81 and 82, are engineer's estimates in favor of Johnston & Blackie for "3064*l.* on account of work done on contract No. 3, Windsor branch,"—but this sum, on the books, was charged to contract No. 3, main line, and closed up Johnston & Blackie's account on that section, which was charged off to "construction" or general account, June 30th, 1857. But this sum was not payable on that work, and had to be disinterred from the construction account and charged to No. 3, Windsor branch. In the same quarter, voucher No. 76—D. McDonald's receipt for "1000*l.* on account of 10 per cent, on contract No. 5, Windsor branch" is charged on the books to McDonald & Simpson's general account.

As showing the difficulty of making up an accurate statement of the cost, under distinct headings, from the books, and in explanation of the amounts given in this report not always corresponding therewith I will cite one or two instances: In May, 1854, a bill of 5*l.* 7*s.* 6*d.* for drawing tables and trestles is charged to "surveying," which, with the ordinary latitude given to engineering and surveying expenses, was a proper classification. In September, 1854, however, it is transferred to "office furniture" account. In December to "office expenses,"—and in the same quarter to "permanent way," which last account at a later date is transferred to "construction." From the wanderings of this small item it is evident that the accountant did not know well what to do with it, but in the following instance I can see no object in making the entry: voucher No. 26, March quarter, 1857, J. Bowes & Sons bill, for printing 50 schedules and 100 bills of work to be let, is charged to contract No. 9 in place of being charged to printing and advertising account. There are also numerous cases of salaries paid to inspectors, time-keepers, &c., being charged to particular sections or contracts—but not on contractors' account,—and being afterwards charged to construction, do not appear in the books either against salaries or engineering.

The accounts would be much simplified, and entries in the book largely reduced by adopting monthly, in place of weekly, pay rolls, for the employees. I believe there would be found to be no hardship or inconvenience in this, judging from experience on other roads.

By having separate pay rolls and returns for the different departments of construction and repairs, upholding, locomotive charges, traffic charges, &c., would also greatly simplify the accounts and reduce the number of entries. These pay rolls and returns should be made on printed forms, being the only way by which simplicity and uniformity can be obtained. For the numerous small payments which are made on account of labor, wood and materials, not entering into the regular pay rolls or returns, printed blanks also should be used, and all vouchers should not only specify, when for labor, the nature of the services performed, and when for materials, the weight, quantity or amount of each item, with the price, but designate on their face the distribution or account to which the same has been charged. Many bills are now made out for salaries and labor without specifying the nature of the services or labour performed.

I have in preparation a number of blank forms, more especially with reference to the working department, which will be submitted at an early day.

Every facility and assistance has been afforded me by the chief engineer in obtaining the data as relates to the characteristics of the road, and otherwise, when the information was in his power, but as he keeps no general account of the expenditures or cost of the railway, mostly all the information of this kind has been derived from the books kept in the commissioners office, and from the quarterly accounts and vouchers rendered to the financial secretary. In fact I have relied mainly on the vouchers, the numerous transfers and cross entries rendering it tedious and difficult to make out the cost under any head or expenditure from the books, and even after arriving at a result there is no certainty that the whole is embraced.

It may be proper to state that I consider the engineer department of the road as having been organized on too limited a scale, originating no doubt in the laudable desire of economy, but in this it is quite possible to go too far. The force employed has not been sufficient to give the requisite levels and stakes during the progress of the work, and we consequently find at several places the grading out of line—the excavations and embankments too wide, and at others not wide enough, improper ballasting used, and other matters of detail imperfectly executed. Some of the bogs and lakes which have swallowed up large quantities of material, could have been partially or wholly avoided, and no doubt would have been, had proper soundings been taken to determine their depth on the original surveys. The services of one or two well qualified assistant engineers in addition to those who have been employed on the road, to have given a personal superintendance to the work, would have saved large expenditures at many points—expenditures which, although nominally borne by the contractors, have generally in the end to be made up to them in the shape of allowance or otherwise. The duties of chief engineer are such in the office as prevents his spending much of his time upon the line during the construction of the road.

Table No. 8, in the appendix, is a list of the present officers and employers, their duties and compensation. Table No. 9 is a comparative statement of the average cost per mile of the Nova Scotia railway, and of the railways of the state of New York.

Accompanying this report are profiles of the main line from the junction to Truro, and of the Windsor branch, which were furnished by the chief engineer, on which I have had marked the grades in feet per mile, also the position of the several viaducts and bridges. On the portion of the main line under construction, the cuttings and fillings are coloured, so as to exhibit the progress made in the work.

In making up schedule A, it was found convenient to defer entering some of the invoices of iron, until such time as the distribution of rails, chairs, &c., had been made in the accounts. This makes an apparent difference in the expenditure for some quarters from that shown on the books, but I have appended the check balances which show the items carried forward. They are of no value, however, further than as shewing that the schedule agrees with the accounts rendered to the financial secretary. This schedule has been compiled at no inconsiderable expense of labor, being the result of a careful examination of each separate voucher or evidence of payment from the commencement of the work, and it is believed that when taken in connection with this report, will furnish all the information as to the expenditures which can be reasonably expected. To Messrs. James G. Boggs, Adam C. Fife, and Charles M. Nutting, who have assisted in making it up, I am indebted for the perseverance with which they have devoted themselves to the work.

I have the honor to be,

Sir,

Your most obedient servant,

JAMES LAURIE, chief engineer.

## APPENDIX.—(TABLE No. 1.)

TABLE OF THE GRADIENTS ON MAIN LINE FROM HALIFAX TO TRURO.

Distance from Halifax in mls.		Length of grade in miles.		Inclination of grade 1 in	Grade in feet per mile.	Ascent of grade in feet.	Descent of grade in feet.	Eleva'tn above tide wtr.	LOCALITY.
ms.	chs.	ms.	chs.		Feet.	Feet.	Feet.	Feet.	
								10.4	Halifax.
	38		38	943	5.6	2.7		13.0	
	78		40	264	20.0	9.8		22.8	
2	00	1	02	366	14.4		14.9	7.9	
2	34		34	level.				7.9	
3	26		72	1650	3.2		2.9	5.0	
4	26	1	00	413	12.8	12.7		17.7	
4	73		47	330	16.0		9.7	8.1	
5	60		67	550	9.6	8.0		16.1	
6	45		65	412	12.8		10.5	5.6	
6	70		25	level.				5.6	
7	65		75	150	35.2	32.9		38.5	
8	00		15	level.				38.5	Bedford Station.
9	40	1	40	814.8	64.8	97.0		135.5	Lily Lake.
10	11		51	level.				135.5	
10	53		42	440	12.0		6.3	129.2	
11	21		48	level.				129.2	
11	70		49	500	10.6	6.4		135.6	
14	26	2	36	660	8.0		19.6	116.0	Windsor junction.
15	41	1	15	250	21.1		25.0	91.0	
17	56	2	15	level.				91.0	
18	21		45	660	8.0	4.5		95.5	
19	56	1	35	330	16.0		23.0	72.5	
20	03		27	level.				72.5	Fletcher's station.
20	03	20	03			174.0	111.9		
20	43		40	440	12.0	6.0		78.5	
21	03		40	440	12.0		6.0	72.5	
21	31		28	level.				72.5	
22	13		62	264	20.0		15.5	57.0	
22	21		08	level.				57.0	Grand Lake station.
22	60		39	330	16.0		7.8	49.2	
22	68		08	level.				49.2	
23	61		73	388.2	13.5	12.4		61.6	
24	32		51	351	15.0		9.6	52.0	
25	22		70	253.9	20.8	18.2		70.2	
25	47		25	level.				70.2	
26	31		64	220	24.0		19.2	51.0	Shubenacadie River,
26	73		42	330	16.0	8.3		59.3	[Upper.
28	55	1	62	471.43	11.2		19.9	39.4	
29	43		68	550	9.6	8.2		47.6	Nine M. river road.
30	03		40	330	16.0	8.0		55.6	
30	53		50	1320	4.0		2.5	53.1	
31	23		50	600	8.8	5.5		58.6	
32	21		78	550	9.6		9.3	49.3	
33	33	1	12	126.92	41.6	47.9		97.2	Barney's River.
34	03		50	137.5	38.4		24.0	73.2	

TABLE No. 1.—*continued.*

Distance from Halifax in mls.		Length of grade in miles.		Inclination of grade 1 in	Grade in feet per mile.	Ascent of grade in feet	Descent of grade in feet.	Elevat'n above tide wtr.	LOCALITY.
ms.	chs.	ms.	chs.		Feet.	Feet.	Feet.	Feet.	
34	43		40	330	16 0		8.0	65.2	
35	28		65	200	26.4		21.5	43.7	
36	00		52	330	16	10.3		54	
37	13	1	13	275	19.2		22.5	31.5	Holdsworth mead'w
37	30		17	level				31.5	
38	65	1	35	173.68	30.4	43.7		75.2	Truro road at Nelsons Shubenacadie River, [Lower.
39	52		67	169.23	31.2		26.1	49.1	
40	00		28	170	31.10		11	38.1	
42	34	2	34	level.				38.1	
43	48	1	14	132	40	47		85.1	Stewiacke road.
44	13		45	264	20		11.3	73.8	
44	26		13	level.				73.8	
44	58		32	132	40		15.8	58	
44	73		15	258	20.4	3.8		61.8	
45	42		49	165	32		22	39.8	Stewiacke bridge.
46	60	1	18	level.				39.8	
47	49		69	165	32	27.6		67.4	
47	63		14	330	16	2.8		70.2	
48	39		56	146.6	36 1	25.2		95.4	
48	65		26	146.6	36.1	11.8		107.2	
49	08		23	level.				107.2	Pollis's bog.
49	53		45	146.6	36.1	20		127.2	
49	66		13	165	32		5.2	122	
50	01		15	202.4	26.1		4.6	117.4	Brinton's road.
50	79		78	412.5	12.8		12.4	104 9	
51	11		12	281	18.7	2.8		107.7	
51	41		30	220	24		9	98 7	
51	67		26	220	24	7.8		106.5	
52	27		40	660	8	4		110.5	
52	71		44	165	32		17.6	92.9	Brookfield road.
53	19		28	375	14.8	4.9		97.8	
54	39	1	20	100	52.8	66		163.8	
54	45		06	level.				163.8	Summit.
55	06		41	165	32	16.5		180.4	
55	16		10	level.				180.4	
55	66		50	150	35.2		22	158.4	
56	5		19	level.				158.4	
56	46		41	132	40		20.5	137.9	
56	74		28	1320	4		1.4	136.5	
57	31		37	220	24		11.1	125.4	
57	64		33	660	8	3.3		128.7	
58	16		32	220	24		9.7	119	
58	42		26	165	32	10.4		129.4	
58	56		14	236	22.4		3.9	125.5	
59	16		40	330	16	8		133.5	
60	57	1	41	110	48		72.6	60.9	
60	79		22	330	16		4.4	56.5	
61	16		17	1110	4.8	1		57.5	Truro.
						605.4	558.3		

Abstract

## ABSTRACT OF GRADIENTS.

Level, From 0 to 20 feet per mile, 20 to 40 " " " " 40 to 60 " " " " 60 to 64.8 " " " "	Ascending.		Descending.		Total.	
	miles.	chains.	miles.	chains.	miles.	chains.
					10	24
					17	28
					8	16
					3	4
					1	1
					—	—
					23	61
					48	16
					27	24

TABLE No. 2.

## TABLE OF GRADIENTS ON THE WINDSOR BRANCH.

Distance from Halifax.		Length of grade in miles.		Inclination of grade.	Grade in feet.	Ascent of grade.	Descent of grade.	Elevation above tide.	LOCALITY.
mils.	chs.	mils.	chs.	1 in.	p. mile.	Feet.	Feet.	Water.	
13	07							126.0	Windsor junction.
13	30		23	Level.				126.0	
14	12		62	183	28.8	22.3		148.3	
14	57		45	117.86	44.7	25.2		173.5	
15	72	I	15	110	48.0	57.0		230.5	Beaver Bank road.
16	09		17	Level.				230.5	
17	11	I	02	150	35.3	35.9		266.4	
18	01		70	Level.				266.4	
18	35		34	146.67	36.0		15.4	251.0	
18	69		34	88	60.0	25.0		276.0	Long Lake.
19	14		25	75	70.4	22.6		298.6	End of No. 1.
19	33		19	73.82	71.5	17.0		315.6	
21	16	I	63	75	70.4	124.5		440.1	Beaver Pond.
21	27		11	Level.				440.1	
21	68		41	146.67	36.0	18.5		458.6	Mitchell's road.
22	32		44	376	11.1		7.7	450.9	
22	77		45	Level.				450.9	
23	42		45	660	8.0	4.5		455.4	Sackville river.
24	11		49	127	41.5	25.2		480.6	
25	03		72	220	24.0	21.9		502.5	
25	53		50	253.84	20.8	12.9		515.4	End of No. 2.
25	65		12	253.84	20.8	3.3		518.7	SUMMIT.
26	11		26	146.6	36.0		11.9	506.8	First lake.
26	50		39	1466.6	3.6		1.7	505.1	
26	77		27	400	13.2		4.5	500.6	Uniacke's 2nd lake.
27	27		30	1466.6	3.6		1.3	499.3	
27	70		43	412.5	10.4	6.8		506.1	
27	79		09	733.3	7.2		0.8	505.3	
28	39		40	Level.				505.3	
29	05		46	103.1	51.0		29.4	475.9	
29	18		13	244.4	21.6		3.5	472.4	

Table

TABLE No. 2.—Continued.

TABLE OF GRADIENTS ON WINDSOR BRANCH.

Distance from Halifax.		Length of grade in miles.		Inclination of grade	Grade in feet.	Ascent of grade.	Descent of grade.	Eleva'tn above tide	LOCALITY.
ms.	chs.	ms.	chs.	l in.	p. mile.	Feet.	Feet.	Water.	
29	48		30	825	64.0		24.0	448.4	
29	74		26	103.1	51.2		16.7	431.7	
30	23		29	200	26.4	9.6		441.3	
30	53		30	Level.				441.3	
31	12		39	137.5	38.2	18.7		460.0	
31	48		36	275	19.2		8.6	451.4	End of No. 3.
32	21		53	440	12.0	8.0		459.4	
32	47		26	101.51	52.0		16.9	442.5	
32	63		16	138.9	38.0		7.6	434.9	
33	13		30	88	60.0		22.5	412.4	
34	43	1	30	91.67	57.6		79.0	333.4	
34	75		32	212.9	24.8		10.1	323.3	Big Bog Brook.
35	49		54	111.11	47.5		32.1	291.2	
36	31		62	814.8	64.8		50.2	241.0	
36	40		09	Level.				241.0	
37	36		76	88	60.0		57.0	184.0	
37	43		07	Level.				184.0	End of No. 4.
37	44		01	Level.				184.0	
38	14		50	94.3	56.0		35.0	149.0	St. Croix river.
38	43		29	3084.1	1.1		0.6	148.4	
39	48	1	05	93.48	56.4		60.0	88.4	
40	08		40	3300	1.3		0.8	87.6	
40	49		41	220	24.0		12.2	75.4	Ponhook road,
42	04	1	35	2538.46	2.0	3.0		78.4	
43	28	1	24	120.5	43.8		56.2	22.2	Winkworth road.
43	72		44	Level.				22.2	
44	56		46	Level.				22.2	Windsor.
						461.9	565.7		

ABSTRACT OF GRADIENTS.

	ASCENDING.		DESCENDING.		TOTAL.	
	Miles.	Chains.	Miles.	Chains.	Miles.	Chains.
Level,					4	41
From 0 to 20 feet per mile,	3	16	3	14	6	30
From 20 to 40 feet per mile,	4	67	2	02	6	69
From 40 to 60 feet per mile,	2	63	7	47	10	30
From 60 to 71½ ft. per mile,	2	27	1	12	3	39
	13	13	13	75	31	49

TABLE No. 3.

TABLE OF CURVES ON MAIN LINE FROM HALIFAX TO TRURO,

Dist. from Halifax	Length of straight line.	LENGTH OF EACH CLASS OF CURVE.						Whole No. of degrees of curve.	LOCALITY.
		80 chs. radius and upward	80 chs. to 60 chs. radius.	60 chs. to 40 chs. radius.	40 chs. to 30 chs. radius.	30 chs. to 20 chs. radius.	20 chs. to 12 chs. radius.		
Ms. chs	Chains.	Chains.	Chains.	Chains.	Chains.	Chains.	Chains.		
10							10	41	Halifax.
29							19	53	
36	07								
46							10	28	
53							07	21	
69	16								
1 06							17	49	
1 11	05								
1 22							11	30	
1 30	08								
1 38							08	23	
1 54	16								
1 71							17	49	
1 78	07								
2 10							12	34	
2 17	07								
2 33							16	46	
2 47	14								
2 57		10						4	
3 31	54								
3 36					05			3	
3 54	17.50								
3 73							19	54	
3 77	04								
4 06							09	26	
4 14							08	24	
4 40								123	
4 58							18	52	
4 72	14								
4 74		02						1	
5 10	17								
5 16							06	16	
5 40	24								
5 45							05	14	
5 56	11								
5 61							05	14	
5 66	05								
5 68							02	6	
5 74	06								
6 02							08	24	
6 06	04								
6 24							18	52	

TABLE No. 3—continued.

Dist. from Halifax	Length of straight line.	LENGTH OF EACH CLASS OF CURVE.						Whole No. of degrees of curve.	LOCALITY.
		80 chs. radius and upward	80 chs. to 60 chs. radius.	60 chs. to 40 chs. radius.	40 chs. to 30 chs. radius.	30 chs. to 20 chs. radius.	20 chs. to 12 chs. radius.		
Ms. chs	Chains.	Chains.	Chains.	Chains.	Chains.	Chains.	Chains.		
6 45	21								
6 76						31		46	
7 39	43								
7 54					15			28	
7 66			12					11	
7 75	09								
8 23				28				20	
8 62			39					37	
9 33	51								
9 40			07					3	
10 41	81								
10 73					32			61	
11 12	19								
11 24				12				17	
11 48	18								
11 58			16					15	
11 61	03								
11 70			09					8	
12 05	15								
12 59		54						35	
13 15	36								Windsor junct.
13 55				40				57	
14 01	26								
14 31				30				43	
14 51	20								
14 61			10					9	
14 75	14								
15 06			11					10	
15 27	21								
15 50		23						17	
16 12	42								
16 41				29				43	
16 46	05								
16 58				12				17	
16 72	14								
17 08			16					15	
17 42	34								
17 78					36			68	
19 00	82								
19 11					11			21	
19 57	46								
20 20				43				61	
20 50		30						21	
20 59	09								

TABLE No. 3—*continued.*

Dist. from Halifax	Length of straight line.	LENGTH OF EACH CLASS OF CURVE.						Whole No. of degrees of curve.	LOCALITY.
		80 chs. radius and upward	80 chs. to 60 chs. radius	60 chs. to 40 chs. radius	40 chs. to 30 chs. radius	30 chs. to 20 chs. radius	20 chs. to 12 chs. radius		
Ms. chs	Chains	Chains	Chains	Chains	Chains	Chains	Chains		
21 03				24				34	
21 34					31			59	
21 44				10				14	
21 59	15								
22 10					31			59	
22 21				11				15	
22 26	05								
22 45						19		36	
22 56	11								
22 67						11		21	
23 15	28								
23 26				11				15	
23 59	33								
24 01						22		42	
24 32	31								
24 38				06				8	
25 25	67								
25 49		24						8	
25 62	13								
26 04				22				31	
26 30	26								
26 49		19						14	
26 67	18								
27 08				21				31	
28 51	123								
28 69		18						13	
32 69	320								
33 11				22				31	Elmsdale.
34 40	109								
34 48		08						5	
35 56	88								
36 13						37		72	
36 18	05								
36 58						40		76	
36 78	20								
37 13				15				21	
38 72	139								
39 11		19						13	
41 13	162								
41 25		12						7	
42 71	126								
43 30		39						14	
44 10	60								
44 30		20						3	

TABLE No. 3—*continued.*

Dist. from Halifax	Length of straight line.	LENGTH OF EACH CLASS OF CURVE.						Whole No. of degrees of curve.	LOCALITY.
		80 chs. radius and upward	80 chs. to 60 chs. radius.	60 chs. to 40 chs. radius.	40 chs. to 30 chs. radius.	30 chs. to 20 chs. radius.	20 chs. to 12 chs. radius.		
Ms. chs	Chains.	Chains	Chains.	Chains.	Chains.	Chains.	Chains.		
44 71	41								
45 39		48						15	
46 36	77								
46 67				31				44	
47 62	75								
48 10				28				40	
48 53	43								
49 15				42				60	
49 16	01								
49 67				53				75	
49 72	05								
50 12				20				29	
51 12	80								
51 23				11				15	
51 41	18								
52 00				39				55	
53 54	134								
54 01		27						19	
54 11	10								
54 28		17						14	
55 65	117								
56 11		26						7	
59 36	265								
61 02		126						71	
61 16	14								Truro.
	3124.50	522	120	560	290	246	36	2536	

Length of straight line,	Miles.	Chains.
Length of curved line,	39	2
	22	14
	61	16

Total curvature, 2536 degrees. Average curvature per mile, 41 degrees.

TABLE No. 4.

## TABLE OF CURVES ON WINDSOR BRANCH.

Dist. from Halifax	Length of straight line.	LENGTH OF EACH CLASS OF CURVE.						Whole No. of degrees of curve	LOCALITY.
		80 chs. radius and upward	80 chs. to 60 chs. radius.	60 chs. to 40 chs. radius.	40 chs. to 30 chs. radius.	30 chs. to 20 chs. radius.	20 chs. to 12 chs. radius.		
ms. chs	Chains.	Chains.	Chains.	Chains.	Chains.	Chains.	Chains.		
13 07									Junction.
13 38						31		90	
13 45	07							68	
13 69						24			
14 75	86							25	
15 13				18					
15 41	28							69	
15 73						32			
16 63	70							21	
16 78				15					
17 14	16							17	
17 26				12					
18 04	58							29	
18 17						13			
18 45	28							36	
18 61						16			
18 64	03							32	
18 79						15			
19 33	34							37	
19 52						19			
20 06	34							25	
20 24				18					
20 43	19							14	
20 72		29							
22 10	98							25	
22 46		36							
22 54	08							20	
22 68				14					
23 50	62							15	
23 61				11					
24 35	54							33	
24 58				23					
24 75	17							15	
25 05				10					
25 51	46							10	
25 65		14							
26 32	47							17	
26 44				12					
26 53	09							62	
27 27				54				46	
27 47						20			
27 69	22							14	
28 09				20					

TABLE No. 4—continued.

Dist. from Halifax	Length of straight line.	LENGTH OF EACH CLASS OF CURVE.						Whole No. of degrees of curve.	LOCALITY.
		80 chs. radius and upward	80 chs. to 60 chs. radius.	60 chs. to 40 chs. radius.	40 chs. to 30 chs. radius.	30 chs. to 20 chs. radius.	20 chs. to 12 chs. radius.		
Ms. chs	Chains.	Chains.	Chains.	Chains.	Chains.	Chains.	Chains.		
28 25	16								
28 37		12						8	
29 18	61								
29 45		27						19	
29 63				18				26	
30 23	40								
30 29		06						5	
30 54	25								
31 01		27						39	
31 02	01								
31 36				34				49	
32 21	65								
32 54				33				47	
33 04	30								
33 17				13				18	
33 50				33				47	
33 78	28								
34 12				14				20	
34 17	05								
34 46					29			54	
34 56	10								
34 84						28		64	
35 33						29		65	
35 77	44								
36 28					21			30	
36 47	29								
36 79					32			59	
37 24	25								
37 56					32			60	
38 43	67								
39 28		65						30	
40 05	57								
40 20			15					14	
40 74	54								
41 24				30				43	
41 46	22								
41 60			14					13	
42 21	41								
42 50						29		65	
43 08						38		85	
43 72	64								
44 24	32								
44 48							24	55	
44 56	08								
	1470	216	29	382	114	294	24	1635	

Windsor.

	Miles.	Chains.
Length of straight line,	18	30
Length of curved line,	13	19
	<u>31</u>	<u>49</u>

Total curvature 1635 degrees. Average curvature per mile,  $51\frac{1}{2}$  degrees.

TABLE No. 5.

*Statement showing the location, dimensions, and other particulars relative to the station buildings and fixtures already built or contracted for.*

## BUILDINGS.

Location.	Character.	Materials.	Dimensions.	Remarks.
Richmond,	Station house,	Wood.	Feet. 185 x 32	
"	ditto projection,	"	3 x 30 x 20	
"	Store house,	"	70 x 33	
"	Engine house,	Stone.	204 x 48	Contract price £1574.
"	ditto	Wood.	50 x 20	Temporary.
"	Work shop,	"	75 x 46	
"	Stable,	"	55 x 17	
"	Turntable,	"	42 feet dia.	
"	Two dwelling houses,	"	"	
Bedford,	Passenger house,	"	40 x 14	
"	Freight house,	"	65 x 20	
"	Dwelling house,	"	30 x 25	
Fletcher's,	Station house,	"	30 x 20	
Grand Lake,	Station house,	"	60 x 22	
Elmsdale,	Station house,	"	40 x 25	Contract price, £265.
Windsor,	Station house,	"	200 x 84	
"	Engine house,	"	150 x 20	
"	Turntable.	Iron & W'd	50 feet dia.	
Mount Uniacke,	Station house,	Wood.	40 x 25	Contract price £249.

## MACHINERY AND FIXTURES AT RICHMOND STATION.

Two turntables 50 feet diameter.

One 16 horse horizontal high pressure engine,

" 5 horse do. do. do. do.

" small high pressure engine for pumping water,

" large turning lathe for turning locomotive wheels.

" pair wheel turning lathes 24 inch head.

" planing machine to plane 15 feet, or cylinder face.

" Slaping machine.

" radial drilling machine, radius from 20 inch to 4 feet.

" Screw cutting lathe.

" vertical do.

" circular saw machine.

" patent brick machine.

TABLE No. 6.

## STATEMENT OF CONTRACTS FOR FENCING.

Section of road.	Contractor's name.	Length of fencing contracted for.		Price per rod.	Amount of contract.	Amount paid.
		Rods.	Feet.			
1	William Turnbull,	165	4	7s.	£ 57 16 9	57 16 9
1	Daniel McPherson,	38	5	16s. 6d.	40 7 4	40 7 4
&	£3 10s for extra work }					
2	Andrew Heffler,	71	15	7s.	25 3 9	25 3 9
	William Turnbull,	1996		7s.	698 12 0	678 12 0
	Johnston & Dimock,	628		5s. 8d.	177 18 8	177 18 8
	Thomas Woodworth,	101		5s. 8d.	28 12 4	28 12 4
3	James Fraser,	1086		6s. 6d.	352 19 0	352 19 0
	Forbes Black,	213		5s.	53 5 0	53 5 0
5	Black, McDonald & Irons,	2560		5s.	640 0 0	144 0 0
6	Herbert Harris,	1458		6s. 3d.	455 12 6	422 15 0
	Ditto	91		13s. 9d.	62 11 3	62 11 3
7	John & Edward Fisher,	160		5s. 8½d.	45 13 4	45 13 4
	Ditto	176		5s. 8½d.	50 4 8	50 4 8
7	James Fraser, about	1336		6s. 3d.	407 10 0	176 0 0
7	S. Sutherland & Son,	1500		5s. 11½d	451 17 6	260 0 0
8	Thomas H. Gibbs, about	4664		6s. 6d.	1515 16 6	1022 0 0
9	S. Sutherland & Son,	2887	5	5s. 11½d	860 3 4	150 0 0
10	S. Sutherland & Sons,	5584		5s. 11½d	1663 11 4	20 0 0
11	Walker & Co.	5320		6s. 5d.	1706 16 8	60 0 0
<i>Windsor Branch.</i>						
1	John J. Turnbull,	2000		5s. 6d.	577 10 0	88 0 0
5	Johnston, O'Brien and } Creighton,	4720		6s. 3d.	1475 0 0	1065 0 0
	Sundry small charges,				63 11 4	63 11 4
		36756	5		11410 12 9	5044 10 5

TABLE No. 7.

STATEMENT OF THE NUMBER OF LOCOMOTIVES IN USE ON THE NOVA SCOTIA RAILWAY.

Giving the weight of each, the capacity of the tender, diameter and stroke of cylinder, connection, number and diameter of the drivers, with the names of the builders.

No. and name of Engine.	Use.	Weights with wood and water.			Capacity of Tender.	Cylinders.		Connections.	Drivers.		Name of builder.
		En- gine driver.	on driver.	Ten- der.		dia.	stroke		No.	Dia.	
1. Mayflower,	Pas. & F	19	12	13	1500	15	20	inside.	4	5	Matfield } Manf. Co. }
2. Sir Gaspard,	do	15½	7	0	461	12	18	outside.	2	5	Neilson & Co.
3. Joseph Howe,	do	15½	7	0	461	12	18	"	2	5	Glasgow.
4. Tank engine,	Ballast	9	9	0	410	10	16	"	4	3½	do.
5. " "	& repairs	9	9	0	410	10	16	"	4	3½	do.
6. New "	Pas. & F.	25	15	14	1600	16	21	"	4	5	do.
7. " "	do	25	15	14	1600	16	21	"	4	5	do.

TABLE No. 8.

OFFICERS AND EMPLOYEES OF THE NOVA SCOTIA RAILWAY.

Names.	Office.	Compensation.
<i>Commissioners.</i>		
James McNab,	Chairman,	£700 per annum.
William Pryor, jr.,	Commissioner,	200 "
John H. Anderson,	"	200 "
John Morrow,	Accountant,	300 "
Thomas Foote,	Clerk,	150 "
William Buckley,	Office keeper and messenger,	60 "
<i>Engineers.</i>		
James R. Forman,	Chief Engineer,	£750 sterling per annum,
J. R. Mosse,	Engineer,	450 currency, "
William Smillie,	"	250 " "
Five pupils,	"	} In all £260, or £52 ea. per ann. and 5s. per day when employed measuring work, &c., on the road.
<i>Superintendents and foremen on road.</i>		
William Marshall,	"	14s. per day.
C. E. Hewitt,	"	12s. "
John Adams,	"	10s. "
E. Lemont,	"	10s. "
Charles Creed,	"	10s. "
J. Hanright,	"	10s. "
J. W. Fithwick,	Time keeper,	10s. "
J. Alexander,	"	7s. 6d. "
A. Moire,	Suprnt. of locomotives, &c.	£320 per annum,
J. Johnston,	"	11s. 3d. per day.
John Murray,	Guard and conductor,	10s. "
James Hunt,	"	7s. 6d. "
<i>Station ag nts.</i>		
William Coghill,	Halifax,	£120 per annum.
Thomas O'Connor,	Bedford,	5s. per day, and house.
J. P. Boggs,	Grand Lake,	7s. 6d. per day.
W. Shea,	Elmsdale,	£100 per annum.

TABLE No. 8—*continued.*

Names.	Office.	Compensation.
William Boyd,	Engine driver,	10s. per day
George Cleland,	“	10s. “
J. McLellan,	“	10s. “
George Malcolm,	“	8s. 9d. “
Daniel Ferguson,	“	10s. “
A. Cameron.	Fireman,	6s. 3d. “
S. Cameron,	“	5s. 6d. “
A. Deal,	“	5s. 6d. “
William Stocks,	“	6s. 3d. “
James Cochran,	“	5s. “
John McFarlane,	“	5s. “
Peter McCarron,	Breakman,	6s. 3d. “
M. McDonald,	“	5s. 6d. “
D. Jacobs,	“	5s. “
William Davis,	Machinist,	10s. “
F. Creamer,	“	7s. “
J. Hopgood,	“	6s. 6d. “
R. Dunn,	“	6s. “
George Clarke,	“	8s. “
S Smeedley,	“	5s. 6d. “
R. Ritchie,	“	7s. 6d. “
John Gower,	“	8s. “
A. McAlpine,	“	7s. “
D. Day,	“	6s. “
W. Moir, boy,	“	2s. “
William Malcolm,	Blacksmith,	7s. 6d. “
J. Hurshman,	“	7s. “
C. Pollard,	“	7s. “
R. Rutherford,	“	7s. “
E. Barry,	“	5s. “
W. Sinclair,	“	4s. 6d. “
E. Tobin,	“	4s. 6d. “
M. Tobin,	“	4s. 6d. “
J. Ward,	Carpenter,	7s. 6d. “
D. Ward,	“	5s. 6d. “
James Ham,	“	5s. 6d. “
John McCarron,	Watchman,	5s. “
A. Kennedy,	Laborer,	6s. 3d. “
4 labourers,	“	5s. “
M. Diggins,	“	6s. 3d. “
6 men,	“	4s. 8d. ea. “
Abraham Feetham,	Upholding,	10s. “
10 men,	“	6s. 3d. each per day.
16 men,	“	5s. “ “
3 men,	“	4s. 6d. “ “

There

There are also twelve labourers temporarily employed about the depot at Richmond, at various works.

The cars are built by contract, the board furnishing all materials ; some of the blacksmith's are employed in making the iron work for them.

TABLE No. 9.

Comparative statement showing the average cost per mile of the Nova Scotia railway, and of the railways of the state of New York :

	AVERAGE COST PER MILE.					
	Nova Scotia railway, 92 8-10 miles, including 5 9-10 miles of double track and sidings.			New York railways, 2617 miles, including 570 miles of double track and sidings.		
Grading, masonry and bridging,	£5086	8	3	£3614	15	4
Superstructure, including iron,	2898	1	8	3299	5	0
Station buildings and fixtures,	435	2	2	557	7	6
Locomotive engines and cars,	1113	1	1	1521	6	6
Land, land damages and fences,	167	17	8	1106	15	0
Engineering and salaries,	356	11	11	409	10	0
Other items not included in the above,	986	13	7	2189	5	0
	11043	16	4	12698	4	4

No. 36.

(See page 450.)

*Melburne, Victoria, Australia,*

*Legislative assembly, June 18th, 1857.*

SIR,—

In conformity with a resolution of the legislative assembly of Victoria, passed during the present session, I do myself the honor of communicating with you in the name of the assembly, on the subject of an annual exchange of the parliamentary papers of our respective legislatures.

We are anxious to obtain a full and perfect set of the parliamentary papers of the legislature of Nova Scotia, from as early a period as possible ; and I most earnestly beg the favor of your assistance in procuring for us, through your influence, as perfect a set of them as can be now obtained, including statutes, journals, votes and proceedings, proclamations, and any other papers of a like kind which you may consider valuable.

We have no papers whatever relating to the legislature of Nova Scotia, and I should therefore feel most particularly obliged for as perfect a set as you can procure for us, and should you wish it, I shall be most happy to supply you with a copy of all our past legislative papers and proceedings as well as of all our future papers.

I have the honor to be,

Sir,

Your most obedient servant,

WILLIAM S. MURPHY, speaker.

The honorable

The Speaker of the legislative assembly of Nova Scotia—Halifax, N. S.

No. 38.

(See page 457.)

## BOUNDARY LINE.

[COPY.]

*Provincial secretary's office, Halifax, 25th May, 1857.*

SIR—

Referring to the legislative enactments which are in force for ascertaining and defining the boundary line between Nova Scotia and New Brunswick, I am honored with the command of his excellency the lieutenant governor of this province, to request that you will suggest to his excellency the lieutenant governor of New Brunswick, that it is desired, on the part of the government of Nova Scotia, that two or more commissioners should be appointed by his excellency (if not already authorized) to co-operate with the commissioners appointed for this province for the purpose of ascertaining, surveying, defining and running out the divisional or boundary line between the provinces conformably to law.

I beg to refer you to the honorable E. B. Chandler for information on this subject, to which his attention has recently been directed.

I have, &amp;c.

CHARLES TUPPER.

The honorable the provincial secretary—Fredericton, N. B.

[COPY.]

*Secretary's office, Fredericton, 14th August, 1857.*

SIR—

Your communication of the 25th May last, relative to defining the boundary line between Nova Scotia and this province, having this day been under consideration of his excellency the lieutenant governor in council, I have the honor to inform you that this government is prepared to appoint commissioners to co-operate with the commissioners appointed by your government for the purpose of surveying and marking out the divisional or boundary line between the two provinces.

I have, &amp;c.

S. L. TILLEY.

(Signed)  
The honorable the provincial secretary—Nova Scotia.

[COPY.]

Province  
of  
Nova Scotia. }

BY HIS EXCELLENCY MAJOR GENERAL

SIR JOHN GASPARD LE MARCHANT,

*Knight, knight commander of the order of Saint Ferdinand and of Charles the third of Spain, lieutenant governor and commander in chief, in and over her majesty's province of Nova Scotia, and its dependencies, &c. &c. &c.*

Signed J. Gaspard LeMarchant.  
[L.S.]

To Alexander McFarlane, esq., M.P.P., and Joshua Chandler, esq.

Greeting :

By virtue of the power and authority in me vested, I have thought fit to constitute and appoint, and do, by the advice of the executive council of the said province, hereby during

during pleasure, constitute and appoint you the said Alexander McFarlane and Joshua Chandler, to be commissioners, to be joined with the like number of commissioners, to be appointed by the lieutenant governor of New Brunswick, to ascertain, survey, define and run out, the divisional or boundary lines between the said province of New Brunswick and this province ; hereby granting unto you all the rights, powers, and advantages, which to the said office do or may lawfully appertain, and requiring you diligently to perform the duties thereof.

Given under my hand at seal at arms, at Halifax,  
this twenty-seventh day of August, in the  
twenty-first year of her majesty's reign,  
A.D. 1857.

By his excellency's command.

(Signed)

CHARLES TUPPER.

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[COPY.]

*Provincial secretary's office, Halifax, September 10th, 1857.*

SIR—

I beg to acknowledge your letter of the 14th inst., communicating the readiness of the government of New Brunswick to appoint commissioners to survey and mark out the boundary line between the two provinces, conjointly with commissioners to be appointed here, and I have it in command to inform you that a commission has been issued to Alexander McFarlane, esq., M.P.P., and Joshua Chandler, esq. to carry out that object, on behalf of the province of Nova Scotia.

I have, &c.

(Signed)

CHARLES TUPPER.

To the honorable the provincial secretary—New Brunswick.

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*Secretary's office, Fredericton, 14th September, 1857.*

[COPY.]

SIR—

I beg to acknowledge your letter of the 10th instant, announcing the appointment of Alexander McFarlane, esq., M.P.P., and Joshua Chandler, esq. to be commissioners to mark out the boundary line between Nova Scotia and this province, conjointly with commissioners to be appointed here, and to inform you that I shall lay the same before his excellency the lieutenant governor immediately on his return from St. John. I doubt not that commissioners on behalf of this province will be appointed without delay.

I have, &c.

(Signed)

S. L. TILLEY.

The honorable CHARLES TUPPER, provincial secretary—Halifax, N. S.

No. 39.

(See page 458.)

Clerk's office, Newfoundland, 18th February, 1858.

DEAR SIR—

I am in receipt of your letter of 9th instant, and by this mail send you a copy of all our laws since 1836. I shall be glad to receive the new edition of your revised statutes, when printed.

I am

Your obedient servant,

JOHN STUART,  
Clerk of assembly.

A. JAMES, esquire,  
Clerk of assembly, Halifax.

No. 40.

(See page 459.)

## RECEIVER GENERAL'S RAILWAY ACCOUNT.

*The provincial railway in account with the receiver general, to 31st December, 1857.*

DR.

1857.			
Jan. 29.	To cash paid T. & E. Kenny, No. 13,		£5000 0 0
Mar. 31.	To cash paid the commissioners from 1st Jan. to this date,	£36000 0 0	
June 30.	To cash paid the commissioners from 1st April to this date,	35000 0 0	
Sept. 30.	To cash paid the commissioners from 1st July to this date,	65000 0 0	
Dec. 31.	To cash paid the commissioners from 1st October to this date,	52000 0 0	
		<hr/>	188000 0 0
Aug. 14.	To cash paid the commissioners by trans- fer from Baring, Brothers & Co.	25000 0 0	
Oct. 22.	To cash paid the commissioners by trans- fer from Baring, Brothers & Co.	25000 0 0	
		<hr/>	50000 0 0
Dec. 31.	To cash paid interest, per statement No. 3, from 1st January to this date,		23936 16 6
Oct. 3.	To cash paid salaries chief engineer and commissioners to 30th Sept., No. 2,		1724 15 7
Dec. 31.	To cash paid expense account from 1st January to this date, No. 4,		130 8 11
"	To cash paid discount on bills of exchange, £24787 12s. sold under par,		383 3 0
			<hr/>
			£269175 4 0

CR.		
1857.		
Dec. 31.	By cash received from provincial funds in payment of interest, from 1st Jan. to date,	£27131 6 5
	By cash received for debentures sold in Nova Scotia, between 1st January and this date,	7500 0 0
	By cash received for premium account, exchange, and bonds sold in Nova Scotia, from 1st January to date, No. 9,	415 15 6
	By cash received from Baring, Brothers & Co. for bills drawn on account of bonds sold from 1st January to this date,	166097 0 0
	By cash transferred to credit of railway commissioners received from Baring, Brothers & Co.	50000 0 0
	By cash from Baring & Co., in payment of interest to 1st July, 1857,	16421 8 0
	By cash from Baring & Co., in payment of advertising, postage, &c.	5 5 8
		232523 13 8
	By cash from the bank of Nova Scotia, balance of payments made, and received between 1st Jan. and this date, No. 12,	1544 8 5
	By cash for interest due bondholders in Nova Scotia, (coupons unpaid,) No. 11.	60 0 0
		£269175 4 0

STAYLEY BROWN, receiver general.

Receiver general's office, Halifax, 31st December, 1857.

No. 1.

PROVINCIAL RAILWAY.

1856.		
Dec. 31.	To amount advanced to this date,	£455375 5 2
1857.		
Dec. 31.	To amount paid the commissioners from 1st January to date,	188000 0 0
	To paid Baring, Brothers & Co., transferred to credit of commissioners,	50000 0 0
		238000 0 0
	To paid salaries, per statement,	1724 15 7
		£695100 0 9

No.

No. 2.  
SALARIES, 1857.

1857.				
Mar. 31.	To paid the chairman of board of commis- sioners to date,	£175	0	0
	paid the chief engineer to date,	234	7	6
	paid the five commissioners,	250	0	0
June 30.	paid the chairman to date,	175	0	0
	paid the chief engineer,	234	7	6
	paid the commissioners,	141	2	0
	paid hon. J. McCully, commissioner, balance,	5	11	1
Oct. 3.	paid the chairman to 30th Sept.,	175	0	0
	paid the chief engineer,	234	7	6
	paid the commissioners,	100	0	0
		<hr/>		
			£1724	15 7

No. 3.  
INTEREST ACCOUNT.

1856.				
Dec. 31.	To balance at this date,		£8874	16 11
1857.				
Jan. 1.	To paid bond holders in Nova Scotia, paid Baring, Brothers & Co. for interest, payable in London,	£1248	15	0
" 3.	paid the bishop of Nova Scotia,	7275	3	9
" 29.	paid T. & E. Kenny, to 28th Jan. 1857,	318	15	0
" 31.	paid the bank of Nova Scotia,	64	2	2
Feb. 3.	paid M. B. Almon, to 31st Jan. 1857,	334	16	8
July 3.	paid bond holders in Nova Scotia,	239	1	7
" 3.	paid the bishop of Nova Scotia,	1267	10	0
Sept. 5.	paid the bank of Nova Scotia,	318	15	0
July 5.	paid M. B. Almon,	1403	3	6
Sept. 1.	paid Baring, Brothers & Co. for interest, payable in London,	495	0	0
Dec. 31.	paid the bank of Nova Scotia, to date,	9146	4	3
" 31.	paid M. B. Almon,	1392	19	7
		412	10	0
		<hr/>		
			£23936	16 6
			<hr/>	
			£32811	13 5
1857.				
Jan. 1.	By Baring, Brothers & Co., for balance, of interest on account, 1856,		1371	13 1
			<hr/>	
			£31440	0 4

No. 4.  
RAILROAD—EXPENSE ACCOUNT.

1856.				
Dec. 31.	To balance due at this date,		£278	8 6
1857.				
Feb. 20.	To paid Joseph Austen, filling up bonds,	£100	0	0
" 21.	To paid Dechezreau & Crowe, and Thom- son & Esson, 10s. 3d. and 5s. 6d.	0	15	9

Feb.

Feb. 21.	To paid Baring, Brothers & Co., advertising, postages, &c.	£5	5	8	
Sept. 11.	To paid James Bowes & Sons, printing and numbering book of debentures,	8	0	0	
Nov. 7.	To paid Austen & Blanchard for filling up bonds,	16	7	5	
					<u>130 8 11</u>
					<u>£408 17 5</u>

## No. 5.

## ACCOUNT OF BONDS SOLD IN LONDON.

1856.					
Dec. 31.	Amount sold at this date,				250625 0 0
1857.					
Feb. 28.	Amount sold from 1st January to date,	11625	0	0	
Dec. 31.	Amount sold between 28th February and this date,	169750	0	0	
					<u>18375 0 0</u>
					<u>£432000 0 0</u>

## No. 6.

## ACCOUNT OF BONDS SOLD IN NOVA SCOTIA.

1856.					
Dec. 31.	Amount sold at this date,				41625 0 0
1857.					
Dec. 31.	Amount sold between the 1st January, 1857, and this date,				7500 0 0
					<u>£49125 0 0</u>

## No. 7.

## MESSRS. BARING, BROTHERS &amp; CO., IN ACCOUNT WITH THE RECEIVER GENERAL.

1856.					
Dec. 31.	To balance due at this date,	5896	10	3	
1857.					
Jan. 1.	To interest on account to 31st Dec. 1856,	1371	13	1	
Feb. 28.	To debenture bonds, sold between 1st Jan. and this date,	11625	0	0	
	To premium on these bonds, deducting charges,	206	5	0	
Dec. 31.	To debenture bonds, sold between 28th February and this date,	169750	0	0	
	To premium on these bonds, deducting charges,	2782	6	4	
	To balance carried to new account,	40891	19	0	
1857.					
Jan. 1.	By interest due on bonds in London, America, &c., 200,500 <i>l.</i> sterling,	7275	3	9	
	By advertisements, postages, &c.	5	5	8	
July 1.	By interest on 249000 <i>l.</i> sterling, bonds and commission, &c.	9146	4	3	

August

Aug. 14.	By transfer to railway commissioners,	£25000	0	0
Oct. 22.	By transfer to railway commissioners,	25000	0	0
Dec. 31.	By cash for bills drawn between 1st Jan. and 31st Dec. 1857.	166097	0	0
		<hr/>		
		232523	13	8
		<hr/>		
		232523	13	8
1857.				
Dec. 31.	By balance brought down,	40891	19	0

RAILWAY IN ACCOUNT WITH GENERAL REVENUE.

1856.				
Dec. 31.	By amount received to this date,	£106645	0	0
1857.				
Feb. 3.	By cash on account of interest,	5355	0	0
“ 18.	By cash in full for interest to Dec. 31, 1856,	4145	14	2
Apl. 17.	By cash on account of interest,	5000	0	0
Sep. 15.	By cash do do,	7630	12	3
Oct. 29.	By cash do do,	2000	0	0
Nov. 2.	By cash do do,	3000	0	0
		<hr/>		
		27131	6	5
		<hr/>		
		133776	6	5

RAILWAY—PREMIUM AND DISCOUNT ACCOUNT.

		Dr.	Cr.	
1856.				
Dec. 31.	By amount received to date,		£3865	11 9
1857.				
Oct. 22.	To cash paid discount on £8200 stg. exchange,	£220	0	2
Nov. 5.	To cash paid discount on £2887 12 0 stg. exchange,	59	4	9
19.	To cash paid discount on £13700 sterling exchange,	103	18	1
Dec. 31.	By cash for premium on bonds sold in Nova Scotia from 1st January to date,		124	1 3
	By cash premium on exchange from 1st Jan. to this date,		291	14 3
	By cash received from Baring, Brothers and Co. for premium on £145100 stg., bonds sold from 1st Jan. to this date,		2988	11 4
Dec. 31.	To balance,	6886	15	7
		<hr/>		
		7269	18	7
		<hr/>		
		7269	18	7
			£6886	15 7

No. 10.

BALANCE 31ST DECEMBER, 1857.

1857.				
Dec. 31.	To the commissioners,	695100	0	9
	To interest account,	31440	0	4
	To expense account,	408	17	5

1857.				
Dec. 31.	By bonds sold in London, £345600 stg.,	£432000	0	0
	By bonds sold in Nova Scotia,	49125	0	0
	By general revenue,	138776	6	5
	By bank of Nova Scotia,	46806	19	3
	By M. B. Almon,	16500	0	0
	By Baring, Brothers & Co.,	40891	19	0
	By premium account,	6886	15	7
	By working account, in 1855,	901	18	3
	By bond holders, unpaid coupons,	60	0	0
		£726948	18	6
			726948	18
				6

## No. 11.

## STATEMENT OF COUPONS DUE IN NOVA SCOTIA, 31ST DEC. 1857.

1857.				
Dec 31.	By bond holders for 11 coupons of £3 stg., Nos. 53, 54, 55, 56,			
	57, 58, 59, 60, 78, 79, 80,	41	5	0
	By bond holders for 1 coupon of £15 stg., No. 348,	18	15	0
		£60	0	0

## No. 12.

## BANK OF NOVA SCOTIA IN ACCOUNT WITH THE RECEIVER GENERAL FOR RAILWAY.

1856.				
Dec. 31.	By balance at this date,	45262	10	10
"	By cash received, balance of payments in 1857,	1544	8	5
		£46806	19	3

## No. 13.

## T. AND E. KENNY IN ACCOUNT WITH THE RECEIVER GENERAL FOR RAILWAY.

1856.				
Dec. 31.	By balance at this date,	5000	0	0
1857.				
Jan. 29.	To cash paid,	5000	0	0
			£5000	0
				0

No. 41.

(See page 459.)

## TRADE RETURNS—ABSTRACT.

COMPARATIVE STATEMENT OF THE VALUE OF MERCHANDISE IMPORTED AT THE DIFFERENT PORTS OF NOVA-SCOTIA DURING THE YEARS 1856 AND 1857.

PORTS.	Value of imports.		Increase.	Decrease.	Net increase
	1856.	1857.			
Advocate Harbor,		603	603		
Aylesford,	1947	2057	110		
Amherst,	14335	13168		1167	
Annapolis,	13305	12598		707	
Antigonish,	2757	2267		490	
Arichat,	16715	10631		6084	
Barrington,	7275	9824	2549		
Bear River,	4262	4329	67		
Beaver River,	1562	677		885	
Bridgeport,	81	127	46		
Canso, Cape,	8736	7537		1199	
Canada Creek,	11332	10145		1187	
Church Point,	9764	5882		3882	
Cornwallis,	13995	14597	602		
Clements Port,	3807	3935	128		
Digby,	19799	17468		2331	
Great Bras d'Or,	1161	1271	110		
Guysborough,	3203	1143		2060	
Halifax,	1427201	1514987	87786		
Hants Port,	2307	955		1352	
Horton,	9511	7217		2294	
Joggins,	2933	2159		774	
LaHave,	1804	994		810	
Liverpool,	25039	32698	7659		
Londonderry,	7448	14652	7204		
Lunenburg,	1072	2013	941		
Little River,		16	16		
Maitland,	7828	7250		578	
Margaree, C. B.					
Parrsborough,	7568	8387	819		
Pictou,	58662	58289		373	
Port Medway,	613	3528	2915		
Port Hood,	959	150		809	
Pubnico,	5452	5469	17		
Pugwash,	5886	1961		3925	
Ragged Islands,	8305	6850		1455	
Shelburne,	1721	439		1282	
Sherbrooke,	1575	864		711	
Ship Harbor,	4472	12772	8300		

Comparative

COMPARATIVE STATEMENT, &c.—*continued.*

PORTS.	Value of imports.		Increase.	Decrease.	Net increase
	1856.	1857.			
Sydney, C. B.		1140	1140		
Sydney, (North)	7045	9633	2588		
Sheet Harbor,		149	149		
Tatamagouche,	1922	1416		506	
Thorne's Cove,	2414	2467	53		
Truro,	10371	10214		157	
Tusket,	4062	3850		212	
Wallace,	1622	436		1186	
Walton,	1737	1647		90	
Westport,	6320	6192		128	
Weymouth,	7040	5952		1088	
Wilmot,	17042	16834		208	
Windsor,	28289	20323		7966	
Yarmouth,	67616	56014		11602	
Totals—	£1869872	1936176	123802	57498	66304

JOHN J. MARSHALL,  
Financial secretary.

Financial secretary's office, 31st December 1857.

## COMPARATIVE STATEMENT OF THE VALUE OF MERCHANDIZE EXPORTED FROM THE DIFFERENT PORTS OF NOVA SCOTIA DURING THE YEARS 1856 AND 1857.

PORTS.	Value of exports.		Increase.	Decrease.	Net increase
	1856.	1857.			
Advocate Harbor,		1028	1028		
Aylesford,	3445	5619	2174		
Amherst,	3340	4045	705		
Annapolis,	14257	16641	2384		
Antigonish,	10510	7213		3297	
Arichat,	22058	14183		7875	
Barrington,	9219	11622	2403		
Bear River,	3116	6098	2982		
Beaver River,	318	384	66		
Bridgeport,	3978	3791		187	
Canso, (Cape)	12958	9996		2962	
Canada Creek,	14944	10810		4134	
Church Point,	4423	5075	652		
Cornwallis,	16100	35579	19479		
Clements Port,	3637	4299	662		
Digby,	9619	9907	288		

Comparative

COMPARATIVE STATEMENT, &c.—*continued.*

PORTS.	Value of exports.		Increase.	Decrease.	Net increase
	1856.	1857.			
Great Bras d'Or,	14797	11651		3146	
Guysborough,	2018	1228		790	
Halifax,	905434	867891		37543	
Hants Port,	7587	5081		2506	
Horton,	9487	12614	3127		
Joggins, (mines)	5465	4618		847	
LaHave,	3776	3591		185	
Liverpool,	34463	36922	2459		
Londonderry,	3315	4877	1562		
Lunenburg,	1638	1895	257		
Little River,	3768	845		2923	
Maitland,	5080	3732		1348	
Margaree, C. B.	3575	3043		532	
Parrsborough,	5683	10734	5051		
Pictou,	71499	84269	12770		
Port Medway,	5816	9450	3634		
Port Hood,	1933	3637	1704		
Pubnico,	3696	2499		1197	
Pugwash,	13305	13186		119	
Ragged Islands,	16423	12557		3866	
Shelburne,	1259	3563	2304		
Sherbrooke,	1803	1614		189	
Ship Harbor,	5357	11409	6052		
Sydney, C. B.		1116	1116		
Sydney, (North)	24972	39452	14480		
Sheet Harbor,					
Tatamagouche,	3165	4099	934		
Thorne's Cove,	3433	3526	93		
Truro,	690	1620	930		
Tusket,	3083	3721	638		
Wallace,	5455	3712		1743	
Walton,	3176	3810	634		
Westport,	12174	10230		1944	
Weymouth,	9532	12342	2810		
Wilmot,	18443	19462	1019		
Windsor,	8675	10824	2149		
Yarmouth,	21031	22456	1425		
Totals—	£1372928	1393566	97971	77333	20638

JOHN J. MARSHALL,  
Financial secretary.

Financial secretary's office, 31st December 1857.

No. 42.

*(See page 466.)*

## NEW PRACTICE ACT.

No. 42.

*Downing street, 23rd December, 1857.*

SIR—

I have had under my consideration the act passed by the legislature of Nova Scotia, in May last, “to amend the procedure act.”

With reference to the 6th clause of this act, I transmit for your information and guidance, an extract of a report drawn up by the legal adviser to this department, together with an extract from a previous report on a similar provision in an ordinance passed by the legislature of Hong Kong, and an extract from the opinion of the law officers of the crown, to which Sir F. Rogers refers.

You will direct the attention of your council to the objections raised to the clause in question, namely, that it exceeded the legal power of the legislature, with a view to the amendment of the act, and her majesty’s decision will in the mean time be suspended.

I have the honor to be,

Sir,

Your most obedient humble servant,

H. LABOUCHERE.

Governor Sir G. LEMARCHANT, &amp;c. &amp;c. &amp;c., Nova Scotia.

No. 1.

*Extract of a report from Sir Frederick Rogers, dated emigration office, 4th December, 1857.*

“5. The 6th clause however, after prescribing the mode of making the required affidavit provides (1) that to forge the signature to such affidavit (which will of course be made abroad) or to tender in evidence any affidavit having a false signature, shall be punishable as felony—and (2) that the making a false affidavit shall be punishable as perjury.

6. It is evident, however, (as I have frequently had occasion to remark) that a colonial legislature, whose laws, by the terms of its constitution, can only have effect within certain territorial limits, is not competent to affix a penal character to acts done beyond those limits.

7. It will be necessary therefore, that the second of these provisos should be repealed, and that the first, omitting all mention of the act of forgery, should merely impose fitting punishment on persons who, within the colony, shall tender or be accessory to tendering in evidence any forged or fraudulent affidavit.

8. This it will be remembered was the opinion of the law officers of the crown in this country, to whom a precisely similar case was submitted in relation to two ordinances passed by the legislatures of Turk’s Islands and Hong Kong.

9. As a matter of clearness a slight insertion should be made in the 4th and 5th lines of the same clause, which should, I imagine, be worded thus:—“Judge of any court of record or justice of the peace in any of her majesty’s dominions, or before any consul, &c.”—else the phrase “appointed by her majesty at any foreign port or place” would seem to apply to judges and magistrates as well as consuls, which I presume was not intended.”

## No. 2.

*Extract of report from Sir FREDERIC ROGERS to H. MERIVALE, Esq., dated emigration office, 12th November, 1856.*

“The only objection to the ordinance is one of frequent occurrence in colonial laws which adopt British statutes, namely, that the legislature of Hong Kong has assumed to enact, of its own authority, provisions which could only be made by imperial legislation. The 4th and 5th clauses of the British statute provide that those who make false affidavits, &c., abroad shall be guilty of perjury, and that persons shall be guilty of felony who forge a seal or signature to any document to which the statute refers, or who knowingly tender in evidence any document to which such forged seal or signature is attached.

“It is evident however that the legislature of Hong Kong cannot impose a criminal character on acts of this kind committed beyond its own jurisdiction, and should have confined itself to imposing a punishment on those who may knowingly tender in evidence any document containing false allegations, or supported by a counterfeit seal or signature.

“I conceive the ordinance may properly be allowed to remain in operation, but that its defects should be pointed out to the governor of Hong Kong, both with a view to its amendment and in order to place the legislature on their guard against the very common inadvertency of which this is an instance.”

## No. 3.

*Extract of report from the crown law officers, to the right hon. H. LABOUCHERE, M. P. dated Lincoln's Inn, 11th December, 1856.*

“The 3rd clause of the proposed ordinance purports to make an act committed out of the jurisdiction of colonial legislature cognizable by the courts of the colony, as if it had been done within its territory, and provides that such an offence, though committed elsewhere, may be laid as having been committed within the jurisdiction.

“This appears to us to be a manifest evasion of the general law which confines the power of the colonial legislature to matters arising within its territory, and a clear excess beyond their legitimate authority. With the exception of this 3rd clause, we see no objection to the rest of the ordinance, and the whole effect which is desired may be attained by modifying the 3rd clause, as suggested by Sir F. Rogers, and confining the provision to uttering or using a forged or feigned instrument within the colonial jurisdiction, knowing it to be forged.

“The same objection applies to the ordinance enacting the unqualified extension of the imperial act of the 18th and 19th Victoria, c. 42, to the colony of Hong Kong. The provisions in the imperial act to which Sir F. Rogers has drawn attention, are clearly beyond the authority of the colonial legislature to enact. The difficulty, however, may be met, and the offence equally well dealt with, by modifying the ordinance in the same way as suggested in that for Turk's Islands, and by making the offence to consist of knowingly using or tendering in evidence any such forged or counterfeit seal or false affidavit as in the imperial act is mentioned.”

No. 43.

*See page 466.***RELIEF.**

The committee to whom was referred the petition of destitute fishermen of Loran and Louisburg, report :

That they have examined the said petition and the accompanying certificates, and although they have no doubt that considerable distress prevails in those localities, they feel that a stronger case than the destitution of seven families in one county, (none of whom are reported to be sick,) ought to be made out in order to justify them in recommending a grant from the treasury. Your committee therefore would refer it to the discretion of the house whether the members for the county should have leave to apply a small sum from the county road grant for the relief of the sufferers, or whether they should be left to the ordinary means of relief provided by law.

Committee room, 3rd March, 1858.

EDW. L. BROWN,  
H. HYDE,  
M. McCLEARN,  
G. GELDERT.

No. 44.

*(See page 469.)*

No. 4.

**ACTS CONFIRMED.***Downing street, 12th February, 1858.*

My Lord—

I have received and have had under my consideration seventy-two acts, passed by the legislature of Nova Scotia, in the months of March, April, and May last, and transmitted to me in Sir G. LeMarchant's despatch, No. 65, of the 22nd October, 1857.

I have reported to her majesty in council my opinion that the said acts should be left to their operation—and I have the honor to transmit to you herewith an order of her majesty in council, dated the 3rd instant, approving that report.

I have the honor to be, my lord,  
Your obedient servant,

H. LABOUCHERE.

The right hon. the earl of Mulgrave, &amp;c., &amp;c., &amp;c.

*At the court of Buckingham palace, the 3rd day of February, 1858.*

PRESENT—

The queen's most excellent majesty, &amp;c., &amp;c., &amp;c.

Whereas the governor of her majesty's province of Nova Scotia, with the council and assembly of said province, did, in the months of March, April, and May, 1857, pass seventy-two acts, which have been transmitted, entitled as follows, viz :

- No. 3463. An act to continue and amend the laws imposing custom duties.
- No. 3464. An act to continue the laws imposing light house duties.
- No. 3465. An act to continue the license laws.

No.

- No. 3466. An act to continue the law to regulate distilleries.
- No. 3467. An act to amend the jury law.
- No. 3468. An act to revive and continue and amend the laws relative to the militia.
- No. 3469. An act for transferring to her majesty's secretary of state for the war department the powers and estates vested in the principal offices of her majesty's ordinance department.
- No. 3470. An act to alter and amend chapter 126 of the revised statutes "of the supreme court and its officers."
- No. 3471. An act to amend the new practice act.
- No. 3474. An act to authorize a provincial loan.
- No. 3475. An act to authorize assessments for railway damages.
- No. 3476. An act to extend the provisions of the act concerning the registry of ships.
- No. 3477. An act to prevent the destruction of oysters.
- No. 3478. An act to amend the act to establish a more equal and just system of assessment.
- No. 3479. An act to amend and render perpetual the act to authorize special sittings of the supreme court for the trial of criminals.
- No. 3480. An act to regulate the practice of physic and surgery.
- No. 3481. An act to authorise assessments to procure fire engines.
- No. 3482. An act to amend the act for the municipal government of counties.
- No. 3483. An act to amend the act to establish a normal school.
- No. 3484. An act to continue and amend the laws relating to education.
- No. 3485. An act for the destruction of weeds injurious to agriculture.
- No. 3486. An act to amend chapter 130 of the revised statutes, "of the probate court," and the acts in amendment thereof.
- No. 3487. An act to amend chapter 118 of the revised statutes "of the sale of lands to satisfy execution debts."
- No. 3488. An act to amend chapter 122 of the revised statute "of marriages and the solemnization thereof."
- No. 3489. An act to amend chapter 1 of the acts of 1854, entitled "an act to authorize the construction of railways within this province.
- No. 3490. An act to postpone the ensuing easter term of the supreme court at Halifax and the sittings thereafter.
- No. 3491. An act for applying certain monies therein mentioned for the service of the year one thousand eight hundred and fifty-seven, and for other purposes.
- No. 3492. An act to alter and amend the act concerning the city of Halifax.
- No. 3493. An act to alter the time of holding the sessions for the county of Guysborough.
- No. 3494. An act to amend an act entitled "an act for the repair and maintenance of streets in the city of Halifax."
- No. 3495. An act to amend chapter 44 of the acts of 1856, entitled "an act for the repair and maintenance of streets in the city of Halifax."
- No. 3496. An act to amend the act respecting fire engines at Dartmouth.
- No. 3497. An act to limit the erection of wooden buildings within the city of Halifax.
- No. 3498. An act to amend the act to limit the erection of wooden buildings in the city of Halifax.
- No. 3499. An act to amend the act for regulating the marking of logs in the county of Queens.
- No. 3500. An act to provide for repairing the Cornwallis bridge.
- No. 3501. An act to alter the time of holding the sessions for the county of Victoria.
- No. 3502. An act to provide for building a bridge over Five Mile river, in the county of Hants.

- No. 3503. An act to provide for building a bridge at Baddeck river, in the county of Victoria.
- No. 3504. An act relating to electoral district number eight, in the settlement of New Annan.
- No. 3505. An act to provide for improving the road from Crow Harbor to Canso.
- No. 3506. An act relating to the width of certain roads in the county of Digby.
- No. 3507. An act to authorize the sale of the school house at Bridgewater.
- No. 3508. An act to provide for building a bridge at Cape Sable Island, in the county of Shelburne.
- No. 3509. An act to continue the acts relating to the steamboat ferry across the harbor of Pictou.
- No. 3510. An act to settle and confirm the limits of the town of Yarmouth.
- No. 3511. An act to authorize an assessment on the county of Capc Breton for the erection of a lock-up house at North Sydney.
- No. 3512. An act to change a polling place in the county of Pictou.
- No. 3513. An act to authorize the sale of the Gairloch and New Lairg meeting house.
- No. 3514. An act to incorporate the trustees of the free church at Great Bras d'Or in the Island of Boulartrie.
- No. 3515. An act to incorporate the Halifax corresponding committee of the colonial church and school societies.
- No. 3516. An act to incorporate the trustees of Knox's free church at Baddeck, in the county of Victoria.
- No. 3517. An act to amend the act to incorporate the trustees of St. Matthew's church in Halifax.
- No. 3518. An act to incorporate the trustees of the first baptist church at Horton.
- No. 3519. An act to incorporate the trustees of the free church congregation at Broad Cove Intervale, in the county of Inverness.
- No. 3520. An act to authorize the sale of the old baptist meeting house in Windsor.
- No. 3521. An act in further amendment of the act to incorporate the inland navigation company.
- No. 3522. An act to incorporate the Minas hall company.
- No. 3523. An act to incorporate the Musquodoboit river navigation company.
- No. 3524. An act to incorporate the union iron mining company of Digby county.
- No. 3525. An act to incorporate the trustees of the Baptist parsonage at Chester.
- No. 3526. An act to incorporate the Digby and Bridgetown steamboat company.
- No. 3527. An act to incorporate the Port Medway ship building and fishery company.
- No. 3528. An act to incorporate the Safe Harbour pier company.
- No. 3529. An act to incorporate the Margaretville fishing company.
- No. 3530. An act to incorporate the Trout Cove pier company.
- No. 3531. An act to continue the act to incorporate the Avon Marine insurance company.
- No. 3532. An act to repeal the act to enable the Halifax water company to construct a reservoir on the common of Halifax, and the act in amendment thereof.
- No. 3533. An act to increase the capital stock of the Halifax gas light company.
- No. 3534. An act to enable Henry Bessemer to obtain letters patent.
- No. 3535. An act to enable Elikam E. Tupper to obtain letters patent for the invention of a machine for the manufacturing of shingles.
- No. 3536. An act to naturalize Seth Kembal, Charles Lewis, John Schulte, Frederick G. d'Utassy, James Farnham, and Henry Hesslein.

And whereas the said acts have been laid before her majesty in council, together with letters from the right hon. Henry Labouchere, one of her majesty's principal secretaries of state, to the lord president of the council, recommending that the said acts should be left

left to their operation, her majesty was thereupon this day pleased by and with the advice of her privy council, to approve the said recommendation. Whereof the governor lieutenant-governor, or commander in chief for the time being, of her majesty's province of Nova Scotia, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

WM. L. BATHURST.

No. 45.

(See page 474.)

## POST OFFICE.

The committee on the post office beg leave to report in part, as follows :

The subject of communication by means of a steamer across the Bay of Fundy, between St. John and Windsor, in connexion with the railroad from the latter place to Halifax, has been brought to the notice of your committee by several documents bearing on that important service recently referred to your committee.

Having given every consideration to the matter, your committee have adopted a proposal made by Messrs. King & Brothers, hereunto annexed, to run a first class sea going steamer for the conveyance of the mails twice per week each way between St. John and Windsor, and twice per week between St. John and Digby, the Windsor service to commence with the opening, and to terminate with the closing of the navigation, and the Digby service the whole year, with the privilege to the contractor of keeping up the route with a sailing packet during the months of January and February once a week, for the sum of one thousand pounds currency from this province, the contractor to receive a like sum from New Brunswick, annually, for four years. Mr. James King has appeared before the committee, and has agreed that the steamer to be employed, shall be subject to the inspection and approval of a competent party to be appointed by the government ; that in case the travelling should increase so as in the view of the government to require more than two trips per week between St. John and Windsor, the contractors shall, on getting three months notice from the government, provide for a third trip of a suitable steamer at an extra charge from this province of not more than 500/.

The committee recommend that a grant of twenty-five pounds annually for four years, be made to the proprietors of the steamer " Experiment," to carry the mails to and from Digby and Annapolis twice a week in connection with the steamer between St. John and Digby, and that a written contract be entered into for that service. Mr. King agrees also, that the contractors for the first mentioned service should convey the mails by a suitable steamer at all times, when the steamer Experiment shall by accident or injury, be unable to perform the service required of her.

It is also fully understood that the steamer from Windsor to St. John is to touch at Parrsboro' regularly, for the purpose of landing and receiving passengers and freight ; also, that the charge for passengers between St. John and Windsor is not to exceed fifteen shillings, and between St. John and Digby ten shillings, and for freight at the lowest steamboat rate.

Your committee feel the propriety, as a general rule of letting public services by public tender and contract, but are induced to recommend a departure from the rule in  
the

the present case, being of opinion, that were that course adopted, an inferior boat might be used, and the general interests of the country injuriously affected thereby.

All which is respectfully submitted.

Committee room, 6th March, 1858.

W. A. HENRY, chairman.  
JOHN C. WADE,  
A. McFARLANE,  
H. MUNRO,  
CORNELIUS WHITE,  
WILLIAM ANNAND.

I object to signing this report, because I believe tender and contract should be adopted, and that four years is too long a term in our present situation, and should be under the controul of the railroad board, as to time and charges.

G. W McLELAN.

*Halifax, N. S., 19th February, 1856.*

TO THE HONORABLE THE MEMBERS OF THE HOUSE OF ASSEMBLY IN GENERAL ASSEMBLY CONVENED.

GENTLEMEN—

I, James King, in company with one of my brothers, have been in search of a steamer suitable to ply upon the Bay of Fundy, and have visited Portland, Boston, New York and Philadelphia, inspecting all the boats at each of these ports. We then proceeded to Canada, and have seen all the boats on the Canadian side of Lake Ontario, and beg to inform your honorable house, that so far as we are judges of what is required, we saw no boats in the United States suitable for the Bay, their sea boats being all much too large, and their river boats too weak to stand the heavy seas. The boats on Lake Ontario are much stronger constructed, and notwithstanding all their good boats are much larger than the trade upon the bay would at the present time warrant, yet their accommodation and character as sea boats would have a great tendency to rapidly increase the travel, and perhaps would warrant the expediency of placing a first class steamer upon the routes between St. John and Windsor and St. John and Digby.

We therefore in consideration of two equal grants for a term of four years of one thousand pounds each per annum from this province, and the province of New Brunswick propose placing as early as the opening of the St. Lawrence will permit, a first class sea going steamer for the conveyance of the provincial mails twice per week each way between St. John and Windsor, and twice per week each way between St. John and Digby—the Windsor service to commence with the opening and to terminate with the closing of the navigation, and the Digby service the whole year, with the privilege of keeping up the route with a sailing packet during the months of January and February once per week.

We are gentlemen,

Your most obedient servants,

KING & BROTHERS.

PART 2 —(See page 572.)

The committee on the post office beg leave to report as follows:—

Your committee have considered several applications for the setting up of new rides, for changes in old ones, for the establishment of new way offices, and two for a change of way offices into post offices.

Your

Your committee recommend the following rides be under the rule contained in the second clause of the report of the committee of last year :

Tri-weekly mail between Digby, Sandy Cove, and Westport, if the expense is not increased; otherwise extra ride to come under the rule referred to.

Foot messenger between Annapolis and Granville.

Semi-weekly mail, between Sydney and Mainadiou.

Weekly mail, Digby Joggins to McNeil's, along the Ridge.

From Shinimacas bridge to Tidnish, weekly.

Weekly mail, Tusket to the Wedge, via the east side of Tusket river.

From Grand River to Fourche, weekly.

Mail from New Glasgow to Cape George to be altered, and two mails a week from New Glasgow to Malignant Cove, and two mails a week from Cape George to Antigonishe, substituted. Additional cost to be under rule.

Windsor to Upper Falmouth twice a week.

Weekly mail between Sheffield Mills and North Mountain.

Weekly mail from Big Pond to Bethune's, Loch Lomond.

From Westchester through East Branch settlement to River Philip, and Macan road to way office at Little Fork bridge, weekly.

From Pugwash to Victoria settlement, via Gray's road, to River Philip post office, returning on the east side of River Philip.

Tri-weekly mail, Arichat to Little Arichat.

Semi-weekly mail, Arichat to D'Escouse.

Your committee recommend that the following applications for way offices be referred to the post master general, and that he establish such of them, or any others, as he may deem necessary.

At Canaan Corner or New Minas.

At east end of Loch Lomond.

At Givan Wharf.

At or near to John McBane's, Middle Musquodoboit.

At or near to Hugh McIntosh's, senr., Tatamagouche.

At Jarvey's River, county Guysboro'.

At Waugh's River, county Colchester.

At Albany, county Annapolis.

At or near to John Hattie's, Caledonia.

At Salmon River lake, county Guysboro.

At Gwinn's Cove, county of Shelburne.

At Port Williams, Cornwallis.

At Long Island, Digby.

At Dorrell's, county Colchester.

At Kempt, county Yarmouth.

At Cape Sable, Shelburne.

At Portuguese Cove, Halifax.

At Brook village, Inverness.

At Mount Dalhousie, Pictou.

The petition of Arunah Randall, for payment of services as way office keeper, your committee recommend to be referred to the postmaster general to be disposed of.

Also, the petitions for increase of postal communication at Aylesford.

Also, petitions for and against change of site of post office, Weymouth.

Also petition for alteration of route at Berwick, and conversion of way office into post office.

It is recommended that the postmaster general make arrangements for carrying out the prayer of the petition for alteration of arrangements between Plaister Cove and Whycomagh.

Also

Also to make arrangements for the alterations of rides from Shubenacadie to Maitland, Noel, Gore and Nine Mile River; and from the former by Indian road, Nine Mile River and Gays River—provided no greater additional expense than four pounds be incurred.

Your committee have considered petitions from Messrs. Archibald and Hyde, for payment for carrying English and Canada mails, and also the correspondence on the subject; and concurring in the views of two former committees, recommend that immediate measures be adopted by the government to obtain the amounts due petitioners, and an arrangement providing for future payment—otherwise the postmaster general to be ordered not to forward such mails after the first of August next.

Your committee recommend that the way office at Glenelg be converted into a post office.

Your committee cannot recommend the petition of Thomas Battersby, an old courier, for an amount, in consideration of long and faithful services and loss of health. The committee of last year recommended, and the house granted him thirty pounds, and your committee consider any further grant improper.

Several applications from post masters and way office keepers for increased allowance, have been referred to your committee, which your committee did not consider, having agreed to recommend the scale of last year for post masters, and to recommend the continuance of the present scale for payment of way office keepers.

Applications for increase of allowance to three couriers have been considered; but none is recommended, as your committee do not feel justified in departing from the rule by which the service is let by tender and contract.

Your committee recommend a grant of fifteen pounds to James Blair, as a partial compensation for loss sustained by him in the winter of 1857, in ferrying the mails across French river, whilst the bridge was down at that place.

Your committee cannot recommend grants to Messrs. Walker and Condon, as the inconvenience they were put to was not greater than frequently happens to couriers all over the province when bridges are carried away.

Your committee recommend the grant of £33 to John McKinnon, being amount of money abstracted from a registered letter containing fifty pounds of road money enclosed to petitioner, who was a road commissioner, by the receiver general.

Your committee recommend that the ride from Plaister Cove to River Denis be renewed, but not to require the inhabitants to contribute any portion of the expense.

Your committee have considered numerous petitions for and against the change of crossing place at the Gut of Canso. On inquiry, your committee has ascertained that the new road to McNair's Cove has not yet been sufficiently opened as a post road, and any consideration of the subject, would, in their opinion, be therefore premature at present.

Your committee have given every necessary consideration to the suggestions in the report of the post master general, as to a scale for the payment of the salaries of post masters, adopted by the committee last year, and his observations against it; but are of opinion the scale should be adopted as the most calculated to give remuneration for the work actually done.

Your committee recommend the establishment of a semi-weekly mail to Guysboro', and the discontinuance of the present ride from Middle to Upper Musquodoboit, provided the extra expense does not exceed one hundred and fifty pounds.

Your committee have considered the petition of Admiral Coffin and others, for aid to sustain a packet between Pictou and the Magdalene Islands, and recommend a grant of one hundred pounds for that purpose—the same to be under the control of the postmaster general as to the arrangements for conveyance of the mails during the time the navigation is open.

Your committee have also considered the correspondence referred to them touching the

the compulsory pre-payment of letters by steamers to and from England, and recommend that the report of the postmaster general, in favor of compulsory pre-payment, be adopted.

Your committee have, in connexion with the foregoing, also taken into consideration the subject of compulsory pre-payment as applicable to this province, and are of opinion it is a change much to be desired. They therefore recommend that, with a view of a general change in this respect, a correspondence should be opened up with the governments of Canada, New Brunswick and Prince Edward's Island, (being the provinces to which the three penny route applies) to ascertain how the question is viewed in those provinces, and that in the meantime the government make the necessary preparations to introduce the change in this province after the close of the next session, and that this clause of the report be published in some of the newspapers.

Your committee regret very much that the reports of two committees adopted by the house, recommending the introduction of the post office money order system, should not have been carried out, and now urge the propriety of putting the system in operation as soon as the necessary arrangements can be made.

Your committee recommend that, during the recess, the postmaster general receive and decide upon all applications for extra rides, under the conditions adopted in the report of last and this year; and also, that he should have power to change every way office into post offices. All which is respectfully submitted.

Committee room, May 4th, 1858.

W. A. HENRY,\*  
A. McFARLANE,\*  
JOHN C. WADE,  
W. ANNAND,  
CORNELIUS WHITE.

\* Except as to grant for semi-weekly mail to Guysboro'.

No. 46.

(See page 475.)

## ANNUAL REPORT OF THE CENTRAL BOARD OF AGRICULTURE.

*Halifax, N. S., 1857.*

The central board of agriculture in submitting this, their general report, to the honorable the legislature, have to express their gratitude to the giver of all good, for the return of another propitious season, by which an abundance for man and beast has been secured in the province.

From the collective evidence of the local societies receiving the grant, and corresponding with the board, it appears that with the exception of hay, which owing to the long protracted dry weather in early summer proved rather light, all other crops proved a full average, both in quantity and quality, and were generally secured in good condition; nor is the slight deficiency in the hay crop likely to be much felt, as the large surplus from the crops of last year, together with a saving of fodder, resulting from a mild winter, will more than compensate for the deficiency of this year's crop.

The board are pleased to observe that their repeated suggestions respecting the extension of green crop husbandry, is now generally adopted with uniform success, thus diminishing the risk of such a contingency as a scarcity of fodder, and enabling the farmer at the same time to keep a large proportion of profitable stock, and maintain under good cultivation a much greater breadth of land.

It is also a pleasing feature of these reports, that at no period since the appearance of the

the mysterious blight, has the potatoe crop suffered less injury—the tubers were generally well matured and good in quality, the diseased parts having a tendency to dry up without any symptoms of progressive decomposition in the cellars; the virulence of the disease being thus mitigated, sanguine hopes of its entire disappearance are reasonably entertained. Large quantities of prime potatoes have this year been exported from Windsor, Horton and Cornwallis, at highly remunerative prices, and preparations are making in these districts for a very extended cultivation of this valuable crop.

The ravages of the “wheat midge” have also been very circumscribed; a complete antidote against its propagation is found in late sowing of the earliest varieties of spring wheat. It is uniformly found that the black sea and golden straw varieties of spring wheat, sown between the first and the eighth of June escapes the fly, and matures before the autumn frosts ensue. These facts have now resolved themselves into an axiom which no prudent farmer will disregard.

The increased attention to manures—to the improvement of domestic animals, and a judicious rotation of crops, proves that farmers are profiting by the bounty of the legislature, while the general introduction of mowing and threshing machines, together with every variety of labor saving implement; demonstrates that the grant is duly appreciated and rightly applied.

The progress of improvement which has long contended against the current of prejudices, engendered by long established habit, is gradually gaining ground. The complaints of apathy among the members of societies, which formerly characterised these reports, are now happily extinct, and a spirit of mutual improvement seems to pervade their deliberations.

In every agricultural district of the province, cattle shows and exhibitions of domestic manufactures are favourably reported. At these meetings ploughing matches are very appropriately introduced, and a spirit of emulation is thus engendered that cannot fail in producing the desired effect.

The market for agricultural produce is all that the farmer can desire. Good crops, encouraging markets, and the fostering care of wise legislation, ought to stimulate the energy of our farmers to the highest point of human action.

The board, while they are happy to perceive that many of their suggestions have been readily and successfully adopted by the local societies, feel it their duty still to press the importance of employing special manures as auxiliary fertilizers, and lime as an exiting agent in the old cultivated lands, which, though apparently rich in organic matter, have become inert and unproductive for want of a decomposing medium. Caustic lime is the cheapest and best decomposing agent. Lime may also be successfully employed in neutralizing oxalic acid, indicated by the growth of sorrel in the ground. A very large proportion of our cultivated lands are also surcharged with vitriolic water; under-draining and the use of lime would correct the evil, and render these lands uniformly productive. Lime and its phosphates in careful hands are capable of changing the whole aspect of our agricultural operations for the better, and thereby add equally to the beauty of all the rural districts, and the permanent wealth of the province. Without economical production no very extended improvement is practicable; and it is solely the productive power of concentrated manures that gives improvement its due importance. Phosphate of lime, in the form of bone dust, and superphosphate, the product of dissolved bones, are new elements in our agriculture, and every reasonable effort should be made to introduce them generally, and encourage their manufacture.

The board are aware that efforts are in progress, in various parts of the province, to erect machinery for bruising bones; in the only instance when the board has been applied to for aid, they have offered a premium of one shilling per bushel on the first 200 bushels produced, at Hodson's mill near Sackville.

The board are much gratified to learn from all the reports of the local societies, that the various breeds of improved cattle, sheep and swine imported with the last five years, are highly appreciated, and the young stocks now raising from them, give evidence of  
great

great promise. In careful hands these animals may soon supply the demand for pure blood cattle, without having recourse to importation for years to come; the board however make an exception of swine, they believe that a fresh importation at no distant day, of thorough bred Suffolk, Essex, and Berkshire swine, would on arrival fully refund the outlay, and prove eminently acceptable to the rural population.

From repeating enquiry being made by societies, and individuals, after seed oats and early varieties of spring wheat, the board intend, if the grant is continued, to make provision for their wants. With the balance of funds in their hands, the board have resolved to import a mowing machine, embracing all the latest improvements, and to dispose of it in the usual manner.

The mowing machine and hay press imported by the board, and mentioned in their last general annual report, were duly advertised and sold at public auction, in front of the province building, on Wednesday the 8th day of April last, and the proceeds returned to the board's contingent fund.

In their last report, the board mentioned the death of their former treasurer, James N. Shannon, esquire, they have now to record the retirement from the board of the oldest of its members, Matthew Richardson, esquire, who from the infirmities consequent on old age, found it irksome to attend the meetings of the board, expressing ardent wishes for the prosperity of our provincial agriculture.

Finally, the board in taking a retrospective view of their mutual intercourse with the forty-eight local agricultural societies now in operation in the province, see in these infant institutions the germs of permanent prosperity, and the embodiment of certain elements indispensable in successful agriculture, and conducive to the best interests of rural population.

The accounts of the board expenditures, herewith submitted, exhibits a due regard to economy, and a careful selection of the objects for special encouragement. They earnestly commend our agricultural institutions to the protection of a wise legislature.

All of which is respectfully submitted.

JOHN FAIRBANKS, president.  
ALEX. FARQUHARSON, vice president.  
JOHN KING,  
ANDREW SHIELDS,  
J. JENNINGS.

*Central board of agriculture in account with J. Jennings, treasurer.*

DR.

1857.			
May 9.	Cash paid James Irons, one quarter's salary,	£18	15 0
13.	“ post office, postage,	1	13 1
	“ A. & W. McKinlay, blank book,	0	4 0
	“ Dechezeau & Crewe, jappaned box,	0	14 6
	“ Gammell & Tupper, neck yoke, &c.	0	10 0
	“ W. A. Penney, advertising,	0	12 6
	“ Thos. Annand, ditto	1	12 6
	“ Wm. McCullough's account,	2	10 0
Aug. 3.	“ Post office account from April 1st,	0	4 0
	“ James Irons, one quarter's salary to date,	12	10 0
	“ Mrs. Carman, rent to 1st inst.,	6	5 0
	“ James Irons, one quarter's salary,	12	10 0
	“ J. C. Barratt, printing 300 annual report,	5	15 0
	“ Post office account from 1st July,	0	4 3

1858.

1858.			
Feb. 9.	Cash paid	Jas. Barnes, printing 60 notes,	£7 6 0
	"	A. Grant, advertising agricultural implements,	1 10 0
	"	committee, examining bone mill at Sackville,	2 10 0
	"	Wm. Grant, stationery,	1 0 1½
	"	James Irons, quarter's salary and postage,	12 14 1½
	"	Post office account to 31st December, 1857,	0 5 1½
April 12.	"	Post office account to March 31st,	0 9 6
		Balance in hand,	203 18 0
			<hr/>
			£286 14 2

Cr.

1857.			
March 9.	By balance in hand,		£58 13 8
June 13.	By W. M. Allan, proceeds sale agricultural implements,		28 0 6
July 3.	By cash, provincial grant,		200 0 0
			<hr/>
			£286 14 2

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PART 2.—(See page 525.)

The committee on agriculture beg to report in part, that they join in that portion of the report of the committee on penitentiary affairs, directing the sale of the bull and pigs belonging to the province, remaining at that establishment; and also recommend that to such be added the Leicester ram, as well as the mowing machine at Annapolis—the latter the committee on agriculture, in their report last session, requested the sale of, but their recommendation has been overlooked.

A. McFARLANE, chairman.

17th April, 1857.

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PART 3.—(See page 533.)

The committee on agriculture beg to report :

That although several of the petitions referred to them, asking assistance towards grist mills and oat kilns, present cases in which they doubt not legislative aid would be of much public benefit to the localities named, yet they feel constrained to adhere to the determination of the last two sessions; and therefore have to reject the petitions of John Grono, John Peters, Donald McCrae, James Potter, Blackmore & Henry, and Jesse Cumming.

Although fully alive to the great benefits to be derived from the introduction into the province of the manufacture of bone dust for agricultural purposes, as several parties are now engaged in establishing machinery for this purpose, and have assurance of receiving the grants already made for encouraging the manufacture of this highly useful manure, the committee do not feel warranted in recommending any additional grant, at present, for this purpose, and therefore reject the petition of Edward Johnson.

On the petition of Joseph Brown, asking permission to extend the limits of service of the stud horse "Messenger" beyond the counties of Digby and Annapolis, to any part

part of the province—although the committee feel that in the majority of cases it would not be wise to remove the restrictions under which these provincial horses are now owned, yet in many of the more opulent counties, they are of opinion increased benefits would result from permitting them to have a wider range, and to exchange with other counties, in which the size and qualities of these animals would be better adapted; and in this instance recommend that the prayer of the petitioner be granted, on a suitable bond being given that the horse be not taken out of the province.

On the petition of George P. Hill, although the committee entertain no doubt, from a perusal of the numerous and respectable list of names attached thereto, that the invention he describes for drying oats on a revolving kiln, is one of much importance, yet they do not feel warranted in incurring the expense consequent upon recommending the prayer of his petition.

The committee having thus disposed of these several petitions, turned their attention to the matters detailed in the report of the central board. They have much pleasure in learning therefrom that the agricultural interests of the province are steadily increasing, that the modern scientific system of farming, indispensable for successful agriculture, is gradually extending and conducing to the improved condition of the rural population.

While fully aware of the benefits derived from the exertions of the central board, in stimulating the local societies, and forming a suitable channel of communication therewith, and although desirous to continue its existence, yet in view of the increased pressure on the resources of the province, and the urgent necessity of restricting expenditure, they do not feel warranted in recommending the continuance of the annual grant to the central board.

The committee have carefully examined the reports and returns of the local societies throughout the province, and are of opinion that, although in some few cases these associations do not seem to evince that amount of vigor and zeal which they would wish to find, are nevertheless of opinion that in the great majority of cases they are doing much good, and tend greatly to foster and stimulate agricultural prosperity. All these societies, (numbering fifty,) as appears from their returns duly attested to, have raised the sums necessary to entitle them to the provincial grant, with the exception of the Amherst society, from which no report or return has been sent.

The societies of Dartmouth, Yarmouth, Lunenburg and Clare, have over-expended the sums at their disposal, particularly the latter, which, from the annual return, is deeply in debt. All the other societies seem in a healthy, flourishing condition, with considerable amounts at their disposal. The return of the Broad Cove Intervale society requires explanation. It exhibits a small over-expenditure, while its reports and accounts rendered annually during the past three years, show that they should have a considerable sum in hand; the west Cornwallis society neglected to credit the balance in hand from the annual account of 1856.

The committee are clearly of opinion, that to entirely withdraw the annual grant allowed to the counties, would have the effect of breaking up the agricultural organization now in existence, and they fear, tend greatly to depress the agricultural enterprise fast spreading through the land, and upon the success and fostering of which our provincial prosperity largely depends.

They therefore recommend the continuance of a reduced grant of thirty pounds to each county, to be appropriated under similar conditions to those attached to the former grants; and that returns from the several societies, instead of being forwarded to the central board as at present, be sent to the financial secretary's office, to be checked and audited before any sums are paid thereon.

Herewith is appended an abstract of the account of the central board, showing a balance in hand of 203*l.* 18*s.* But from this amount are to be deducted several accounts not rendered, and some sums for engagements made by the board, the particulars of which, in consequence of the illness of the secretary, Mr. Irons, your committee have

not been able to procure ; after settlement of which, they recommend that the balance be paid into the treasury, and an account thereof returned to the legislature next session.

Committee room, 22nd April, 1858.

ALEXANDER McFARLANE,  
Chairman.

W. YOUNG,  
JOHN McKINNON,  
WM. CHAMBERS,  
SAMUEL CHIPMAN,  
F. R. PARKER,  
C. R. BILL.

No. 47.

(See page 475.)

## CROWN LANDS.

*Department of crown lands, Halifax, 30th December, 1857.*

SIR—

In accordance with the practice adopted in this department, I have the honour of submitting, for the information of his excellency the lieutenant governor, the following brief annual report, in reference to the crown lands of this province.

The quantity of land granted during the past year in Nova Scotia proper is 51,260 acres, and seven water lots.

The quantity of land applied for during the same period is 48,446 acres. The quantity of land applied for in the island of Cape Breton for the year now ending, is 26,440 acres, and the quantity granted only 11,823 acres.

The cause of the difference in the proportion of lands applied for and granted, in the two sections of the province, is that squatting has heretofore existed so extensively in the island of Cape Breton, and the applicants being nearly all of that class, the delay and difficulty of adjusting their boundaries, as will readily be perceived, arises from this cause, there being no definite limits to their occupations.

The conflicts growing out of this circumstance render it very difficult to settle such claims, and consequently considerable delay is unavoidable in order to obtain the necessary evidence as to improvements and other matters incident to an equitable decision, before passing the grants. Many of those controversies have been adjusted, and the remainder are receiving the daily attention of the department.

The whole acreage granted in the province in 1857 amounts to 63083½ acres, and 10 water lots, in 406 grants. The total number of applications for the same period is 567, comprising 74,786 acres, and 24 water lots, 9 fishing lots, and 8 town lots, exceeding the number received in 1856 by 147 applications.

The gross receipts from the sale of crown lands for 1857 is £7259 6 7, being about £2000 over 1856.

The following tabular statement will shew the relative number of applications from each county—the quantity of land granted and applied for, and the approximate quantity remaining ungranted.

Table setting forth the relative number of grants passed, and applications, in each county of the province, for the year ending 31st December, 1857.

COUNTIES.	No. of applications	Acres applied for.	No. of acres granted.	No. of grants.
Annapolis, - -	33	10120, includ'g 4 fishing lots & 1 small lot.	15626	40
Colchester, - -	18	2045	2708	21
Cumberland, - -	37	7512	5101	35
Digby, - - -	17	1812	2792	18
Guysboro, - -	28	3406	1864 and 1 water lot.	17
Halifax, - - -	65	6765, including 6 water lots and 2 small fish lots.	6888½, includ'g 2 water lots.	48
Hants, - - -	12	1100, including 2 water lots.	3478, includ'g 2 water lots.	22
Kings, - - -	5	1200	2932	16
Lunenburg, - -	97	8964, 1 water lot and 2 fishing lots.	4359½	40
Pictou, - - -	11	1100, includ'g 2 water lots.	161	2
Queen's, - - -	24	2310, 3 small lots and 1 water lot.	2820, includ'g 1 water lot.	25
Shelburne, - -	8	800, includ'g 5 water lots.	1336	9
Sydney, - - -	5	600	394	3
Yarmouth, - -	9	627, 2 water lots and 1 small lot.	800	7
Cape Breton, -	35	4241, 1 water lot, 1 town lot and 1 fishing lot.	1113¼, includ'g 1 water lot.	14
Inverness, - -	77	10125, 2 small lots, and 1 water lot.	3760	26
Richmond, - -	78	8474, includ'g 1 water lot.	6046, includ'g 2 water grants.	56
Victoria, - - -	26	3600	904	7
Totals—	567	74886, 24 water lots, 9 fishing lots & 8 town lots.	63083¼, & 11 water lots.	406

*Approximate quantity of ungranted land.*

Nova Scotia, - - - -	4,138,225½
Cape Breton, - - - -	1,237,463¾
Total, - - - -	5,375,689½ acres.

NOTE.—In consequence of the sub-divisions of counties that have at different periods taken place, it is impossible (without preparing a return which would take more time than could at present be spared) to give, with even an approximation to accuracy, the quantities of ungranted land that remain in each of the counties.

This will appear more in detail by reference to the quarterly returns already in your office, and to the quarterly accounts of receipts and disbursements, and abstract of sales in the office of the financial secretary.

In addition to the time and attention which the foregoing work has occupied, and which includes the issuing of nearly 600 orders of survey, receiving and answering nearly three times that number of letters, and keeping up the general plans, the several original ancient plans of surveys that were loose in the office have been carefully collected and arranged in portfolios, one for each county.

In conclusion I respectfully beg to call his excellency's attention to the annual returns of the county surveyors herewith transmitted.

I have the honor to be,

Sir,

Your obedient servant,

W. A. HENDRY,

for

J. B. UNIACKE,

Commissioner crown lands.

Honorable C. TUPPER, provincial secretary.

*Douglas, January 15th 1858.*

SIR—

In compliance with the 6th clause of chapter 4 of the acts passed by the legislature in 1851, requiring deputy surveyors in the different counties "to collect information within their counties, relating to the ungranted lands therein, the quality, description, &c. &c, I beg leave to make the following report:

The whole quantity of ungranted land in the county, is about 147000 acres, lying in four several tracts. The largest of those tracts is situate in the townships of Douglas and Kempt, and contains about 71,000 acres. A large portion of this tract is poor barren land unfit for settlement, the original lumber has been principally destroyed by fire, having at several times passed over nearly the whole extent of the tract.

The second tract as regards extent is situate in the townships of Windsor and Uniacke, adjoining to the counties of Lunenburg and Halifax, and contains about 49,000 acres. Having explored a considerable portion of this tract a few years since, I consider it unfit for settlement, being for the most part too rocky to admit of being cultivated. There is upon some parts of the tract, a considerable quantity of timber, both hard and soft wood.

The railway from Halifax to Windsor, after crossing the post road at Mount Uniacke, passes within about a mile and three quarters of the northern part of this tract for a distance of about ten miles.

The third tract as regards extent is situate in the townships of Douglas, Rawdon, and Uniacke, and contains about 23,500 acres; but small portions of this tract can be considered fit for settlement, being very rocky, and the original timber on the greater part having been destroyed by fire.

The fourth tract is situate in the township of Douglas, on the west of the Shubenacdie River, and on the south of Five Mile River, and contains about 3500 acres. About one-half of this tract I consider to be of good quality and capable of profitable cultivation,—the remaining portion being of poor quality, and considerably injured by the ravages of fire.

I have the honor to be,

Sir,

Your obedient servant,

BENJAMIN SMITH.

S. P. FAIRBANKS, commissioner crown lands.

Lunenburg

*Lunenburg county, 26th December, 1857.*

SIR—

Agreeable to your directions of the 16th December, requiring for the information of his excellency, the annual report touching this county, together with any further information respecting the crown lands generally, I regret to state that, owing to the short time I have been in this county, I have not had an opportunity to furnish you with so full and particular a report as would be desirable, and perhaps required; but I have prepared, and now beg leave to submit the following remarks:—

The crown lands remaining ungranted in this county may be estimated at about two hundred and sixty-five thousand acres, and so far as I can ascertain consist of the following proportions:—Lands capable of profitable cultivation, 100,000 acres—lands covered with timber suitable for lumbering, but incapable of profitable cultivation, 100,000 acres—barren lands 65,000 acres.

The most valuable tract of ungranted land in this county is situate to the east of Gold River and Sherbrooke, and extending to the line of King's, Hants and Halifax counties, containing over 100,000 acres, 40,000 acres of which may be considered capable of profitable cultivation, requiring only to be opened up by roads to cause a rapid sale and settlement of all the good land there. From Rosebank to Windsor a road should be explored as soon as possible, as it would pass through a fine block of land, and any number of lots laid out in it, would soon be sold. The road would also improve the settlement of Sherbrooke, by having access to Windsor for a market town.

In New Germany there are about 500, acres of crown lands, chiefly occupied by squatters,—the land is covered with hard wood, the soil heavy and rich, and bids fair in a few years to become a flourishing settlement.

That large ungranted tract of crown land, bounded easterly by LaHave River and New Germany, and extending westerly to the line of Queen's county, containing about 100,000 acres, is better adapted for lumbering than for profitable cultivation. The good land is in spots, surrounded by barrens and swamps. No large blocks of good land that might be advantageously laid out in lots to suit purchasers. There are some good hard wood and soft wood hills however, containing in each from 20 to 100 acres, and capable of profitable cultivation. The fires have passed over and destroyed half of this tract, but a young growth of hard wood is coming up in some places, which, in a few years, will be worth the upset price of crown lands.

The lands capable of cultivation, and of such quality as to induce persons to purchase them for a settlement, are, for the most part, at a considerable distance from any road, and some quite inaccessible, except for lumbering; and it is chiefly owing to the want of roads that such land is unsold and unsettled. The value of land does not rest altogether upon the quality of the soil, or the timber growing on it, but consists in a great measure in the facilities of communication with a market. Thus the value of land or timber to a settler is in the net profit the produce yields him after being conveyed to market. In cases where the emigrant has to go miles into the woods, having to carry his provisions to and from the market on his back, there are very few inducements to take up land; and in such cases the land is not of so much value to him as the rates of labour in this county, and let the soil be ever so good, under such circumstances it is years before he realizes the value of the land he actually possesses. A certain portion of the yearly grant of road money expended in new settlements has two advantages, 1st, facilitating the communications with the market, and 2nd, giving the new settler the means of obtaining ready money in payment for his labour on the roads so formed, which in the first years of his settlement is very desirable, and gives him a "great lift."

In Ohio Branch, and Pleasant River road settlements, where there are no large tracts of good land, the system of laying out the land in lots would, under present circumstances, render it nearly unsaleable, as also the lots would require to be sold at different prices, according to the quality of the soil and timber. But I should recommend the boundary lines of the land applied for be run parallel to the granted land adjoining, and  
not

not every new grant to have a different course, as is too frequently the case in some places, which, no doubt, will cause great difficulty and confusion in after years, when the place gets settled and the land all taken up.

The system of laying out crown lands is attended with much difficulty; applications made in some corner parts of the county, the surveyor has to travel three or four days to and from the land surveyed.

The number of lines run in this county by so many different deputy surveyors, each allowing for the variation of the needle and for slack chain, according to his own estimation, is also the cause of much difficulty and dispute, ending very often in litigation.

I could not at present furnish you with the names of the squatters living on crown land in this county. All which is respectfully submitted.

I am, sir,  
Your obedient servant,

JOHN P. LAWSON.

*Liverpool, December 29th, 1857.*

SIR—

I enclose to you for the information of the government, a report for the year ending the 31st of December, 1857, enumerating the different lots of crown land laid out and surveyed by me during the past year.

As also a return of the money passed through my hands from applicants for land, to the commissioner of crown lands.

I have not in my power any important information to communicate, regarding the crown lands generally.

I am, sir,  
Your obedient servant,

WHITMAN FREEMAN,

Provincial deputy secretary, Queen's county.

The honorable J. B. UNIACKE, commissioner crown lands, Halifax.

*Return of the lots of crown land laid out and surveyed for the information of the government, during the year ending the 1st December, 1857.*

1857.

1st quarter.—John Freeman,	White Burn,	100 acres.
2nd quarter.—George Hartlin,	Buckfield,	200 “
Elkanah Wynot,	do.	100 “
E. & A. Morton,	Medfield,	100 “
B. & D. McPherson's,	Brookfield,	100 “
John Leacy,	Caledonia,	100 “
John Wallace,	do.	100 “
Directors of Liverpool marine railway company,	} Liverpool water grants.	
3rd quarter.—James Irvin,		Granite lake,
Dennis Scott,	Caledonia,	100 “
David Kempton,	Harmony,	100 “
J. & Jos. Kempton,	Ponhook,	100 “
Zoheth Creshion,	Harmony,	100 “
Frederick Minara,	Ponhook,	100 “
Edward Ford,	do.	150 “

4th quarter.—Houston Cole,	do.	100	acres
Rufus Poole,	Middlefield,	100	“
Thomas Annis,	Caledonia,	100	“
Silvanus Morton,	Brookfield,	550	“

WHITMAN FREEMAN,  
Provincial deputy secretary, Queen's county.

Liverpool, Dec. 31, 1857.

*Return of monies received and remitted to the office of the commissioner of crown lands for the year ending 1st December, 1857.*

1857.			
February.	From John Freeman, for 100 acres,	White Burn,	£11 0 0
April.	George Hartlin, 200 “	Buckfield,	21 17 6
	Elkanah Wynot, 100 “	do.	11 0 0
	Elk. & Allan Morton, 100 “	Medfield,	11 0 0
	B. & D. McPherson, 100 “	Brookfield,	11 0 0
	John Leacy, 100 “	Caledonia,	11 0 0
	John Wallace, 100 “	do.	11 0 0
May.	A. Cowie, esq., for railway, water grant, Liverpool.		12 10 0
			£100 7 6

WHITMAN FREEMAN,  
Provincial deputy secretary, Queen's county.

Liverpool, 31st December, 1857.

*Shelburne, 25th January, 1858.*

SIR—

I beg leave to make my annual report touching this county. There is a large tract of wilderness land in the northern part unexplored, but which is supposed to be mostly rocky and barren,—no doubt it contains many extensive tracts well covered with valuable timber, and capable of cultivation.

I have personally travelled the county within fifty miles of the shore, and within that compass there are large tracts of upland and meadows which would make good farms. Much of this land however is included in old grants to refugees from the United States, after the revolution, and afterwards abandoned. Some of the latter have been regranted in consequence of the rear boundaries not being clearly defined, and suits at law of a very expensive and vexatious character have arisen in consequence. I may further state that the old grants fronting on the River Jordan and Roseway are of this nature; and I am satisfied if the rear boundaries of these grants were accurately defined, crown lands to a considerable extent would be available and taken up immediately,—whereas purchasers are now deterred from making applications, fearful of litigation.

I cannot ascertain exactly the quantity of ungranted lands in the county, but would estimate them at not over 150,000 acres.

For the statistical information required I beg leave to refer to the report of last year.

I have the honor to be,

Sir,

Your obedient servant,

JOHN FIRTH,

P. deputy surveyor.

To SAMUEL P. FAIRBANKS, esquire,  
Commissioner crown lands, Halifax.

The

The names of the inhabitants that have crown land in possession, in the county of Yarmouth, with no grants for the same :

William Morton—house 20 <i>l.</i> , barn 10 <i>l.</i> , improvements 15 <i>l.</i> ,	£45	0	0
John Morton—house 20 <i>l.</i> ; barn 10 <i>l.</i> , improvements 15 <i>l.</i> ,	45	0	0
William Bowers—house 10 <i>l.</i> , barn 5 <i>l.</i> , improvements 15 <i>l.</i> ,	30	0	0
Isaac Hamilton—house 20 <i>l.</i> , barn 8 <i>l.</i> , improvements 25 <i>l.</i> ,	53	0	0
Samuel Gray—house 20 <i>l.</i> , barn 15 <i>l.</i> , improvements 35 <i>l.</i> ,	70	0	0
James Mood—house 25 <i>l.</i> , barn 15 <i>l.</i> , improvements 12 <i>l.</i> ,	52	0	0
George Gray—house 50 <i>l.</i> , barn 30 <i>l.</i> , saw mill 40 <i>l.</i> ,	120	0	0
George Gray's improvements 50 <i>l.</i> ,	50	0	0
Victoria Robins, widow—house 8 <i>l.</i> , improvements 8 <i>l.</i> ,	16	0	0
John Merea—house 24 <i>l.</i> , improvements 15 <i>l.</i> ,	39	0	0
Stephen Burtong—house 5 <i>l.</i> , improvements 3 <i>l.</i> ,	8	0	0
David Abbot—house 5 <i>l.</i> , improvements 5 <i>l.</i> ,	10	0	0
George Gray, junr.—house 12 <i>l.</i> , barn 10 <i>l.</i> , improvements 20 <i>l.</i> ,	42	0	0
George Sealy—house 7 <i>l.</i> , improvements 4 <i>l.</i> ,	11	0	0
Joseph Merea—house 6 <i>l.</i> , improvements 4 <i>l.</i> ,	10	0	0
Philip Jones—improvements 25 <i>l.</i> ,	25	0	0
Stephen Watkins—house 3 <i>l.</i> , improvements 3 <i>l.</i>	6	0	0

ZACCLEUS CHURCHILL,

Prin. dep. surveyor for the county of Yarmouth.

Yarmouth, January 1, 1858.

*Annual return of the state of the county of Digby, up to 31st Dec. 1857.*

FIRST CLAUSE.—Respecting mechanics, labourers, &c., there are as many of this class of persons in each district as can find employment, and rather more at present.

SECOND CLAUSE.—What few emigrants arrive here, soon find friends to take them.

THIRD CLAUSE.—Respecting the crown lands, as near as I can ascertain, there is now at the disposal of government 210,748 acres. The quality has not improved much since my last year's return, but rather decreased in value in some parts of the county, as the practice has become very common for lumberers to stretch out beyond their bounds, and plunder the land of its valuable timber.

FOURTH CLAUSE.—Respecting squatters—since my last return there has two more taken possession, by building and settling, viz, Joseph Clark, of Hillsborough, on the Union road, and Richard Hill, on lot No. 14, Mistake River settlement—the improvements are not very extensive. This will make four squatters by actual settlement in the county. There are many small patches chopped down, and some cleared.

ALPHEUS JONES,

Prin. dep. surveyor.

*Commissioner of crown lands.*

SIR—

Respecting the crown lands in the county of Kings, there still remains a large quantity of ungranted lands in the county, a very considerable quantity may be made profitable by cultivation, and as I become more acquainted with the large tract of wilderness land, I find there is a large quantity of it barrens, not fit for cultivation, although  
in

in such lands there is some valuable timber, and several spots of wild meadows that may be made profitable to the new settler. There is a large tract of land between the Aylesford road and the Sherbrook road, and I think if there was a line marked out from the twelve mile bridge, near Lake Paul, running northerly to the Sherbrook road, distance about eight miles, preparatory to making a new road, and the lots laid out on either side of the line regularly, the land would be taken up and improved. In many parts of the whole tract there is some very valuable timber.

The sessions for the county of Kings have appointed surveyors to substantiate and run the line between or ton and Aylesford, (*i. e.*) the crown lands adjoining, which is in dispute. I am one of the surveyors appointed in behalf of the crown lands. There has been but little of the crown lands called for this last year, I think partially in consequence of the change in the system, as several have told me they would take up land, but they have no horse, and travelling to Halifax on foot would be attended with more expense than they were able to pay.

I have spared no pains in protecting the crown lands from being plundered of the timber thereon.

I am, sir,  
Your obedient servant,

EDWARD E. ARMSTRONG.

December 30th, 1857.

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*Lower Stewiacke, 20th January, 1855.*

SIR—

In reply to your letter of the 15th December, requiring a report of the quantity and quality of the crown lands in this county, I beg to say that the whole quantity, at a rough calculation, is about 84,000 acres. Out of this quantity there is at least 64,000 acres well covered with timber—spruce, pine, hemlock, birch, beach, fir, and in some localities, sugar maple,—pine is generally scarce, but there are abundance of spruce, for saw logs, spars, &c., and large quantities of black birch, suitable for ship building and other purposes—the remainder, 20,000 acres, is partly covered with a small growth of timber, and barren. There is a large proportion of the crown lands in this county suitable for agricultural purposes, as far as the soil is concerned; but its locality is against that object, being situated near the top of a high range of mountains running near the county line, from near Parrsborough below the Five Islands, to the line which divides Colchester from Pictou county; and these mountains are interscepted with ravines, the banks of which are steep; it would be difficult to get roads located in the proper direction, which would be so desirable in forming new settlements. There are, however, two or three tracts of land to which I beg to call particular attention, and would recommend that they be laid out in lots, with a cross road or two, as out-lets to the railway line.

The first block here alluded to is situated on Salmon River, or between the head waters of Stewiacke and Salmon River, joining the county line of Pictou, containing about 24,000 acres. The railway line to Pictou passes through the north part of this block, and it is about 22 miles from Truro; and although not all calculated for agricultural purposes, it is generally well covered with timber, and there is abundance of water power at hand to compel any machinery that might be required.

There is also about 4000 acres on the south side of Stewiack River, situated from one to two miles from the main road, leading from Lower Stewiacke to Pictou, and within eight miles of the railway station at Lower Stewiacke.

The timber on this tract is small, the soil is generally of good quality. This tract should be laid out in lots.

There is likewise about 5000 acres near the west Maccan road, north of Five Islands,  
of

of good land, covered with valuable timber, such as spruce, birch and maple. This is the best land in the county remaining vacant. It should be laid out in some order or system to prevent persons from occupying the front portions, and leaving the parts distant from the roads unoccupied.

I beg to call the attention of the government to the fact that there is a good deal of trespassing along or near the county line from persons residing in the county of Pictou. The line between Colchester and Pictou is not easily found, and persons found cutting timber excuse themselves, because they cannot find the line. There is about ten miles of this line should be renewed and well blazed, the small bushes cut out and made plain, in order to prevent plundering.

With reference to the number of tradesmen, labourers, &c., required in the county, I am not prepared to give accurate information on the subject.

There is at present a great number of labourers in this county on our provincial works; as soon as these works cease there will be a surplus of labour in the county. There is also a number of young men (natives) returning from the United States, which will give an additional supply of labour.

I beg to inclose you the small map of the county, with the division lines of the electoral districts, marked and numbered, as near as I could ascertain. Nos. 7, 8, 9, 10, are not to be depended on. The scale is quite too small to be accurate. It is difficult to find any point whereby the lines can be laid down correctly.

I am,

Your obedient servant,

WILLIAM FAULKNER,

P. deputy surveyor for Colchester.

Hon. J. B. Uniacke, com. crown lands.

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*Amherst.*

In compliance with your circular of the 15th inst., I beg leave to submit the following remarks, which, from what information I can obtain, is near the mark. In my district there are about the following number of acres of ungranted lands, viz. : Situate on and near Mill Creek, and capable of profitable cultivation, about 5000 acres, and 2000 covered with timber. Near Five Islands, 10000 acres, and 5000 covered with timber; there are probably about 8000 acres capable of profitable cultivation on the southern shore of Chignecto channel, extending from Ragged Reef to Cape Chignecto; about 4000 acres of same description within the township of Parrsborough, and within the township of Amherst about 1000 acres, and north of Leicester or the Shinimacas, about 2000 acres.

There are on the west of River Hebert, and north of the township of Parrsborough about 22000 acres incapable of profitable cultivation, and 5000 acres of barren. Within the district of Parrsborough 20000 acres, and 6000 acres of barren North of Maccan River 2000 acres. On the north of Birch Hill, extending to near Maccan River, about 12000 acres of barren lands.

The above statement gives a general view of the extent and character of the crown lands within my district, in the county of Cumberland. There is but one squatter of crown lands that I know of. The above is respectfully submitted by

CHARLES D. ROACH,

Deputy surveyor.

Cumberland county, December 31st, 1857.

*County of Pictou, Springhill, Jan. 14th, 1858.*

SIR—

Accompanying, I enclose my account for surveying land for the last quarter. I also enclose the map of Pictou county, with the electoral districts delineated and numbered. They were copied from a large map in the court house, Pictou, and took some time to transfer them, as they were marked there without courses or distances. As I have not been informed whether I am to be paid for this service, I will feel obliged if you let me know, that I may present my account next quarter.

My notice has been called to the annual report of crown lands in the county. Of the nature of the report required, I am not well informed, as I have not received a copy of the act relating to the duties of deputy surveyors, I will feel obliged by receiving one, when I will forward the report without delay.

I am your obedient servant,

JAMES HOLMES, D. S.

To the commissioner of crown lands.

*Guysborough, January 13th, 1858.*

DEAR SIR—

I herewith enclose you my account for the quarter ending December 31st, with a list of surveys for the same period, which I think will be found correct. I have also enclosed the map of the county, with electoral districts marked thereon.

In answer to your communication of December 15, relative to the annual report touching this county, I beg leave to refer you to my report for 1857, which gives all the information respecting this county, and the crown lands therein, that I am at present possessed of.

I remain,

Your obedient servant,

WM. HARTSHORNE.

The commissioner crown lands, Halifax.

*Report on the surveys, &c. of the crown lands in the county of Victoria, for the year ending 31st December, 1857.*

Much of the crown lands now applied for in the county of Victoria, bound on lands already granted, and the boundaries of these granted lands are in general so imperfectly defined, or so much at variance with the descriptions in the respective grants, that the deciding on their limits, and consequently on those of the crown lands adjoining, belongs more properly to a court of law than to a surveyor.

If the limits of these granted lands could be clearly and indisputably ascertained, the delays and costs in laying off the crown lands adjoining, would very materially be lessened; but so far is it otherwise, that while marks evidently erroneous are shown to the surveyor as the limits of the granted lands, the proofs of these being actually the marks established, are so defective and conflicting, that whether the surveyor regulates his operations by them, or disregards them, a collision of claims at no distant period may probably be the result; and it may be proved that he has either disregarded an old boundary, that gave to a grant more than belonged to it, or adhered to an ill conducted line that encroached on lands actually granted.

Some speedy and definite mode of enabling the surveyor to discharge his duties in such cases, (and these are very numerous), appears to be requisite, as well to avoid the great additional expense that the present mode of conducting surveys so situate, requires, as to avoid the chances of including lands already granted, in grants about to be issued.

A source of great additional and uncalled for delay and consequence expense in the surveys of crown lands, is the violent opposition offered by the numerous squatters on these lands. It is scarcely possible, in any instance, to lay off a lot without encountering at least one if not more on it, and these offer the most violent opposition to the operations of the surveyor; and to lay off even a single lot in any form that would avoid interfering with their improvements is seldom possible.

These *squatters* will not allow the surveyor in the discharge of his duty, to enter their fenced fields, and his right, forcibly to enter them does not appear to be well defined. The completing of surveys is thus not only indefinitely delayed, but the charges materially increased. It is seldom that an application is made for the purchase of crown lands, until some dispute arises amongst the several occupants, and the attempt to survey for the applicant, shows how hopeless it is to expect to save to each occupant, his improvements.

I would again most respectfully attempt to point out the great need for an improved system of surveying the crown lands on this Island, as the present is so replete with defects, as not only greatly to increase the expense of surveys, but almost to preclude the possibility of making them correctly. Very erroneous opinions prevail, even amongst scientific men, as to the possibility of making accurate surveys by means of the magnet only; but not to mention the very erroneous opinions that have been entertained by men of high scientific acquirements on some of the greatest discoveries of the present day, the recent improvements in the compasses used in the British navy, have clearly shown that geodetical operations may be performed by means of the magnet with a degree of accuracy, that by these men and others has been deemed unattainable.

With a knowledge of this, and of the great importance of the duties entrusted to government land surveyors, the means, apart from the ability and acquirements for duly performing those duties, are imperatively requisite; and a glance at the class of instruments, and of other means at their command for the due performance of these duties, shows how hopeless it is, without a sacrifice of time wholly unappreciated, to expect from them that degree of accuracy, that under an improved system is attainable.

In my report for the year 1854, I respectfully suggested a mode, by means of which first class instruments could be obtained for the provincial crown land surveyors, without any cost whatever to the province; and also in the same report, endeavoured to show the great need for the establishing of meridian lines throughout the province, and would again most respectfully beg to recommend these important and indispensable preliminaries towards correct surveys, to the consideration of the government. While these essentials to the due performance of his duties are wanting, there can be but little hope of the official operations of surveyors being performed as they ought to be.

There does not appear to me to be any employment in this county for any more tradesmen, mechanics, labourers or apprentices in any of the settlements than there are in these settlements at present. The great body of the young men that form the strength of the country, go, during the summer season, to the United States and other countries for employment, and many of these never return.

The accessible ungranted lands in the county are so closely studded with squatters, that, as I have already said, it is next to impossible to lay off a single lot without coming into collision with their improvements.

With regard to the actual amount of declination in the magnet from the true meridian in this county, opinions are conflicting, and depend on the different instruments made use of in ascertaining it. While one very good magnet in my possession shows an amount of about  $24^{\circ} 30'$ , another, one of the best that could be had in Halifax, differs from this about one third of a degree. Without a fixed standard, the time and means I can afford to devote to the solution of this important matter are much too limited to allow me to speak with much confidence on the result of my operations.

D. B. McNAB,  
Principal deputy surveyor.

December 26th, 1857.

A

*A report touching the crown land in general, with some remarks respecting tradesmen, mechanics, labourers, &c., which the different districts may require in the county of Inverness.*

In general, the crown lands which are vacant and unoccupied, are of a broken and mountainous character, and unfit for cultivation, but may be considered valuable on account of the timber. The barren lands is not of much value, and comprises a large portion of the vacant land in the county.

From December 1856 to December 1857, there have been over 9000 acres of land surveyed, 7500 of which have been purchased from the crown at the upset price of one shilling and nine pence sterling per acre, and 1500 under the act of 1854, for settling titles of land in Cape Breton. The greater part of this land, so surveyed, are occupied or portions of occupied lots. There are applications made and orders of survey obtained for a large portion more of the occupied lands, which will be complied with as soon as time and circumstances will permit. With regard to tradesmen, mechanics and laborers, there does not seem to be much call for, as there are as many in the different districts at present as can find employment—in fact more, which shews that persons of such description are not required at present. The same may be said with regard to emigrants, as there is not vacant land suitable for new settlements—all the good arable land being in possession of some party, or a claim to the same by clearing or otherwise. It appears from the eagerness of the parties holding land by possession, to obtain grants of the parts improved on, that in course of a few years all the so called lands will be granted. There are also several applications being made for the unoccupied lands, on account of the timber, which is becoming scarce in several of the oldest settlements. Respectfully submitted.

JOHN MURPHY,  
Principal deputy surveyor.

Port Hood, Jan'y 14th, 1858.

No. 48.

(See page 478.)

## PROVINCIAL ASSETS.

STATEMENT OF THE PROBABLE ASSETS OF THE PROVINCE OF NOVA SCOTIA FOR THE  
YEAR 1858.

Balance in the hands of the receiver general, 31st December, 1857,	£6602	14	5
Due from collectors of colonial duties,	6542	15	1
casual revenue,	8749	19	6
Canada, New Brunswick and P. E. Island, for lights,	1324	5	0
counties for advances for road service,	1574	18	7
	<hr/>		
	£24794	12	7
PROBABLE RECEIPTS.			
From collector of excise at Halifax,	£10600	0	0
collectors at outposts,	28000	0	0
collectors of light duty,	6000	0	0
casual revenue,	10000	0	0
distilleries,	6500	0	0
	<hr/>		
	156500	0	0
	<hr/>		
	181294	12	7
			Deduct

Deduct undrawn monies for roads and bridges,	£2783	18	6		
ditto for other services,	16903	9	4		
interest due 31st December, 1857,	11294	0	0		
					30981 7 10
					150313 4 9
Deduct ordinary and legislative appropriations, viz. :					
Salaries of lieut. governor and public officers,	15170	0	0		
Legislative expenses,	10000	0	0		
Revenue department at Halifax,	6000	0	0		
Salaries of outpost collectors and commissioners,	4000	0	0		
General education,	21000	0	0		
Interest on funded debt,	4240	0	0		
Do. to be provided for railway bonds,	45000	0	0		
Support of light houses,	8000	0	0		
Do. Sable Island,	400	0	0		
Provincial penitentiary, £1000 ; public build- ings, £800,	1800	0	0		
Rations to troops,	50	0	0		
Poor asylum,	2050	0	0		
Transient paupers,	250	0	0		
Halifax dispensary ; Indians,	400	0	0		
Post communication,	6000	0	0		
Packets and ferries,	1300	0	0		
Road compensation, £500 ; casualties, £1000,	1500	0	0		
Drawbacks,	3500	0	0		
Board of works,	15650	0	0		
Miscellaneous,	4000	0	0		
Agriculture,	nil.				
Militia,	nil.				
Navigation securities,	nil.				
River fisheries,	nil.				
					150310 0 0
					£ 3 4 9

JOHN J. MARSHALL,  
Financial secretary.

Financial secretary's office, 6th March, 1858.

No. 49.

(See page 484.)

## FISHERIES.

The committee on the fisheries having carefully considered the subjects referred to them, beg leave to report as follows :

They have examined the reports of the wardens of the river fisheries, and after mature deliberation they are of opinion that the annual grant to those officers of twenty-five pounds each, from the public treasury, under chapter 17, of the acts of 1853, should be discontinued ; and they therefore report a bill to discontinue such grant, and to authorize the sessions in the several counties to make regulations for the preservation of the river fisheries.

Your

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Your committee do not recommend the prayer of a petition from the inhabitants of Argyle, for a portion of the grant to the warden of river fisheries.

On the petition of the inhabitants of Wallace, asking legislation for the preservation of oysters, your committee report a bill authorizing the sessions to make regulations respecting the taking and preservation of that valuable shell-fish.

Your committee have given careful attention to the fish inspection act, with a view to improving the same, as respects the inspection of salmon, and they beg to report a bill for amending the law now in force as respects that description of pickled fish.

Your committee do not recommend any legislation as prayed for by the inhabitants of Lower Granville, to prohibit American fishermen and others from throwing gurry overboard, near the shores of this province; but your committee would beg respectfully to call the attention of the provincial government to the matter, with a view of having the ground of such complaint brought to the notice of the fishery commissioners.

Your committee have had under consideration the practice which prevails of seining fish on the coasts and bays of this province, whereby in many instances the fish are destroyed and allowed to decay; and as it is a well known fact that by the continuance of this practice, the fish have been driven from those localities, and a partial failure of such fisheries have ensued, your committee cannot but deeply regret the circumstance; but they feel it would operate as a great hardship to many engaged in that branch of business to impose a prohibition on that method of taking fish, and therefore they do not recommend any legislation on the subject.

Your committee, on the petition of John Monro, recommend a grant to him of £7 13s.

It has been brought to the notice of your committee that weirs at St. Mary's Bay and elsewhere, have been so constructed, that during the last summer very large quantities of small mackerel were taken therein and allowed to decay. Your committee think that some action should be taken by the sessions to prevent a further destruction, by this means, of so valuable a fishery. All which is respectfully reported.

Committee room, March, 1858.

JOHN RYDER, chairman,  
JOHN LOCKE,  
BENJAMIN WIER,  
BENJAMIN RYNARD,  
FRANCIS BOURNEUF,  
M. ROBICHEAU,  
HENRY MARTELL.

No. 50.

(See page 485.)

## PICKLED FISH.

ABSTRACT OF RETURNS OF PICKLED FISH INSPECTED IN THE PROVINCE OF NOVA-SCOTIA, IN THE YEAR 1857.

COUNTIES.	S A L M O N.											
	Tierces.			Barrels.			Half barrels.					
	1	2	3	Rusty,	1	2	3	Rusty.	1	2	3	Rusty.
Halifax,	-	14		2	582	320	533	35	8	8	4	2
Queen's,	-				6							
Lunenburg,	-	1			85	4			1	1	1	
Yarmouth,	-				18	3						
Shelburne,	-				6	2			1			
Guysborough,	-								1			
Richmond,	-											
Inverness,	-											
Cape Breton,	-	60										
Digby,	-				37	2					1	
Sydney,	-											
Victoria,	-											
		60		2	734	331	553	35	9½	9	6	2

ABSTRACT OF RETURNS OF PICKLED FISH—continued.

COUNTIES	MACKEREL.												
	Barrels.					Half barrels.							
	1	large 2	2	3	4	Small.	Rusty.	Sour.	1	large 2	3	large 3	3
Halifax,	416	3668	2242	5449	194	336	29		27	30	20	31	52
Queen's,	-	42				40							
Lunenburg,	60	438	139	196	2130	12			18	24	22	8	12
Yarmouth,	-		33	241	210	207							
Shelburne,	92	238	368	22	176	1			2	1	2	5	1
Guysborough,	350	597	1231	874	726				3	5	4		1
Richmond,	20	71	22	710	90						2		
Inverness,	19	233	89	300	60								
Cape Breton,	21	127		255									
Digby,	-			94									
Sydney,	147	436	22	644	75								
Victoria,	-												
	1125	5850	4146	8785	194	596	29		50	60	56	44	66

## ABSTRACT OF RETURNS OF PICKLED FISH—continued.

COUNTIES.	MACKEREL.				HERRING.								
	Half barrels.				Barrels round.		Half barrels round.		Barrels split.				
	4	Small.	Rusty.	Sour.	1	2	Rusty.	1	2	Rusty.	1	2	Rusty.
Halifax,	4	8	2		17198	1461	19	249	80	1939	235	46	
Queen's,					20	82				1106	92		
Lunenburg,		6			132	2064				3295	819		
Yarmouth,					64					10892	87		
Shelburne,					129			36		1378			
Guysborough,					198					2365			
Richmond,					200	2000				160			
Inverness,					3086	15				1008			
Cape Breton,										275			
Digby,													
Sydney,													
Victoria,													
	4	14	2		21027	5622	19	285	30	22418	738	46	

## ABSTRACT OF RETURNS OF PICKLED FISH—continued.

COUNTIES.	HERRING.						ALEWIVES.					
	Half barrels split		Barrels bulk.		Half barrels bulk.		Barrels gross bulk.		Barrels.		Half barrels.	
	1	2	1	2	1	2	1	2	1	2	1	2
Halifax,												
Queen's,												
Lunenburg,	216		10272	190	151		6682		2297	456	8	16
Yarmouth,			672	108					142			
Shelburne,				1125					60			
Guysborough,			22						1477			
Richmond,	1006	39							233			
Inverness,	10								1192			
Cape Breton,									341	1		
Digby,				703					1018			
Sydney,									43			
Victoria,												
	1232	39	10983	2126	151		6632		6803	457	3	21
												4
												2

48

Totals in barrels.—Halifax, 60,158½.—Queen's, 332.—Lunenburg, 3,860.—Yarmouth, 6,595.—Shelburne, 4,598½.—Guysborough, 16,935½.—Richmond, 2,944.—Inverness, 5,956.—Cape Breton, 952½.—Digby, 4,994.—Sydney, —Victoria, 1,639.—Total, 108,900.

Provincial secretary's office, Halifax, March 15, 1858.

No.

No. 51.

(See page 487.)

## DISMISSAL OF OFFICERS.

[COPY.]

No. 73.

*Government house, Halifax, February 8, 1849.*

MY LORD—

As the subject referred to in the memorials I have now the honor to transmit, has been incidentally mentioned in the assembly, and will before the close of the session be fully discussed, I shall reserve any observations I may have to make upon them, until the representatives of the people have expressed their opinion upon the general measure of which the memorialists complain.

2. New commissions of the peace have usually been issued in all the North American colonies at intervals of seven or eight years, at the most convenient season.

3. These commissions have been found useful in maintaining the respectability of the magistracy, because the intemperate, the corrupt, the litigious, those who from extreme age, were unserviceable, or from any change in their circumstances or moral standing, had lost their weight and influence in the communities in which they lived, could be withdrawn without any reason being assigned, or without the necessity for very laborious and tedious investigations which would be as embarrassing to the executive, as they would be often painful and invidious to the parties to be affected. But for these general commissions, it would be necessary to enquire into the conduct of individual magistrates very frequently, and to dismiss many in a more formal manner, the enquiry and removal carrying with them a degradation which does not result from the omission of names from a general list.

4. Another advantage of a general commission is that it affords the opportunity to provide for new settlements—to balance and adjust new influences, social and political, and to secure to the executive a certain weight and authority in the different counties, essential to the due administration of affairs: this, sometimes, in particular counties, leads to changes which imply no fault or imputation, and yet, which, if not made, would ultimately seriously embarrass the government, and affect the progress of local measures.

5. I am not aware that it has ever been the practice to consult the secretary of state about these changes, or to report them, and though in obedience to the regulations, I transmit the memorials, I anticipate that your lordship will feel that such questions can neither be investigated nor wisely decided by any authority more competent than the provincial government and legislature.

6. Should your lordship desire further information on this subject, it will become my duty to show that the commission issued last year, was, as a whole, a valuable and necessary measure; that the new appointments include a very large proportion of the wealth, respectability and intelligence of the province, hitherto systematically excluded, and that a very large proportion of the persons omitted, were either dead, incompetent, litigious or intemperate.

7. Without meaning to say that the parties whose petitions are herewith forwarded, are to be classed in this category, your lordship will, I think, be of opinion that grounds have existed for the issue of a new commission.

I have, &amp;c.

(Signed)

J. HARVEY.

To the right honorable Earl GREY.

[Copy.]

[COPY.]

No. 144.

*Downing street, February 23rd, 1849.*

SIR—

I have to acknowledge your despatch No. 73, of the 8th February last, in which you transmit six memorials from gentlemen whose names have been omitted in the commission of the peace which you have recently issued, and other memorials from gentlemen, similarly circumstanced, have come to my hands, without having been forwarded in the regular manner through yourself. The new commission has not reached me, but it is stated in the memorial from several justices of the county of Cumberland, that the names of 143 persons, appearing in the previous commission, have been omitted, and 275 fresh names inserted.

2. You are under a misapprehension in supposing that such a measure as this is one of which the secretary of state would decline to take cognizance. I regard it on the contrary as one of the most serious subjects which can come under my consideration, and I therefore await, with anxiety, the further report on it which you lead me to expect, when the anticipated discussion in the assembly shall have taken place; until this additional explanation of your conduct has arrived, I shall suspend my definitive judgment on your proceedings.

3. In the meantime, however, I cannot conceal from you, that the information already transmitted, appears to me calculated to create an impression very far from favourable to the course which you have pursued. You do not, indeed, state in your despatch that the new commission of the peace was issued with any reference to political objects, but it is expressly asserted to have been so by some of the memorialists, and I do not find that their assertion is adverted to for the purpose of being denied by yourself. The point, however, is one on which a distinct explanation of the motives by which you have been guided is indispensable. It deeply concerns, in my opinion, the highest interests of society, that appointments to the magistracy should be as little as possible influenced by the struggles of parties; and above all, that dismissal from it should not be used by a party in power, as a means of inflicting mortification on their political opponents.

4. It is scarcely necessary to observe that this is the principle which has, at all events, been uniformly professed by political parties in this country, and recognised as the very basis of the institution of an unpaid magistracy. It may, no doubt, be said that the conduct of parties in power has not invariably corresponded with these professions. It may be shewn that the long continuance of public men of one party in office has been sometimes attended with the gradual preponderance of their political friends in the commissions of the peace; and that on sudden changes of government there have been occasional efforts on the other side to restore the balance, by nominations of their own adherents. But when these cases are fairly examined, it will be found that they are exceptions only, and that the general rule has not been widely departed from. Above all, whatever may have been the case with regard to admissions, removals from the commissions of the peace have very rarely taken place without sufficient grounds, and never, in times of constitutional government, in the sweeping manner which has been pursued in the present instance in Nova Scotia.

5. That the occasional issue of a new commission may be an useful expedient for the purpose of effecting a few necessary omissions and additions to the list, I am disposed to believe; but, even independently of English precedent, I must regard with doubt the expediency of so extensive a change in the magistracy of a community comparatively so small in numbers.

6. You appear to think that advantages is gained by avoiding the degradation which would result from a formal inquiry and judgment in particular cases; but inasmuch as you imply at least that some were removed on the score of corruption, others for the faults

faults, almost equally indefensible in a magistrate, of intemperate conduct and litigiousness, it appears to me that you have, in fact, to some extent inflicted this degradation, not merely on those who may have deserved it, but on all the gentlemen who are thus set aside, without any special cause assigned, since, by making this general charge, at the same time affording to the public no means of discriminating between those to whom it does or does not apply, it becomes impossible for any individual to feel sure that he may not be suspected of being in the number of those whom you thus stigmatize.

7. You state that others were unserviceable from extreme age; and, in point of fact, it appears that some have been in the commission for very long periods of time; but in a community where justices are so numerous, that 140 have been removed, and 270 added in a single change, it cannot be supposed that all are expected to take an active part in the administration of justice. There must be many who, having served long and faithfully, have retained, with the public assent and respect, the titular dignity of the magistracy of which they are no longer competent to exercise the more active functions. The office is, I presume, as in this country, one which many persons desire to hold for the sake of the position which it gives in society. The erasure therefore from the commission of the names of gentlemen who have for many years been included in it, can only be regarded as depriving them of an honorary distinction long enjoyed, and, no doubt, highly valued. This could only be justified on ordinary principles by some positive and substantial objection to the conduct or character of the parties so treated.

8. Others again of those whom you have now excluded from the commission, appear to be of quite recent appointment; one Mr. Power, was appointed by yourself, so lately as the year 1847; such an instance as this (unless there has been something in the recent conduct of the party to justify the step) would seem to argue either that you had made an improper nomination to serve the party interests of your former administration, or that, in order to perform some similar service towards your present advisers, you have now improperly removed a gentleman against whom no real objection exists.

9. On the whole it is difficult for me to avoid inferring from the facts before me, (although, as I have already said, I wait for further information before I come positively to that conclusion,) that this extensive change has been effected as a political measure, and not as the result of a careful investigation, conducted in a just and impartial spirit, of the grounds upon which the names of the several persons whose claims were submitted to you were recommended either to be inserted in the commission or excluded from it; if such should prove to be the case, it will be my painful duty to advise her majesty to visit your conduct with her marked disapprobation.

10. I have to remind you that the principal duty of a governor in a colony possessing the form of government which exists in Nova Scotia, is to endeavor to moderate the violence of party contests, by refusing to permit the authority of the crown entrusted to him to be abused; and that so far as regards the internal administration of the province, what her majesty principally expects from the person placed in this high and responsible situation is, that he should take care not to assume in any respect the character of a partizan in political contest. I feel it my duty to convey to you this intimation, reluctant as I am to take any step which may embarrass you in the conduct of your government, because I have reason to fear from the tone of some of your despatches, that you have not fully apprehended what is looked for from you in respect of the discharge of this very important part of your functions.

I am, sir,

Your most obedient humble servant,

(Signed)

GREY.

Lieut. governor, Sir J. HARVEY.

[Copy.]

[COPY.]

No. 82.

*Government house, Halifax, March 6, 1849.*

MY LORD—

Referring to my despatch No. 73, of the 8th February, and the enclosures therein transmitted, I have the honor to inform your lordship that although the new commission of the peace, issued in 1848, has been several times attacked by members of the opposition in debate, the explanations given by members of the government have been so far satisfactory, that no formal question have been raised in reference thereto, in either branch of the legislature.

I have, &amp;c.,

(Signed)

J. HARVEY.

The right hon. earl GREY

[COPY.]

No. 88.

*Government house, Halifax, March 9th, 1849.*

MY LORD—

Since my despatch of the 6th March, No. 82, was written, I have had the honor to receive your lordship's despatch of the 23rd February (No. 144) which reached me by the steamer that arrived here yesterday.

2. The nature of that communication renders it my duty, however short the time, to place before your lordship some views and facts in reference to the commission of the peace, which I trust will exonerate me from the censure to which your lordship appears to think I may have rendered myself liable, by giving my sanction to that measure.

3. Judging from the nature of the memorials which have been forwarded to the colonial office, and from the debates in the assembly, which convey to me the spirit of those which I have not seen, but which have been circulated through the interior secretly, for signature, by the minority of the population who oppose my government, I am not surprised at the tone which pervades your lordship's despatch, nor indifferent to the importance of promptly defending myself, and placing in your lordship's hands, such an explanation of the measure complained of, as may be satisfactory to her majesty's government.

4. I enclose herewith a copy of the commission of the peace, upon which I beg to offer you the following observations:—That, however personally active a lieutenant governor of Nova Scotia may be, however vigilant, observant and accessible, it is impossible that he should know one in fifty of the persons who either hold or aspire to hold the commission of the peace. The little leisure that he can spare during the short summers of this climate, and with due attention to the labours of administration, and the indispensable routine of official and social life, scarcely enable him during the six years of his government to make the the tour of the province, riding over the high roads and receiving the ordinary courtesies from the principal inhabitants of the shire towns.

5. Of the settlements, which in single counties, are scattered along 1500 miles of bye roads, it is evident that he can know absolutely nothing with the distinctness and accuracy necessary to enable him to discriminate in the selection or removal of those numerous officers, who, as commissioners of roads, dykes, schools and magistrates, are appointed by the executive. In these matters he must take the advice of his council, or assume labours which would, by involving him in personal correspondence and intercourse with all descriptions of people in all parts of the country, and in reference to numerous petty interests and details, add to his duties a weight of complex and intricate business, which no individual could satisfactorily discharge. No single member of his

his council could, unaided, perform this service. The whole council have to rely, to a large extent, upon the information annually brought up by the members of both branches of the legislature, upon correspondence with them, and with other competent persons in the interior. I make these explanations to show your lordship that in the preparation of such a measure as a commission of the peace, including five or six hundred names of persons scattered all over the country, a governor, however he may press upon his advisers the observance of certain general principles, can scarcely be cognizant of, or fairly held responsible for details.

6. The general principles as laid down in your lordship's despatch, as recognized in the mother country, and acted upon in all the provinces I have governed, were repeatedly pressed by me upon the council during the six months which it took them to prepare the new commission. In a large majority of the counties they have been implicitly observed, and I shall deeply regret if the reasons given in justification of the exceptions should fail to make upon your lordship's mind the same impression which they made upon my own.

*Halifax.*

7. In the metropolitan city and county of Halifax, represented by the attorney general, provincial secretary, and Mr. Doyle, no man was displaced but for specific reasons, of a nature bearing no relation to politics. Mr. Tremain, whose memorial was transmitted in my despatch of the 8th February, had refused to act, assigning as his reason to the person who had applied to him, that he would not serve under the present government. Mr. Steele, another of the memorialists, was reported against when the new commission issued in 1841, several highly respectable gentlemen then refused to accept commission if his name re-appeared, and before he was omitted in 1848, he was not only accused of keeping the poor coloured people in his neighbourhood constantly in litigation, but had written a most offensive letter to the provincial secretary.

*Pictou.*

8. In the extensive and populous county of Pictou, represented by Mr. Young, also a member of my government, no gentleman was omitted who was alive.

*Guysborough.*

9. In the county of Guysborough, represented by the late solicitor general, but two or three were omitted, all of them for specific reasons, one of them having been reported against by a select committee of the house of assembly.

*Yarmouth.*

10. In the county of Yarmouth, represented by Mr. Huntington, another member of my government, all the old magistrates were re-appointed. Your lordship will, I think, be gratified to find that the general principles promulgated in your despatch, have been respected in all the counties represented by the members of my government, although those gentlemen had been so recently engaged in ardent political conflicts, some of them standing two elections within eight months; it is satisfactory to me to record the fact, as it gave me assurance of the rectitude of their intentions when the new commission was in course of preparation, that in no single instance have they in adjusting the magisterial lists for their own counties, punished a political opponent, or advised the removal of any man from feelings of personal resentment.

*Inverness.*

11. In the county of Inverness, there was no omissions, but of the names of those who were dead.

*Cape Breton.*

12. In the county of Cape Breton, but three were omitted, for specific reasons reported on the best authority.

Richmond.

*Richmond.*

13. In the county of Richmond, but two were omitted for reasons reported, having no reference to politics, and which were deemed conclusive, by the house, when explained by the member from Isle Madame, when the government was attacked in reference to them a few days ago.

*Sydney.*

14. In the county of Sydney, there were but two omissions, for specific reasons reported by the member for the county, one of these was Mr. Power, whose name appears in your lordship's despatch, and into whose case I am quite prepared to go, if your lordship thinks it necessary. I enclose a memorandum in reference to it, leaving it to your lordship to determine, whether such details can with advantage to the public service, be included in your correspondence, which may be submitted to the colonial legislature, possibly to the imperial parliament.

*Colchester—Shelburne—Queen's.*

15. In the county of Colchester, there was but one omission, except of the dead, and specific reasons for that one were reported, in which politics had no concern. In the county of Shelburne only the dead were omitted. In the county of Queen's, but one name was accidentally omitted, that of Mr. Moore, whose memorial was forwarded with my despatch No. 73, and who will be restored.

*Digby.*

16. In the county of Digby, three persons only were omitted, for reasons which at the time appeared satisfactory; they have memorialized the queen, and their remonstrance will be forwarded when a duplicate is sent in. Into the reasons for the removal of these gentlemen, it will not be necessary for me, I trust, to go further than to observe, that the person whose name stands first on the memorial must have known, when he subscribed it, that he was a public defaulter, and owed to the treasury a considerable amount of revenue collected by him prior to 1836, and never yet paid.

17. Having, I trust, clearly shown to your lordship, that in twelve out of seventeen counties into which Nova Scotia is divided, the general principles explained by your lordship have been steadily kept in view; that neither personal or political feeling has been indulged by the members of my government, either in their own counties or elsewhere; that the omissions have not been more numerous (about 20 in the whole) than is customary and indispensable, I confidently rely upon your lordship's sense of justice, and on the favorable construction of my motives, for according a sanction to more extensive changes in some other counties, for reasons now stated.

18. To make on every change of advisers in a colony, extensive alterations in the commission of the peace, for purely political reasons, would be as unwise as repugnant to English precedent; but the change which has taken place here, is more like a change in the constitution and a political enfranchisement of the great body of the people, than a simple formation of a new administration. Your lordship would be astonished at the state of things which had been created in some of the counties of Nova Scotia, by the undisturbed possession of power and the systematic exclusion of a majority of the population by a dominant party that had never been dislodged in the memory of the present generation.

*Cumberland.*

In the county of Cumberland, for instance, where the two parties nearly divide the population, upwards of eighty provincial and county offices were held by those opposed to the liberal party—but thirty by the liberals; the former had thirty magistrates—the latter but sixteen.

*Hants.*

19. In the county of Hants, which sends five members to the assembly, four support the government, and the township member was returned by a very slender majority, yet

yet in the old commission the liberals had but fourteen magistrates and their opponents thirty-three.

*Kings.*

In the county of King's, where the parties were so nearly balanced, that the liberal candidates for the county was defeated at the last election by a majority of but twenty-six, the conservatives had thirty-two justices, their opponents but thirteen.

*Annapolis.*

21. In Mr. Johnston's own county of Annapolis, in which there exists a numerous and highly respectable minority, matters had been so managed that thirty-five magistrates commissions were held by his friends, but seven by opponents.

*Queen's and Lunenburg.*

22. In the county of Queen's the state of things was even worse, the conservatives holding fourteen commissions, the liberals but two. In the county of Lunenburg, which at the last election returned all liberal members, the party sustaining them, had but five justices, their opponents twenty.

23. In these counties, my lord, it was impossible for any liberal administration to issue a new commission of the peace, and leave matters as they were. When the facts which I have now detailed to your lordship were brought to my notice, I could not but feel that I should best be fulfilling my duty to my sovereign and to your lordship, by giving my sanction to a measure which professed in the most graceful and least offensive mode to redress these grievances, and do substantial justice to large bodies of her majesty's subjects. To do this, by new additions only, would have been impossible, without such an increase of numbers as would have been disproportionate to the wants of the country, and calculated to bring the office itself into disrepute, hence, the removal of which some of the memorialists complain; of this class, there may have been about forty in the whole commission; all the other omissions, I am assured, can be sustained upon distinct grounds, and a very large proportion of the names omitted are those of persons deceased.

24. The additions were rendered desirable by the growth of population, and the necessity of providing for new settlements which have sprung up or been much extended since 1841, but many of them were required to do justice to large bodies of the people hitherto systematically excluded, and to draw into the ranks of the magistracy a number of intelligent, independent and valuable men, from whom the distinction had been unfairly withheld. In the city of Halifax, for instance, where there are probably 7000 Catholics, but two held commissions of the peace.

25. I have thus my lord, in the very short time afforded me before the close of the mail, endeavoured to place in your lordship's hands a general justification of the measure to which I was induced to give my sanction on purely public grounds. I have not gone more into details than I felt to be purely indispensable, and I have refrained as much as possible from reference to individuals, for reasons which will occur to your lordship. But it must not be assumed that all the persons who have memorialized, have valid grounds of complaint.

26. Should it, during the discussions in the assembly, be made to appear that this measure is in any particular cases defective, that errors have been committed, and the power of omission too largely exercised, I beg to assure your lordship I shall not fail to use the prerogative in such a manner as will best secure a fair distribution of the influence and honors of the magistracy, and do substantial justice to the people over whom it is my duty, as it is my wish, impartially to preside.

27. It has been my misfortune, my lord, during my administration of this government, under circumstances more difficult and peculiar than I can easily describe, or your lordship conceive, to receive from your lordship instructions sometimes conveyed in terms which

which have been less than grateful to the feelings of an old servant of the crown ; but your lordship has hitherto always done me justice, when the reason upon which my acts were founded have been understood, and I confidently anticipate in this case that your lordship will entirely acquit me of having permitted the authority of the crown to be abused, or of weakly surrendering on this question or on any other, the dignity, impartiality or discretion, which properly belongs to my position as her majesty's representative.

28. I have felt the more desirous of losing no time in furnishing your lordship with this somewhat hurried vindication of a measure which may doubtless be made the subject of much misrepresentation, from my having been made aware that printed addresses are being circulated through the country, and which may reach your lordship's eye, should any such be forwarded to England. I trust your lordship, if you attach any weight to these representations, will afford to the great majority of the people who sustain my government, similar opportunity for the expressions of their opinions.

I have, &c.

(Signed)

J. HARVEY.

To the right honorable Earl GREY.

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(COPY)

No. 149.

*Downing street, 27th March, 1849.*

SIR—

It gives me satisfaction to learn from your despatches, lately received, on the subject of the new commission of the peace for Nova Scotia, that the views which I had expressed in my despatch of the 23d ultimo, as to the principle which should be followed in making appointments to the magistracy, and the removal of names of former magistrates from a new commission, are acquiesced in by the members of your council as well as by yourself ; and that the only question which arises on the present occasion is, whether, under the circumstances of the case, those views have been attended to.

2. Upon this question also, I am glad to find that it would appear from the statements transmitted with your last despatch, that in the greater number of counties, there is little ground for objecting to the manner in which the power of the crown has been exercised. It has also been particularly gratifying to me to learn that the counties represented by members of your council, are among those in which the recent changes afford the least cause of complaint.

3. But it is with regret that I feel myself compelled to add that I cannot regard your explanation of the extensive alterations made in the commission in five counties as satisfactory.

4. I do not certainly expect of you, that you should be able to enter into a separate enquiry, and form for yourself a distinct judgment upon each individual change in the commission of the peace, which is suggested to you by members of the assembly or others. Independently of the reasons which you justly advance to shew that the governor of such a colony as Nova Scotia could not acquire sufficient personal knowledge to act upon it with safety, it is both necessary and proper, that upon such questions, he should mainly act upon the advice of the members of his council.

5. But what I do expect is, that while acting generally upon their advice, you will not allow the authority entrusted to you by the queen to be exercised without restraint, for party objects ; nor can I conceal from you that I am far from satisfied with the explanation which you have given of the grounds upon which so extensive a remodelling of the body of the magistracy has been made in the counties to which I allude ; on which occasion, by your own statement, not less than forty names have been removed on  
grounds

grounds of a simply party character. It has been to me a source of great disappointment that your influence with the members of your council was not sufficient to induce them to adopt a course of greater moderation,—had they done so, I am persuaded that both you and they would have stood higher, not only in my opinion, but in that of all those whose judgment is unbiassed by the heats of party contest both in this country and in the province itself.

6. But while I thus greatly regret the proceedings which have been taken, I am aware that this is a subject on which it would be impossible for her majesty's government to overrule the decision of the provincial government, without so much weakening your authority as to make it difficult for you to continue in your present office without serious injury to the public service, and without incurring the risk of exasperating those party animosities which I am most anxious to moderate. I shall not, therefore, at present advise her majesty to issue to you her commands for making any alterations in the new commission which you have transmitted to me, but I shall be glad to learn that, in concurrence with your council, you have revised the list of omissions with the view of restoring to their former position those magistrates for whose removal there is not some sufficient reason unconnected with the question of what may be their political opinions.

With reference to your despatches Nos. 73, 75, and 87, you will inform the memorialists that I have laid their memorial before her majesty, who has received the same very graciously, but has not been pleased to give any directions thereupon, and you will acquaint them in answer to their several memorials to myself, that I have thought it expedient to defer expressing any opinion upon them, as the subject is still under the consideration of the provincial government, and I still expect to receive a further report upon it yourself.

I am, sir,

Your most obedient servant,

(Signed)

GREY.

Lieutenant governor Sir JOHN HARVEY.

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[COPY.]

No. 131.

*Government house, Halifax, August 2d, 1849.*

My LORD—

Referring to the correspondence on the subject of the magistracy, which has passed between the imperial and provincial governments, and especially to an assurance conveyed to your lordship in my despatch No. 88, of the 9th March, that “should it, during the discussions in the assembly, be made to appear that this measure is in any particular case defective, that errors have been committed, and the power of omission too largely excised, I beg to assure your lordship that I shall not fail to use the prerogative in such manner as will best secure a fair distribution of the influence and honors of the magistracy, and do substantial justice to the people over whom it is my duty, as it is my wish, impartially to preside.”

I have now the honor to enclose a list of ten magistrates, in various counties, who have been restored to the rank and position which they held in the old commission. Your lordship may rely upon a continued and careful revision of the whole subject, upon which, before the meeting of the next session, I shall do myself the honor to forward a general report.

I have, &c.

(Signed)

J. HARVEY.

The right honorable Earl GREY.

[Copy.]

[COPY.]

No. 188.

*Downing street, 23rd August, 1849.*

SIR—

I have to acknowledge the receipt of your despatch No. 131, of the 2nd instant, enclosing a list of ten magistrates, who have been restored to the rank and position which they held under the old commission of the peace.

It is satisfactory to me to learn that this subject is under the serious consideration of the provincial government, and I shall reserve any further expression of opinion upon it until I am in possession of the final report which you inform me that I may expect.

I am, &amp;c.

(Signed)

GREY.

Lieutenant governor Sir JOHN HARVEY, K.C.B.

[COPY.]

No. 154.

*Government house, Halifax, December 14, 1849.*

MY LORD—

I have the honor to transmit a memorial from Messrs. George Robinson and others, of the county of Annapolis, and have to request that your lordship will, for the present, suspend your decision upon its prayer, until a report in reference thereto is forwarded.

I have, &amp;c.,

(Signed)

J. HARVEY.

Right hon. Earl GREY, &amp;c., &amp;c.

[COPY.]

No. 216.

*Downing street, 18th March, 1850.*

SIR—

I have to remind you that in your despatches of the 2nd August, and 14th December last, you gave me reason to expect a general report upon the subject of the removal of certain gentlemen from the commission of the peace in Nova Scotia, but that no such report has yet reached me.

I have the honor to be,

Sir,

Your most obedient humble servant,

(Signed)

GREY.

Lieut. governor Sir JOHN HARVEY, &amp;c., &amp;c.

No. 106.

*Government house, Halifax, April 7, 1849.*

MY LORD—

At the close of my despatch No. 88, of the 9th March, I had the honor to assure your Lordship "that should it in the discussions in the assembly, be made to appear that this measure (the commission of the peace) is in any particular cases defective, that errors have been committed, and the power of omission too largely exercised, I beg to assure your lordship that I shall not fail to use the prerogative in such manner as will best secure a fair distribution of the influence and honors of magistracy, and do substantial

substantial justice to the people over whom it is my duty as it is my wish impartially to preside.”

2. In the debates which followed upon Mr. Henry's resolutions, the members of my government, while defending the general principles upon which the new commission of the peace was based, frankly admitted, that in a measure so extensive and necessarily involving so much detail, there must be errors and imperfections, which no administration in dealing with a subject so complicated, requiring for its success so general and so minute a knowledge of every portion of the country, could be expected entirely to avoid—these they pledged themselves, upon their being pointed out, to correct in a spirit of candour and justice. I confess my lord that I was gratified to find in the course of the discussion, not only the measure, as a whole, so triumphantly vindicated, but the opposition met upon most of the individual cases, which they selected, with facts and statements for which it would seem they were scarcely prepared.

3. The house having affirmed the principle of the measure, and expressed their unequivocal approbation of the conduct of the government in its preparation, I assure your lordship that it gives me pleasure to avail myself of the earliest opportunity afforded by the recess, to entrust to three members of my council, the duty of carefully revising the commission, with a view to the correction of any errors which have been indicated by the unreserved discussion of the whole subject, and the application of a practical remedy to any individual cases, where, without any paramount public necessity, the adoption of a general principle may be found to have operated with harshness or injustice

I have, &c.

(Signed)

J. HARVEY.

The right honorable Earl GREY.

{COPY.]

No. 164.

*Government house, Halifax, April 16th, 1850.*

MY LORD—

By reference to the general report on the new commission of the peace, which I had the honor to transmit to your lordship on the 9th of March, 1849, it will appear:

1st. That in the counties of Halifax, Pictou, Guysborough and Yarmouth, represented by members of my government, no person had been omitted from the new commission of the peace, except for specific reasons, justifying the omission in each particular case, altogether irrespective of political considerations.

2nd. That in eight other counties, Inverness, Cape Breton, Richmond, Sydney, Colchester, Shelburne, Queen's and Digby, “the general principles explained by your lordship had been steadily kept in view,” the omissions not exceeding twenty in the whole, the reasons in all cases appearing to be specific, and having no relation to politics.

3rd. That the very peculiar condition of the counties of Hants, King's, Annapolis, Cumberland and Lunenburg, rendered it impossible to do substantial justice to their inhabitants, without applying to them a different rule from that which had guided the administration in dealing with all the others.

The substance of my explanations in reference to the state of these counties, may be thus briefly shown :

Magistrates

Magistrates supporting the government.		Magistrates in opposition.
Hants,	14	33
King's,	13	32
Annapolis,	7	35
Cumberland,	16	32
Lunenburg,	5	20
	—	—
	55	152

Though eight out of eighteen of the representatives of those counties sustained the government, their friends and supporters, in all of them numerous bodies, and in two of them immense majorities of the whole, were in powerless and hopeless minorities in the sessions, the administration of local affairs being permanently secured to their opponents.

With a view to a more equal representation of all interests and parties in the new commission, new appointments were not only necessary, but the omission of a certain number upon this ground alone, became indispensable, amounting to about forty in the whole commission, all the others left out being either dead, incapacitated, or omitted advisedly, upon specific grounds.

The discussions in the legislature throw much light on the real character of this new commission. The members of the administration defended it as a whole, declining to volunteer explanations, which would either weaken the prerogative or render the debates needlessly personal. They frankly admitted that in such a measure there must be some errors and imperfections, and professed their readiness to correct them. This threw upon the opposition the selection of the particular counties or cases to which they might choose to take exception. The result of the whole discussion was most triumphant and satisfactory. In a great variety of instances the evidence produced by the government was conclusive, and in only two counties, out of seventeen, did it appear that any injustice had been done to the party in opposition. In one of these (Kings) several gentlemen were restored, and into another (Annapolis), a special commissioner (the honorable Stayley Brown a member of the legislative council) was sent to enquire into the state of parties, and upon his report, their commissions were tendered to seven of the displaced magistrates (and accepted by six), two others in the same county having been previously restored. In some of the other counties, gentlemen unintentionally omitted, or upon grounds which have been explained away, have also been re-appointed, and in all cases the rank which they hold in the old commission have been given them in the new.

Of the magistrates appointed for the first time in 1848, serious complaint has only reached me against one, and he has been promptly required to tender his resignation. The local affairs of all the counties have been satisfactorily dispatched; and from the expressed determination of the government to discountenance petty suits and vexatious litigation, the amount (judging from the best information which can be obtained) has greatly decreased.

Your lordship may be assured that the members of government duly appreciate the confidence reposed in my discretion by your lordship, and feel that in remitting this subject to be dealt with by the provincial authorities, your lordship assumed that the duty would be discharged, as I trust it has been, with magnanimity and good faith.

I have, &c.

(Signed)

J. HARVEY.

The right honorable Earl GREY.

[COPY.]

No. 222.

*Downing street, 21st May, 1850.*

SIR—

I have to acknowledge your despatch, No. 164, of the 16th ultimo, in which, in pursuance of the promise made to me in your previous despatches, you furnish me with

with your concluding report upon the construction of the commission of the peace in Nova Scotia.

2. I should be glad if I could hope that the result of the enquiry which you instituted during the recess into this subject, and the restorations which have ensued, would remove the dissatisfaction felt by those gentlemen who were dismissed from the magistracy, and by their friends, but I fear this is hardly likely to be the case, and that, at all events, in the counties of Hants, King's, Annapolis, Cumberland and Lunenburg, the extensive change that you have made in the commission is likely to continue to be a cause of irritation.

3. At the same time I am not prepared to deny the force of the observations you have made respecting the peculiar condition of these counties, which rendered it, as you inform me, impossible to avoid applying to them a different rule from that which guided the local government in dealing with the other counties. From your remark, that those who represent these counties (and must therefore be supposed to possess the confidence of the majority of their inhabitants) "were in powerless and hopeless minorities in the sessions, the administration of local affairs being permanently secured to their opponents," I am led to conclude that there is certain local business of an administrative rather than of a magisterial character, which is committed in the counties of Nova Scotia to the bench of magistrates, and that the real object of making so extensive a change in the commission of the peace was to place the management of local business in those counties in the hands of persons agreeing in their political views, with the majorities of the inhabitants. That this was a legitimate object, and that the management of local business, and especially of business involving the levy or expenditure of money for public purposes, ought in the several counties, as well as in the province at large, to be entrusted to persons who possess the confidence of those whose interests are concerned, I readily acknowledge, but I do not the less regret that a remedy for the inconvenience which you prescribe was sought in the removal of a number of gentlemen from the commission of the peace on account of their political opinions.

4. I am of opinion that what seems to have been the object of this measure (so far as it was a proper one) would have been better obtained by passing a law to transfer any administrative functions which the justices may possess, to some description of representative body, to be created for that purpose—some such bodies as the district councils in Canana might very properly be entrusted with those functions, which I understand you have found it inconvenient to leave to justices, amongst whom the county representatives were in minorities; and if the duties of the magistrates had been thus reduced to those which are strictly magisterial, it would have been unnecessary by an act of authority, such as you have exercised, to make the recent changes, which cannot but have tended to aggravate those party differences which at present divide the community—at the same time I should not judge that, in the present state of affairs, the reversal of the decision you have come to, by her majesty's authority, would be calculated to assuage the heat of those differences.

5. You will therefore inform the former magistrates who have petitioned the queen on the removal from the commission of the peace, that having fully enquired into their complaints, I have thought it my duty to advise her majesty, that the subject is one in which it would be inexpedient that her majesty should further interfere with the course adopted by the local government.

I am, sir,

Your most obedient servant,

(Signed)

GREY.

Lieutenant governor SIR JOHN HARVEY, K.C.B.

## PART 2.

No. 28.

[COPY.]

*Government house, July 8, 1852.*

SIR—

I have the honor to enclose a memorial from Mr. James McNab, late collector of excise at the port of Pugwash, with documents to which it refers. Copies of these papers have been, I am informed, irregularly forwarded to the colonial office.

It is due to the provincial government, that I should make a few observations on Mr. McNab's case. The instruction which directly bears upon it, is contained in a despatch from the right honorable Earl Grey, secretary of state for the colonies, dated 15th Nov.; 1848, of which the following is an extract :

“ 6. With respect to the complaint urged by the executive council, that the existing administration has to encounter the active or concealed hostility of many persons holding official employment, and that one head of a department, at least, voted against the return of the attorney general and provincial secretary to the assembly, I have to observe, that I am aware of no remedy against what is termed ‘concealed hostility’ of persons holding permanent offices, to an administration opposed to that to which they may have been indebted for their appointments. It is impossible but that such persons should have their personal and political feeling, and it is not unnatural they that should desire the advancement of the party to power, to whom they are thus indebted, but these persons must be aware that the condition upon which they will be suffered to enjoy exemption from dismissal for any other cause but that of positive misconduct, will be that they should abstain from taking any active part in political contests. Such, indeed, is the well understood rule which prevails in this country, and I am of opinion that a similar rule should be enforced in Nova Scotia. In the smaller society of a colony, it is not unreasonable to expect that party disputes should run higher than in the larger and more settled society of this country ; and it becomes the more necessary, therefore, that in the colonies, neutrality in party contests should be observed on the part of holders of office, not regarded as political. I should think it by no means unreasonable to make it known to such persons, that they would be expected to abstain from the exercise of their right in voting at elections against any member of the existing administration for the time being, inasmuch as they could not give such vote without forfeiting that neutral position in politics which is the condition of their permanent tenure of their respective offices.”

This despatch was published in the Gazette, in the journals of the assembly, and was widely circulated in the colonial newspapers. No public officer could fairly plead ignorance of its contents.

During the session of 1851, Mr. Samuel Creelman, a member for the county of Colchester, accepted a seat in the executive council, and the office of financial secretary,—his seat became vacant under the law, and he returned to his county for re-election. Mr. McNab, though an officer of the government of which Mr. Creelman was a member,—though one of a class of officers who are, by statute, restrained from sitting in parliament, or voting at elections in the mother country, left the county in which he resides, and not only went into Colchester to vote against the government of which he was an officer, but took a number of other persons with him to do the same.

Though, by Mr. McNab's conduct on this occasion, he forfeited his office, and though the propriety of removing him was discussed in council, the government were reluctant to visit severely a first offence, and the matter was passed over.

At the general election last summer the provincial secretary was a candidate for the county of Cumberland, in which Mr. McNab resides. Though the election was decided by the withdrawal of the opposition, no votes being recorded, it was notorious throughout the canvass that Mr. McNab's influence was again opposed to the government—no complaint was made, and he was left in possession of his office.

In

In March last the election was set aside on technical grounds, and the provincial secretary and his colleague, Mr. Fulton, a supporter of the government, were compelled to run a contest at a most inclement season of the year. They were both returned by large majorities; but Mr. McNab, still retaining his office, voted against them.

The people of Pugwash having petitioned for an extension of commercial privileges, that port was created a free port, by an order in council, dated 10th April last. Mr. William H. Rogers was appointed to discharge the duties of collector of colonial duties thereat; Mr. McNab being informed at the same time, that his services as collector of excise were no longer required.

His removal, Mr. McNab characterizes as an "oppressive, unjust, and tyrannical." Her majesty's government will not, I think, so decide, for there would be an end of all government, and few gentlemen could be got to conduct public affairs, holding their places upon a political tenure, if those filled the subordinate offices were to hold theirs permanently in antagonism to the heads of their departments, with the privilege of opposing and weakening the government whenever they pleased.

I have, &c.,  
(Signed) JOHN BAZALGETTE.

The right honorable Sir JOHN PACKINGTON, bart., &c. &c.

No. 52.

(See page 489.)

## INTERCOLONIAL RAILWAY.

[COPY.]

*Government house, Fredericton, N. B., March 10, 1858.*

MY LORD—

I have the honor to transmit to your lordship, for your lordship's information, a copy of a memorandum of the executive council of this province, in committee, approved by me, together with a copy of the despatch from the governor general, (and its enclosures,) referred to in that memorandum.

I have, &c.,  
(Signed) J. H. T. MANNERS-SUTTON.

[COPY.]

To his excellency the honorable J. H. T. MANNERS-SUTTON, lieut. governor, &c., &c.

The executive council, in committee, having had under their consideration the despatch of the governor general of Canada, of the 22nd February last, relating to the proposed intercolonial railroad, advise your excellency to assure the governor general that their interest in this important subject continues unabated, and they are prepared to unite in any practicable scheme for its accomplishment.

During the present session they will move the legislative council and assembly to address her majesty upon the subject, and are confident that both branches of the legislature will concur in the propriety of pressing upon the imperial government the advantage and great importance of a railroad connecting the three provinces.

They advise your excellency to express to the governor general their readiness to meet

meet a delegation from Canada and Nova Scotia at Fredericton or elsewhere, at an early day, to be named by the governor general, for the purpose of considering the best mode to be adopted to secure united action in this matter.

(Signed)

CHARLES FISHER,  
W. H. STEVES,  
DAVID WARK,  
J. M. JOHNSON,  
A. J. SMITH,  
CHARLES WATTERS,  
S. L. TILLEY.

March 10th, 1858.

No. 53.

(See page 491.)

## TRADE AND MANUFACTURES.

The committee on trade and manufactures having duly examined and considered the following petitions, viz.:

- Thomas Friar, praying return of duties paid on machinery.
- |                     |    |     |
|---------------------|----|-----|
| McGee, Brothers,    | do | do. |
| Joseph Thomas,      | do | do. |
| John Pratt,         | do | do. |
| S. G. W. Archibald, | do | do. |
| Alexander Ross,     | do | do. |
- John Abbot, on agricultural implements.  
John Murphy, on bristles used in the manufacture of brushes.  
H. E. Payson, praying return of light duties.  
Joseph J. Lockwood and others, on coaches.  
Church wardens of Clements, on a bell.  
Inhabitants of Wilmot, on steam engine.  
J. H. Kendrick, praying return of duties on goods saved from the wreck of the schooner Liverpool.
- J. Delahanty, on rum lost overboard between Halifax and Liverpool.  
C. J. Campbell, on goods shipped to England.  
Truro boot and shoe company, on tools and machinery.  
Duncan McDonald, on plant used on the railway.
- |                     |    |     |
|---------------------|----|-----|
| Johnston & Blackie, | do | do. |
| Sutherland & Sons,  | do | do. |
- Adam Russel, asking an alteration in the duty on studs used in the manufacture of chain cables.
- James Wilson, praying that a sum of money may be granted to him for information communicated to the revenue department on distilleries.  
Hanson Chisley, seizing officer, praying remuneration for services rendered to the revenue department.  
Murdoch McLeod, for aid to erect a kiln in connection with his grist mill at Cape North.  
John Patch, claiming to be the originator of the screw propeller, asking a grant from this house for the services he has rendered to science.
- Beg leave to report that they do not recommend the prayers of these several petitions to the favourable consideration of the house, as they see no reason to depart from the conclusion arrived at by the committee of last year.

The committee has had under consideration the petition of Thomas D. Dickson, collector of excise, at Parrsborough, and in view of all the facts, set forth in his petition, and the losses sustained by him on account of several persons failing to pay duties and light monies, and inasmuch as these debts are of long standing, and in order that his account may be brought to an immediate settlement with the province, your committee would recommend that £113 6s. 8d., which is the amount of the losses he sustained, as set forth in his petition, be deducted from his account, provided he pays at an early day into the treasury the balance in which he stands indebted to the province.

Your committee has had under consideration the despatches and correspondence on the signal station, and as the correspondence has not led to any definite result, and all the stations being in the hands of the military authorities, your committee have been unable to devise any means whereby they could be put in operation; it being also a local establishment, they cannot recommend any grant from the public funds for this service. All of which is respectfully submitted.

JOHN TOBIN, chairman.  
JOSEPH HOWE,  
BENJAMIN WIER,  
GEORGE MCKENZIE,  
JOHN CAMPBELL.

No. 54.

(See page 498.)

## MARRIAGE OF THE PRINCESS ROYAL.

[COPY.]

Circular.

*Downing street, 20th February, 1858.*

MY LORD—

I transmit to you herewith an account of the ceremonial of the marriage which was solemnized on the 25th ultimo, between her royal highness the princess royal, and his royal highness prince Frederick William of Prussia.

I have likewise the queen's gracious commands to send to you a medal, struck in commemoration of an event which has afforded the most lively satisfaction to her majesty, to the royal family, and to all classes of the nation.

You will cause the memorials of the auspicious event to be preserved either among the archives of your government, or preferably, perhaps, in some public museum or institution.

I have, &c ,

(Signed)

H. LABOUCHERE.

Lieut. governor, lord Mulgrave, &c. &c., Nova Scotia.

PART 2.—(See page 538.)

[COPY.]

No. 10.

*Downing street, 31st March, 1858.*

MY LORD—

I have to acknowledge the receipt of your despatch No. 13, of the 11th March, enclosing addresses of congratulation to the queen, from the legislative council and

and house of assembly of Nova Scotia, and from the mayor and aldermen of the city of Halifax, on the occasion of the marriage of the princess royal.

I have to acquaint your lordship that I have laid these addresses before the queen, and her majesty was pleased to receive them very graciously.

I have, &c.,

(Signed)

STANLEY.

Lieut. governor the right hon. the earl of Mulgrave, &c., &c.

No. 55.

(See page 499.)

## PUBLIC ACCOUNTS.

The joint committee of the legislative council and house of assembly appointed to examine the public accounts, beg leave to report as follows :

They have carefully examined the accounts and vouchers submitted to them, and found them correct.

By the receiver general's account the balance in his hands at the close of 1857 was 6593*l.* 14 5. The balance at the close of the preceding year was 22,384*l.* 9 3, thus showing a decrease in the amount in the treasury at the close of the year of 15,790*l.* 14 10.

Your committee find that the revenue arising from excise duties, including distilleries, is 111,884*l.* 13 8 sterling.

The revenue of the year 1856, from the same sources, amounted to 94,317*l.* 12 3 sterling, shewing a difference in favor of the year 1857, of 17,567*l.* 1 5 sterling, equal to 21,958*l.* 16 9 currency.

The amount raised by the increase of the 6½ to 10 per cent., which did not come into effect until the 1st April, 1857, is 19,797 19 9 sterling, equal to 24,747 9 7 currency. There has likewise been an increase upon gin, rum, wines, leather, &c., and a decrease upon brandy, molasses, sugar, tea, &c., which leaves the balance as above stated to general increase of the revenue. The increase at the different ports throughout the province, including Halifax, during the past year, is 18,688*l.* 0 11 sterling, and the decrease 1,120*l.* 19 6 sterling.

The light duties payable during the past year amount to 7,285*l.* 15 2 currency, against 7,249 3 0, to 31st December, 1856, shewing a small balance in favor of 1837, say 36*l.* 12 2 currency.

There appears to be due from collectors of excise and light duties, now deceased or removed from office, the sum of 542*l.* 6 9, and your committee recommend that the proper steps be taken to ensure the payment of these accounts into the treasury during the course of the present year.

To this report your committee append a statement of the amounts due from the collectors of light duties, excise and impost, to the end of 1857. By this it appears that there remained in the hands of these officers at the end of the year 7,233*l.* 5 5; of which sum they have since paid 6,233*l.* 14 8, leaving still in their hands the sum of 999*l.* 10 9. By the collector's account at the Strait of Canso, it appears that he has collected during the year in cash and orders, and by the sale of a whale boat, the sum of 1,215*l.* 19 8, but there being no return, except the gross amount, your committee are unable to report the correctness of the account. In the return received from the financial secretary, it is stated that a balance remains unpaid by that officer on the 31st December of 690*l.* 9 4, which he sets off by orders amounting to 325*l.* given him by masters of vessels passing through the Strait, upon their owners for payment of light duties; of which sum, your committee are informed, about 200*l.* has been collected; there

there is likewise an account, with vouchers, of the same collector, against the schooner "Lady Vivian," for supplies and wages during the summer, amounting to 2447. 7 3, which sum he claims to retain as an offset against duties collected by him. Your committee are not aware of the authority under which these expenses have been incurred, nor are they able to judge of the correctness of this account; but they are of opinion that no officer employed in the collection of duties should be allowed to retain in his hands monies actually received by him, to await the adjustment of claims against the government. It will be the duty of the executive to see that a proper investigation is made in this matter.

(For statement see appendix A.)

The proceeds from the casual and territorial revenues, are as follows:		
The amount paid into the treasury was		£11087 1 11
Received from the provincial secretary's office,	£847 8 1	
Received by commissioners of crown lands before adoption of present system,	1000 0 0	
Received from mining association,	9239 13 10	
	<hr/>	£11087 1 11

(See appendix B.)

The gross proceeds of lands sold and applied for during 1857, amount to		£7259 13 7
Monies returned to applicants, salaries, &c.		
By commissioner to 30th May,	775 8 7	
By receiver general to 31st December,	1837 19 8	2613 8 3
	<hr/>	<hr/>
		£4646 5 4
There is an error to be accounted for of		2 16 0
		<hr/>
Nett proceeds of land sold in 1857,		£4649 1 4
Add to this balance in hands of commissioner, 31st December, 1856,		54 10 7
		<hr/>
		£4703 11 11

Which has accounted for and credited to the province as follows:		
In receiver general's account,	£5502 18 2	
In casual revenue,	1000 0 0	
There was due by commissioner (since paid),	37 7 4	
Still due by commissioner,	1 6 1	
	<hr/>	
	£6541 11 7	
Less paid as returned by receiver general,	1837 19 8	
	<hr/>	£4703 11 11

By this statement it appears that there is an increase over 1856, of 1903l. 5s. 9d.; your committee report on this branch an improvement over the former system.

The whole revenue for the year 1857, amounted to £161893 12 8

(See appendix C.)

The revenue for 1856 as reported last year, was 138559 13 0

(See appendix D)

There was expended up to 31st December, 1856, on the Saint Peters' canal, 5768 9 7

During

During the year 1857, the commissioners have paid sundry claims under resolution of this house, amounting to	£183 2 1	
There has been paid by the receiver general for surveys, &c.	142 12 6	325 14 7
	£183 2 1	
Making the whole amount chargeable against that service,		£6094 4 2
The commissioners had in hand a balance remaining to their credit in the bank, on the 31st day of December, 1856, of	279 10 5	
They have drawn upon that account during 1857,	183 2 1	
	£96 8 4	
Leaving a balance still at their credit of	£96 8 4	
Which amount your committee recommend should be repaid into the treasury.		

(For particulars of account, see appendix E.)

The railway expenditure during the year 1857, was	265272 4 11
The same expenditure up to 31st December, 1856, was	466752 3 5
Making the total expenditure to 31st December, 1857,	732024 8 4
Cash in hand on the 31st December, 1857,	671 12 7
	£732696 0 11

There has been paid to commissioners by receiver general,	£695100 0 9	
From the receipts of the road,	2855 14 4½	
Due by the commissioners on sundry accounts,	34740 5 9½	
	732696 0 11	

Of this sum paid by the receiver general on account of railway, there has been supplied, as reported in 1856 :		
From the new issue of province notes,	60000 0 0	
From the saving's bank in 1856, £42000 0 0		
Do. do. in 1857, 6300 0 0—	48300 0 0	
From the general revenue,	25476 6 5	
	133776 6 5	
Less interest account,	31440 0 4	
	102336 6 1	

There has been obtained from bond holders in England,	432000 0 0	
Ditto bond holders in N. Scotia,	49125 0 0	
Ditto premium,	6686 15 7	
Ditto working account, 1855,	901 18 3	
Ditto Bank of Nova Scotia,	46806 19 3	
Ditto Mather B. Almon,	16500 0 0	
Ditto Baring, Brothers & Co.	40891 19 0	
The receiver general has in hands to pay coupons,	60 0 0	
	593172 12 1	
	£695508 18 2	
The receiver general has paid the commissioners.	695100 0 9	
Expense account,	408 17 5	
	695508 18 2	

Your committee subjoin a balance sheet, showing the state of the commissioners books to the 31st December, 1857.

(See appendix F.)

Your

Your committee report a list of undrawn monies, exclusive of road grant to 31st December, 1857, in which it appears that there remained in the treasury the sum of 16,903*l.* 9*s.* 4*d.* Of this sum they find that 4932*l.* 3*s.*, consists of amounts which from year to year have been carried forward from breakwaters and other services, recommended from time to time by the committee on navigation securities.

Your committee are of opinion that a large portion of these grants may be considered as never likely to be called for, and would recommend that this house should pass a resolution limiting the right hereafter to apply for monies under any such grants to a period of two years from the passing of the appropriation act in which they were contained; and also that a retrospective clause should be inserted in the appropriation act of the present year, limiting applications for grants already passed to the same period.

(See appendix G.)

Your committee report a list of undrawn monies for roads to 31st December, 1857, by which it appears that in the treasury there is a balance due to that service of 2728*l.* 8*s.* 3*d.*

(See appendix H.)

Your committee report a list of undrawn grammar school monies to 31st December, 1857, by which it appears that there is due to that service, the sum of 311*l.* 6*s.* 1*d.*

(See appendix I.)

The monies for the relief of the colored population have been drawn, with the exception of the counties of Hants and Yarmouth.

The sum of seven thousand pounds in torn and defaced notes has been handed to your committee by the provincial secretary, and they have been destroyed by your committee, the whole amount of the issue as reported before is 119682*l.*

Your committee annex the annual abstract of the Savings' bank for the year 1857, showing a balance in the hands of the cashier of 319*l.* 12*s.* 10*d.* To this institution there has been added during the past year 6300*l.*, making the whole amount for which interest has to be provided 112300*l.*

(See appendix K.)

The whole amount of the provincial indebtedness appears to your committee to be as follows:

DR.				
Amount of province notes (old issue)		59682	0	0
do. do. (new issue)		6000	0	0
Savings' bank,		112300	0	0
Undrawn for roads and bridges,		2783	18	6
do. other services,		16903	9	4
Due board of works,		109	19	4
		£251779 7 2		

CR.

By balance in the hands of receiver general,	£6593	14	5
amount due from collectors of excise,	7233	5	5
“ casual revenue,	8749	19	6
“ Canada, New Brunswick and Prince Edward Island,	1324	5	0
“ Dalhousie college,	5000	0	0
“ Inland navigation company,	5000	0	0

By

By amount advanced to railway, 133776 <i>l.</i> 6 <i>s.</i> 5 <i>d.</i> }	102336	6	1		
Less for interest, 31440 <i>l.</i> 0 <i>s.</i> 4 <i>d.</i> }				1488	3 6 137725 13 11
due by counties for advances to roads,					
					£114053 13 3

There is due by the railway to the ordinary funds of the province as stated above.

Saving bank and province notes,	108300	0	0
General revenues,	25476	6	5

£133776 6 5

Of which 31440*l.* 0*s.* 4*d.* was for interest on bonds, &c.

There has been expended by the different departments under the control of the board of works, during the past year, the sum of £34460 1 4. There is balance due the board of 109*l.* 19 4 to the 31st December. They have received from the treasury during the year 1857, 28932*l.* 5 4, and from other sources 5527*l.* 16 0; and there are remaining unpaid for several services 2663*l.* 6 4½, as per statement annexed.

(See appendix L.)

In reference to the letter of the honorable Mr. Bell, your committee have to report that in the accounts of the board of works inaccuracies have arisen in some manner to the extent of 200*l.*, or thereabouts.

On looking at the account books of the office, your committee observe that they are kept by single entry, and were never regularly balanced from time to time, but all the accounts of the board from the time of Mr. Bell's appointment to his resignation have been entered as if they were one continued transaction.

The accounts include the expenditures on and the receipts for several different and distinct departments. All the sums appropriated to the light house service, Sable Island, the revenue cutters, the lunatic asylum, the penitentiary and public buildings, and all the receipts arising from these several departments go into the accounts of the board; sometimes the credits for one service are distributed among different departments. In matters of this complicated nature, where the accounts run over a period of years, and involve the expenditure of some 150000*l.*, it is impossible to ensure entire accuracy upon any other system of accounts than that of double entry. What adds to the difficulty of detecting the error is, that the accounts are year by year grouped together to be submitted to the legislature in a form different from what they appear in the books.

Under these circumstances your committee are not surprised that some inaccuracies should exist, but as they could be corrected only by a laborious investigation of many thousand entries and vouchers, it is quite impossible for your committee to undertake a task so much beyond the time at their disposal.

They have, however, had Mr. Bell before them, and have heard his explanations; they have also examined the books kept by him for his own guidance, in which has been entered every sum received and every sum paid out by him during the whole period of his incumbency; and your committee would not do justice to their own convictions if they did not report that they are entirely satisfied of Mr. Bell's integrity, and that all the monies that have come into his hands have been fairly and honestly applied to the purposes for which they were intended, and that the error has arisen entirely from the imperfect system of accounting which has been adopted and followed by this department.

Your committee would recommend that in future all monies accruing for the various departments, under the charge of the board, should be paid directly into the receiver general's office, so that the accounts of the board of works should be made up entirely of disbursements, the credits to the departments appearing in the account of the receiver general.

Your

Your committee report the estimate furnished by the financial secretary of the probable assets and expenditure of the province during the present year.

(See appendix M.)

All which is respectfully submitted.

Committee room, 30th March, 1858.

JOHN E. FAIRBANKS, chairman,  
ALFRED WHITMAN,  
J. McCULLY.

} Legislative council.

JOHN ESSON, chairman,  
EDWARD L. BROWN,  
NATHAN MOSES,  
ADAMS G. ARCHIBALD,  
CORNELIUS WHITE.

} House of assembly.

A.

*Balances due by the collectors of light, impost and excise duties, 31st December, 1857.*

Since paid.			
£332	8 1	Annapolis,	£332 12 1
366	5 1	Amherst,	365 13 4
40	1 6	Antigonish,	42 15 7
148	8 5	Arichat,	148 3 1
27	5 0	Advocate Harbor,	35 17 2
53	0 10	Barrington,	94 0 10
		Ditto former collector,	24 16 10
10	0 0	Beaver River	9 18 6
267	17 6	Bridgetown,	267 16 11
10	18 4	Bridgeport,	10 16 4
79	10 0	Bear River,	80 8 0
123	2 7	Canada Creek,	123 2 7
109	8 5	Church Point,	109 3 4
47	17 6	Clementsport,	47 17 6
365	6 11	Cornwallis,	364 5 10
78	7 6	Cape Canso,	78 11 1
		Ditto Bigelow,	277 8 4
571	7 3	Canso Strait,	690 9 4
425	18 8	Digby,	425 19 0
24	14 10	French Cross,	24 12 8
		Great Bras d'Or,	28 4 6
1	3 3	Guysboro,	1 3 4
		Halifax,	23 10 1
96	4 5	Ditto light,	96 4 5
10	11 4	Harbor au Bouche,	12 18 8
84	3 10	Hantsport,	83 14 8
210	2 11	Horton,	306 15 6
43	17 3	Joggins Mines,	43 17 3
		Little River,	16 9 5
412	19 4	Liverpool,	413 0 2
45	2 5	LaHave,	56 15 8
		Ditto former collector,	17 5 3
232	13 8	Londonderry,	232 13 8

£11 13 6	Lunenburg,	£12 0 10
112 4 7	Maitland,	112 4 7
61 7 6	McNair's Cove,	61 7 6
358 9 3	North Sydney,	365 2 3
174 10 1	Pictou,	174 2 0
	Parrsborough, former collector,	399 2 0
38 16 7	Pugwash,	39 0 3
10 1 6	Port Hood,	20 2 0
50 8 8	Port Medway,	77 16 1
	Ditto former collector,	101 2 8
21 16 6	Pubnico,	21 16 6
42 15 5	Ragged Islands,	42 15 5
59 7 0	Sydney, C. B.,	173 13 3
20 10 0	Ship Harbor,	37 16 6
20 0 0	St. Mary's,	34 13 2
7 11 3	Sheet Harbor,	8 0 0
2 1 7	St. Ann's,	3 18 0
11 10 0	Sandy Cove,	19 0 2
16 6 6	Tatamagouche,	25 6 6
37 5 0	Thorne's Cove,	39 3 10
282 11 11	Truro,	321 4 6
19 0 0	Tusket,	19 3 11
8 9 8	Walton,	8 5 6
275 10 0	Wilmot,	380 13 6
51 2 0	Wallace,	51 18 3
60 8 9	Westport,	59 15 8
73 14 8	Weymouth,	92 13 9
187 5 11	Yarmouth,	186 12 9
<hr/>		<hr/>
£6233 14 8		£542 6 9 7233 5 5

## B.

*Abstract of monies received by the receiver general on account of casual revenue, between 1st January and 31st December, 1857.*

1857.

January 15.	Received from the secretary's office on account of fees collected,	£200 0 0
20.	Ditto the mining association for rent of mines, to 31st December, 1856,	1875 0 0
Febr. 17.	Ditto Cunard, Boggs & Cunard, on account of coal raised and sold,	5488 8 10
March 23.	Ditto the Secretary's office, on account of fees collected,	97 8 1
April 3.	Ditto Commissioner of crown land,	1000 0 0
May 21,	Ditto the secretary's office on account of fees collected,	200 0 0
July 8.	Ditto ditto ditto	150 0 0
October 16.	Ditto Cunard, Boggs & Cunard, on account of rent of coal mines, to 30th June, 1857,	1875 0 0
	Ditto ditto for one years rent under lease to the duke of York,	1 5 0
24.	Ditto the Secretary's office, on account of fees collected,	200 0 0

£11087 1 11

Abstract

Receiver general's office, Halifax, 31st Dec., 1857,

*Abstract by committee.*

Secretary's office,	£847	8	1
Crown lands, received by commissioner before adoption of new system,	1000	0	0
Mines,	9239	13	10
	<hr/>		
	£11087	1	11

## C.

*Statement of the provincial revenue for the year 1857.*

Impost and excise duties, including licences to distilleries,		139855	17	1
Light duties,		7285	15	2
Due from provincial secretary's office for fees,		847	8	1
Crown land department,	6502	18	2	
Deduct monies returned to applicants,	1837	19	8	
Mining association,		9239	13	10
		<hr/>		
		£161893	12	8

Financial secretary's office, 10th March, 1858.

## D.

*Statement of the provincial revenue for the year 1856.*

Impost and excise duties, including licences to distilleries,		117897	0	3
Light duties,		7249	3	0
Due from provincial secretary's office for fees,		897	8	1
Crown land department,		2745	15	8
Mining association,		9870	6	0
		<hr/>		
		£138659	13	0

## E.

*The province of Nova Scotia in account with commissioners of St Peter's canal.*

## DR.

1857.	To paid James McKenzie's bill, as charged in former account not carried out,	£1	16	0
	To amount paid labourer as per acct. annexed, } pursuant to report of committee in 1857, }	168	12	2
	To paid David Landry, ferryman, amount of his account for ferryage,	1	10	0
	To paid W. T. Annand's bill,	1	8	9
	To paid commission on 173 <i>l.</i> 6 11,	8	13	3
Dec. 31.	To balance in hands of commissioners,	1	1	11½
		<hr/>		
		183	2	1½
	To balance remaining in bank of Nova Scotia, to credit of commissioners,	96	8	4
		<hr/>		
		£279	10	5½

Cr.

CR.

1856.			
Dec. 31.	By balance remaining in bank of Nova Scotia, to credit of commissioners,	£279 10	5½
	By balance in bank of Nova Scotia, to credit of commissioners,	96 8	4
	(Errors and omissions excepted.)		
December 31st, 1857.			

THOS. H. KELLY,  
H. MUNRO,  
HENRY MARTELL, } commissioners.

F.

*Construction balance, 31st December, 1857.*

	DR.		
1	Cash,	£184 14	1
6	Bank,	486 18	6
19	Johnston & Blackie, contract No. 3, Windsor branch,	28704 18	4
20	Construction,	100053 8	6½
32	Iron rails,	100382 12	11
34	Office expenses,	200 0	0
40	Terminus at Richmond,	6237 14	8½
42	Spikes,	4275 6	5
44	Iron chairs,	38108 1	6
46	Switches and crossings,	2492 2	4½
48	Keys,	3060 12	0
50	Rolling stock,	29857 8	0
53	War department,	20 2	6
54	Omnibusses,	260 10	6
55	Timothy Lane,	10 10	0
56	Thomas Shey,	53 10	0
57	Black, McDonald & Irons, contract No. 5, main line,	49704 17	11
64	Station at Bedford,	998 15	2½
67	Property at African village,	193 16	3
72	Lumber and timber,	783 13	8
73	T. & L. Piers,	500 0	0
75	Machine shop,	6447 18	8½
78	McDonald & Simpson, general account,	8108 13	5½
83	Cameron, Cameron & McDonald, contract No. 4, W. B.	48032 5	0
84	Big Bog Brook bridge,	2231 6	4
85	Bridge at St. Croix,	1326 19	5
86	Cameron, Cameron & McDonald, contract No. 3, W. B.	14007 0	0
87	McDonald & Simpson, contract No. 5, W. B.	29776 0	0
88	Contract No. 3, main line,	1144 10	1
89	Johnston & Blackie, contract No. 1, W. B.	16596 5	4½
91	Cameron, Cameron & McDonald, contract No. 1, W. B.	14554 0	0
92	McDonald & Simpson, contract No. 2, W. B.	28998 2	0
94	Alexander Moir,	23 6	8
96	S. Sutherland & Sons, contract No. 7, main line.	34162 16	1
97	Johnston & Blackie, contract No. 8, main line.	37019 17	7½
98	Land at terminus, (Marshall),	175 18	6
100	Contract No. 1, Windsor branch,	41 10	0
102	Contract No. 8, main line,	62 0	0

103	Platform car building,	£3006	10	7½
104	Bridge at Shubenacadie,	1799	18	5½
105	S. Sutherland & Sons, Richmond station,	3967	7	9
107	Terminus and wharf at Windsor,	4535	1	5½
109	Johnson, O'Brien and John Creighton,	1284	0	0
113	Grand Lake station,	1223	12	2½
119	Engineering,	11790	1	4
122	Contract No. 9,	17	1	6
123	Miscellaneous account,	729	18	2½
134	P. H. Brown,	6	0	0
144	S. Sutherland & Sons, contract No. 10, main line,	10230	0	0
145	Johnston & Blackie, general account.	20460	10	6
150	Contract No. 5,	89	15	0
151	Salaries,	7140	8	1
154	Station at Fletcher's,	72	0	0
155	Contract No. 10,	3	0	0
156	Contract No. 4, Windsor branch,	39	0	0
158	Fuel for machine shop,	27	7	6
159	Contract No. 5, Windsor branch,	64	12	6
160	S. Sutherland & Sons, contract No. 10, main line,	9032	0	0
161	Walker & Co., contract No. 11, main line,	7165	0	0
162	James Fraser,	176	0	0
163	Contract No. 7, main line,	44	7	9
164	Pier at Parrsboro,	27	10	0
166	Engine house at Richmond,	52	15	0
167	Contract No. 6, main line,	17032	2	0
168	Portland cement,	17	14	10
169	Iron and steel, per Florence,	1235	10	6
170	Shipment per Thomas from Glasgow,	4934	5	0
173	Forbes Black,	197	5	0
174	S. Sutherland & Sons, general account,	8727	5	9
175	Contract No. 2, Windsor branch,	54	0	0
176	John Turnbull, fencing,	220	0	0
179	Wheels and axles,	2032	14	7
180	Waggon mounting,	3335	14	8
182	Contract No. 3, Windsor branch,	33	15	0
183	Station at Elmsdale,	3	10	0
184	Shubenacadie bridge, No. 2,	2610	3	0½

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£732696 0 11

## CR.

11	Receiver general,	695100	0	9
16	Baring, Brothers & Co.,	34279	17	8
36	Thomas Gibbs,	77	0	0
52	Wm McCully,	190	17	7
93	Donald Fraser,	125	0	0
114	Revenue,	1077	7	4½
129	P. McAllan,	36	0	0
136	Revenue ledger,	1778	7	0
140	John Stairs,	31	10	6½

---

£732696 0 11

G.

## G.

*Undrawn monies 31st December, 1857.*

Steamboats, packets and ferries,	1367	0	0
Bahama grant,	17	7	5
Salaries,	3948	15	0
Education,	1197	6	0
Revenue expenses,	4254	11	7
Agriculture,	183	6	8
Navigation securities,	4922	3	0
Post communication,	125	9	8
River fisheries,	450	0	0
Public printing,	7	10	0
Miscellaneous,	430	0	0
	<u>£16903</u>	9	4

Financial secretary's office, 26th February, 1858.

## H.

*Undrawn road monies, 31st December, 1857.*

## ANNAPOLIS.

174	William Crosscup, 1856,	£7	18	9
3	James Slane, 1857,	5	0	0
8	Abner Foster,	0	6	0
21	Walter Willet,	0	2	0
54	George Troop,	10	0	0
92		112	0	0
97	Josiah T. Harris,	50	0	0
105	Unappropriated,	84	0	0
117	James E. Whitman,	25	0	0
118	William Dargin, jr.	2	0	0
124	Benjamin Scolfield,	5	0	0
138	Peter Morse,	7	0	0
		<u>308</u>	6	9

## COLCHESTER.

123	James Seaton, 1854,	3	0	0
47	James Desmore, 1855,	3	0	0
50	Robert Askin,	3	0	0
73	Simpson,	3	0	0
92	Joshua Corbet,	4	0	0
96	Ferguson McNutt,	0	0	2
122		6	0	0
83	1856,	3	0	0
93	Charles Faulkner,	4	0	0
105	Thomas Morrison,	3	0	0
110	Samuel Morrison,	4	0	0
119	J. A. Spencis,	3	0	0
135		5	0	0
203		0	13	2
39	A. Longille, 1857,	4	0	0
56	D. Ross, jr.	7	0	0

68	John McLaughlan,	£5	0	0
74	Donald Urquhart, &c.	13	0	0
75	Parker Smith,	9	0	0
83	Henry Sterritt,	3	0	0
90	Thomas Fletcher,	4	0	0
94	W. Lightbody,	4	0	0
99	G. W. Davison,	4	0	0
122	Alexander Sanderson,	10	0	0
175	David Dickey,	0	0	3
	Unappropriated,	3	0	2
				110 13 9

## CUMBERLAND.

149		1	13	3
4	Keiver Hunter, 1857,	0	5	0
6	George Fleming,	0	10	0
20	Atkinson Fountain,	5	0	0
50	Alexander McFarlain,	10	0	0
53	Julius Frome,	5	0	0
71	Elijah Fountain,	6	0	0
111	Alexander Cook,	0	4	0
114	William Fullerton,	5	0	0
132	Cyprian Davison,	7	10	0
142	Jacob Spicer,	26	6	0
170	Unappropriated,	2	1	10
				69 10 1

## CAPE BRETON.

9	Ryan & Carroll, 1856,	7	10	0
	Hector McLeod,	5	0	0
78	John Ferguson,	4	0	0
83		35	12	6
142	Unappropriated,	10	0	0
8	John McLeod, and J. Campbell, 1857,	50	0	0
38	Dennis Kennedy,	10	0	0
49		13	0	0
56		87	0	0
57		1	19	1
66		2	15	0
90		0	15	6
96		10	0	0
99		66	6	2
103		0	8	9
121	Hector McLeod,	10	0	0
	Unappropriated,	11	9	8
				325 16 8

## DIGBY.

108	J. Mallett, 1855,	9	0	0
7	George Sorrid, 1856,	0	7	6
8	Archibald Devoux,	0	10	0
113		8	0	0

4	1857,	£0 6 0	
7		0 2 10	
10	Stephen Young,	0 11 9	
11	Francis Mallett,	10 0 0	
21	Jacob Roop,	0 6 6	
49	Joseph Sturk,	0 2 0	
59		0 4 8	
65	James Ray,	10 0 0	
76	John White,	0 3 8	
82	David Rice,	0 8 0	
88	John Y. Purdy,	3 10 0	
91	Stephen Marshall,	0 17 0	
99	Daniel Ross,	10 0 0	
108	William Harris,	14 0 0	
126	Nicholas LeBlanc,	6 0 0	
157	Charles F. Comeau,	9 0 0	
		<hr/>	83 9 11

## GUYSBOROUGH.

13	1857,	30 13 11	
30	John Honson, jr.,	0 1 0	
47	Henry Archibald,	0 8 9	
49	John W. McKeen,	1 0 9	
60	Andrew Flick,	0 8 0	
		<hr/>	32 12 5

## HALIFAX.

18	Patrick Murphy, 1857,	0 15 6	
28	John Drysdale,	3 0 0	
44	Richard Deal,	15 0 0	
52	Alexander Kuhn,	0 3 11	
59	Joseph Smith,	5 0 0	
74	William Day,	5 0 0	
79	William Anderson,	5 0 0	
114	Sheridan,	5 0 0	
119	John Parker,	0 4 8	
126	J. L. Sweet,	25 0 0	
127		4 10 7	
		<hr/>	68 14 8

## HANTS.

2	William Wickwire, 1857,	0 11 1	
3	Lockhart Sweet,	37 19 3	
4		50 0 0	
16	James King,	5 0 0	
57	George Stephens,	5 0 0	
60		10 0 0	
67	John McMillan,	0 1 3	
80		10 0 0	
82	John Faulkner,	0 1 0	
88	Joseph Thompson,	3 0 0	
90	Slown,	5 0 0	
108	Thomas Laidlaw,	5 0 0	
		<hr/>	131 12 7
			Inverness.

## INVERNESS.

134	Campbell & Miller, 1852,	£1	0	0
148	P. Godet,	3	0	0
156	McDonald & McKeen,	7	10	0
157	John McGregor,	7	0	0
123	Malcom McKay, 1853,	4	16	0
	Sundries,	0	16	10
78	Donald Campbell, 1854,	7	0	0
	Sundries,	0	10	11
55	John Murray, 1855,	15	0	0
	Sundries,	0	8	7
107	M. McMullan, 1856,	0	2	6
4	Alexander McDonald, 1857,	8	0	0
9	Angus McKay,	7	0	0
15	Alexander McDonnell,	0	6	6
19		50	0	0
23	Samuel McLean,	10	0	0
34	Neal McLean,	15	0	0
40	Roderick McLean,	20	0	0
49	John Murray,	10	0	0
76	G. C. Lawrence,	8	0	0
91	Angus Beaton,	10	0	0
96	Benjamin Smith,	7	0	0
141		12	0	0
145	G. C. Lawrence,	76	13	4
156	do	1	3	0
				282 7 8

## KINGS.

185	1853,	5	0	0
	Balance from 95, 193 and 199,	1	12	9
18	Nathan Flint, 1854,	1	0	0
23	A. Beckwith,	6	0	0
60	Joseph Kinsman,	5	0	0
66	William Thomas,	10	0	0
94	W. A. Frost,	4	0	0
118		0	10	0
168	George Harvey,	10	0	0
200	Unappropriated,	0	1	6
22	2s., 130 4s.,	0	6	0
147	Unappropriated,	0	2	8
152	W. McKitrich,	0	10	0
187	W. Patterson, 1854,	0	1	9
18	John McMullan, 1856,	5	0	0
35	Charles Burbridge,	5	0	0
36	Harris Newcomb,	7	0	0
58	William Baxter,	5	0	0
59	E. Kinsman,	4	10	0
65	Joseph Lyons,	5	0	0
78	Philip Weaver,	6	0	0
183		1	7	2
191	William Reid,	0	2	10
203	William Thomas,	5	0	0

215	1856,	£46 11 3	
1	1857,	400 0 0	
17	Ephraim Patterson,	20 0 0	
23	William West,	5 0 0	
34	Leonard Ilsley,	0 4 0	
44	Joseph Bowles,	5 0 0	
51	William Jordan,	1 10 3	
74	William Bordon,	4 0 0	
92	Wellington Clark,	0 0 6	
110	Elias Bishop,	5 0 0	
125	A	50 0 0	
149	John L. Petton,	5 0 0	
176	Unappropriated,	0 1 5	
182	do,	5 0 0	
		<hr/>	635 12 1

## LUNENBURGH.

42	1854,	1 10 0	
88	John Trethewey, 1857,	8 0 0	
116	George Bailey,	15 0 0	
155		0 0 6	
156		0 10 0	
157		2 8 0	
158		1 9 9	
160	William Oaks,	0 0 4	
170	Philip Wile,	10 0 0	
172	John Krouse,	0 3 3	
204	John Rynard,	5 0 0	
207	Unappropriated,	1 7 10½	
208	Special grant,	1 18 9	
		<hr/>	47 8 5½

## PICTOU.

59	John McLean,	1856,	0 1 3	
83 & 119			1 2 4	
3	John McCara,	1857,	1 7 6	
28	Robert Murray,		0 0 1½	
38	John McLeod,		0 8 0	
54			0 0 6	
56	Alexander Fraser,		0 4 0	
72	William Dunbar,		2 18 7	
75	John McP. Fraser,		0 11 0	
77			30 0 0	
102			0 0 5	
103			15 0 0	
	Unappropriated,		0 3 0	
			<hr/>	51 16 8½

## QUEEN'S.

4	Lewis Gardner, 1856,	1 2 6	
92	Miles Carrigan, 1857,	5 0 0	
		<hr/>	6 2 6
			Richmond.

		RICHMOND.			
	Sundries, 1853,	£0	7	6	
15	1854,	0	2	0	
	Murdoch Smith,	0	8	11	
	1855,	0	12	6	
57		0	8	3	
58	Donald Ferguson,	0	1	0	
113		32	0	0	
121		32	14	9	
11	Josiah Hooper, 1857,	30	0	0	
14	Unappropriated,	22	13	8	
17	William Wynn,	10	0	0	
62		5	0	0	
94	Unappropriated,	4	0	1	
103		6	7	2	
107		2	18	5	
111		30	0	0	
112		2	4	9	
127		8	0	0	
131		20	0	0	
		<hr/>			207 19 0
		SYDNEY.			
	Fraser & McKenzie, 1851,	2	12	0	
	Sundries, 1853,	0	7	6	
48	1854,	3	7	4	
102	John Brown,	5	0	0	
	Sundries,	2	5	2	
21	Angus McDonald, 1855,	4	0	0	
42	William McDonald,	5	0	0	
63	C.	0	0	6	
39	1856,	1	6	0	
70	George Levender,	5	0	0	
73	Angus McNeil, 1857,	5	0	0	
54	Andrew McNeil,	5	0	0	
62	Alexander McGregor,	0	3	6	
68	George Levender,	5	0	0	
69	Hugh McGilvery,	5	0	0	
73	John Brian,	5	0	0	
76	Robert A. Henry,	6	0	0	
91	Andrew McKenzie,	153	6	8	
		<hr/>			213 8 8
		SHELburnE.			
15	John Harris, jr., 1857,	0	2	0	
62	William McMillan,	8	0	0	
76	George Cook,	0	9	2	
77	Howes Smith,	0	1	6	
87	Thomas Coffin,	6	0	0	
93	John Sargent,	9	4	7	
96	John Stoddart,	0	1	8	
134	William Doane,	0	9	3	
		<hr/>			24 8 3
		VICTORIA.			
14	1853,	2	5	0	
15	F. W. McKenzie, 1857,	2	0	0	
20	Duncan McRae,	10	0	0	

21	F. W. McKenzie, 1857,	£0	0	2	
24	ditto,	0	1	0	
28	ditto,	10	0	0	
29		30	0	0	
32		0	4	0	
34	F. W. McKenzie,	40	0	0	
35		2	3	0	
37	Duncan McRae,	5	0	0	
39	ditto,	3	0	0	
55		0	1	6	
56		0	3	0	
58		10	0	0	
61		0	0	6	
73	F. W. McKenzie,	7	10	0	
					122 8 2

## YARMOUTH.

37	Municipality, 1857,	1	0	0	
		5	0	0	
					6 0 0
					£2728 8 3

## I.

*Undrawn grammar school monies, 1857.*

Annapolis county—Western district,		£12	10	0	
Colchester county—South district,		50	0	0	
Cumberland county—Western district,		4	16	3	
Digby county—Clare district,		33	6	8	
Guysboro county—Guysboro district,	16 13 4				
St. Mary's district,	16 13 4	33	6	8	
Halifax county—Rural district,		5	15	5	
Hants county—Rawdon district,		16	13	4	
Inverness county—South district,		33	6	8	
Pictou county—North district,	1 7 9				
South district,	10 4 8	11	12	5	
Queen's county,		18	5	4	
Shelburne county,		25	0	0	
Victoria county,		50	0	0	
Yarmouth county—Argyle district,		16	13	4	
					£311 6 1

Financial secretary's office, 10th March, 1858.

## K

*General statement of the funds of the Halifax saving's bank for the year 1857.*

1857.

December 31.	To depositors, being amount due to 1723 depositors, with interest due thereon,	£112	113	14	10
	this sum borrowed from the province at different periods in the year 1857,	6500	0	0	
	Balance,	505	18	0	
					£119119 12 10
					1856.

1856.			
December 31.—By this sum paid into the treasury,	106000	0	0
1857.			
December 31.—By this sum paid between 1st January and date,	12800	0	0
			118800 0 0
Balance of cash on hand, 31st December, 1857,			319 12 10
			<u>£119119 12 10</u>

Savings' bank office,  
Halifax, 31st December, 1857.

E. DUCKETT, cashier.

*Annual abstract of the accounts of the Halifax saving's bank, for the year 1857.*

1856.			
December 31. To balance,			£200 15 8
1857.			
To this sum received from depositors, between the 1st January and 31st December, 1857,			43481 15 3
one year's interest on £106,000 at 4 per cent. to 31st December, 1857,			4240 0 0
interest on £12,800 paid in the year ending 31st December, 1857, on broken periods,			200 9 5
this sum received from the treasury,			6500 0 0
			<u>£54263 0 4</u>
1857.			
By this sum repaid depositors between 1st January and 31st December, 1857,			£41209 11 0
interest paid thereon,			280 16 8
this sum paid into the treasury in the year 1857,			12800 0 0
this sum paid for expenses of management,			12 19 10
			<u>54303 7 6</u>
December 31. By balance,			319 12 10
			<u>£54623 0 4</u>

Saving's bank office,  
Halifax, 31st December, 1857.

E. DUCKETT, cashier.

L.

*Recapitulation of balances remaining unpaid by the board of works, 31st December, 1857, with credits.*

	Dr.	Cr.
Government house,	126 19 10	
Province building,	21 2 0	
Penitentiary,	8 4 8	28 15 7½
Hospital of insane,	1398 9 3½	1 13 6
Sable Island,	145 4 0	81 2 5
Acadienne,	6 6 0	
Lady Vivian,	0 6 3	

Light

Light House service,	£1091	2	5½		
Board of works,		4	12	6	
	2802	7	0		139 0 7½
	139	0	7½		
Amount due,	£2663	6	4½		

## M.

*Estimate for 1858.*

The committee annex the following statement of the probable assets of the province for the year 1858, furnished by the hon. financial secretary:

Balance in the hands of the receiver general 31st December, 1857,	£6602	14	5
Due from collectors of colonial duties,	6542	15	1
casual revenue,	8749	19	6
Canada, New Brunswick and P. E. Island, for lights,	1324	5	0
counties for advances for road service,	1574	18	7
	24794	12	7

*Probable receipts.*

From collector of excise at Halifax,	106000	0	0
collectors at outports,	28000	0	0
collectors of light duty,	6000	0	0
casual revenue,	10000	0	0
distilleries,	6500	0	0
			156500 0 0
			181294 12 7
Deduct undrawn monies for roads and bridges,	2783	18	6
ditto for other services,	16903	9	4
interest due 31st December, 1857,	11294	0	0
			30981 7 10
			£150313 4 9

Deduct ordinary and legislative appropriations, viz. :

Salaries of lieut. governor and public officers,	15170	0	0
Legislative expenses,	10000	0	0
Revenue department at Halifax,	6000	0	0
Salaries of outport collectors and commissioners,	4000	0	0
General education,	21000	0	0
Interest on funded debt,	4240	0	0
Do. to be provided for railway bonds,	45000	0	0
Support of light houses,	8000	0	0
Do. Sable Island,	400	0	0
Provincial penitentiary, £1000; public build- ings, £800,	1800	0	0
Rations to troops,	50	0	0
Poor asylum,	2050	0	0
Transient paupers,	250	0	0
Halifax dispensary; Indians,	400	0	0

Post communication,	£6000	0	0
Packets and ferries,	1300	0	0
Road compensation, £500; casualties, £1000,	1500	0	0
Drawbacks,	3500	0	0
Board of works,	15650	0	0
Miscellaneous,	4000	0	0
Agriculture,	nil.		
Militia,	nil.		
Navigation securities,	nil.		
River Fisheries,	nil.		
		150310	0 0
		£	3 4 9

JOHN J. MARSHALL, financial secretary.

Financial secretary's office, 6th March, 1858.

No. 56.

(See page 500.)

## PETITIONS FOR ROADS.

Mr. Fuller presented to the house several petitions for aid to roads in the county of Richmond, viz. :

2 petitions of residents of River Inhabitants.

Honorable Mr. Young presented to the house several petitions for aid to roads in the county of Inverness.

2 petitions of the inhabitants of River Dennis and River Inhabitants.

2 petitions of the inhabitants of Ainslie.

A petition of Dougald Kennedy.

A petition of inhabitants of New Canada and Bridge End.

Mr. Tobin presented to the house a petition for aid to a road at Ferguson's Cove, in the county of Halifax.

Mr. White presented a petition from the inhabitants of Port Roseway, in the county of Shelburne, to aid in opening a road.

Mr. Esson presented a petition from the inhabitants of Upper Stewiacke, to aid in opening a road at the head of Musquodoboit harbour, in the county of Halifax.

Mr. Archibald presented two petitions for aid to roads in the county of Colchester, viz.:

A petition from the inhabitants of the county.

A petition from inhabitants of the township of Londonderry.

Mr. Wier presented to the house several petitions for aid to roads in the county of Guysborough, viz. :

A petition from inhabitants of New Harbour.

from Wm. Gerrior and others.

from C. J. Wylde and others.

from John Meagher and others.

from M. Mann and others.

from Benjamin Gelvray and others.

from inhabitants of Salmon River lakes.

from John Hartley and others.

A petition from inhabitants of Larry's River and Torbay.  
from Alexander McDonald and others.  
from Arthur O'Niell and others.

Mr. Morrison presented to the house a petition from inhabitants of Earltown and Waugh's river, in the county of Cochester, to aid a road.

Mr. Marshall presented to the house four petitions to aid roads in the county of Guysborough, viz. :

- A petition of inhabitants of Grand Lake settlement.
- A petition of inhabitants of Thor Hill Lake.
- A petition of William R. McDonald and others.
- A petition of John McQuire and others.

No. 57.

(See page 501.)

## POWER OF THE LEGISLATURE TO ARREST.

[COPY.]

Circular.

*Downing street, 5th March, 1858.*

MY LORD—

As the annexed judgment of their lordships of the judicial committee of the privy council, on the appeal of Fenton and Fraser *vs.* Hampton, from the supreme court of Tasmania, relates to a point of general importance in colonial jurisprudence, whether immediately affecting the colony under your government or not, I transmit copy of it for your lordship's information.

I have, &c.,

(Signed)

STANLEY.

Lieut. governor the right hon. the earl of Mulgrave, &c., &c.

*Judgment of the lords of the judicial committee of the privy council on the appeal from the supreme court of Tasmania ; delivered February 17th, 1858, of Fenton and Fraser, vs. Hampton.*

PRESENT :

Lord justice Knight BRUCE,  
Chancellor of the Duchy of Cornwall,  
Lord chief baron of the exchequer,  
Lord justice TURNER.

This is an appeal from a judgment of the supreme court of Van Dieman's land, given in favor of the respondent, (the plaintiff below,) who had brought an action against the appellants, Michael Fenton (the speaker), and James Fraser (the sergeant at arms), of the legislative council of Van Dieman's land.

The colony is a part of her majesty's dominions, by occupation and not by conquest.

The authority of the legislative council is derived from the British parliament, under the 13 & 14 Vict. cap 59. The council consists of thirty-three members; one third of whom are nominated by the crown, the other two-thirds are elected by the inhabitants.

The council, no doubt, possess legislative authority ; they may make laws or ordinances, which (on receiving the sanction required by law) become binding within the colony. In this sense they possess supreme legislative power. The action brought by the respondent in the supreme court arose out of the following circumstances :

During a session of the legislative council, in the year 1855, the council appointed  
in

(in accordance with their rules and orders) a committee of their own body, to inquire into certain alleged abuses in the convict department, and the council resolved that the committee should have leave to send for persons in order to prosecute the enquiry. The respondent, John Stephen Hampton, was deemed a material witness in the prosecution of the inquiries. Thomas George Gregson, (who had been duly elected chairman of the select committee) issued a summons to the respondent to appear personally before the select committee, at a certain time and place, to be examined as a witness on the subject of the inquiry. The summons was duly served. The respondent (it must be presumed for the present purpose) wilfully, and without reasonable excuse, refused and neglected to appear, and in consequence the select committee was obstructed (so far as this was an obstruction) in the inquiries, and the council was prevented from obtaining their report; thereupon, the legislative council, being informed of these circumstances, resolved that the respondent be desired to attend at the council's house at Hobart Town, on a day and hour named.

The respondent was duly served with a summons to attend, but would not obey it, and wilfully and contemptuously, and without reasonable excuse, disregarded the summons and order, and refused to attend. The council then resolved that the respondent was guilty of contempt in disobeying the resolution of the council, and the summons of the speaker; and they further resolved, that the speaker should issue his warrant for the apprehension of the respondent, to be held in the custody of the sergeant-at-arms during the pleasure of the council. In compliance with that resolution, the speaker did issue his warrant, and the sergeant-at-arms executed it, and took the respondent into custody, and this is the trespass complained of in the court below.

The defence to the action was founded on the circumstances above stated, which were respectively pleaded by the speaker and the sergeant-at-arms, in due form, each of them professing to justify his interference by the authority of the council to make the resolution and to enforce them, by issuing the speaker's warrant, and apprehending the respondent.

The plaintiff below demurred generally to these pleas, and the supreme court (probably acting on the authority of the case of *Kielly vs. Carson*, decided in this court in 1842: 4, Moore, page 63), gave judgment for the plaintiff, holding that the facts set forth in the pleas of justification did not constitute a defence at law.

The question was argued before the committee at considerable length, and many points were raised and discussed, upon which we think it unnecessary to form any opinion in order to decide the present question.

The principal point is, undoubtedly of great importance, involving as it does, on the one hand, the constitutional rights and authority of the legislative bodies in various parts of her majesty's colonial territories; and, on the other, the right to personal liberty (unless deprived of it by law) which her majesty's subjects take with them, as part of their birth right, to every portion of her dominions—the subject is not new to this court; it has been discussed before on more than one occasion. In the case of *Beaumont vs. Barrett*, from Jamaica, (1st, Moore, page 59, A.D., 1856), it was decided that an assembly possessed of supreme legislative authority had the power of punishing contempts; that the power was inherent in such an assembly, and incident to its legislative functions; and, according to the judgment in that case, every colonial assembly or council possessed the same authority to punish for contempts which the house of commons has exercised in this kingdom for a long series of years.

But in the year 1842, the same question (in substance) came before this committee on an appeal from Newfoundland, and was twice argued; the second time before the lord chancellor, two noble members of the committee who had formerly held the great seal, the three chiefs of the common law courts in Westminster hall, two out of the four members of the court who were present at the decision of the case of *Beaumont vs. Barrett*—the vice chancellor and Dr. Lushington; and, on that occasion (page 84, of 4, Moore)—“ their lordships were of opinion that the house of assembly did not possess the

power

power of arrest, with a view to adjudication, on a complaint of contempt committed out of its doors." They held that the power of the house of commons in England was part of the "lex et consuetudo parliamenti;" and the existence of that power in the commons of Great Britain did not warrant the ascribing it to every supreme legislative council or assembly in the colonies. We think we are bound by the decision of the case of Keilly & Carson, the greater authority of which, as compared with Beaumont & Barrett, it is quite unnecessary to enlarge upon. An attempt was made to distinguish the present case from those cited; the authority of the legislative bodies in those cases being derived from the crown, whereas, the legislative council of Van Dieman's land derives its legislative authority from a statute of imperial parliament; we think there is no foundation for this distinction, and that if the legislative council of Van Dieman's land, cannot claim the power they have exercised on the occasion before us, as inherently belonging to the supreme legislative authority, which they undoubtedly possess, they cannot claim it under the statute as part of the common law of England (including the "lex et consuetudo parliamenti") transferred to the colony by the 9th, Geo. IV. cap. 83, sec. 21—the "lex et consuetudo parliamenti" apply exclusively to the lords and commons of this country, and do not apply to the supreme legislature of a colony by the introduction of the common law there.

It was argued, however, that as the legislative council had the power to make the inquiry out of which these proceedings arose, as inherently belonging to their supreme legislative authority, the supreme court had no authority to examine into the validity of the warrant; but we are of opinion that it sufficiently appeared by the pleas that this was an arrest, with a view to punish for an act alledged to be a contempt, but committed away from the house of the assembly, their lordships therefore are of opinion that it was not justified by the pleas, and that the judgment below ought to be affirmed, with costs, and we shall advise her majesty accordingly.

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PART 2.—(See page 576.)

The committee of privileges, to whom was referred Lord Stanley's despatch of the 5th March, with a copy of the judgment in the appeal case of Fenton and Fraser vs. Hampton, beg leave to report,

That they have not had leisure to consider the highly interesting and important point involved in that decision, affecting as it does the powers usually supposed to belong to colonial assemblies for their protection and dignity. The committee have had reference to the previous conflicting decisions of Beaumont vs. Barrett, and Keilly vs. Carson, 1 & 4 Moore, and with a view to a deliberate consideration of this question, and of such legislative or other remedies as may be found practicable at the next session, they recommend that his excellency the governor be respectfully requested to procure, if possible, during the recess, printed copies of the three cases above mentioned, and the appendices thereto.

Halifax, 7th May, 1858.

W. YOUNG, chairman.

No. 58.

(See page 502.)

## REVISED STATUTES.

[COPY.]

To his excellency Sir JOHN GASPARD LEMARCHANT, lieutenant governor in and over the province of Nova Scotia, &c., &c., &c.

The report of the undersigned, commissioners appointed by your excellency to revise and consolidate the laws of this province.

MAY IT PLEASE YOUR EXCELLENCY,—

The following resolution having been passed by the house of assembly, and concurred in by the legislative council at the last session, to wit :

“Whereas it has become indispensable that the statutes of this province should be further revised, and an improved index made therefor,

Resolved, that his excellency the lieutenant governor be respectfully requested forthwith to employ a sufficient number of competent persons, not to exceed three, for the purpose of further revising the statutes, so as to have the same prepared and submitted to the government at least one month before the next sittings of the legislature, and this house will provide for the expense thereof.”

And your excellency having done us the honor of intrusting to us this important duty, we have executed the trust, and beg leave to submit to your excellency the laws in the form in which we have consolidated them, entitled “the revised statutes of Nova Scotia—second series.”

The first series of the revised statutes was enacted in the year of our Lord one thousand eight hundred and fifty one, and since that time many material alterations and amendments have been introduced ; some chapters have been repealed, and some acts have passed of an independent character

In revising and consolidating the laws up to the end of the session of 1857, we have endeavored to make as few alterations in the number and arrangement of the chapters and titles as possible ; and we have carefully abstained from making any alteration on the laws themselves, but have compiled them with all alterations and amendments incorporated in the several chapters.

It is essential that a copious and correct index should be prepared, and we have made arrangements to effect this object while the statutes are in the course of publication. The marginal notes of the sections were, in the first series, collected at the head of each chapter, and this, in the absence of a perfect index, was desirable ; but as we intend carrying those notes fully into the index of the new series, we have not placed them at the head of the chapters, which, in our estimation, would be an unnecessary waste of space, and would tend inconveniently to expand the work.

From the amount of matter necessarily added to the first series, it may be advisable to divide the new series, with its copious index, into two volumes of about the same size as the volume containing the first series ; but we would recommend that, if possible, the work shall be published in one volume.

An act to regulate the publication of the revised statutes was passed on the 7th April, 1851, to which we refer your excellency, and it appears to us that it will be advisable to make a similar law in respect to the publication of the new or second series.

The foregoing report refers more particularly to the revision and consolidation of the  
general

general statutes,—we have also prepared a new and amended edition of the private and local acts, with an index, which we also beg leave to submit to your excellency.

All of which is respectfully submitted.

(Signed)

MARTIN I. WILKINS,  
W. A. HENRY,  
JAS. R. SMITH.

Halifax, December 31st, 1857.

No. 59.

(See page 504.)

## BOUNDARY LINE.

Halifax, 6th April, 1858.

HON. PROVINCIAL SECRETARY,

SIR,—We have to report to the government the result of the duties entrusted to us in reference to the establishment of a boundary line between the provinces of Nova Scotia and New Brunswick, by commission dated 27th day of August last.

The northern boundary of Nova Scotia as defined in Governor Parr's commission, dated 29th May, 1784, is described as follows:—"To the northward by a line along the centre of the Bay of Fundy to the Missiquash River, by said river to its source, and thence by a line due east across the Isthmus to the Bay Verte"

Any line established in exact conformity with this description would not be satisfactory or just to either province. The "source" of the Missiquash we found could not be defined. After tracing this river from its mouth to a point on the accompanying plan, near "Black Island," the stream is lost in a large extent of floating bog marsh and small detached lakes, spreading over a wide surface of sunken country of comparatively little value, through which no connected run of water can be found: and to run a line "due east" from the point to which the stream can be traced, would not go across the Isthmus to the Bay Verte, but would skirt to a narrow point along the shore, and include a considerable extent of country and coast always considered to be part of Nova Scotia.

After discussing the matter with Messrs. Steadman and Avar, the commissioners on the part of New Brunswick, (whom we have much pleasure in saying, acted throughout the negociation with the utmost candour and fairness)—we came to the conclusion to continue the line from the point to which the Missiquash River forms a running stream near Black Island, following up the centre of the bog and sunken marsh to the "portage"; thence a direct course to the bridge crossing the Tidnish River, near the head of the tide, and thence down this river into the waters of the Bay Verte.

The commissioners deemed it of much importance that the control of the "Tidnish" with its channels and waters, should be in one province, so as to prevent illicit trade, as it forms a harbour and place of entry for ships, and being the only harbour on the coast between Pugwash and Bay Verte, we considered it necessary for the trade of Nova Scotia, and have had it included within her limits.

On that part of the boundary which runs through the bog and sunken marsh, we caused juniper posts to be set, so as clearly to define it up to the point where it reaches the "portage"; and from thence to Tidnish bridge, a distance of about five miles, as the line runs through a wilderness country, we had it cut open several feet wide, and recommend that small columns of stone or iron be put up at stated distances thereon, so as to prevent future difficulties in reference to its position. These can be had at a

small

small cost, and the New Brunswick commissioners are content to bear their perportion of the expense of the same.

The boundary line thus agreed upon, does not disturb or interfere with any roads or local arrangements, but leaves the roads that are now considered in New Brunswick still in that province, and the same will be the case with the Nova Scotia roads, while the settlers will be principally left, as they now are, in the province to which they have been in the habit of considering themselves to belong.

We transmit herewith the agreement entered into with the New Brunswick commissioners defining the boundary, which they inform us is assented to by their government, and also a plan of the same prepared by Alexander Munro, surveyor, under our joint direction.

The work has been performed as economically as possible, and a statement of the expenses and charges therefor will be laid before the government, as soon as we are enabled to procure the accounts of the surveyors and workmen employed, which we expect to have at an early day.

We have the honor to be,

Your obedient servants,

ALEX. McFARLANE, }  
JOSHUA CHANDLER, } Commissioners.

#### AGREEMENT

For establishing a boundary line between the provinces of New Brunswick and Nova Scotia, entered into between the undersigned, as follows:—Such line to commence at the mouth of the Missiquash river, in Cumberland Bay, thence following the several courses of such river to a post near Black Island—thence following the line marked on the plan and survey made by Alexander Munro, surveyor, north fifty-four degrees and twenty-five minutes, east, two hundred and eighty-eight chains to the northerly angle of Trenholm's Island; thence north thirty-seven degrees, east eighty-five chains and eighty-two links; thence north seventy-six degrees, east forty-six chains and twenty links to the head of the lakes at the portage; thence south sixty-five degrees and forty-five minutes, east three hundred and ninety-four chains and forty links to Tidnish Bridge; thence following the several courses of the Tidnish River along its northern upland bank to the mouth of the same; and thence following the north-westerly channel of such river to the deep waters of the Bay Verte, securing to the province of Nova Scotia the navigable waters and control of the Tidnish river.

JAMES STEADMAN, commissioner for New Brunswick.

ALEX. McFARLANE, }  
JOSUA CHANDLER, } commissioners for Nova Scotia.

JOSEPH AVARD, commissioner for New Brunswick.

March, 1858.

No. 60.

*(See page 510.)*

## INLAND NAVIGATION COMPANY.

TO THE HONORABLE THE REPRESENTATIVES OF THE PROVINCE OF  
NOVA SCOTIA, NOW CONVENED IN GENERAL ASSEMBLY.

THE PETITION OR HUMBLE MEMORIAL OF THE INLAND NAVIGATION COMPANY OF NOVA-SCOTIA,

SHEWETH :

That by continued exertion, and the steady and active support of a few persons having faith in the work, your memorialists have at length succeeded in accomplishing the great object they have in view, save only one crowning step. It wants but the inclined plane from Dartmouth lake to the waters of this harbor, to perfect a safe, well constructed and workable canal from Halifax to Douglas, connecting the tides of the Atlantic, with those of the Bay of Fundy. All question of the practicability of this work is at an end, and there can be no question of the immense convenience and facilities it is about to confer on our inland trade. With this opening statement, your memorialists feel that they can approach your honorable house, with the assurance of your approval, even if you should think fit to refuse to them the boon that is asked.

They beg the attention of the house to a concise statement of what they have done since their incorporation in the year of our Lord one thousand eight hundred and fifty-three. In the intervening period they have perfected the work from the village of Dartmouth to the Basin of Minas; they have built seven good and substantial dams, wastewears, and locks, (through all of which locks, boats, scows and rafts, have passed) one lock at Dartmouth, two at Port Wallace, three miles from Dartmouth, one at Fletchers, one at the head of the Grand Lake, and two on the Shubenacadie River. They have made all the necessary excavations in the shallow places, and through the dividing ridge that separated the Dartmouth from the Shubenacadie waters, so as to give nearly five feet depth of water all the way through.

They have also cleared out the river, and deepened it, forty feet wide, for miles below the lower lock; and should it be required to raise the water, in the extreme draught of summer, that can be attained, by a stop-gate at Elmsdale. They have constructed all the necessary swing or draw bridges where the highways cross the canal. Above all, they have built, with all the requisite machinery, a well finished, substantial inclined plane at Marshall's, overcoming a height of thirty-three feet, and modelled upon the most improved plan, recommended by the experience of the United States. Over this plane a steamer has passed and repassed, and is now to be seen resting on the cradle. The introduction of this modern substitution, for the old and expensive system of lockage, is of itself an advantage of no mean account, and demonstrates the ease, with which the final step may be taken, from Dartmouth to this harbor. It has been the misfortune of this work, that its progress has been retarded, by doubts of its success, an incredulity which it has been almost impossible to overcome. Should these statements therefore stand in need of confirmation, your memorialists earnestly hope that some members of your honorable body will visit the nearest locks, and the inclined plane, which will occupy but a few hours, and speak to the understanding and the eye, with more effect than the most ample testimony.

Your memorialists would now respectfully invite your attention to the utility of the work, and the results it must inevitably produce. It opens up a large and extensive country, and the shores of the lakes, and River Shubenacadie, with the numerous rivers and streams flowing into it. Here are tons of thousands of cords of firewood, and an inexhaustible supply of ship timber, logs, and lumber of all kinds. Here are millions of tons of the finest plaister, lime, building stone and granite. Suppose there was nothing else! can it be doubted that a water carriage of these bulky

articles

articles, from the interior to this harbor, of the cheapest and most economical kind, will lower the price of fuel, give new facilities in building, and convert this harbor into a harbor of export? Some men still doubt the navigability of the river. Be it so: still a great object has been attained, and an ample supply of the most valuable materials would pour into this harbor. But your memorialists submit there is no rational ground for doubting the navigability of the river; and the inhabitants of Douglas, who know it best, and at one time entertained these doubts, now acknowledge their error, and have become the warm advocates and friends of the canal. If, indeed, loaded boats, drawing three feet six inches of water, and carrying sixty tons, shall be found to pass freely from Douglas to Halifax at a moderate toll, who can foretell the impulse that will be given to the trade of the Bay of Fundy, and of the counties that skirt its waters, and the influence that such a work must exert upon the industry and resources of the province. This at all events is certain, that so soon as the spring opens, the navigation of the Shubenacadie River, with its lakes, and the Dartmouth lakes, will be uninterrupted and clear to within less than half a mile of Halifax harbor.

But to accomplish so much, great exertions have been required. The old work was found exceedingly defective, and nearly the whole of it had to be taken down and rebuilt. Labour and materials, during the last three years, have been unprecedentedly high, skilled labour was difficult to be had, and, as in the case of other public works of still greater magnitude, the original estimates were, of necessity, largely exceeded. The sum of eighteen thousand eight hundred and sixty pounds has been raised by private subscription; five thousand pounds was raised by private loan from a few public spirited individuals; five thousand pounds was lent by the province, and a further sum, to complete the inclined plane, has been obtained on the credit of two of the directors. The aggregate amount is large, but by no means too large for the work that has been done. It is indispensable now to add the last link, by building the inclined plane from Dartmouth to Halifax harbor, and your memorialists having exhausted all the appliances and means at their disposal, earnestly solicit the co-operation and aid of this honorable house.

By a clause in the deed, the company is restrained from selling or mortgaging any part of the property or lands conveyed to them, till the work is fully completed to the harbor of Halifax. This disables your memorialists from raising money on such property, and as the only object of raising it now is to repay the cost of the inclined planes, and to carry the boats into the harbor, your memorialists respectfully submit, that the restriction no longer operates as a protection to the public, and might, without the violation of any principle, and to their great relief, be withdrawn. They trust that this will appear to your honorable body to be a moderate, and not unreasonable request. But the company hope that, in view of the facts set forth in this memorial, your honorable house will be disposed to go much further, and by taking stock, or by a grant of money, secured upon the property or works, enable them finally to complete the enterprise. Nature has done almost all. Compared with the cost of others, the cost of this canal is but a trifle, and William H Talcott, esq., an engineer of great experience and high character, declared that this was the cheapest and easiest inland navigation on this continent.

Your memorialists therefore earnestly pray the favorable regard of your honorable house in this matter, as one deeply affecting the material progress and industry of the province.

And they will ever pray, &c.,

JAMES F. AVERY, president.

WM. STAIRS, }  
JOHN GIBSON, } directors.

EVIDENCE TAKEN BEFORE A COMMITTEE OF THE HOUSE OF ASSEMBLY  
RELATIVE TO THE INLAND NAVIGATION COMPANY.*Committee room, 4th March, 1858.*

## PRESENT :

Honorable Mr. HOWE,  
Honorable Mr. YOUNG,  
Mr. RUGGLES, Mr. McDONALD,  
Dr. AVERY and Mr. GIBSON.

*Mr. John Annand.*—I have been living at Gay's River for 53 years, one mile from the Shubenacadie. I have been in the habit of taking rafts of timber down the stream to Maitland, and have also loaded scows which I knew descended the river to Maitland. My place is about 24 miles above Maitland. From Shubenacadie bridge loaded scows and rafts will go down and ascend with the tide at all times, and with all states of the tide, but at certain states of the tide they cannot go down from Gay's River; and with spring tides we can take them four miles up above the mouth of Gay's River. We can also go one mile up Gay's River with the tide. As regards the shifting of the channel from the moveable sands, I cannot say, from my own knowledge, how it would affect the working of a steamer. A scow, such as proposed by the canal company, 66 feet long, 16½ feet wide, drawing 3½ feet water, can ascend and descend the river from Maitland to my place, in medium tides, with perfect safety, four miles above Parker's.

I know myself that three years ago a loaded scow, with furniture, belonging to Duncan Cameron, came up from Maitland to the square mouth of Gay's River, four miles above the bridge near Parker's, and descend the next day loaded, with perfect safety; the tide was an ordinary tide. The distance from the mouth of Gay's River to the nearest lock up stream is 10 miles. It would not cost more than £5 to complete the tow path now made through this distance, and two horses could draw almost any weight that the ordinary purpose of traffic might require. The water in the drought of summer is not naturally sufficient to carry scows through this distance. A steamer such as the one now on the canal can go up and down where the scows can go. In the extreme drought I have known the water in the river to be as low as one foot through this 10 miles.

There is abundance of lime and plaister at the Black Rock, four miles above Gay's River, and from what I know of the plaister trade, I would send it this way instead of down the river, but I know little of the trade. I would send it this way, because it is near, and would be cheaper. There is also plenty of plaister at Grand Lake.

It generally takes three tides for a boat or a scow to get down the river, but it can go up in one tide. There is about 3 hours difference between the tide at Maitland and the head of the tide.

The plaister at Black Rock is white, of good quality, and can be put into a scow for 4s. a ton or less. There is also plenty of plaister at Elmsdale, two miles above Black Rock, on the river. I do not know of any boats being built for going through the canal, but as soon as it is opened they will probably be built.

(Signed, &c.)

JOHN ANNAND.

*David Barberick.*—I live ten miles above Maitland, on the west side of the river. I have lived there 44 years, that is my age. I have been for 30 years employed taking loaded vessels ten to fifteen miles up the river, and scows, boats and rafts up and down the river from Maitland, as far as Nelson's corner, and frequently as far as Gays' River. Have been three months employed scowing stone from Wardrobe's, three miles above Gays' River to Barney's brook, four miles farther up. In the drought of summer I have  
seen

seen the stream above Gay's River as low as a foot. Boats can work through this distance without any artificial aid, from three to four months in the year. A steamer of sixty or seventy tons can, with ordinary care, navigate the Shubenacadie below Gay's River, while the stream is clear of ice. There are about eight days in the month, in the extreme drought of summer, that a loaded scow cannot go above Parker's, but this is only for two months; this also applies to a steamer. There is no difficulty in getting a wooden scow or steamer starting with the tide over the ford at Fort Ellis in one tide. Vessels frequently go up above my place for loads. I have no doubt that scows such as proposed by the canal company, or even larger, being brought up the river as far as the tide comes. I know the channel of the river sometimes changes from shifting sands, but in the hands of any person acquainted with the river, this can lead to no practical difficulty. I have known many boats or scows, laden with stone, to pass over that portion of the river where the sands shift. I have been in charge of many of them myself, and no accident has occurred within my knowledge. I have heard the testimony of Mr. Annand, and agree with it in every particular so far as my knowledge affects it. I have frequently gone with a loaded boat from Londonderry to Nelson's in one tide. In the highest tides the tide rises at Nelson's from 8 to 10 feet, and at the lowest I have seen it as low as one, in ordinary tides it is about 6 feet. I have not been over this stream the whole way from Gay's River to the first lock; but if the company can throw a supply of water from reserved supplies into this portion of the route to the depths of three to four feet in the whole, there can be no difficulty in taking a loaded scow or steamer through from Maitland.

I took down the steamer when she went down. It was dead low water when we started from Nelson's, and finding that there was not water enough, we waited for the tide, and then got down in two hours, stayed a day, and got up again in  $2\frac{1}{4}$  hours against a strong head wind, the distance is 21 miles; there was no danger whatever, and my opinion is, that there is no danger under, ordinary circumstances, in carrying on a trade in this portion of the stream.

Signed in presence of A. }  
C. McDonald, being first }  
read and explained. }

his  
DAVID ✕ BARBERICK,  
mark.

*James R. Forman, C. E.*—A very careful investigation would be necessary before giving a decided opinion. My knowledge of the river is very limited.

The forces in operation are the scouring power of the river water, counteracted by the deposit from it, and by the wash of the tide. The whole drainage of the district has heretofore passed down the river, and its total effect, except when it has overflowed the channel, has been felt.

If the river could be confined, unnecessary bends cut off, and the inclination of the bed equalised, or other districts drained into it, the scouring power would be increased, or the water might be controlled as proposed.

I do not know if either of the first two modes are practicable. In reference to the last, I have little doubt, from Mr. Fairbanks' local knowledge, that he has come to a right conclusion, but I have to profess my incompetency to decide upon any information in my possession.

The following calculation shows a discharge equal to the proposed channel, provided the inclination of 10 inches per mile is constant.

Area  $45.0 \times 5.0 = 225$  wetted, percenter  $40 \times 11 \times 11 = 62$ . Hydraulic mean depth  $\frac{225}{62} = 3$  feet  $7\frac{1}{2}$  inches  $= 41\frac{1}{2}$  inches. The fall below the lower lock is 32 feet, and the distance 58 miles  $\frac{32}{58} = 10$  inches per mile nearly. The mean velocity for this inclination at the hydraulic mean depth 24.13 inches per second, or 120 feet per minute, hence the

area

area as above  $225 \times 120 = 27000$  cubic feet discharged in a minute, 1,620,000 per hour, or 38,880,000 in 24 hours, or 141,910,000 cubic feet per year of 365 days.

Area drained into Grand Lake as per Mr. Fairbanks' calculation,

$43560 \times 640 \times 200$

5,575,680,000

The discharge from Nine Mile River, estimated as equal to above,

5,575,680,000

11,151,360,000

To which must be added the other supplies referred to—extent not specified—quantity as before,

14,191,200,000

The mean average quantity of rain over the whole surface of the globe is 36 inches, but it varies much in different places, for example, at "Granada" it ranges from 105 to 126 inches, whereas at "Petersburg" it is only 16 inches.

The mean velocity being 24.13 inches per second, the maximum velocity will be 29 inches per second, and the velocity at the bottom 20.2 inches.

A velocity of 29 inches per second is equal to nearly  $1\frac{1}{2}$  of a mile per hour.

The effect of the tide is to back up the water and impede the discharge, the bends of the river must also impede the flow of the water.

Large rivers run sufficiently swift, with a fall of about 1 foot per mile, small rivers or large brooks with 2 feet per mile, and small brooks will hardly keep an open water course under 4 feet per mile.

*Arthur M. Cochran.*—I have lived at Maitland since 1830, and have been in some measure engaged in the plaster trade up and down the River Shubenacadie. During neap tides, the flow is gradual and without a bore, but at high tides the bore is about three to four feet high at the mouth of the river. I am acquainted with the condition of the river up as far as Nelson's, and I am of opinion that at medium tides a ten knot steamer, drawing six feet water, can safely navigate that portion of the river; the difficulty is in descending the river. Since I have lived at Maitland I have not known of any vessels being lost by this bore. The difficulty in descending the river arises from the fact that a person in charge of a boat or scow must lose a considerable part of the ebb tide, in order to beach his boat at a sufficient distance from low water so as to escape the force of the bore of the flood tide. It will take two tides for a raft or scow to descend the river without a sail or steam power. My opinion is, that it would be extremely difficult, if not impossible, for even such a steamer as I speak of to tow up the river any number of barges loaded, over two or three. I think, also, that the same class of boats, I mean steamers, will not answer for the river below Nelson's and above that point to the lower lock. I give a written statement of the state of trade at Maitland for some years past. I think that a cargo of plaster would be worth 50 per cent more in Halifax than at Big Rock, Shubenacadie.

Loaded boats, such as advertised by the company, can at medium tides safely ascend and descend the river to and from Nelson's, and at high tides can go up higher, as far as the Gay's river.

I am of opinion that the trade of the various districts around the Basin of Minas and Bay, will not be attracted in any considerable degree towards Halifax by means of this canal navigation.

A. M. COCHRAN,

	No. of vessels.	Tonnage.	Largest.	Smallest.
1853,	42	3563	239	21
1854,	36	3198	239	33
1855,	39	3900	174	37
1856,	36	3043	141	31
1857,	27	2406	174	35

54

There

There were three vessels built at Maitland in 1856, and not included in the above, viz.:—Alleppo, 202 tons; Europa, 191 tons; Defiance, 113 tons. Architect, built in 1855, 348 tons.

*Exports of plaster and wood from the 1st July, 1852, to 1st July, 1853.*—Gypsum, 17960; cordwood and bark, 621 cords; lathwood, 634 cords; deals, 142,000 feet; timber, 1028 tons; knees, 5786.

*Exports for the year ending 31st December, 1857.*—Gypsum, 12543; cordwood and bark, 556 cords; lathwood, 268 cords; timber, 87 tons; knees, 800; deals, 23,000 feet.

*C. W. Fairbanks, C. E.*—Question.—How is it proposed to render navigable the river below the lower lock to Gay's River.

Answer.—The River Shubenacadie is forty-two miles in length, measured from the Grand Lake to its mouth. The Grand Lake is about forty-five feet above m. h. tides in Halifax harbour. The river therefore has an average fall per mile, of 12 or 13 inches, to low water at its mouth. The fall to spring tides is eighteen feet, to common high tides about twenty-four feet. The most important obstacles to its navigation were the falls at ——— and Rocky falls—they are overcome by the use of two locks and dams which give a slack water navigation for the first four miles down stream, and reduce the fall of the river to 30 or 32 feet in 38 miles to low water at its mouth. The level of high spring tides strikes the river above the sill of the lowest lock. There is therefore not more fall in the river below the locks than is required to pass off the water discharged from the lakes, &c. The area draining into the lakes is equal to about one hundred square miles. The rain fall is equal to 45 to 55 inches per annum. Deducting the quantity lost by evaporation and other causes, we have, say 24 inches of useful water, equal to one square mile, 200 feet deep. There is also about the same quantity discharged by the Nine Mile River and streams below the locks, not controlled in the same degree by lakes. The uniform flow of these large masses of water will give the required depth in the river at all times, and if permitted to flow at a proper velocity, keep the channel free from sand or deposit of any kind, and prevent the too rapid growth of aquatic plants. If it should so happen from any cause that a constant flow of water cannot be maintained, stop-gates placed in the river will retain the water at the level required. It is quite evident that if a lock and dam is placed on the river, the slack water navigation may be extended as far as may be desired, but as there can only be, in a dry season, a want of water for a short time in the midsummer months, stop-gates will regulate the flow of the water, they can be built at a small expense, and removed when not in use.

The works on the river have been constructed at a very small cost. The river is by far the least costly, and has proved to be the least difficult portion of the work to construct. The channel excavated, is 40 feet wide at the bottom, which is the width of the enlarged Erie canal. The water flowing from the lakes can be detained whenever the Nine Mile River discharges a sufficient quantity. The Nine Mile River backs the water up to the lower lock, which is three miles above its outlet, and sometimes there is 10 or 12 feet water on the sill of the lower lock when no water is taken from the lakes. The freshets in the river can be, in a great measure, controlled, and oftentimes the hay crops on the intervalles may be saved by a proper use of the sluices at the various dams. The greatest freshet ever known on the river was on the 24th December, 1856, it rose seven feet over all the works at the lower lake,—it injured the works very little. The dams now on the river answer the purpose for which they are used most satisfactorily; they are rough, simple and cheap structures.

The excavations made in the bed of the river extend eight miles down stream from the Grand Lake. A great quantity of drift wood, &c., submerged logs and stumps, have been taken out of the channel to Gay's River. The channel does not tend to fill

up with sand or other deposit. A current of water can be directed through the channel to remove any deposit when required.

The velocity of the river water, when the dams are not in use, is from one to two miles per hour above the tide way. The velocity of the river water can be reduced at pleasure, when all the sluices at the lowest dam are opened; the river below the dam being empty, the water from the dam descends the river three miles in three hours.

One sand bank, one mile in length, formed by the erosive action of the water on the falls above, has been removed, and as the falls or rapids have now no existence, no more sand will be formed in the upper part of the river bed. In almost all rivers the removal of sand, gravel, silt, is the chief difficulty. The plan proposed to render the Shubenacadie River for ever navigable, is that in use in Italy, India, and the United States, on all rivers and canals where a constant flow of water can be obtained from natural or artificial resources. Where large reservoirs cannot be formed, rivers such as the Thames, the Severn and the Mersey, are made useful by forming the river into a series of ponds by dams and locks, removing any deposit by steam dredges, or by drawing off the water so as to lay bare the bed of the water course. Very rapid rivers are used as feeders to the canals formed on these banks, and as escape lines for the freshet water.

The tidal portion of our rivers resembles that of the English rivers. The area of the various lakes flowing into the Shubenacadie is about ten or twelve thousand acres. The Grand Lake contains 4500 acres. A tow path can be formed on either bank of the river. The railway contractors used the river to take stone up the river from Wardrope's lime rock. They towed their scows with one horse, carrying 15 to 25 tons up stream to the railway bridge at Barnéy's brook, and to Hyde's stables, four miles below the lowest lock. Scows loaded with 37 tons railway iron, passed from the Grand Lake, down stream, to Hyde's stables. The scows are all very unsuited to the navigation. The boatmen say the river is easy to navigate by day or night. Steamers can guide in the tideway 500 or 1000 tons, in canal boats, and tow them up to the locks.

The bore in the river is about five feet high when at its highest. Boats would be injured if they ground on the sand banks below Fort Ellis; it is very seldom this takes place. There is no danger above Fort Ellis.

The Thames River has a fall of nineteen inches per mile. The Rhine, below Strasburg, descends one foot in 2640 feet. The Rhone, one foot in 1500 feet.

The want of water from the upland in midsummer, causes the tide to bring up sand and form bars in the river in certain parts of the river bed, so that they sometimes obstruct the navigation for one or two days in every fortnight. This will not be the case hereafter, if the lake water is sent down at the proper time. If the upland water, in any tidal river be turned from its natural course, the tides would fill up the whole channel with silt and sand. If the river be made too level by dams, the sand, silt and gravel from the hills, brought down by the streams, will soon fill up any river. The Shubenacadie River has only velocity enough to keep open a useful channel, not much over nine inches fall per mile at low water, for a very short time.

I have been often up and down the river during the last twenty-three years. I never saw a vessel of any kind on the sand banks in the river. There is no danger if you go at the proper time of tide.

The tow paths would seldom be submerged, only at very high freshets, and then only for a short time.

The railway bridge over the river between the locks injures the navigation; it contracts the water-way and causes a rapid.

Stop-gates are very simple structures; they can be made to answer the purposes of a lock, and regulate the level and flow of the river water.

The river and lakes can be made navigable for boats drawing seven feet water at a moderate cost; over seven feet the cost would be very great.

Mr. Talcott did take soundings in the river to below Fort Ellis.

Figures to show the discharge of water from the lakes, and 100 square miles draining into the lakes and reservoirs, equal to 640 acres 200 deep :—43,560 square feet in one acre by  $640 = 27,878,400 \times 200 = 5,575,680,000$  cubic feet, which can be used at pleasure. About the same quantity, not all under control, from the Nine Mile River and other streams.

The whole area of drainage into the Shubenacadie is about 720 square miles, so that we have more than enough water for a five feet navigation. We must pass down at least 25,000,000 cubic feet per day, without using the stop-gates. We can have still water when required, but must send down water to prevent the tide water filling with sand the channel below Parker's point.

The committee on the petition of the Inland Navigation company beg leave to report,

That they have been attended by the president and directors of the company, and have taken the examinations of the chief engineer, and of four other witnesses, and as there is much diversity of opinion on the practical operation and usefulness of the work, they think it best to refrain from expressing any opinion of their own upon either point, and to report the evidence and facts for the information of the legislature. The statements contained in the petition of the work that has been done have been verified to their satisfaction, and for this reason they recommend that the petition, with the examination of Messieurs John Annand and David Barberick—of Arthur M. Cochrane, Charles W. Fairbanks. and James R. Forman, esquires, should be inserted along with this report in the appendix to the journals.

The company state in their petition that the sum of twenty-eight thousand and eight hundred and sixty pounds, with a further sum raised on the private credit of two of the directors, and amounting, as the committee understand, to about five thousand pounds more, have been actually expended on the work, and that about seven thousand pounds more will be required to make the inclined plane from Dartmouth lake to this harbour, which will complete the navigation from the Basin of Minas to Halifax.

The company ask in their petition that the legislature should enable them to complete the enterprise by taking stock, or by a grant of money secured upon the property or works ; but this the committee in the present state of the provincial funds are not prepared to recommend.

They think however, that the alternative proposition made by the company is reasonable, and that they should be allowed to raise or borrow on the property, a sum sufficient to complete the work, upon security given that the sum to be raised shall be applied solely for that purpose—the sum of £5000 due to the province, with interest thereon, to be charged on the property and works, next in order to the sum to be so raised and expended ; and with that view the committee report a bill which they think the legislature should pass.

A. C. McDONALD, chairman.

Committee room, 7th April, 1858.

No. 61.

*(See page 511.)***RAILWAY DAMAGES.**

The committee on railway damages beg leave to report that they have examined seventeen petitions of inhabitants of the county of Hants, all under one printed form, and numerous signed, complaining that, in comparison with the city and county of Halifax, they have been unduly taxed to provide the terminus and depot at Windsor and Shubenacadie, and asking to be relieved therefrom. Your committee are of opinion that the petitioners have not made out their case, and that their representations are quite unfounded in reason and justice. The tax of £6000 on real estate, laid on the county of Hants during the past year, for right of way, is a very inconsiderable sum, compared with the largely increased value of property, the accommodation to the people, and the expenditure of about £300000, advantages all derived from two lines of railway traversing their country,—while Halifax, similarly taxed for its right of way, is liable for one tenth part of the whole stock of £1000000, and is, so far, deprived of the advantage of a terminus within the city.

The petitions of John Doran, of Peter Burnham, of Nathaniel Smith, of David Scott, Jas. Burgess, and Wm. Dill, of Windsor and St. Croix ; of Jas. and Jos. Davison, Wm. Fenerty, Samuel Fenerty, and Winkworth Fenerty, of Sackville, of Peter Donaldson, of Birch Cove, of James Wardrop, of Shubenacadie, and of William Taylor and others, of Halifax and Hants, complain severally of losses occasioned by the railroad, in various ways, some by a too low valuation of land damages—some by the division and cutting off of a portion of their farms—some from the inconvenience of crossings, bridges, or embankments—some from illegal cutting and removing timber and logs by contractors, and some from one or more of these causes combined. Your committee do not find that these petitions present anything to justify any interference with the present carefully prepared law, under which the assessment was made, nor with the mode in which it was levied. If the petitioners felt aggrieved, they had the right of appeal, and their not having availed themselves of it, argues that they had no serious cause of complaint. If timber or other materials were illegally cut and removed by contractors, the owners had, and still have, their legal remedy.

The petition of Samuel Martin, and more than two hundred inhabitants of Newport, asks for a special grant of £350, to assist them in opening a new road from the main post road, near the Ardoise hill, to the railway, a distance of about three miles, for which they have subscribed about £70. Your committee have no doubt of the utility of connecting these points, but do not think any sufficient grounds are presented for departing from the ordinary scale of division of the road monies.

A committee of this house reported against the petition of James Grant, last session, in which your committee concur.

Your committee have examined the petition of Thomas Ward, of three mile house, setting forth that his house and furniture were consumed by a fire, kindled by sparks from the locomotive, on the eleventh of October last, about noon, by which he states he has incurred a loss of £1000, and asking compensation from this house.

Your committee have had Mr. Ward before them, and Mr. Eaton, another witness of the fire, and after a careful examination of their testimony, and the best consideration they have been able to give the subject, they are unable to determine whether the fire originated in the manner stated or not, nor if they were convinced of that fact, can they determine whether Mr. Ward is entitled to damages from the province. Neither Mr. Ward nor Mr. Eaton saw sparks fall on the house, and the latter states he saw the engines

engines pass, but saw no sparks emanating from it, and can not tell whether the fire was occasioned by the engine or not.

EDWARD L. BROWN,  
M. McCLEARN,  
JOHN LOCKE,  
HUGH MUNRO,  
A. C. McDONALD.

No. 62.

(See page 511.)

## R E P O R T I N G.

The committee on reporting having had communication with the reporter of the house, and having urged upon him the necessity of fulfilling his agreement, beg to report partially, as follows:

That the committee have used every means in their power to induce the reporter to have the debates published in the newspapers as provided for in an agreement entered into on the tenth day of January, 1857, by which agreement, the present reporter Otto Weeks, esquire, binds himself to furnish a daily summary of the debates to three newspapers. The daily summary has appeared regularly in the newspapers, and as the committee believe, has been with a few exceptions, satisfactory to the house and the public. But we cannot longer refrain from bringing to the notice of the house, that the reporter has failed to furnish for the house and the country (as he was bound by his contract to do) twenty-one columns of the debates per week, in the order in which they were delivered; and also, that the debates are now one month in arrears, notwithstanding the reporter is bound by agreement, to supply the report of debates at no later period than five days after the delivery of the speeches, and at his own expense to have the same published in three of the city newspapers.

The committee recommend to the house to terminate the present contract for reporting, by a resolution of the house to that effect, and refer it for the decision of the house, whether it may not be advisable to leave the reporting of the debates hereafter open to the conductors of the press, thereby saving an expense of near £600 a year.

JOHN J. MARSHALL, chairman.

Halifax, April 10th, 1858.

No. 63.

(See page 513.)

## REPORT ON PETITION OF J. W. DAVISON.

The committee to whom the petition of John W. Davison was referred, asking compensation for attendance as a witness on a criminal prosecution, having considered the matter submitted to them, report,

That, while they believe the principle of paying the expenses of witnesses in criminal prosecutions from the provincial treasury, which should properly be borne by the several counties, is dangerous, and should only be allowed in extreme cases; yet from the peculiar hardships of Mr. Davison's case, his claim having been referred by a previous committee to the county of Halifax for payment, and there refused, your committee have

have determined to recommend payment to Mr. Davison from the public treasury of the sum of four pounds and five shillings for his expenses in such criminal suit.

Committee room, 10th April, 1858.

ALEX. MCFARLANE, chairman.  
A. C. McDONALD,  
W. A. HENRY.

No. 64.

(See page 516.)

REPORT ON PETITION OF L. P. W. DESBRISAY.

The committee to whom was referred the petition of L. P. W. DesBrisay, report as follows :

A resolution passed the legislature on the 16th April, 1856, granting two hundred pounds in aid of a steamboat to ply between Charlottetown and Pictou daily, (Sundays excepted) which sum remains undrawn from the treasury, no steam vessel having complied with the condition of running daily. The "Lady LeMarchant," owned by petitioner, ran semi-weekly between the above named ports ; and the committee are of opinion that to have made a daily passage between those ports could not be accomplished without injurious consequences to the proprietor of the steamer, and they are of opinion that the services actually performed by the "Lady LeMarchant" in the summer of 1856, were sufficiently valuable to the province to justify the payment of the grant of two hundred pounds to the owner. The committee therefore recommend that the prayer of the petition of Mr. DesBrisay be granted.

13th April, 1858.

MARTIN I. WILKINS, chairman.

No. 65.

(See page 522.)

LAW COMMITTEE.

The law committee beg leave to report :

1. On the petition of Thomas Brown—that the fee of sixpence on each bill of costs taxed in Halifax, be allowed the crier of the supreme court in Halifax in addition to any other fees he now receives ; and a like fee of sixpence on each bill of costs taxed in the country, to the crier of the court in each county respectively, in addition to any other fees.

2. On the petition of Charles E. Leonard—that the moneys payable by the prothonotaries in Cape Breton be enforced by the government, agreeably to law, and the allowance directed by law paid to Mr. Leonard.

3. On the petition of Charles Blanchard—that the sum of four pounds five shillings be paid, agreeably to the prayer of the petition.

4. On the petition of eight sheriffs for a fixed salary, and the petition of Messrs. Gray and Ruggles for allowance for services, the committee do not feel at liberty to make any recommendation.

April, 1858.

J. W. JOHNSTON, chairman.

No. 66.

(See page 522.)

## REPORT OF PETITION OF JOSEPH DICKSON.

On the petition of Joseph Dickson, clerk of the peace for the county of Colchester, the committee have to report,

That after a full examination of a similar claim made last session for maintaining Russel, a transient pauper, and referred to your committee, they directed payment of the account to be made; and are now of opinion that the county of Colchester is entitled to receive from the public treasury the further sum of thirty-five pounds three shillings and eleven pence for expenses of keeping such transient pauper during the past year. They also renew their recommendation of last session, that steps be taken by the government to remove either to the poor house or provincial asylum, such pauper, who they are informed still continues subject to partial insanity.

Committee room, 12th April, 1858.

ALEX. McFARLANE, chairman.  
A. C. McDONALD,  
JOHN C. WADE.

No. 67.

(See page 523.)

## REPORT OF RELIEF COMMITTEE.

The relief committee beg leave to report as follows:

1. On the claims for support of transient paupers, they recommend the following sums to be paid—

To the overseers of the township of Wilmot,		£8	0	0
Ditto of Clements—Anne Connelly,		10	8	0
Ditto Windsor—Angus McDonald,	7	2	0	
	John Maxner,	11	13	0
	Dr. Harding,	5	10	0
	Dr. Fox,	5	17	6
		<hr/>		
		30	2	6
Ditto Liverpool,		40	0	0
Ditto Clare—Alfred Crichton,	6	10	0	
	Cumming & Stephens,	6	0	0
	Dr. Ruggles,	2	11	4
		<hr/>		
		15	1	4
Ditto Pictou, 1st section,	51	10	6	
	Dr. Johnston,	6	7	2
		<hr/>		
		57	17	8
Ditto Pictou, 2nd section—Eliz. Redpath,	1	10	0	
	to D. McLeod,	1	8	6
	A. Fullerton,	4	0	0
	A. Wilson,	0	18	0
	Dr. Kirkwood,	1	13	0
	Danl. McKay,			
		<hr/>		
		9	9	6
		<hr/>		
				To

Overseers of Pictou, 5th section—	W. Harop,	£6 15 0		
	Dr. Sutherland,	3 5 0		
		<hr/>	10	0 0
Ditto	Barrington—Mary Flinn,		7	0 0
Ditto	Truro—Anne Wright,		5	0 0
Ditto	Shubenacadie,		4	10 0
Ditto	Sydney, C. B.		5	0 0
Ditto	Amherst,	3 0 0		
	W. McKay,	3 15 0		
	Dennis Burke,	2 10 0		
	Dr. Page,	4 12 0		
		<hr/>	13	17 0
Ditto	Shelburne—R. Thompson,		1	16 7
Ditto	Aylesford—James Tool,		10	0 0
Ditto	Dorchester, Sydney,		11	10 0
Ditto	Arisaig, do.		1	10 0
Ditto	Municipality of Yarmouth—McKay,	11 17 6		
	Passage of do., McKay,	3 0 0		
	Charles McQuin,	6 15 0		
	For burial, P. P. Evans,	2 16 3		
	Dr. Harley's bill,	2 10 0		
		<hr/>	26	18 9
Ditto	Cornwallis—Frederick Hilbert,	7 4 6		
	L. Woodworth, removal,	1 15 3		
	Drs. Hamilton and Shaw,	15 0 0		
		<hr/>	23	19 9
Ditto	Round Hill, Annapolis,		5	13 3
Ditto	Digby—Augustus Robinson,		7	13 6
Ditto	Horton—Thomas Lemon,	9 3 1		
	David Poor,	2 1 0		
	Robert Bently,	5 7 0		
	To Martin Cleveland, for removing do.	1 17 3		
	Ditto for T. Mahoney,	2 5 0		
	Drs. McLatchey and Brown,	4 15 3		
		<hr/>	25	8 7
Ditto	Granville,		13	0 0
			<hr/>	
			£341	5 1

They do not recommend any grant on the petitions of the overseers of the poor for Argyle, Londonderry, and Truro so far as regards Dr. Muir's bill for attending Thomas Johnson; of the overseers of Port Hood, Digby, Springfield, Annapolis, and second section of Pictou, so far as regards John Logan's bill for keeping Nancy McLeod; on the petitions of Wm. Cashel, of Guysboro, and Donald Cameron, railroad contractor; because they are deficient in one or more of the papers and vouchers required by resolutions of this house.

On the petition of Robert Cooper and others, of Wine Harbor, Guysboro, for rescuing wrecked sailors, because it seems to have been one of those ordinary acts of humanity, which the committee think ought not to be recognized as fairly entitled to compensation.

On the deposition of John Nutt, master of the British barque "Peace," which was burnt at sea, near the coast of North Sydney, in favor of claims of David Corbet and Eliza Cann, of Sydney, Cape Breton, for furnishing the sailors from the said barque with clothing, boarding and lodging, to the amount of £29 2s. 3d.—although David Corbet's account seems somewhat excessive, and Eliza Cann's is deficient in not stating

particulars, and neither is attested—yet the committee are of opinion that the parties are justly entitled to some compensation. But considering that the British government is in reality liable for these expenses, the committee recommend that the provincial government be instructed to correspond with the colonial secretary for that purpose; and in case of failure, that this house will reconsider their claims, if amended, next session.

On the petitions of Dr. G. J. Farish of Yarmouth, and the boards of health of Yarmouth and Barrington, for expenses of medical attendance on small pox patients, and vaccination, your committee do not recommend any grant, because there are no examinations to prove that the persons so relieved were transient paupers; one patient, John Peterson, at Yarmouth, does not appear to have had the disease, and Dr. Farish's bill for attendance on another, in 1854, was passed upon by the house in the session of 1855. Your committee are of opinion that medical claims for attendance on cases of small pox should form no exception to the general rule, but should be subjected to the same regulations, and certified by the same authorities, as those for any other service.

The petition of Dr. Slayter, health officer for the city of Halifax, for remuneration for boarding her majesty's ship *Brilliant*, and subsequent visits, your committee think ought not to be granted, because it is presumed that her majesty's ships are sufficiently supplied with medical attendants; and if the health of the city were in danger (which does not appear), the charge of the health officer ought to be borne by the city.

The petition of John E. Shatford, of Margaret's Bay, comes under the same category as that from Louisburg, already reported on by the committee at an early part of the session, and they would recommend the same course to be adopted as was therein directed.

The petition of Donald McInnis of Broad Cove, Inverness, for a pension, scarcely comes within the functions of the committee, but they do not recommend it to the favorable consideration of the house.

2. The blind children of Donald Ross of Victoria, and Paul Landry of Pomket, Sydney, who have petitioned for aid in sustaining them, do not admit, the committee think, in the absence of any educational establishment for the blind, of being classed in any other way than as ordinary paupers chargeable on the poor districts wherein they reside.

3. On the petitions of certain parents and friends of deaf and dumb children for aid in their maintenance and education, the committee are of opinion that, in accordance with the report of the committee on the same subject last session, "the period of two years is long enough to tax the provincial funds in any one case. They therefore do not recommend any grant for supporting these children abroad.

They have also considered the petition of the directors of the deaf and dumb institution in this city, signed by a number of the citizens, and an account of the expenditure both of the provincial grant of last year, and voluntary contributions, amounting in all to £371, which they submit to be published herewith.

They have visited the institution, and have pleasure in bearing testimony to its excellent condition and efficient management. During the last summer a new and experienced teacher, Mr. Hutton, has been introduced from Scotland, and from the small opportunities your committee have had of judging of his talents and efficiency, they entertain a very high opinion of his qualifications for the task he has undertaken. There are at present 21 students at the school, 17 males and 4 females, 8 of the former are boarders at the establishment, 9 are from Halifax, 4 from Stewiacke, 3 from Pictou, 2 from New Brunswick, one each from Antigonish, Maitland and Cornwallis.

Your committee have some doubt whether the services of the deaf and dumb sub-teacher is now required—but they are willing to submit to the judgment of the directors, whether it be expedient to continue his services, in anticipation of increased numbers in the school.

The

The committee would strongly urge upon parents the propriety of attending as an object of the highest importance, to the education of their children in some useful trade or handicraft, by which they can sustain themselves. The loss of one of the most important avenues of knowledge, necessarily disqualifies them more for any high intellectual attainments than for the mechanic arts, in which they may and have often attained considerable perfection.

The committee would recommend that the sum of three hundred pounds be granted and placed in the directors hands for the general support of the establishment for the ensuing year; and they trust that active means will be adopted by the directors to increase the voluntary support of the institution by inducing the wealthy and charitable of the city to contribute more freely—especially considering so large a proportion, more than two fifths, of the pupils belong to Halifax.

4. The committee have visited the poor asylum, and examined the accounts for last year, which they submit herewith for publication. These papers show a balance due by the institution of £829 11s. 1d.—400*l.* of which is payable by the city.

It appears also by a written statement from the commissioners, that the sum of £459 8s. 11d. is due to the asylum for sustaining several paupers who had or have a settlement in the various poor districts in the province.

There is due, viz. :

From Windsor,	£2 18 0
Pictou,	280 2 6
Douglas,	46 7 6
Chester,	52 0 0
Lunenburg,	3 3 7
Wallace,	74 17 4

£459 8 11

The committee are of opinion that these claims ought to be rigorously prosecuted without delay, and the balance of debt above referred to, paid out of the proceeds.

The institution was found in good order, the wards cleanly but rather crowded, there being at present, and during the past year, a larger number of inmates than at any former period. Some of the wards in the upper stories are deficient in ventilation, owing to faulty construction. The committee recommend the usual grant of 2000*l.* for the ensuing year.

5. Visiting dispensary.

The committee have visited this institution, and find it apparently in the same condition as on former visits. The accounts comprising the expenditures, income, number of patients treated, and their residence during the past year, is submitted herewith, by which it appears that £234 14s. 9d. has been expended, of which the provincial grant furnished £100; the subscriptions last year amounted to £117 8s. 9d. There is no doubt on the minds of the committee, that the institution is almost strictly local in its benefits, and that it ought to be wholly sustained by the citizens of Halifax, but they recommend the sum of fifty pounds to be paid for the ensuing year.

Committee room, April 14th, 1858.

EDWARD L. BROWN,  
M. McCLEARN,  
G. GELDERT.

DEAF AND DUMB INSTITUTION.

Legislative grant, 1857,		£300 0 0
	EXPENDITURE.	
Salary of the principal,	150 0 0	
Allowance for board 1st year,	26 0 0	
		176 0 0
		Sub-

Sub-teacher, W. Gray, rent free, fuel and candles,		£40	0	0
Passage money of principal,		21	0	0
Rent of building,	42	10	0	
Fuel,	8	16	9	
Beds, bedding, stretchers, and sundry articles of necessary furniture for the house,	20	10	10	
Water pipes, postages, cleaning house, and sundry other minor expenses,	9	3	10	
Books and stationery, slates, &c.	3	4	6	
				84 5 11
				£321 5 11

Subscriptions and collections received by the directors from 1st January, 1867, to date, March 27, 1858. £71 0 11

Board, lodging, and washing of pupil Forbes,	26	0	0	
Ditto ditto Logan,	20	0	0	
Ditto ditto McDaniel, short time,	4	0	0	
Ditto ditto Duncan Ross to date,	3	10	0	
Ditto ditto Harvey, to date,	3	0	0	
				56 10 0
Balance over-expended of provincial grant, as above,				21 5 11
				£77 15 11

Balance due the directors, £6 15 0

Halifax, N. S. 27th March, 1858.

JAMES C. COCHRAN }  
ANDREW MACKINLAY, } directors.

ESTIMATE FOR THE ENSUING YEAR.

Salary of the principal and board,		£176	0	0
Sub-teacher,		40	0	0
House rent, more accommodation being required, say		64	0	0
Fuel,		18	0	0
Contingent expenses,		10	0	0
				£308 0 0

Board, lodging, and washing, to be provided for the following pupils now in the house, besides others expected :

Forbes,	26	0	0	
Logan,	20	0	0	
*Murphy,	26	0	0	
Duncan Ross,	26	0	0	
Harvey,	20	0	0	
*Donald Ross,	26	0	0	
				144 0 0
				£452 0 0

Memo. 1.—The legislature last year granted £25 each to the pupils marked thus \* which sum is applied to their support.

2.—The parents of Forbes, Lamont and Young, (all boarders), profess to contribute in part to their maintenance. Memo.

Memo. 3.—It is hoped that private contributions may be received in this as in last year, in aid of the institution, but this is of course uncertain.

4.—A respectable matron is indispensable to the success of the establishment, which will involve an additional expense of 40 or £50 a year.

5.—It is also desired to make arrangements for teaching various trades to the pupils.

JAMES C. COCHRAN, }  
ANDREW MACKINLAY, } directors.

Halifax, 27th March, 1858.

No. 68.

(See page 526.)

### INDIAN COMMITTEE.

The committee on Indian affairs beg leave to report as follows :

Having examined the accounts and vouchers submitted to them, they find the following sums have been paid from the Treasury on account of the Indians, for the year ending 31st December, 1857.

Rev. Edward Butler, return received,	£58	0	0	
Mr. James McLaughlin, do,	10	0	0	
Mr. Francis Carroll, do,	10	0	0	
Captain Gladwin, do,	10	0	0	
				88 0 0
John McKinnon, do,	30	0	0	
Rev. Mr. Courteau, balance in hand, £2 2 8½,	20	0	0	
				50 0 0
Gobiel Globe, allowed him in 1857,	5	0	0	
Newel Jeddore, do do,	3	0	0	
Francis Paul, do do,	7	10	0	
James McKeagney, commission repaid him,	1	19	7½	
				17 9 7½
Amount allowed and recommended by committee in 1857, for medical aid, &c., 1857.				76 11 4
Dec. 31. Balance in treasury,				74 5 11
				<u>306 6 10</u>

Cr.

By balance in treasury, as by report of committee, in 1857,	6	6	10	
Grant for 1857,	300	0	0	
				306 6 10
Balance brought down in treasury,				74 5 11

Your committee recommend the following accounts for advances made, as by vouchers annexed, to be paid as follows, viz. :

Provincial Secretary to pay				
Michael Kearney, for blankets,	6	11	4	
ditto ditto,	0	16	8	
William Murray & Co., for blankets,	9	10	9	
ditto, ditto,	15	19	6	
John Esson & Co., provisions, &c.,	1	12	6	
				<u>34 10 9</u>
				Overseer

Overseers of poor, township of Sydney, their bill for support of G. Gabriel,	£5 2 4	
To pay Neil McMullin his bill in full,	2 12 6	
To pay coroner's bill, in full,	1 13 10	
William McKeen, north of Sydney, his bill,	3 0 0	
	<hr/>	12 8 8
To overseers of poor for eastern district of Parrsborough,		
To pay Francis Carroll, for supplies,	2 15 2½	
To pay Jacob F. DeWolfe, for supplies,	5 12 6	
	<hr/>	8 7 8½
To overseers of poor for district of Pugwash,		
To pay H. G. Pineo's bill, supplies,	2 0 0	
To pay Lewis Borden, for do,	2 6 10½	
	<hr/>	4 6 10½
To captain Chearnley,		
To pay Creighton & Wiswell, for blankets,	3 2 6	
To pay William Murdoch & Co., for do,	5 5 9	
	<hr/>	8 8 3
		<hr/>
		68 2 3
To pay advances made to Indians by him, if not previously paid,		5 12 4
Your committee recommend the ordinary grant of three hundred pounds be made for the Indians, for 1858, and that the following sum for medical services be paid out of it, viz.:		
To Doctor Snyder,	9 2 6	
Charles Creed,	2 6 9	
George M. Johnston,	2 0 0	
Forbes, in full,	10 0 0	
Denison and Weeks, in full,	16 0 0	
H. D. Ruggles, in full,	5 0 0	
	<hr/>	44 9 3
W. .Y Theal, in full,	2 0 0	
Nathan Tupper, in full,	10 10 0	
E. F. Harding,	0 15 9	
	<hr/>	13 5 9
W. J. Fuller,		15 10 9
		<hr/>
		73 5 9

On the petitions of Daniel F. Curry, of Ship Harbour, Jacob F. Delong, of New Germany, and also the petition of the overseers of the poor, for Parrsborough, your committee cannot recommend any grants, the resolution of the house, in reference thereto, not being complied with.

Your committee would beg leave to recommend that the rule passed by the committee, in 1857, be strictly adhered to, and have prepared a bill, which they recommend to the favourable consideration of the house. All which is respectfully submitted.

Committee room, 17th April, 1858.

W. B. WEBSTER, chairman.  
 JOHN C. WADE,  
 JOHN McKINNON,  
 THOS. H. FULLER,  
 THOMAS F. MORRISON.

No. 69.

(See page 526.)

NEWFOUNDLAND FISHERIES.

House of assembly,  
Newfoundland, 13th April, 1858.

SIR—

I have the honor to forward by direction of the house of assembly of this Island, the accompanying resolutions, unanimously adopted by the house.

I have the honor to be,  
Sir,

Your most obedient servant,

N. SHEA, speaker.

The hon. the speaker of the house of assembly, }  
Nova-Scotia. }

Resolved, That a delegation composed of Messrs. Kent and Carter, members of this house, having been sent last spring to the British North American Colonies to solicit their aid in resistance to the convention entered into in January, 1857, between her majesty's government and the emperor of the French, on the subject of the fisheries of this colony, and those gentlemen having received the promptest and most cordial co-operation of the legislatures and people of our sister colonies; and the said convention having been withdrawn with an emphatic recognition and declaration of the territorial and maritime rights of this colony.

Resolved, That Mr. Speaker do communicate the warmest thanks of this house to the legislatures of the several colonies, to whom we are so deeply indebted for their influential aid and sympathy.

Passed the house of assembly, 13th April, 1858.

JOHN STUART,  
Clerk of assembly.

No. 70.

(See page 528.)

PUBLIC PRINTING.

The committee appointed to examine the accounts for public printing, beg leave to report in part. The following accounts have been submitted to your committee, viz. :

Queen's printer's account from 16th April, 1857, for miscellaneous printing, to 31st December, 1857,	£488	6	10
Ditto printing blanks, rec. general's office,	6	14	1½
Ditto ditto, fin. secretary's office,	78	1	1
Ditto ditto, excise department,	30	16	7½
Ditto ditto, customs department,	18	16	7½
	622	15	3½

Deduct

Deduct £32 12 0, charged for gazettes, to magistrates, June 24th,	32 12 0	
	590 3 3½	
The queen's printer has received	400 0 0	
Balance due queen's printer,		190 3 3½
Late queen's printer's account, from January 1st, 1857, to 16th April, 1857, miscellaneous printing,	119 14 4½	
Ditto, printing journals, appendix and index, for legislative council,	80 11 3	
Ditto, receiver general's office,	0 14 0	
Ditto, financial secretary's office,	11 0 6	
Ditto, excise office,	24 0 0	
Ditto, crown land office,	11 19 0	
	247 19 1½	
The late queen's printer has received	100 0 0	
Balance due late queen's printer,		147 19 1½
William A. Penney's account for printing for the house of assembly,	365 13 3½	
Mr Penney has received	200 0 0	
Balance due Mr. Penney,		165 13 3½
		503 15 8½
Also, sundry accounts, viz.:		
A. Ritchie & Co., printing for crown land office,	12 4 0	
Richard Huntington, Yarmouth,	3 12 6	
H. W. Blackadar, 1856, 15s. and 95s.	5 10 0	
E. M. McDonald, Pictou,	3 2 6	
Thomas Annand, Halifax,	1 17 6	
William Gossip, 1856, 10s., 13s. 4d., 47s. 6d.,	3 10 10	
S. J. M. Allen,	3 13 9	
J. & W. Compton,	4 15 0	
Sun office,	4 14 4½	
Wesleyan, for printing, 1856, 12s. 3d., 7l. 8 2, 5l. 19 9,	14 0 2	
Avon Herald,	2 3 9	
A. Lawson, Yarmouth,	2 7 6	
Casket, Antigonish,	2 0 0	
James Barnes,	2 16 3	
W. A. Penney,	32 17 1	
A. Grant,	19 9 6	
Thomas Annand, 37s. 6d., 7l. 8s. 10d., 0l. 17s. 3d.,	10 3 7	
W. A. Calneck, 15s. 36s. 3d.,	2 11 3	
	131 9 6½	
Morning Advertiser, 137s. 6d., C. Breton News, 35s.,	8 12 6	8 12 6
		£140 2 1

The queen's printer's accounts are in conformity with the charges heretofore established, with the exception of a charge for furnishing magistrates with a copy of the gazette, containing the laws. This charge it has not been usual to allow to the queen's printer, and upon reference to the late queen's printer, it appears that he performed the said service free of charge; but as the present queen's printer was led to believe that he would be paid for this service, your committee have allowed the amount charged for furnishing the gazette to magistrates, up to the 24th June, and we recommend that notice

notice be given to the queen's printer that no further provision will be made for this service hereafter.

Mr. Penney's accounts are in conformity to his contract.

Amounts to be provided for, and which the committee recommend to be paid.

To the queen's printer, for balance due him,	£ 190	3	3½
To the late queen's printer,	147	19	1½
To William A. Penney,	165	13	3½
To sundry sums per memorandum,	140	2	1
	<hr/>		
	643	17	9½

Six hundred and forty three pounds seven shillings and nine pence.

Your committee find among the accounts for printing the following bills, for other services, which they have not included in the amounts charged for printing in the year 1857, viz. :

George Smithers, trunk for delegates,	0	4	0
T. & E. Kenney, do do,	0	11	3
	<hr/>		
Articles charged provincial secretary's office,	0	15	3
A. & W. McKinlay,	1	2	6
J. Wetmore,	0	8	6
E. G. Fuller & Co.,	3	11	2
Ditto amount of 1856,	1	10	9
Dechezeau & Crow,	2	2	0
J. & W. Compton,	22	14	0
	<hr/>		
Making in all,	32	4	2

All which is respectfully submitted.

Committee room, April 20th, 1858.

JOHN J. MARSHALL, chairman.

No. 71.

(See page 528.)

HANTS COUNTY.

The committee on Hants county road report that in order to keep in repair the main post road from Windsor to King's county line :

Falmouth shall contribute £10 out of £150, agreed on as its share.

Windsor           "           £10 out of £150,

Newport           "           £00.

The remainder of the county, £20 out of £613.

EDWARD L. BROWN,  
JOHN RYDER,  
WILLIAM ANNAND.

House of assembly, 20th April, 1858.

No. 72.

(See page 529.)

## HALIFAX LOAN AND ASSESSMENT BILLS.

The committee on the two bills for enabling the city of Halifax to raise the assessment for the present year to £12,250, and to increase the debt of the city by three additional loans—having been attended by the mayor, and a committee from the city council, and considered the papers and other information submitted to them—beg leave to report:

That when the city was first incorporated, in 1841, it was enacted by the 50th and 79th sections, that the assessment should not in any one year exceed 5000*l.*, by authority of the city council, but a further sum of 2000*l.* might be levied with the sanction of the governor in council, after various checks had been interposed, and that it should not be lawful for the city council to borrow, on the credit of the city, any sum or sums of money whatever. These provisions were repealed in the act of 1851, chapter 2; and by the act of 1854, chapter 47, the sum was raised to 80'000*l.*; with the power of extending it to 10,000*l.*, if approved by the general government. The bill now submitted extending it still further, to 12,250*l.*, the attention of the committee was directed to the causes of so rapid an increase. Four documents furnished them by the city council, accompany this report, to wit: two reports made by committees of that body, on the 5th ultimo and 5th instant, an estimate for 1858, and a minute of the city council of 5th April. From these papers, it would seem that the salaries alone of officers connected with city affairs, including such as are chargeable to particular funds, have swollen to the sum of 5000*l.*; that there is a floating debt of 2000*l.*; that besides the sum of 9500*l.*, due before the incorporation, and the sum due for the city market, debts to the extent of 10,500*l.* have been incurred for the hospital and city prison, to which 9000*l.* are proposed to be added by the bill now under consideration.

When there is added to these increasing liabilities the sum to be assessed on the city for railway damages and interest, your committee thought the time had arrived when a severe economy should be practised, and were pleased to learn that the city council were prepared to act on that view. The estimate of city expenses for 1859 exhibits several reductions, which, in the opinion of your committee, might be carried considerably further, but which, independent of such reduction, diminish the sum to be assessed in each year, after the present, to 8600*l.* including 1250*l.* for the poor.

In the faith that this estimate which has been adopted by the city council, will be carried out in 1859, your committee recommend that the bill authorizing the assessment of 12,500*l.* for the present year should be passed, with the preamble which they have added thereto.

In relation to the city hospital and city prison, your committee are surprised to find that contracts have been entered into largely exceeding the amounts sanctioned by the legislature, and in the apparent expectation that further acts would be passed without hesitation or inquiry. In the case of the city hospital, your committee felt disposed not to recommend the house to sanction the borrowing of any money beyond the 5000*l.* already legalized. They doubt the wisdom of erecting so large and so expensive a building, situated as it is intended to be, on a valuable lot of ground, the value of which they believe will be materially injured by such building being erected thereon; but after mature consideration of all the circumstances, and after having had several interviews with members of the city council, who have satisfied your committee that to stop the work now would involve a loss to the city of 5000 to 6000*l.*, and as the whole amount required over and above the sum already legalized by an act of this legislature for the completion of the hospital, is 4500*l.*, they have, "in deference to the wishes of the city council, and as no petitions from the citizens have been presented against the measure,"

measure," been induced to recommend that the sum asked for in the bill now before the house, "entitled an act to enable the city of Halifax to raise additional sums by loan and assessment for the services therein mentioned," shall be granted by the house by the passage of the said bill, to enable the city council to borrow and assess the same on the citizens of Halifax.

With regard to the city prison, the city council desire to have power to borrow 4000*l.* in addition to the sum of 5000*l.* already authorized by two acts of the legislature—a power which your committee would have been reluctant to recommend—the cost of the city prison as originally contemplated being only 3000*l.*

Your committee however, have ascertained that a sum of 1700*l.* or thereabouts has been raised by assessment, towards the erection of a county jail in Halifax, and they cannot perceive the necessity of building two prisons, when one may be made sufficient to answer the purpose of both. Your committee have expressed this opinion to the custos of the county, and one of the magistrates who accompanied him, and to the mayor and committee of the city council, and have seen the superintendent and plans of the building, and as they do not apprehend any serious opposition or difficulty in carrying out the plan, they have modified the bill accordingly, and recommend it as amended to the favorable consideration of the house.

They recommend also that clause in the bill which authorise a further loan of 500*l.* for completing the survey of the city, which they would not have done, had they not been assured that the expense has been actually incurred, and that no further outlay is contemplated for this service.

B. WIER, chairman.  
JOHN ESSON,  
A. G. ARCHIBALD,  
W. YOUNG,  
EDWARD L. BROWN.

The committee of public accounts beg leave to present for the consideration of the city council, the following estimate of expenditure for the ensuing year :

FOR SALARIES OF OFFICERS CONNECTED WITH CITY AFFAIRS.

Mayor,	£250	0	0	
Recorder,	200	0	0	
City clerk,	300	0	0	
Assistant city clerk,	175	0	0	
Clerk assistant,	125	0	0	
City marshal,	200	0	0	
Constables,	960	0	0	
Watchmen,	783	14	5	
Jailor,	20	0	0	
Assessor,	100	0	0	
Ward assessors,	36	0	0	
Two inspectors of weights and measures,	50	0	0	
Treasurer,	300	0	0	
Clerk of Licenses,	150	0	0	
Reporter,	40	0	0	
				3689 14 5

FOR SALARIES CONNECTED WITH BRIDEWELL.

Keeper of bridewell,	150	0	0	
Medical officer,	30	0	0	
				180 0 0

For

## FOR SALARIES CONNECTED WITH FIRE DEPARTMENT.

Keeper of engines,	£25	0	0	
Secretary,	10	0	0	
	<hr/>			35 0 0

## FOR SALARIES CONNECTED WITH BOARD OF HEALTH.

Health inspector,	100	0	0	
Medical officer,	75	0	0	
Nurse,	40	0	0	
Secretary,	25	0	0	
	<hr/>			240 0 0

## FOR SALARIES CONNECTED WITH STREETS.

Superintendent,	200	0	0	
Clerk,	175	0	0	
	<hr/>			375 0 0
For city surveyor,				300 0 0

## FOR SALARIES CONNECTED WITH CITY PROPERTY.

Keeper of city court house,	50	0	0	
Fish market,	40	0	0	
City market,	75	0	0	
City clock,	25	0	0	
Halifax common,	52	0	0	
	<hr/>			242 0 0
				<hr/>
				5061 14 5

Deduct as follows, viz :

Salaries connected with streets, which are chargeable to statute labour,	375	0	0	
Keeper of common, who is a charge on the common account,	52	0	0	
Salaries connected with city market, which ought to be a charge on city market account,	105	0	0	
	<hr/>			532 0 0
Leaves this sum to be provided for in the ensuing year for salaries,				4529 14 5
For bridewell, independent of salaries,	350	0	0	
Fire plugs and hydrants,	655	0	0	
Gas account,	530	0	0	
Printing and stationery,	300	0	0	
Fire department :				
Engine service,	450	0	0	
Tanks, &c.,	350	0	0	
Pumps and wells,	25	0	0	
Contingent fund,	25	0	0	
Rent—engine house, Argyle street,	15	0	0	
Ditto St. George's,	5	0	0	
	<hr/>			2705 0 0
For commissioners of poor,				1000 0 0
Board of health—rent,	25	0	0	
Ditto expenses,	135	0	0	
For repairs of city property,	250	0	0	
Fuel for court house,	50	0	0	
	<hr/>			460 0 0

For

## For interest on debentures viz. :

Debentures for old street debt,	£9000	0	0	£540	0	0
Ordnance buildings,	556	9	7	33	7	9
Rockhead farm,	200	0	0	12	0	0
City hospital, due,	1700	0	0	300	0	0
Ditto required,	3300	0	0			
Ditto due,	2654	0	0	300	0	0
Ditto required,	2346	0	0			

---

 9880 2 2

## For debt due Halifax common fund,

Ditto Cemetery fund,	87	18	3
Ditto Market house,	204	6	10
Ditto City prison fund,	261	17	0
Ditto City hospital fund,	546	0	0
Per treasurer's account to March 1st, 1858,	100	0	0
	788	4	3

---

 £988 6 4

## For salaries and expenditure to May 1st, the end of financial year,

Less from permanent resources,	2500	0	0
	5000	0	0

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 2000 0 0

## Add for contingencies, &amp;c., not provided for,

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 1200 0 0

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 £15068 8 6

The committee also beg leave to submit the following estimate of the resources of the city :

Amount due city from street fund,	1000	0	0
Derivable from tavern license,	1300	0	0
Police fines,	270	0	0
Police fees,	60	0	0
Mayor's court,	160	0	0
Licenses from exhibitions,	50	0	0
Dog tax,	45	0	0
Chimney Sweeps and night carts,	14	0	0
Marshal's fees,	90	0	0
Hacks and trucks,	65	0	0
Rent from city property,	370	0	0

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 3420 0 0

---

 £11648 8 6

If therefore the council be of opinion that the street fund should pay out of its proceeds for the ensuing year, the amount it owes the general fund for over-expenditure during last year, it will make the amount required to be levied by general assessment, the sum of £11,648 8s. 6d., and in order to net that sum the assessment should be at least 12,250.

In that case the street fund account will stand thus :

Amount assessed,				£2700	0	0
Loss in collection,	500	0	0			
Debt to city,	1000	0	0			
Superintendent,	200	0	0			
Clerk,	175	0	0			

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 1875 0 0

Leaving for expenditure next year

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 £925 0 0

If, however, the council deem it desirable that the city should assume the street debt, the assessment must be increased by the further sum of 1000*l*. The

The committee deem it their duty to bring under the notice of the council, that the expenditure on the streets annually, exceeds the amount collected for that purpose last year, the council assumed the old debt of 354*l.* 19*s.* 10*d.* then due for over-expenditure, and leaving then due the sum of 647*l.* 19*s.* 5*d.*, and this year there is again an over-expenditure of 352*l.* 0*s.* 3*d.*

The committee think also, the attention of the council should be turned to the large amount of debt due by the city, and to the rapidity with which it is being augmented.

The present debt of the city is as follows :

Debentures old street debt,	£9000	0	0	
W A. Black, ordnance buildings,	556	9	7	
Rockhead farm,	200	0	0	
Debentures, city hospital,	1700	0	0	
Do. city prison,	2600	0	0	
Do. market,	5000	0	0	
				19056 9 7
Besides these amounts now due there are outstanding				
contracts for city prison,				3300 0 0
And for city hospital, to the extent of				8200 0 0
To finish the city prison, the further sum of (is required),				3000 0 0
				£33556 9 7

In order that the whole financial affairs of the city may appear in our report, your committee beg leave to include the following accounts.

CITY CEMETERY.

The amount received therefrom to Nov. 1st, 1857,	132	0	0
The expenses,	118	3	6
			£13 16 6

HALIFAX COMMON.

By amount received therefrom to November, 1857,	433	3	6
To expenditure,	337	7	8
			£95 15 10

In these cases the receipts are especially appropriated to the beautifying and adorning the grounds.

CITY MARKET.

By amounts received for rents,	453	7	6
These rents are specially appropriated for the payment of the debt and interest incurred in consequence of its erection, and there is now more than 500 <i>l.</i> on deposit receipt waiting the period when the debentures may be paid off. But your committee think that this account ought to be charged with the following items.			
Salaries connected therewith,	105	0	0
Insurance,	9	7	6
			114 7 6
Leaving the balance to pay the interest, and to form a sinking fund for the principal,			£339 0 0

(Signed)  
Halifax, N. S., March 5th, 1858.

JAMES THOMSON, chairman.  
Civil

*Report of committee of city council, 5th April, 1858.*

## CIVIL LIST OF CITY FOR 1858.

Mayor,	£250	0	0
Recorder,	200	0	0
City clerk,	300	0	0
Assistant clerk,	175	0	0
Third clerk,	125	0	0
City Marshall,	200	0	0
12 constables,	960	0	0
12 watchmen,	783	14	5
Jailor,	20	0	0
City assessor,	100	0	0
Ward assessor,	36	0	0
Inspector of weights,	50	0	0
Treasurer,	300	0	0
Clerk of license,	150	0	0
Reporter,	40	0	0
Keeper of bridewell,	150	0	0
Medical officer,	30	0	0
Keeper of engine house,	25	0	0
Secretary of fireward,	10	0	0
Health inspector,	100	0	0
Medical officer,	75	0	0
Nurse,	40	0	0
Secretary of board health,	25	0	0
City surveyor,	300	0	0
Keeper of city building,	50	0	0
“ fish market,	40	0	0
“ city market,	75	0	0
“ city clock,	25	0	0
			4634 14 5
Proposed reduction for 1859,			634 14 5

## CITY EXPENSES FOR 1858.

Permanent burden :			
Bridewell,	350	0	0
Water,	655	0	0
Gass,	530	0	0
Printing and stationery,	300	0	0
Fire department,	450	0	0
Tanks,	350	0	0
Pump and wells,	25	0	0
Contingencies of fire department,	25	0	0
Rent of engine house,	20	0	0
Commissioners of poor,	1155	0	0
Rent of hospital,	25	0	0
Expense of ditto,	135	0	0
Repairs of city property,	250	0	0
Fuel for court house and offices,	50	0	0
			4320 0 0
			8954 14 5
Required to pay of floating debt :			
Due fund of Halifax common,	87	18	3
Cemetery,	204	6	10
			Due

Due fund of Market house,		261	17	0			
City prison,		546	0	0			
Halifax hospital,		£100	0	0			
Overdrawn by treasurer,		788	4	3			
						1988	6 4
						10943	0 9
Amount required to pay interest on debt } incurred previous to incorporation. }							
Old street debt,	9000	0	0	540	0	0	
Ordnance building debt,	556	9	7	33	9	7	
						573	9 7
						11513	10 4
For interest on debts contracted by city.							
For 40 acres, site of new city prison,	200	0	0	12	0	0	
City prison debentures,	5000	0	0	300	0	0	
City hospital do,	5000	0	0	300	0	0	612 0 0
	1020	0	0				12128 10 4
Contingencies, say							1000 0 0
							13128 10 4
Probable receipts, tavern licences,				1300	0	0	
Police fines,				270	0	0	
Police fees,				60	0	0	
Mayor's court,				160	0	0	
Exhibitions,				50	0	0	
Dog tax,				45	0	0	
Chimney sweeps,				14	0	0	
Marshal's fees,				90	0	0	
Hacks and trucks,				65	0	0	
Rent of city property,				370	0	0	
						2424	0 0
						11104	4 6
Salaries and expenses, May, 1859,						2000	0 0
						13104	4 6

## ESTIMATE OF CITY EXPENSES FOR 1859.

The mayor,	250	0	0	
Recorder,	200	0	0	
City clerk,	300	0	0	
Assistant city clerk,	175	0	0	
8 Constables,	640	0	0	
City marshal,	100	0	0	and fees.
12 Watchmen,	750	0	0	
Jailor,	20	0	0	
City assessor,	100	0	0	
Ward assessors,	40	0	0	
Inspector of weights,	25	0	0	
City treasurer,	300	0	0	
Reporter,	40	0	0	
Keeper of bridewell,	150	0	0	

Health

Health inspector,	£100	0	0
Board of health,	300	0	0
Medical officer for bridewell,	30	0	0
Keeper of city court house,	50	0	0
	<u>£3570</u>	<u>0</u>	<u>0</u>

In the above estimate the committee have not included the following items of annual charge :

Keeper of fish market,	40	0	0
Ditto meat market,	85	0	0
Keeper of market clock,	25	0	0
Collector of license,	150	0	0
Superintendent of streets,	200	0	0
Clerk of streets,	175	0	0
Keeper of common,	52	0	0
	<u>£727</u>	<u>0</u>	<u>0</u>

The committee think that the expenses of the market house and the common should be deducted from the revenues derivable from those sources, and the balance only should appear to the credit of the respective accounts. From the rents of the market and the common, a surplus accrues which forms a sinking fund for discharging the debentures issued in their behalf.

The clerk of license is paid by a commission on the amount received, and the balance only should be carried to the credit of the city.

The salaries of the superintendent and clerk of the streets are charges on the road funds, the balance of which is available for the purpose intended, after deducting the cost of collection, and other incidental expenses.

A suggestion has been made for abolishing the office of clerk of the license, and transferring the duty to the city treasurer. The chief duty of the clerk of license appears to be to collect the amount of the licenses which by law are required to be paid in advance, before the licenses are issued.

This matter will come under the consideration of the council before the re-appointment of that officer.

A suggestion has also been made touching the clerk of the superintendent of streets, with a view to reduction in the expense of this office; also the combination of the offices of keeper of the market, health inspector, and inspector of weights. This subject will be brought before the consideration of the council.

It is further proposed that the medical officer appointed by the board of health shall be required to attend the bridewell without increase of salary.

Amount required for 1859, brought forward,			3570	0	0
Bridewell,	£400	0	0		
Water,	750	0	0		
Gas,	700	0	0		
Printing and stationery,	250	0	0		
Fire department,	800	0	0		
Commissioners of poor,	1250	0	0		
Repairs of city property,	300	0	0		
Fuel,	50	0	0		
	<u>570</u>	<u>0</u>	<u>0</u>	4500	0
Annual interest on old street debt, 9500 <i>l.</i> ,	570	0	0		
Ditto on Rockhead lot,	12	0	0		
Ditto on city prison,	300	0	0		

Annual interest on city prison,	£200	0	0	
Ditto    on city hospital,	300	0	0	
	<hr/>			1382 0 0
				<hr/>
				9452 0 0
Add—for loss in collecting,	500	0	0	
Contingencies,	648	0	0	
	<hr/>			1148 0 0
				<hr/>
				10600 0 0
Less Cr.—By probable receipts,				2000 0 0
				<hr/>
				£8600 0 0

The assessment for 1859 will probably not exceed the above sum, and will be further reduced if practicable.

As the revenue derived from the assessment is not usually realized until late in the year, the treasurer has suggested the expediency of opening a cash account with one of the banks to the extent of £2000, in order to have a fund to meet current expenses, and to pay constables, watchmen and other officers who cannot wait for their salaries; such bank account to be closed at the end of each year.

As regards the city prison, the committee are of opinion that such a building was indispensable, as the present bridewell is not suited for the purpose, and incapable of repair or improvement. The committee think the building now in course of erection is not larger than what is required, in order to classify and separate the inmates, whose reformation is, or ought to be, one object of the punishment inflicted. No profit should be anticipated from the sale of the present bridewell, as when it ceases to be occupied as such, the property will be required for the poor house establishment.

The committee see no objection to a combination of the county goal with the city prison, and to an appropriation of the fund provided by law for the erection of the goal, to the aid of the prison, provided the county authorities will come in to the agreement, and provided also, that the distance from the court house is not considered too great. Should this combination be effected, some additional arrangements will be required for the accommodation of debtors, who ought not to be classed with criminals. Some further expense might also be saved by uniting the offices of keeper of the prison and jailer.

They would, however, suggest in the meantime the propriety of passing the present bill, and if the proposed arrangement should be effected, the money applicable to the building of the goal, may be appropriated to the payment of the debentures for the prison.

In reference to the city hospital the committee have no doubt that such an institution is much needed, but they are of opinion that the proposed plan is far too expensive for the present means of the city. Setting aside however the repudiation of the contract entered into by the late mayor and council, which the committee cannot deem just and right, it is further to be borne in mind, that a large sum has been already expended on the present works, and the council might experience some difficulty in making a satisfactory settlement with the contractor, in case the undertaking was abandoned. In such event the large sum already expended would be a total loss. On the other hand, should the building be completed, the money now applied to the maintenance of a temporary hospital, which is a very inefficient one, would be available for the support of the new establishment, and as in other parts of the world, hospital money, as it is termed, is collected from the shipping—a small tax might thus be levied on vessels belonging or resorting to the port of Halifax. By these means a sufficient sum would probably be raised for the support of the hospital on a respectable footing.

The committee are further of opinion that a portion of the south common might be sold or leased, and a considerable sum realised from such source toward the completion of the hospital, as well as for general purposes. The part of the common on which the hospital

hospital is commenced is of small value, the ground being very rough and broken, and it is very doubtful whether the sale of the remainder would be at all effected by changing this site as has been proposed.

(Signed)

CHARLES TWINING, chairman.  
JOHN A. BELL,  
JAMES THOMSON,  
JOHN L. BARRY,  
JOHN WILLS.

(A true copy.)

JAMES S. CLARKE, city clerk.  
Halifax, April 5th, 1858.

(EXTRACT FROM MINUTES OF THE CITY COUNCIL, APRIL 5TH, 1858.)

Alderman Twining, chairman of special committee, appointed to confer with the committee of the honorable the house of assembly, on the subject of the financial affairs of the city, submits the following report The same is read.

The following resolution is introduced :

Resolved, that the report be adopted, with the exception of the last 10½ lines, and that the committee be authorised to confer with the committee of the house upon the same.

Moved by alderman Conway, seconded by alderman Moir, which, on being put, is passed, 11 voting for it, and 3 against it, and the names being called for, they appeared thus :

For resolution.

Against it.

Alderman NOBLE, BARRY,  
WILLS, MORRISEY,  
LOWNDS, TWINING,  
MOIR, BELL,  
CONWAY, KING.—11.  
FORRESTALL.

Alderman CALDWELL,  
THOMSON,  
JENNINGS.—3.

(A true extract.)

JAMES S. CLARKE, city clrk.

(For the report mentioned in the foregoing resolutions—see ante page 445.)

No. 73.

(See page 535.)

## EDUCATION.

The committee on education beg leave to report, that returns, in conformity with the requisition of the government, have been made by the collegiate institutions and academies receiving provincial aid, that is to say : by King's college, Dalhousie college, Sackville academy, St. Mary's college, the Baptist education society, St. F. Xavier's college, the Free church academy, the Halifax grammar school, and the Pictou academy—most of these institutions appear to be in efficient operation.

The report of the superintendent of education presents a favourable account of the progress of the normal and model schools, and of the general advancement of education throughout the province.

This able report, containing much valuable information, and useful statistical tables, we recommend to be printed, with the tables, in the appendix to the journals, and that oent housand additional copies be printed—(see ante appendix, pages 52 to 81)—for circulation, with a title page.

We feel compelled reluctantly to recommend that the addition of four thousand pounds, made

made last session to the educational grant, be discontinued, in consideration of the pressure at present on the provincial funds, and the consequent necessary diminution of the road grant and other services. We the more regret this necessity from the assurance derived from the superintendent, that this addition to the educational fund was last year of great benefit, and gave marked impulse to the schools in many places.

Also, we recommend that all sums remaining undrawn for grammar schools be carried to the general revenues of the province.

And that, hereafter, all monies for grammar schools, not drawn in the year for which they shall be appropriated, shall revert to the general revenue.

We recommend that Mr. H. Reid be paid fifty pounds, out of the fund of six hundred pounds, for books, for one thousand copies of his geography, with a map in each, agreeably to the report of last year; and also that £38 10s., additional be paid him out of the same fund, to remunerate him for the publication of the maps, the province to receive the remaining maps, viz. 200, at the book binders, and this arrangement to be conclusive. The maps to be coloured.

We recommend that fifty pounds each be added to the salaries of Messrs. Randall and Mulholland, at the normal school.

We recommend the continuance of the grant of fifty pounds for the infant school at Halifax.

Also that the sum of forty-five pounds be paid to the trustees of the Union African school, to discharge their debt, on the distinct understanding that it is to be the last grant to them.

We are not prepared to report on the petitions from Musquodoboit, on the general subject of education.

We cannot recommend the prayer of Sydney Crow, for compensation for alleged loss on contract for building model schools at Truro, as the principle on which the application rests is not sound, and the precedent would be injurious.

We acknowledge the usefulness of the female seminary at Liverpool—of Mr. McLellan's school at Parrsborough—of Mr. Hea's school, at Horton—but we cannot recommend a special grant to them agreeably to their petitions, the house having, at a former session, adopted the principle of rejecting all applications of this nature, and the present state of the provincial funds not warranting a departure from that policy, were it otherwise advisable.

We do not recommend the prayer of the following petitions for grammar school monies, undrawn from former years, having already, in this report, recommended a different policy, viz. : the petitions of Henry W. Johnston, the school commissioners of Clare, James W. Tays, trustees of Sydney grammar school, and John Forbes.

We recommend that the consideration of the petitions for the establishment of a school district, in the eastern end of the county of Cumberland, be deferred at this session.

We do not feel at liberty to recommend the prayer of Alexander M. Chisholm, in relation to the discovery of a useful educational instrument.

We do not consider that John Cummings has established a sufficient claim for the gratuity he seeks, in consideration of his services as a school master.

On the petition of the commissioners of schools for New Dublin, we are not prepared to make any recommendation. We have not sufficient information as to the claims of the different schools districts relatively, and the members of the county do not recommend the prayer of the petition.

We recommend a grant of 100 acres of land, free, under the report of the committee in 1857, to John Nevill, a school teacher of over 40 years.

We do not recommend any action, at present, in connection with the formation of a model farm, nor any expenditure on the agricultural proposals of the superintendent, which, however useful, would probably lead to outlays of money that we do not at present feel justified to sanction.

We recommend the sum of seventy-six pounds fifteen shillings and one penny half-penny

cenny to be paid to the superintendent of education, to defray arrears incurred in 1855 and 1856, from the deficiency of the grant for incidental expenses, omitted in report of committee on education last year.

We recommend the following sums to be paid the commissioners of the normal school, agreeably to their report, viz. :

Eighty-eight pounds fourteen shillings and nine pence for over payments.

Seventy-two pounds and five shillings to meet outstanding liabilities.

Fifteen pounds for insurance of buildings.

Fifteen pounds for a well.

We are of opinion that no further expenditures on the normal and model schools, beyond those recommended in this report, be incurred during the present year.

We recommend that the report and general statement and accounts of the commissioners of normal and model schools be printed in the journals.

We recommend a grant of £15 to Mr. J. S. Cunnabell, to enable him to pay for the construction of three sets of his illustration board, on condition that one of them be sent to the normal school, that its utility may be tested.

We cannot recommend a grant for books to the national school on account of the precedent it would establish.

J. W. JOHNSTON,  
CHARLES TUPPER,  
EDW L. BROWN,  
W. YOUNG,  
ADAMS G. ARCHIBALD,  
NATHAN MOSES,  
JOHN TOBIN,  
A. C. McDONALD,  
JOSEPH HOWE.

The undersigned make exception to the grant recommended in the foregoing report, for the infant school in Halifax.

EDW. L. BROWN.  
A. C. McDONALD.

Mr. Howe objects to the grant to Mr. Nevill, who, it appears, keeps a grog shop, and not a school.

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PART 2.

REPORT, &c.

*To the honorable the provincial secretary :*

SIR—

I beg to enclose you, for the information of his excellency the lieutenant governor, detailed accounts of the expenditure by the board of normal school commissioners, of the sums placed at their disposal by the legislature.

By the report of the committee on education of last year, a sum of £200 was recommended to complete the enclosure of the normal school grounds, and the erection of the necessary out houses, play sheds, fencing, &c.

This recommendation was adopted by the house, and the amount granted. The commissioners, however, found that the sum placed at their disposal was not quite enough to complete that object. The lowest sum for which they could obtain a contract to complete the work was £234, independently of a charge of £5 for the plan and specification, making in all an excess of £39 over the amount granted.

At

At the time the normal school land came into the hands of the commissioners, there was a small dwelling house upon it, which stood in front of the spot afterwards selected as a site for the model schools. It was necessary, therefore, to remove such house to a different situation. Upon its removal, and before it could be rendered habitable by the keeper of the grounds, it was found necessary to dig a cellar, and put some other small repairs upon it. It was very essential to have the keeper living upon the grounds in the immediate neighborhood of the buildings and of the place of his ordinary duties, and it was found that by incurring an expenditure of £25, a building, which without it, was wholly useless, might be made to contribute an annual rent of £15, which would go in reduction of the wages of the keeper. The commissioners therefore, though without any authority from the legislature to do so, assumed the responsibility of ordering the requisite repairs, and the house has ever since been occupied by the keeper, who, with his family, are thus enabled to live upon the premises and to be always at hand in case of an emergency.

As a further protection to the buildings, the commissioners have kept the normal school insured ever since its first erection. This is an additional charge unprovided for at the last session. They are of opinion that a similar assurance should be effected upon the model schools, and they would be glad to have instructions upon this point from the government or the legislature.

The contract for the erection of the model schools made no provision for the large amount of stoves and stove pipes required to heat the various apartments, and without which the buildings could not be rendered available during the winter. This necessarily involved a considerable expenditure, for which no provision was made by the legislature. The stoves and pipes were procured upon credit, and still remain unpaid.

The sum of one hundred pounds granted to prepare and embellish the grounds, has been expended in that service, and the whole of the space between the buildings and the street has been trenched, manured, and planted with native and foreign trees, and the front and west side enclosed by a hedge of native spruce. The whole appearance of the establishment has been improved by this expenditure, and the grounds have thereby been prepared to carry out the purposes of the establishment.

The sum of £125 granted to furnish the model schools, has also been expended in that service, and some small additional expenditure has also been found requisite under this head.

The board are happy to be able to say that by these expenditures the establishment is rendered complete, and that no further demands of any amount need be made for years to come upon the liberality of the legislature, in respect to the buildings or furniture.

There are but two small matters which would seem necessary.

One is a well and pump, which would cost £15. Above 250 persons are habitually during the day upon these premises. It is obvious how essential, not only for purposes of beverage and ablution, is a copious supply of water on the grounds, but also how important it might be in case of fire.

There ought also to be a small barn on the premises for the convenience of the keeper, and for covering and protecting the tools and implements used about the grounds. This could be erected at a cost of £25.

The board annex hereto a statement of the whole sum which would be required to be provided.

By this it will be seen that £88 14s. 9d. will be required to reimburse the commissioners the sums already paid by them, and a further sum of £72 5s. to meet liabilities arising from the various sources detailed in this report.

I have the honor to be,

Yours, &c.

ADAMS G. ARCHIBALD,  
Secretary to board of normal school commissioners.  
Statement



## THE COMMISSIONERS OF THE NORMAL SCHOOL IN ACCOUNT WITH THE PROVINCIAL TREASURY.

*Gardea in connection with the normal school.*

April 1.	To cash paid Rev. Dr. Forrester, expended by him on the grounds,	1.	£10	0	0	
May 7.	To cash paid Kennedy and others for trees,	2.	3	3	0	
15.	Wm. Johnson, 10l.; 19th do. 2l.,		12	0	0	
26.	do.		6	7	6	
June 12.	do.		12	5	0	
25.	do. 7l. 10s.; 24th, 12l. 10s.,		20	0	0	
		3.	50	12	6	
"	David Weatherby,		1	13	9	
13.	do.		1	0	0	
		4.	2	13	9	
24.	James Dodson,	5.	2	15	0	
						69 4 3
	Commission 5 per cent. on 69l. 4s. 3d.					3 9 0
						<u>£72 13 3</u>
	CONTRA CR.					
	By draft from treasury,					100 0 0
						<u>£27 6 9</u>
	Balance on hand to credit of treasury,					
Against which are the following bills remaining unpaid:						
	John Wilson for trees,		7	4	3	
	Horticultural gardens, Halifax, for do.		5	0	9	
	Gammel & Tupper's bill, manure, &c.		10	12	11	

A. G. ARCHIBALD, secretary.

## THE COMMISSIONERS OF THE NORMAL SCHOOL IN ACCOUNT WITH THE PROVINCIAL SECRETARY.

*Draft of purchase of furniture.*

1857.						
July 1.	To paid Daniel McNutt, freight of do.	1	8	15	0	
	Telegrams to Boston, &c.	2	1	10	6	
8.	Adam Johnson, carpenter,	3	3	4	9	
Aug. 15.	James Forman, Halifax, amount of J. Ross' draft,	4	96	13	9	
						110 4 0
	Commissions, 5 per cent. on £10 4s.					5 10 2
						<u>£115 14 2</u>
	CONTRA DR.					
	By draft on treasury,					25 0 0
						<u>9 6 0</u>
	Balance on hand to credit of province,					

A. G. ARCHIBALD, secretary.

No. 74.

(See page 536.)

ROAD GRANT, PICTOU.

The committee to whom was referred the subdivision of the grant of 1800*l.* for the road and bridge service in the county of Pictou for the present year, beg leave to report that the sum is divided as follows :

To pay for expenditure on the great roads,	£319	0	0
for the township of Pictou,	600	0	0
Maxwelton and Egerton,	881	0	0
	<hr/>		
	£1800	0	0

All of which is respectfully submitted.  
Committee-room, April 26th, 1858.

JOHN RYDER,  
M. McCLEARN,  
F. R. PARKER.

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No. 75.

(See page 553.)

HALIFAX COURT HOUSE.

The committee on the Halifax court house beg leave to report :

That they have examined the papers referred to them, and concur with the commissioners in thinking that the mason hall could not conveniently be converted into a court house.

They have examined also the plans and proposals of Messrs. Doull & Miller, to lease two stories of the new building, they propose to erect in Hollis street, for a court house and offices, but as it appears that the magistrates of the county are averse to this plan, and as serious objections are made to it in other quarters on account of the height and difficulty of access, your committee regret that they cannot recommend it, and that the chance of erecting so splendid a building in the heart of the city will be lost.

Your committee, however, are not less alive than their predecessors in 1855 and 1856, to the absolute necessity of obtaining for the use of the legislature the room now occupied by the supreme court. The time has come when a court house must be erected, and a law passed so precise and stringent in its provisions, that it will be carried out at once and the building begun.

The act of 1851 limits the site to the poor house burying ground, which in the eyes of many persons is objectionable on the score of health and for other reasons. Now under the acts of 1854, chapter 44, and 1855, chapter 12, it is in the power of the legislature to assign a healthy and beautiful site on the southern side of Spring-garden road, and your committee recommend that so much of the front as may be found necessary for the purpose, and of the depth in these acts, shall be conveyed to the commissioners by the board of works, in such manner as the governor in council shall approve and direct.

This site may be considered as a further contribution by the province of one thousand pounds.

The act of 1856, chapter 65, provides that one half the cost of the site and building

of the court house shall be paid from the public treasury, not to exceed 3333*l.* 6*s.* 8*d.*, and that the other half shall be borne by the county of Halifax. For these sums it was found that a court house of brick, with two suitable court rooms, could not be built, and the idea of a wooden court house, where the records of the county, the registry of wills and deeds, and the papers of the probate office are to be deposited, ought not to be entertained. The prices of labor and materials are now on the decline, and it is estimated that a brick court house, with two court rooms, and the necessary offices, judiciously planned, and on a plain and economical model, can be put up and finished for ten thousand pounds. The province cannot be expected to do more than it has already engaged. The balance therefore must be raised by the county of Halifax, else we shall have no court house for years, and the present inconveniencies will be perpetuated.

Your committee therefore recommend that the site be granted as already mentioned—that the above sum of 3333*l.* 6*s.* 8*d.* be contributed by the treasury—that the county of Halifax be assessed for double that amount to be paid by instalments, making 10,000*l.* in all—and that the commissioners be authorized immediately to advertise for and enter into contracts for such a building as can be obtained for that sum.

W. YOUNG,  
C. TUPPER,  
THOMAS H. FULLER,  
A. G. ARCHIBALD,  
WILLIAM ANLIAND.

Halifax, 29th April, 1858.

No. 76.

(See page 554.)

## C R O W N L A N D S .

The committee appointed on the subject of crown lands, mines and minerals, beg leave to report as follows :

### AS TO THE SEVERAL PETITIONS—

First—Of William F. Waterman, courier, on the route between Liverpool and Annapolis, claiming a free grant of one hundred acres of crown land, situate at Kempt, Queen's county, with a view to erect thereon stables for the accommodation of the horses used by him on the route.

Second—Of William Ross, formerly a soldier of her majesty's 42nd Highland regiment, lately discharged on account of ill health, with two good conduct badges, and favorable certificates, and praying a free grant of one hundred acres of land in Cumberland.

Thirdly—Of the inhabitants of Lake George, East Dalhousie, and other parts of Aylesford, claiming a special grant of money to open up a tract of wood land country between Lake George and Sherbrooke roads.

Fourthly—Of Charles H. Carman.

Fifthly—Of Peter Doyle, both respectively, clerks in the office of commissioner of crown lands, claiming an increase of salary.

Sixthly—Of Peter S. Hamilton, claiming to be repaid an expenditure of £10 incurred by him in the purchase of maps required by the assembly, to be appended to his pamphlet, on "Nova Scotia as a field for emigration," of which this house last year agreed to take 2000 copies, for the sum of £100.

Sevently—Of John McLeod, of River Inhabitants, Inverness, praying to be refunded interest for 7 years and 3 months, upon a sum of £21 17*s.* 6*d.*, paid by him into the crown

crown land office, as the purchase money of certain lands applied for by him, in reference to which a controversy arose, that was decided in favor of another party, after which, the money paid in by the petitioner was withdrawn by him.

Your committee, after a careful examination of the subject matter of these several petitions, beg to report that they do not recommend them to the favorable consideration of this house.

Your committee beg further to say in reference to the petitions for increase of salary above mentioned, that they are of opinion that all applications of the kind from subordinate officers should come through the head of the department, and have his recommendation, before they establish any claim for favorable consideration from this house.

In reference to the petition of Whitman Freeman, principal crown surveyor for Queen's county, praying compensation for surveys made by him in the county of Shelburne, under circumstances set forth in his petition, your committee conceiving that the officer acted under misapprehension, recommend that he be paid in full of any claim he may have for this service, the sum of five pounds.

In reference to the petition of Caleb Seeley, your committee beg to report the facts so far as they have been able to ascertain them from the voluminous papers connected with this matter, and the explanations of the parties interested.

In 1784, a grant of land between Nine Mile River and Shubenacadie, was made to colonel Small, to be divided among the officers, and non-commissioned officers, and privates of 2nd battalion of the 84th regiment.

George Mayne was a sergeant in that battalion, and to him was allotted a tract of land-abutting on the Shubenacadie, and containing 350 acres or thereabouts. The conditions of this grant not having been complied with, it was afterwards escheated, but respect was had to the equitable rights of the parties interested, and separate grants were subsequently passed to many so claiming.

George Mayne, the original allottee, never received a grant. He died about 1807, leaving two children, a son named John, and a daughter who, in 1815, was married to David Dow.

The question in dispute has been, to whom shall be granted the lands originally allotted to George Mayne.

Under Mrs. Dow, the family of Robert Nelson claim to be entitled to one-third of the land.

Under John Mayne, the Seeley's claim to be entitled to the whole, and have already received a grant of two-thirds of it. They now dispute the right of the Nelson's to the other third.

This matter has been long in controversy, and has been at several times decided upon the principle of giving two-thirds to John, assumed to be entitled to a double share, as eldest son, and one-third to Mrs. Dow.

The claim of the Seeley's, so far as the same is founded on documentary title, consists of a deed from John Mayne, the son, made in 1810 to David Whidden, who three years afterwards conveyed to Robert H. Smith, under whom, by mortgage in 1817, and release in 1824, the title passed into the hands of the Seeley's.

These deeds purport to convey the whole of the lot, and would appear to have been accompanied by some acts of possession, extending long back, such as quarrying plaister and cutting wood upon the lot, but the land is still principally wilderness.

In addition to these acts of possession, the Seeleys claim that David Whidden had purchased the land from old George Mayne, and had possession in his life time, though without deed, and that the conveyance from the son was intended to confirm his title.

On the other hand, disputes as to the possession arose at a very early day. In 1841, Dow applied by petition for a grant of the whole lot in right of his wife. He claimed to have supported the widow of George Mayne up to the time of her death, at a very advanced age, and alleged that John Mayne had left the country many years before his mother's death, and while here, had in no way contributed to her support.

The truth of the facts contained in Dow's petition was certified by Mr. O'Brien and Mr. Smith, two of the land board for the county of Hants, and the government thereupon, on the 2nd August, 1841, decided to make a grant to Dow upon his paying one shilling and three pence per acre.

Shortly afterwards the money was paid. The surveyor general however, before making out the grant, directed the lands to be re-surveyed, and soon after, a petition remonstrating against the grant was forwarded to the office by Robert H. Smith, who had conveyed the land to the Seeleys, praying that nothing should be done till the Seeleys were heard.

The whole matter was then referred to the land board of the county, who, on the 12th October, 1842, reported to the crown land office, the evidence touching the possession of the land, given by witnesses examined by the board.

From this testimony it would seem that there had been acts of possession on both sides.

Whidden had cut wood and quarried plaister—Smith had done the same—Dow had also quarried and sold plaister from the lot, and had sold the land to Robert Nelson, by whom a clearing and some improvements were made on it.

The evidence so returned was submitted to the executive council, and by them referred to the late Mr. Robie and Mr. McNab to report upon.

On the 24th April, 1843, they reported that Dow should recover either one-third of the consideration money which John Mayne got for the land, or else a grant of one-third of the land.

No further action appears to have been taken till 1845, when Dow again applied for his grant, and was again, in 1846, met by a petition of the Seeleys, who claimed the whole,—so the matter remained till 1855, when the Seeleys renewed their petition.

The government of that day again decided the question, awarding two-thirds to the Seeleys, and one-third to Dow, or rather to the family of Nelson's, who had paid to Mr. Dow on the recommendation of the provincial secretary, the sum of ten pounds, and thereby obtained his consent to have the grant made to them instead of to himself.

The grant to the Seeleys then passed, but the other was suspended, owing to the re-marriage of the widow of Robert Nelson, leaving a widow and minor children. In consequence of delays arising from this source, the grant still remains open, but the present commissioner of crown lands has recently recommended the passing of a grant, so as to vest in the widow and children of Robert Nelson the same title which they would have had if the grant had passed to the deceased in his life time.

Under all these circumstances, your committee consider they would not be justified, at this late period, in disturbing a decision passed in the matter so long ago as 1843, and renewed in 1855, and particularly after the widow and minor children, on the faith of these decisions, have paid money, in addition to sums previously paid by Nelson himself to Dow, who is now a bankrupt, and would be unable to repay the amount, even if he could be made legally liable therefor, and therefore they recommend a grant to the Nelson's, in the form suggested by the crown land commissioner.

In reference to the petition of Francis O'Regan, the facts appear to be as follows :

Along the Joggins shore there are a number of free stone reefs, making out into the bay, of a quality suitable for the manufacture of grind-stones. These were taken possession of by parties without the permission of the crown, and a dispute arose among different claimants for a grant of these reefs.

With a view to obtain the materials for correctly deciding on these claims, the commissioner of crown lands was instructed to repair to the spot and report the facts ; and on the 16th Nov. 1847, a committee of the executive council to whom his report was referred, recommended, on a consideration of all the facts, that a grant should be made to Reed and Soy of the Ragged Reef, upon their payment of 500*l.* or otherwise, that they should have a lease of them, paying 25*l.* a year.

As regards the reefs now known as A. B. and C., the committee say :

“ We find that Mr. O'Regan and members of his family own several parcels of land

land bounded on the shore for a long extent, having a large quantity of freestone in front, and connected therewith in the immediate vicinity of the Ragged Reef property, to all of which, below high water mark, the title is in the crown. We recommend that the freestone thus lying in front of these parcels of land be leased or granted to Mr. O'Regan and the respective proprietors of the upland, at a moderate rent for a term of years, or for a moderate consideration for the fee simple at their option.

We are not furnished with information for adjusting this sum, but if Mr. O'Regan and his family are desirous of becoming entitled to the water property and bed of freestone in front of their lots, we recommend that the commissioner of crown lands be directed to report his judgment of the rent or purchase money that would be reasonable, under all the circumstances.

This report was approved by Sir John Harvey, on the 19th Nov., 1847, and on the petition of O'Regan setting forth his claims to the land, dated on the 9th of March, 1848, a decision was made in council on the 2nd of May, 1848, awarding to the petitioner a grant of three reefs, marked on the plan as A, B and C., to be made on his payment of 100*l.*

For five years the matter rested, no money was paid. In September, 1853, O'Regan pays the 100*l.* into the crown land office, and demands his grant.

In October, 1853, his right to a grant of one of the reefs, is disputed by his son-in-law Loran Melanson—who petitions to have the grant of reef C made to himself.

This reef lies in front of a lot known as the Phiney lot, of which O'Regan had been the owner. He had however sold an undivided half of it to his son John, who had sold it to Melanson; and Melanson asserts in his petition that the buildings of O'Regan and his improvements are on the western half of the lot, while those of Melanson are on the eastern half.

The reef is in front of the eastern half.

Melanson alleges various acts of possession and improvement in respect of the reef C, which, however, are denied or explained away by the petitioner, in a counter statement made by him.

The claims of Melanson being confirmed by the report of the deputy surveyor, the committee of council to whom the matter was referred, Mr. Tobin and Mr. Creelman, on the 21st day of January, 1854, awarded to Melanson a grant of the reef upon his paying 25*l.*, and to O'Regan the other two reefs, with the 25*l.*, paid in by Melanson.

Melanson paid his money and secured his grant, while O'Regan took the 25*l.*, and a grant of the other reefs.

O'Regan asks for compensation from the house for the injuries he has received, and alleges that a free grant was promised to him by the government of 1847, and claims to be refunded the 75*l.* which he has been compelled to pay.

Your committee do not find anything in the documents submitted which establishes a promise of a free grant, and therefore report the facts as they appear from the documents, but without any recommendation as to the action of the house.

In reference to the petition of James Edwards, your committee report,

That the petitioner claims to be refunded the sum of seven pounds paid by him for land subsequently granted to another party, together with interest from the time it was paid.

It appears by an affidavit made by the petitioner before the late commissioner of crown lands, as long ago as 1830, that he had then cleared 25 acres, and begun to build a house on the lot in question, which consisted of 200 acres.

By the affidavit, it would seem that the purchase money was to be 10*l.*, payable at the rate of 10*s.* per year. The first sum of 10*s.* appears to have been paid at the time; and within a year thereafter, it would appear by the affidavit of the son of the petitioner, that he paid a further sum of 5*l.* into the crown land office, which, though not appearing in the books of the office, is not disputed there, the books not having been at that time kept with much regularity. He also paid 1*l.* 13*s.* 4*d.* to the crown surveyor who run out the land.

The

The petitioner retained possession from 1830 up to 1852.

Some four years before that period he removed into the county of Colchester, and resided with his son, and was living there in 1853, when a grant of the land was made to one Joseph Wade, without his knowledge.

Wade petitioned for the land in December, 1852, and the deputy surveyor reports the occupation of it by Edwards, who did not know of the application or of the grant thereon, till some years after it was made, and only learned it on applying through his son to have the grant to himself perfected.

Under these circumstances, your committee are of opinion that the petitioner is fairly entitled to compensation, and they recommend that he shall be entitled to a free grant of 200 acres of wilderness land, at his selection.

In reference to twelve petitions, extensively signed by inhabitants of Cape Breton, praying for a geological survey of the territory outside of the reserves allotted to the General Mining Association, your committee are sensible of the great importance of such a survey, but in the absence of any information as to its probable cost, they would not feel justified in recommending to the house, any immediate action on the subject.

In reference to the petition of the inhabitants of Low Point and Lingan, praying to be allowed to raise coal for their own use, and for sale at Sydney; and also in reference to the petition of the Rev. John Stuart, to be allowed the privilege of completing a shaft which he has been sinking upon a vein of coal on his property at East River, for the purpose of raising coal for domestic use, your committee have to say that these matters are removed beyond the control of the assembly by the act ratifying the convention made by the provincial delegates with the General Mining Association.

It is right, however, to say that, so far as the domestic consumption of coal by parties raising it within the limits, but on their own property, is concerned, the agent of the General Mining Association has given a pledge not to interfere with such operations.

In reference to the petition of John Wooster, who claims to be reimbursed the sum of forty five pounds paid by him as the advance rent of a fish wear at Annapolis, the lease of which he purchased from government at an auction sale—one of the terms of which was that the money should be refunded, unless possession was delivered, your committee understanding that he was forcibly kept out of possession by parties claiming adversely to the crown, and that he derived no benefit from his lease, are of opinion that the money ought to be refunded.

He asks for interest and expenses, but your committee confine their recommendation to the repayment of the principal.

In reference to the petition of the inhabitants of Broad Cove, in the county of Lunenburg, your committee beg leave to report,

That in 1764, a grant known as the Broad Cove grant, was made to one McDonald, which comprised 2,000 acres. Seven years later, one Parks obtained a grant of 1,500 acres, which lay to the east of the other grant, but was not bounded upon it in the description of the abutments.

The ownership of the Broad Cove grant became afterwards divided among a great many parties, and in 1832 there were about 20 proprietors who agreed to a sub-division of the grant among all parties interested, which was done by Whitman Freeman, crown surveyor, who made a plan, dated 28th March, 1832, showing the allotments to each proprietor.

The eastern boundary of the Broad Cove grant, the proprietors allege to have been well known and established on the ground for upwards of 66 years, and at all events it would appear to have been claimed up to a certain point when the plan and sub-division were made above 26 years ago.

It is now alleged that the land as so claimed is wider by 18 chains, than the language of the grant will warrant, and application having been made by one Voghler, a party not holding under the grant for the excess, the persons to whom in the allotment under the

the plan of partition, the space of ground covered by these 18 chains fell, were notified that unless they paid in 2*l.* 5*s.* 7*d.*, the lands would be granted to Voghler.

Under these circumstances the allottees, fearful of losing the property, paid in the money, but have petitioned to have it refunded.

Your committee think they are entitled to have this done, and that the rights of a whole body of proprietors, claiming a space of 2,000 acres should not be interfered with by any alteration of a line so long claimed by them, and under which they have sub-divided the property more than a quarter of a century ago, unless there is better reason for doing so than that the grantees claim more by one-tenth than strict measurement would give them.

Your committee recommend to the house an act for protecting land surveyors in the execution of their duty, prepared by the commissioner of crown lands, with some amendments suggested by the committee.

They would also recommend that out of the proceeds of the crown land office, a sum of 200*l.* be set apart and appropriated for the purpose of providing improved circumferentors for the use of land surveyors in Nova Scotia, to be sold to them at cost and charges, and the receipts to be applied in keeping up a supply. They consider it very important that in surveys made for settling the rights of parties, instruments of the best and most accurate description should be within the reach of the men who have the service to perform.

They would also recommend a grant of fifty pounds to be applied in the purchase of superior instruments for use in the office of the crown land commissioner.

All which is respectfully submitted.

Committee room, April 27, 1858.

A. G. ARCHIBALD,  
MARTIN I. WILKINS,\*  
J. W. JOHNSTON,†  
W. YOUNG,  
JOHN ESSON,  
JOHN J. MARSHALL,‡  
JAMES McKEAGNEY.§

\* Except as to the decision on Jacob Seeley's petition. Seeley being in possession under title deeds, and the possession of him and those under whom he claims, running over 40 years, no grant should pass to the heirs of Nelson.

† Except as to O'Regan, and as to Doyle and Carman, as far as the merits of their petition.

‡ Except as to the matter of O'Regan.

§ Except as to the petitions of O'Regan, and of Peter Doyle and Charles H. Carman, and also the petitions of the inhabitants of Cape Breton—respecting which, as they are disposed of in the report, the subscriber dissents.

No. 77.

(See page 559.)

### PETITION OF ROBERT DAVIS.

The committee on the petition of Robert Davis, beg leave to report :

That they have, as far as their other engagements permitted, enquired into the subject matter of the petition, and having ascertained that a larger sum was retained by the board of works, than in the opinion of the committee, founded on the evidence adduced before them, was sufficient to ensure the completion of the asylum under the terms

terms of the contract, they recommended that the sum of three hundred pounds of that amount should be paid to the petitioner, in order to enable him to meet the pressing demands made upon him in connection with the work.

Your committee, not having had sufficient time to examine witnesses as to the character of the work done at the asylum, pronounce no opinion as to its merits or imperfections; but report, for the information of the house, all the documents submitted to them bearing on that point.

The discrepancies in the measurements appear to have resulted from the different construction given by the gentlemen conducting the same, to the seventh clause of the specification, which regulates the mode in which such measurements were to be made. As it was impossible for your committee to enter into such details, and as it would be most unwise to interfere with the legitimate control which the board of works ought to exercise over public works in course of construction, or to attempt an adjustment of accounts before the completion of the contract, your committee recommend that Mr. Davis should be called upon to finish his work, and that he paid as heretofore, on the certificate of the superintendent, after deducting ten per cent.; and that upon its completion his claims be adjusted by the board of works, with a due but liberal consideration of all the circumstances of his case.

All which is respectfully submitted.

Committee room, 1st May. 1858.

JOHN C. WADE, chairman.  
ALEXANDER McFARLANE,  
T. D. RUGGLES,  
A. C. McDONALD,  
JOSEPH HOWE.

No. 78.

(See page 561.)

## REPORT OF COMMITTEE ON ROAD DAMAGES.

The committee appointed to investigate the claims made for land taken in altering certain main post roads, described in chapter 61 of the revised statutes, and in chapter — of the acts of 1856, and charges for fencing the same, beg leave to report :

Upon the following agreements between commissioners appointed by the government to expend monies on the main post roads, and parties interested in lands taken therefor, which having been confirmed by the sessions, your committee recommend payment as follows :

Samuel Pyle, Manchester, land and fencing,	£45	0	0
George Whitman, ditto ditto	0	12	6
Hannah Pyle, ditto ditto	0	15	0
James L. Whitman and others, for laying off road, &c.,	1	0	0

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47 7 6  
6 15 0

Adam McNutt, Truro, land and fencing,

	Soil.	Fencing.	Total.
John Campbell, Judique, Inverness,	£16	0	0
Donald Gillies, ditto	1	0	0
Arch. McDonald, ditto	2	0	0
Angus Chisholm, ditto	2	0	0

Donald

Donald McDonald, Judique Inverness,	£2 10 0		2 10 0
Don. & Jas. McDonald, ditto	1 0 0	2 0 0	3 0 0
Alex. Chisholm, ditto	6 5 0	3 0 0	9 5 0
Colin Chisholm, ditto	12 10 0	5 0 0	17 10 0
			<hr/> 56 15 0
Alexander McRae, Richmond,	12 0 0	3 0 0	15 0 0
Clerk of peace, ditto			0 7 6
			<hr/> 15 7 6
Widow McKinnon, ditto	2 0 0	3 0 0	5 0 0
Clerk of peace,			0 7 6
			<hr/> 5 7 6

Upon appraisement of land and fencing, confirmed by the sessions of the counties hereinafter referred to, your committee report in favor of the following :

*Main post road, Richmond.*

	Soil.	Fencing.	Total.
Reynold Cummin,	£8 10 0	1 0 0	9 10 0
Three appraisers, at 10s, Clerk of peace,			1 10 0 0 7 6
Roderick McLeod,	5 15 0	6 5 0	12 0 0
Donald Ferguson,	0 16 6	0 13 6	1 10 0
Three appraisers, at 10s. Clerk of peace,			1 10 0 0 7 6
Farquhar McKenzie,	7 10 0	4 10 0	12 0 0
Malcolm McLeod,	6 8 0	2 12 0	9 0 0
John McKenzie,	5 8 0	2 12 0	8 0 0
Duncan McKenzie,	3 10 0		3 10 0
Alexander Urquhart,	6 0 0		6 0 0
Three appraisers, 2 days each, Clerk of peace,			3 0 0

*Main post road, Inverness.*

	Soil.	Fencing.	Total.
Ronald McDonald,	£8 10 0	8 10 0	17 0 0
John McEachern,	2 10 0	2 0 0	4 10 0
Allan McDonald,	3 0 0	2 0 0	5 0 0
Alexander McKinnon,	2 10 0	2 0 0	4 10 0
William McDonald,	30 0 0		30 0 0
Donald McDonald,	2 0 0	2 0 0	4 0 0
William Watt, 20s., and John H. McKeen, 30s., appraisers,			2 10 0
Duncan McDonald,	4 14 0	3 6 0	8 0 0
			<hr/> £75 10 0

*New Eastern road, Gugsboro'.*

Peter Jordan,	6 12 6	9 0 0	15 12 6
Removing a barn,			5 0 0
Appraisement and other expenses,			3 13 6
			<hr/> £24 6 0
			Antigonishe

*Antigonishe and St. Mary's road.*

John Kirk,	£2 12 0	5 14 0	8 6 0
Angus Kirk,	3 8 6	6 8 0	9 16 6
Robert McKenzie,	0 10 0		0 10 0
			£18 12 6

*West Brook to Mills Village, Cumberland.*

Jesse L. Henwood,	£1 15 0	3 5 0	5 0 0
John W. Jenks,	6 15 0	1 0 0	7 15 0
Matthew P. Pettygrew,	3 0 0	6 5 0	9 5 0
James L. Gabriel,	16 12 6	10 10 0	27 2 6
James P. Fullerton,	1 2 0	2 15 0	3 17 0
Jesse W. Fullerton,	2 1 6	5 5 0	7 6 6
Alexander Fullerton,	5 0 0	7 10 0	12 10 0
John Davison,	13 15 0	7 10 0	21 5 0
Widow Jane Lewis,	7 17 6	4 0 0	11 17 6
Gaius Lewis,	3 0 0		3 0 0
Appraisers, 60s., plan, &c., 20s.			4 0 0
			£112 18 6

*Marsky Hope road.*

	Soil.	Fencing.	Total.
Patrick McKenna,	£1 0 0	7 16 0	8 16 0
Donald McAdam,	0 15 0	6 0 0	6 15 0
Angus McAdam,	0 15 0	7 2 0	7 17 0
Allan McAdam,	1 0 0	15 4 0	16 4 0
John Williams,	7 0 0	15 17 0	22 17 0
Alexander Williams,	3 0 0	6 7 0	9 7 0
Alexander Ballentyne,	2 11 0	7 6 0	9 17 0
Alexander & John McAdam,	1 0 0		1 0 0
Alexander Chisholm,	2 0 0		2 0 0
Patrick & John Sallenger,	5 0 0	29 15 0	34 15 0
Andrew Whalen,	4 15 0	12 4 0	16 19 0
Angus McDonald,	3 18 0	13 6 0	17 4 0
Thomas J. Lindsay,	5 10 0	7 16 0	13 6 0
Elizabeth Crockett & Sons,	2 10 0	9 3 0	11 13 0
			£176 10 0
A. D. Harrington, commissioner, appraisers, engineer, &c., per account,			25 13 9
			£202 3 9

*Main post road, Victoria.*

Evan Campbell,	£8 0 0	0 12 0	8 12 0
Mining Association,	10 0 0		10 0 0
James Sparling,	50 0 0	8 0 0	58 0 0
Dougald Robertson,	1 0 0		1 0 0
Three appraisers, 10s. each,			1 10 0
William Croudes,	7 0 0	5 0 0	12 0 0
James Davis,	5 0 0	4 10 0	9 10 0
George Munroe,	26 0 0	4 1 0	30 1 0
			Three

Three appraisers, at 10s. each,				£1 10 0
John McRae,	10 0 0	3 13 4		13 13 4
Charles J. Campbell,	13 15 0	3 13 4		17 8 4
John McNaughton,	25 0 0	6 3 0		31 3 0
Murdock McLeod,	6 18 9	2 17 0		9 15 9
Three appraisers, 2 days each,				3 0 0
John McRae for soil and removing barn,				19 0 0
Three appraisers, at 10s. each,				1 10 0
Francis W. McKenzie and others for survey above road, plans, &c, per account,				7 0 0
John McNeil for services as appraiser, and laying off road in Boularderie, Victoria, in 1833, 10 days at 7s. 6d.				3 15 0

Upon the petition of George Patterson, West River, Pictou, the committee recommend that seventeen pounds five shillings be paid him when the facts set forth in his petition are duly certified.

Your committee cannot recommend the prayer of Henry O'Neill and others, Cape Porcupine, inasmuch as the road in question is not included in the acts 61 of the revised statutes, and chapter , 1856; neither can they recommend any further grant of money to Sterns Jones, Weymouth, than was allowed him by the appraisers appointed in that behalf; nor can they recommend the prayer of the petition of C. & M. Curry, Richmond, who have not made appear what damage, if any, has been sustained by them.

Your committee recommend payment of 5*l.* 13*s.* 9*d.* to Abner Myers, Guysborough, in accordance with prayer of his petition.

Your committee, in view of the large amounts annually drawn from the treasury for road damages, for the purpose of imposing a substantial check thereto, recommend that one half the amount of damages hereafter awarded, be borne by the counties respectively.

Committee room, 3d May, 1858.

W. ANNAND, chairman.  
THOMAS KILLAM,  
HUGH MUNRO,  
MOSES SHAW.

No. 79.

(See page 561.)

## REPORT OF COMMITTEE ON RAILWAYS.

The committee appointed to consider claims made by certain contractors against the railway commissioners, and also the petition of Spencer Sutherland & Sons, touching claims made by them to be relieved from the consequences of a suit brought against them for wood and other materials, taken for the railway; and also the petition of John Archibald, for compensation for damages and costs, to which he was subjected in consequence of conveying to gaol three persons charged as rioters, when induced by a constable to perform that service, and which persons subsequently brought actions against petitioner—beg leave to report as follows:

Your committee, shortly after being appointed, commenced the important and responsible inquiries entrusted to them, which occupied from three to four hours a day, for about thirty days. The commissioners were represented by the attorney and solicitor generals, and the late and present chairman of the railway board, and the contractors  
by

by their counsel, John W. Ritchie and Robert G. Haliburton, esquires. The witnesses were examined and cross examined by the gentlemen above named, and every facility afforded by your committee to both parties, to give evidence, calculated to bring your committee to just conclusions. It was argued by the counsel for the contractors, that they had legal claims under the contracts against the commissioners for the extras arising from inaccuracies of survey; but this position was resisted by the commissioners. Your committee heard the arguments, and although they are not prepared to decide upon a point of law upon the authorities to which their attention has been directed, so very subtle and nice, they are very far from expressing an opinion unfavourable to the views of the counsel for the contractors; but rather incline to the opinion, that the extras arising from inaccuracies of the surveys, form the basis of legal claims for such inaccuracies. It is in evidence, and uncontradicted, that the chief engineer knew, while the work was being done, that the inaccuracies existed, and that the parties in some cases were performing the extra work under the impression they would be paid; and in one case entered into a special agreement to pay for the extra quantity required at schedule rates. He was, under the contract, the judge of such matters; and in the case in question decided in favor of payment for the extra work. The monthly returns also shew that in one case at least, if not in the others, payments were made for portions of the extra work, but subsequently deducted some months afterwards. If therefore the engineer permitted the parties to perform the extra work, and allow payments to be made on account thereof, without informing them distinctly they would not be paid, of which there is no satisfactory evidence, or that the sums paid would be subsequently deducted, it appears to your committee that under such circumstances a legal claim existed for the payment monthly, of this extra work under the terms of the contract. Your committee, however, have come to no conclusion as to the legal claim of the parties, considering such unnecessary, but by an equitable consideration of all the circumstances connected with them, they are unanimously of opinion, that where the quantities have been increased by alterations of line or grade, or from unforeseen and unexpected difficulties, the excess should be treated as extra work, and paid for at schedule rates, depending on the relative proportions of earth and rock—that where alterations have been made reducing the quantities, deductions should be made. Also, where the grade or line has been altered, by which quantities were reduced, and where the cuttings and embankments are not to the proper width, deductions should either be made, or the contractors required to complete them to the widths specified. For flattening the slopes and removal of slurry, after cuttings had been made the contract width, with slopes of one to one, your committee consider that the contractors should be paid as earth work, but not where the material is otherwise paid for.

The foregoing, and all other disputes now existing between the contractors and commissioners, in the opinion of your committee, should be adjusted by an engineer, to be appointed by the government, under the terms of the foregoing recommendations. The engineer to measure all the works where disputes exist, and settle them under the terms of the contract under the foregoing construction of it—deductions as before mentioned being made; and his decision, approved of by the government, to be absolute and conclusive, and held as a final adjudication of all existing disputes. [Where in any case there has been a settlement of a contract between the contractors and the railway board, it should be considered as a final settlement.]

Your committee have come to the conclusions above set forth upon the contracts referred to them, principally from the evidence of the chief engineer, who, in answer to questions put by the chairman, stated as follows:—“When the contract No. 3, Windsor branch, was transferred from Cameron to Johnston & Blackie, there was a new arrangement entered into, by which an additional sum was to be paid for an additional quantity put into the lake beyond the sectional quantity, in consequence of the errors in the soundings. If the same principle was applied to Sutherland's contract, the extra quantity would also have to be paid for. Any contract which included a large extra quantity, would also include a small one, the circumstances being similar. Assuming the liability to

to pay for Mount Uniacke and Grand Lake, the contract price would be binding, except in case of a special agreement. In paying Johnston and Blackie, on Mount Uniacke Lake, they were paid the schedule price under special agreement." The present chairman of the board also admitted that the contractors had claims for equitable consideration for extra work. Your committee considered these statements and admissions as conclusively settling the claim for extra work arising from errors in survey, and concurring in the views touching the equity of such claims, of the chief engineer and the present chairman, they have based their report to some extent upon them. Your committee had not sufficient evidence and time to report specially upon any one of the claims put in, but having given their opinion as to the principles which should prevail in the adjustment of them, trust that, by the adoption of the suggestion as to the appointment of an engineer, substantial justice will be done, and the right of the public sufficiently protected.

Your committee have considered the claim of Spencer Sutherland and sons, and are of opinion, that under the spirit of the act referred to in their petition, the petitioners should not be subjected to payment for the materials for the railway for which the action referred to was brought, and that the same under the act should form a county charge, and recommend that such measures as are necessary be adopted to relieve petitioners from the consequences of such action.

Touching the petition of John Archibald your committee report as follows:—That petitioner, at the instance of a constable, took charge of and brought to gaol, in Halifax, the three persons referred to—that he sustained damage by the breaking of a waggon, and otherwise, and had suits brought against him for the imprisonment of the parties, in one of which he succeeded in obtaining a verdict, the other two not having yet been tried. Your committee regret, however, that they cannot recommend a grant from the treasury to repay his losses, as your committee can discover no principle affecting his case, not applicable to all other cases of a similar nature, where parties have to risk the consequences of all such acts.

W. A. HENRY, Chairman.\*  
A McFARLANE,  
THOMAS KILLAM,  
TOHN TOBIN,  
CORNELIUS WHITE,  
T. D. RUGGLES,  
JOHN C. WADE.

\*Except as to clause in brackets [.]

No. 80.

(See page 564)

## ROAD SCALES—COUNTY OF HALIFAX.

*Resolved*, That the sum of eighteen hundred and thirty nine pounds granted for roads and bridges in the county of Halifax, and forty-three pounds fourteen shillings and eight pence, undrawn from last year, be appropriated as follows :

## ADVANCES

To repay government advances,	£316	19	6	
B. Wier,	31	0	0	
John Esson, over-expenditures,	85	0	0	
Joseph Quinn,	5	2	2	
Bank of Nova-Scotia,	400	0	0	
				838 1 8

## GREAT ROADS.

To repair from North-west Arm to Lunenburg county line,	75	0	0	
Three mile house to Hants county line,				
Windsor road,	75	0	0	
Dartmouth to Hants county line, Truro road,	75	0	0	
Rutherford's to Upper Musquodoboit,				
Guysboro road,	100	0	0	
Eastern shore road,	75	0	0	
Upper Musquodoboit to Guysboro county line,	43	14	8	
				443 14 8

## CROSS ROADS.

To repair Kearney road,	£40	0	0	
From Margaret's Bay road to Dover,	15	0	0	
Hubley's to barracks,	10	0	0	
Croucher forks to Woodin's bridge,	10	0	0	
Walker's to Covey's,	5	0	0	
Covey's to Indian Harbour school house,	5	0	0	
School house to Peggy's Cove line,	5	0	0	
Peggy's Cove district,	5	0	0	
English to Wright's,	7	10	0	
Wright's to Indian River,	7	10	0	
Indian River to Davidson's,	5	0	0	
Hammond's Plains to Chester road,	25	0	0	
City line to McIntosh's bridge,	10	0	0	
Margaret's Bay road to Charles Drysdale's,	5	0	0	
Charles Drysdale's to White's,	10	0	0	
Torrens Bay district, including Mackerel Cove and Sandy Cove,	15	0	0	
Bridges to Hennessy's Island,	5	0	0	
For Harriet's Field road, or alteration,	25	0	0	
From McIntosh's bridge to Ketch harbor,	25	0	0	
Ferguson's Cove to Herring Cove,	10	0	0	
North-west Arm to Three Mile house,	10	0	0	
Contingencies,	50	0	0	
Eastern battery to Hut's,	15	0	0	
Dartmouth to Cole Harbour,	10	0	0	
				From

From Smithers' to Lawrence town,	£5	0	0
Sheet harbor to Salmon River,	15	0	0
Salmon River to Necum Teuch,	5	0	0
Necum Teuch to Ecum Secum,	5	0	0
Caledonia district,	10	0	0
Wise's corner to Meager's grant,	10	0	0
Lemin's to Cleary's,	5	0	0
Gay's River to Middle Musquodoboit,	15	0	0
Beaver Bank road.	10	0	0
Musquodoboit to Sheet Harbour,	50	0	0
To repair bridge at Elmsdale,	5	0	0
Contingencies,	135	18	4
	<hr/>		
	£1882	14	8

## COUNTY OF HANTS.

*Resolv. d.*, That the sum of one thousand five hundred and thirty-one pounds thirteen shillings and four pence, appropriated to the county of Hants, be appropriated as follows, that is to say :

## GREAT ROADS.

William Faulkner, advanced,	50	0	0
Ditto " "	45	0	0
Lockhart Sweet, " "	151	4	7
John P. Wickwire, " "	14	12	6
	<hr/>		
	260	17	1
To be paid bank of Nova Scotia,	107	0	0
Over-expenditure on Five Mile River bridge,	51	15	4
Marsh road,	35	3	4
Repairing bridge at Tenycapc,	68	11	9
To rebuild bridge over Moose river,	10	0	0
Finish new road near Maitland,	50	0	0
Rebuild bridge at Gardiner's, Nine Mile River,	85	14	4
On main eastern road from Parker's bridge to Wickwire's,	10	0	0
Wickwire's to Kay's bridge,	10	0	0
Road from John McDonald's to Indian road,	5	0	0
past McKenzie's, Nine Mile River,	12	0	0
To repair Elmsdale bridge,	5	0	0
On Indian road,	6	0	0
To build bridge across end of lake, after 187. 10s. is done in work,	25	0	0
Repair bridge and road at John McDougall's,	15	0	0
Bridge over River Herbert,	45	0	0
Beaver Bank road,	25	0	0
On main road past Withrow's mills,	5	0	0
Bond's mills,	5	0	0
From Withrow's mills to Douglas line,	5	0	0
Petite bridge to Newport line,	15	0	0
Walton to Tenycapc bridge,	10	0	0
Walton to Shiverree,	6	0	0
To repair bridge in Shiverree,	10	0	0
	<hr/>		
	£622	4	9
	Falmouth.		

## FALMOUTH.

Gravelling the main post road from Windsor bridge to Armstrong's,	£20	0	0
Gravelling and repairing ditto Armstrong's to Horton line,	20	0	0
Upon road from Falmouth line to G. Swinehammer's,	22	0	0
Swinehammer's to Geldert's,	18	0	0
Over-expenditure on Avon bridge,	10	4	0
Fork's bridge,	6	0	0
Wind-mill bridge,	6	3	0
Great road,	3	1	0
For building the New Light bridge,	6	0	0
Road and bridge from post road to Payzant's,	10	0	0
Repairing road from Muddy Marsh to Blackhouse's mills,	10	0	0
Bridge near Messenger's,	3	0	0
Cross roads near Stephen Harvey's,	3	12	0
Fork's bridge,	4	0	0
To build and repair the road from main post road to Hantsport,	30	0	0
Repairing road from Hantsport to Horton line,	8	0	0
	<hr/>		
	180	0	0

## WINDSOR.

Repairing road near Winkworth bridge,	7	10	0
Over-expenditure between Curry's Forks,	13	0	0
Repay over-expenditure,	7	0	0
Main road from Martin's to Windsor,	20	0	0
New road from Newport to railway at Stark road,	45	0	0
From Curry's corner to Forks,	10	0	0
Newport to Windsor,	10	0	0
Chester road,	15	0	0
Isaac Dewolf's to upper Avon bridge,	7	10	0
Old Ponbook road,	5	0	0
	<hr/>		
	140	0	0

## NEWPORT.

Over-expenditure on Kennetcook bridge,	222	11	10
Road from Meander bridge to G. Fox's,	12	0	5
Bridge near Geo. McKay's,	10	18	7
Bridge near Oliver Dimock's,	9	12	11
Cockmagun bridge,	5	0	0
To be paid bank of Nova Scotia,	64	7	8
Government, overdrawn by Wm. McKay,	5	0	0
	<hr/>		
	£328	11	5

## KING'S COUNTY.

*Resolved*, That the sum of thirteen hundred and fifty pounds granted for the roads and bridges in the county of King's, be sub-divided as follows, viz. :

To aid in re-building the Great Eastern bridge, over the Cornwallis river, as now under contract,	£155	11	1
			Township

TOWNSHIP OF CORNWALLIS—OVER EXPENDITURE.

1857.

No. 27, Enoch Arnold, 8s. 6d.	No. 28, William Foot, 8s. 3d.	£0 16 9
30, William Bezanson, 2s. 3d.	No. 31, Robert Foot, 3s. 6d.	0 5 9
39, Joseph Steel, 9s. 6d.	No. 46, Robert J. Lyons, 4s.	0 13 6
54, Thomas Hamilton, 35s.	No. 57, Nathan West, 133s.	8 8 0
60, Eddy Caldwell, 21s.	No. 61, Gideon E. Rockwell, 13s.	1 14 0
62, Gordon Sandford, 8s.	No. 69, Thomas H. Blenus, 134s.	7 2 0
73, William Roberson, 5s.	No. 81, Albert Chase, 154s. 7d.	7 19 7
83, Edward Foster, 31s. 6d.	No. 84, Henry White, 2s. 3d.	1 13 9
91, John Webster, 7s. 3d.	No. 94, Timothy Barnaby, 84s. 6d.	4 11 9
	Robert J. Lyons, 20s. John O. Pineo, 200s. 10½d.	11 0 10½
	Timothy Sullivan, 204s. Ephraim Patterson, 180s.	19 4 0
	Joel Porter, 33s. 6d.	1 13 6
		£65 3 5½

ORDINARY ROADS.

On road past Armstrong's to Ogilvie Brook pier,	6 0 0
New road east side Ogilvie Brook pier,	8 0 0
front of mountain long Point road to Denham's,	10 0 0
road past Patrick Sarsfield's to Chute cove,	5 0 0
Enoch Arnold's,	4 10 0
William Foot's saw mill and Dooly hill,	6 0 0
from Barnaby mill brook breakwater to Wm. Kelly's,	8 0 0
past McMullen's,	5 0 0
Bently mountain hill,	5 0 0
Pelton mountain hill,	5 0 0
Master's mountain to Hall's harbour,	5 0 0
New road past William Kelly's, to Charles Ilsley's road,	7 0 0
road past Leonard Ilsley's to Long beach,	5 0 0
to Black hole, and to open new road to Safe harbor,	10 0 0
up the wood hollow to top of the mountain,	6 0 0
past Rand's saw mill to Scot's bay, mountain road,	6 0 0
the Scot's Bay road to Canning,	8 0 0
road from Bester North's, to top of mountain, thence by Daniel Porter's to Ross creek,	10 0 0
From Black hole road, past H. Irvin's, to Baxter's harbor,	5 0 0
Cornwallis bridge to steam mill,	6 0 0
John Strong's to Isaac Jackson's mill,	5 0 0
To complete new road past R. T. Lyons' to Shaw's,	6 0 0
E. Foster's to Berwick road,	8 0 0
aid in re-building a bridge over the river at Norwood's,	6 0 0
From post road past Foresyth's saw mill to South mountain,	5 0 0
John Taylor's to South mountain E. Palmer's,	8 0 0
For alteration of road, and improving the hill near Joel Parrish's,	10 0 0
alterations of road past Woodman's, south mountain,	6 0 0
road past William Jorden's, south mountain,	5 0 0
from William Loveless' past Arnold's,	3 18 9½
On road to Huntington point,	5 0 0
the six rod highway near Hemmings',	5 0 0
road past William Foresyth's,	4 0 0
new alteration of road, English's mountain,	6 0 0
road past Samuel Rockwell's to Hall's harbor,	5 0 0

On road past Cornelius V. Rawding's,	£5	0	0
Joel Porter's and Brown's to Givan wharf,	8	0	0
Homes Crocker's to Little Lake,	5	0	0
Hagarty's, on Bluff, to Canada creek,	5	0	0
From Canada creek road over bridge on new road to old Black rock road,	5	0	0
Post road in Sydney Shaw's west line, on road south mountain,	5	0	0
past Benjamin Palmers, south mountain,	5	0	0
Woodworth's road, school house, to post road,	8	0	0
Baxter's harbor road to Osborn's ship yard,	5	0	0
Charles Burbridge's on new road to Hemming's,	5	0	0
Huntington point road to Hall's harbor,	5	0	0
For the Cove road to Long point,	6	0	0
south end of black hole road,	5	0	0
to re-build bridge on road over T. H. Chute's mill brook,	8	0	0
the Ira Woodworth road past Jonathan Ells',	5	0	0
road past James Kinsman to Athern Eaton's,	8	0	0
alteration of road, Tupper hill,	5	0	0
opening new road past Burges Newcomb,	5	0	0
from Samuel Bigelow's to W. G. Weaver's,	10	0	0
road and bridge over Canning river to Leander Rand's,	4	10	0
past Stephen Jackson's to White water brook,	5	0	0
Pero dyke to Philip Weaver's,	5	0	0
opening new road from Thomas Doyle's to Newcomb's landing,	10	0	0
road past James Goold's and Glaney's,	5	0	0
alteration of hill on road past Ruben Loomer's,	8	0	0
road past William West's to Murry's mill brook,	5	0	0
From Aylesford township line to Pinceo's,	12	0	0
Pinceo's to Cold brook,	7	0	0
Cold brook to Harrington's,	5	0	0
Post road on new alteration past Bowls' to Methodist chapel,	10	0	0
Black rock road, on alteration mountain hill to John White's,	15	0	0
John White's to Mahar's,	9	0	0
Mahar's to Canada creek, and over bridge,	6	0	0
Skinner's on Givan road, to Nathan Fisher's,	8	0	0

Amount of road and bridge money remaining undrawn in King's county of £250 12s. 1d., and added to the road grant of this year, by a resolution passed by the legislature, of which sum £100 4s. 2d is appropriated in Cornwallis, as follows, viz :

For the new road past William Borden's to landing,	£4	0	0
Gibson road to John Ells's,	10	4	2
making new road east of Hall's harbor brook,	11	0	0
From Town house to steam mill,	5	0	0
Long Point road to Cove road, and to make alteration of road at			
Saw mill hill,	20	0	0
For building a bridge over Givan wharf creek,	50	0	0
	£100	4	2

AYLESFORD—OVER-EXPENDITURE.

Edmund Donnelan, 6s. 9d.; William Brennen, 4s.	0	10	9
Henry Gates, 261s. 9d.; George Munro, 28s. 1d.	14	9	10
George Munro, 332s. 6d. ; Benj. L. Palmer, 338s. 6d.	33	11	0
Manly Younger, 68s.,	3	8	0
	£51	19	7
			Roads.

## ROADS.

For the Hall road,	£8 11 6
From Parker road west on Canaan road, and build bridge,	10 0 0
For alteration of road past Rutherford Patterson's, and bridge,	18 0 0
up Bishop's mountain,	20 0 0
cross road west of Bishop's road,	6 0 0
• Clermont road to French cross,	5 0 0
From Morden road to Ormsby road on the mountain,	18 0 0
Thomas Palmer's to Parker road, and build bridge,	20 0 0
For the west end of Canaan road, and bridge,	20 0 0
From Nichols road to Spinney road, and for bridge,	10 0 0
J. Neely's house to Vail's river, and bridge,	19 0 0
Elisha Harris's to Nichols's,	30 0 0
For Lake George road,	10 0 0
road over Duck Swamp, and to alter hill,	10 0 0
From 12 mile bridge to Dalhousie,	8 0 0
	<hr/>
	£203 11 6
This amount deducted from scale to be appropriated in township of Aylesford,	44 8 11

## CHANGE OF APPROPRIATION.

£55 15s. 9d. of the undrawn monies for King's county, and appropriated as follows, viz. :

For Ormsby mountain hill,	5 15 9
For alteration of road through Thomas Wetton's land as laid out,	50 0 0
	<hr/>
	£55 15 9

## HORTON ROADS.

To repay over-expenditures :

To James Fielding,	12 0 0
Wellington Borden,	7 19 6
Aaron Schofield,	4 17 3
Joseph Crane,	1 1 7
John Payzant,	6 10 9
	<hr/>
	32 9 1

To repair the road from—

Thomas Fitzgerald's to Hantsport, new road,	15 0 0
John L. Pelton's to post road near Hantsport, new road,	10 0 0
Post road towards Little Chester, Fielding road,	10 0 0
Wallbrook to Halfway River, telegraph road,	5 0 0
Daniel Bishop's to Benjamin's saw-mill, new road,	7 10 0
Benjamin's saw-mill to Jere. Graham's, new road,	7 10 0
Daniel Bishop's to Scot's corner, old post road,	10 0 0
Richard Milan's to Five roads,	5 0 0
D. Vaughan's mill bridge to Bezanson's mill,	7 10 0
Fielding's mill to Hiram Fielding's, new road,	5 0 0
Joseph Reid's mill to Peck meadow, new road,	5 0 0
Joseph Reid's mill to Robert Schofield's, alteration,	5 0 0
James Davison's mill to Martin's bridge, old and new roads,	60 0 0
Charles Miner's to Black River, new road,	5 0 0
John Atwell's to James Vaughan's, new road,	5 0 0
Ezekiel Benjamin's to Sandy Point, alteration,	15 0 0

John

John Stiver's to Nathaniel Benjamin's, Tinker hill,	£5	0	0
John Schofield's by Schofield's mill to Condon's mill, alteration,	25	0	0
Condon's mill to Sherbrook road, new road,	4	0	0
Thos. Hancock's through Deep Hollow,	10	0	0
James West's to Edward Witter's, Canaan,	10	0	0
Wood & Mosher's mill to township line, new road,	5	0	0
David Casey's to county line, Sherbrooke road,	20	0	0
Unappropriated, (principally for main post road,)	94	7	7
	<hr/>		
	£383	6	8
To repair the Fitch bridge—(Horton portion of undrawn monies,)	94	12	2

### COUNTY OF ANNAPOLIS.

*Resolved*, that the sum of one thousand three hundred and fifty pounds, granted for the service of roads and bridges, in the county of Annapolis, and the sum of one hundred and thirty one pounds six shillings and nine pence, undrawn for the county of Annapolis, be appropriated as follows :

#### TOWNSHIP OF GRANVILLE.

On the shore road north from the Duke of York's battery,	£5	0
From Johnson's point to the battery, to prevent the land slide,	7	0
Sloan's to the Bohaker bridge, including same,	10	0
Bohaker's bridge to Robblie's bridge,	7	0
Robblie's bridge to McKenzie's cross road,	5	0
McKenzie's cross road to Stephen Johns',	5	0
Stephen Johns' to Mill's cross road,	7	0
Parker's cross road to repair the bridge by Elijah Reid's,	7	0
East from Parker's cross road to Robert Hudson's,	5	0
East from George Gesner's to off-set, south,	6	0
West from Elijah Durland's, including the off-set, south,	8	0
To repair the bridge over Hill's brook,	10	0
On Lamberson cross road from post road to the shore road,	10	0
McKenzie cross, from post road to the shore road,	10	0
Mills' cross road from post road to the top of the mountain,	10	0
Mills' cross road from the top of the mountain to shore road,	8	0
Parker's cross road from post road to shore road,	8	0
McCormick's cross road from top of the mountain to shore road,	10	0
Wade's cross road from post road to the first road over the mountain,	8	0
Young's cross road from post road to foot of the mountain,	5	0
Young's cross road from the post road to foot of the mountain,	9	0
Young's cross road from the covert road to the bay shore,	5	0
Chute's cross road from the post road to the shore road,	9	0
James' cross road from limits of Bridgetown to the lake,	8	0
James' cross road from the lake to shore road,	6	0
Cross road from limits of Bridgetown past Wheelock's mill,	7	0
Road and bridge from Isaac Marshall's to the Sanders' cross road,	7	10
Sanders' cross road from post to Oliver Sanders,	6	0
Road over the mountain past Benj. Rumsey's on hill and bridge at deep brook,	7	0
the Phinney cross road from the post road to the top of the mountain,	7	10
Phinney's cross road from the top of the mountain to the bay shore,	9	0
James Miller's bridge on Phinney mountain,	5	0
	On	

On Granville ferry slip,	£5	0
Bridge near Moose Hollow, westward of the mill bridge, (so called,)	7	0
The shore road from the Bogart cross road to W. Everitt's,	7	0
To repair bridge and wall to the westward of A. B. Thorne, called Thorne's cove,	12	0
Road over the mountain past John Van Blarricomb's to the Wade cross road,	5	0
	<hr/>	
	273	0
Unappropriated. (This sum reserved to be appropriated,)	77	0
	<hr/>	
	350	0
Undrawn monies, for Granville, to be appropriated.		
1856, Croscup bridge, £7 18 9, James Sloan, £5, Abner Foster, 6s., W. Willett, 2s.,	13	6 9
	<hr/>	
	363	6 9
Less, James Sloan,	5	0 0
	<hr/>	
	358	6 9

## TOWNSHIP OF ANNAPOLIS.

From Lake Katey towards Maitland road,	40	0
Hessian line road to Greenland road near Jefferson's,	6	0
To repair the Greenland road,	6	0
From Greenland road to Bear River lake,	17	0
To repair the Middlesex road,	6	0
Shaw road,	12	0
Land slide at Clements port, post road,	13	0
From Sam's brook to James Fraser's house,	7	0
James Fraser's house to Guinea road,	7	0
Hessian line to Guinea bridge,	10	0
Guinea bridge to Mulligan's hill,	13	0
Mulligan's hill to Shelburne road,	6	0
General's bridge to Wm. LeCain's,	16	0
William LeCain's to Ritchie's meadow,	6	0
Elm tree brook to Hessian line corner,	5	0
James Potter's lane, post road, to Guinea road,	12	0
Foot of hill to McClaferty road, Dalhousie road,	10	0
McClaferty road to the meadow, do,	10	0
Dalhousie road to Brennan's clearing, Spurr road,	8	0
Brennan's clearing to front road, do,	10	0
Front road to top of the mountain, Morse road,	6	0
Front road to township line, Durland cross road,	8	0
To repair the road near Cook's bridge,	15	0
General's bridge,	8	0
Dyke the road at Allen's creek,	10	0
Improve the hill at Carrol's brook,	18	0
Repair the road at the point, Annapolis town,	20	0
Road to Hog Island,	20	0
Road from Joseph Starratt's towards Beals' mountain,	8	0
Bridge near Cereno Purdy's,	8	0
From John Whitman's westwardly, Beals' mountain road,	8	0
The front road to Albany, do,	12	0
Lawrencetown lane to Peter Delaney's,	8	0
	From	

From inlet to outlet of Corbet's lake, lake road,	£8	0	
Front road near J. Ditmar's to Waldeck line,	5	0	
Shaw road near Guinea bridge to Berry's corner,	5	0	
To build a bridge at Nigteau Falls,	30	0	
From Perot road to township line,	8	0	
			783 6 9
Over expenditure, viz.:			
On Daniel's bridge, 6 16 9, }			
On Lawrencetown bridge, 19 14 3, }			26 11 0
To pay last instalment of loan and interest,			110 0 0
This amount for the portions of the county, out of the townships of Annapolis and Granville, yet to be appropriated,			561 9 0
			1481 6 9
Amount voted for roads and bridges for the county of Annapolis for 1858,	1350	0	0
Amount undrawn, and by vote of the house ordered to be added to the road grant for this year,	131	6	9
			1481 6 9

COUNTY OF DIGBY.

*Resolved*, That the sum of twelve hundred and twenty pounds, granted for the service of roads and bridges in the county of Digby, and seventy-three pounds nineteen shillings and eleven pence of undrawn monies re-appropriated, be applied as follows :

To pay Stephen Marshall over-expenditure on Joggin bridge in 1856,	£13	9	2
Ditto, ditto, 1857,	19	2	8
To repair main post road, Mink cove, to Little river,	8	0	0
road from J. Morehouse's corner to west end of lake,	9	0	0
Trout cove to Sandy cove old road,	8	0	0
west end of the lake to Sandy cove,	9	0	0
Little river to Petite passage,	9	0	0
bank and road at Gilbert's cove,	8	0	0
road from Jarvis Robishaw's to Abbott's brook,	14	0	0
To pay advances to Joseph Cook,	14	2	10
John Journeay,	17	10	6
John Cossett,	9	5	8
Abraham Gaval,	6	3	6
Charles Winchester,	22	2	7
James Pool, over-expenditure on bridge by G. Welch's,	6	11	6
G. N. Dunbar and J. Journeay over-expenditure on Sissiboo bridge in 1856,	8	8	11
To repair Morgan road,	8	0	0
Parker road,	7	0	0
Cross road from Bloomfield to South range road,	7	0	0
road from post road on Bloomfield road to Henry Green's,	13	0	0
Henry Green's rear line to Bloomfield,	10	0	0
open and repair new cross road from Gilbert's cove to South range road,	10	0	0
open new road from R. Sanderson's to North range,	8	0	0
repair road from Neck road by Hutchison's to Broad cove road,	10	0	0

To

To repair bridge and road on cross road from Saint Mary's Bay church to			
North range road,	£8	0	0
Tebo road from main road to Lake hill,	10	0	0
road from Lake hill southward,	10	0	0
Stony brook to D. Dousett's clearing,	7	7	0
Joseph Cook's, senior, west line, to French road,	8	0	0
Charles McNeil's, north range to south range,	10	0	0
Mumford road,	7	0	0
road from John McBride's to French settlement cross road,	8	0	0
Mistake bridge to east branch,	11	0	0
Bear river road to Mistake bridge,	9	0	0
road from Payson's hill, ending at J. Dousett's,	12	0	0
Wilson's barn to the Bay of Fundy,	9	0	0
district No. 6, from Cossaloom's bridge, west,	8	0	0
Briers Island to the light house,	20	0	0
swamp and road to Joseph Cook's, jun., north range road,	9	0	0
road from lot No. 16, south range road to Bear river,	10	0	0
south west angle of township to Joseph Sabeau's, east line,	10	0	0
Sissiboo road from township line, west,	10	0	0
road from Morgan's mill, big still water,	8	0	0
west line of Thomas O'Conner's farm, east,	7	0	0
from Thomas settlement to Bloomfield,	7	0	0
Tusket road to the bend of Sissiboo river,	9	0	0
road by Colin Porter's,	8	0	0
from Mumford's to Ray's mill,	10	0	0
Nicholas Tebo's corner to Mumford road,	7	0	0
on the west branch of Bear river, old Mickmack, to			
Morgan's mill,	12	0	0
from widow McConnell's to J. Devault's,	8	0	0
Jeddrey's corner, Gilbert's cove, by Thomas Lewis',	9	0	0
Campbell's brook to Fitzgerald beach,	5	0	0
at road cove and Gut, district No. 4,	7	0	0
and level road from Mumford's road east, across lots, Nos.			
1 & 2, rear Hatfield grant,	9	0	0
build bridge by David Rice's ship yard,	25	0	0
repair Union road,	10	0	0
road from W. Handspiker's, northerly, mountain road,	7	0	0
Turnbull's bridge to light house,	7	0	0
W. Harris' corner, west, north range road,	17	0	0
Indian path road,	6	0	0
road from Miller's to Rice's mill,	5	0	0
township line road,	8	0	0
road from old road between Stephen Jones' and John Hogan's land,	10	0	0
bank at Gilbert's cove,	7	0	0
road from Abraham Lewis', east line to the brook,	6	0	0
French road from McColly's to Dousett's meadow,	8	0	0
road from Ray's mill to Grand lake,	9	0	0
pay William Dunn advances on Union road,	12	1	0
repair bridge by Morgan Powel's,	6	0	0
by Bartholomew Harris',	10	0	0
Lee's bridge,	10	0	0
Gilland road,	6	0	0
Griffin bridge and hill,	12	0	0
Shelburne road from Lake bridge, southward,	12	0	0
			To

To repair road going to John P. Doty's,	£7	0	0
pay James Pool advances for repairing bridge by P. Roach's,	5	0	0
repair road from Shelburne road on middle range road, westward,	12	0	0
road on French road, where left last year, to T. Devoult's,	9	0	0
road from Edwin Jones' to William Marr's, Bloomfield,	8	0	0
cross road from James Morehouse's corner, trout cove, to breakwater,	8	0	0
road from Colin Porter's to southwest angle,	8	0	0
to Donald Ross', north mountain,	10	0	0
main post road from Post's brook, westward,	15	0	0
road from Indian hill by David Rice's road toward the lake,	12	0	0
bank at Digby,	10	0	0
road north side of North east cove, Long Island,	7	0	0
William S Raymond, advances on Pleasant cove road, 1857,	8	0	0
Luke M. Comeau, to repair Metaghan river bridge,	28	13	6
John Thebodeau, over-expenditure Francis Therrio's road,	2	0	0
George and Anselm Deveaux, over-expenditure Salmon river bridge,	1	2	8
Cedar Lake road to post road, by William S. Raymond's,	12	0	0
Joseph Melanson's to Cedar Lake road,	7	10	0
Joel Hall's to Cedar Lake road,	7	10	0
Post road from Morice Deveaux's, southward,	15	0	0
From post road to John Gidrey's bridge,	10	0	0
John Gidrey's bridge to Harrington's,	10	0	0
Harrington's to B. Deveaux's,	10	0	0
Col. Saulnier's, to Jessie Oakes' line,	8	10	0
Beudreau and Mollet's line,	6	0	0
Main road to round hill,	6	10	0
Jessie Oakes' line,	9	0	0
Doucett's and Therrio's line,	7	10	0
Francis Therrio's road,	7	0	0
Nicholas LeBlanc and Stephen Romain's line, 2d division,	7	10	0
Lumbor and Celestine Comeau's line, 2d division,	14	0	0
Joseph M. Comeau's and Joseph Therrio's line, eastward,	9	0	0
Duffus and Saulnier's line,	7	0	0
Joseph Saulnier's line, eastward,	9	0	0
Masimine Comeau to Peter Therrio's,	14	0	0
Joseph Timolt's road,	7	10	0
Joseph M. Comeau's road,	7	0	0
Joseph F. Comeau's to Peter Melanson's,	6	10	0
Peter C. Melanson's to Peter Therrio's,	6	10	0
Post road to Francis Le Blanc's,	10	0	0
Francis LeBlanc's to Meteghan river,	10	0	0
Meteghan river to Mark Thebodeau's,	10	0	0
Mark Thebodeau's to Tusket road,	15	0	0
Placide LeBlanc's line,	12	0	0
Post road to Beliveau's farm,	10	0	0
F. L. Bonenfant's road,	7	0	0
Beliveau's farm to Tusket road,	10	0	0
Michael Lovett's to Tusket road,	20	0	0
Michael Wood's to William Spavel's,	12	0	0
Charles F. Comeau's road 3l, added to 9l., in 1857,	12	0	0
Doucett's road to Patrick Thebodeau's road,	9	0	0
Gabriel Comeau's line to the shore,	6	0	0
Useble Thebodeau and Charles Saulnier's line,	8	0	0
Charles Comeau and Celestine Saulnier's line,	10	0	0

Peter

Peter Melanson and Christopher Daga,	£8 10 0
Road from Hill's settlement, eastward,	12 0 0
Tusket River bridge, by Patrick Nowland's hill,	8 0 0
Lake hill road,	10 0 0
Unappropriated,	9 5 5
	£1298 19 11

## COUNTY OF YARMOUTH.

*Resolved*, That the sum of one thousand two hundred and twenty-one pounds, granted for the road bridge service in the county of Yarmouth, for the present year, be applied as follows, viz. :

For the road and bridge service in the district of Yarmouth, to be distributed by the municipal council, £610 0

## DISTRICT OF ARGYLE.

To pay John Ryder, esq., over-expenditure by John Carland,	0 9 6	
Ditto ditto Joshua Frost,	0 9 6	
Ditto ditto John Larkin,	0 16 0	
	1 15	
From Shelburne county line to Carland's,	45 0	
Carland's to James Frost's,	18 0	
James Frost's to J. J. Porter's, including repairs of Narrows bridge,	30 0	
J. J. Porter's to Tusket village,	12 0	
Tusket village to Ballam's, including Tusket bridge,	10 0	
Morris's to Pubnico beach,	10 0	
Willett's to Barrington road,	8 0	
Heaslin's to Pubnico lake,	20 0	
J. J. D'Entremont's to Pubnico point,	10 0	
D'Eon's to John Spinney's,	10 0	
Abram Van Emburg's to Goodwin's,	5 0	
On the new road to Thomas Spinney's.	20 0	
From the head of Abuptic to Frost's,	20 0	
Indian Brook to Muspark Lake,	5 0	
J. J. Porter's by the head of Abuptic to the meeting house,	10 0	
On the road leading to Maurice Forbes',	6 0	
From the Fork road past William's to Kavanah's,	5 0	
On the bridge and roads on Robert's Island,	25 0	
From William Mangram's to James Morton's,	10 0	
Grey's to Rankin's, thence to Morfon's,	10 0	
Parade to Gavel's bridge, including repairs of bridge,	18 0	
the bridge at Lent's Cove to the Pas de Pra,	12 10	
N. Churchill's to Grey's, then to William Hurlburt's,	10 0	
Gavel's road past Luke Keo's to Williams' road,	7 0	
Burnett's line to Little River,	5 0	
Burnett's line past Hemmion's to Tusket river,	6 0	
Johnston's to the Wedge point,	5 0	
E. Pinkney's to the Sluice point,	10 0	
the Fork road to Gridiron point,	10 0	
John Bourgues' to the head of Eel lake,	20 0	
head of Eel lake to the Fork bridge, including repairs of bridge,	40 0	
Fork bridge to Miller's,	10 0	
	From	

From Kempt bridge to Pearl's meadow, including the bridge,	£15	0
Ricker's brook to Forbes',	6	0
Benjamin D'Entremont's to Lobster Bay,	5	0
Chaple to Rocky Point,	5	0
On Charles Muire's road,	5	0
From Fork road to Bennett's Falls,	7	10
Samuel Surett's to the shore,	7	10
J. Purdy's to Salmon River,	5	0
Main road by Peter Surett's, junr., to Tusket River,	5	0
Cyrel Porter's to the head of Abuptic,	15	0
Gavel's bridge to the intersection of the Carlton road, and to pay N. Travis over expenditure, £1 2 5½,	50	0
Wedge Point road to the east side of Little River,	12	10
Vincent Coutron's to Moss point,	5	0
To repair the roads on Pearpoint's Island,	5	0
For the district of Argyle, at the disposal of the government,	17	5
	<hr/>	
	1220	0

### COUNTY OF SHELBURNE.

*Resolved*, That the sum of one thousand two hundred and twenty pounds, granted for the service of roads and bridges in the county of Shelburne, and the sum of twenty four pounds eight shillings and two-pence, undrawn for the county of Shelburne, be appropriated as follows :

From Indian Brook to Queen's falls,	£5	0	0
Indian Brook to late Thomas K. Perry's,	8	0	0
late Thomas K. Perry's to widow Littlewood's,	10	0	0
late Peter Perry's to main road,	8	0	0
Widow Littlewood's to Round Bay bridge,	8	0	0
Alex. Greenwood's south line to Indian Brook road, via Wm. Perry's,	10	0	0
Moses Perry's to main road leading to Shelburne,	6	0	0
Roseway chapel to Round Bay beach near T. Perry's,	5	0	0
Round Bay bridge to Dexter's bridge,	5	0	0
Gunning cove to Dextor's bridge,	5	0	0
Gunning cove to Beaver Dam,	8	0	0
Church hill to William Doane's,	7	0	0
Church hill to post road,	7	0	0
Round Bay bridge to late T. K. Perry's, via Wilson's,	3	0	0
Post road to Henry Shultz's,	3	0	0
Post road to Birch hill,	9	0	0
Birch hill to Theophilus Harris',	9	0	0
Theophilus Harris' to Thomas McKay's,	7	0	0
David Jenkins' to Ensor's road,	6	0	0
Ensor's road to George McKay's,	6	0	0
David Jenkins' to main road leading to Harris',	4	0	0
Post road to Robert Bowers',	8	0	0
Robert Bowers' to Adam Bowers' road,	9	0	0
Adam Bowers' to Robert McKay's, on the new line of road,	20	0	0
New line of road to Samuel Irvin's,	4	0	0
Robert McKay's to Jones' bridge,	6	0	0
West end of Jones' bridge to Philip Bowers',	14	0	0
Advance to Hugh McKay for building bridge,	14	9	6
			From

From widow Ryer's to John Dexter's,	£4	0	0
Post road to Hart's point, via barracks,	3	0	0
Shelburne to Sandy point,	7	0	0
Sandy point to Jones Crocheron's. and to pay Mr. McLean 51s. 6d. work done by him on bridge,	7	0	0
Charles Thomson's to East point,	5	0	0
Shelburne to Jordan ferry,	7	0	0
Jones Crocheron's to James McLean's,	5	0	0
James McLean's to Shelburne, over swamp,	9	0	0
James McLean's to Jordan ferry,	6	0	0
James Purney's to Joseph Holden's,	4	0	0
James Purney's to Jordan church,	4	0	0
James Purney's to Miss Dickie's,	3	0	0
main road to James Saunders',	3	0	0
James Purney's to Morven road,	3	0	9
Jonathan Perry's to Stalker's, McNutt's Island,	4	0	0
Post road to William Nickerson's,	8	0	0
William Nickerson's to Green harbour, East bridge,	8	0	0
Green harbour, east bridge, to Lock's Island,	10	0	0
To preserve the beach leading to Lock's Island,	6	0	0
From Joseph Williams' to main road,	3	0	0
main road near James McKenzie's to John Morrison's,	5	0	0
Lock's Island to Thomas Crowell's,	4	0	0
Freeman Crowell's to Lock's Island,	3	0	0
Richard Wall's to main road leading to Lock's Island,	5	0	0
For repairs, the new road round Hayden's hill,	8	0	0
From Richard Wall's to Little harbour,	5	0	0
Richard Wall's to Green harbour,	3	0	0
Little harbour to Jonathan Craig's,	4	0	0
Widow Ringer's to Angus McAdam's,	6	0	0
Sable river to Wall's hill,	12	0	0
Wall's hill to Richard Wall's, including bridge,	8	0	0
Fox rock to widow Ringer's,	12	0	0
Tom Tidney's bridge to William Chiver's,	6	0	0
William Chiver's to Hyde's brook,	5	0	0
Hyde's brook to Johnston's pond beach,	6	0	0
Port LeBear to Sable river,	6	0	0
Lewis head breakwater to main road,	12	0	0
Daniel Mathew's to George Wall's,	6	0	0
John Dall's to main road leading to Shelburne,	4	0	0
Fox rock to Little harbour,	5	0	0
Henry Hemeon's to Little harbour road,	3	0	0
For making new line of road round Hayden's hill,	22	1	0
From post road up west side of Clyde river,	15	0	0
John Lyle's to Cape Negro, main road,	10	0	0
John Lyle's to Clam creek,	9	0	0
post road to Clam creek bridge,	14	0	0
Clam creek bridge to Samuel Smith's,	12	0	0
Samuel Smith's to Elam Thomas',	12	0	0
Cape Negro Island,	7	0	0
From Josiah Smith's to William Patterson's, including bridges,	20	0	0
William Patterson's to Nickerson's corner,	7	0	0
Nickerson's corner to Patten's,	9	0	0
Daniel Crowell's to Zephaniah Swaine's,	10	0	0
			From

From main road to shore by Elkanah Nickerson's,	£6	0	0
William Worthen's to light house,	6	0	0
Daniel Smith's, senior, to light house road,	25	0	0
Patten's to Birch hill, including hill,	8	0	0
Birch hill to Richard Kenny's,	6	0	0
Richard Kenny's to James Coffin's,	5	0	0
James Coffin's to Kenny's ship yard,	6	0	0
Post road by Watts', up Barrington river,	6	0	0
Raspberry hill to post road,	10	0	0
On Moses Smith's back line road,	4	0	0
From George Wilson's to South west point,	12	16	2
John Crew's to Atwood's brook,	7	0	0
East side Atwood's brook to Gideon Crowell's, including bridges,	12	10	0
Gideon Crowell's to Shag harbour bridge, including bridges,	6	0	0
Adam Smith's to west side Bear point,	8	0	0
“ “ “	4	0	0
Theodore Nickerson's to Reuben Cahoon's,	11	0	0
Reuben Cahoon's to Alexander Nickerson's,	9	0	0
Alexander Nickerson's to Yarmouth county line,	12	0	0
road east side Wood's harbour to Lyons' road, including bridges,	6	0	0
Lyons' road via McComistrey's to Yarmouth county line,	9	0	0
main road to Forbes' ferry,	8	0	0
Woods' harbour to west side of Ohio,	10	0	0
west side of Ohio to Daniel Wilson's,	10	0	0
William Cunningham's to Stony Island,	5	0	0
Stony Island to John McGray's,	12	0	0
John McGray to Penny's,	5	0	0
Stony Island road to beach,	6	0	0
Penny's beach to main road,	4	0	0
James Olid's to Lewis Crowell's,	15	0	0
main road to Hawk inlet, including bridges,	9	0	0
Lewis Crowell's to Michael Swain's,	7	0	0
West head to Wiggan's,	6	0	0
To re-build mud cove bridge, Cape Sable Island, expended per returns,	35	0	0
From meeting house to William Cunningham's,	5	0	0
Queen's county line to Tom Tidney's bridge, including bridges,	35	0	0
Tom Tidney's bridge to David Hamilton's,	12	0	0
David Hamilton's to Jordan river bridge,	50	0	0
Jordan bridge to E. Martin's,	12	0	0
E. Martin's to Joseph Holden's,	10	0	0
Joseph Holden's to Roseway bridge,	18	0	0
Shelburne to Stephen Acker's, including bridges,	40	0	0
Stephen Acker's to Beaver dam,	20	0	0
Beaver dam to Clyde river bridge,	37	11	6
Clyde bridge to Boyd's,	20	0	0
Boyd's to grist mill, including bridges,	40	0	0
Grist mill to Tannouth county line, on post road,	35	0	0
	£1244	8	2

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 QUEEN'S COUNTY.

*Resolved*, that the sum of eleven hundred and eighty-two pounds, granted for the roads and bridges in the county of Queen's county, be applied as follows, viz. :

From Lunenburg county line towards Stephen Parks'	£10 0
Stephen Park's to Mill Village,	10 0
Mill Village to Mack's meadow,	10 0
Mack's meadow to Broklyn,	20 0
To finish bridge at Brooklyn, and road towards Smith's,	22 10
From Smith's to William Dean's,	15 0
Liverpool to Thomas Payzant's,	25 0
Thomas Payzant's to Benjamin Smith's,	10 0
Benjamin Smith's to Broad River,	10 0
Broad River to D. Campbell's, Port Mutton,	20 0
Port Mutton to Rocky hill,	10 0
Rockey hill to M. Robertson's,	10 0
M. Robertson's to Robert Robertson's,	10 0
James McDonald's to county line,	15 0
Cowie's tanyard to Shield's,	25 0
Shield's to A. McLeod's store,	35 0
Ford's shop to Whitman Freeman's,	10 0
F. Minard's to four miles,	50 0
Four miles to eight miles,	40 0
Eight miles to Middlefield,	40 0
Eighteen miles to Bear Trap bridge,	20 0
Bear Trap bridge to Cameron's bridge,	12 10
Cameron's bridge to Alexander Cameron's road,	7 10
William Freeman's to Pleasant River road,	9 0
Between Luther Ledbetter's, Pleasant River road,	10 0
From Luther Ledbetter's to county line,	15 0
Brookfield corner to Caledonia corner,	12 10
Caledonia corner to Wheeler Minard's road,	10 0
Wheeler Minard's road to county line,	10 0
Brookfield meeting house to Carter's road,	5 0
Carter's road to school house,	5 0
School house to David Freeman's,	5 0
Paul West's towards Godfrey's farm,	12 10
Godfrey's farm towards White Point,	12 10
White Point road to Mailman's, new road,	10 0
Mailman's to Broad River,	5 0
Port Medway towards Mill Village,	20 0
Port Medway towards Charles Francis'	25 0
John Mouser's towards George Conrod's new road,	20 0
George Conrod's towards Pudding Pan, new road,	20 0
Pudding Pan towards John Wolf's, new road,	10 0
John Wolf's towards Blue Berry,	7 10
Wensel's mill towards Soloman's,	17 10
Main road, Morton's mill,	7 10
Morton's mill to Greenfield,	22 10
Greenfield to Wellington,	5 0
Chelsea to Wellington,	12 10
Salmon River bridge, Milton, to Willliam Dean's,	20 0
	<hr/>
	746 10
	Cross

## CROSS ROADS.

From Port Medway to Blue Berry,	£5	0	0
John Briggan's, Mill Village,	5	0	0
Lewis Freeman's to Nathan Ells',	7	10	0
Nathan Ells' to mills Herring Cove lake,	12	10	0
Mrs. E. Freeman's towards Milton bridge,	10	0	0
Academy towards Nathan Randle's,	5	0	0
Ritcie's towards Brooklyn, and on bridge,	7	10	0
African chapel to Tar's,	7	10	0
Tars to Western Head,	7	10	0
White Point to Hunt's Point,	5	0	0
Hunt's Point to Beach Hill,	5	0	0
Catharine's River towards Port Muttoon,	10	0	0
Robert Robertson's to Alexander Cameron's,	5	0	0
Alex. Cameron's to Angus McIntosh,	7	10	0
Port Muttoon, main road, towards Maxfield's,	10	0	0
Main Road, Port Jolly, to Allen McDonald's,	5	0	0
Alex. McDonald's, towards main road,	5	0	0
Post Road towards Port LaBear,	10	0	0
On Whiteburn road,	5	0	0
Barss' Boom towards Devonshire road,	20	0	0
Main road to Dean Annis',	5	0	0
Main road to James Nickerson's,	5	0	0
Waterloo street towards African chapel.	23	11	8
Cleary's towards main road,	7	10	0
Alexander McLochlin to main road,	15	0	0
Thomas Grady's to Kempt road,	7	10	0
On Devonshire road, build bridge,	7	10	0
From John Conning's to main road,	5	0	0
To build bridge on road No. 1, Devonshire road to McGinty's,	7	10	0
From Benjamin Davis' towards Low's privilege,	10	0	0
On Zenas Smith's crossway, and to repair road,	10	0	0
East field road,	7	10	0
West field road,	7	10	0
From Thomas Boyle's to main road,	2	10	0
Peter Co hon's down east side, Port Medway,	5	0	0
McBride's to main road,	5	0	0
Main road, Port Muttoon, to Broad River Head, new road,	10	0	0
On bridge, Minard's mill,	15	0	0
Towards building bridge, Greenfield,	25	0	0
From Bartlett Freeman's farm to Brookfield road,	10	0	0
Between Wentworth Brook and Salter's Falls,	50	0	0
From White Point road to Gull Islands,	5	0	0
Knowl's mill to main road,	10	0	0

## OVER EXPENDITURE.

To pay John Minard,	22	18	4
Miles Curragan,	1	10	0
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	1182	0	0

## COUNTY OF LUNENBURG.

*Resolved*, That the sum of one thousand five hundred pounds, voted for the roads and bridges in the county of Lunenburg in 1858; also the sum of thirty-nine pounds eight shillings and sixpence, unexpended moneys for 1857, be appropriated as follows:

To pay government advances on over-expenditure on new bridge across Branch river,	£8	4	0
To pay government, by error in printed road scale,	1	0	0
Conrad Wensil, over-expenditure on new bridge in 1856,	29	11	6
John Trethewey, ditto	21	14	2
Joseph Wyman, ditto	5	16	3
Joseph Wyman, ditto 1857,	5	18	7½
Philip Aulenback, ditto	3	2	3
John Eisenhauer, ditto	1	8	8
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	£76	15	8½

To be expended on roads and bridges as follows, viz :			
From Caspar Eisenhauer's to Westaver's,	12	0	0
Westaver's corner to Fener's mill,	8	0	0
Fener's mill to Bridgewater,	6	0	0
Martin's river to Kedy's bridge,	8	0	0
Kedy's bridge to Mader's bridge,	5	0	0
Mader's bridge to Martin's brook and bridge,	5	0	0
Martin's brook to Common road,	5	0	0
Stevermen's to Lunenburg,	6	0	0
Lunenburg to Jacob Hertle's,	10	0	0
Jacob Hertle's to LaHave river,	7	0	0
LaHave road to Spectacle lakes,	8	0	0
Spectacle lakes to Charles Rudolf's,	7	0	0
Charles Rudolf's to Bridgewater,	6	0	0
Steverman's to Leonard Beck's,	2	14	6
And to pay John Beringer over-expenditure,	0	5	6
Mahone Bay to Caspar Eisenhauer's,	10	0	0
Charles Rudolf's to James McKein's,	3	0	0
Leonard Herman's to Link's point,	5	0	0

## ORDINARY ROADS.

Nicholas Acker's to Jacob Kolp's,	6	12	6
And to pay Jacob Kolp over expenditure,	0	7	6
Jacob Kolp's to cross roads,	10	0	0
Cross roads to Elias Ramkey's,	7	0	0
Rose Bay to Samuel Moser's,	9	0	0
Cross roads to John Lohnes',	4	0	0
Cross roads to Mrs. Oxner's,	7	0	0
Rose Bay to Leslie's,	3	0	0
Ritsey's cove to Park's creek,	4	0	0
Post road to Meisenger's mill,	3	0	0
Post road to Frederick Crouse's,	3	0	0
Post road through centre range, and to Conrad Meisenger's,	6	0	0
Lunenburg to Rye field,	7	12	5
And to pay Edward Miller over-expenditure,	0	7	7
Rye field to Heckman's island,	4	0	0
LaHave road to James Dauphiney's,	6	0	0
			From

From LaHave road to George Crouse's,	£7	0	0
Geo. Crouse's to Peter Meisenger's,	6	0	0
Peter Meisenger's to Jacob Wiles',	6	0	0
Jacob Wiles' to John Simon's,	6	0	0
John Simon's to Benjamin Ritsey's,	4	0	0
Himmelman's corner to Peter Crouse's,	6	0	0
Peter Crouse's to Snyder's mill dam,	6	0	0
Snyder's mill dam to Peter Hertle's mill,	7	0	0
Peter Hertle's mill to Smith's mill,	7	0	0
LaHave bridge to Frederick Koch's,	8	0	0
Frederick Koch's to David Silver's,	6	0	0
David Silver's to William Kedy's,	6	0	0
William Kedy's to Nelson Chesley's,	5	0	0
Nelson Chesley's to John Feindall's mill,	7	0	0
John Feindall's mill to Geo. Acker's,	9	0	0
Geo. Acker's to county line,	10	0	0
Main road to James Morton's,	3	0	0
West Brook street to Smith's mill,	6	0	0
North-west street to Peter Zwicker's,	3	0	0
Steverman's to meeting house,	4	0	0
Meeting house to Caspar Eisenhour's,	3	0	0
Casper Eisenhour's to Mader's mill pond,	7	0	0
Mader's mill road to Robart's mill dam,	6	0	0
Robart's mill to Halimore's bridge,	7	0	0
Halimore's bridge to M. Blackhouse's,	6	0	0
Jacob Fronk's to Colville's,	4	0	0
Colville's to Jacob Feindall's,	10	0	0
J. Feindall's to William Nichol's,	3	0	0
German road to the bridge,	5	0	0
Bridge to Henry Foster's,	4	0	0
Henry Foster's to Baizely's corner,	5	0	0
Dieman's upper corner to post road past Casper Kaulback's,	4	0	0
Post road to Geo. Barry's,	5	0	0
Geo. Barry's to Geo. Veinot's mill,	4	0	0
Geo. Veinot's mill to John Ramey's,	4	0	0
John Ramey's to Silver's corner,	5	0	0
Silver's corner to Koch's upper bound,	8	0	0
Koch's upper bound to John Ramey's, junr.,	6	0	0
North River to New Germany,	5	0	0
John Ramey's to North river,	5	0	0
Diemon's corner to Daurey's lake,	4	0	0
Diemon's corner to Westaver's,	5	0	0
Meeting house to Diemon's upper corner,	6	0	0
Silver's corner to Ramey's school house,	5	0	0
School house to Broom's mill,	5	0	0
Sarty's line to Kock's corner,	5	0	0
School house to Sarty's line,	5	0	0
William Rodes' to Benjamin Ernst's,	6	0	0
Henry Weinacht's to LaHave River,	6	0	0
Weinacht's corner to James Eichel's,	6	0	0
Trout hole bridge to Ewal's mill road,	7	0	0
Ewalt's mill road to Jacob Daurey's,	6	0	0
Jacob Daurey's to Peter Veinot's,	4	0	0
Clear land to Trout hole bridge,	10	0	0
			From

From Westaver's corner to George Veinot's,	£4	0	0
Geo. Veinot's to North field road,	4	0	0
Hubley's corner to David Ernst's bound,	5	0	0
D. Ernst's bound to Broom's corner,	5	0	0
Christian Nause's to Geo. Hughes'	6	0	0
Conrad Lord's to Oxner's gate,	3	0	0
Fronk's to Paul Jodery's,	3	0	0
Geo. Krouse's to Beck's mill,	3	0	0
Valentine Westaver's to North West street,	4	0	0
Main road to Michael Daurey's,	4	0	0
J. Morton's to DeLong's,	7	0	0
Bazeley's corner to Ephraim Spidel's,	5	0	0
Geo. Veinot's mill to James Eichel's,	5	0	0
Edward Beohner's to Daurey's mill, including Langeille's new mill road,	5	0	0
To alter Fire Brook hill,	25	0	0
Post road to Geo. Veinot's corner,	8	0	0
Creek to Nicholas Conrad's,	4	0	0
To re-build the bridge across river on German road,	35	0	0
From John Diemon's corner across to Mullock's road,	4	0	0
Frederick Veinot's to Blustaner's road,	5	0	0
Main road to John Basantson's,	5	0	0
J. Morton's corner to Jacob Gaetz's,	5	0	0
To re-building the bridge at Bridgewater,	100	0	0
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	206	0	0

## NEW DUBLIN ROADS.

To pay Philip Corkum's over-expenditure in 1857,	10	0	0
Abraham Hebb, " "	5	1	0
From Pernette's ferry to George Wamback's,	7	0	0
George Wamback's to Petite Riviere,	8	0	0
Petite Riviere to Broad cove, including bridge,	10	0	0
Broad cove to Voglar's saw mill,	7	0	0
Voglar's saw mill to Queen's county line,	7	0	0
Bridgewater to William McKean's,	6	0	0
William McKean's to Pernette's ferry,	5	0	0
Wiles' school house to William Newcomb's, and to pay Henry Wile 1l. 9s. 9d. over-expenditure in 1856,	7	0	0
William Newcomb's to John Bollaver's,	7	0	0
John Bollaver's to John Krouse's,	9	0	0
John Krouse's to Lohness' road,	10	0	0
Pleasant river road to Ninevah,	5	0	0
Peter Faulkenham's towards Pleasant river, and to pay Peter Faulkenham 4s. 9d. over-expenditure in 1857,	3	0	0
To alter Chelsea road into Waterloo road,	40	0	0
From Pleasant river road to Waterloo and outwards, and to pay Andrew Wile 2l. 8s. 9d. over-expenditure in 1856, and George Wile 4s. 7d. in 1857,	8	0	0
Pleasant river road to Floyd's road,	8	0	0
Floyd's road to Lapland mills,	25	0	0
William McKean's to Jonas Hebb's,	8	0	0
Jonas Hebb's to Fancie's mills,	8	0	0
Fancie's mills to Zwicker's, Camperdown,	6	0	0
Zwicker's, Camperdown, to Croft's,	6	0	0

From Camperdown road to Montreal,	£5	0	0
Post road to Gotleib Corkum's,	5	0	0
Gotleib Corkum's to Misinger's mill,	8	0	0
Misinger's mill to LaHave River,	5	0	0
John Herman's to Petite Riveire,	8	0	0
Camperdown to Petite Riveire brook,	10	0	0
Queen's county line towards Voglar's mill,	5	0	0
New road near Cherry hill,	5	0	0
Brady's corner to Conquerall,	6	0	0
Krouse town to Fancie's mills, and to pay John Fronk 7s. over- expenditure in 1857,	6	0	0
John Krouse's towards new Italy,	4	0	0
Zwicker's, Camperdown, towards new Italy,	5	0	0
Bell and Rine's grant, towards Camperdown,	20	0	0
Abraham Hebb's to LaHave river,	5	0	0
west side of Broad cove to east side,	5	0	0
Joseph Veno's to Pleasant river road, and to pay Joseph Veno 10s. over-expenditure in 1856,	3	0	0
John Doye's to Miller's saw mill,	10	0	0
Tory bridge towards Chelsea,	3	1	9½
To repair road and bridges at Dublin shore,	10	0	0
alter Himmelman's hill on Pleasant river road,	20	0	0
	£363	2	9½

## CHESTER—GREAT ROADS.

From Halifax county line to George Rafuse's,	£9	0	0
George Rafuse's to Eastern River,	13	0	0
Eastern River to Chester,	13	0	0
Chester to the Basin, and to pay Joseph Zwicker £2 10s. for repair- ing Beaver dam bridge,	9	0	0
Basin to Gold river,	9	0	0
Gold river to Martin's river,	7	0	0
Robinson's corner to Frank Vaughan's,	16	0	0
Frank Vaughan's to Hants county line,	12	0	0

## ORDINARY ROADS.

Windsor road to Middle river,	5	0	0
Basin to the grant,	10	0	0
Grant to Stoney hill,	50	0	0
Stoney hill to the church, and to pay Christopher Boyle £1 1s. 7d. over-expenditure,	16	0	0
Sherbrooke church to Deader's,	24	0	0
Deader's to King's county line,	24	0	0
Church to Geo. Hiltz's, and to pay Jas. Lanty 7s. over-expenditure,	12	0	0
Church to Sherbrooke road past George Ross',	5	0	0
Corbin's to Sherbrooke bridge,	9	0	0
Sherbrooke bridge to King's county line,	8	0	0
Main road to Corbin's lake, and outwards,	6	0	0
Little East River to Bowen's,	12	0	0
Bowen's to Blandford	9	0	0
County line to Wm. Shatford's,	8	0	0
William Shatford's to North-west cove,	8	0	0
Gold river bridge to Beech hill, and outwards,	14	0	0
Windsor road to Canaan,	7	0	0
Blandford to Sandy beaches,	7	0	0

From

From Sandy beaches to North-west cove,	£7 0 0
To repair mill road at Sherbrooke,	7 0 0
Unappropriated for township of Chester,	6 10 0
	£342 10 0

COUNTY OF COLCHESTER.

*Resolved*, that the sum of one thousand four hundred and sixty pounds, granted for the service of roads and bridges in the county of Colchester, be appropriated as follows :

To repay advances made by government.

Samuel Craig for repairs on the Stewiacke bridge, and two bridges near McGlync's,	41 4 11
Richard Craig for repairs on bridges on main post road to Shubenacadie,	14 2 6
William Faulkner, for half of £100 expended for Colchester and Hants, rebuilding Shubenacadie bridge,	50 0 0
John Lombard and James Urquhart, amount expended in finishing French River bridge,	142 11 5
William Henderson for money expended in building bridge near head of bay,	8 4 10

To pay the following expenditures incurred upon authority of members :

Michael Geddes for work at Truro bridge,	0 8 10
Samuel Archibald, Esq., for work on Pictou road,	14 13 7
James Johnson for repairs at Intervale road,	5 0 0
David McCurdy for repairs at bridge at his house,	2 5 0
William McLeod for repairs on bridge at North river,	2 8 0
Oliver Blair for repairs on bridge at E. H. Blair's,	6 19 0
for expenditure in 1856, on bridge at E. H. Blair's,	3 7 9
John Hall for repairs on bridge near Will Hall's,	2 0 0
James Hall for repairs on bridge at Adam McNutt's,	3 17 0
John Hatch for materials and work at bridge near John McNutt's,	3 0 0
David Blair for repairs on bridge near his house, in 1856,	1 12 6
William Faulkner for account rendered, Stewiacke bridge,	6 7 0
Roderick McKenzie for work on road to John McKenzie's,	3 0 0
Donald Green for work on road between Whippy's brook and McLeod's,	2 13 0
John Sutherland for work on road between his place and Green's,	2 0 0

To repair road from Onslow to Fort Landing,	6 11 9
road from Truro to Harmony, by Wilson's mountain,	5 0 0
Ditto ditto, by Henry Hollingsworth's,	10 0 0
Henry Christie's to William Archibald's, past Cameron's,	5 0 0

To open new section from Greenfield towards Truro, coming out at foot Wilson's mountain,
 12 10 0 |

To finish new line from Thomas Miller's to Harmony road,
 5 0 0 |

To complete road from John Fisher's to bridge at Daniel Eaton's,
 4 0 0 |

To repair road from Upper Brookfield to Robert Carter's,
 5 0 0 |

Robert Carter's to Daniel Carter's,
 3 0 0 |

Main road to Jacob Eteler's,
 2 0 0 |

Daniel Carter's to Shubenacadie, and to complete new section round Collin's hill,
 10 0 0 |

Green's creek to Crow's hill,
 7 10 0 |

To

To repair road from Shubenacadie road to Isaac Clark's,	£2 0 0
Black rock to Boar's back,	10 0 0
Barber's to McCurdy's, shore road,	5 0 0
Beaver brook to Philip's settlement,	7 10 0
Beaver brook road, at Parks', to Shubenacadie, to complete section round hill near Parks',	12 10 0
William Hingley's to Halifax road,	5 0 0
Halifax road to Irvine settlement,	5 0 0
Halifax road to Brookfield, by John Kennedy's,	5 0 0
McLure's mill to Isaac Dunlap's,	5 0 0
To build bridge over brook on road from David Hoar's to Jacob Lind's, on the inhabitants contributing other 40s., and to repair road,	6 0 0
To repair dugway on road from David Hoar's, senr., to David Hoar's, junr., on inhabitants contributing £2,	4 0 0
To repair road from Asa Hoar's, by David Whippy's, to Samuel McNutt's,	5 0 0
Whippy road to Robert McCallum's,	2 0 0
Samuel Bartlett's to William McLeod's, North river,	6 0 0
Edward Taylor's to east mountain, past J. Blair's, 4th,	5 0 0
David Johnson's, Irish town, to Pictou road,	2 0 0
Andrew Christie's to John Clifford's, past Jacob Lynd's,	5 0 0
Andrew Christie's to Thomas Dickson's,	4 0 0
Old Pictou road to McKenzie's mills, past Walls', $\frac{1}{3}$ beyond Dr. Ross', esq.,	6 0 0
Kempt town to Earl town,	6 0 0
Pictou road, near Robert Whippy's, to Charles Hall's,	4 0 0
North river to Earitown line,	20 0 0
To build bridge over brook near Donald McLeod's, on Marchington grant, and repair road,	5 0 0
To repair road from meeting house, Onslow, to Crow's mills,	5 0 0
Crow's mills to Chiganois bridge,	3 0 0
New Annan road to Doggin's mills,	5 0 0
Ephriam Staple's to McDormand's,	5 0 0
William Staple's towards New Annan, and to pay Jno. Staples for bridge near his mills, 40s. 3d.,	5 0 0
To repay A. S. Hingley for expenditure on road from Pictou road to McKenzie's mills,	5 15 3
To complete alteration of post road, near Adam McNutt's, and to pay A. McNutt, amount expended thereon, fall, 1857, £7 13 1,	15 0 0
To build break water at North river bridge, and to repay S. H. Blair, expenditure in removing river, £6 8s.,	12 10 0
To repair road from David McCurdy's to Alexander Robertson's,	5 0 0
Thomas McCallum's to David Blackmore's,	5 0 0
Old Tatamagsuche road towards North river, past W. Smith's,	3 0 0
To make a new section of Tatamagouche road, near Thomas McCallum's, repair bridge near Jabesh Rude's,	7 10 0
open a new road connecting the road from Lemeul McNutt's with the Tatamagouche road at Adam McNutt's barn,	6 0 0
repair road from Shubenacadie bridge to Truro,	3 0 0
Truro to Pictou county line,	35 0 0
Adam McNutt's to Welsh's,	40 0 0
Welsh's to Conkey's,	14 0 0
Conkey's to Tatamagouche,	12 0 0
new Larig to upper Stewiacke,	10 0 0
	15 0 0

To repair road from Pembroke to new church, and from river to road on south side,	£15	0	0
bridge near Will Fulton's and to pay Charles Cox, expenditure thereon,	10	0	0
road from Stewiacke to Musquodoboit, past John Henry's,	5	0	0
Gammall's mills to Guysborough road,	4	0	0
South branch to middle Stewiacke,	5	0	0
Middle Stewiacke to Lower Stewiacke,	15	0	0
Brookfield,	7	10	0
Whidden settlement to Greenfield,	5	0	0
finish road Lower Stewiacke to W. Bogg's, new section,	5	0	0
To open new line between Gay's River and McKay's mills, from bridge to Canal bridge,	10	0	0
Repair road from Holdsworth's to Old Halifax road,	5	0	0
William Boggs' to Green's creek,	10	0	0
between Upper and Middle Stewiacke, past James D. Kennedy's,	5	0	0
from Graham's, south branch, to Musquodoboit,	3	0	0
Jeffer's mill, through Goshen, to Musquodoboit,	5	0	0
Middle Stewiacke towards Truro,	15	0	0
Open new line from Laeck's to Shubenacadie, near David Moore's, on inhabitants expending thereon other £5,	10	0	0
Towards re-building bridge on Pembroke brook near John Gammell's,	7	10	0
To improve approaches to bridge across Stewiacke, near Mrs. Wedgewood's,	3	0	0
To repair Middle Stewiacke bridge,	10	0	0
road from Pembroke to Otter brook,	5	0	0
William Sutherland's to bridge near Daniels',	4	0	0
To build bridge over Little Rieer, near James Stevens, and repair road connected therewith, on inhabitants contributing other £5,	14	17	8
To repair road from Murdoch's bridge to John Mingo's,	5	0	0
John Mingo's to county line, and from John Forbes' to Muckler's, Bruley point,	6	10	0
Robert Cutten's to David Donaldson's,	3	0	0
D. Donaldson's to George Tattrie's, junr.	2	10	0
George Tatterie's, junr. to John Matatall's,	2	0	0
John Matatall's to Cumberland county line,	4	0	0
McIntosh's mill to Lake road,	3	10	0
John Milliard's to McIntosh's,	2	10	0
McIntosh's to McMullin's,	2	0	0
Lockerby's bridge to J. Milliard's,	6	0	0
John Milliard's to Sample'e,	7	0	0
Sample's to county line,	2	0	0
D. Bentley's to Isaac Langille's,	4	0	0
Nat Weatherby's to James Langille's,	2	10	0
W. Buckler's to Nat Weatherby's,	2	10	0
James Chambers' to James Weatherby's,	4	0	0
James Weatherby's to Lockerby's,	2	0	0
J. Milliard's to A. Ross',	4	0	0
D. Murdoch's to McLeod's,	2	10	0
Balfrom mills to William Matatall's,	2	0	0
Moore's mills to Philip Burke's,	2	0	0
Philip Burke's to Rood's,	2	0	0
Cork Town to Kempt Town,	3	0	0

To

To repair road from Tatamagouche to Oliver's bridge,	£5	0	0
Meeting house to A. Langille's,	4	0	0
Donald McLeod's to county line, and to pay McLeod money over-expended by him in 1857,	6	0	0
Aitchison's road to A. Munro's,	5	0	0
Byers' mills to Donald McLeod's, by Warrack's, and to pay amount over-expended thereon by P. Vincent, 9s.	5	0	0
Wilson's bridge to Willam Bell's,	3	0	0
Alexander Langille's to Cock's,	2	10	0
Henderson Gass' to Edward Tattries',	3	0	0
William Hayndman's to R. Murray's,	3	0	0
A bridge near D. Donaldson's,	2	0	0
To repair road from William McKay's to Pictou county line, and to pay Thomas McKay £6 11s. 6d. over- expenditure on said road,	12	0	0
Charles Graham's to Onslow town line,	5	0	0
John McKay's mills to R. Baillie's road,	4	0	0
R. Bailey's road to Alexander McDonald's,	4	0	0
William McKay's to Kempt town line, South river,	3	0	0
Widow McIntosh's to Pictou county line,	5	0	0
McKay's mills to widow Ross',	4	0	0
McIntosh's to widow Ross',	5	0	0
Widow Ross' to Langille's, R. I. road.	8	0	0
James McKay's to Pictou county line,	3	0	0
William McKay's to Alexander McKay's mills,	8	0	0
Widow Ross' to Alexander McKay's mills,	8	0	0
Widow Sutherland's to John McLeod's,	3	0	0
Robert Baillie's to Murdoch Studman's,	3	0	0
Colin Munro's to Hugh Munro's,	5	0	0
Alexander McKay's mills to John Nelson's,	4	0	0
Build a bridge at Moore's mills,	7	0	0
Repair road from Doyle's to county line,	18	0	0
Boyd's to James Meekin's	2	0	0
Fulmore's to Little York,	3	0	0
H. Fulmore's to D. Simpson's, and to cover over-expen- diture, if any thereon,	3	0	0
D. Morrison's to Edward Morrison's,	4	0	0
Edward Morrison's to New Boston,	2	0	0
D. Faulkner's to W. McBurnie's,	6	0	0
Callaghan's line to Five Islands,	8	0	0
leading past Jacob Durning's,	2	0	0
from William Moore's to John Campbell's,	10	0	0
John Campbell's to Cumberland line,	10	0	0
Jas. Moore's to back settlement on new line by River Murray's, to Taylor's on the point,	8	0	0
Main road to Henry McLaughlin's,	4	0	0
Henry McLaughlin's to East Branch,	3	0	0
J. McLaughlin's to W. Young's,	3	0	0
Patrick Crow's to W. Young's,	8	0	0
new road at Bass river,	10	0	0
road from Neil Campbell's to Bass river, and to pay J. W. Davison over-expenditure in 1857, per acct. rendered,	20	0	0
on new line, Portaupique mountain,	12	0	0
			To

To repair road from Paul Carr's to Samuel Wilson's,	£6	0	0
Samuel Wilson's to Cumberland line,	4	0	0
Silas Crow's to Cumberland road,	4	0	0
Jas. Spencer's to Acadian Mines,	12	0	0
Acadian Mines to Wallace road,	7	0	0
J. Dill's to George McLellan's,	2	0	0
J. Spencer's to Cumberland county line,	8	0	0
Joseph Spencer's to William McKim's,	10	0	0
Wm. Corbett's to Robert Corbett's, and to pay R. Corbett for over-expenditure on Chiganois bridge, per account rendered,	10	0	0
Main road to Spencer's point,	4	0	0
Samuel Chisholm's to Samuel Pratt's,	3	0	0
To repair road from J. Dill's to W. Slack's,	3	0	0
William Slack's to McElman's mills,	3	0	0
J. McElman's to Slack's mills, Wallace road,	10	0	0
Slack's mills to J. Barber's,	8	0	0
Charles Flemming's to Daniel Totten's,	4	0	0
Daniel Totten's to Debert river,	4	0	0
Peter Totten's to John Cottam's,	6	0	0
To complete road at Clark's hollow,	20	0	0
repair Folly bridge, and pay over-expenditure thereon,	8	0	0
repair road from Debert bridge to R. McNeil's,	10	0	0
R. McNeil's to Chiganois bridge, and pay over-expenditure to J. Wilson, as per account rendered,	6	0	0
McElmon's mills to main road, by J. Fletcher's,	4	0	0
Widow Fletcher's to W. Fletcher's,	5	0	0
W. Fletcher's to Joel Slack's,	4	0	0
Ferguson McNutt's to Thomas W. Crow's,	5	0	0
Alexander Deyarmod's to Chiganois,	6	0	0
James Graham's to Onslow line, by McDormond's,	5	0	0
To pay S. McLean for over-expenditure on bridge at McElmon's,	2	0	0
Charles Sutherland expenditure on road,	3	7	0
J. H. Smith, over-expenditure in 1857,	2	0	0
M. Staples, over-expenditure on road, as per account rendered,	2	13	0
	£1460	0	0
Re-appropriation of £73 13s. 9d., agreeably to resolution :			
To repair road to Beggart's past D. M. Brome's,	3	0	0
pay Wm. Durney, for expenditure on bridge,	10	8	0
Wm. Faulkner for survey at Great Village,	13	7	6
repair bridge and road from J. Dill's to A. Chisholm's,	7	0	0
road from J. Graham's to John Cottam's,	4	0	0
bridge on Burnhill's brook, Chiganois,	7	17	8
road from meeting house to A. McDonhld's, (E. T.)	5	0	0
J. Murdoch's, (N. A.)	4	0	0
pay John Scott for expenditure on road and bridge near his house,	6	0	0
make section of new line up Beaver brook, by Parks',	10	0	0
repair road from John Cribb's to Jas. Linton's,	3	0	7
	£73	13	9

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 COUNTY OF CUMBERLAND.

*Resolv d*, That the sum of fourteen hundred and sixty pounds, granted for the road and bridge service, in the county of Cumberland for the year 1858, and also, nineteen pounds nineteen shillings and one penny, monies previously granted, remaining undrawn, and added to the grant for the present year, be appropriated as follows :

To pay advances to Donald McKenzie,	£8	0	0
Isaac Henney,	3	0	0
Thomas Langell,	5	0	0
William Montross,	4	1	3
Keiver Hunter,	12	0	0
Kenneth Morrison,	4	0	0
Gabriel S. Purdy,	10	0	0
Alexander McNab,	10	14	3
Henry Brown,	17	0	0
Andrew McAloney,	7	10	0
Thomas Bulwer,	23	16	6
John Davidson,	25	0	0
Benjamin Smith,	28	19	9
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	£159	1	9
To pay Joseph N B. Kerr, allowed him for old expenditure on road and bridge,	25	0	0
David Niles for building bridge,	10	0	0
Robert Donkin's,            “	10	0	0
John Schureman,           “	1	3	0
Cyprian Davison, repairing Beaver dam bridge,	2	16	1
Cyprian Davison, building bridge,	40	0	0
Stephen Ruscoe, over-expenditure,	5	0	0
Robert Adams,           “	3	6	9
Alfred Black,           “	4	7	6
Marcus Chappel,       “	3	10	0
William Hurd,           “	3	8	0
Rozzel Stevens,       “	1	7	3
James Henderson,       “	6	0	10
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	£275	1	2

## EASTERN DISTRICT.

On road from River Philip to Colchester line,	45	0	0
Wallace harbour to Angevine's,	8	0	0
Angevine's to Purdy's,	8	0	0
Purdy's to county line,	12	0	0
Bebee's to new Annan,	10	0	0
Purdy Betts' past Swallow's,	7	0	0
J. D. Purdy's to George Rushton,	4	0	0
Porter's to J. D. Purdy's,	12	0	0
J. D. Purdy's to Wesleyan chapel,	6	0	0
Teed's, by Palmer's, to Moses Teed's old place,	8	0	0
Fountain's, Westchester to Castlereagh,	5	0	0
main road by Stevens' to McKenzie's mill,	6	0	0
Widow Webb's, by Moore's to J. Rushton's old place,	5	0	0
Wallace bridge to Kerr's mill,	5	0	0
Kerr's mill to Angevine's,	5	0	0

On

On road from Angevine's to Stevens', and repair bridge,	£8	0	0
Stevens' to Forshner's and to pay Richard Woodland,			
1s. 3d. over-expended,	10	0	0
River Philip by Gray's road through Victoria settlement,	12	0	0
Colter's road to Gray's road by Mitchell's,	4	0	0
Jacob Bett's to Gechau's,	6	0	0
Gechau's to Victoria by Street's ridge,	8	0	0
Conn's to Victoria settlement,	10	0	0
Forshner's to Conn's mills,	10	0	0
Conn's mill to Dewar's,	6	0	0
Dewar's to Pugwash,	6	0	0
Romer Embree's to Peer's mill,	5	0	0
Page's to Dougherty's creek,	8	0	0
McNutt's to Plaister creek,	12	0	0
Plaister creek to River Philip,	8	0	0
On lake road from Thompson's to McLeod's west line,	30	0	0
lake road from McLeod' to Gray's road,	10	0	0
road from Hurd's to Miers',	6	0	0
Pugwash to George McIvor's,	6	0	0
Tuttle's to Gulf shore,	5	0	0
Pugwash to Aboiteax,	6	0	0
Oxley's to George McIvor's,	6	0	0
Dewar's to six mile road,	6	0	0
Stevens' to Peter Angevine's,	8	0	0
Stevens' to Wallace harbour,	5	0	0
McIntosh's to Stevens' road,	6	0	0
Six mile road to Robertson's,	6	0	0
Waugh's to Herton's,	10	0	0
North shore to Malagash.	5	0	0
Malagash point to meeting house,	10	0	0
North shore to school house,	6	0	0
Dewar's bridge to Wallace harbour,	25	0	0
Wallace bridge to Pugwash,	10	0	0
Malone's to north shore road,	4	0	0
North shore road,	6	0	0
Fox harbour road, McIvor's, to point,	8	0	0
Fanningsboro' road,	5	0	0
Public landing at Oxley's,	5	0	0
road from East branch road to Joseph Ripley's,	5	0	0
Oxley's to George Johnston's,	6	0	0
George Johnston's to West Chester road,	5	0	0
road from East branch road to Paine's,	4	0	0
To build bridge over Johnston's brook,	8	0	0
On Grenville mountain road,	5	0	0
road from Henry Teed's to Colchester line,	5	0	0
Brown's Bay bridge,	10	0	0
This sum reserved,	55	15	0

## CENTRAL DISTRICT.

On road from Willis Baxter's to Pugwash,	65	0	0
Amherst to Fort Lawrence,	15	0	0
River Philip to Black river,	10	0	0
Black river to Thomas Roach's,	25	0	0
Parrsboro line to Nappan bridge,	30	0	0

On road from Nappan bridge to Amos Fowler's,	£10	0	0
Wm. Taylor's, Tidnish, to Goose River road,	10	0	0
Toby's mill to McLellan's mill,	40	0	0
Burns' mill dam to Chapman settlement,	10	0	0
Isaac's Stuart's through Little Fork,	5	0	0
Little Fork to post road near H. Logan's,	5	0	0
Leicester road, near Dr. Bent's, to Goose river road,	5	0	0
Henry Ryan's, through Porter town, to post road,	10	0	0
Nappan road, near Wm. Keiver's, past Samuel Stuart's to coal mines,	10	0	0
Baxter's shop past Stephen Smith's,	5	0	0
Symes' road to Calvin Bent's,	7	10	0
Leicester road, past Geo. Thompson's, to River Philip,	5	0	0
Edward Brownell's mill pond to Burns' mill,	6	0	0
Burns' past Timothy Crownell's, including bridge,	5	0	0
Little River road to Benj. Smith's road,	20	0	0
Little Forks, past Hunter's, to Salt springs,	10	0	0
Bend of the road above Benj. Smith's to Robt. Ripley's,	5	0	0
Edward Gordon's to school house near Black river,	5	0	0
Salt Springs to River Philip road, new line,	6	0	0
Barnes' bridge past Geo. Hunter's,	10	0	0
Ripley's gate to coal mine road,	30	0	0
Lover cove to Ragged Reef,	15	0	0
over Boar's Back,	5	0	0
Joseph Hannah's to New Cannon settlement, past E. Pugsley's,	5	0	0
Collingwood Oxley's to Colburne's,	5	0	0
Folly brook to River Philip,	5	0	0
Tait's, River Philip, past Handley's to Eel creek,	5	0	0
Black ferry road past Fraser's,	10	0	0
Shore near Wood's mill, past Rufus Goodin's,	5	0	0
Bird's road, Nappan,	5	0	0
River Philip to H. Dikins',	5	0	0
Goose river road to Samuel Wood's new line,	5	0	0
Open road from Ragged Reef to Sand river,	26	0	0
On road from Goose river road, past Mitchell's, to Pugwash road,	5	0	0
Duck creek to River Philip,	5	0	0
Mount Pleasant to Little river, (new line),	5	0	0
Folly brook to Maccan,	7	4	3

## PARRSBOROUGH DISTRICT.

To repair bridge at Mill Village,	40	0	0
road past Gabriel's to Henry Jeffer's,	20	0	0
road from Harrington's river to Moose river,	3	0	0
Moose river to Swan creek,	5	0	0
Swan creek to Mill Village,	5	0	0
Andrew McAloney's to Beaver dam bridge,	3	0	0
William Dow's to Alfred Vickery's,	2	10	0
William Dow's to Diligent river school house,	2	10	0
Cannon's mills to Wilton's,	4	0	0
Three Sisters to Advocate,	5	0	0
Advocate harbor to forks of Arnold's brook,	5	0	0
Forks of Arnold's brook to Abraham Spicer's,	5	0	0
Main road to beach,	3	0	0
Advocate harbor to Cape d'Or,	5	0	0

To repair road from Spicer's to W. Morris's,	£5	0	0
Grant's to J. Wilson's,	2	10	0
W. Morriss' to J. Pritchard's,	5	0	0
Main road to A. Graham's,	2	10	0
Thomas Pritchard's to Ratchford's river,	7	10	0
Ratchford's river to Ramshead river,	5	0	0
J. Vickery's to Thomas Bentley's,	2	10	0
Bentley's mills to Kerr's roads,	2	10	0
Main road past Pleshaw's,	2	10	0
Parson's past J. Hatfield's,	2	10	0
A. Smith's, past Morris', to main road,	2	10	0
Albert Smith's to Delaney's,	5	0	0
Union meeting house to William Harrison's,	5	0	0
William Harrison's to Jenk's meadow,	5	0	0
Jenk's meadow to Sand river,	5	0	0
John Skidmore's to Cranberry lake,	2	8	8
Black rock to T. D. Dickson's,	7	10	0
On road from William Allan's to beach,	2	10	0
On bridge and hill near Alexander Hannah's,	5	0	0
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	£1479	19	1

COUNTY OF PICTOU.

*Resolved*, That the sum of £1800 granted for roads and bridges in the county of Pictou, and also the sum of £21 16s. 9d. of undrawn monies in said county, be appropriated as follows :

FOR GREAT ROADS.

To repay government advance to Adam McKenzie,	£95	18	1
Kenneth McLean,	25	0	0
Adam McKenzie repairing great roads and bridges,	153	6	0
New Glasgow bridge,	19	3	4
Roderick Fraser, repairing River John road,	15	4	6
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	£308	11	11

CROSS ROADS, TOWESHIP OF PICTOU—OVER-EXPENDITURE.

Walter Campbell, bridge at Mount Dalhousie,	6	2	10
Roderick McLellan, esquire, on road at Roger's hill,	6	0	0
Duncan Urquhart, bridge on little Cambo river,	10	7	4
Adam McDonald, road at Mount Dalhousie,	10	0	0
George McKenzie, ditto, West branch, River John,	5	0	0
Donald McKay's do., from Stewiacke road to Sutherland's,	7	0	0
Shelometto Sibley, bridge near Garloch church,	12	9	3
Hugh McKenzie, road at Toney river,	7	15	0
William Murray, from west branch to county line,	10	0	0
David Colquhoun, road at Mount Thom,	7	0	0
Robert Short, bridge at West River,	40	18	10
David McKay, road at 8 mile brook,	16	0	0
John Shomberry, making bridge at Cape John,	2	18	0
Angus Sutherland, do. 6 mile brook,	6	0	0
Hugh McLeod, do. 6 mile brook,	5	5	0
	William		

William Cameron, do. Salt springs,	£27	0	0
Robert McKinnon, road, Camboo river to Toney river.	6	15	6
William Urquhart, do at Camboo river,	7	10	0
Alexander McKay, bridge at Camboo river,	10	0	0
John Foster, Glenfalloch, road and bridge,	20	8	6
John McKenzie, road from River John to McDonald's,	10	0	0
Allan McDonald, new road at Scotch hill,	20	1	3
Donald Gunn, road at 6 mile brook,	5	0	0
John Sutherland and William Murray, new road, Roger's hill,	28	10	3
Donald McKenzie, road at Mount Dalhousie,	7	0	0
James Willis, road at Mount Dalhousie,	33	5	4
Kenneth McKenzie, do. West branch, River John,	50	0	0
Kenneth McKenzie, do. do.	10	0	0
George Grant, bridge at West branch, River John,	11	8	0
John Fraser, bridge near Campbell's, West River,	5	0	0
William McGillivray, Botany bay road,	10	0	0
Daniel McKenzie, road at Mount Thom,	10	2	11
William Ross, new road from Sutherland's to Douglas, west branch, River John,	20	0	4
Duncan Murray, Black River bridge,	3	11	4
David Munro, road and bridge, 6 mile brook,	15	0	0
Peter Grant, do. from Toney River to McKae's mills,	30	0	0
James Elliot, same road in 1856,	14	7	3
Kenneth McKenzie, bridge at West branch, River John,	15	7	0
Murdoch Munro, do. 4 mile brook,	10	0	0
Donald Graham, bridge West river,	7	0	0
William McDonald, do. Mount Dalhousie,	20	18	6
Donald McKay, bridge at do.	9	0	0
John McDonald, road at do.	9	0	0
J. W. Ritchie, esquire, interest on loan for Loch Broom bridge,	6	0	0
William Murdoch, esquire, do. for Durham bridge,	15	0	0
John McCara on Roger's hill road in 1856,	2	1	0

## TOWNSHIP OF EGERTON—OVER-EXPENDITURE.

John McKay, telegraph road, New Glasgow,	10	12	6
William Dunbar over-expended on commission No. 90, in 1856,	5	0	0
Archibald Fraser, bridge at Churchville,	2	10	6
John McLean on marsh road,	9	4	0
Duncan Cameron on road to East branch,	5	10	0
Neil Gum, bridge across Campbell's brook,	7	16	9
Peter Ross' road to Sutherland's river and bridge at Albion Mines,	30	15	8
Ditto building bridge at John McDonald's, east branch,	59	18	6
Robert McNaughton, road from mines to west branch,	7	10	2
Hugh Cameron, road from his place to New Glasgow,	2	11	6
James Fraser, (Down) for road and sewer at New Glasgow,	80	10	8
James Stuart, Middle River on road,	10	4	0
John Fraser, Chance harbour for bridge,	37	1	0
Alexander Fraser, bridge on Stewiacke road,	8	13	3
Alexander Murray, road from Middle river to New Glasgow,	9	1	9
To rebuild 2 bridges near James Fraser's, saddler,	15	0	0
open new road from Churchville to New Glasgow,	25	0	0
repair the road from Edward Graham's, Little harbour, to New Glasgow,	15	0	
Nathaniel Powell's to main road, Little harbor,	3	0	
James McDonald's to Blue mountain church,	10	0	

To repair the road from county line to Kerr's mills, Middle river,	£7	10	0
Thomson's brook to Alexander McDonald's, east line,	15	0	0
Hopewell's up west branch to lake,	5	0	0
McDonald's, Little harbor to Glenfalloch road and bridge at Black brook,	10	0	0
Old church Middle River, towards New Glasgow,	10	0	0
Grant's bridge to Bridgeville,	10	0	0
New Glasgow to Fisher's grant,	5	0	0
New Glasgow to Little harbour,	5	0	0
repair bridges and the road between the church and Webster's, Blue mountain road,	10	0	0
from Robert McGrigor's, New Glasgow, to mill brook,	3	0	0
West branch past Hector McDonald's towards Middle River,	7	0	0

## TOWNSHIP OF MAXWELTON—OVER-EXPENDITURES.

To pay J. W. Eitchie balance of loan on Barney's river bridge,	106	0	0
William Young 2d. instalment on loan for St. Mary's road,	74	13	4
George Bruce on road east side Barney's river,	10	15	0
Hugh McGillivray,	4	17	3
William Smith, new road, Bailey's brook,	17	19	6
George Sutherland, repairing St. Mary's road,	1	6	7
John McDougall, on road at Blue mountains,	10	18	0
Angus McGillivray on Gusset road,	4	0	3
Thomas Dillon, road from French river to Gillis' meadows,	8	11	0
Ronald McDonald, repairing bridge at county line in 1855,	6	3	5
Hugh Fraser, on road to Cahoon's grant,	9	10	6
William Sutherland, on the road from McGrath's to Cameron's,	10	0	0
Hugh Ross, Piedmont valley road,	30	10	6
George W. A. Lowden, repairing the landing at Lowden's,	1	15	8
John Johnston, repairing two bridges,	8	16	6
Angus McDonald, Mill brook bridge,	5	9	2
To repair damage to Barney's river bridge,	42	5	9
To improve the Mitchell road towards Moose river,	15	0	0
cross road from Dunn's mills towards McBlain's, Barney's river,	15	0	0
from French river to McBlain's, Barney's river, and to pay 17s. 6d. expended last year,	5	0	0
from Barney's river to Blue mountain church,	10	0	0
bridges at east end Piedmont valley,	7	0	0
road from Alder Meadows towards New Glasgow,	7	10	0
road at Black brook, St. Mary's,	8	14	7
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	1769	2	6
Peter Ross, over-expended on No. 77 last year,	48	11	9
Robt. McNaughton, ditto 82,	4	2	6
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	£1821	16	9

## COUNTY OF SYDNEY.

*Resolved*, That the sum of one thousand two hundred and twenty pounds, appropriated for roads and bridges in the county of Sydney, for the current year, and also the sums of forty-nine pounds and two shillings undrawn road monies, be appropriated as follows :

William Hunter, for over-expenditure on the road from widow Carroll's to Hugh Dunn's,	£10	0	0
William Chisholm, for over-expenditure in repairing a road leading from Lochaber lake to Gaspereau lake,	5	0	0
Alexander McDonald, for over-expenditure on road from Stuart's mill to Kervan's, Capoch,	6	9	4
John McKinnon, for over-expenditure on the road from Pomket chapel to Elisha Randall's, Little River,	16	19	10
John McIntyre and John McDonald, for over-expenditure in repairing road from Fraser's grant road to Archibald McDonald's,	10	2	0
Donald Gillies, for over-expenditure on road from Cameron's mill to Duncan Gillies' cross road,	8	11	8
Donald Fraser, for repairing main post road from Antigonish to Guysborough,	17	14	1½
Angus McGillvray for re-building a bridge and repairing roads from Guysborough road to William's Point,	6	3	4½
John McIntyre, for over-expenditure in making road from Mill's mill to widow Green's,	9	7	4
Archibald McDonald & Roderic McDonald, for over-expenditure on the new line of road between A. McDonald's and old Manchester road,	37	0	11
Archibald McDonald, for over expenditure on the road from Alexander Boyd's to South Lake,	21	14	9
Archibald McDonald for over expenditure on the road leading from Hugh Dunns' to William Chisholm's,	10	4	0
Urban Landrie, in repairing the road leading from the main post road at Little river to Edmund Flinn's,	2	12	6
John McIntyre & J. McDonald, for repairing the new road leading from Fraser's grant road to Archibald McDonald's,	26	3	5
Duncan Grant, for repairing new line of road from Fraser's grant by Grant and Cameron's to Guysborough, old road,	14	6	4½
Donald Campbell and C. Chisholm, for repairing the road from St. Andrew's to Pomket Forks.	14	4	0
John McIntyre, for the erecting of bridge on the Little River, back settlement of Fraser's grant,	22	13	9
John Cameron, on road between the new line leading from Hugh McPherson to Manchester road,	8	0	4½
John McIntyre, for erecting a bridge on McPherson's river, on the road leading from Donald McIntyre's to the old Guysborough road,	18	7	8½
Hugh McPherson & W. Grant, for erecting a bridge on the Black river,	16	6	9
Donald & Donald Chisholm, on old Manchester road,	48	2	3
Rory McDouald, for bridge over Alder river,	10	4	0
John Grant, from Monk's head to bridge, Pomket,	16	0	0
Angus McPherson, from Tracadie to McNair's cove,	15	0	0
A. Smith & A. McDonald, from Arisaig to Pictou county line,	16	3	2
D. McDonald & A. McIsaac, on the bridge over big brook,	54	0	10
A. Gillies & Hugh McDonald, on Hugh Gillies' bridge,	15	6	6
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A. McDonald & John McDonald, in building a bridge across Doctor's brook,	£79	8	3
Donald McMillen & John Stuart, in making a new alteration of road on the eastern side of Lochaber lake,	52	12	6
Levi Lish, for repairing road from Levi Irish's to the church at Little River,	35	9	3
William Kenedy on road from Cameron's to Glen road,	14	13	6
James Taylor, on the new road from Pomket to the South river,	5	9	4
John McIsaac, in repairing a bridge between the South river and Lochaber post road,	2	19	2
Donald McMillen, for erecting a bridge at the head of Lochaber lake,	5	5	0
Donald McDonald, for repairing a bridge over James river, on the road leading from Antigonish through the Beaver meadow,	1	11	6
Thomas Chisholm, in opening the new line of road between the Ohio and the Gaspereau lake,	47	15	10½
Thomas Chisholm, in repairing the road from Antigonish towards Lockaber,	5	3	11
Celestian Doiron, for repairing Brusard's bridge, Pomket,	1	10	0
Alexander McNaughton, in repairing road from Fraser's mill to county line, upper south river,	6	14	9
Adam McKenzie, in repairing Wilkie's bridge, on the road from Antigonish to Sherbrooke,	10	2	0
Donald McMillen and Richard Dalton, on Henry's road, Egg's mountain,	25	0	0
Donald McGregor, in repairing Cummings' bridge, upper south river,	1	9	0
John McDonald and Colin McDonald, on new line of road from Grant's mill through Brown's mountain,	79	6	0
Lauchlin Cameron, on the road between Denald McIsaac and John Cameron's,	8	8	9
John Chisholm, in repairing road from the landing at the beach to Pomket cove,	2	10	6
John Smith, on road leading from Knoydart to McMillen's mountain,	8	10	0
Hugh McGillivray, for repairing the road from Knoydart to Ronald Smith's,	7	17	6
Allen Cameron on the road from Cumming's bridge, South river, to the road on the west side of the river,	4	7	6
James Cameron in building a bridge at the back settlement, South river,	5	0	0
Lochlin & Duncan Cameron, the over-expenditure of a new bridge at McDonald's mill on the south river,	75	18	9
John Cameron, in repairing the road on the west side of South river lake,	3	17	6
John Cameron, for repairing the bridge at the lower end of South river lake,	1	9	0
Allan Gillies' on the road past Alexander McDonald's (Lode) to Glen Hyde, in repairing a bridge,	2	0	0
Angus McIsaac, in opening new line of road from back settlement of Morristown to North lake road,	15	4	0
Archibald McDonald, in erecting a bridge on the road leading from the new to the old road at the Hollowal grant,	5	5	10½
Hugh Dunn, in repairing a bridge on the road leading from Mahoney's to the old Gulf road,	2	1	0
Donald McLellan, in repairing Kennedy's bridge, Glen road,	1	8	6
Amable Cote, repairing the road leading from the post road, Tracadie, to the Monastery mill,	5	0	0
	981	7	10½
This sum at the disposal of the government to be hereafter appropriated,	287	14	1½
	£1269	2	0

## COUNTY OF GUYSBOROUGH.

*Resolved*, That the sum of one thousand two hundred and twenty pounds, granted for the service of roads and bridges in the county of Guysboro, and the further sum of thirty-two pounds twelve shillings and five-pence, undrawn and appropriated for the same service, be applied as follows :

To pay advance, Canso road,	£100 0 0
balance over-expenditure by Edward Cook, between Hart's tan- nery and Canada settlement,	17 17 5½
balance of over-expenditure by Martin Meagher, on Whitehead road,	25 14 6
J. Brophy, on road between Roman's valley and Salmon river lakes,	6 11 3
Alexander McDonald, on Giant lake road,	16 0 0
Patrick Walsh, on road between Cameron's and county line,	6 1 0
Michael Farrell on road between R. Smith's and Romans' valley,	5 16 9
Richard Dunphy, on post road to An- tigonishe,	3 6 5
John Jamieson, between Salmon river and Peasebrook,	2 15 1
Stephen McGuire, near Neil's,	10 1 0
J. Torey, at Intervale,	63 8 0
Daniel Lawlor,	3 6 0
James Hurley,	0 9 0
This amount reserved for appropriation in the district of Guysboro,	46 16 3½
To pay Jonathan Hartley this sum over-expended by him in 1857,	16 16 3
William Grant, Oyster pond, this sum over-expended by him in '56,	10 0 0
J. B. Hadley's account for money expended,	7 5 10
Miles Summers, this amount expended by him in 1857,	15 0 0
To repair Goose harbor bridge,	100 0 0
pay the sum of £15 over-expended by James L. Whitman on new line of road to Gut of Canso, and to open the new road from E. Whitman's to Myers' bridge,	30 0 0
Colin Chisholm, repairing Goose harbor bridge,	1 10 0
This sum reserved for appropriation and expenditure in township of Man- chester,	128 14 3
To pay amount due, in full, of balance on loan for erection of Milford Haven bridge,	243 10 0
opening new line between East river and foot of Lochaber lake,	30 0 0
complete erection of bridge over West river at John Hattie's,	35 0 0
pay advance and over-expenditure by Angus Kirk and James McKeen, on Forks bridge,	47 11 6
pay over-expenditure by William McKeen on east side of Forks lake,	15 0 0
Wm. Pride £4 15s. 9d., and repair road be- tween Gaspereaux brook and St. Mary's,	15 0 0
P. Grant, on road between Forks bridge and Country harbor,	19 7 11
George Hewitt, on road by St. Mary's river,	27 6 6
M. Suttis, on bridge at Indian harbor beach,	6 3 9
Samuel Archibald, on road between mill and Forks bridge,	4 1 1
	To

To pay over-expenditure by John Stewart,	£15	0	0
William Morris,	3	12	6
Daniel Cameron,	1	19	9
J. Murray,	4	14	7½
John McNeil,	10	11	10
John Hattie,	18	13	1
Andrew Flick,	3	12	0
H. Hemlow in 1856, 17s. 6d., and to repair road between Liscomb's cross road and Gaspereaux brook,	15	0	0
To repair road between tannery (late Archibald's) and Sherbrook, Archibald's mill and East river bridge,	12	10	0
Samuel Cumminger's and James Sutherland's, East river,	3	0	0
Fisher's mill and back land,	5	0	0
Cross roads at Cameron's and John Walsh's, old Country harbor road,	5	0	0
Archibald's mill and Halifax county line,	2	10	0
Cochran hill road,	15	0	0
To open and repair road at upper end east side Indian harbor lakes to Pickel's,	10	0	0
open new line of road between Joseph Mason's and bark yard, Country harbor,	3	0	0
pay over-expenditure by D. McDonald on Country harbor bridge,	40	0	0
John Sinclair, on Country harbor road,	2	0	0
build bridge at foot of Lochabar lake, and open road on west side,	2	0	0
Reserved for roads, back lands St. Mary's,	8	8	9½
	10	10	0
	<hr/>		
	£1252	12	5

### COUNTY OF CAPE BRETON.

*Resolved*, That the sum of fourteen hundred and twenty-one pounds voted for the service of roads and bridges in the county of Cape Breton, in the year 1858; and also the sum of one hundred and seventy-seven pounds, of undrawn money, making in all fifteen hundred and ninety-eight pounds, be applied as follows:

#### OVER-EXPENDITURES OUTSIDE THE TOWNSHIP OF SYDNEY.

Little Bras d'Or boat, and other appliances,	165	0	0
Lauchlin McLean, South Mire bridge,	5	0	0
John McDonald, Catalone bridge,	5	0	0
Belloni Gotro, bridge at French road,	10	0	0
Malcolm McKinnon, road from Boisdale to Leeche's creek,	10	0	0
Ronald McLellan, repairing bridge at South Mire,	6	0	0
Lamond & Morrison, for opening new road from south Mire to Main-a-dieu,	30	4	9
John McIsaac, repairing Tweednoudge bridge,	20	0	0
Angus Gillis, repairing Salmon river bridge,	20	0	0
A. J. Babington, on Escasonic bridge,	25	0	0
Charles C McAlpine, repairing bridge at Louisburg,	8	10	0
Collin McDonald, opening new road from Beaver cove to Indian lands,	10	0	0
George Rigby, repairing bridge at Main-a-dieu,	3	0	0
John McPhee & J. McKay, opening new road from Grand Mire towards Gaberouse,	50	0	0

Angus McCinsh, Loch Lomond, settlement 1855,	£7	10	0
“ “ “ 1857,	5	0	0
William Fife, repairing bridge on Boulardarie Island,	5	0	0
Dennis Sullivan, repairing road on Boulardarie Island towards Point Aconie,	6	0	0
To repay the government for advances to distressed families, at Louisburg, Main-a-dieu, Loraine, and Gaberouse,	70	0	0
Francis W. McKenzie, for survey and plan of bridge at the little Bras 'dOr, January, 1857,	26	14	0
Hugh McLellan, for repairing road and bridge at Kelly's cove, main line,	4	8	4
	£492	7	1

## APPROPRIATIONS.

From Piper's cove to the Narrows,	5	0	0
the Narrows to Shenacady,	20	0	0
Shenacady to Boisdale,	7	10	0
To open new line of road from Boisdale to township line,	20	0	0
To road from Indian lands to Benacady pond,	10	0	0
From H. McKinnon's to Indian lands,	10	0	0
Boisdale chapel, to East bay,	10	0	0
H. McKinnon's to Fork's road,	10	0	0
East bay to Salmon River,	15	0	0
Salmon River road towards Lewis' bay,	10	0	0
Salmon River road to Mire,	7	10	0
Morrison's, cross road, to Norman McLean's,	7	10	0
Glengary road to main post line,	5	0	0
From Loch Lomond to main line,	5	0	0
Loch Lomond to Rorey Brack's, main line,	5	0	0
From D. Gillis', South Mire, to Lewis' bay,	20	0	0
On new road by lake, to French road,	7	0	0
By Big ridge road to Gaberouse,	10	0	0
Loch Lomond settlement,	10	0	0
Catalone road, by the church,	7	10	0
From Albert bridge, down stream, shore road, south side,	15	0	0
Salmon River road,	5	0	0
Upper French road towards Gillis' lake,	15	0	0
From Morrison's cross road to Beaver cove,	10	0	0
On the Sullivan road to East bay,	20	0	0
By McAdam's lake, westwardly,	10	0	0
From Lewis' bay to Gaberouse,	10	0	0
This sum reserved for the benefit of the county, outside township,	24	16	11

## OVER-EXPENDITURES WITHIN THE TOWNSHIP OF SYDNEY.

Neil McDonald, road north side of Mire,	10	0	0
Murdoch McKeigan, Cox heath road,	7	0	0
Philip Ormond, Mire road,	10	0	0
Archibald Campbell, Grand lake road,	15	0	0
Michael McKeagney, Davensport road,	10	0	0
William Casock, Cow bay road,	40	0	0
John Doolan, Grand lake road,	10	0	3
James Neale, Lingan road,	7	18	0
William Stevens, Forks road,	11	5	1
Hugh McPhee, Meadow's road,	5	0	0
James Howie and Patrick Whelan for opening new road at Glass bay,	42	11	0
			August

Angus Munro, at Mire,	£15	0	0
John McDonald, bridge at Mire,	20	0	0
Thomas Strang, for bridge on South brook,	5	0	0
Dennis Lamey, road at Ball's creek,	20	0	0
Edward Dillon, Round Island road,	20	0	0
Angus McPhee, Low point road,	7	10	0
Neil McDonald, George's River road,	10	0	0
John Dowling, George's River road,	12	10	0
William Knight, road at Ball's creek,	15	0	0
Donald O'Handly, road at Long Island,	10	0	0
Allan O'Handly, road near Long Island,	10	0	0
Thomas Mackie, Bridgeport road,	10	0	0
Michael Murphy on Grand lake road,	10	0	0
Angus McIntyre, Leech's creek road,	10	0	0
Cornelius Sullivan, road to Bras d'Or,	12	0	0
Alexander Beaton, road to George's river,	15	0	0
John McIntyre, Ball's creek road,	9	0	0
John McKenzie, Grand Lake road,	7	12	0
James Quinn, bridge on Lingan road,	7	2	0
Patrick Ryan, road at Low Point,	40	0	0
John Shanahan, on road at Low Point,	7	10	0
Malcolm McDonald, road to Round Island,	10	0	0
Donald Ferguson, on road to Cow Bay,	7	10	0
Kenneth McLellan, road to Crawley's bridge,	5	0	0
Patrick Power, road to Lingan,	10	0	0
Donald Campbell, Ball's creek road,	5	0	0
Thomas Moore, road at Leech's creek,	10	0	0
Ewen Cameron, road at Mire,	12	10	0
Galem Holmes, junr., Cow Bay road,	5	0	0
John McDonald, Portage lake,	10	0	0
Donald McMullan, Ball's creek road,	7	10	0
James Hill, road at Mire,	7	3	7
Benoni Shepherd, esq., road at Cow Bay,	10	0	0
Charles Andrews, North-west Arm road,	20	0	0
Richard Rocket, repairing Big brook bridge,	1	10	0
John McCormack, road at Barasois,	10	0	0
James Peach, bridge at Cow Bay,	5	0	0
Donald McDonald, road to Murdoch McKenzie's,	2	10	0
John D. Clarke, road at Sydney,	10	0	0
Hugh McDonald, Grand Lake road,	7	10	0
Thomas Doyle, Low point road,	6	0	0
John McDonald, for repairing Ball's and McKay's bridges,	9	13	3
Edward Mahan, road at Kilkenny lake,	4	13	0
To pay John Ryan for timber on bridge,	3	0	0
Charles McDonald, for repairing Pond Gut road,	14	7	8
Henry Spencer, for road at Cow Bay,	5	0	0
Hector McNeil, for repairing post road, and cutting wind falls,	2	6	6
Arnold Holmes, road at Cow Bay,	4	10	0
Arnold Holmes, repairing road,	15	0	0
Luke Coogan, for road at Leech's creek,	16	19	0
To open new line of road from Boisdale to township line,	50	0	0
This sum reserved for the benefit of the township of Sydney,	31	4	8
This sum reserved for benefit of localities outside the township of Sydney,	63	0	0
	£1598	0	0
	County		

## COUNTY OF INVERNESS.

*Resolved*, That the sum of one thousand six hundred and fifty pounds be appropriated for the road and bridge service in the county of Inverness, for the year 1858.

## ON THE CROSS ROADS.

From lower bridge, River Inhabitants, to Dowlin's brook,	£8	0	0
Dowlin's brook to Archibald Cameron's brook,	6	0	0
Archibald Cameron's brook to upper bridge, River Inhabitants,	6	0	0
Upper bridge, River Inhabitants, to cross roads River Dennis,	6	0	0
Cross roads, River Dennis, to Duncan McIsaac's,	6	0	0
Duncan McIsaac's to Ronald McEachan's,	7	0	0
Ronald McEachan's to Little Judique bridge,	5	0	0
Main road at Judique to barren road,	5	0	0
Little Judique to Big Judique, shore road,	5	0	0
Main road at Judique to cross roads, River Inhabitants,	12	0	0
Cross roads, River Inhabitants, to cross roads, River Dennis,	12	0	0
Cross roads, River Dennis, to Omen's,	7	0	0
Shore at Walker's to River Dennis road,	7	0	0
River Dennis road to Chisholm's mill,	5	0	0
John McDonald's rear, Judique, to River Inhabitants,	7	0	0
Main road at Long Point to cross roads at Angus McDougall's,	5	0	0
Main road at Roderick McNeil's to River Inhabitants,	5	0	0
Main road at Low Point to cross roads rear of Low Point,	15	0	0
Cross roads rear Low Point to Long Stretch, south line,	15	0	0
Clough's mill to Long Stretch,	5	0	0
Plaster Cove to Long Stretch,	5	0	0
Main road at Long Stretch to cross the bridge to main road, east side,	5	0	0
River Inhabitants to River Dennis bridge, Omen's,	10	0	0
River Inhabitants to head of St. George's channel, West Bay,	5	0	0
Head of West Bay to big brook,	5	0	0
County line, West Bay, to Allan Cameron's brook,	10	0	0
Allan Cameron's brook to George McKenzie's,	10	0	0
George McKenzie's to Selig's brook,	10	0	0
Selig's brook to S. McLean's, River Dennis,	10	0	0
Cross roads, River Dennis' to Whycocomah,	10	0	0
Chisholm's bridge, River Dennis, to Omen's bridge, north side,	5	0	0
River Dennis to Seal Cove, and build bridge,	12	0	0
River Dennis road to Mabou,	5	0	0
Church, Indian rear, to county line,	20	0	0
Main road to the ferry at Little Narrows,	5	0	0
Whycocomah to Lake Ainslie, by the mountain,	5	0	0
Church, Indian rear, to Blue's cove,	10	0	0
Saw mill, Whycocomah, to county line,	7	0	0
Neil McLean's cove to county line,	10	0	0
Indian rear, by Campbell's mountain, to Mabou,	7	0	0
Turk Settlement to John Campbell's bridge, near Indian rear, and to build bridge,	20	0	0
Indian rear to Lake Ainslie,	10	0	0
Indian rear to James Smith's,	10	0	0
James Smith's to Widow McKeen's,	10	0	0
To build bridge at Stoney brook,	15	0	0
From New Canada to the road at Mabou river,	5	0	0
Widow McKeen's to Allan Campbell's,	5	0	0
To build a bridge on new line from Crowde's, Margaree, to main post road,	5	0	0
			From

From Widow McKeen's to Lake Ainslie,	£5	0	0
new bridge at Mabou, to north east bridge,	10	0	0
North east bridge, Mabou, to Angus Rankin's, Mabou mouth,	8	0	0
North east Mabou, to James Doyle's,	5	0	0
James Doyle's, Lake Ainslie, township line,	5	0	0
Junction of Cape Mabou road, near Nicholson's, to coal mine road,	5	0	0
John Fraser's, Cape Mabou, to Red brook,	5	0	0
Red brook to banks of Broad cove,	5	0	0
Main post road to Cape Mabou, by Campbell's mill,	5	0	0
DeCost's to Archibald McPhee's,	5	0	0
Archibald McPhee's to McDonald's mill at coal mines,	5	0	0
Sight point to junction of coal mines road, thence to McDonald's mill,	7	0	0
Sight point, new line, to junction at coal mines road,	7	0	0
Sight point to Angus McIsaac's, No. 1, Broad cove,	7	0	0
Angus McIsaac's, No. 1, Broad cove interval,	5	0	0
Angus McIsaac's, No. 1, to main post road,	5	0	0
Main post road at Broad cove to John Kennedy's old line,	5	0	0
Broad cove chapel to south west Margaree,	5	0	0
Broad cove interval to Light point,	4	0	0
Broad cove to top of Cape Mabou,	5	0	0
Broad cove interval to Loch Ban,	5	0	0
Loch Ban to Broad cove interval,	5	0	0
Port hood to Indian point, new line,	15	0	0
Port hood to Hugh the tailor's,	5	0	0
Hugh the tailor's to Indian point road,	5	0	0
Main road at S. W. Mabou, crossing Indian point bridge, to McKeen's,	12	0	0
South west bridge, Mabou, north side, to David Walsh's,	5	0	0
South west bridge, Mabou, to Power's, thence to main road at Sugary,	5	0	0
Power's to the bridging place at John McDonald's, south west Mabou,	5	0	0
John McDonald's, south west Mabou, to River Dennis road,	5	0	0
Power's at south west Mabou to rear interval,	5	0	0
South west bridge, Mabou, to Black Livingston's, and to repair bridge,	10	0	0
Black Livingston's bridge to Norman Patterson's,	5	0	0
Norman Patterson's to half-way to River Dennis,	5	0	0
River Dennis to half-way to Norman Patterson's,	5	0	0
River Dennis to Hugh Cameron's,	5	0	0
New bridge, Mabou to Turk settlement,	5	0	0
Turk settlement to south west Mabou, at John McDonald's,	5	0	0
New bridge, Mabou, to Murray's bridge, south side,	7	0	0
Murray's bridge to McFarlane's,	7	0	0
Black Livingston's bridge to John Beaton's,	5	0	0
Stoney brook to Lake Ainslie,	7	0	0
John H. McKeen's to Lake Ainslie,	15	0	0
Main post road to Dyeing mill,	7	0	0
David Smith's to main post road at Widow Campbell's,	5	0	0
Loch Ban to John McIsaac's, west side Lake Ainslie,	10	0	0
John McIsaac's to James McDonald's,	5	0	0
James McDonald's to head of Lake Ainslie,	7	0	0
Head of Lake Ainslie to McMullen's point,	8	0	0
McMullen's point to outlet, Lake Ainslie,	8	0	0
Main road, east side Lake Ainslie, crossing bridge to road, west side,	5	0	0
To finish bridge at McMaster's mill, near Long Stretch,	7	8	10
From S. W. chapel, Margaree, to Big Brook,	5	0	0
Outlet, Lake Ainslie, to McFarlan's bridge, east side,	5	0	0

From

From outlet, Lake Ainslie, to McFarlane's bridge, west side,	£5	0	0
New bridge, Lake Ainslie, to Doherty's brook,	8	0	0
Doherty's brook to Loch Ban,	8	0	6
McFarlane's upper bridge to chapel, west side,	8	0	0
McFarlane's bridge at chapel to Young bridge, east side,	10	0	0
Ditto                      ditto,                      west side,	5	0	0
McFarlane's upper bridge to chapel, east side,	20	0	0
McFarlane's bridge to Broad cove,	7	0	0
Main road at Mowatt up Big Brook,	5	0	0
Big Brook to S. W. Margaree,	5	0	0
Mouth Margaree to Norry White's, and pay over-expenditure of £6 7s. 2d.	15	0	0
Norry White's to James Doyle's bridge, Margaree,	15	0	0
New bridge at James Doyle's, Margaree, to Philips', and to pay over-expenditure of £3 6s. 9d.,	10	0	0
Philips' up N. E. Margaree,	5	0	0
N. E. Margaree to Big Intervale, east side,	7	0	0
N. E. Margaree to Big Interval, west side, and to pay over-expen- diture of £5 10s.	10	0	0
Lake Ainslie to Middle river,	8	0	0
Mouth Margaree to Big Pond,	15	0	0
Big Pond to Cheticamp chapel,	15	0	0
Cheticamp chapel to Peter O'Quin's, at the harbor,	5	0	0
Little River to half-way to Grand Antz,	5	0	0
Grand Antz to half-way to Little River,	5	0	0
Smith's, at Skye Glen, to Ainslie Glen,	5	0	0
Interval, Judique, to S. W. Mabou,	5	0	0
Interval, Judique, to John McDonald's, S. W. Mabou,	5	0	0
River Inhabitants up west side,	5	0	0
Stephen King's to River Inhabitants,	5	0	0
New line from Plaister cove to River Inhabitants,	15	0	0
River Inhabitants to cross roads, River Dennis, new line,	15	0	9
Broad cove towards Forks, Margaree,	8	0	0
Big Brook, Margaree, up east side new line, and to pay over- expenditure. £1 0s. 7d.	8	0	0
McLellan's mill, Broad cove, to Lake Ainslie, new line,	5	0	0
Main road at Judique to new line, rear Paister cove,	20	0	0
For new bridge at Indian Point, Mabou, and open road to McKeen's,	135	0	0
To repair Murray's bridge, Mabou,	7	0	0
For main road from Richmond to Victoria county line,	330	0	0
	1497	8	10

## OVER-EXPENDITURES.

No. 1	Lambert Smith's account,	5	0	6	
2	Donald McDonald's    “	2	2	2	
3	Michael Coady's       “	10	0	0	
4	Allan McIsaac's       “	6	10	8	
5	Angus Campbell's     “	3	0	0	
6	Donald McLean's       “	11	8	9	
7	James Doyle,	22	12	0	
8	John Munro,	3	0	10	
9	John Ross,	6	10	10	
10	John Ross,	17	16	0	
	John McFarlane,	10	16	6	
		98	18	3	Accounts

## ACCOUNTS OF OVER-EXPENDITURES IN FINANCIAL SECRETARY'S OFFICE.

No. 9	Angus McKay,	3	7	10		
39	Donald McLean,	17	18	3		
149	G. C. Lawrence,	32	6	10	53	12 11
					<hr/>	
					£1650	0 0

## COUNTY OF RICHMOND.

*Resolved*, That the respective sums of one thousand two hundred and twenty pounds granted for road service, and the sum of one hundred and seventy-two pounds and nineteen shillings, unappropriated in the year 1857 :—Making in the whole the sum of one thousand three hundred and ninety-two pounds and nineteen shillings, be appropriated as follows: in the county of Richmond for the present year—

## OVER-EXPENDITURES ON GREAT ROADS.

To repay Donald McDonald, for over-expenditure in repairing Kempt road,	£8	8	6
Patrick Kyte, over-expenditure in repairing River Tear bridge,	3	11	0
Alexander McPherson, over-expenditure, repairing bridge,	1	15	4½
George Strachan, over-expenditure on road towards St. Peter's,	2	16	0
Alexander Cameron, over-expenditure, building bridge near Salmon river,	5	9	0
Alexander Murchison, esquire, over-expenditure on Grand River bridge,	9	0	0
Noman McDonald, for over-expenditure, repairing K. road,	15	6	6
James MeKenzie, for engineering roads,	16	12	6
			<hr/>
			£62 18 10½

## OVER-EXPENDITURE—CROSS ROADS.

To repay Donald Morrison, over-expenditure on road at Loch Lomond,	6	12	7
Niel McVicar, over-expenditure repairing road, at L. Lomond,	7	2	10
Niel McVicar, expended last year, undrawn, repairing road from Shaw's to Red Islands,	15	0	0
John McKay, over-expenditure on road from road to the church, St. George's channel,	2	10	0
Jeffrey White's, on bridge at Basin, River Inhabitants,	3	12	8
Donald Ferguson, repairing road and bridge towards Saint Esprit,	8	6	0
Michael Cummins, over-expenditure, building bridge on road from River Inhabitants towards West Bay,	12	11	5
Dougall McDougall, over-expenditure repairing road north side Loch Lomond,	8	7	0
James Pringle, over-expenditure repairing road, St. George's Channel,	8	18	0
Donald Gillis, over-expenditure repairing road Lewis cove, towards Lardoise,	7	15	3
Garrath Condon, over-expenditure repairing road to Salmon River,	7	0	0
Noman McLean, do. repairing road to Black River,	2	0	10
William McRae, do. do. road to Black River,	9	6	6
William Brymer, do. do. bridge at T. Benoit's,	1	10	0
Alex. Chisholm's, do. do. bridge at L. Lomond,	8	0	0
			To

Donald McLean, do. do. road at Black River,	£9	0	0
Josiah Hooper, do. for bridge at Flamboise,	20	0	0
Roderick McDonald, bridge at south mountain,	10	0	0
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	£148	13	1

## TOWNSHIP APPROPRIATION—OVER-EXPENDITURES.

To repay Peter Benoit, over-expenditure on bridge at Martinique,	50	4	6
William Crichton, esquire, do. do. at Little Arichat,	11	11	6
Simon Martell, do. on road at Grandique,	1	8	8
John J. Robertson, for engineering road at Grandyke,	2	9	6
Joseph Martell, over-expenditure on D'Escom road.	1	14	0
	<hr/>		
	67	8	2
	<hr/>		
	279	0	1½
This sum at the disposal of the government to be appropriated hereafter,	1113	18	10½
	<hr/>		
	£1392	19	0

## COUNTY OF VICTORIA.

*Resolved*, That the sum of twelve hundred and twenty pounds, voted for the road and bridge service for the county of Victoria in 1858; and also the sum of one hundred and ten pounds five shillings and three-pence, undrawn money for the service of last year—making in all £1330 5s. 3d.—be appropriated as follows:

This sum to pay Francis McKenzie, balance of account for 1857,	£107	10	0
John Patterson, esq., for over-expenditure,	12	0	0
David Hardigan, for over-expenditure, Baddeck river,	5	6	7½
for over-expenditures, per Francis McKenzie's account,	150	16	0
Murdoch McArthur, for over-expenditure, St. Ann's,	7	6	8
Colin McDonald, over-expenditure, Boularderie,	0	16	6
Donald McDonald, over-expenditure, great road, Bou-			
larderie,	23	1	4
amount advanced to John Munro, 1856,	20	0	0
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	326	17	1½
This sum to pay first instalment for building Baddeck bridge,	200	0	0
to be expended on new line from McLeod's to county line, north			
side Little Narrows,	50	0	0
Continuation of new line from Sparling's to McKeen's,	20	0	0
Baddeck bridge to McKeen's	15	0	0
Hector McLean's to town,	10	0	0
Bridge to ship yard,	15	0	0
To repair main road between Big and Little Baddeck,	10	0	0
Continuation of line from Grand Narrows to Portash,	20	0	0
Grand Narrows to Gillis' point, north			
side Narrows,	15	0	0
Gillis' Point to McNeil's ferry, lower			
Washabuck,	7	10	0
Continuation of line, upper Washabuck,	7	10	0
Keon's mountain road,	7	10	0
Cross road, upper Washabuck,	5	0	0
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	This		

To help to build a bridge across Matheson's pond, S. S. L. Narrows,	30	0	0
To build a bridge near Angus McDonald's grant,	7	10	0
To be expended on Livingston's mountain road, M. River,	5	0	0
Continuation of main line, M. River, from bridge to county line,	25	0	0
Continuation of new line from Farquharson's bridge to Donald McRae's,	10	0	0
From Donald McRae's to McKenzie's bridge,	10	0	0
On Lake Ainslie road,	10	0	0
On Gairloch road,	10	0	0
Rear of Hume's settlement road,	10	0	0
To build a bridge at McGregor's cove, St. Ann's,	20	0	0
Continuation of line from Simon McKenzie's, St. Ann's,	45	12	10½
On Tarbet road,	10	0	0
On North River road,	7	10	0
Continuation of line from McKay's to Eel Cove,	20	0	0
Sleosbrochan N. S. Great Bras d'Or,	15	0	0
Continuation of new line south side Boulardrie, line from McKinnon's brook to Point Clear, Boulardrie,	15	0	0
line, Kempt Head, Boulardrie,	15	0	0
line from cross road to Point Auconi,	10	0	0
road to English town from Henry Sellon's,	20	0	0
North shore road, including a bridge across McDonald's brook,	20	0	0
To repair bridge at Ingonishe,	10	0	0
Continuation of line from Ingonishe towards Cape North,	25	0	0
Bay St. Lawrence road,	10	0	0
North side Aspy Bay road,	10	0	0
South side Aspy Bay road,	10	0	0
From McIntosh's towards Interval, Cape North,	10	0	0
South branch Upper Baddeck settlement,	10	0	0
North branch Baddeck settlement,	10	0	0
Continuation of line from Shaw's bridge to town,	15	0	0
Continuation of line, back lands, Baddeck bay,	20	0	0
Cape Dolphin road,	10	0	0
Cape Smoky road,	20	0	0
To repair a bridge over McKenzie's brook, Washaback,	7	10	0
To repair bridge at McPhee's, main road, Boulardrie,	20	0	0
bridge at Kenneth Munro's, main road, Boulardrie,	12	10	0
Continuation of road from McKenzie's to Angus McLeod's mill, South Gut, St. Ann's,	20	0	0
On main line from Choan Stewart's to ferry,	20	0	0
Rear of Hume settlement road,	10	5	3
To pay undrawn money for Shaw's bridge, Baddeck,	40	0	0
	£1330	5	3



## RAILWAY COMMITTEE EVIDENCE.

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EVIDENCE TAKEN BEFORE THE COMMITTEE APPOINTED TO CONSIDER CLAIMS BY RAILWAY CONTRACTORS FOR EXTRA ALLOWANCES, BEYOND THEIR CONTRACTS, FOR THE CONSTRUCTION OF PORTIONS OF THE MAIN AND WINDSOR LINES OF RAILWAY.

*Spencer Sutherland, examined by Mr. Ritchie.* I have been engaged many years as railway contractor in Scotland and Canada. Came to this Province two years ago last November. Parts of both lines had been previously under contract. I came to tender for No. 7, main line. It had been advertised before I came.

I got a written schedule and copy of specification. I got a copy of specification and schedule from the office—the specification was partly printed. The description and quantities of work were on it. I filled it in and handed to the office, with a tender annexed. (Produces schedule from file.) This is a copy of plan furnished me. It is a section of No. 7. I had had the plan before tendering, and I got a copy afterwards. The first copy was for all the contractors. When I arrived in November, 1855, I had a day or two days, about from Saturday to Tuesday, to see the ground—I had just two days. I got papers to refer to when I applied. I went along the line with my own sons, and an engineer belonging to the office, who went to show us the ground. We made no measurements but what we took off the section. The schedule shewed all the quantity on the section—I compared the section with the schedule. I went over to see what ground was like. I wanted to exercise my judgment to see if cuttings were rock, clay or sand, and to see if I could find ballast for the line, which was a main object. I placed my dependence altogether on the figures in the schedule; I had no cause to dispute them.

(Witness explains from section how he made up his calculations of 2s. 2d. average price, as mentioned in schedule.)

We always contract for the largest quantity, whether it be embankment or cutting. If the cutting exceeds embankment, we are paid for cutting, and *vice versa*. No man would offer except on faith of the survey, unless he got time to make a survey. There are mistakes made in the best surveys. I always got paid for actual quantity, less or more, at schedule rates. If it had turned out less, I should have expected deduction, according to the quantity. I expected the work to be measured. There is a clause respecting extra work in the schedule.

I commenced at the first point as soon as I got the contract. We kept a daily journal of all we put in the lake at that point. We know within a thousand yards of the amount. We commenced in February. We had done £5000 or £6000 before contract was signed. We did not expect to give security, but we found it was wanted, and gave it. We did not see a form of contract for some time. My sons were my partners. I went to Canada and got securities. When we tendered we knew security was wanted. The first embankment is half a mile past Shultz's. This is embankment No. 3 on section. It required 54,000 yards by the schedule. We think we put in about double that quantity. It is rock filling. (Explains lines shewing levels on section.)

At embankment No. 6 we were told there was mud, as marked on section, about 5 feet, but it turned out there was 49 feet. All these embankments except No. 3 can be measured by the cuttings. We were paid for our work so long as it could be measured; we were paid until September last.

By

(By Mr. Tobin. I did not consider I took any risk as to resistance of bottom. I was always paid by the yard in Scotland for such extra work.)

(By Mr. White. Surveys may be required after line is complete, to make additions to or deductions from contractors.)

On the grand trunk line in Canada we were all paid by measurement.

We got payments, which I considered to be per centages, paid to us on account of extra work. We were paid for all the work we did up to about September, '57. We got £800 of per centage on No. 7, in June or July last, to assist us. Up to September last, we were paid monthly for all the work.

Mr. Mosse said at one time there were 14,000 yards more at embankment No. 3, than appeared on section. He sounded and found from 6 to 8 feet deep in 5 chains distance. The 14,000 yards related to the part which was not finished. We had finished past the deepest part. The centre could not then be taken.

The number of cubic yards which was considered necessary to fill the embankment No. 3 in Grand Lake, is marked specifically on the section,—the quantity is 54,109 cubic yards. Up to August, 1857, I was paid for about 10,000 yards in that embankment. We continued to fill in that embankment from August to October. Number of men from 120 to 150, with horses and carts, cutting rock in 5 different places to put into that embankment, until it was filled in, which was some time in December. On the 1st of August we were allowed for 57,000 cubic yards of rock and side cuttings in embankment No. 3, which would give about 3000 yards over the estimated quantity. There was 60,482 cubic yards put into the lake up to the 29th August, in embankment No. 3. I believe in the other months, from August to the time of finishing, we put in 10,000 additional cubic yards. On the 24th October there were 49,893 cubic yards allowed in the return, made up of two items. As soon as I discovered the error in the measurement, I spoke of it, in August or September, 1856, and I continued to be paid without any dispute until August, 1857. I think both Mr. Howe and Mr. McNab said that I ought to be paid for the extra work. I had some conversation with Mr. Forman about the error in the survey, some two or three months ago—he said that every manner of justice should be done to me

*Cross examined by solicitor general.* The schedule now produced is the original on which I tendered—it is filled in. I took the contract for myself and my two sons. I was at Montreal in November, 1855, and got a telegraph from one of my sons, informing me that the work was to be tendered for, and I came on. One of my sons (Donald) was here ten days before I arrived, and had been on the ground. As soon as I arrived I visited the ground with an engineer, who pointed out the lines to me; after examining for one day, I tendered for the work. It was customary in Scotland to allow for extra work; but the contracts, under which I worked there, were different in their terms. I made no examination, but contracted altogether on the figures in the section, and took the contract on the faith that they were correct. I soon found that the estimated quantity in the embankment was insufficient. I found it after the first month. I have made a calculation of the extra quantities put into No. 3 embankment, and am satisfied I put in double the quantity estimated on the section. There is no mud shewn on the section as existing in No. 3 embankment—merely the depth of water. I kept an exact account of my work as I went on, but did not return it to the board. Mr. Mosse made all the measurements from which these returns were made up; and I relied upon his measurements, and was paid from them—he continued to make them till the work was done. I was regularly paid to the 1st August, 1857, a certain sum, but not in full of what was due by any means. We got money to pay our men. In September, 1857, they paid us up our 10 per cents. on No. 7, No. 9 and No. 10, in order to pay men, which we would not have required if our extra work had been paid for. We got £532 in October, on account of contract No. 7. I cannot tell for how many thousand yards extra I have been paid. Mr. Mosse can tell that. The stoppage of payment had reference to contract No. 7 only, and took place in September last. Mr. Mosse made allowance

allowance in his returns for extra work. Embankments No. 4, 5 and 6, had mud at the bottom as well as No. 3. We did not sound at all until after we began to work. No. 6 exhibits on the section 5 feet of mud, but on sounding we found 49 feet. We used iron rods with the pressure of 2 men—it was not deep water like the lake, but rather dry—a great many trees were put into embankment No. 6, to keep it up. I did not know that the claims for extras had been disallowed by the commissioners.

(By the chairman. A great deal of extra work was done on embankment No. 6, for which Mr. Mosse allowed. I can tell by my book what the extra labor actually cost me after filling the estimated quantity into the several embankments.)

*John Blackie examined by Mr. Ritchie.* I have been engaged on railroads since 1844 as engineer, and as contractor since 1853. I have been employed 8 years in England, 4 in Canada, and since here. I took contract No. 8 on the main line, and finishing No. 3 main line (formerly Creelman & Tupper's); No. 1, Windsor branch, (formerly Cameron & Co's); No. 3 Windsor branch, (also Cameron & Co's). Our firm is Johnston & Blackie. The papers now shown are the originals. No. 3—total, £41,411 11s. 5d., but there is a mistake in addition, it should be £41,673 16s 11d.—Windsor branch, the total cuttings are 154,963 cubic yards. *Embankments*—Up to October 1857, we had made embankments to the extent of 105,104 cubic yards over the amount contained in the schedule. By the latest returns of Mr. Forman, 13,000 of that extra work only appears to have been paid for. 46,192 cubic yards were put into Mount Uniacke lake up to July, 1857, by the engineers returns; the schedule quantity being 26,960 for that lake. This was turned into money, and we got the amount. We went on after that until October filling up the same embankment. Part of the money received for the 46,192 cubic yards was taken away from us in October, but I cannot tell the sum. We commenced first with rock work upon this contract in August, 1856, and were settled with 1½ for 1, month by month, and never heard that any other mode was to be adopted until September, 1857. Mr. Cameron, whose contract we took up, was settled with on those terms by Mr. Forman. In August, 1857, a controversy about the cost of railways was going on in the newspapers, and he then adopted a different course of measurement as regards rock cuttings and embankments. The allowance of 1½ for 1 for rock, is the usual measurement; as far as I know it is the universal mode adopted. The earth filling does not exactly fill the place from which it is taken—from 10 to 12½ per cent. for earth is generally allowed. There is nothing in the contracts to alter this mode of measuring. We took Cameron's contract, with the assent of the railway board, on the 30th August, 1856; Mr. Forman drew the agreement, which was afterwards put in shape. The mode in which Cameron was settled with for rock cuttings appears in the returns. The same system of settling with us appears by the return for July, 1857. The settlement with Cameron appears in August, 1856, by adding ½ to rock cuttings, and the commissioners paid him at that rate. These returns were not treated as approximate measurements, but as the actual measurement of the work done, for which parties ought to be paid. I never heard until the last few days that these returns were considered to be anything but actual measurements. I saw them in the railway office, month by month, and I knew that by them we received our 90 per cent. I applied to see them in September last, but was refused; before that time I had access to them. A measurement was taken by Mr. Mosse and Mr. Smellie of all the work done on contract No. 3—it was a re-measurement.

I took No. 3, main line, from Creelman & Tupper, but did not finish that contract. I find Cameron & Co. were paid extra for the work for which payment is now refused us. In August, 1856, he was paid 6766 cubic yards, while the schedule quantity was 5092 cubic yards; and on 27th Sept, 1856, we were paid 3843 cubic yards side cuttings extra. The cutting on No. 3 section, Windsor branch, was all rock. In October we were allowed 7093 cubic yards over the section quantity. We made a pile bridge in one instance, over the embankment No. 14 on contract No. 3, Windsor branch. (Original section No. 3, Windsor branch, put in.) The pile bridge was not on the original section.

It was to have been an embankment, and was mainly filled in by ourselves. There appears 19,994 cubic yards on the section, but we put in 29,397 cubic yards, and that did not carry it across—that did not bring it up to its height—this was in October, 1857; our work on that bog had been returned monthly; we then ceased filling it, and got an order to finish with a pile bridge, which we made and were paid for. We did it at the schedule prices—it was much less expensive than filling in the embankment, the piles were driven by a ram of 17 cwt., the length of the piles in the ground was 24 feet, and above the ground about 14 feet—average length of piles 45 feet. We did not sound the bog before taking the contract. I never heard of a contractor being required to make a survey for himself.

In my opinion it would cost £100 a mile in an open country in England to make a proper survey—it would cost more in this country, but I have not made any survey here—our contract here extended 25 miles. We had nothing to induce us to believe that, with the exception of Mount Uniacke lake, of which Cameron told us, the surveys were not accurate as respects depths. We had no reason to believe so. Mount Uniacke lake is No. 2 embankment. We would not have taken this embankment except under an agreement with the commissioners, that we should be paid for the full amount to be put into that embankment; this agreement was made before we took the contract from Cameron, in August, 1856. We were paid, month after month, under that agreement,  $1\frac{1}{2}$  to 1 by the commissioners, until November 1857, when for the first time the change in measurement was notified to us by Mr. Forman's return—up to that period we were paid in full for the work we had done. The agreement I have spoken of was made through Mr. Forman. Our first difficulty about the slopes (clay cuttings, which were to have been made 1 to 1 in No. 8, and No. 1), arose in April, 1857. I never saw banks made 1 to 1, until I came to this country. In all slopes in England, I never knew the slopes to be less than  $1\frac{1}{2}$  to 1, and that increased in proportion to the height—up to 20 feet  $1\frac{1}{2}$  to 1, from 20 to 50 feet 2 to 1—above that height 3 to 1. In April the slurry came down and choked up the road. To remove it is much more expensive, costing from 3s. to 4s. per yard, against 1s. 6d. to 2s. There was an attempt made to compel us to remove this at our own cost. On No. 8, it continues up to the present time. In No. 1, they have agreed to pay us for altering the slopes, but only partially on No. 8. The contracts in both cases were perfectly the same. I addressed a letter to Mr. Forman on the subject, of which this is a copy. The slopes elsewhere have been required to be reduced. (Letter read, 13th April, 1857.) In number 1, we were paid a lump sum for reducing the slopes; for those in No. 8, we were paid at schedule rates. We did not perform any of our contracts within the time limited—there was not material in the country to enable us to do so. I mean permanent materials, viz: rails and chairs, &c. We were ready for laying rails on No. 8, main line, in July, 1856. The first we got, were in September, 1856. We applied for them in July. We were put to considerable loss and inconvenience for want of them; by our contract we were to have the use of rails, by which we would have had considerable advantages in saving of horse power, &c. The progress of the work in 1856 & '57 was materially interfered with for want of rails. We made repeated applications in writing to Mr. Forman—(reads letter April, 1857). I had to take out the 15,000 yards mentioned in this letter by horse power, at an additional expense of  $7\frac{1}{2}$ d. per yard. We could at that time have put more than 8 miles of rails in use. We were obliged to carry chairs, 13,000, from Truro road, 12 miles, to Shultz's, where they were taken down to Windsor junction. We had carted them to Shubenacadie, but were afterwards carted up to No. 3, Windsor branch. (Letter read, 14th October, 1857). No answer was received to this—at this time we wanted both rails and chairs on contract No. 8, main line.

We decided in last autumn not to proceed with our work until we were paid. This was in November last, and a new arrangement was entered into by us with the commissioners; first, that our men should be paid, and then that all work of any kind should be paid for, leaving our claims for extra work to stand for consideration. There were

were three agreements: *First*, loan on plant; *second*, to be paid for men's wages; *third*, to be paid for all work; the work to be finished 5th December. (Agreement read, November, 1857.) This agreement was not kept, Mr. Forman having positively refused to certify the amount of work done under it. We were kept a fortnight in town before we got it, and then for the first time the cutting off of one-third from the rock cuttings was made; he ultimately gave us a certificate, deducting the one-third cuttings. I distinctly understood, in connection with the last agreement, that we were to be furnished with locomotives, and it was with that understanding that we made the agreement to have the road open in December. The locomotives were to be used for bringing ballast a distance of 8 miles, and if suitable locomotives had been furnished us we could have had the line ready; as it was, we got to Windsor before the end of December. The locomotives furnished us were not sufficiently powerful to take more than two or three cars of ballast. We were charged £4 a day for the use of the locomotives. We also are charged for materials conveyed along the line, and they have considerably over-charged us in that particular. They have refused to pay two miles and a half of rails for No. 8, under the last agreement; our charge was £670, and Mr. Forman offered us one-third, or £270. This can be proved by their own station keepers' returns.

In No. 3, Windsor branch, embankment No. 11 gave indications of settling last summer; the bottom was a mud bog, and the more material we put in it the less we had. The schedule quantity was 2022 cubic yards, grade raised 6300 yards, making a difference of 4298; the actual quantity over that was 16,075 cubic yards extra, and it is not finished up to the proper height yet. We were afterwards requested to tender for piling. There was no piling or borrowing shewn for this particular embankment. There was an error throughout the whole of this portion of the section; only 908 yards are allowed over the whole of this section. The surface looked hard. No piling has taken place at that embankment. (Letter, 28th October, 1857, from J. R. Mosse to Johnston & Blackie, relative to piling, read.)

My contract No. 3, embodies a mode of computing rock cutting. (Reads clause in contract). Cameron's contract was settled in the same way. In No. 3, Windsor branch contract, there was first to be a pile bridge, and afterwards an embankment, as we could not drive piles. An arrangement was made with Cameron before we took it. He was to get some £500 more than the price of the pile bridge.

My extra claim for this is 6918 yards for this embankment. If this had been a bridge we would have been paid for any extra. There was an error of 6918 yards in survey. All I ask for is *extra* borrowing. This is embankment No. 9.

There was an agreement in writing (by clause in contract) when we took it off Cameron's lands.

I was present when Mr. Smellie and Mr. Mosse made a measurement in September, 1857. This was a measurement of the whole of No. 3, up to that date. I am content with that measurement if rock cutting is rightly computed. I had reason to be satisfied with measurements of work from time to time by engineers. I was satisfied until they altered their mode of dealing with me by knocking off what they had previously allowed — (claims for No. 3, No. 1, and No. 8, put in, these are statements of amount claimed). No. 3, and No. 1, are Windsor branch, and No. 8, main line.

We claim for want of rails and chairs on No. 3, £1000. The rails and chairs were not furnished, and we had to use horses and carts. We have also been delayed in finishing work.

*Cross examined by attorney general.* Our first contract was No. 8, main line, we commenced May, 1856. The next was No. 3, main line, Creelman & Tupper, about 1st August, 1856. The next was No. 1, from Cameron, about 1st September. The first contract I signed was No. 8, it was signed after I commenced my work.

I executed No. 8, before I took the two others. When I took the two last, I had seen the contract for No. 8. I had no copy, I don't think, I took it away to examine it. I claim no extra for No. 8.

I claimed for extras for measurement on No. 3, but have settled it with the late chairman and Mr. Forman. I claim on that contract for want of rails and reducing slopes. I have been allowed for two slopes on that contract, but not paid. I wrote a letter about the slopes falling down. Mr. McHeffy, the resident engineer was aware of what I did. I did the work, but he refused to return it. I had to remove what had fallen in and to dress the slopes. I could not keep the slopes at 1 to 1—they would not stand. I had undertaken to make and keep the slopes at 1 to 1—I knew it was impossible.

The loss on No. 8, for want of rails, was nearly all over the line. It commenced about two months after I began.

No. 8 is now nearly finished, except one cutting—there is about 20,000 yards to remove at present. I have not been at work there since November. The cutting to be done is at Barney's brook, and all at one place. It will take me about three months to remove it—a good deal has been done there—I have done 5 to 6 thousand a month—it is clay cutting. The rate is 1s. 5d. per yard. I could have finished it long ago if I had rails. I gave notice I wanted rails in July, 1856, and I have wanted them ever since. I gave notice to chief engineer verbally and by letter.

We had a considerable claim for sinking of embankments on No. 3, which was settled. The chairman drew out a contract after the work was done, which I refused to sign. I never had any contract on No. 3—our claim was for sinking of embankments. We were paid upon Mr. Mosse's measurements—were paid monthly. The engineers refused to measure the extras—they said to go on, and they would pay us for it—we went on on the faith of their promises. The measurement I got did not include the extra work. I measured it as I went along, and my measurements differed from that of the engineer. The difference was that he only measured to the surface of the ground, according to the section, and I measured according to the work—the difference in amount was 1200 or £1300—I was paid 300 or £400 on account. This was not on a different class of work which was recognized. The chief and other engineers recognized the justice of my claim.

There is still due me £428 for extra on No. 3. When I took Cameron's I knew there was a difference on one of the embankments. My claims are on No. 1 and No. 3. It was not all owing to soft bottom. The difference between the specification and the actual measurement was not ascertained when I took the contract from Cameron. I made a specific agreement to be paid for No. 3, whatever I put in. It was dry and firm when I went over it in August. I had only two days to go over the 2 sections. The engineer told me for every cubic yard on that contract we were to receive 7s. 3½d. I first discovered there were inaccuracies—in the lakes the depths were more than represented on the drawings. We might have tested inaccuracies if we had 3 or 4 men with iron rods for some days.

I gave notice of inaccuracies about January or February, 1857. This contract No. 3, was measured in September, by Mr. Smellie and Mr. Mosse; £500 was added to the price of the pile bridge. A part of the embankment had been done by Cameron. The extra work is where the two embankments met. The error was not discovered when the contract for the £500 was made. It would have cost 20 or £30 to measure these bogs; it would have taken a day or two to measure them. I had no understanding with Mr. Smellie, as to the depths of the bogs No. 3. I made measurements on the embankments 11 and 12 on the original section, since I made my claim. The whole cost was 10 or £15. We logged them all through, and it did not keep the work up. No. 11 embankment went 15 feet down in one night. All these observations relate to No. 3, Windsor branch. When we took cutting No. 19, Cameron was working without levels or lines, and we found it was 15 feet out of the way—I believe Cameron made this alteration for his own convenience. He was to be paid as if he had taken out the whole quantity, less our borrowing, which we were to be paid for at 2s. 3d. The claim I make is for the loss to cuttings 3 and 4, by Cameron's raising these cuttings.

We distinctly said we would not go on with these cuttings, it was so expensive, and therefore

therefore we put the piles in the bridge. I did not know the reason there was an order to open the line to Windsor sooner. The pile bridge hastened the work 12 months—say 6. We were six weeks doing the pile bridge. We got from 1900 to £2000 for it. We did the additional side cuttings, and got paid for it without any dispute—and half for rock cutting. We charged nothing for the extra borrowing in consequence of the loss on these two cuttings. The grade at embankment No. 11 was raised, and required additional side cuttings—4278 cubic yards requiring additional borrowing—and these were paid for as additional work. This raising of the grade is credited. In alteration No. 19, 10,000 was required. I have not charged for these. I never said 1s. 10d. per cubic yard allowed in the settlement with Cameron. If I had been the original contractor, I would consider myself bound to take out these side cuttings. For taking rock out of the cuttings on the line of the road, we were paid 5s. 3d. per cubic yard. We expect to be paid the same for taking rock out of the line of the road as for side cuttings.

I don't claim for slips, I have charged for all stuff gone into the embankments, and for the stuff taken away from the side cuttings—although I used it. We threw a greater part of the slurry in the embankments over the side. The extra charge is for the slopes. I did not want the stuff, but I widened the banks with it. Some of the material in the excavation was used for ballasting—I did not charge for ballast. The stuff used for road alterations is deducted from the cuttings. There is 4 or 5 miles on No. 8, ballasted. I have ceased operation there since November, on embankments Nos 5 and 7, (Barney's brook).

*By the chairman.* If the work was less than specification, I should have expected to have been paid for less.

*James McDonald, examined by Mr. Ritchie.* There was upwards of 3000 yards less in the sectional quantity, than was contained in their measurement.

*Cross examined by Mr. Johnston.* Mr. Mosse did not tell me.

He gave the full measurement yesterday, but not what was contained in the specification. There was a deduction from the aggregate of the schedule, but not what was contained in the specification. My tender was for so much a yard, amounting in the schedule to a certain sum. This is the schedule carried out.

They have deducted for the ballasting, as it did not come up to the specification. They have paid me for extra cuttings. They paid me for the quantity of embankment actually made.

*James R. Mosse, examined by Mr. Ritchie.* I have been four years on the Nova Scotia railway. I have been employed on railways in England and Ireland, and the States. I made a survey for No. 7, main line; a traverse round the Basin, No. 1, and Nos. 4 and 5, Windsor branch. I located part of No. 7—4 or 5 miles. Mr. Bradley and Mr. Fulsom surveyed the other parts of the Windsor line. I found since there was some mud on embankment 3 on contract No. 7. Embankment No. 5, on contract No. 7, took more material than was anticipated. This is the schedule based on the original survey. The quantity in the schedule is 194,601, embracing side cuttings. Mr. Sutherland took this contract for 2s. 2d, per cubic yard. I made the survey for these embankments in September and October, 1855. These surveys were completed about the middle of November. No. 5 embankment is a lake; I ascertained the depth as follows: It is a curved line, and extends about 330 yards in length—a strong rope was fixed at the extremities, crossing one another in a curve; the depths were taken with a boat, with a foot chain and a heavy weight, and also with a pole, as far as it could be got. A pole could not be used in consequence of the depth. The pole was about 30 feet in length. Wherever I got bottom it was hard—nothing but rock all round the sides. The chain and weight could not penetrate any depth in the mud. I made the depth 53 feet about the middle. Some time after the contract, by taking a large scow and a heavy weight, 4 or 5 men driving it, I found 13 feet more in depth in the centre—it varied from 6 to 13 feet; this was in the middle. The embankment was commenced

menced at this time. We measured all round. We have measured since with the same result. It was on an inclined bottom sloping in the lake—109 feet was the greatest depth below the surface of the water. As close as we could get on the bank, I traced the slope of the embankment to 73 feet deep. The difference between the outer edge and the bottom of the embankment and the greatest depth, is 61 (centre). I took the measurement perpendicularly from the bottom, where the stones sloped down to. There has been a considerable quantity put into it beyond the sectional quantity—I believe 16,000 yards have been put in. If I made a survey since the original one, I should have made it different on the centre line—I would have made the outside depth 13 feet deeper. There were no cross sections taken on this railway. My intention was to have got hard bottom on all my surveys. The schedule would have represented a large quantity of embankment if I had made my survey since. I think 13 feet would have been a fair representation. You could not churn through hard bottom. Where there are no cross sections, I would not undertake to say that in England they are always paid by the yard. I don't know of any other than No. 5 in which there was any error. No. 5 required more material—I mean No. 6 has taken more instead of No. 5. There has been ——— more side cutting taken than set down in the schedule, along the line. I never tested Nos. 4, 5 or 6. I don't remember an application by the contractors to test them. I don't remember ever having been requested to take more surveys, either by contractors or the board. Mr. Bradley surveyed No. 3, Windsor branch. I have had charge of No. 3. I have heard that several embankments on No. 3 were deeper than in section—the first crossing at Mount Uniacke lake (No. 2). No. 12 is where the pile bridge is. The piles go 25 feet deeper than shown on section. They were paid on my measurements since September, 1857. Mr. Marshall or Mr. Smellie made them previously. The slopes have fallen in in several instances, owing to the nature of the cuttings and material. By taking the slopes more flat, in some cases they would not have fallen. The slopes ought to have been flatter—from 1 to 1½, 2 to 3

*Examined by Mr. Haliburton.* I located section No. 5, main line, Mr. Bradley took the levels. It was a good time to survey—it was in February, 1855. The winter generally is an unfavorable time.

*By chairman.* No. 23 deceived every body on the line—there was a bog on it. Mr. R. Forman and Bradley were on survey—cut holes through ice and sounded. I never used rods or poles before. There was not a proper staff of engineers for the survey through the line. No. 7 would have been better if there had been two—we were hurried in order to have the line under contract as soon as possible. We bestowed sufficient time to make a correct survey. Since the survey, I have taken depths at request of contractors. Mr. McDonald found the rods. The board had not them at the time. They are made now—they were ordered last week. In preliminary survey, board had not any. The greatest depth I found was 29 feet below surface, 24 feet deeper than shewn on section—average depth on section 7 or 8 feet. I speak from memory—it is 5 years since. The work was measured every month, and returns made—on that condition were paid—they are pretty accurate. These measurements were made on the same principle as the final surveys would have been made. It is a general thing that contractors would settle with their sub-contractors on those measurements. If the quantity of embankment exceeds the cuttings, the deficiency is made up from the cuttings.

*Re-examined by Mr. Ritchie.* I know that Sir Gaspard, Joe Howe, and Mayflower, and No. 6 engines, were lent to the contractors, Johnston & Blackie. The two first were not fit—they applied for the others. They were put to some loss and expense from having Sir Gaspard and Joe Howe.

*(By the chairman.* The rule is to add the total of embankments and cuttings, and then measure the whole.)

*Cross examined by the solicitor general.* I made a proximate estimate on No. 5, of borrowing and wastings—I found they about tallied. Taking altogether, there was no more

more work done on No. 5, main line, than mentioned in schedule and in second agreement about slopes. The piles must have penetrated into the hard ground below, and that depth must be deducted. Contract No 7, embankment 3, I sounded with the rod. I think I reached bottom of embankment 73 feet, perpendicularly. I found the soft bottom only 5 feet from the base, and was able to push the rod 40 feet deeper. The weight of the rod was 150 lbs., stone 73, mud 109, and mud 57, and stone 38.

(*By the chairman.* I think as the rod was driven down, it went down pretty uniform till it touched the hard surface. The further the rod got down, the easier it went down).

*Donald Sutherland, examined by Mr. Ritchie.* I am a son of Spencer Sutherland. I was present at the survey of Mr. Mosse, on No. 3 embankment, section No. 7. It had been sounded in September, 1856, by Mr. Mosse and myself, with rods. The last survey was last week. I was present then. There was no difficulty in getting to the bottom, we met with very little resisting substance. In September, 1856, we measured at the supposed centre, the only part not built up. We used rods. Up to this time, 120,000 cubic yards have been put in sectional quantity, 45,000. Up to Sept. last, I had been paid for about 14,000 more than sectional quantity. I have put in more than sectional quantity to every embankment on the line. (No. 45 and 6, partially). Up to October last, between 17 and 18,000 inches, No. 6. No. 5 and 4, 22,000 between the two. Up to October, 150,000 have been put in over sectional quantity. The extra quantity arises from the incorrect soundings. I have been about railways this 15 years under my father, and public works. I never knew contractors to make surveys in Canada or Britain. I made our tender on the faith that the figures in schedule were correct, and made the actual estimate of the quantity and work on that. If I had been informed this was not correctly taken, I would not have made the tender I did. Mr. Smellie was with Mosse. I asked Mr. Blackie to accompany me, Mr. Mosse objected to his being present.

*Cross-examined by the attorney general.* I commenced to keep a journal a month or 6 weeks after I commenced the contract. I had a person there to take note of all that went into that place. I had no measurement only an account of the loads. I got the material part from the hill, and part from the shores of the lake—stone—took contract in November, 1855. Commenced at north end, and south 3 months after—there was about 5 or 6 chains in middle when survey was—about a third of the whole distance. It was eight days before the work was let. I saw the specifications. Mr. Uniacke showed the section on the ground eight days before it was let. I went over the section from end to end. It crosses the Grand Lake at Sandy Cove and the Gasperaux. The length of the section is 7 miles, it crosses the lakes four times. I knew there was one bog in the contract I was to take. It was represented to be eight feet in some places. I could have got it down a good deal further than 8 feet. I took no means to ascertain depth of lakes. In Canada we took the contract altogether by the yard.

In embankment No. 3, about six weeks after commencement, found it would take a great deal more material; and then I commenced to keep a journal, and gave Mr. Mosse notice about the same time, and about eight months before the measurement. I have no reason why I did not take the measurement before. The journal original is in our office. We paid our sub-contractors by Mr. Mosse's measurement. We kept one journal, and of this embankment only. The figures I gave are from my measurement and journal. I was present last week at Mr. Mosse's measurement. I think it was as accurate as they could take it. In three or four places they found no bottom with a rod of 109 feet to water level. I cannot say whether outside the embankment or not. The specification was 1 to 1. It takes about 30,000 to make the slopes from  $1\frac{1}{2}$  to 1.

*David Johnston, examined by Mr. Ritchie.* I am a contractor, partner of Mr. Blackie. My contracts, 8 main line, 1 and 3, Windsor branch. I have been engaged on railway works since 1842. We took Creelman & Tupper's contract, No. 3, main line, to finish it, at request of Mr. Forman. We were paid extra on that contract. I don't know of the former contractors being allowed extra. We got £3116 in money, and did not finish the work; the contract sum was £3026. We were paid at the rate of £3464. We

left £338 undone. We were paid for over excavation from errors in specification. We got paid £400 extra, and the commissioners finished the work. We stopped work because they would not pay. They told us if they would pay us, all the contractors would be down on them. Mr. Howe told Mr. Forman to settle it, and gave us above £400 over sectional quantity, and told us the rest would be made up to us on the Windsor line. It never was made up to us. We made our bargain with the commissioners, not with Creelman & Tupper—they dropped the work. The work to be done was a great deal more than set forth. The balance of our claim would be the difference between the £454, and somewhere about 12 or £1300—this is for the work actually done—the slopes and bridge were not finished, and not included in this, amounting to about £338. If we got paid according to contract, and finished the work, we should have got £3026. We did £1200 more work than was to be done, if we finished the whole work, but we left £338 work unfinished; therefore our claim on the commissioners would be £862.

This arrangement was made in 1856, (September to December). In June, 1857, we were bound to complete 1 and 3, Windsor branch. The reason why it was not finished was, we had no chairs or rails to do it. At the end of 1856 we felt the want of them. We were put to considerable loss by not having those chairs and rails. Long after our contract ought to have been finished, we got the rails. There was no possibility, in consequence, of completing our work. We had taken chairs up to Schultz's and Shubenacadie, and had to cart them back to the Windsor line. I had extra men at expense of 12s. 6d. to 15s. each a day, to lay rails, all the summer. (Reads letter to Mr. Forman, July 2, 1857.) The amount of rails deficient in July, 1857, was

(Reads letter 7th April, 1857, to Mr. Forman.) If we had material our contract would be finished in June. We made a subsequent arrangement to open in December; Mr. McNab paying us 5s. a day for labor after. We were to be paid by the yard. (Reads letter to commissioners, dated October, 1857, and letter to Mr. Forman, dated 5th November, 1857) We got the Mayflower for 10 days, the others were no use. We were charged £4 for all per diem. The road was perfectly ready if there was locomotive power enough, to open on 1st December. It would have done the road good; and it would have been ballasted by spring. We have never had the same inconvenience on any other contract elsewhere—the want of rails increased our expenses, and prevented the works being expedited. We took the contract on the understanding we were to have the use of the rails. It would have saved us £18 a day, and expedited the work. We had a difficulty about No. 9 embankment. (Reads letter from Mr. Mosse, 21st December, 1857, and also to him, 8th January, 1858). The work returned for that embankment by Mr. Mosse, was kept out by Mr. Forman, and we were not paid for. There was great difficulty in Mr. Forman's sanctioning what the commissioners wished to do. In one instance Mr. Forman agreed to the work done, and would not pay us. I ascertained that they were not going to pay £625 for carriage of material. I went to Mr. Smellie, and he said that Mr. Creed only returned. I brought Mr. Creed, and he satisfied Mr. Forman, but he said he would not pay us, to go down to the commissioners, and they would not pay us without Mr. Forman's sanction, and we have never been paid. We took Cameron's contract—Mr. Uniacke and Mr. Forman knew there was errors on it.

There were evidences of gross carelessness in the surveys on the Windsor branch, particularly the 1st two or three miles of No. 3, section. You could have ascertained the errors about No. 12 embankment, by sounding with a pole. We were bound to suppose that the survey was correct. In some places there is allowance made for sinking. It never was pretended before we put our claims in, that it was anything but a sustaining bottom. We took the figures on schedule to be correct, and filled in our tender accordingly. I went over the line with Mr. Forman, and Blackie, and not a hint given about the necessity of making a survey for themselves. In an embankment, No. 18, reduced by Forman, 12,000 yards, we were not paid for. If the contract was per mile, the contractors take risk of survey and all. Mr. Forman altered the grade, and reduced

reduced it 12,000 yards. We went over the line to look at the excavation required. We did not take a single depth, nor were we put on our guard as to the survey.

If the survey had been properly made, it would have taken all we put in to fill it up, so that it would not have cost the province more than we claim—but they would have altered the line. No. 12, (11 original section), embankment sunk. I sent word to Mr. Forman, that it had gone down 14 or 15 feet in one night. Mr. Forman decided to fill it up with rock, and told us he would pay at the schedule price per yard—he gave the order in unmistakable language. I told him I would not go in with it unless he paid, and he then told me to go on with it, and he would pay me. Mr. Forman said afterwards when I asked him about this, “Mr. Johnston, I have never refused to pay you.” This was about the latter end of October. We stopped work when we found errors, and Mr. Forman told us to finish with a pile bridge. If we put a bank across, it would have cost £3000 more. Mr. Forman contemplated the ultimate filling up of this bridge.

Mr. Forman settled a difficulty between Cameron and myself. The commissioners were to supply me with locomotive to haul at least six waggons. We got no ballast from Windsor at all. We made frequent trials with Joe Howe and Sir Gaspard at our own expense, but it was no use. (Reads letter to provincial secretary, 4th February, 1858.) (Reads letter to provincial secretary, 6th March, 1858.) We were ready to pay for the engines, and they charged us for the useless ones. Mr. Mosse was present, and said they were useless. We were settled for extra work up to August, 1857. In Mount Uniacke section up to July, 1857, we were paid for 19,232 additional to sectional quantity. We then received value £3,330, being 90 per cent. on all the works done. We got £1500 of the 10 per cents. on our securities signing a note up to this time. I never heard up to that of our being overpaid. After 29th August, we had great difficulty in getting our money. After 4th or 5th September, they first said we were overpaid, and that all our 10 per cent. were paid us, and that we were in debt. There never was application made for the 10 per cent. except the one for the £1500, and if any were paid it was without our consent, or that of our sureties.

My sureties were in Halifax and Quebec. The surety in Quebec was not connected with Nos. 1 and 3. On Fenerty's lake the board sent a man to count and measure every load, and we were paid for it. I saw Sutherland's man keeping an account in the same way, and I suppose it was sent in. We claim 10,000 yards extra work put into Fenerty's lake, on No. 1, Windsor branch. This is in our claim. (Witness reads and explains items in claim.) The whole excavation on No. 1 would not have filled in the embankment through Fenerty's lake. There was gross carelessness in the survey in this particular; if Mr. Forman had known the difficulties, he would never have recommended the line. We have not been paid for this or anything in this claim. We made the embankment with rocks and timber. The engineers ordered me not to do it at first, but Mr. Forman afterwards agreed to it. Mr. Hewitt was the resident engineer. This was formerly Cameron's contract. The monthly measurements were correct—they were made very exactly. I settled with my sub-contractors monthly on that survey, and the surveyors knew it. I never heard till lately that this was called an approximate estimate. McDonald paid his men on these surveys. We have met difficulty in getting paid for slopes. Mr. Forman said none would be paid except where orders were given beforehand. It would cost more to remove it if allowed to run down. I never saw slopes of that height 1 to 1. We could not line them with masonry and make them 1 to 1—Mr. Forman has never demanded this. There are none this way on the line. The embankments would not stand 1 to 1. The slope must be larger according to height and material. Sometimes test-pits are used to ascertain the quality of the material. I only expect schedule prices for extra work. We ought to have borrowed by reducing slopes; it might have cost more, but would have made a better road.

*Cross-examined by attorney general.* The slope of both embankments and cuttings are, I think, on main line  $1\frac{1}{2}$  to 1, and on Windsor branch  $1\frac{1}{2}$  to 1.

No

No. 3 was taken from Creelman & Tupper for £3000 and upwards—we received this, and passed receipts—we make no claim for this. I applied for the rails to be delivered at Sackville. The plate layers were employed at other work, but I could have got the other work done much cheaper. Our contract says that we were to examine the line, but not survey it. I could have examined the depths of these bogs, if I thought anything was wrong. It was distinctly understood between the commissioners and ourselves, that we were to be furnished with locomotives. There was no agreement for getting the ballast from Windsor. They furnished us with ballasting engines, but they would not answer; they furnished us with No. 6, but it ran off the rails. It will take some six weeks to finish my contract, but it has been in working order since January. We had not rails there when our embankments were unfinished. They never told me the rails were in Halifax—if they were I should have got them.

*Charles Hewitt, engineer, examined by Mr. Ritchie.* I have been employed on Nova Scotia railway since June, 1855, and made monthly measurements. Took them as accurately as possible, and sent to the office. The work as measured at the end of the time ought to agree with these measurements. The same pains was taken to have them correct. I don't know that contractors paid sub-contractors by those measurements. I gave McDonald the result of monthly measurements in relation to work done by Cole & Gray. The soundings were not deep enough at Beaver pond, No. 2, Windsor branch. I think 36 feet was given by the section. In the deepest part I found about 68 feet—I sounded with iron rods—I don't remember who made the original survey. I was at McDonald's contract after the first month from the commencement. The soundings could not be properly taken without the rods—I think Mr. McDonald provided them. I made the soundings by Mr. Forman's direction—I believe it was to satisfy the contractors. The work had been going on at Mount Uniacke since September, 1855. The line was altered in consequence of the depth of the lake, after I made the soundings. The ballasting has to be done yet in some places, and some points of rock taken off.

*Alfred Thomas, engineer, examined by Mr. Ritchie.* Have been employed by commissioners nearly 4 years. I made survey on No. 2. I believe Mr. Fulsom originally surveyed it. I subsequently surveyed a small portion near Beaver pond, by Mr. Forman's direction—I did not do it jointly with Mr. Hewitt—I did not touch the original line—I surveyed the new line. I understood there was an error in the original line. I was to run preliminary levels and send in notes. I took soundings where we crossed Beaver pond—used iron rods—I obtained what I considered to be hard bottom—I found 42 feet in deepest place. The black undulating line on section represents hard bottom, and not the surface of the mud. In order to estimate embankment it would be necessary to go to hard bottom. The mud is differently represented on the section exhibited, (No. 7, main line).

*Cross-examined by attorney general.* I am an articled apprentice to Mr. Forman—I made out the section on my survey. The line has been made out on my survey.

*Re-examined by Mr. Haliburton* I made measurements at section No. 2, main line. The work was under way but not finished. I measured by Mr. Forman's direction. I took soundings through the ice. The contractors were present. I think I found the original surveys correct. I think there was a muddy bottom. The measurement was made with poles. I had no iron rods. I think it could be made accurately with poles if not too deep. I think Mr. Forman originally surveyed No. 2, main line. I think it was in 1855, that I made measurement on No. 2. I think there was a foot of mud. The survey was made to ascertain the amount of work to be done.

*Duncan McDonald, contractor, examined by Mr. Ritchie.* I took contracts No. 2 and 5, Windsor branch. I came here in June, 1855, in reference to these contracts. I have been a contractor for ten years. We got a schedule and tracing to tender by. I came about four days before the letting. The quantity of embankments was given in the schedules. I filled in the price. I tendered for the whole line. I got only two of the contracts. The quantity of embankments is in schedule. There were over 106,000 yards

yards in No. 2. I knew a survey had been made by the government. I know the survey had been made under Mr. Forman, as chief engineer. We had no reason to doubt accuracy of survey. The sections and schedules purported to give accurate measurements in feet and inches. Our tenders were based on the accuracy of surveys. We made no allowance for errors. We offered No. 2, 2s. 8d. per yard, and 1s. 3d. No. 5. In No. 2, we found rock. We took the risk of there being no rock on No. 5. We assumed the quantity given in No. 2, 106,579 yards to be correct. I went to some points on the line with Mr. Simpson. We had not time to go over all the line. We made no surveys and took no depths. I never heard of such a thing being done before in such circumstances. No caution or intimation was given me. Mr. Bradley gave me some information from his notes.

The actual quantity in No. 2, exclusive of slopes and rock, is	144,377
Add rock,	37,303
Slopes,	26,850

This is from Mr. Mosse's measurement on 7th January last. It was made at my request. I was about three months trying to get the measurements made. The difference was from alteration of the line. The first alteration was to get rid of a viaduct between No. 1 and 2. The viaduct was on Cameron's section, which was next to mine. This alteration was not made at my request. It was a very expensive alteration to me. I make no claim for extra work for this. I believe I have not got the schedule rate. I was able to pay my men until September—a change in mode of payments took place in September. I found difficulties thrown in my way. Mr. Forman referred me to the board as to examining the books. They were willing to allow me copies of monthly returns, and referred me to Mr. Forman. He refused me access to the books. (Refers to correspondence, viz: Mr. McNab's letter, 2d February, 1858, and reply dated 4th February, 1858, and Mr. Forman's letter to the chairman, dated 4th February)—papers put in marked 5.) I was entitled to 90 per cent on work appearing on the returns—(refers to correspondence with the board and chief engineer through the government in February, 1858, which is put in, marked X.)

On 20th December, 1856, I sent Mr. Forman a statement of the work done to that date. This is the statement.

(See papers marked 5.)

This Mr. Forman returned to me. I claimed a balance of over £5900 due me at that time, beyond the monthly returns. I was afterwards paid a portion of this on Mr. Smellie's measurement. I went to Mr. Howe. He asked me if I could not settle with Mr. Forman. I said no. He sent for Mr. Forman and asked to try and arrange it. He, Mr. Forman, consented to send Mr. Smellie out. I got part of it afterwards. I got paid for what Mr. Smellie returned.

When I took the contract on No. 5, there was but one bridge, and now there are six or seven. I saw no ground plan of the work. In schedule there were only 450 yards of side ditching, and I have paid for 11,792 yards. This was up to January. There are drains in the schedule which I was not paid for, because they were not required, and therefore were not done. We are only paid for what is actually done on No. 2—there were alterations. The substitution for an embankment for a viaduct between No. 1 and 2, materially increased the expense to me. There would have been less borrowing—my part could have been done for one half what it cost me at that point.

(By the chairman. There was no arrangement made with me by Mr. Forman as to the alteration. I was away, and when I came back it was commenced.)

After the contract for No. 2 was made, in 1855, I discovered that the Beaver pond was deeper than appears on the section. I had it measured, and found it much deeper, but could not tell how much. I went to Mr. Forman and mentioned it to him. He said he did not think there could be an error. I think Bradley or Fulsom had surveyed it. I refused to commence at that point until Mr. Forman would examine it. Mr.

Forman

Forman requested me to commence filling in. I was then at work two or three miles off, at another part. Mr. Forman went out, in April or May, 1856, with Mr. Hewitt and myself. He directed Mr. Hewitt to take soundings, and report to him. I told him I must be paid for the whole work if I did it, or else I would abandon the contract. This was in the spring of 1856. I recommended two lines by which the pond could be avoided—Mr. Forman did not adopt either of them. It was a loss of time and money to me. If there had been no error at Beaver pond, I would have filled in sooner than I did. It was commenced in the winter of 1856-7. I was obliged to keep pumps going on account of the work being done in the rainy season.

With proper care and instruments, the error at Beaver pond could not have taken place—it must have been gross carelessness. The depth at the alteration was 42 feet. This also could have been avoided without injuring the road.

The grade was raised at No. 14 embankment, No. 2, (No. 20 on the first section). It was subject to be flooded if not raised. I was allowed about 7000 yards. I am not satisfied, and wish to be paid according to the actual quantity. There was an error in the original section of 10 inches in the levels of the same embankment—this was near Sackville river. There was an error of 8 or 10 feet in the soundings of Evans' lake, on No. 2. I never knew contractors to be held answerable for errors of surveyors. The error at Evans' lake made a difference of about 8000 yards.

No. 5, Windsor branch.

The sectional quantity on No. 5, was 126,034 yards.

The actual quantity was 162,354

Slopes, 25,180

The difference is 61,500 cubic yards. This arose from errors in the original surveys. The average depth of embankment at peg 625 to peg 670, was to be eight feet. The actual depth was 40 feet—(refers to section annexed to papers No. 5). There is a chain of 66 feet between each peg. We put wooden drains in place of stone, by direction of Mr. Marshall, resident engineer. I was paid for a part of the extra work, 20,500 yards, in October, 1855. We were stopped working at the depot at Windsor, in the summer of 1856. We had to blast clay out of the bank in Windsor, in the winter time, to protect the wharf by filling it out. I took the contract at same price as No. 5. In consequence of the interruption, we were put to £500 additional expense. I told Mr. Forman it would be almost ruinous to me to do it. He insisted upon it.

I was allowed by Mr. Forman for bridge at peg 26—\$9 per yard for masonry. My contract is £4 for masonry, at which rate I claim—(puts in order from Mr. Marshall to build a bridge, dated 22nd September, 1856).

Up to September last, I had been paid monthly. I got £2000 of my ten per cent. by consent of my bondsmen, in winter of 1856, '57. My monthly payments ceased in September. I had no previous notice. I did work in August, and came for my payments as usual. I got about 2000*l.* the previous month, and did about as much in August. The total amount at the end of August was made 300*l.* or 400*l.* less than it was at the end of the previous month, in one contract, allowing us about 60*l.* in all on both contracts. Mr. Forman directed me to apply to the board for the extra work, and Mr. McNab told me the 10 per cent. were all paid. The 10 per cent. would have amounted at that time to 4000*l.* or 5000*l.* over the 2000*l.* previously received. When I got it before, I had to get orders from my sureties. I got orders on two occasions for amounts specified in the orders. I got no orders except for the 2000*l.* The board made us some advances, and agreed with us to pay our labor until the work was completed. Mr. McNab gave me a form of letter to sign, which I submitted to my counsel. This was in October, I sent a letter to Mr. McNab. (Reads letter—dated , which is put in.)

The letter I sent is not the same as this—the part about the engineer is omitted. The returns of work done afterwards were inaccurate and unsatisfactory. I worked for a month on that agreement—there was then a difference as to the quantity of labour done.

done. I claimed £1777 10s—they paid me £1500. (Puts in engineer's return of work) They deducted £366, which I had to pay Johnston & Blackie. The board said to leave Johnston & Blackie's work stand until next month.

In November I came in to make an agreement similar to that made with Johnston & Blackie—they had told me they would not pay labor any more.) Mr. McNab sent me to Mr. Forman and the attorney general. Mr. Forman told me he did not see the use of making any more agreements. (Reads letter to Mr. Ritchie, 13th November, 1857.) No arrangement was made upon this letter. I continued the work until very recently. In September I did £1200, and was paid 200 or £300. I continued the work under very great disadvantages. I expected to be paid for the work I did. I was not paid the full quantity, either by days work or quantity. I never got paid for the slopes—they said I had done it without written order. Forman asked me if I would withdraw my claim for extra work, (viz., all other claims,) and take about £6000 for the slope in full. I refused. My claim is about £20,000.

I got notice to leave the work in three days, dated 13th January, 1858—(reads notice from commissioners and puts it in.) My section is well built. I charge for extra hauling for want of rails. I got an order for rails in January, 1856, and contracted with a man to haul them—Johnston & Blackie would take them away from the Sackville station. I think there were rails enough for all. I hauled the last in September last, with an engine.

They gave me a 9 ton engine which was insufficient. It was of no use to me. I went to another place so as to bring material down hill.

After the three days notice they agreed to give me the Joe Howe engine—but they sent her instead to Johnston & Blackie.

*Duncan McDonald, cross-examined by attorney general.* The firm under which we commenced was McDonald & Simpson, it was formed after I came here—we made our calculations from what we got in the schedule. Embankments No. 1, and 18, are included in the total quantity of earth work charged in No. 2, section, as per Mr. Mosse's estimate. The ballasting for No. 5, was not taken out of that cutting—it was borrowed chiefly. The embankments in No. 5, were not taken out of cuttings on the line, at least not at any considerable extent—there are 16 crossings for which I have not been paid. The embankments for the extension into Windsor were not taken out of the cuttings on No. 5. The portions of ballasting on No. 2, taken out of the cuttings on that section, amount to about 7,000 yards; but has been deducted from the excavations and charged as ballast. In Canada we did not take contracts to finish as you do here. They give you a section, and you attach your price at so much per yard. As I understand here the calculations were made beforehand—in Canada they made them afterwards. If no figures were altered in our schedules here, we would have been bound to do it for that money. If they had given me similar calculations in Canada, I would have done the work in the same way. The schedule here gave us a specific amount of work to do, and on that quantity we based our calculations—(attorney general reads to witness the clauses in the contract respecting the inspection to be exercised by the contractors, &c.) The contract was not signed by us until a portion of the work was done—(attorney general reads to witness that portion of specification which has reference to the necessity of inspection of ground, &c., by contractors)—specification book here put in. I supposed that the calculations contained in the schedules were accurate and relied upon that. In No. 2, Windsor branch, the extra charges are for increased depths and alterations in line. In Beaver pond there is an increase of depth which I have spoken of in my direct examination—an alteration was made to avoid that, but it did not effect it. I had no conversation with Mr. Forman about it, but expected to be paid for it at my contract prices. This pond could have been avoided altogether, and my engineer suggested the means, but Mr. Forman did not approve of the suggestion. There was a difference between my measurements and Mr. Forman's, on No. 5, Windsor branch, to the extent of several thousand yards—(reads paper 5). The side ditches were

were so much more than in the schedule, that the resident engineer told me he did not like to return them to the office—there was difficulty about paying me for the side ditches. In 1855, I was informed that there was an inaccuracy as respects Beaver pond. Evans' lake was also similarly inaccurate. I did not attempt to discover the depth of the bogs or lakes—there was no agreement with Mr. Forman about payment for extra work in those places. In No. 5, Windsor branch, there is a bog in the centre of the line—this is the place on the section. The deepest part of it was 40 feet—part hard bottom. We got 10 per cent. to enable us to carry on our work. The agreement to pay for labor was just to enable us to pay for the work, and was no recognition of our right to extra work. The inducement on the part of the commissioners to pay for the labor, was no doubt to have the work opened by the end of the year.

*By Mr. Howe.* I know all the line well—there are embankments through water on the Basin between Halifax and Bedford—9 in number; also on Creelman's contract there are embankments and heavy cuttings—also stone embankments. I cannot particularly specify the embankments on other contracts, or the parties who had those contracts, except from hearsay, or can learn from the papers. I do not know if these parties were paid for extra work on those contracts. I heard that they were dissatisfied. I did not say anything to Mr. Howe about the extra depth at Beaver pond when I called at the office—I always reported these matters to the chief engineer, whom I always regarded as the chief person connected with the construction of the work. I made no claim for filling any lake when Mr. Howe was chairman of the board. I could not be very long making an embankment without detecting a gross error, if there was one. In my case I did report to the chief engineer, though my contract was with the board. The aggregate sums in my contract bound me to do the exact quantity of work contained in the schedule. Without the schedule I could not have arrived at any aggregate sum. We had not as much dispute on the 800 miles of the grand trunk, as we have had on this small line. I made no complaint to Mr. Howe, except on the one occasion I have spoken of, when Mr. Cunningham was present. We make no claim for subsidence; if the quantities on the sections had been correct, I would have had no claim for extra. With some little time and trouble, by cross sections and soundings, there would be no difficulty in ascertaining the necessary quantity to fill a muddy bog or lake. My partner, Mr. Simpson, was here some time before I came here, but he only got the tracings after I came here. The general character of the surveys above ground, are correct; our chief claims arose where there was water or unstable surface. I expected to be paid for every yard of work I put into the railway. In my opinion upholding the road was to keep it in running order after it was finished; but had no reference to the slopes, which will never stand 1 to 1. I never thought I had anything to do with the slopes in my contract for upholding. I only claim the difference in hauling the rails as respects the seasons, and not for demurrage. I got an order for the whole rails and chairs for my contract; but part of them were wanted for the eastern line, after I had hauled them about 1½ miles. (Reads to witness a portion of contract about slips and subsidence.) If a small portion of an embankment or cutting should come away after a rain, the contractor would be bound to make it good; but not where the whole comes down. No extra work would have been required, if the schedules had been correct. I believed Mr. Forman had full authority to construct the road; and I cannot know what communications took place between him and the board. I understood he could make any alterations in the road he pleased. My dealings in all my contracts have been with the chief engineers—in Canada, the United States and here; and I would not think it necessary to go to the board as long as I could arrange with the engineer.

*By Mr. McNab.* It might have been in August when I first brought my claims before the board. I stated there was large sums due me for work.

*Re-examined by Mr. Ritchie.* As soon as I found an error I mentioned to Mr. Forman. If Mr. Creelman had been dealt with as we were, his contract would have been ruinous.

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What the commissioners did last spring on Creelman's work must have cost the government a dollar a yard. Mr. S. Creelman and Mr. A. Archibald were his sureties. All I want is to be dealt with the same as Mr. Creelman. If the same course was pursued towards Creelman as is now pursued towards us, it would have saved the province several thousand pounds. I knew I could not get a sixpence without Mr. Forman's permission. In my contract in places where it was difficult to ascertain the drainage, they made it pretty correct, and in other places where it was easy, they did not do so. I assume the upholdence to commence where the line is properly finished, and in running order. (Reads letter from J. R. Mosse, 23rd January, 1858, and also one, 30th January, 1858.) I know Mr. Forman had no other idea of upholdence. I call the work additional, as the line could not be built without it. I would not have trusted myself to ascertain the depth. If I was required to ascertain the correctness of the survey, I should have had to hire engineers. Where they marked the feet and inches, they acknowledged themselves they had not the proper instrument to measure with. (Ritchie puts in Johnston & Blackie's accounts with the board.)

*By Mr. Killam.* If the specifications were correct, and I had built the road according to them, and the line was completed, I would not have expected to be paid for slips

*By the chairman* I never got an order for slopes through. Hewitt told me he had requested Mr. Forman to send one to me.

*By Mr. Ritchie.* I understood that the order for Johnston & Blackie to do the slopes were given after they were done.

*David Johnston, re-called.* The engineer knew the slopes were done on No. 1 cutting, before the order was given.

*Spencer Sutherland, re-called.* Mr. Mosse knew quite well, I was keeping these daily journals about the loads on the work near Shultz's. Mr. Mosse said they would average two yards and a-half after he had measured—we averaged two yards. (Reads from his letter book a return of loads given Mr. Mosse). Mr. Mosse first asked me for these returns the first month, in March, 1856. So long as the lake could be well sounded, Mr. Mosse gave us his own measurement.

*By Mr. Howe.* There were some parts of the work that could not have been measured by Mr. Mosse. I told you out at Richmond that the lake would take more stuff. You said full justice should be done me—this was in September, 1856. I think the board had acknowledged an error in this particular embankment. If Mr. Howe had said, I would not be paid for extra work.

*Donald Fraser, examined by Mr. Ritchie.* I belong to the county of Pictou. I have been engaged on a railway since 1851. I was first on the Nova Scotia railway in June, 1854. My present claim on the commissioners is £507 for extra filling on embankment No. 1, contract No. 6, main line. Where this embankment was, it sunk, and required extra filling 6764 cubic yards—it appeared to be bog. All other claims are settled. In all the conversations I had with the engineers, I had every reason to believe I would be paid. Mr. Forman told me he recommended my claim to the board, as this was extra work never contemplated by any body. I based my contract on the estimate. It arose from an error in the survey. I had a conversation with Mr. Mosse several times about it, and he knew there was an error—Mr. Mosse located the line. He acknowledged errors when he sounded it in June, 1856. I think I mentioned it to Mr. Forman—he saw it at the time, for he walked over it. In summer you would not have suspected it to be a bog. Mr. Mosse and I tried with 24 foot poles, and could not get bottom. We appointed a day, and Mr. Mosse and myself sounded it with iron rods. Mr. Mosse said he never anticipated this, but the fact was they never were provided with boring rods—the depth could not be taken with poles.

*By the chairman.* The deepest part was 28 feet in depth of mud—7 feet was the deepest shewn on the plan. Section shewed it was hard ground, and to be raised 7 feet.

*By Mr. Ritchie.* I think Mr. Forman wrote to the commissioners to recommend my being paid.

*Cross-examined by attorney general.* I think that the contract meant that the shrinking and subsidence should be at risk of contractor, not the ground plan. I examined the specification before I tendered. I finished my work 22nd January, 1857, and was paid in June. I received £18,000. My contract was for £16,000—the extra was paid for station house. I was paid monthly. I am sure I was not paid for the extra work on the bog, although paid for extra work ordered by the engineer. Mr. Mosse told me that this would be settled after the contract was finished. (Reads Mr. McNab's letter, 22nd March, 1858.) Mr. Mosse put my claim in about the time the work was finished. The embankment is done sinking now—depth, 28 feet from surface. I conversed with some of the commissioners in 1856. I knew similar claims were refused on the first contract I had. We got no pay for contract No. 1, extra, round the Basin—there was very little extra claims there. I took it the calculations were to be made from the figures in the schedule.

*By Mr. Howe.* The 1st contract included 5 or 6 embankments through water—(2 Cameron's and Turnbull partners). Davy's was a very heavy embankment. We divided and it fell to Turnbull—he complained that there was more filling required. It was matter of discussion at the board; but they would not listen to the extra claim, and it was not formally presented. One reason why it was not pressed, was that the contract was behind time, and there were other sections on the line to be let, and Cameron wanted to take some of them. I know Forbes Black had a claim for extra filling. Turnbull's section No. 4, through Rocky lake, and included a long embankment—he completed it, and settled amicably with the board; but I understood he was paid by the yard. Black's contract included a good deal of bogs, and grubbed considerably. Turnbull's tender for No. 6, was lower than mine, but he withdrew on a misunderstanding that the cuttings were to be 22 feet instead of 18. I came with you from Grand Lake, and said it was very strange that the formation levels and plans were not correct, and the contractors had to perform extra work. He said it was very strange, and there was a good deal in it, and he thought they would hear more about it. Mr. McCully told me to go on with the work, it would all be paid for. My price was 4s. 6d. per yard for the terminus at Grand lake station—it was all rock cutting.

*Re-examined by Mr. Ritchie.* If I had been called upon to make a survey, it would have been all over the work. I presumed there was a careful survey by the province. I think the work round the basin is pretty much according to contract. I understood from Blackie they took Creelman and Tupper's contract. I knew there was an error in Mount Uniacke lake. There were two or three sureties from New Glasgow, to Cameron, Messrs. George McKenzie, and two other gentlemen, from there.

*By Mr. Killam.* I suppose the only risk in an embankment is whether the bottom is hard or soft. In examining the ground, I made my calculations.

*By Mr. Howe.* I never made allowance for bogs that were on my work.

*By chairman.* I took the risk of the shrinkage on my contract.

*By Mr. Ritchie.* I omitted carrying out sleepers, and never got a farthing for them.

*James McDonald, examined by Haliburton.* Section No. 2, main line. Forbes Black was joint contractor with me—is now dead. Contract was advertised in September, 1854. Advertisement stated parties to go over ground with engineer—had a week to look at it. Contract was signed three or four months after commencing work—ground was staked out, but not water—had to make 20 chains curve through the head of basin, rocky embankment—could not ascertain myself the depth—walked round the head of basin, and saw where line came out from water—was not cautioned to sound for myself—from appearance of shore never would have imagined there was mud in it. I commenced at both ends, and sounded in centre with boats and scows, to commence the formation of a bridge at Mr. Forman's request—the portion commenced at the centre—worked at for six weeks without finding any of our work stand—the depth marked out in the section averages 26 feet—there was no allowance made for mud in the section. I got a 27 feet pole down at low water—it may be considerable deeper—this extended for

for about 10 chains—the embankment was 44 feet longer than marked on the section. In consequence, 15,000 cubic yards extra was put in—the quantity upon section amounts to 48,718 cubic yards—3,552 of this is for extra length—11,000 add for depth—attention of engineer and board was frequently called to the inaccuracy. Mr. Black and I chained it several times. Attention was also called to the inaccuracy in depth. They sent an engineer to sound with a pole, and he would not give me the information he got. The cuttings were not sufficient to supply the embankment on this section. We had to borrow 15,000 yards beyond sectional quantity, and we had to pay for it. Sometimes a weeks work disappeared in one night. (Haliburton calls attention of committee to form of specification and tender). In the schedule there are some quantities put down and not carried out. (Witness reads from schedule)—(exhibits statements already handed in). In consequence of the delay the work was very much exposed, and washed away by a storm. I made formal application for extra claims, latter part of 1855, or in January, 1856. We finished in June, 1856. (Reads letter to commissioners. January, 1856, and answer, February 1st, 1856)—(put in account furnished to commissioners, and letter 27th March, 1856, and letter dated 29th March, 1856, and J. R. Forman's report (copy) 28th March, 1856). I am aware that my claims were based on inaccuracies of survey of engineer, and by law, my claims were to be submitted to his arbitration and final determination.

No. 5, was taken in April, 1855—commences at Rocky lake, through a wilderness.  $8\frac{3}{4}$  miles long. I was on the ground to examine with the engineer—a good many started. He showed us the plan as far as he went—but he took sick and could not go on. We found plenty of water, it was just after a freshet. We traced the line to the lakes, but could not find it on the other side. A greater portion of the pegs were lying on the snow. The notice stated the line was to be marked. We went round two miles when we got to the lake to get to the other side. We did not know the line. Some of us separated and got on a line marked out by somebody else. Mr. Black examined the wrong line. One man was lost for two days—there were several lines round the lakes—had no appliances to sound the lakes—had to traverse 14 or 15 miles that day—we expected the lakes were all sounded. Mr. Mosse stated that there was so much water on the top of the ice, that he could not measure accurately—section does not show bogs. Mr. Mosse said in June, 1856, that the former survey was incorrect, and that proper care had not been taken. I told my partner of this conversation at the time. On faith of the statements in schedule, we commenced the work all along the line, and sublet it in different portions—paid them according to the actual measurement returned by the engineer. We agreed at so much per yard—embankment 23 was more inaccurate than any other—the difference was on the average 30 feet extra in depth, deepest 34—length of inaccuracy, 10 chains. We had to put in 52,000 extra yards—and section only showed 10,000 yards. As fast as we put it in it went down—we were 18 months at work at this embankment. It would stand for a while and then sink through. In June, 1856, Mr. Mosse wrote me to provide rods, and he would sound—the soundings were in my presence. On these soundings my measurements are based—there are two bogs more. I was paid extra for cutting through No. 5 cutting. When we got down found bottom too soft—and Mr. Black got £375 extra under agreement—rock was put in and mud taken out. Mr. Howe was often on the line—he looked at the bog and said it must be filled.

*By the chairman.* We had not made our claim for extra work on No. 2, when we took No. 5.

*By Mr. Howe.* We paid £100 extra for the rock required for the embankment at basin—a freshet might bring some sediment. £400 was retained. There were several of the other bogs that had no appearance of bogs on the surface, besides cutting No. 5. I don't see any difference between this and the other bog. It was all black mud, and the growth of trees deceived—two streams empty into the lake. We did our part so as  
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to see what we had to contend with. I recollect your going out on one occasion to look at the big bog. Mr. Mosse complained we had not rolling stock enough.

*Resumed by Mr. Howe.* In the fall of 1855, we first made a claim officially. Previous to that, I believe Mr. Black had a correspondence with the board. The claim was raised before the work was half finished. I have every reason to think the claim was raised six months before the final closing of the contract. We saw a line and tendered for it, but it was not the real line, we had to work on. The lines were not very far apart. We saw a line round the lake. We worked on the wrong line at the commencement. The loss was trifling to us. For nine months there was no engineer of government on our works. They told us if we wanted an engineer, we would have to pay him by the day, when we represented that the lines were wrong. We are not claiming for this.

*Cross-examined by solicitor general.* Total amount £10,144 for No. 5, extra claim. Total amount £2,732 for No. 2, extra claim.

*By Mr. Howe.* I understood there were several tenders for No. 5, and from some who never went over the ground. The line could have been changed after the bog was discovered. Every morning we had to raise the embankment three feet, for some time after the rails were laid—(letter read 7th March, 1857, from chairman of railway board to Black, McDonald and Irons)—(letter 13th August, 1856, from Mr. Mosse to same).

*Thomas McKenzie, examined by Mr. Haliburton.* I was employed as clerk and foreman on No. 5—I made no measurements. I saw the embankments sunk. We did not anticipate that it would continue to sink so long. The embankment did not become permanent until the line was finished. Between two and three months we did not advance at all—we emptied about 8 waggons within the hour. In going over the ground we could not ascertain the level of the line. There was no formation level given us—the stakes were merely chain pegs—the pegs themselves gave us no information as to the height of embankment. There were grade pegs in some places, but in many instances were lost—in several places they were lying on the ground. We arranged our labor by the specification on the section. On specification it was all cutting. We wasted and borrowed by the specifications. The whole thing showed they were incorrect. When the embankment commenced to sink we retained some of our wastings. We wasted what we might have used had we anticipated the sinking. We had to borrow owing to the embankment not being finished, so that we could carry over it. We borrowed at the south end.

*Cross examined by attorney general.* The figures given on the stakes represented the measurements between the surface and the formation level. The grade pegs gave the formation level. The section represented the distance between surface of ground and formation level—this was all the section gave us. This was the case whether it was hard ground or bog. I could not tell whether there would be sinkage or not in the bogs.

*Cross-examined by solicitor general.* The embankment No. 3 was made from borrowings at each end of the line, of stone and earth. I think it was measured by the embankment, and not the cuttings. I looked after the work.

*Cross-examined by Mr. Howe.* The stuff began to sink as soon as we began to work. It was pretty soft. It was quite visible that it was a bog. [Contractors case closed.]

*Eliakim Creelman, examined by Mr. Ritchie.* Creelman & Co., took No. 3, contract, main line, in December, 1854—amount £24,201. After commencement of work, we found the work sinking. We took the whole work for £24,201. We did not expect to do any extra work unless ordered. We made our estimates according to specifications. We put in about 30 or 40,000 yards extra. The schedule contained about 139,000 yards. In embankment No. 5, where it crossed a swamp, it was stated as a hard bottom, but the embankment sunk 30 feet in some parts. We sounded and got down 26 feet with a rod 28 feet long. In embankment No. 7, it also sunk (Rocky lake), it was a lake, and a great deal of mud, about 20 feet I think, I am not certain however.

In No. 5, embankment it sunk—the highest part was given 16 feet. We had 39 feet to do where we had 12 feet 8 inches given us—and 16 feet shown—we put in 21 feet of stuff. There is not a yard of waste on the line. We had to borrow about 7000 yards in embankments, about Barrack hill. If the survey was correct, we would not have had any borrowing, the cutting would have been sufficient. It was agreed between the chairman, ourselves, and Mr Blackie, that the latter should tender for the finishing of our contract. We accepted his tender for £3000. Blackie did not receive any extras on the work we let to him—it is not on this we claim extra. I don't think our letting the contract to Blackie cost the province one farthing.

Mr. McCully told me that it never could be intended by any board to deceive the contractors, and though they were excluded by the clause in the contract from recovering extra claims, still it never would be supposed that their claims would not be considered. This was after he left the board.

*Cross-examined by attorney general.* We claim in No. 5, and No. 7. We did not know but what there was something allowed for sinking. No. 5 was about 11 chains. We could have ascertained whether it was the case or not. The reason the grade was altered in Lilly lake was that we excavated, and had to fill up again. It was at Mr. Forman's suggestion, and it was at our request. It would save us rock cutting—grade was raised 2 feet—it saved us rock cutting, and was done for the benefit of the road. We settled with the commissioners, and gave them a receipt in August, 1856—(receipt read and put in) dated 19th August. I did not hear it read before. We did not make any claim until lately—the receipt was given for what is expressed in it. I signed it, and perhaps thought we would not get any thing more. We got the balance that was due us, after our unfinished work was measured and deducted from the contract. We did not make any claim until these proceedings commenced. I believe Mr. Mosse made the first survey of No. 3. We believed the quantities set down in the schedule to be perfectly correct, and based our tender upon them. The board thought the sectional quantities were correct; they might also have thought that we had satisfied ourselves on that subject. We never claimed any extras from the late board, or from their chairman. We lost £3000 by the contract. We considered the whole transaction closed when we signed receipts.

*Donald Cameron, examined by Mr. Ritchie.* I have been a contractor on railways, and tendered for all except No. 2 and Fraser's. I took No. 1 (main line), Nos. 1, 3 and 4 (Windsor branch). I went over the works and examined the bogs, and satisfied ourselves about the nature of the cuttings. In some cases we found a greater quantity of cuttings than section indicated. In most all cases we took a pole in going over the bogs, and probed to examine the depth. I considered the quantities in the sections represented the embankments from the surface of the ground, and the sinking was at the risk of the contractor. I would have made a different tender if I had not calculated for subsidence. On No. 1, round the basin, I first found a subsidence in the cove by Davy's and Birch Cove—the bottom was mud. There was more subsidence than we had calculated. My partners made claim, but I objected, as this I considered was included in our contract. We lost by this contract, and settled with commissioners according to our estimate. I expected trouble on No. 3 (Windsor branch). We found embankment sinking, and sounded. We had made allowance for subsidence there. I considered the first lake on No. 3 had taken more than estimated. Where the pile bridge, No. 3, bog is, I always considered would sink, and made allowance accordingly. I know that it had been talked of between the contractors, and I always said I considered the sinking as part of our contract. After I had taken my contracts, this was, and I told it to Blackie & Johnston. The board wrote me in June and July about the backwardness of my contract, and I went before the board and told them we were doing our best, but if they got any one else to do them, I would not stand in the way. This was the Windsor branch. Blackie and Johnston took 1 and 3, and I kept No. 4. On No. 4 there are considerable subsidences. When claims were talked of, I put in a claim  
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of £5000 for subsidence, some 4 or 5 months ago. We wrote a letter to board stating we could finish the works in specified time, and they said they could have no objection, if it cost them nothing. This was with regard to the letting to Johnston & Blackie. This was in July, 1851. Johnston & Blackie examined the ground previously, and Mr. Forman went over No. 1. The work was near half finished on No. 1. No subsidence beyond what I expected took place.

On No. 1, there were no measurement made when Mr. Forman went over. Blackie himself and I made measurement, and Marshall accompanied us to decide the quantity done, and the quantity required. We measured the cuttings, and nothing was said about the lake or bog. In one case Mr. Blackie found the stuff out of the cuttings less than the embankment, and he required to be paid by the measurement of the embankment. This must have been from shrinkage—I mean subsidence of any kind. Where I am now speaking of was dry land. I take it for granted it was a bog. Mr. Blackie asked me if the depths were taken from the surface of the bog, and I said yes, and told him we could run a pole down 9 feet. We agreed upon all the measurements except three—in one the excavation was greater (1 to 1) than shown on section, and 1600 yards was allowed for borrowing. Mr. Forman sent two engineers to measure the other cuttings. They were to take our unfinished work at the same rate as ourselves. We settled with commissioners, and were paid according to their quantities specified on their sections—taking into consideration the quantity done and to be done according to section quantity, and not actual. There are 23 cuttings in No. 3, and I was paid up to the time I left, according to sectional quantity. In one case I excavated outside the terms of specification, and I had to borrow extra, and I was paid for it. It was a viaduct first, and then decided to be an embankment. Blackie & Johnston agreed as to the work remained to be done—and this work was deducted from the aggregate sectional quantities—I sought consideration from the board for work done No. 3 lake, as a matter of favor. After finding the lake so much deeper, I reported it to board, and asked for remuneration two months before I transferred to Mr. Blackie. I never made claim after. I was not therefore settled with at that time for extra work. Not considering to be paid for work extra, I then made no measurement. Up to the time it was handed over to Blackie and Johnston, the quantity of filling was taken out of the cuttings. I was present at the soundings at No. 3 lake, after I got contract. This was after the alteration was made, and bridge substituted for embankment. I am satisfied there could be no mistake there. I was to build a solid embankment across there, and to be paid for the bridge, and £500 extra. This was before I transferred to Mr. Blackie. I don't think that I could have a claim if I had done this before I transferred. Mr. Blackie must have understood this. When I say we sounded, I mean my partners. We sounded all the lakes before the transfer, to ascertain the amount of filling required. We were satisfied with all the soundings all but one—(13th lake in No. 5 contract),—and they were according to section. I told Blackie & Johnston of these surveys. In settling with Johnston & Blackie, the commissioners made allowance for the work at No. 3 contract. Before contract No. 1, they had contracted to fill up lake with rock cutting from neighbouring embankment—this was of advantage to us and profit. We were to be paid the price of the bridge. There was an agreement to make an embankment instead of a bridge—and I considered this would be a profit to us—it was at the same price—and Blackie & Johnston knew of this alteration before they took the work. We never expected anything additional for this. We had sub-contractors to fill up Long lake embankment. We paid them for quantity put in. They wanted to be paid according the schedule quantity, but my partners did not think it would take so much, and would not agree to it. I know they agreed to take it from Johnston & Blackie at sectional quantity—but they would not accept it. They did at 1s. 6d., and were paid 2s. 6d. for it. I considered we were to take enough out of the cutting to make up embankment at schedule price—3 inches to the foot was allowed for slopes. If it was earth we were paid for all the quantity, and if rock paid as if it were earth. I was  
only

only allowed the difference between a  $\frac{1}{4}$  to 1 and 1 to 1—(memo. between Johnston & Blackie, and Cameron handed to commissioners, dated 25th August, 1856, put in by attorney general)

*Cross-examined by Mr. Howe.* My 1st contract was not a very profitable one. I had no doubt when the first contract was closed, of the decision of the board against any claim. Forbes Black complained that he had been dealt too closely with on No. 2 contract. I know McDonald's contract on Windsor branch, No. 5, lies over dyke marsh, considerable part—can drive an iron rod 15 or 20 feet in a dyked marsh. The exact quantities required could not be ascertained—there would be a risk somewhere. On No. 1, slopes 1 to 1. Undertook in last contract to uphold road for a year—considered myself bound to keep it cleared—there may be great hardships in such a case—but I was bound to uphold and keep it clear. There are some clay cuttings that would not stand at less than  $1\frac{1}{2}$  to 1—upholdence is at so much per mile. I believe the engineering part of the road was done as well as could be expected. I was 3 years under Mr. Poole, at New Glasgow. I had no fault to find with engineering, except in the 1st list on 1st contract. I had no difficulty generally, or put to any loss for want of rails or chairs.

*Cross-examined by Ritchie.* I am not an engineer—had no engineering education—have been merchanting—a carpenter—have spent the greatest part of my time in railroads, 8 years—was an apprentice to carpentering—went to Mr. Poole as labouring man—took a contract under Mr. Poole—he engineered the line. I think an engineer ought to test the softness of the ground. We commonly tested with a pole. I would call this a railroad properly surveyed, without testing the depth, except in the lakes. I think the engineers could not have formed any better idea after testing the depths of the morass of their depth. I can form no idea of the expense of filling embankments, if there was soft bottom at 7 feet, or hard at 70 feet. We tested some of these bogs with a pole, to satisfy our minds. We found the muddy bottom in No. 1 contract in the summer of 1854. I think it became known to the engineer. My partners remonstrated with him.

I had no conversation with Sutherland about keeping within the bounds of specification, but I had with Simpson, D. McDonald's partner—nor with Johnston & Blackie. I made allowance for sinking—based our calculation upon it. There was more rock on No. 3. Could not say what I paid Fraser—it was a lumped sum, not per yard—paid neither 6s. 3d. nor 7s.  $1\frac{1}{2}$ d. Contracted in a lump sum. Never allowed for extra excavation or embankment, except the alteration of the bridge. Completed my contract No. 1, main line, and ballasted according to contract. My brother had a contract afterwards for the laying of the rails. Embankments were right, and cuttings and all complete. The embankments were to be 13 feet at level—cuttings different, clay 22, rock 18. I think there was a serious mistake in Mount Uniacke lake. No allowance was made to me for that mistake. I know Johnston & Blackie were to get a large sum for this—they were to be paid for the extra filling. I considered myself bound to fill it according specification, but before Johnston & Blackie took it off my hands, I petitioned the board for the extra work required, in spring, 1856. If commissioners would have given me £1000, I think I would have made it clear. Messrs. Northup advanced me the money to get off No. 1 contract—I did not owe them at the time. I might have lost money and might have gained, if I had completed that lake work. The contract was to build an embankment where the pile bridge was. I know the pile bridge cost more than an embankment. I would not expect heavy sinkage where the railroad goes over at Windsor. A wooden pole would take a more accurate depth than an iron sounding rod. I went down as far as 27 feet on pretty hard ground on No. 3 contract, with iron rod. We used hammers at last, but at first put it down by hand. Two men without very great labour would put it down 10 feet. Five shillings is an ordinary price for rock cutting.

There are four earth cuttings in No. 3 contract, (one small,) leaving three of any size.

size. 151,963 cubic yards total excavation; 3s 6d. average schedule price. The sectional quantity of clay cutting is given on the section. 37,979 clay cuttings; 116,984 rock cuttings. (Mr. Ritchie gives calculations.) The clay averages 1s. 6d. per cubic yard. Before I tendered, I did not take pains to satisfy myself of the correctness of the survey. I relied on the accuracy of the figures in the section. The first I know of a mistake in the amount of the tender I saw in Mr. Blackie's evidence. A cutting of 50,030 is measured round earth at 1 to 1, but if it turns out rock  $\frac{1}{4}$  to 1. The higher the rock the more benefit from excavation. It averages more than  $1\frac{1}{2}$  to 1, when you go higher than 17 feet, 4 inches. The less advantage in embankment, but advantage in schedule prices. I finished No. 4 contract last fall, all but the uphouldence—width of embankment, 15 feet at foundation level—cuttings 22 feet, in a few cases may be a little narrower. In some cases where we anticipated slips we made them wider. I considered the contract in good order to commence uphouldence. The bottom of some of the clay cuttings is narrower than contract. The board never replied to my intimation of completion. And I have not been settled with. I was paid according to monthly measurement.

The tender for No. 1, was in a lump sum, quantities were put down, as far as schedule is concerned it did not differ. When we handed over to Johnston & Blackie, we were paid the 10 per cent. We were always paid in monthly payments on No. 1 and 3, Windsor branch. I always made measurements for sub-contractors.

I always considered the engineer's measurement would be checked by the next month's measurement. Shrinkage is shrinking of material—subsidence are sinkings. I offered for the contract taken by Sutherland & Sons, but I did not sound any of the lakes before the contract was taken. I sounded the bogs with a wooden pole before I tendered. This was on No. 3, in the neighborhood of the pile bridge. We sounded in different places (Witness points out places on working plan.) The pole would go down easier in the long bog than in the other place. The long bog was No. 11, the other place No. 12. I would add a per centage for these bogs. When transfer was made I was paid on the measurement made by Blackie. Up to the preceding month I was paid by government engineer's measurement. Mr. Blackie's and my estimate did not correspond with the measurement of the government engineer. In nineteen cuttings out of twenty-three I was paid for work actually done—all but three. In two of these cuttings alterations were made, which was of advantage to the contractors. I agreed, and was paid for the work actually done. There was no part of measurement kept back from me. In some cases I did more work than sectional quantity, but I was only paid according to section. Along those bogs, I was paid by the commissioners for the embankment quantity. On No. 4 contract, last summer, I worked a month, and was only paid £42—I put in more than sectional quantity. I was to be paid by the cutting, not by the measurement of the embankment, on No. . . I have received everything except a portion of the 10 per cents. The reason I have not been paid in proportion to the other contractors is, that it was rumored I was a friend of Mr. Forman's. Mr. Marshall was taken off Windsor branch in fall of 1856, in my idea, because Blackie & Johnston found him too sharp for them. He is a government engineer—and I don't know who has the power to send him away. Length of sleepers is 9 feet—10 feet 6 inches the width of top of embankment.

I considered the road in good running order when the locomotive ran off, on No. 4. There were temporary keys and single chairs. I think the road was finished if there was no uphouldence, with a few trifling things. It was Mr. Johnston's fault the engine run off. The engine went over where the temporary chairs were—they were not properly spiked—every chair for  $3\frac{1}{2}$  rail lengths were broken, both double and single.

*Cross-examined by Mr Haliburton.* Where the embankment on 3d lake was substituted for a bridge, I was allowed the same price. (No. 1, Windsor branch.)

*By attorney general.* In going over the grounds I found the survey pretty accurate. I consider according to the spirit of the agreement, the contractor was bound to finish the work, whether the specification was wrongly given or not.

*Cross-examined by Mr. Howe.* I understand that Marshall was removed to the big bridge. If the committee would decide in favor of complainants, on the same principle, I should be entitled to about £5000. Under the upholdence clause, I consider I am bound to make the embankments, so as to hand over the road complete at the end of the time. Temporary keys are frequently used during continuance of upholdence.

*William B. Smellie examined by Mr. Ritchie.* I had charge of all engineers' accounts, statements &c. in railway office, and made up statements for engineer—was in the habit of attaching schedule prices to the items sent by the engineers. The contractors saw these done without Mr. Forman, except where any difficulties arose. Estimates had in view work done as compared with work to be done—returns were in a simple manner—contractors saw them on pay day—included total amount of cutting made out from engineers' estimates. I called attention of contractors to clause in specification relative to earth works, especially before tenders were made. I mean clauses under heads of cuttings and embankments. The contractors were all perfectly conversant with the nature of the clauses of specification relative to earth works—had frequent conversations with them.

I assisted in locating 2, main line, Black and McDonald; also, in taking levels—the curve at 9 mile house was done by 2 theodolites—soundings were taken at every chains length. After work commenced, it became necessary to erect float and buoys. At low tide the depth was 16 feet. The floats and for guidance of contractors were also done by theodolites. Soundings were again taken by Mr. McDonald in the boat after work commenced. I made cross sections of that embankment for ascertaining what material was necessary to complete the embankment. Cross sections were taken by Mr. Mosse later in 1855, for final settlement. Deficiencies were discovered in completion of work—a settlement was made on Mosse's measurement in June, 1855. Deficiencies were deducted in settlement rock excavation, 133—earth total £300—total 7,674 yards—a bridge was dispensed with on large embankment. A deduction made from contract price—of £100 for dispensing with the bridge at Cove with the contractor's assent—(witness read receipt, 28th June, 1855)—(hands in Mr. Mosse's cross section on which settlement was made). I heard Mr. McDonald's evidence—do not know of an error of 40 feet in length as spoken of by him. I adjusted scale of payment on this section.

No. 3, main line. There was a measurement made in July, 1856, remaining to complete contract, by Mr. Mosse. I was not present. Mr. Mosse sent in a statement showing deficiencies—(this is it—produces statement.) Upon this statement Johnston & Blackie tendered for completion of work. A contract was drawn by attorney general, but not executed. The final settlement was also made with Creelman & Co., on same Mosse's statement. (Produces settlement, or copy of statement on which Creelman received settlement) Johnston & Blackie's tender was £3026 15s. This included £300 in addition to the estimated value of the work to be done by Creelman & Co. This was for securing the slopes in embankments and cuttings. I made the statement and arrangement on final measurement of Mosse, and arranged on them with Mr. Blackie. Creelman received no more than the estimated value of work done. I know of settlement with Johnston & Blackie. (Produces measurement by Mr. Mosse, of Johnston & Blackie's.) I exhibited this statement to Johnston & Blackie. A measurement was made by Mosse in November, of work to be done in No. 3. I made statement then—made up on Mosse's measurement, and exhibited to them. This represents work done. Deducting 10 per cents. and amount already paid them, £141 cash was due them, which Mr. F. paid them. On 17th January, '57, a statement was made—this is statement—and exhibited to them, and they were settled with on this. This represents work done beyond their contract £375 13s., and allowed them. These two sums made £ ; deducted £ , left £ , as balance coming to them. From that settlement was deducted the amount of work left unfinished, £255. Nothing was allowed for subsidences.

The amount paid them beyond tender was £375, and amount undone £283—the difference was £89—that was allowed for extras, and work left undone. The two sums paid to Johnston & Blackie and Creelman, were £24,178. Creelman & Tupper's tender was £24,201—from that deducted from Creelman, £292, for work below Sackville bridge. Johnston & Blackie claimed for extra filling—it was not recognized by commissioners. (Puts in, by consent, copy of letter from Forman to Johnston & Blackie, 20th November, 1856)

No. 5, main line. I heard James McDonald's statement about not being paid for all ballasting on his schedule. Mr. Mosse explained to him that his ballast was only 12 feet 6. and it ought to have been 14 feet wide as soon as it was made, that width he should be paid. This conversation took place the day before the examination.

No 7, main line. (Sutherland's). I was present 27th March, 1858. D. & G. Sutherland and Mr. Mosse to take soundings. Mr. Blackie was taking soundings at the same time—contractors expressed themselves satisfied with it. Quantities cross section depth we found rock filling 70,000 yards. Mr. Blackie stated Sutherland must be in error about depths as he could not find them. We discovered rock 73 feet, that is the furthest point out of the slope of embankment—the difference between that and sectional quantity is 16,000 yards.

No. 8, main line. Johnston & Blackie—I made measurement in December last, and found contractor had been overpaid very much—measurements were over estimated by Mr. Mcleffey in monthly measurements. The embankments are not more than specified width—no mud bottom. There are 10 cuttings yet to be finished—45,000 cubic yards remaining to be done. Embankment still to be finished, 50,000—10 cuttings and 8 embankments—about 30,000 (included) yet to be done in Barney's brook embankment. Part of 3 cuttings from this. No. 3 cuttings contains 6000 yards. No. 5, 7,000 to go into Barney's brook—cutting proper has not been worked since February, 1857. It will take four months to complete that cutting. Cutting No. 7 will have to go into No. 5 embankment 21,000 yards. No work done there since September last—it will take six months to complete this cut—at average of 3000 yards per month. Side cutting in schedule 23,800—42,500 yards excavation have been made—the quantity of ballast has not been taken that has been used in embankments. Cuttings that ought to have been used for other purposes—17,500 yards have been used for embankments. Contractors on this contract claim 40,000 yards of sloping. Contractors made a claim for short allowance of carriage in December, 1857. I noted the number of materials and found that they had put in their statement more than a mile more of transport than actually done I thought that Mr. Mcleffey had over estimated them—(produces statement to 31st December, 1857).

No. 2, Windsor branch—D. McDonald's contract. (Exhibits tracing on which alteration was made on embankment No. 1.) This was originally to be a viaduct and altered to an embankment, and Mr McDonald has made it, and he has been paid for it at the same price. He makes a claim on this. The change was made at solicitation of contractors—at least I understood they were very much pleased with it. The price per schedule for masonry was 17s. 6d. per cubic yard, it would have cost them 35s. to 40s. per yard at that place—1545 cubic yards in it. If he had built the bridge he would have lost £1700 by it.—50,000 yards extra filling was required at 1s. 4d. per yard. The schedule price for bridge was £3672, and embankment £3300. Commissioners allowed him £1100 extra on this embankment in August—at least they agreed to advance it as the work progressed. (The amount of Mr. McDonald's first contract was £28,000)

(By Mr. Tobin. The embankment price was, 1s. 11d., after allowing £1100 extra. Some part of it was sublet to Johnston & Blackie at 1s. 6d.—same cutting as Cole & Gray were concerned in at 27½ cents. This embankment is not completed—about £150 is yet to be done, as appears by statement. I am aware these returns are disputed.)

Embankment No. 18. This was originally to be a viaduct, and afterwards changed to

to a smaller one, and embankment. The price for masonry 17s. 6d. per yard in schedule. There was a contract drawn out by which McDonald was to pay the builder 25s. a yard for it. (Produces agreement, 16th May, 1856, between McDonald and Jewitt.) This was the first contemplated bridge, but Jewitt did not do it, and the alteration was made. There was about 500 yards deducted in the new alteration (Produces second agreement between McDonald and Jewitt, dated 5th September, 1856)—60s. per cubic yard. Commissioners agree to pay him £875 additional. The settlement was made by affixing the items to amount of work done. The calculation was made that the new bridge would require more embankment. The schedule rate, with the addition, was 1s. 6d. a yard. I don't know of any letter or agreement relating to this change of prices. Have seen a minute of commissioners about it, and a letter to McDonald from Forman. Saw no writing of McDonald's. Bringing the total cost of the embankment and total cost of the masonry, with the addition of £875, I estimated the cost of it.

No. 3, Windsor branch. Blackie & Cameron arranged the quantities—3 cuttings were left to Mr. Forman's decision, on which they could not agree. Mr. Forman had re-measurement and settled it to their satisfaction. The cuttings universally were put in section quantity in the settlement they made between themselves. Cameron had been settled for in the same way, and Johnston & Blackie subsequently, except in cuttings 3, 4, and 19. The grade through 3 and 4 were raised, and it was for the benefit of contractors, and in 19, the line was moved a little down the hill for the benefit of contractors, in order to lessen the quantity of rock cutting. In 3 and 4 the rock cutting was reduced about 6000 yards. Notwithstanding alteration, the contractors were allowed the original aggregate sum. The addition of the  $\frac{1}{2}$  is only made in this arrangement between Cameron & Blackie in no other instance. 1 and  $\frac{1}{2}$  to 1 was only allowed in five statements, in No. 3 contract. It never was done in any case on this railway except those. This is a copy of contractors returns (refers to long book). The five statements of  $1\frac{1}{2}$ , and 1 were made from the returns of the resident engineer. The quantities in this book is from Blackie & Cameron, sanctioned by Mr. Forman. There were no measurement by resident engineer in 1856 on these returns. In March, 1857, the first statement was made on engineer's returns, &c., April, May, June and July as regards the  $1\frac{1}{2}$  to 1. In the quantity to put into No. 2 embankment only was  $1\frac{1}{2}$  to 1 allowed. The half was allowed because engineer believed that contractor could not excavate rock for 3s. 6d. a yard. In this embankment only was rock borrowing allowed. There was no understanding on the subject of earth work. I had a conversation with Johnston & Blackie that they should be allowed extra borrowing. I had a conversation with Mr. Johnston previous to the contract for No. 3, was signed in August. I told Mr. Johnston that under terms of contract no extra filling would be allowed in any other embankment than No. 2. I had conversation with Mr. Blackie. The side cutting on that embankment was measured by tape occasionally, and it was agreed that they should be cross sectioned. It was cross sectioned by Mr. Mosse, Johnston & Blackie and myself. Blackie did not object to these, but we altered according to his suggestion. Mr. Blackie's statement as to allowing  $\frac{1}{2}$  for rock cutting is incorrect, except in those five instances. Nett measure is nett quantity taken out of rock cutting. I never heard of measuring rock cutting and adding a half to it. The alteration in the grade in embankment, 18 lessened the quantity of embankment 12,000 yards, but it increased the cutting. This quantity has not been deducted—he has been paid his original price for cutting—and no deduction made—both cutting and embankment have been paid according to schedule. Mr. Forman awarded £511 11s. 9d.—in dispute between Cameron, and Johnston & Blackie, about changing the embankment.

In September last measured contract accompanied by Mr. Mosse—a measurement of whole material cutting, side cutting. This is measurement (produces it). Mr. Mosse has made a measurement since—a pile bridge was made in the embankment 12, at contractors request—(reads tender 4th September, 1857).—Johnston & Blackie never got my returns, and could not pay his sub-contractors by them.

No. 5, Windsor branch, (McDonald's). I made a measurement in 1857. There was an amount of side cutting allowed, afterwards deducted. First allowed in November, 1855, and continued in return for 8 or 9 months. There was no side cutting, and it was found by contractors better to borrow, and engineer allowed side cutting at 7½d. a yard. I was present at a conversation in November, 1857. It was agreed that a small allowance should be made on side cutting until commencement of St. Croix bridge, and first deducted from 7½d. to 6d.—second payment the whole was deducted. The bridge was considered a good bargain. He was allowed £4 a yard—he made from 2 to £3000 by it. Several of his cuttings were left in to be used as ballast while he was borrowing. Mr. McDonald always saw engineers returns, and up to Sept. last he never was denied the perusal of them—he used to take notes from them. The aggregate was always carried out every month, and in June the side cutting was left out. Winckworth bridge, and other small bridges were to be made of rubble. (Hands in original tender from McDonald & Simpson)—(reads letter from McDonald to Mr. Forman, June, '57, after deductions were made.) I was engaged in Scotland with Mr. Forman, and have settled contracts drawn out by Sir John McNeill and ———, being similar to these. I never knew of like claims being urged.

*By Mr. Howe.* The mode of measuring rock was uniform throughout, except in those few cases where there was a compromise between contractors. The only instances are between Johnston & Blackie and Cameron. The amount of side cutting was not paid McDonald in money, but was deducted as so much less from the masonry work. A contractor might leave gravel for ballast in his cuttings—in fact nearly all the ballast required.

I have been about four years in railway office—saw a good deal of contractors. Everything that was said was the reverse of leading the contractors to believe they would be paid for their extra work. In August or September last I first heard of them. I make the difference at Grand Lake in the filling 70,000, and Sutherland makes it 120,000. I don't see that the province has lost anything by Creelman giving up contract.

*Cross-examined by Mr. Ritchie.* This book was to contain copy of engineers returns—(refers to long book)—payments were made on them. Any error in engineer's return one month, would probably be rectified. They are accurate measurements, but not as accurate as final measurement. The title page was put there before last August. I was employed on surveys in Scotland. I was not on original survey in Nova Scotia. They were no written instructions to the engineer by Mr. Forman relating to the mode of survey, but they were as to where the line were to go—at least I don't know of any. There was a plan made of the country. The engineer's duty was to test the depth of the swamps and lakes. The object of a first survey was to ascertain the practicability of a line through what country it passes. I can't say it is absolutely necessary to ascertain the depths of bogs and lakes before ascertaining expense of a railway. It depends altogether what the bogs are, to add to the expense. No prudent engineer would locate a railway without ascertaining what the bogs were. I don't think it likely any prudent engineer would locate a line without first ascertaining the depths of lakes. I think a careful survey of this line has been made. I don't think a careful survey of this could be made without a sounding rod being used—there was a sounding rod used. Each of the engineers had a sounding rod—Mr. Bradley and Mr. Fulsom. They had wooden rods shod with iron. I cannot tell the lengths of the sounding rods—I have seen some of them—from 30 to 50 feet. I think they were sufficient to sound all the depths on the line. I don't know there are depths these would have not sounded. I sounded three places in Sutherland's lake with a rod of 109 feet. It was not necessary to take a cross section there to ascertain the depth—there was something peculiar about it. The weight of the embankment at the outer edge would not be as much as in centre, therefore it would not displace so much mud. The centre though, previously being ascertained, I could then make calculations. It is not necessary any cross sections should show the exact

exact declivity of the bottom. There are plans in office showing the nature of the bottoms. We have no plan shewing depth of bottom at embankment No. 11 (long bog)—it ought to have been known. Unless contractor had made some calculation of it, he would not have known what bottom was. If that bog sunk 36 feet, it would have largely increased expense. The engineer prepared schedule—it was his duty. The engineer had the quantities printed got from the section. I think if I knew the quantity required would be double, I should be bound to tell you. I think Mr. Forman ought to have known the nature of the ground. A weight would be a good thing to ascertain what the bottom was, and depth of water.

I think a wooden pole shod with iron would be a good thing to ascertain the sort of bottom. I was present at the Grand lake when they sounded with an iron rod. I think a wooden pole iron shod a proper instrument, more so than an iron rod. I think you could go down a 100 feet perfectly with a wooden rod. Engineers oftener use wooden than iron ones—a wooden one would be from  $2\frac{1}{2}$  inches to 3—and it would do as well through bog as the other. Mr. Mosse may consider iron rods better, and they are getting made for him. The wooden one would ascertain more accurately the quantity to go in. The mud in Grand lake is yellow clay. I think the mud there is caused by a wash. I think there is a current there. The mud there is not absolutely black—(witness refers to cross sections made by Mr. Mosse of embankment at Long lake, No. 18). The depths appear a little deeper and quantity of filling less than in section. The line at Beaver pond was changed at request of McDonald & Simpson. I heard there was an error in the location. I know nothing about the depth. Where the pile bridge was substituted for the embankment—the depth shown on section is 14 feet—I made it 26 feet—I speak from memory. I remember once seeing a rod in Mount Uniacke lake, it was pretty dark, they told me it was 50 feet. Mr. Blackie told me so—it was frozen over—the greatest depth on section of that lake is  $33\frac{1}{2}$ —I never sounded this lake.

The government paid on this contract in July, 1857—the largest amount £3,375—including the  $\frac{1}{2}$  added. Mr. Cameron got none of it—this is No. 2 embankment. It was understood between Johnston & Blackie and commissioners, that they were to be paid for all the filling. Before contract was transferred in June 1856, Cameron objected to this, and then Johnston & Blackie were paid for filling this up—(refers to section No. 7, main line). The black line represents hard bottom—blue line represent top of the water—and red line formation level. There were claims made as far back as 1855. They were pressed in August last. The payment of £3,365 would represent 20,000 cubic yards. They were to be paid embankment measurement. The reason why payment was stopped, was because works were approaching completion. Windsor is 12 miles beyond the end of their line—their line is 6 miles long—I think they would make money by bringing ballast from Windsor. The chief engineer directed the measurement taken by resident engineer. I made measurement supposing deductions were to be made. Mr. Uniacke made this survey—(refers to monthly measurement). There was 5 miles and a  $\frac{1}{4}$  said to be on ground—they claimed 7. Mr. Creed found only 6. I think between man and man they had justice done them—(reads letter 4th Nov. from attorney general).

Deducted this without Mr. Forman's orders. They refused some tenders because they were too high—it was only done in one instance—at Sackville bridge. There were other tenders for St. Croix bridge—Mr. McDonald's was the lowest. The draft of letter 18th June, is in Mr. Forman's hand writing. I know that for months the contractors were refused access to the monthly returns—they were never refused until the chief engineer and commissioners found that they were put to a use for which they were not intended. This was in Sept. or October last. Mr. Forman and the commissioners had a conversation, and decided not to allow the returns to be used.

*By Mr. Howe.* If the system of boring by iron rods had been pursued over the line, in my opinion a much larger amount would have apparently been required for embankments than would absolutely have been sufficient. If all lakes and bogs had been avoided,

avoided, the line would not have been so good. Up to September, the same system was pursued towards the present claimants as towards all other contractors. We always gave a liberal measurement, and treated the contractors with fairness and justice. The improper use the contractors made of our returns, was to hatch up claims from them, and therefore Mr. Forman refused to allow the contractors to have access to them for that purpose, but to make use of their own information, and not that derived from the engineers returns.

*Mr. Smellie cross-examined by Mr. Haliburton.* The monthly returns were made, as provided for by the contract, by the engineers for the work done, and I affixed the schedule prices. The same rule applied to all the contracts, and there was no other method by which the contractors were paid. I think there are monthly returns for No. 1 and 2, but they were made by Mr. Forman. They were not made out in detail like others—not in the same form. There are no detailed measurements on those contracts, but there are some returns in the office made by Mr. Forman himself, as the works were not then so extensive as now, and there were no resident engineers on those works. I explained the contracts to all contractors according to my best judgment—I was equally explicit to all. I was not in the country when No. 1, main line, was let. I have not measured that part of the line where extra length is claimed. I measured a cross section where the embankment was formed—I found the depths there to coincide pretty nearly with those given in the schedule. I call a wooden measuring pole a rod. I don't think an iron rod the proper instrument to ascertain depths. I think the contractors, without having any marks to go by, could ascertain the curve on No. 2. The buoys were not placed there until after the work commenced. I heard Mr. Cameron say he received the full price for a bridge when an embankment was substituted.

*By the chairman.* Contractors would be paid aggregate sum, whether the work done amounted to specification or not. If the quantity carried out was more than actually done, he would be paid for that quantity, not speaking of embankments.

*By Mr. Howe.* I meant, to find how far an embankment would sink, a wooden rod was as good as an iron one.

*James R. Forman, examined by Mr. Ritchie.* I have been engaged as an engineer on railroads in Scotland 18 years. The contracts made on this road are similar to those in England. They contain stipulations that the contractors should make themselves acquainted with the road, and that all extra work should be excluded; they should ascertain the depths of cutting, heights of embankments, accuracy of levels, nature of cuttings, amount of excavations and embankments, the site of embankments, and any other information necessary. The height of embankments implies taking the soundings of bogs and lakes. I made a survey of this railroad as chief engineer—an accurate survey must of course be made for laying out the line of railroad. The survey was made to ascertain proper location, and the data to be furnished to the contractors. Upon survey sections are made and schedules prepared for benefit of contractors. The schedule contained the embankment, heights, excavations, &c.; and all these are separately set forth in the schedule. The sections, plans and drawings are all handed to contractors, in order that he may satisfy himself as to the correctness—in fact, he has access to every paper necessary. Notices of inspection of road were generally made a week or two before tender was received. After they tendered, contracts were rarely entered into before three months. When sections were handed to them an engineer accompanied them over the line to point out location, and to give them any information they required. Contracts were divided into sections over the whole line. Schedules contained the whole work to be contracted for, as specified and estimated. They contracted to perform the several works set forth in specification for a lump sum. Contractors carried on works under supervision of local engineer. Their duties was to superintend and inspect the several works to be constructed on the section as the work progressed—to ascertain that proper material was used, and to report from month to month, oftener if necessary, the work done. Contractors were paid every four weeks.

The estimates were based on the measurements sent in by resident engineers with schedule of prices attached, but so far amended as I thought necessary to represent the proportionate value of the work done as compared with the total quantity, and contractor was paid the amount found to be due him, less 10 per cent. The measurements were simply made with a view to the monthly payment. The first thing to be done on a survey is to ascertain the general features of the country and the lay of the land. Engineers are afterwards sent out with the section given to them prepared on my preliminary survey. They run out a base line and cross section on it. On result of this I prepare location of road. The duty of engineers is then to stake out the line, and actually to level them from end to end. The sections are then handed to my office—the grades were drawn on them by me, and calculations made in my office, and this completes the working sections. The figures on the datum line correspond with figures marked on stakes driven in the ground 24 yards apart. The pegs are called stakes. The figures on the stakes correspond with numbers on sections. The small pegs are called grading pegs. They are placed near the others. There are no numbers on them. They are driven down within  $\frac{1}{2}$  inch of the ground, so as to be permanent. The levels were taken on top of these stakes. By ascertaining No. on stakes, and section and measuring from stakes, and referring to sections, the height of cutting or embankment could be ascertained. There was no difficulty in thus ascertaining the quantity of work to be done without measuring it. These are prepared by actual measurement made by the local engineer, and returned to the office. The contractors had the sections some time before the contract was signed. I don't remember any complaints of erroneous measurements before signing contracts.

I was aware of the existence of soft places and lakes—it is usual to find them. Several of these soft places were penetrated, and the depths that were ascertained marked upon the section. I don't think there is any mode of ascertaining accurately the work to be done in such places. It depends on the consistency of the soft substance. If a semi-fluid, it would prevent the embankment from spreading more than air or water. If more solid, a part of it would be compressed, and form a part of the embankment. This would depend upon the consistency of the material, and the weight put upon it. The quantity of work in such cases depends on circumstances, and would be matter of doubt respecting which different parties would estimate differently. A person accustomed to constructing such works could form a pretty accurate estimate—more so, I should think, than any engineer.

The only correct way of determining it afterwards would be by measuring the excavation, or weighing the material put in. I never tried one of these bogs. I could not judge whether a pole or iron rod would be best, only by trying them. I did not try either—except at embankment near the nine mile house. I surveyed that locality. This was the only survey I made personally, on the road. We use theodolites to ascertain the points of the curve. I concluded it was rock all the way. A report got up that there was a great depth there. Floats were put to mark the line—these were put down by Mr. Smellie and myself, with a sharp iron point. Mr. James McDonald and Mr. Smellie further employed in the boat taking soundings, reported that they had found rock throughout, but that in some places there was two or three feet of mud, or substance which they were able to penetrate. McDonald was satisfied, and found no fault, and I heard no more about it until after the contract was finished and a final settlement was made. I think Mr. James McDonald stated to me that he was perfectly satisfied. He was a partner with Black.

The contractors took the risk of subsidences—a subsidence is a settling down or sinking of an embankment—a settling of an embankment through soft ground is a subsidence. I think the contract means that if there is such a sinking in a bog or soft place, the contractors are bound to fill it up to the level. The contract expressly says so.

Black, McDonald and Iróns went over No. 5, with me. I walked about four miles, and found all the pegs easily—they were all in their places. I was unwell and had to  
leave

leave them to go over the rest by themselves. They never told me they had any difficulty after I left them. I don't see how they got off the line if they followed the pegs which were numbered consecutively. If they had complained to me, I would have gone with them again.

(By Mr. Tobin.—If a very large subsidence, say twice the quantity from inaccuracy of survey or other cause took place, the contractor was bound to fill it up—but cases might arise in which such a matter might fairly be taken into consideration in favour of contractors. Mr. Mosse made part of the survey on No. 5).

The contractors on No. 5, main line, first claimed extra allowances on 5th March, 1857. It was made by letter to the board. They referred the matter to me, and I reported on it. This is a letter press copy of my report addressed to board of commissioners—(report read from letter book).

(See report.)

I instructed Mr. Mosse 30th March, to measure the quantity of spoil banks and side cuttings. He handed me this return of measurements after the claims for extras were made. I directed Mr. Mosse to survey side cuttings and the quantity spoiled for my information. It was highly satisfactory to me, and I was satisfied from it that the claims were inadmissible.

In cut No. 5—contract No. 5, main line, same contract, there is a boggy place in the middle. After the line had been graded—the soft bottom extended a considerable distance further—as it would not sustain the ballast bed, the contractors were ordered to fill it up, and the contractors were paid extra by special agreement, and this was no part of the contract. They had to put in filling into the bottom of the cut.

Sometimes it became necessary to make alterations in the line or grade—these were all by special agreement. There was no allowance ever made for extras for works performed within the contract so far as I am aware.

An arrangement was made with contractors on No. 5. I mean that the contractors withdrew all claims. This is a letter from contractors to me, dated 24th July, 1857—(letter read and put in.)

(See letter.)

The arrangement proposed was agreed to—the letter was mislaid, and there was another written to supply its place—(reads memorandum of agreement, dated 15th August 1857).

This was signed by Mr. Black. Mr. Irons was present on the first occasion. It is signed in name of the firm. The work agreed for in this contract was never completed. They were paid the amount of work done.

Section No 6 was taken by Donald Fraser—who makes a claim. He brought the question to my notice by letter when he settled with the commissioners—letter dated 7th August, 1857.

I was present at a conversation between Fraser and some of commissioners. He said he had tendered for most of the contracts, and had examined the soft places, and made a large allowance for them—but in the case in question he had been deceived by the growth of timber. He said he believed he had put in more filling at Birch cove, and that Mr. McCully had explained to him that such allowances could not be made under the contract. On No. 1 and 2 contracts, the contractors did not in the schedules fill in the items as was the case in subsequent contracts. They were invited to tender in the same way.

On contract No. 1, (Windsor branch,) embankment No. 1 was behind the rest of the work. The commissioners had ordered a depot to be formed between the two roads; and the contractors had made side cuttings and put them into the embankment, for the purpose, as was understood, of getting the material off the main line—and as an equivalent they were to bring as much material from the cuttings and deposit it for the purpose of making the depot; the quantity they brought from the cuttings fell short by about one half of the quantity taken from the side cuttings. This deficiency was

not

not understood at the time, but when it was discovered the entries were rectified. There is also a claim for extra filling at Long lake embankment on the same section. I walked over this embankment with the parties, previous to the transfer from Cameron to Johnston & Blackie—the embankment is No. 18. I found there had been a sub-contract to fill up to a certain height the surface of lake with rock—this I understood from conversation between the parties. A bridge or viaduct was to have been built at No. 19, and an embankment was substituted, and was made from the material in the cuttings, to a considerable extent, which had been previously intended to make up fillings on the road; the contractors were therefore enabled to fill up with considerably less expense.

The lower line is the base line; the top blue line is the level of the surface of the rails; the red line shews the level of the top of the embankment or formation level; between blue and red line the ballast and sleepers; second blue line represents surface of water; dotted line is the bottom of water; shaded dark line below that an imaginary line representing what the engineer supposes [the amount of soft material that would be displaced by the embankment] would be the quantity of embankment. The perpendicular lines are used for directing attention from the figures along the datum line to the depths of cutting and heights of embankment. To test the accuracy of levels would be a work of time, but to take soundings would not take long.

I always understood the contractors had access and inspected the monthly returns. There have been changes made from the contracts, and works have been performed under separate agreements, and in some instances from changes allowed in the contract. In reference to No. 2 contract, Windsor branch, a bridge was contemplated across a valley, but from difficulties of contractors to find stone, they were allowed to alter it to an embankment—(reads letter 12th February, 1856 from witness to railway board, and letter to 22nd February, same year, from witness to Duncan McDonald, and exhibit plan—shewing alteration.) I don't recollect any written correspondence about this matter with the contractors. The strong impression on my mind is, that I had a conversation with Mr. McDonald, and perhaps Cameron, but the alteration was made for their benefit. I think the alteration was first made at Cameron's suggestion, but Mr. McDonald acquiesced. On same contract, embankment 18, a bridge was to be built—(Sackville)—this was sublet to Jewett—he took bridge at 25s. a cubic yard. On inspection I found workmanship and material very inferior, and I told him it could not be passed, and the work must be altered, to be done according to specification. Mr. McDonald's price was 17s 6d. Subsequently I met Jewett & McDonald at half-way house, where Jewett declined proceeding any further with building the bridge, alleging the price was too low, and that he had no available funds of his own to make up any loss. For the purpose of facilitating the completion of road and to assist contractors, I agreed to recommend that the board should allow the bridge to be shortened and the space embanked, and allow contractors, in consideration of this alteration, the sum of £875 in addition to contract price—(reads letter 21st August, 1856, from Mr. Forman to commissioners, and memo. from commissioners, 23rd August, 1856) (Letter from 29th August, 1856, to Duncan McDonald, with reference to alteration about bridge.) In making measurements the calculations were made on the original estimate with the addition of £875.—A plan of alteration at Beaver pond was submitted by Mr. McDonald. I sent an engineer out, and after carefully examining it, this section was made. When the levels were compared, there was a difference of 4 or 5 feet in grade. It would have added 45 or 50,000 cubic yards of rock excavation.

Subsequently the line at Beaver pond was altered to shorten the distance across. I did not make up my mind for some time, because it would increase the distance on the heaviest grade on the road, but I recommended it on the ground of the contract being a hard one, and to facilitate opening of the road. The alteration was authorized in July, 1856, and I find by return in August there was no excavation made, nor in September, in cutting No. 13. On 25th October, quantity returned for that month 1250 cubic yards; on 22nd November, 460 cubic yards; on 20th December, 1039 cubic yards;

on January 17th, 1420 cubic yards—(these quantities not including preceding quantities). On September 26th, 1857, quantities returned altogether in that cutting, about 10,000 yards. From August, 1856, to September, 1857, the rock cutting removed was 10,000 yards—23,592 cubic yards was the quantity in the original cutting. I should say the alteration facilitated completion. I can't say works were delayed at any time for want of material. I know rails did not come forward with desirable despatch, and I don't think there were sufficient here to lay the road—but the road was not ready for them. There might have been some difficulty at No. 1, Windsor branch, but I think the only delay was there. Contract provides that permanent rails should be provided for the contractors at such times as they should direct.

The transfers of contract Nos. 1 and 3, Windsor branch, were made by Cameron to Johnston & Blackie. Parties calculated the amount of work done, and what was to be done, on both those sections. I met contractors at Hiltz's—previously I inspected No. 1. I met Johnston & Blackie, Finlay Cameron and Donald. (Reads minute made at Hiltz's, 20th August, 1856)—I made this at the time. A few days afterwards Blackie and Cameron came to my office with the books of measurement—(produces paper, 29th August, 1856) This was the paper shewing the quantity of work done, and the amount Cameron was to receive. These figures were taken out of the books of Blackie and Cameron. After enumerating all cuttings, except on Nos. 3, 4 and 19, it goes on to side cutting at embankment at third lake, and enumerates other items of work.

There are three items of side cutting here, and all mentioned as having gone into 3rd lake; and in some of the returns the side cutting has been entered into other embankments. This arises from the contractors using their own discretion in grading the road. They applied the cutting on line to embankment at third lake, instead of making up this embankment from side cutting as required by contract, and thereby caused deficiencies at other points. I mean to convey that this applies to contractors, Cameron, and Johnston & Blackie. The contract had not been transferred at the date of the paper. The cutting had been done by Cameron. There are no quantities mentioned in cuttings 3, 4, and 19. In most instances the side cutting can be pretty accurately determined all along the line. The usual practice in measuring all cuttings is to measure nett quantity, and to allow that for embankments. I never knew of rock excavations being calculated  $1\frac{1}{2}$  to 1—(refers to book.) Clay  $1\frac{1}{2}$  to 1, rock  $\frac{1}{4}$  to 1, slopes. A yard of rock cutting might go to yard and a half of clay. At 3 and 4 the formation level was raised about three feet. This was done without authority of board—the object was to save expense of 3 feet of hard rock excavation—and the difficulty in making settlement between the parties was to ascertain and appropriate these alterations to their mutual satisfaction. I recognised alteration at transfer.

In all our monthly returns they propose to exhibit such increasing quantity of work done. At conclusion of contract we measure the whole work to ascertain the slopes, width of embankment, height of embankment, and to ascertain that the grade is proper level. If works are performed according to contract, contractors are allowed the lump sum. If schedule showed 20,000 yards of filling, and contractor showed at conclusion of contract 30,000—he would not by terms of contract be allowed anything extra. If on the contrary he put in less filling, he would be entitled to lump sum. I only speak as to the terms of specification and their object. The reason of pile bridge being substituted, was to effect the opening to Windsor sooner, but the object was not effected. It was thought the substitution would have the line opened last summer. Mr. Mosse did not write to Johnston & Blackie about tender for pile bridge with my concurrence. All alterations in progress of work have been settled for—I am chief engineer and arbitrator. My attention has been called to these claims before the committee. Some of the claims were submitted, some about September last for additional works and excavations upon contract No. 3, Windsor branch, No. 7, main line—No. 2 and 5, Windsor branch. I was required to report on these several claims, and I found they were excluded by terms of contracts. I have no recollection of any of the contractors, or their attorney,

attorney, calling upon me to arbitrate these claims—did not hear the parties upon their claims—they were handed in to the chairman of railway board. In January claims upon Windsor branch contracts, and No. 7 and 8, main line, were again reported upon by me, and assumed about that date the appearance they now have—they were altered from the original claims, and additional items added. They were submitted to me by chairman of railway board, and a letter therewith from the provincial secretary. I made upon this a report of all the measurements of the work.

*By Mr. Howe.* One line shews height of embankment, the other the level of grade. The line here did not profess to show the depth an iron rod could be driven, but shewed the opinion of the engineer as to the probable quantities of embankments. I say any instrument would have answered to ascertain depths in the salt water basin. I considered those shaded lines fairly represented the state of the work. I supposed reasonable pains had been taken. (Reads receipt from Thompson & Esson to railway board, for one sounding pole, and for measuring poles, 2nd April, 1855.) From the time we laid line at Butler's, contractors complained that they had extra fillings, and I ordered that soundings should be taken with particular care thereafter. I always had the highest respect for Mr. Mosse's accuracy. If these difficulties had been explained by the contractors before entering into the contracts, I don't think their tenders would have been accepted. It never was understood that contractors were injured by change of work—if so they were paid for it. My opinion is that the government and board have given these contractors every reasonable consideration. There are two ballast engines always at service of contractors. The traffic to Schultz's was worked by these two and Mayflower, till arrival of new ones. I think Sir Gaspard and Joe Howe too light to haul ballast from Windsor. I don't think it was in violation of contract if they did not haul ballast. I think it would take 6 or 8 months to excavate the 10,000 yards on No. 2 contract. I never was influenced by any newspapers. I don't know of any change in measurement of works or mode of payment in the months of September or August.

There was a good deal of trouble in Creelman & Tupper's payments—they complained they had not received as much as they ought to have had. There has been no rule applied to Cameron more beneficial than to any other of the contractors. It has always been my practice both here and in Scotland, to give every advantage to contractors. The measurement of the work is the basis of the monthly measurements.

I don't think they are entitled to have all rails given to them at commencement of work. I am not prepared to say how many vessels arrived with iron rails. There were a special agreement made last fall with contractors, Johnston & Blackie—the object was to get the line open last fall. They were between board and commissioners, in good faith. I have done as much justice to Johnston, McDonald, and these parties claiming, as to any other contractors.

*Cross-examined by Mr. Ritchie.* I did not say contracts were drawn the same way as in England, for they were framed there to exclude all errors in plans, sections, and quantities based thereon. I think it likely I have drafts of English contracts, I prepared no clause of contracts, only specifications. I have acted as chief engineer in England. I was chief engineer on Wilsington railroad. I was then 24 years of age—it was about 10 years. I held chief post on Glasgow Harbor railroad—there was no chief engineer over me. The Wilsington railroad was an extension of 25 miles. The custom in England is to call in engineers to consult in any difficulty—I have called in an engineer for that purpose, and I have been called in also others. The first contract was partly constructed, and after that I laid out the line and engineered it, and carried it through parliament. Glasgow harbour railroad consist of a number of branch roads, works is about a mile and half in length. Can't say how much it is in length. The duty of the surveyor is first to lay out line of road. Bogs, if not paltry, are worthy of consideration.

*Question*—Is it necessary to make a careful survey of a line of road previous to inviting for tenders, such as in the present instance?

*Answer*

*Answer*—Yes. Survey should shew the quantity of work to be done. It depends altogether on circumstances whether it should shew the depths of lakes and bogs. It would be necessary for the party tendering to ascertain the depth of lakes in all cases, and the depth of bogs in some circumstances. The circumstances are these—the material in bog may be of such a description, and the works to be constructed on it of such a nature as to render it unnecessary. In some instances the bog material may be of such a consistency as to suffer little or no displacement by works to be built upon, and which would affect it according to their magnitude.

The levels upon No. 1 section, main line, were taken by myself, with the exception of soundings where line crossed water—these soundings were taken by Mr. Faulkner. Section No. 2, the levels were taken by me; levels on section No. 3 were taken by Wm. McKay—the depths of Lilly lake and Rocky lake were taken by Mr. Thomas; section 4 and 5 were taken and soundings made by Mr. Bradley—Mosse located it; No. 6 was taken by Mr. Mosse; No. 7, first five miles were taken by Mr. Mosse—last part of it by Mr. Bradley; Nos. 8, 9, 10 and 11, were all taken by Mr. Bradley. Contract No. 1, Windsor branch, was taken by Mr. Fulsom; No. 2, Fulsom and Bradley; No. 3, Windsor branch, by Mr. Bradley; Nos. 4 and 5, Windsor branch, were both taken by Mr. Mosse. I gave special instructions to these parties, but not in writing.

I was under impression surveys were made very carefully. The depth and height of everything I took to be correct. The grades were drawn on the sections. These engineers were furnished with grade after the cross sections came into the office. Engineers were furnished with a section with a profile—and they made it more accurate—it had a grade line. I put no figures on any drawings for the engineer. The information they furnished was the level of the ground. They put all the figures on the section—the figures are all identified with the contract. The figures are the height or distance of the surface of ground above datum line—all other figures on section are compiled from these. The engineer always know where there is to be a cutting or embankment. Mr. Bradley was recommended by Mr. Chesboro', he was a young man, so was Fulsom. I heard them state they located roads in the States. Faulkner is a country surveyor, he used to run preliminary sections for me. I always found him very accurate in that sort of work. I think the staff of engineers was sufficient. I would not be content to lay out a road like this with such a staff—the work was too hard upon me.

*Question*.—Do you think the staff were sufficient to have done work in a proper manner in the time they had to do it. I think if engineers had longer time to lay out the works it would have been better—or if I had more engineers. The first I heard of anything wrong with the sections, was a rumour that at Nine Mile river, the depths were not correctly taken. This was in 1855, before we laid off No. 3, main line. All instruments on the road would have been paid for by commissioners.

*Question*.—What are the proper implements to sound lakes and bogs on Windsor and Truro line, as required by engineer?

*Answer*.—Iron rods would be required to test the mud under 50 feet of water. Iron rods are the instruments to ascertain the depth of mud under 20 feet of water. If there was a quantity of mud it would be impossible to ascertain it by chain and weight. If there had been no further examination of Schultz's lake than with a weight and chain, the contractors would not have been furnished with proper information. In Mount Uniacke there is more embankment required than shown on the section. The same principle applies to both lakes. I knew the long bog spoken of—there has been sinking there, considerably—a portion sunk in one night—it was represented 12 or 15 feet to me. I recollect a conversation with Johnston about it. I approved of it being filled with stone. I said it was best and ought to be. I thought the expense was and still is a matter for consideration, and whether it was or was not to be paid for—the contract was drawn out to exclude all claims for extra work on embankments and cuttings. I am not prepared to say that the bog was not sufficient to bear a light embankment. If they had covered the bog with timber first I think it would have sustained the embankment put upon it. I think the  
engineers

engineers ought to have tested the depth of the bog before the work was done upon it. I passed over the bog after the sinkage took place, and directed the stones to be put into the embankment. Mr. Uniacke wrote to me, and I went up to see the sinkage. I directed stones to be thrown in; I don't think there was any thing else to borrow but stones. The bog from its consistency ought to have been tested. The surveyors could not test but by cutting ice.

*Question.* Would you have sanctioned a survey made over this frozen bog if you had known that no means were taken to get through the frozen surface? If I had been aware that there was a soft bottom unsounded, I would have required further investigations to have been made. The reason why the specifications were changed was that we only included in the first contract certain portions of the work to be done, leaving the finishing, &c. to be tendered for separately. The latter specifications were altered so as to direct the contractors attention to certain points, in consequence of the complaints made as to the surveys of the ground. I think words were added in order to draw the attention of the contractors more particularly to the necessity of their surveying the ground. (Witness reads specifications 1 and 2, and Windsor branch specification)—they differ in this—the words “sites of all the embankments” are included in the last and not in the 1st. Those words are included in all the specifications except on contract No. 1. All the differences in the specifications were made for the contractors' benefit in my opinion. No material alterations were made after No. 9, that I know of. I think in No. 10 and No. 11, the contractors were required, by specification, to level or bore for themselves, specifically, and not in the previous specifications—the words “boring and levelling” are not in any specifications previous to No. 10 and No. 11, and are in those. I cannot recollect at present if Messrs. Johnston and Blackie were paid for putting the rock into the big bog. (*Mr. Smellie* answers, “they were not”). I don't recollect how long it is since that filling took place. The bulk and weight of certain stones bear a certain proportion. I think weighing was better than measuring, in order to ascertain the quantities put into the embankments—it would be more accurate than counting sled loads and cart loads (*Mr. Smellie* says, “inspector measured sled loads.”) The only mode was to weigh it or measure. In clause of contract provision is made for alterations. I never knew a contract where so many difficulties were raised.

Mr. Uniacke and Mr. McHeffey were pupils of mine—they measured the work. Generally speaking there were two engineers on the road where they were employed. Mr. Thomas, a pupil of mine, is now in charge of 4 and 5. Mr. Lamont is inspector with Mr. Thomas, of those works, since Mr. Marshall left—he is not an engineer—I think he was bred a mason. Iron bolts and painting would have been paid just as if an alteration was made on the line—(refers to a schedule). An engineer could have run over the levels at the rate 2 or 3 miles a day. I think if there had been gross error in the levels, the contractors ought to be paid. I heard a witness state there was an error (14 embankment) of ten inches, and I think in case of such an error the contractors ought not to be liable. I do not consider Mr. Cameron's contract completed (*Mr. McNab* says “there is paid £48,000 to him.”) He has been paid the total amount of excavations, but there is still some undone. The term upholdence commences as soon as the first piece of work is completed—commences as soon as it is finished. It was the case of two or three contracts the contractors had nothing to do with the upholdence. Where grades have been raised, contractors have been allowed sectional quantity for the raised grade. It was universally done. I think where Cameron raised grade three feet on No. 3 contract, he was paid the nett quantity of rock excavation. I think McDonald was paid for the additional embankment, where grade was raised three feet—I am not quite certain, but I believe it to be the case. Side cuttings can be done at less cost than cuttings on line, in Nos. 1 and 2. It might have been better for the contractor if it had been as originally intended. The cutting has been pretty hard. Never said £3000 ought to have been paid him. No recollection of ever mentioning that sum, or making any remark—I might have said it was pretty hard. Never mentioned £3000 to

to MacBean. I think the last agreement was liberally construed towards the contractors. They are charged for carriage of rails, and £4 a day for a locomotive. The dotted line on plan represents bottom of water. We have one class of lines. In another place it represents the top of the mud, where there is no water—I mean the dotted line.

I generally took a rough estimate of the road cost from the surveys, but do not recollect what the cost estimate was. I made no general estimate of the cost per mile of the road before the work was commenced—or at any time. I made out a sort of estimate of what a road would probably cost in Nova Scotia before I came to this province from England. I think it was something like £4500 sterling, per mile, but was made without any accurate knowledge of the country—this was based upon wages being 3s. currency, whereas we paid 5 or 6s. I am aware that a letter was written in September, 1857, in the Morning Chronicle, reflecting on my estimate of the cost of the road—(paper put in 3rd September.) It was probably called forth by remarks in the Colonist of 28th August—(paper put in).

*By Mr. Howe.* I left Nova Scotia in 1840, and returned in 1853. I came out as consulting engineer to the government, and not for the purpose of construction of the road. It was then thought that English companies would construct the road. When the work was commenced, we took the best skill in the province we could get. Mr. Mosse was engaged from the first—also Mr. Faulkner and Mr. McKay, accurate and skilful men in their departments. I think the surveys round the basin were accurate and satisfactory. Mr. Bradley and Mr. Fulsom were afterwards brought on from the States as the work progressed, and I thought that they understood their business, and I had no reason to doubt their accuracy and skill—they brought very satisfactory certificates which were filed by the board. Mr. Smellie was specially recommended by myself—he had been a professional engineer since 1846, and was with me after six months from the commencement of the work. Mr. Ramsay, from New Brunswick, also assisted me, and appeared well versed in the use of instruments for engineering. I was anxious to economise as much as possible, and to do with as little engineering staff as possible. Mr. Fulsom was employed about the St. Peter's canal for about a year—and Mr. Bradley left of his own accord. The lines to Windsor and Truro were located, or the greater part of them, before we lost the services of these two engineers. If we had been going to pay for the work by the yard, it would have been requisite to have had additional engineers on the road.

It would not have taken the contractors very long to examine the ground—I took it for granted that an examination had been made by them, as prudent men ought to have done—catamarans could easily have been made by them for sounding depths of bogs and lakes, from materials along the line of the road.

It was always my desire to take a liberal view of the claims of the contractors fairly made—I think the board were disposed to take the same view, where they thought the claims were not unfairly pressed upon them.

There was very little else but stones to put into the big bog when I ordered it—nearly all the surface earth had been scraped off before them.

The surveys on the Windsor branch were mostly made in the winter time—those on No. 3, entirely so—and there was no difficulty by cutting the ice, to ascertain the depths of lakes at that season—it is more difficult as respects bogs. Persons of experience and practical skill, would by walking over a bog, have a pretty correct idea of its general character. I was always under the impression that the undulating lines on the sections correctly represented the depths ascertained by the engineers. Cameron had open weather for surveying, and his contract was transferred to Blackie & Johnston in the autumn.

The young men employed on the work, were those who are articulated to me as my pupils for four years, for the purpose of learning engineering. They were all a year in my office before the board allowed them any remuneration for the duties they performed.

They

They were not put on any duties for which I did not consider them competent. Mr. Marshall was especially sent for to superintend bridges, culverts, and works of importance. Mr. Thomas is quite competent to run levels, on which work he has been lately employed.

When Mr. Cameron's contract was reported finished, I sent out Mr. Mosse, who reported to me several deficiencies. On his report I wrote to Mr. Cameron, and required him to make good those deficiencies before the work would be taken off his hands—this was contract No. 4, Windsor branch. £1868 is still due on that contract, sufficient to complete the contract without any loss to the public.

If the contractors had shewn the same activity prior to September, that they did subsequently, the road might have been finished to Windsor. The correspondence in the papers referred to did not affect my mind in the least towards the contractors.

Thomas, Uniacke, McHefey's (2), and Hill, are under pay now by the board. They receive £50 a year for writing in the office, and 5s. per day travelling expenses when out on the line. They receive this money themselves—I only receive the entrance fee.

*By the chairman.* The waved line on the sections conveyed the quantities of embankments and cuttings. If I was a contractor I would not have undertaken the work without sounding for myself. I might possibly consider it necessary to make soundings when I was to be paid by the cubic yard, but not so much so when the quantities were thrown upon me. I did not know that the contractors had not sounded for themselves before they made the tenders. I know they were several times on the road, and spent some time upon it—I supposed to make use of the knowledge they got when walking over it with me.

When the contract No. 3, Windsor branch, was transferred from Cameron to Johnston & Blackie, there was a new arrangement entered into, by which an additional sum was to be paid for any additional quantity put into the lake beyond the sectional quantity, in consequence of the error in the soundings. If the same principle was applied to Sutherland's contract, the extra quantity would also have to be paid for. Any contract which included a large extra quantity, would also include a small one, the circumstances being similar.

Assuming the liability to pay for Mount Uniacke and Grand lakes, the contract price would be binding, except in case of a special agreement.

In paying Johnston & Blackie, on Mount Uniacke lake, they were paid the schedule price, under special agreement.

*James Laurie, examined by Mr. Ritchie.* I had statement of contractors and statement of Mr. Forman before me. I arrived at conclusion from papers before me, not from actual observation. I have carefully examined specifications, and one or two of the contracts. The extra work can be ascertained except in one or two cases—the exceptional cases are where stone or other materials have been washed in. Wherever I can measure cuttings or side cuttings, I can ascertain the quantity as regards cuttings. By comparing quantity Sutherland says he has put in, and measurement actually made, you could arrive at a proximate estimate. An account of loads put in generally exceeded embankment measurement. From specifications, it appears where cuttings on the section were sufficient to fill the lake or bog, without borrowing material, in that case contractor would have to borrow additional. In such case a contractor would be equitably entitled to extra hauling, assuming schedule quantities to be correct. If rock was to be there, there would be an excess of filling required, notwithstanding there would be His claim would only amount for extra hauling.

Sections 1 to 7, main line. There are cuttings not yet taken out to their proper width. I believe on every section there is some cutting to be done. There would be no claims as far as these cuttings would go to fill up any depth beyond that shewn on section, only for extra hauling.

Contractors do not allow always in estimate of quantities the difference in rock cutting 1 to 1 and  $\frac{1}{2}$  to 1. I mean the estimate upon which their claims are based. In

some

some contracts widths are 22 feet, slopes 1 to 1. In some of these contracts, contractors have not the option of making the rock cuttings 18 feet with a slope of  $\frac{1}{4}$  to 1. The road benefits by a flatter slope.

A cutting of 200 yards of rock would be equivalent to 300 yards of clay filling. In the States measurement is always made in cuttings. There is an increase  $\frac{1}{3}$  to  $\frac{1}{2}$  and  $\frac{3}{4}$  from the rock cutting. He would be entitled to embankment measurement. As a general rule applicable here, they should be paid by embankment, but in some cases where schedule price is based on excavation, they should be paid by ———

Where embankment is in excess they are paid by embankment, and where cuttings by them. These claims ought to be estimated by the actual value of the work done. Sutherland's extra work is rock cutting, and his schedule price would not be fair or equitable. On slopes on a rock, section-work is not worth the amount of schedule price. Schedule is an average price. Slurry forms a very small proportion of reductions of slopes—it is worth 3s. or 4s. I consider a slope in clay cutting 1 to 1 impracticable in Nova Scotia.

I think contractors are entitled to be paid what the material was worth to remove it in cases where plan was wrong. It is only where rock prevails that sloping would not be worth schedule rates.

No general rule could be applied in case of removal of slurry. It is not practicable to lay a slope of 1 to 1 to a clay embankment with loose stone.

The embankment at Grand lake is more than 1 to 1, and as a general rule, rock embankment take a slope  $1\frac{1}{2}$  to 1—rock will be a deeper slope than clay.

There are differences between the contracts and the specifications, to which the attention of the commissioners has not been directed.

On contract No. 1, the general clause for excluding extra work, which is followed by a clause to pay by measurement.

On contract No. 3, main line, the specification set out that it was calculated the embankment would come down to the solid bottom (hard); and if such were not the case, the road would have the benefit of all extra quantity—the survey professed to give the hard bottom; and in this contract there was special provision—the clause is retained materially in the other contracts.

The engineers having men on the road to take the monthly measurements, the contractors would not be required to take them for themselves. (Witness here refers to specifications.) The terms "slips and subsidences" would apply to the specifications and not to the contracts, so far as the contractors are concerned. All drains, ditching, culverts, &c, are paid under the qualifying clause in the specifications. The contractors ought to be paid only once for the same material. If taken from the slopes and put into embankment, they would be entitled to be paid for the cutting and the extra haulage only, and not for both cuttings and embankments. They are only entitled to be paid once for the material.

The price of earth depends upon the quality of material, and the distance of removal. The price of removing the sort of earth there is in Nova Scotia, the cutting would be 6d. to 8d.—9d. to 10d, the haulage from 1 to 200 yards; rock excavation a dollar a yard, (in States). I was on St. Andrew's road one season—contracts were there by the yard. Questions between contractors and companies not unusual. In my own experience I have only been engaged in two years.

I am a native of Scotland—commenced apprenticeship 1825. Was then engaged in surveys for Edinburg and Glasgow, and Edinburg and Dalkieth. In 1832 I went to the States, and have been engaged till 1836 as an assistant engineer, attached to the United States topographical company. In 1834–35, superintendent engineer, Boston and Providence; 1836, Worcester and Norwich railway—engaged on that about four years; 1840, chief engineer of the Nashua and Worcester—New York Central, three years nearly. In 1844, Buffalo and Niagara Falls. In 1845, chief engineer Allan's Point extension railroad. In 1846 I was in Europe. In 1847–48, employed on the

Boston

Boston and Southbridge in making surveys and locating Providence and Plainfield. In 1850, Jersey Central; in 1849, Boston and Providence railroad; 1851, '52, and part of '53, Jersey Central. Since that I have been engaged on railways in Canada and Western States, but not as constructing engineer.

The first step taken is a thorough examination of a country and ascertaining its facilities and finding the best possible route. It is usually the case to take soundings, in order to estimate the quantities. The country where this railroad is, is full of lakes and bogs. The country offers moderate facilities for the construction of a railroad. The obstructions of lakes and bogs depend on their extent. In Nova Scotia these bogs and lakes offer serious obstacles. An engineer could not make a proper estimate of these lakes and bogs until they were first sounded. The first step is an exploration of the country. After selecting the route—it has been laid out and levelled. In that case in the States, it is the duty of the person in charge of the survey, to sound the depths of rivers and bogs. In coming to a lake like Grand lake, if they had no instrument, they would sound with a weight. It would be very desirable to avoid such places—I would try to avoid them, and if not, I would ascertain the nature of the bottom. In next survey I would sound very carefully the depths of bogs and lakes with proper instruments. I do not consider a wooden pole sufficient. It is indispensable to ascertain hard bottom. The point of a wooden pole may be in soft mud or water, yet the friction may be so great that it could not be got down further. I would consider it my duty in any bog or lake of importance, personally to take soundings. A good deal of experience is required in taking soundings. Sometimes people imagine they get to the bottom when they do not. I have been a good deal used to these sort of swamps, and I found them very deceptive—and the only safe plan is to sound them all. I certainly would have considered it my duty personally to have made these soundings. The first thing is to get down to hard bottom anywhere—it is indispensable. Either get to hard bottom, or ascertain the nature of the material. Iron rods are the instruments, but I generally use steel ones. The surveyors are always supplied with iron or steel rods by the company. The next step is to estimate the quantities. My practice is to estimate from surface to grade line—one quantity,—and then add to it the probable subsidence. This is shown on the section in two ways. I would have marked the soundings, and traced the hard bottom line on the different soundings. On the stakes we would mark the height of embankments. In the States our plans are more accessible—more data. In our case we mark quantity and subsidence. Our plan would show every place where soundings were taken the actual depths. It is not however so important in the States, for the nature of the contract is different—where shelving bottom exists, cross sections are necessary. In the States tenders are invited. We have two prices, one for earth, and one for rock, per cubic yard. Contractors in the States can calculate with greater accuracy. An average price must be by guess. In the States, Canada and England, they sink shafts. 4s 6d. is a moderate price for such rock as is found about Grand lake in ledge. The haulage would not be great for a portion of it. If loose rock had to be hauled 2 or 3 miles, I would not call that high. I would not have considered this a correct survey if soundings had not been properly taken—I think it is calculated to mislead contractors. I have no doubt contractors would be largely influenced by my telling them I had made a careful survey of the lines, assuming that I stood high as an engineer. I would have supposed on this place (No. 2, Windsor branch), that the bottom line represented hard bottom. I would have assumed, on representation, that the soundings were correctly taken on this. If surveyors had been strangers to me, I would have given them specific instructions. I would have gone out with them myself and given them particular instructions. In Sutherland's case I think the measurement can be checked with some degree of accuracy. Where embankment is in excess in schedule, contractor is paid by embankment measurement—where we could, in case of loose measure, cutting, we would measure embankment. If contractors' price was for embankment, he would be paid by embankment. It was for cutting, there would be a deduction made. An allowance would be made in rock excavation.

## MOUNT UNIACKE LAKE.

I think the clause in contract means embankment measurement. If commissioners had paid from 1 to 1½ for some months, I think they would be paid by that measurement, and I think if they struck it off, after 5 or 6 months payment at that rate, they would have ceased to pay by such measurement. I got my information in report from books in railway office. From information I got, there is certainly a difference between the mode of payment of Nos. 3 and 5, and No. 4 (Cameron's). There is a large amount of work yet unfinished on Cameron's. Schedule quantity has been returned paid for within a fraction, and a large amount of work not done. No. 3, the nett measurements have been returned, as I ascertained from engineer's report. There is a large and expensive amount of work on Cameron's yet undone, and he has been paid for it as if it were done. When No. 3 was taken off Cameron's hands, he got rid of a very bad bargain. I can see no difference of principle in paying for all the extra work, if Schultz's, and Mount Uniacke lakes were paid for.

*By Mr. Howe.* I speak from information acquired up to September. In the Western States it has lately been the custom to let road by the mile, and the contractors in that case generally own the road. The contractors are not shareholders in the other roads commonly. Swamps are often softer at bottom than on top. Shaded line on plan is surface of mud—lower line is hard bottom. I think contract is indefinite, and hard to get at true meaning. They ought to think themselves well off if they got paid for any loss they sustained, after signing such a contract. If anything was added to their tender on account of the risk of quantities over-running works, they ought not to be paid extra. They would lose their equitable claim if board suffered loss from the contracts not being completed. Lakes are deeper in a flat country than in a mountainous one. I would take enough soundings to satisfy myself of the nature of the swamps. I consider it the duty of the chief engineer. Subsidence, speaking of bogs, is the subsidence below the natural surface. I don't consider subsidence to have anything to do with upholding. Where, from the section, it appeared that allowance has been made for subsidence in some bogs, and not in others, I would have taken the latter as capable of ascertaining the proposed embankment. After ascertaining sinkings in 1 and 2, I would have had the sinkings and subsidences particularly provided for in the contract, or to have had the risks properly explained.

*By Mr. Ritchie.* I consider the engineer the proper judge of the plan of the work and slopes. Contractors can not ascertain all the information from plans. A good deal is ascertained outside.

*By Mr. Howe.* I think, as a prudent man, I would have asked engineer—even with all plans and specifications in my hands, if I had a doubt as to any thing in the contract. In this contract some things were loose and others stringent.

*By Mr. Ritchie.* I have never been on any road on which companies did not desire to settle equitably with contractors. I think under the circumstances loose contracts are entitled to equitable consideration.

*By chairman.* I think under general clause excluding claims for extra work, would be applicable even if no subsidences had taken place, and would have been useful to prevent disputes after road was finished.

*By Mr. Howe.* The papers shew that some extra work had been paid for, and shew that special agreements were made for extra work, and work had been done. The agreement for slopings, No. 1, Windsor branch, was entered into after they were done. No extra work has been done by contractors, except what they were bound to do under the contract. There is a clause in the contract stating if they do extra work, they are not to be paid for it; and another clause stating they are to do no extra work.

*By Mr. Ritchie.* In contract No. 1, (Cameron & Co) there is the general clause that no extra work will be allowed for any real or supposed inaccuracy, and tender is received

received in a lump sum; and in another clause it is stated that rock cutting was to be paid for by cubic yards, and deduction made on account of earth works. This was not done, and work is not now finished according to specification, though by the books they have taken it off his hands, and contract is closed. He was paid 40 or £50 over contract sum.

*By attorney general.* When works are let out this way, contractors generally do not do the work complete.

*By Mr. Ritchie.* This principle has not been carried out with regard to Johnston & Blackie, McDonald & Sutherland.

*Cross-examined by Mr. Haliburton.* The line of curve could not be traced through water on No. 2 contract, without marks. The general clause with regard to subsidence runs thus—(reads clause). I think general clause covers whole line and works. There is a little difference in this contract, the word subsidence does not occur on No. 2—the deduction of £100 is made in the books of commissioners. I found no deduction on account of bridge.

*James R. Mosse, by attorney general.* I sounded a bog on embankment No. 6, on contract No. 7, main line, at the head of a lake, in making my first survey. There was a bog on contract No. 6, which was not sounded, as it deceived every body. I sounded bog on contract No. 7, with the pole which has been spoken of—it was 30 feet long, 3½ inches round, and shod with an iron spike—three or four men were employed in making that sounding, with all their power—they sounded every 22 yards, and the depths were taken from the figures cut on the rod, for the sake of accuracy—the pole was, in my judgment, adequate to reach the bottom at that time. I am told, and from the quantity of material put in, I believe there were greater depths than the pole exhibited. They got the pole 10 or 12 feet deep—there was great difficulty in restoring it—the waving line represented the hard bottom below—levels are taking every 22 yards along the line—depth varied from 5 to 7 and 5 to 10 or 12 feet. I put on plan the exact depth at each place. We always pushed it up and down as far as the pole would go—an iron rod would have gone deeper.

*By chairman.* The bogs took more quantities than shewn on section.

*By Mr. Howe.* I have reason to apprehend I made as serious mistakes on No. 5.

*Cross-examined by Mr. Ritchie.* The survey would be imperfect without ascertaining—

*Charles W. Fairbanks, examined by Mr. Ritchie.* I was requested to measure width of cuttings and embankments, No. 4, Windsor branch. I measured several cuttings on No. 4. I found some 17 feet in width, and in almost all they were not up to proper width, 22 feet. The embankments were also deficient in width. If rock cutting is to be 22 feet, and it is only 17 feet, a fourth of the cutting is yet to come out. I went through heavy clay cuttings, and some rock cuttings. If Cameron has been paid schedule quantity, he has been overpaid.

*Cross-examined by attorney general.* I measured upon level of rails in cuttings, and as near formation level as I could in embankments. I measured some places above 22 feet in width. Where a large lot of new earth is put together, it takes about two years to consolidate. It would contract at the surface. They would have measured more at completion of contract, but I don't think they were proper breadth. Looking at quality of stuff in embankment, I don't think it ever could have been proper width. I would leave two feet for subsidence in an embankment of clay 22 feet in the centre. Shrinkage would not affect the width in the same ratio as the height.

*By Mr. Howe.* I saw a man, they told me was Cameron, at work on the contract. From what I saw, there is still a good deal of stuff to come out of the cuttings.

*Mr. Laurie re-called by Mr. Haliburton.* The accuracy of plans for foundations is presumed to be as correct as the plans for the other parts of the work.

*James R. Forman.* I understood Mr. Fairbanks to say the cuttings on No. 4 were not proper width, and one fourth of the whole cuttings were to come out. In September Cameron applied to have his contract taken off his hands. I ordered line to be levelled

levelled and cross sectioned, and the result did not come to my hands till January. When Cameron's contract was reported to be finished, I sent a man to measure it. It is not customary in England for chief engineer to take soundings. I had competent engineers to take soundings. I had a general superintendence from Halifax to Truro, and Halifax to Windsor, besides attendance at the board.

*Hon. J. McNab.* The first I heard of dissatisfaction on Johnston & Blackie's payments was in July or August. They considered they had not got as much as they considered themselves entitled to—stated they could not pay their men, and had exhausted all their available means. We gave them £3000 in August on the 10 per cents—certificates were £5300, and they received £8300. In September Mr. Forman only gave them a certificate for £ . . . In October got an advance upon the plant of £5000. In that month board undertook to pay the laborers. (Refers to statement, and reads figures from it.)

On 5th November we entered into a new agreement. On 27th November I paid them for work actually done. Under agreement they were to get no more until the road was in running order; however, we gave them £1000 on 28th December, £1000 on 4th January, £1000 on 28th January. On 13th February we gave them £470. I consider £8749 of the 10 per cents. which ought to be in commissioners' hands. As engineer read contract, they were not entitled to this extra work. It was quite understood when agreement was made in November, that road would be open in December. (Exhibits statement of moneys paid contractors.)

*Cross-examined by Mr. Ritchie.* The locomotives were perfectly capable of doing all the work on the main line if they were in good order, but owing to the anxiety of the contractors to get the ballast, there was not time to repair them. The two new locomotives were capable also of doing the work on the Windsor line. I believe if the contractors had used half the exertion in September that they used in November and December, the road would have been opened at the end of the year.

*By Mr. Howe* In August, 1857, I first heard of the large claims for extra work, now made by the contractors. It was for the July work. Between August and the end of March, Johnston & Blackie received £42,000—they were only paid one month for the actual labor done—they received for that £6000 under the new agreement. My impression was that the amount then paid more than covered the force on the works. I believe that the contractors were brought to a stand still for want of means, having exhausted all their private means about the works—there is a good deal of work still to be done on the Windsor branch contracts. (Witness reads from statements of extra work). £17,869 15s has been paid to Johnston & Blackie for extra work performed and allowed under their contract—£18,800 has been paid to McDonald, including extension into Windsor—Cameron has received £2,500. All these sums were recognized and sanctioned by the board and engineers as extras done without their contracts, and not at all as affecting their present claims—it was extra work ordered to be done by the engineer, and to be paid for at the schedule prices. Our sole object in making such large advances was under the expectation that the road to Windsor would be finished by the close of the year. The road was never reported to us in good running order by Mr. Mosse, or any other person. Cameron's contract was finished sufficiently for the winter.

*Hon. Mr. McCully, examined by Mr. Howe.* I am quite sure I never told Mr. Fraser that he would be paid for every yard of his extra work. I never thought any of the contractors had any legal claims beyond their contracts; and Mr. Donald Fraser must have been mistaken in stating so. I have always been of opinion that where there were great mistakes in quantities and embankments, the claim for the extra work done in consequence was a fair matter for consideration when the work was done. The intention of the board in framing the contracts, was to exclude all claims for extra work, except under the restrictions written in the contracts themselves. I remember John Cameron giving me as a reason for his tender being so high, that there was a bog which he had sounded

sounded and found a considerable depth—this was on the contract close to Ward's. This led me to believe that the contractors made soundings and surveys for themselves; the board always gave a reasonable time in their advertisements, so as to permit contractors to make a pretty accurate survey, and we thought they did so. Mr. Forman, in my opinion, treated all the contractors with equal justice and fairness. I drew up the memo. on which the transfer of Cameron's contract to Blackie & Johnston took place, and it was guarded so as to protect the province from any loss in consequence. I am not aware of any loss accruing to the province in consequence of the transfer of Creelman & Tupper's contract to Johnston & Blackie—I do not think I was in Halifax at the time. I would not have consented to any transfer of contracts which would put the new contractors in a different position from the old ones. When I left the railway board I do not think I left a dispute there. All the claims made had been equitably considered and settled, and I do not recollect any dispute existing with the contractors at that time—(reads letter from Johnston & Blackie relative to Cameron's claim on them, and Mr. Forman's award between the parties.)

*Cross-examined by Mr. Ritchie.* The examination of the bog spoken of by John Cameron, was on No. 3, main line. I know nothing of the charge for sleepers overpaid in the settlement between Cameron and Johnston & Blackie.

*By the chairman.* I only heard of three places likely to be a dispute about when I was on the board.

*Edward McHefly.* I am a student of Mr. Forman's, on No. 8, main line. I don't know of any work being stopped on account of rails—there was plenty of rails, but sometimes the roads were bad.

*Cross-examined.* They used temporary rails about 25 tons—caused extra expense to contractor by hauling—a quantity of crooked rails were hauled from Creelman & Tupper's—these might be used for permanent purposes if straightened.

*William B. Smellie, by Mr. Howe.* (Took up monthly measurement book and the schedule, and contract for No. 3.) The whole number of yards is 154,963. Gross amount of yards in the 3 contracts, 594,218. Up to 29th August last, the amount paid for as per monthly returns, was these three contracts, 517,899—difference, 76,319. If there were no other works, this would be the exact difference. Extras paid for on the whole work £49,194. I compared this paper with the statement in the book of extras £15,000. £15,000 extras on the 3 contracts of Johnston & Blackie. Those extras are included in the general returns. The registry of monthly returns shows only the work done. Ten per cents on 29th August about £8000. I compared this statement, Nos. 2 & 5, Windsor branch Extras there £9000 paid. This memo. I compared. No. 7, extras, £4500. No. 5, main line, extras paid, £2100—measurements impartial.

*Cross-examined by Mr. Ritchie.* I don't know what these extras have to do with the present inquiry. These extras I allude to are those ordered by the engineer. The extras were all ordered and sanctioned by engineer. The £40,000 were for work all along the line. The reason I gave for not shewing the book was, because it was a private book—I did not say it was to prevent parties hatching up claims. The one and a half to one for rock work on No. 3 was included on extra work. No. 7, main line, embankment No. 3, section quantities 54,000. Up to 1st August last, 46,000 yards side cutting paid for. 53,800 whole quantity by Mr. Mosse's measurement.

*Lester Ellis.* I was with Fulsom at survey of Windsor branch. Commenced at junction and went to half-way house. Eight or nine in party. We had no instrument for sounding bogs. Sounded lakes with poles which we cut as wanted—to greatest length of pole which touched bottom. Sounded no bogs—they were frozen.

*Cross-examined by Mr. Howe.* I left in the spring when planting came on. We cut holes at distances along the lakes—we always managed to get to the bottom. Had a crow bar to drive in the pegs.

*By Mr. Ritchie.* Sometimes when the engineer was not present, I made the soundings, and gave him the account. He was never out of sight. I kept a memorandum in writing. I should not think we would be able to tell with a pole that the bottom was reached.

*Thomas Caudle, examined by Mr. Haliburton.* I am a mason, came out here under Mr. Jackson. Engaged on railroads for last 20 years. Saw Mr. Forman and inspected plans for bridge at Sackville—said there was solid with  $2\frac{1}{2}$  feet of surface—there was a good deal of excavation more than on plan. We made no sounding for foundation—trusted to plan—300 yards excavation in plan—offered for 10 shillings. Mr. Forman asked me after arrangement made, if I would take £150 for excavation—I said I would, if excavation not greater than plan. He said he thought not. I then said I would take £150. After  $2\frac{1}{2}$  feet on first abutment, Mr. Forman said we must go deeper—we then went 11 feet. On the other we did the same. 1st pier—2, 9, on drawing—15 on one side by 11 6 on the other—2nd, 2, 9 in drawing, we took out 5 feet. 4th pier—9, 6 in drawing out about the same—whole excavations 700 yards. I was misled by Mr. Forman and by schedule. Masonry was paid for by the yard. In August, 1856, received last payment. I signed a receipt for all claims for mason work. I did not intend to include excavation in receipt. Mr. Forman told me when work was going on that our claim for extra excavation would be considered when work was done. Mr. Howe asked me if I was satisfied—I said I was not but could not help myself. At final settlement Mr. Forman said if we were not satisfied he would measure again—receipt dated 15th August, 1856, read—agreement put in.

*By Mr. Howe.* Signed agreement, no difficulty about measurement, except at final settlement.

*James R. Forman.* (Explains agreement.)

*Cross-examined by Mr. Haliburton.* There were soundings taken. I have often made agreements for lump sum. I recollect telling Caudle the deeper he got the cheaper it would be for him.

*John Esson, examined by Mr. Haliburton.* Black and McDonald gave me a general order to draw money from commissioners, on contract No. 2. I had no further authority. I had no authority to adjust their claims. The money given was drawn by me at different times. He told me that £365 was balance due him on contract—I received it and gave a receipt. He did not request me to give a receipt in full—he always maintained he had a claim for extra work. No intimation was given by commissioners that it was considered a receipt in full. It was for work specified by contract. Mr. Black always used to talk about his extra work. I used to get from Mr. Black the engineer's statement, and take it to the office, and get paid.

The examination of Jas. Irons, before chairman, at witnesses' house, is put in and read.

*By Mr. Haliburton.* I was a railway contractor with James McDonald and Forbes Black, on section No. 5, main line. When we tendered we supposed plans, sections and schedules to be correct, and based our tenders on them. We were never advised by the engineers, or any one else, to sound the bogs. No intimation was given that they had not been properly sounded, and we had no reason to suspect any error or deficiency. The men chopped a little piece on a wrong line. The men mistook the pegs. The monthly measurements were not made by the government engineer until nearly two years after we commenced—afterwards it was done by government engineer. Mr. Mosse refused to measure the extra depths where we knew there were errors, without instructions from the office. He said his duty was confined to the line—this was while work was in progress. We made clay cuttings 1 to 1—they would not stand at that—all our cuttings were clay, but four. There were two rock and two gravel—a large quantity of the slopes came down—they covered the rails two feet at one time in one place—they covered the wheels. I did not consider the removal of such a slip as that within our contract. Some of the slips reduced the slopes to about  $1\frac{1}{2}$  to 1. The removal of slurry was nearly double as expensive as cutting it. It would cost not less than six shillings

shillings per yard in a general way to remove it. We were bound to do extra work under the order of the engineer. His order was necessary. I refused to remove the slurry and slopes without such order. We were forced to do so without the order, by the engineer requiring the water courses to be kept open. They notified us that if the slurry was not taken away, they would in three days put on a force to do it at our expense—they did so—they put about 50 men on our line. We were put to nearly double the expense by this proceeding, that it would cost us. We had no control whatever over the men. We agreed if they would withdraw their men to put on a staff of 160 men to perform the work. The additional expense of removing the slurry could not have cost us less than £3000, for which we have not been paid. We considered we were entitled, under our contract, to contract price, for removing the slurry. It was very little use in making embankments. It was treacherous stuff that would not bear its own weight.

No proposal was made to pay us for taking off slopes until July, 1857. This proposal was made in the engineer's office—I was called in by Black to sign an agreement. I had not heard of any arrangement before. No proposal was previously made to me. I disapproved of the document, and refused to sign it. Mr. Forman said he always made himself easy about our claim—that the board treated the claim with indifference or contempt, or words to that effect. This proved to be the case, as they did not answer our last letter. Mr. Forman said that all these claims would have to be settled within the doors of that office, or words to that effect, and each upon its own merits, and one would not be a precedent for another. We were talking of the contracts. McDonald refused to sign the agreement—I objected that he ought to have been consulted, and Mr. Black took out a letter from McDonald, declining to abandon his claims. This letter was read there, in presence of Mr. Forman. Black was not authorized by me to sign the agreement—I always disapproved, and refused to sign it. The rate proposed in the agreement was not much over half contract price. The price was a little less than 1s. 9½d., against 2s. 7½d. contract price, per cubic yard. It made no allowance for slopes already removed, and the time given to remove the slopes was too short.

Mr. Black signed a second agreement. Mr. Black told me so. He said he wanted a payment of £500, and Mr. Forman would not give it unless he signed a second agreement in place of the previous one, which had been lost.

We were all three in Mr. Forman's office afterwards. I said to Mr. Forman, "if Black was such a fool as to sign that agreement, and did not know what he was doing, you must have known better". Mr. Forman seemed very angry, and asked me to take his word as a gentleman that he never made a calculation as to what the removal of the slopes would cost, and that he had been induced by reports he had heard to believe that so much had been removed in the shape of slurry, that the £2800 agreed upon with Black, would afford us contract price for the remainder, or about 2s. 6d.

Mr. Forman authorised a payment to us that day of £500, which was calculated at the rate of 2s. 6d. with his knowledge. I had previously complained to him that that agreement only allowed us at the rate of about 1s. 9d. We were never paid full contract price. The payments were generally on account, and never except in one instance for any specific items, that I know of. The account current received from the office does not specify what the payments were made on. Mr. Forman did not adhere to the agreement. Instead of placing the stuff on our embankments, were compelled to take it to the Windsor junction off our contract, to make sidings. We were not allowed extra for this—Mr. Forman refused to allow it. We wanted the stuff to make up for slips. Our embankments were already at their proper width, but slips were taking place daily. We placed our claims before the commissioners. Mr. Forman's decision was never communicated to me—our original contract was a good one. We had the highest prices of all the contractors. It has proved ruinous to us owing to deceptive survey. We received £47,300 in cash from the office in all. I have not received over £80 for my own personal use. If our extra claims are allowed, we will have little or nothing beyond our liabilities. I am constantly pressed for unsettled claims on account of our contract.

Mr.

Mr. Black met his death from an accident while engaged in the work. I think his estate is unable to meet claims against it on account of the contract. We were all penuriously frugal in our habits. I never lived poorer in my life than while engaged in this contract. I always found Mr. Mosse obliging and willing to do us justice. I did not find Mr. Forman so. Mr. Black principally dealt with him.

We lost time by the irregularity with which they run the trains over our line. We often lost an hour at a time, in place of a quarter, and kept 160 men waiting. They ran three times a day all summer. Black kept a memorandum of this loss, but it cannot be found. We complained to the engineer, Mr. Mosse, at that time.

JAMES IRONS.

Taken before me, this 22nd April, 1858. }  
W. A. HENRY. }

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## CORRESPONDENCE REFERRED TO RAILWAY COMMITTEE.

*Nova Scotia railway office,  
Halifax, 4th September, 1857.*

SIR—

I beg to send herewith, for the information of the government, claims from Messrs. Johnston & Blackie, D. McDonald, and S. Sutherland & Sons, for payment of extra and additional work done by them on their contracts, with the engineer's report thereon. The board do not feel warranted in entertaining this claim, without directions from the government, and will therefore await their decision.

The contractors state that they are unable to pay their labour for the past month, unless they receive a payment on account of the claim now made, and that therefore, as far as they are concerned, the works must cease, as a matter of necessity.

I have the honor to be,

Sir,

Your obedient servant,

JAMES McNAB.

The hon. the provincial secretary.

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*Provincial secretary's office,  
Halifax, September 9th, 1857.*

SIR—

I have it in command from his excellency the lieutenant governor, to acknowledge your letter of the 4th inst., enclosing claims from Messrs. Johnston & Blackie, D. McDonald, and S. Sutherland & Sons, with the engineer's report thereon, and requesting the direction of the government with reference to payment.

I am further commanded by his excellency, to inform you in reply, that as the law under which our railways are being constructed, prescribes definitely the conditions upon which payments can be made, and invests the commissioners with the management

management of the work, the responsibility of deciding upon claims made upon the board must rest with them, in conjunction with the chief engineer.

Deeply as his excellency would regret any obstruction or interruption of the works, by which delay would be occasioned in opening the road, he trusts the commissioners will be careful to be guided by the law.

I have the honor to be,

Sir,

Your obedient servant,

CHARLES TUPPER.

The chairman of the railway board.

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*Halifax, 11th September, 1857.*

SIR—

Messrs. Johnston & Blackie have again called upon me on the subject of their claim for work done by them on the railroad under their contract, they feel themselves to be much aggrieved at not having received the large amount now due, they have little doubt, if the circumstances of their case, are brought to the knowledge of the government, their claim will be allowed, and as a longer delay of payment will be attended with ruinous consequences to them, I would, on their behalf, request that I may be permitted to appear before the governor and council, and show that the nature of the claim, which they believe will be found to be in strict conformity with their contract, and to be in all respects a just and reasonable one.

I have the honor to be,

Your obedient humble servant,

J. W. RITCHIE.

To the honorable the provincial secretary.

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*Provincial secretary's office,*

*Halifax, September 11th, 1857.*

SIR—

Your letter of to day, respecting the claim of Messrs. Blackie & Johnston will be submitted to his excellency in council, to-morrow, at the first meeting. As the law, under which our railways are constructed, devolves the responsibility of judging, with reference to the validity of claims, upon the commissioners and chief engineer, I do not see that the government can in any way interpose in this matter without unwarrantable interference with the railway board.

I have the honor to be,

Sir,

Your obedient servant,

C. TUPPER.

J. W. RITCHIE, esquire.

[COPY.]

*Halifax, 14th September, 1857.*

SIR—

The board having communicated to Messrs. Johnston & Blackie, Mr. McDonald, and Mr. Sutherland, that they will not be paid for the large amount of work done by them, beyond what was contemplated in their contract with the commissioners, in consequence of the report of the engineer; and believing, as I do, after having carefully investigated their case, that great injustice will be done them if this decision is adhered to, I would, on their part, propose to the board that the questions in difference should be submitted to some impartial engineer of high standing, to be mutually agreed upon; and I would press the proposal the more urgently, as the whole claim of these parties is based on the carelessness of the surveys made under the superintendance of the government engineer; and they naturally enough feel dissatisfied at having to abide by his decision, on a question involving a serious charge against himself, the effect of which he may avoid by the sacrifice of the contractors, and thus save himself harmless with his employers. Of course, it is not in my power to assert, and I do not assert, that the engineer has been guilty of such carelessness as is imputed to him, nor do I mean to say that the engineer would sacrifice the contractors to save himself; but they say that they are prepared to prove to the satisfaction of any person who will take the trouble to investigate the subject, that such carelessness has taken place in the original surveys on which the contracts are based, and that they will forego every farthing of their claim, if it is not established, and if they do so, and shew that it has occasioned all the present difficulty, fraught with ruin to them, it is not unreasonable on their part that they should seek a more impartial tribunal than that which has passed on their claims. I think you will concur with me in the opinion that the proposal I now make of leaving the decision of the matter to a disinterested engineer, is fair and just. My clients lead me to believe that the errors in the original surveys and plans, and the figures thereon, are so extensive and so easily ascertained, that the engineer will readily admit them. The tenders, as you are aware, were all made and accepted on these surveys and plans. I may remind you that it is recited in the contract, that "in all cases the quantity in each cutting and embankment, it written upon the longitudinal section, and every care has been taken to ensure their accuracy," and let me add that the contractors have no desire to embarrass the commissioners, or cause any delay in the work; some of the sections it will be utterly impossible for them to complete, if the board adheres to their present determination of not paying for the work actually done; but if the commissioners will pay them a sufficient sum to meet their liabilities incurred since the last pay day, they are quite willing that the commissioners should take the work in hand on those parts and complete it, and have the use of all their plant to effect it, or if the commissioners think it for the interest of the work, they will complete the whole if advances are made to enable them to do so; and they are willing to mortgage their plant as a security for such advances, this they propose in order that no stop may be put to the work, and they have such confidence in the correctness of their claim that they are willing that it should be referred either as here proposed, to the award of a competent engineer, or to the decision of a court of justice. Trusting that I shall receive a favorable reply to my present application,

I have the honor to be,

Your obedient servant,

(Signed)

J. W. RITCHIE.

To the hon. James McNab, chairman, railway board.

Copy

[COPY.]

*Nova Scotia railway office,**Halifax, 15th September, 1857.*

SIR—

I beg to acknowledge your letter of yesterday's date, in reference to the claims of Messrs. Johnston & Blackie, D. McDonald, and S. Sutherland. Your letter I have submitted to the board, and after giving it every consideration and attention in our power, we have come to the conclusion, that whether under the contract, or under the law as we understand it, can we entertain the claim made, without a certificate from the chief engineer that the work has been done, and such certificate he declines giving; and, however much we may regret the great loss and inconvenience the contractors may suffer from this cause, as well as probable delay of the public works under our charge, we feel it is quite out of our power to give them any relief.

I have the honor to be, sir,  
Your obedient servant,

(Signed)

JAMES McNAB, chairman.

J. W. RITCHIE, esq.

*Halifax, 2nd October, 1857.*

SIR—

I beg, on behalf of Messrs. Johnston & Blackie, Mr Sutherland and Mr. McDonald, the railway contractors, to be allowed to call the attention of his excellency the lieutenant governor and council, to the proposal made by them to the railway commissioners, to have the differences which exist between them, regarding their contract, settled by a reference to impartial engineers of high standing in their profession; a copy of the proposal and of the reply of the board I enclose; from the latter document it is apparent that the contractors have no hope of obtaining justice at the hands of the commissioners, who, while they give no answer to the proposal made by the contractors, seem to entertain the opinion that they cannot recognize any claim, however just they may deem it, without the sanction of the government engineer; under these circumstances the contractors would appeal for redress to the provincial government, as they feel that in a controversy between themselves and the engineer, it is anything but just that he should arbitrarily decide the question, and they are prepared to show to his excellency and the council, if permitted to do so, that their claims are just, and that the surveys and measurements which formed the basis of the contract, and which are stipulated therein, to have been carefully made, were very carelessly made, and they say that they are also prepared to show, that up to a late period the chief engineers recognised the right of the contractors to be paid by returning the measurements of the work now claimed for, and giving payments on account of it. The contractors trust that the government will hear their case and afford them relief; but if this is denied them, they will have to ask permission to have their case brought before the supreme court, in order that their legal rights may be ascertained, and they may know whether they are to receive payment for work on the railway absolutely necessary to be done, and which the chief engineer knows was never tendered for or included in the estimates of the contractors. I shall be obliged by your bringing the subject before his excellency and the council at an early day.

I have the honor to be,  
Your most obedient servant,

J. W. RITCHIE.

The honorable the provincial secretary.

Copy

(COPY.)

*Provincial secretary's office,**Halifax, 22d October, 1857.*

SIR—

In reply to your letter to me, dated 2d October, instant, I have it in command from the lieutenant governor, to assure you, that it is his excellency's desire that the railroad contractors, named in your letter, Messrs. Johnston & Blackie, Mr. Sutherland and Mr. McDonald, should be afforded the means of a full and just investigation of their claims for work alleged by them to have been done beyond what was contemplated in their contract.

The first measure, the prevention of the stoppage of the works in consequence of these claims, which the public service demanded, having been arranged and provided for by agreement between your clients and the railroad commissioners, as they have informed the lieutenant governor, his excellency is desirous, as a necessary preparation towards any mode of final adjustment which may be found practicable, to be furnished with detailed statements of the claims of the contractors, shewing their origin, nature and extent, and in which the extra work alleged to have been done in each different part of the sections, shall be kept separate from that alleged to have been done in other parts of the section : these statements to be accompanied by and to refer to copies of the plans or sections of the works contracted for, in which the alleged discrepancies, between the work specified and contracted for, and the work performed, shall appear. His excellency also desires that these papers should clearly indicate the portions of the surveys and measurements, which in your letter you say your clients profess to be prepared to show were very carelessly made, and the nature and extent of these alleged inaccuracies of survey and measurements ; and further, his excellency wishes to be informed of the grounds on which the contractors say that they " are prepared to show " that, up to a late period, the chief engineer recognized the right of the contractors " to be paid by returning the measurements of the work now claimed for, and giving " payments on account of it."

Upon being furnished with the information sought in this letter, his excellency will lose no time in making himself acquainted with the facts, as far as it shall be in his power, and in directing his consideration to the means best adapted for the just investigation of these claims, of the existence or possibility of which neither his excellency nor the executive council had the remotest intimation or idea until recently.

I have, &amp;c.

(Signed)

CHARLES TUPPER.

J. W. RITCHIE, esq.

*Railway office, Halifax, 5th October, 1857.*

SIR—

I beg to enclose, for the information of his excellency the lieutenant governor and the executive council, a letter from the chief engineer, recommending an advance to Messrs. Johnston & Blackie, McDonald & Simpson, and Sutherland & Sons, beyond the amount now due them, to enable them to pay their labourers, &c., to continue the work.

The board do not feel authorized to make these advances without the authority of the government ; they beg, therefore, to be instructed in the matter.

I have the honor to be,

Sir,

Your obedient servant,

JAMES McNAB.

The honorable the provincial secretary.

Engineer's

*Engineer's office, 5th October, 1857.*

SIR—

The amounts of Messrs. Johnston & Blackie, Sutherland & Sons, and McDonald & Simpson's pay bills are insufficient to meet the labour and other expenses connected with these contracts, and they state that unless certain advances are made, they will, owing to the want of funds, be compelled to stop the work.

The amounts required in addition to the value of work executed, is—

Johnston & Blackie,	£5000
Sutherland & Sons,	2500
McDonald & Simpson,	1500

I recommend that these advances be made.

I have the honor to be,

Sir,

Your obedient servant,

J. R. FORMAN.

The hon. James McNab, chairman, &c.

*Provincial secretary's office,*

*Halifax, October 5th, 1857.*

SIR—

I have it in command from his excellency the lieutenant governor, to acknowledge the receipt of your letter, enclosing the report of the chief engineer, Mr. Forman, shewing that the amount of the pay bills of Messrs. Johnston & Blackie, Sutherland & Sons, and McDonald & Simpson, are insufficient to meet the demands upon them for labor and other expenses, and recommending that the sum of £5000 should be advanced to Messrs. Johnston & Blackie, £2500 to Sutherland & Sons, and £1500 to McDonald & Simpson.

His excellency regrets that the railway commissioners have neither detailed the circumstances under which these advances have become necessary, nor expressed their own opinion of the propriety and necessity of there being made—which information is indispensable to the due consideration of the question submitted. Should the board satisfy his excellency, that to authorize the proposed advances is the most judicious course under the circumstances to the government, you will be instructed to that effect.

I have the honor to be,

Sir,

Your obedient servant,

C. TUPPER.

James McNab, chairman railway board.

*Nova Scotia railway Office,*

*Halifax, 5th October, 1857.*

SIR—

In reply to your letter of to-day in reference to the advances recommended by the chief engineer, to be made to the contractors on the road, to enable them to pay their labour, &c., for the past month,

I beg to state for the information of his excellency the lieutenant governor, that it was found necessary during the progress of the work to advance the contractors, from time to time, the per centages retained, to enable them to meet their demands, but these have been found insufficient for that purpose, and they are now brought to a stand still for want of money to pay their men.

The board do not think it would be for the interest of the public service to transfer the contracts to other parties (if such could be found to take them), as great delay would take place in their completion, and then, in their opinion, at an additional cost. For these reasons they recommend that the advance should be made, and the more particularly, as it would be given as a loan, under a promise to be repaid when the contracts are finished, and for which the plant on the road belonging to the contractors will be made liable.

I have the honor to be,

Sir,

Your obedient servant,

JAMES McNAB.

The honorable the provincial secretary.

Halifax, November 20th, 1857.

SIR—

The railway contractors, Mr. Sutherland, Messrs. Johnston & Blackie, and Mr. McDonald, are much gratified by the assurance contained in your letter to me of the 22d ult., that it is his excellency's desire that they should be afforded the means of a full and just investigation of their claims for work alleged by them to have been done beyond what was contemplated in their contracts; and I now have the honor of enclosing to you, for the information of his excellency, statements shewing the extent of their respective claims for such extra or additional work: these are, each of them separate, with diagrams, which exhibit the errors of the original survey, and shew the discrepancies between the work contracted for and that actually performed.

As the origin and nature of these claims, and the circumstances connected with the original tenders and contracts are the same, I presume it will be sufficient to refer to the particulars of one of them, and I shall select that of Mr. Sutherland.

When tenders for this work were advertized for, a schedule was issued by the commissioners, in which was specified the *quantity* of each description of work to be done on that section, and the contractors were invited to affix the prices to the several kinds of work, and Mr. Sutherland proposing to tender for section No. 7, sent to the railway office to ascertain the nature and extent of the work, and found that the documents were not then ready for inspection, and he was unable to have access to the plans and specifications till a week or ten days before the period specified for delivering in the tenders; and within that period, after seeing the plans, &c., he affixed prices to the various descriptions of work specified in the schedule, and made his tender accordingly.

That in the schedule under the head of "*cuttings and embankments*" the quantity of cuttings on the sections to be put into embankments was stated at 194,601 cubic yards, which he tendered to do at the rate of 2s. 2d. per cubic yard, the price of which was accordingly carried out at £21,081 15s. 6d.—the tender he thus made was accepted, and he was subsequently furnished with a longitudinal section, and had access to the specifications at the railway office.

The original longitudinal section thus furnished is herewith produced, on reference to which it will be perceived that the cuttings and embankments are there exhibited, the depths of which profess to be actually given, and are marked thereon in figures—

besides

besides shewing the formation of the ground—the red lines profess to shew the level of the proposed railway, the blue figures the depths of the cuttings, and the red the depths of the embankments.

Mr. Sutherland's tender having been accepted, he was ordered to commence operations, but no written contract was then entered into, nor were any terms referred to or exacted from him, except what appeared in the schedule and longitudinal section; and he continued thus to work for about eight months, and performed nearly half of the contract, when he was called upon to sign a contract, and to furnish sureties for the performance of the work, previous to which no intimation was given that security would be required, and he entered upon the work, believing that he was to perform the amount of work specified in the schedule of the contract, at the rate there mentioned, and that the original surveys and plans of the road were correct, and to be relied on. In the contract, as prepared for his signature, while it is generally based on the surveys and plans, there is a special recital with reference to the *cuttings and embankments*, in which the following explanations are given of the longitudinal section, viz.: the red lines on the sections describe the top of the embankment and bottom of the cuttings, previous to laying on the ballast; the blue line on the section represents the level of the rails, and the black undulating line represents the present surface of the ground along the centre line of railway; cuttings are coloured red, and embankments yellow, on the section. The figures on the sections, indicating the depths of the cuttings, are marked in blue; those indicating the heights of embankment in red, and show the distance of the surface from the red line or foundation level. *In all cases the written figures shall be taken in preference to measurements made by the scales attached to the several sheets. The quantity in each cutting and embankment is written upon the longitudinal sections, and it was specially recited in the contract that every care had been taken to assure their accuracy.* And Mr. Sutherland asserts that he made his tender based on the accuracy of the original survey, and would have refused to sign any contract which threw the responsibility of the original survey upon him, as it was utterly impossible for him to have made the survey himself, or to have tested the accuracy of that made by the government. Independent of the large outlay it would have required, no time was allowed for it.

That in making the Grand lake, or No. 3 embankment, he discovered that an error had been made in the survey, and that the longitudinal section was wrong, the extent of which he did not then know, and he called the attention of the resident government engineer to the facts, who, after his attention had been called several times to the subject, proposed to survey it over again—and did so, saying that in the first survey he had not the proper means, viz., a scow and boring rods, and had to take the depths with a boat and measuring chain. He subsequently proceeded to take the depths with proper instruments, and discovered that the depths originally taken by him were quite wrong; and in a distance of six chains he discovered an error to the amount of about 14,000 cubic yards, the total length of the embankment being nearly 18 chains; and up to the 1st November, Mr. Sutherland has actually filled into this embankment 120,144 cubic yards—being 66,035 cubic yards more than the quantity which appeared on the longitudinal section given to him.

Mr. Sutherland does not deem it necessary now to go into a detail of all the errors, but he annexes hereto a statement marked A, which shows the amount of additional work imposed upon him in consequence of the errors in the original surveys and plans of the different embankments in this section; and he would call attention to the longitudinal sections above referred to, whereby it will be perceived that in several instances lines are given, shewing besides the surface and level of the railway, the surface of the waters in the case of lakes, and both at Grand lake, or No. 3 embankment, and at No. 6 embankment, where there was no water on the surface of the mud, is shewn by a dotted line, and by the use of dividers it will at once be perceived that the vertical depths are taken from the bottom of the mud, and not from the surface of it. A section of this latter

latter embankment, hereto annexed, shews that instead of the depth being 19 feet six inches as stated in the plan, it is in fact 72 feet.

The grounds for Mr. Sutherland's asserting that the additional fillings have been paid from time to time heretofore are, that at No. 3 embankment he received payment up to October, for 14,000 cubic yards beyond the amount which would be payable, assuming the longitudinal section to be correct. On other embankments on the same section, he has received payment for 36,000 cubic yards beyond the amount shewn on the longitudinal section—that these payments were made on the return of the engineer alone, and before any difficulty occurred, or any question arose between him and the commissioners.

The contractors are all of them extremely anxious to expedite the work; and they are prepared to shew that any delay which has occurred has not arisen from any fault of theirs—yet they feel deeply aggrieved by the course pursued towards them by the commissioners and government engineer on withholding payment for work done by them, indispensable to the completion of the railway, yet not originally contemplated by the commissioners, or tendered for by the contractors, and which, but for the inaccurate survey made by the government engineer, would have been included in the original tender, and paid for as a matter of course.

I have the honor to be,

Your obedient servant,

J. W. RITCHIE.

To the honorable C. TUPPER, provincial secretary.

[COPY]

*Provincial secretary's office,*

*Halifax, 23rd December, 1857.*

GENTLEMEN—

By command of his excellency the lieutenant governor, I transmit to you herewith a letter received from Mr. Ritchie, with various documents, setting forth as he states, the claims made by the railroad contractors Messrs. Johnston & Blackie, Mr. Sutherland and Mr. McDonald, for work which they allege that they have performed beyond their contracts, and owing principally as they are understood to represent, to errors in the original surveys and plans.

His excellency thinks it proper that these papers should be placed in the hands of Mr. Forman, the government engineer, with instructions carefully to examine them, and to give you a detailed report in writing on the whole subject, and comprising a reply to each individual statement and claim thus set up on the part of the contractors, and illustrating his statements by reference to the profiles and plans of each section alluded to.

Mr. Forman's report together with the papers now transmitted, I have it also in command to request that you will return to me as soon as it can be prepared, and it is desirable that this duty should be performed with as little delay as possible.

I have, &c.,

(Signed)

CHARLES TUPPER.

The commissioners for the construction of railroads in Nova Scotia.

# RAILWAY COMMITTEE.

## REPORT OF CHIEF ENGINEER ON CONTRACTORS' CLAIMS.

*Nova Scotia railway, engineer's office,*

*Halifax, 25th January, 1858.*

SIR—

I have to acknowledge receipt of your letter of the 22d December, with enclosed documents, setting forth claims advanced by Messrs. Johnston & Blackie, Messrs. Sutherland & Sons, and Mr. McDonald, and in reply thereto I have to state that Mr. Ritchie's letter, dated 30th November, which professes to explain the claims submitted by Messrs. Sutherland, does not correctly define the nature of the contracts—the quotations from the specifications are partial, and fail to convey their correct meaning.

On the day appointed for examining offers for this contract, nineteen tenders were received, and amongst them, the following from Messrs. Sutherland & Sons.

### “TENDER.

To the honorable the chairman and commissioners of railways in the province of Nova Scotia.

GENTLEMEN,—We offer to execute the several works comprised within the contract No. 7 of the Nova Scotia railway, for the sum of thirty thousand seven hundred and seventy-four pounds ten shillings, currency, *and all in terms of the contract, specification and relative plans.*

We have the honor to be,

Gentlemen,

Your obedient servants,

SPENCER SUTHERLAND & SONS.”

Halifax, 27th November, 1855.

The claimants tender was accepted, and it would now be manifestly unjust to the other eighteen parties, were they allowed claims opposed to the terms of the specification, and not included in such liberal interpretation of its several clauses, as under the circumstances might be proper.

The plans, sections and drawings only profess to provide certain data for the contractors' guidance, as fully explained in the specification; for instance, the contractor was required to satisfy himself as to the accuracy of this information, and to estimate all contingent operations necessary to enable him to construct the line to the curves delineated on the ground plan, with the inclinations drawn on the sections, and for the gross sum set apart in his tender.

The sites of embankments, as will be seen hereafter, was one of the points to which the contractors' attention was directed, the extent of waste that may arise from this cause, depending as it does upon the nature of the material and the mode in which the work is conducted, very properly is left for his own judgment to determine; and I know that these contingencies were always the subject of remark and estimate by contractors; and further I have taken special pains to explain this feature of the contracts to intending offerers who have applied to me.

The following excerpts taken from the specification, will fully confirm these views :

“The red line on the plan shows the centre line of railway as staked out on the ground. The red line on the section describes the top of embankments and bottom of the cuttings, previous to laying on the ballast. The blue line on the section represents the level of the rails, and the black undulating line the present surface of the ground along the centre line of railway; cuttings are coloured red, and embankments yellow.

“The figures on the section, indicating the depths of cutting are marked in blue, those indicating the heights of embankment in red, and show the distance of the surface from the red line or foundation level”

“The top of all the embankments and bottom of all the cuttings, *shall accurately coincide and range with the formation level, after the embankments are fully consolidated.*

“The quantity in each cutting and embankment is written upon the longitudinal section, and every care has been taken to ensure their accuracy, (having reference to the depths and heights above mentioned, and marked in figures, and coloured red and yellow on the sections); contractors must, however, examine the ground previous to tendering for the work, and satisfy themselves on this point, as well as of the accuracy of the lengths, depths and quantities drawn or written upon the several sheets, and of the nature of all the cuttings, and of the sites of all the embankments, for when a tender has been accepted, no claim for extra work will be allowed for any real or supposed inaccuracy therein, nor from slips or otherwise, as the contractor shall be bound to construct the railway so that the gradients at the formation level shall be agreeable to the gradients marked upon the longitudinal section, with the breadth and side slopes hereafter specified, and so as to accurately coincide with the curves and straight portions drawn and written in red on the ground plan.”

“Embankments shall be made from the material taken out of the excavation, as far as it goes, and *the deficiency shall be made up by side cutting, which shall be rock procured and deposited at the contractor's risk and expense.*

“The breadth of embankments shall be eighteen feet at the formation level, and the side slopes, *all of which shall be formed of rock*, shall be one horizontal to one perpendicular; and in the case of embankment No. 3, the whole embankment shall be composed solely of rock.”

Had the above clauses not been embodied in the specification, it is reasonable to suppose that the rate affixed to the earth quantity would have been less, and therefore, the assertion that work indispensable for the completion of the road was not originally contemplated by the commissioners, and tendered for by the contractors, is not true.

Mr. Sutherland's assertion that he was not called upon to provide security for the due performance of the work, until his contract was half completed, is not correct.

Among the tenders received was one lower than the claimants, and which could not be entertained, simply because the party failed in obtaining the security required by the board.

It is now too late to seek to evade the just obligations of the contracts and conditions, which are not only embodied in the present specifications, but were in force, and were well understood upon the works, before Mr. Sutherland came to the province.

I have to explain that the monthly payments are only approximate estimates of the value of work done at date.

When contingencies arise early in construction affecting expenditure for the current months, additions or deductions are made as the case requires. The following clause determines the mode by which the works are estimated:—“Pay-bills shall be made up, and payments made monthly or fortnightly, at the discretion of the commissioners, according to the schedule of prices hereto attached for work completed, but so far modified as the engineer, after taking into consideration the nature and probable cost of the works at the time unexecuted, may think necessary to represent the proportionate value of the work done, compared with the total quantity, and the contractor will be paid the amount

amount thus found to be due him on the certificate of the engineer, less ten per cent., to remain in the hands of the commissioners, until the engineer has certified that the contract is completed to his entire satisfaction." Having thus far explained some of the clause of the specification, it is admitted that owing to the nature of the sites of some of the embankments, and also to the fact that the slopes are formed of clay at a batter of one and a half to one instead of one to one, as specified.

Side cutting has been excavated as follows:—

1st—On account of site of embankment, No. 3, cubic yards,	14,338
2nd—On account of site of other embankments, due to contingencies,	14,813
3d—On account of slopes of embankment formed of clay, at a batter of $1\frac{1}{2}$ to 1,	27,333
	56,484

#### CONTRACT No. 8, MAIN LINE.

In directing attention to the first claim advanced on this section, I find the commissioners authorized the slopes of cuttings Nos. 5 & 7 to be flattened, and allowance has been made on account of this work so far as executed—large portions of these cuttings, as originally designed, have yet to be removed.

It is admitted that slopings unauthorized, amounting to 15,090 cubic yards have been executed by the contractors upon their own responsibility. It will be seen on reference to the following clause in the specification, that slips are at the contractors' risk. Should the contractor be paid full price for additional sloping, it follows that so far as any slips have taken place within the area so sloped, he will be relieved of these risks.

"The contractor shall have the whole responsibility of the works, take all risk of slips and subsidences, and maintain and keep the railway, and the whole of the works of every description in this contract, in the most efficient state of repair during the execution thereof, and for twelve calendar months after their entire completion, as certified in writing by the engineer."

The second item charged is £3750 for teams delayed at Sackville and Grand lake, waiting for material, and for taking out 150,000 cubic yards of excavation, with horses and carts.

The commissioners only undertook to deliver the permanent material at Halifax, and they never agreed to furnish any portion, either at Bedford or at Grand lake, besides it was the contractors' duty to ascertain that this material was forwarded before sending their horses and carts, and in not doing so, great carelessness was exhibited by them.

The following excerpts, embodied in a letter received from one of the inspectors, will show that the contractors have failed to make use of the permanent material already delivered.

Mr. Creed says in his letter dated 4th November, 1857,

"There were chairs at Elmsdale, Truro road crossing, abreast of Yeomans', and at three places between Anderson's and Blackbain's, in all between seven and eight thousand, some of which were hauled last year, and some during last winter.

"There were rails on the line all summer, exclusive of what were in use, as near as I can ascertain about 500 (or nearly a mile); one third of these were on the line all winter; they were deposited at the Truro road crossing, Barney's brook, and near Yeomans'."

Only three cuts were worked with rails until within the last month—two cuts at Barney's brook, and the last upon the section. On the 2nd August, 1856, the contractors had half a mile of permanent material, and on the 30th of the same month they had one and a half mile. No earth waggons were used on the contract till the middle

middle of September, 1856; up to this date there was no scarcity of rails; the excavations removed at that time were estimated at 149,960 cubic yards.

The road was not then opened beyond Bedford, the cost of transporting material to contract No. 8, was therefore an important item. Since September, 1856, the contractors have removed, including unauthorized sloping, about 100,140 cubic yards, of this quantity 49,470 cubic yards have been carried by waggons over rails, and 50,670 cubic yards carted to the embankments, and this notwithstanding the unemployed permanent material on the ground. There is still 21,000 yards of excavation to be removed near Barney's brook, where rails have always been used; vigorous measures are now required to complete these cuttings in time for the sections lying beyond. There has been no scarcity of rails and chairs during the last three or four months, and frequent complaints have been made, that the contractors have failed to remove those delivered at the depots, thereby causing serious inconvenience to the traffic, as well as expense.

Item—13,000 chairs to contracts Nos. 1 and 3, Windsor branch, £150 is admitted. The charge of £240 for masonry in small bridges, is included in the estimate.

#### CONTRACT NO. 1, WINDSOR BRANCH.

This contract was originally entered into by Messrs. Cameron & Co., and transferred by them to Messrs. Johnston & Blackie, the parties arranging and satisfying themselves, by inspection and measurements made on the ground, of the value of work still to be performed, and the claimants undertook to complete this section for the amount so ascertained. In this agreement it is specified,

“ *And whereas*, the said contractors have done considerable portions of the work on each of the said sections, but finding it impossible to complete the same within the periods limited therefor, the said articles of agreement have been agreed to be cancelled by mutual consent. And whereas, the contract price for all the work to be done on said section, No. 6, being equivalent to No. 1 of the Windsor branch, was the sum of thirty-three thousand three hundred and five pounds and sixpence. And whereas, the value of the work done on said section to the present time has been computed, by James R. Forman, esquire, the principal engineer of the said railway, at the sum of fourteen thousand five hundred and fifty-four pounds four shillings and eight pence, which said estimate has been examined and acquiesced in by the said original contractors and by the parties hereto.

*And whereas*, the said David Johnston and John Blackie have offered and agreed to complete all the work remaining to be done upon the said section, under the said contract, for the sum of eighteen thousand seven hundred and fifty pounds fifteen shillings and ten pence, being the difference between the said two sums.

*And whereas*, certain alterations were allowed in the said work upon said section number six, (No. 1) to-wit—the substituting of solid embankments between pegs numbers four hundred and seventy, and four hundred and eighty-six, eighty-eight and ninety, and two hundred and forty-one, and two hundred and forty-two, on the understanding that the line of road at and on each side of the embankment, at pegs four hundred and seventy, and four hundred and eighty-six, be altered from the red to the blue line on the plan shewing this alteration, and with the inclinations marked upon the sections, and that the embankments in all the cases be formed, sloped and finished in the same manner as specified for similar works; the slopes however not to be less than one and one half horizontal to one perpendicular, and as much flatter as may be necessary to secure them, sufficient drainage, and approved of, to be provided, and that the whole of these operations, and including the ballasting, boxing, rail laying, and up-holdence, for twelve months after completion, be performed for the amounts in the schedule set apart for the bridges originally intended in these places.”

The other clauses respecting earth works are the same as those before quoted.

Under

Under this arrangement it was clearly the duty of the contractors to satisfy themselves of the nature and extent of these operations, and in not doing so, the responsibility rests entirely with themselves.

In reference to the first item specified as side cutting to No 1 embankment, 5002 yards explained as ordered to be done, with an understanding, that as an equivalent, a loop line to join the main line, would be given to the contractors at their schedule of prices, I have to state that no such understanding existed on my part, and I never considered myself authorized to make any deviations from the contract, except under the instruction of the board; authority was given to level a piece of ground for station purposes, at the junction of the two lines, and which is allowed.

It is admitted that side cutting has been found for embankments and station purposes between the junction and Long lake, to the extent of about 14,500 cubic yards—of this quantity 1800 cubic yards is paid as embanking in lieu of bridging, and 1760 cubic yards for sidings, leaving a balance of 10,940 cubic yards due to subsidences and additional sloping in embankments.

The embankment at Long lake, as will be seen by the following correspondence, was built in a manner which recommended itself to the contractors, and at their own risk; it still requires 8000 cubic yards of sloping, and the contractors have stopped working at it.

Excerpt from letter from the inspector to Mr. Forman, dated 20th December, 1856.  
 “ Will you please inform me if you sanctioned the contractors putting into Long lake, No 18 embankment, piles and longitudinal and cross timbers to hold up embankments, they having a large quantity of timber cut (bemlock) to put in this winter ”

Excerpt from letter, Mr. Forman's to Mr. Hewitt, dated January 2, 1857.

“ Dear sir—Referring to your report on No 18 embankment, contract No. 1, Windsor branch, and to the plan you say the contractors propose for its construction, you will understand that I sanctioned no departure from the terms of the specification, nor gave any instruction referring to this work.

Should the contractor attempt any expedient to prevent the spread of the material, and not affecting the permanency of the work, I would not object, but it must be at his own risk and expense.”

The two next items charged for sloping, amounting to £3000 and £150, are admitted and paid for.

All the masonry executed is included in the measurement

The total cuttings removed by horses and carts, is estimated at 20,000 cubic yards.

#### CONTRACT No 2, WINDSOR BRANCH.

The clauses referring to embankments are the same as already quoted. The special claims referred to, items substituting solid embankment for viaduct, from pags Nos. 498 to 511, and at Sackville River, were agreed to solely for the accommodation of the contractors. In lowering the formation at the latter place, the grading of the road was injured, the inclination changed from one in 150 to one in 110, to save embankment, for the contractors' benefit.

The schedule rate for these bridges is seventeen shillings and sixpence per cubic yard;—masonry of the same description costs about twice that price, say thirty-five shillings per cubic yard.

These substitutions were effected under the following special arrangements.—

*“ Engineer’s office, Feb. 12th, 1856.*

WINDSOR BRANCH, CONTRACT No. 2.

The contractors, finding it difficult to procure stone suitable for the bridges at the termination of contract No. 1, and commencement of contract No. 2, have requested to be allowed to form solid embankments at these places.

I think their request can be complied with advantageously to the public interest, on the understanding that the course of the railway be shifted to the blue line drawn on the plan enclosed, suitable drainage under the embankments being provided, and the whole alterations to be included in the original contract prices, including upholdence.

I have the honor to be, sir,  
Your obedient servant,

J. R. FORMAN, Engineer.

THE HON. JOSEPH HOWE, chairman railway board.”

“ Approved.

JOSEPH HOWE, Chairman.”

February 20th, 1856.

*“ Engineer’s office, Halifax, Feb. 22d, 1856.*

SIRS—

The commissioners agree to your altering the line of railway between pegs 486 and 505, from the red to the blue line delineated on the plan, and with the inclinations shown on the section herein enclosed, and substituting a solid embankment for the viaduct originally intended to have been built at this place, on the understanding that the cuttings and embankments are to be properly formed, sloped and finished, as specified for similar work; the slope of embankments however, is not to be less than one and one half horizontal to one perpendicular, and as much more as may be necessary to ensure a good and substantial job.

Proper drainage, to be approved of by me, is to be provided, and the whole of the operations, including the ballasting, rail laying, and the upholdence, for 12 months after completion, to be done for the price set apart in the schedule for the viaduct originally intended to have been built at this place.

I am your obedient servant,

J. R. FORMAN.

To Duncan McDonald, esq.”

*“ Engineer’s office, 21st August, 1856.*

SIR—

As no suitable stone for the rubble masonry for the viaduct across the Sackville river, on contract No 2, Windsor branch, can be found in that district, I have to recommend that a granite bridge of block and course work, sufficient for the passage of the water, be substituted, the grade depressed about seven feet, and the remaining portion of the valley embanked.

By these means the masonry will be improved, and suited to the material in the neighbourhood, and at an additional cost on the contract of eight hundred and seventy-five pounds.

I have the honor to be, sir,  
Your obedient servant,

J. R. FORMAN.

The hon. Joseph Howe, chairman, &c. &c.”

“ Railway

*“ Railway office, 23rd August, 1856.*

BRIDGE ALTERATION, SECTION No. 2, W. B., OVER SACKVILLE RIVER.

The board having discussed this subject, in connection with Mr. Forman's report of the 21st inst., decide in favor of the alteration as in such report recommended.

J. McC.  
W. P. jr.  
J. H. A.  
T. S. T.”

*“ Nova Scotia railway,  
Engineer's office, Halifax, 29th Aug., 1856.*

SIR—

The difficulty you have experienced in getting suitable stone for the construction of the Sackville viaduct have been duly considered, and I enclose a section, showing an alteration of the levels, and a plan of a bridge to be built of block and course masonry of the description specified. You can therefore construct the line at this place according to these alterations; the slopes of the embankment to be one and a half horizontal to one perpendicular, and covered with rock or sodding, as may be considered best to afford protection from the floods.

In consideration of these alterations the board have agreed on your solicitation, to add eight hundred and seventy-five pounds to your contract price.

I am, your obedient servant,

J. R. FORMAN.

DUNCAN McDONARD, esquire, contractor, &c.”

I need not refer to the statement that a bonus of £3000 was offered by me on cutting No. 1.

The grading between cuts 14 & 15 was raised, and the increased sectional quantity occasioned thereby has been allowed the contractor under the order of the board

This embankment has been made from peat side cutting, and it therefore underwent considerable shrinkage, and the contractor persisted in forming it of the material, notwithstanding the repeated remonstrances of the resident engineer.

Letter from Mr. Forman to Messrs. McDonald & Simpson, dated 4th February, 1857.

*“ Nova Scotia railway, engineer's office,  
Halifax, 4th February, 1857.*

GENTLEMEN—

Mr. Hewitt reports that notwithstanding his repeated remonstrances, your men continue to fill up embankment No. 14, with soft mud. I have therefore again to direct your attention to this subject, and to request that this embankment be properly executed. I have also to refer to the stone drains objected to as not being built on terms of the specification, and to request that they be made in accordance therewith.

Your obedient servant,

J. R. FORMAN.

MESSRS. McDONALD & SIMPSON, contractors, No. 2 contract, Windsor branch.”

*Beaver Pond.*—The contractor submitted a section of an altered line at this place, in February, 1856, and at his request it was levelled, but found impracticable, as the grading drawn on his section was at too high a level to connect with the original line at the point of junction, subsequently, and about the same time, another proposed alteration of line was run out, and afterwards sanctioned by the board; this alteration was for the

the contractors' benefit, a heavy cutting of the hardest description of rock (whinstone) was reduced from 23,600 yards, to 11,000 yards, and the cost of excavating this material, I understood was the object the contractor had in view in urging the alteration, and which was only effected by lengthening the heaviest grade on the whole road to Windsor.

The commissioners were not bound to deliver the rails at any particular season, but in such proportions, and at such times as the engineer directed. .

In January, 1856, the orders were given by your secretary, to whom I generally furnished, for his guidance, a memorandum of the total quantity required to complete the sections; the memo. referred to must have been for this purpose.

The line was originally defined and staked out by numbered stakes driven into the ground every 22 yards, and the figures written upon the section gave the distance of the formation level above or below these permanent marks. It was the contractor's duty to preserve these levels by driving in side or reference pegs, or otherwise.

In order to secure the proper execution of the road, and to prevent any after disputes, the following clause was inserted in the specification :

“ The contractor shall be held responsible for the presevation of all centre and level pegs, and he shall be at the expense of replacing any that may be altered or destroyed during the period of construction or upholdence ; and generally, he shall supply at his own cost, all the skill and labor necessary to ensure the whole of the works being completed in an accurate and scientific manner.”

The contractor failed to slope the embankment at Evans' lake with rock, as specified ; some loss of material from the wash of the lake, was the result, but to what extent I am unable to say. I am not aware of any inaccuracy in the soundings at this place.

Under the following letter, the contractor agreed to flatten the slopes of cuttings Nos. 19 and 20 :

“ *Halifax, June 12th, 1857.*

Sir—

If I can be allowed to raise the grade 2 feet 6 inches at peg 600, No. 2 contract, Windsor branch, I will take it as a favor, and it will facilitate the completion of this contract.

The 2 feet 6 inches join the present grade at 650, on one side, and to be taken level on the other. Should this application be granted, I will make the slopes of cuttings Nos. 19 and 20, 1 and  $\frac{1}{2}$  to 1.

I am, sir,

Your obedient servant,

D. MACDONALD.

J. R. FORMAN, ESQ.”

“ Recommended with the view of facilitating the completion of this work.

J. R. FORMAN.”

“ J. McN.

J. H. A.

W. P. jr.”

A considerable portion of the excavation for the Sackville River embankment had to be taken out of cutting No. 18, and few of the remaining cuttings were excavated to the specified width before last summer.

The slopes of the clay cuttings are injuriously affected by the sudden thaws which occur in winter, and not otherwise. It appears from measurement that the contractors have

have excavated and put in embankments on line, exclusive of embankments No. 1, and at Sackville River, cubic yards,		120,604
Add schedule quantity, embankment No. 1,	8068	
Ditto ditto Sackville River.	3237	
	—	11,325
		<u>131,929</u>
Deduct raised grade embankment No. 20, allowed, cubic yards,	7059	
Cutting No. 2 to embankment No. 1,	5350	
Deduct slopes of embankment No. 1, reduced $1\frac{1}{2}$ to 1,	10639	23,048
		<u>108,881</u>
Excavations for schedule,		106,579

Portions of the excavations have been put to spoil, but owing to the inequality of the surface the quantity was not measured.

#### CONTRACT No. 3, WINDSOR BRANCH.

This section was originally let to Messrs. Cameron & Co., but subsequently transferred to Messrs. Johnston & Blackie, who measured the work, and satisfied themselves of the amount necessary for its completion.

The following additional clauses were then inserted in the contract :—

“ And whereas the contract price for all the work to be done on said section No. 8, being equivalent to No. 3 of the Windsor branch, was the sum of forty-one thousand four hundred and eleven pounds eleven shillings and five pence. And whereas the value of the work done on the said section, to the present time, has been computed, by James R. Forman, the principal engineer of the said railway, at the sum of fourteen thousand and seven pounds four shillings and nine pence, which said estimate has been examined and acquiesced in by the said original contractors, and by the parties hereto. And whereas the said David Johnston and John Blackie have offered and agreed to complete all the works remaining to be done upon the said section as originally planned, for the sum of twenty-seven thousand four hundred and four pounds six shillings and eight-pence, being the difference between the said two sums. And whereas the following modifications of the said contract and changes in the original plan, have been allowed or determined on by the said commissioners and engineer, and assented to by the said David Johnston and John Blackie, that is to say :—

“ First—The present state of the bottoming in cuttings three and four, rendering it desirable to raise the formation level three feet at this place, the contractors are to be allowed to make this alteration, but any loss of material occasioned thereby to be made good by them ; and the inclination on either side of the cuttings shall not be less than one foot in three hundred and fifty feet, or as much flatter as the engineer may think proper.

“ Second—It also appearing to be for the advantage of the work to alter the site of the line at cutting number nineteen, about thirty feet south of the first location—the contractors are to be allowed to make this change ; but no alterations shall be made in the radius of the curve or inclinations of the road, and the tangents on both sides shall be made to connect with the altered curve, in the same way as in the original plan.

“ Third—Arrangements having been entered into with the original contractors to alter the site of the line, and form a solid embankment at third lake, the said David Johnston and John Blackie shall be bound to make these alterations in accordance with the plans and sections, and for the stipulated price of five hundred pounds, to be paid over and above the contract price. And further, from the nature of the bottom of the embankment at first lake, there being reason to conclude that some rock borrowing will be required in the embankment, such additional quantity, if any, shall be paid for at the rate of three shillings and sixpence per cubic yard.” The

The above excerpts have reference to the alteration of the line at embankments Nos. 3, 20 and 21, the claims at these places amounting in the aggregate to 17,824 cubic yards. There was no alteration of the line at embankment No. 24.

The total quantity of rock and earth filling put into embankment No. 9, on Third lake, was found to be on the 21st November, 15,717 cubic yards. Under one of the above clauses it is provided that this embankment is to be completed for the sum set apart for the viaduct originally intended to have been built near this place, and five hundred pounds in addition thereto, and which has been allowed.

Under the specification all the slopes of embankments were to be formed of rock at a batter of one to one, the contractor failed to comply with this requirement. It is admitted that the slopes in many cases were formed of clay at a batter of one and a half to one, and in embankment No. 18, 5435 cubic yards are claimed on account of this departure from the contract.

I have further to remark that the monthly statements as already explained, are intended only as approximate estimates of the value of work, and the allowances are on as liberal a scale as possible, in order to remove any cause of complaint on the part of the contractor. They are not to be founded upon in case of a final settlement, or on an accurate adjustment made at any time.

I have had the quantities taken on the original section on the supposition that the slopes of the rock cuttings are one quarter to one.

The rock quantity thus calculated is, cubic yards,	82,820
To which add the additional quantity put into embankment No. 2,	13,237
Raising grade of embankment No. 11,	4,278
And rock put into embankment No. 9,	12,683

Making in all, cubic yards,	113,018
The total quantity of rock excavation as per measurement made, on the ground at 21st November is, cubic yards,	119,777

The earth excavations as per section are, cubic yards,	37,987
The total quantity of earth excavations as per measurement, made on the ground, at 21st November, is, cubic yards,	66,579
From which deduct claims on embankments Nos. 3, 20 & 21, cubic yards,	17,824
Claims on embankment No. 18, cubic yards,	5,435
do. do. 24, do.,	8,542
And earth put into embankment, No. 9, cubic yards,	3,034    34,835    31,744

The embanking still to be made at the 21st November, was estimated at 9561 cubic yards. I am not aware of any logging on this section, except for the contractors' convenience, it was trifling in extent, and even if admitted as an extra charge, the amount now claimed is exorbitant.

The contractors were bound to provide for the drainage, and they have been paid for doing so at the contract prices.

It is admitted that some of the chairs were removed and replaced, and a portion of the joint keys had to be reduced.

I was never informed that the contractors had skilled labour on this section rendered unavailable on account of the want of permanent material. I know there were delays in getting forward all the rails required, but I am not aware that the contractors suffered any loss therefrom.

## CONTRACT No. 5, WINDSOR BRANCH.

The clauses referring to excavations, payments, &c, are the same as already quoted, the slopes of embankments in all cases to be  $1\frac{1}{2}$  to 1.

A portion of the material in cuttings was used for ballast, instead of making up embankments, but I cannot now say to what an extent this was the case.

Twenty thousand five hundred cubic yards of side cutting was allowed, at the contractor's special request, pro. tempore, in October, 1855, on the grounds that the price for excavations was low, whereas on the contrary, there would be considerable profit on the masonry of the St. Croix bridge, no part of which had been erected at that time.

No claims for extra work were handed to me previous to December, 1856, when I received the statement referred to, enclosed in the following letter :—

“ Windsor, 22d December, 1856.

J. R. FORMAN, esquire, chief engineer, &c.

SIR—

Agreeably to your request, I send you statement of work done on No. 5 contract, to 20th inst.

I am, sir,  
Your obedient servant,

D. McDONALD.”

This statement was returned, not having been made at my request, as asserted, nor in terms of the contract, as follows :—

“ The contractor shall, at the end of every month, deliver to the engineer a statement of all the materials used upon the works, and the workmanship and labour done within the month ; and shall forfeit all claim and right to payment for all extra work, or altered work which he fails to insert in the first statement made out after the said work, or any portion of it has been executed ; besides, no claim shall be allowed or be due the contractor for any extra or altered work, unless he produces written instructions from the engineer to make the additions or alterations for which he may claim payment.”

The cost of carriage, and erection of girders at the St. Croix viaduct, is included in the contract price. The commissioners agreed to deliver these girders at Windsor, but the carriage therefrom, and erection, is held to be included in the price of the other work ; (see contract, pages 16 and 20.)

Item.—Removing barn, charged £10, admitted.

The contractors had no authority to reduce slopes of cutting to one and one half to one, to do so would add 22,200 cubic yards to the original quantity,—this work has not been performed, portions of the slopes are flatter than specified, but the cuttings are not in all cases taken out to the full width.

The conditions applied to the return referred to in the following letter from Mr. McDonald, have been complied with by the board.

“ Halifax, 18th June, 1857.

SIR—

Having examined the returns dated June 6th, 1857, for contract No. 5, Windsor branch, and the extension of the same into Windsor, and prices affixed to the several items of work in the said returns, I am of opinion that the rate embraced in my schedule for St. Croix bridge, be allowed me for the culverts at pegs 708, 721 and 749,

749, and for the bridge at Winkworth road, and with these alterations I will be satisfied with the rates or prices for all the other items.

I am, sir,

Your obedient servant,

D. McDONALD.

J. R. FORMAN, esquire, chief engineer, &c."

CONTRACT NO. 5—EXTENSION AT WINDSOR.

This contract was let to the contractors under the following arrangement :

*"Nova Scotia railway,*

To the hon. the chairman and commissioners of railways in the province of Nova Scotia.

GENTLEMEN,

We, the undersigned, hereby agree to execute the several works comprised within the extension contract at Windsor, at the following schedule of prices ;

Earthwork in embankment and side cutting,	1s. 3d. per cubic yard.
Ballasting,	1s. 4d. ditto
Rail laying,	1s. 3d. per lineal yard.
Sleepers,	2s. 6d. each.
Laying and fixing points and crossings,	£6 0 0 per sett.
Upholdence of line	80 0 0 per mile per annum,

and all in terms and prices of contract No. 5, of which this is an extension.

DUNCAN McDONALD,  
JAMES SIMPSON."

Windsor, September 18th., 1855.

"Sanctioned by the board.

JOSEPH HOWE, chairman."

No other agreement was ever made, and no claim was advanced before on account of blasting material or otherwise.

The board of ordnance authorized side cutting to be taken from their lands within certain limits, and in the manner to be directed from time to time by their officer on the ground ; the contractors not having complied with this officer's instructions, the heads of the department interfered, and the railway board had great difficulty in obtaining their consent to any further excavations being made on their lands.

In reviewing the whole subject, with the knowledge that the clauses of the specification were drawn out expressly to exclude claims on account of extra work in cuttings and embankments ; and believing that the clear, just, and equitable interpretation of the contracts fully confirms this view, I find it impossible to recommend that any part of the claim advanced under this head be allowed ; at the same time, the contractors having had many difficulties to contend with, their position demands the favourable consideration of the board, to enable them to complete their sections with credit ; and, as a means of thus assisting them, I recommend where slopes of clay excavations have been reduced to one and one half to one, the additional yards included therein be paid for at the scheduled rates. I annex copies of measurements of all the contracts referred to in this report.

I have the honor to be,

Sir,

Your obedient servant,

J. R. FORMAN.

Hon. James McNab, chairman, &c.

Accounts

ACCOUNTS AND STATEMENTS REFERRED TO IN THE FOREGOING  
REPORT.

NOVA SCOTIA RAILWAY.—CONTRACT No. 1, WINDSOR BRANCH.

*Statement of work done up to Saturday, 21st November, 1857.*

*Earthwork.*

Cuttings on line put into embankments, per schedule,	£22359	16	3	
Less—amount necessary to make up slopes of embankment No. 18, cubic yards, 6000, 2s. 3d.,		675	0	0
		£20684	16	3
Sloping cut No. 18, per agreement,			150	0
Sloping other cuts, per agreement,	£3000	0	0	
Less—work still to be done,		170	0	0
		2830	0	0
			£23664	16
				3

*Road alterations.*

Forming Beaver Bank road, per schedule,	55	0	0	
Level crossing, per schedule,		28	4	4
		83	4	4

*Culverts and drains.*

3 feet by 2 feet, cubic yards, 41, 9d.,	1	10	9	
2 " 2 " cubic yards, 131, 6d.,		3	5	6
2 " 1½ " cubic yards, 27, 4d.,		0	9	0
Side ditches, cubic yards, 3982, 6d.,		99	11	0
Do ex size, cubic yards, 4207, 2s. 3d.,		473	5	9
		578	2	0

*Bridges.*

Viaduct between pegs Nos. 454 and 464, embankment in place of viaduct, per agreement,	£4000	0	0	
At peg No. 16—				
Cutting foundation, cubic yards, 67, 3s.,	£10	1	0	
Foundation stones, cubic feet, 500, 1s.,		25	6	0
Block & course rubble, c. yds 178, 3s. 6d.,	298	3	0	
Coping, cubic feet, 51, 5s.,		12	15	0
Timber beams, cubic feet, 525, 3s.,		78	15	0
Planking, s. yards, 130, 1s. 4d.,		8	13	4
Iron work, lbs. 141, 6d.,		3	10	6
		437	3	10
At peg No. 89—				
Drain and embankm't substituted, amount per schedule,		337	6	10
At peg No. 178—				
Drain and embankm't substituted, amount per schedule,		77	15	2
At peg No. 242—				
Drain and embankm't substituted, amount per schedule,		373	8	10
		788	10	10

At

At peg No. 315—				
Cutting foundation, cubic yards, 50, 3s.,	£7	10	0	
Foundation stones, cubic feet, 100, 1s.,	5	0	0	
Rubble, cubic yards, 86, 30s.,	129	0	0	
Timber, cubic feet, 138, 3s.,	20	14	0	
				<u>162 4 0</u>
				1387 18 8
Grubbing and clearing away trees, chains, 425, 30s.	637	10	0	
<i>Finishing.</i>				
Ballasting, cubic yards, 6250, 3s.,	937	10	0	
Rail laying, cubic yards, 10625, 10d.,	442	14	2	
Sleepers, 12628, 1s. 6d.,	947	2	0	
Carriage of material, miles, 6 $\frac{3}{32}$ , £80,	487	10	0	
				<u>2814 16 2</u>
				3452 6 2
<i>Stations.</i>				
Grading at Windsor junction, c. yards, 1760, 2s. 3d.,	198	0	0	
Points and crossings, 1 sett, £5,	5	0	0	
				<u>203 0 0</u>
				£33369 7 5

## NOVA SCOTIA RAILWAY.—CONTRACT No. 2, WINDSOR BRANCH.

Statement of work done up to Saturday, 16th January, 1858.

*Earth work.*

Cuttings on line put into embankmts., per schedule,	£14210	10	8	
Raising grades of embankments, Nos. 20 & 21, cubic yards, 7059, 2s. 8d.,	941	4	0	
				<u>15151 14 8</u>
Emb't. No. 1, bridge, £3672 10 2	4772	10	2	
Allowed by comrs. extra, 1100 0 0	112	10	0	
Less—work still to be done,				<u>4660 0 2</u>
Sackville bridge and embankment, amount per agreement,	3481	8	8	
Less—work still to be done,	100	0	0	
				<u>3381 8 8</u>
				23193 3 6

*Road alterations.*

Beddoe's road, cubic yards, 242, 5s.	60	10	0	
Peg, No. 667, cubic yards, 250, 2s. 8d.	33	6	8	
				<u>93 16 8</u>
				93 16 8

*Culverts and drains.*

3 feet x 2 feet, cubic yards, 43, 11s.	23	13	0
2 feet x 2 feet, cubic yds., 39, 9s. 6d.	18	10	6
Sides ditches, cubic yds., 4864, 2s. 6d.,	608	0	0

Open

Open courses in rock, c. yds. 2750, 5s.	£687 10 0			
Dry rubble in rock, c. yds. 133, 17s. 6d.	116 7 6	1454 1 0	£1454 1 0	
Grubbing on line, cubic yards, 480, 36s.	864 0 0	864 0 0		

*Finishing.*

Ballasting, cubic yards, 10,500, 2s.	1050 0 0			
Rail laying, c. yds. 11,418, 1s. 3d.	713 12 6			
Sleepers, No. 13,351, 2s. 6d.	1668 15 0			
Carriage of material, miles 6 <sup>39</sup> / <sub>80</sub> £110	713 12 6	4146 0 0	5010 0 0	

*Stations.*

Grading at Mitchell's road, cubic yards, 750, 2s. 8d.	100 0 0			
Grading at Beddoe's road, cubic yards, 1200, 2s. 8d.	160 0 0			
			260 0 0	

*Sundries.*

Cutting down embankment No. 18, to receive timbers, c. yds. 57, 2s	5 14 0			
Timber in stringers, c. feet, 180, 1s. 8d.	15 0 0			
Sleepers, No. 19, 2s. 6d.	2 7 6			
Iron work, lbs. 50, 9d.	1 17 6	24 19 0	24 19 0	
				£30,036 0 2

## NOVA SCOTIA RAILWAY.—CONTRACT No. 3, WINDSOR BRANCH.

*Statement of work done up to Saturday, 21st November, 1857.**Earthwork.*

Cuttings on line put into embankments, cubic yards,	186,356			
Deduct quantity put into Third lake, cubic yards,	15,717			
Cubic yards,	170,639, at 3s. 6d.	£29861 16 6		
Third lake, amount per agreement,		5085 3 0		
			34946 19 6	

*Road alterations.*

Windsor road, lineal yards, 308, 10s.	£154 0 0			
Planking do. sq. yards, 39, 1s. 4d.	2 18 5	156 18 6		
			156 18 6	

*Culverts and Drains.*

2 feet by 2 feet, lineal yards, 14, 1s. 8d.	1 3 4			
Side ditches, do. 550, 1s.	27 10 0			
Ditto thro' rock, do. 100, 3s. 6d.	33 5 0			
		61 18 4		

<i>At peg No. 52.</i>			
Rubble, cubic yards, 23, 40s.	£46	0	0
Timber, cubic feet, 58, 2s.	5	16	0
	<hr/>		51 16 0
<i>At peg No. 195.</i>			
Cutting foundation, c. yards, 23, 3s.	3	9	0
Rubble, cubic yards, 27, 40s.	54	0	0
Timber, cubic feet, 58, 2s.	5	16	0
	<hr/>		63 5 0
			<hr/>
			176 19 4

*Bridges—peg No. 70.*

Foundation stones, cubic feet, 272, 1s. 6d.	20	8	0
Rubble, cubic yards, 47, 40s.	94	0	0
Timber, cubic feet, 86, 3s.	12	18	0
	<hr/>		127 6 0

<i>At peg No. 147.</i>			
Cutting foundation, cubic yards, 121, 3s.	18	3	0
Foundation stones, cubic feet, 588, 1s. 6d.	44	2	0
Rubble, cubic yards, 354, 40s.	708	0	0
Coping, cubic feet, 117, 6s.	35	2	0
Timber, cubic feet, 636, 2s.	63	12	0
Planking, square yards, 95, 1s. 3d.	5	18	9
Iron work, lbs., 673, 6d.	16	16	6
	<hr/>		891 14 3

<i>At peg Nos. 87 and 91.</i>			
Cutting foundation, cubic yards, 300, 3s.	45	0	0
Foundation stones, c. feet, 1963, 1s. 6d.	147	4	6
Rubble, cubic yards, 1051, 40s.	2102	0	0
Coping, cubic feet, 300, 6s.	90	0	0
Timber, cubic feet, 3400, 2s.	340	0	0
Planking, square yards, 470, 1s. 3d.	29	7	6
Iron work, lbs., 6160, 6d.	154	0	0
	<hr/>		2907 12 0

*Pile Bridge.*

Erected, cubic feet, 3202, 3s.	480	6	0
On ground, cubic feet, 4406, 1s. 9d.	385	10	6
			<hr/>
			865 16 6
Grubbing on line, chains, 460, 30s.	690	0	0
			<hr/>
			690 0 0
			<hr/>
			4792 8 9

*Finishing.*

Ballasting, cubic yards, 5451, 3s.	817	13	0
Rail laying, lineal yards, 5720, 1s. 6d.	429	0	0
Sleepers, No. 12233,	917	9	6
Carriage of material, miles, 5 <sup>7</sup> / <sub>80</sub>	1190	0	0
	<hr/>		3354 2 6
			<hr/>
			4044 2 6
			<hr/>
			£44117 8 9

## NOVA SCOTIA RAILWAY.—CONTRACT No. 5, WINDSOR BRANCH.

Statement of work done up to Saturday, 16th January, 1858.

*Earth work.*

Cuttings on line, put into embankments, per schedule, £7877 2 6

*Road alterations.*

At peg No. 735, cubic yards, 80, 4s.	£16	0	0
“ 774, “ 80, 5s.	20	0	0
“ 848, “ 40, 6s.	12	0	0
“ 869, “ 30, 8s.	12	0	0
“ 896, “ 470, 4s. 6d.	105	15	0
“ 850, “ 2500, 1s. 3d.	156	5	0
	£322	0	0

*Level crossings.*

Rubble in walls, cubic yards, 232, 10s.	116	0	0
Timber in beams, cubic feet, 198, 2s.	19	16	0
Planking, square yards, 133, 4s.	26	12	0
Iron work, lbs., 133, 9d.,	4	19	9
	167	7	9
Planking other crossings, s. yds., 85, 4s	17	0	0
Iron work, lbs., 85, 9d.	3	3	9
	20	3	9

500 11 6

*Culverts and drains.*

8 feet by 4 feet, cubic yards, 60, 80s.	£240	0	0
6 “ 2 “ “ 14, 30s.	21	0	0
3½ “ 3 “ “ 32½, 20s.	32	6	8
3 “ 3 “ “ 11, 20s,	11	0	0
3 “ 2 “ “ 131, 10s. 6d.	68	15	6
2 “ 2 “ “ 73½, 9s. 6d.	34	19	10
2 “ 1½ “ “ 49½, 7s. 6d.	18	10	0
Side ditches, cubic yards, 11792, 2s. 6d.	1474	0	0
	1900	12	0

*Fifteen feet culverts—*

Cutting foundation, cubic yards, 161, 2s.	16	2	0
Foundation stones, cubic feet, 756, 2s.	75	12	0
Rubble, cubic yards, 512, 80s.	2048	0	0
Dry stone, cubic yards, 248, 4s.	49	12	0
Arching, cubic feet, 1144, 3s.	171	12	0
Coping, cubic feet, 420, 3s.	63	0	0
Beams, cubic feet, 53, 2s.	5	6	0
Planking, square yards, 30, 4s.	6	0	0
Tarring, square yards, 30, 1s.	1	10	0
Spikes, lbs., 30, 9d.,	1	2	6
	2437	16	6

*Twelve feet culverts—*

Cutting foundation, cubic yards, 72, 2s.	7	4	0
Rubble, cubic yards, 313, 45s.	704	5	0
Beams, cubic feet, 283, 2s.	28	6	0
Planking, square yards, 150, 4s.	30	0	0
Tarring, square yards, 150, 1s.	7	10	0
Iron work, lbs., 150, 9d.	5	12	6
	782	17	6

5121 6 0

St.

*St. Croix bridge.*

Cutting foundation, cubic yards, 377, 2s.	£37	14	0		
Foundation stones, cubic feet, 1919, 2s.	191	18	0		
Block and course, cubic yards, 1564, 80s.	6256	0	0		
Dry stone, cubic yards, 160, 4s.	32	0	0		
Coping, cubic feet, 234, 3s.	35	2	0		
Impost, cubic feet, 200, 4s.	40	0	0		
Timber in beams, cubic feet, 3869, 2s.	386	18	0		
Do in handrail, " 593, 2s. 6d.	74	2	6		
Planking, square yards, 450, 4s.	90	0	0		
Painting, 3 coats,	50	0	0		
Iron work, lbs., 5000, 9d.	187	10	0		
				3781	4 6
Grubbing, chains, 510, 20s.	510	0	0		

*Finishing.*

Ballasting, cubic yards, 21197, 1s. 4d.	1413	2	8		
Rail laying, cubic yards, 11220, 1s. 3d.	701	5	0		
Sleepers, 13106, 2s. 6d.,	1638	5	0		
Carriage of material, miles, 6 <sup>30</sup> / <sub>80</sub> , £90	573	15	0	4326	7 8
				4836	7 8
				£25725	12 2

## NOVA SCOTIA RAILWAY.—CONTRACT No. 5, EXTENSION, WINDSOR BRANCH.

*Statement of work done up to Saturday, 16th January, 1858.**Earth work.*

Cuttings on line to embankment, per section, cubic yards,	9689				
Side cuttings to embankments and depot, cubic yards,	75111				
Cubic yards, 84,800, 1s. 3d.	5300	0	0	5300	0 0

*Road alterations.*

Winkworth road, c. yards, 4400, 1s. 3d.	275	0	0		
Mettalling road, cubic yards, 600, 1s. 4d.	40	0	0	315	0 0
				315	0 0

*Culverts and Drains.*

3 feet x 2 feet, square yards, 41, 10s. 6d.	21	17	6		
Side ditches, square yards, 2112, 2s. 6d.	264	0	0	285	17 6
				285	17 6

*Bridges—Winkworth Road.*

Cutting foundation, cubic yards, 210, 2s.	21	0	0		
Foundation stones, cubic feet, 675, 2s.	67	10	0		
Rubble, cubic yards, 363, 80s.	1452	0	0		
Coping, cubic feet, 220, 3s.	33	0	0		
Beams, cubic feet, 420, 2s.	42	0	0		

Handrail

Handrail, cubic feet, 95, 2s. 6d.	£11 17 6		
Planking double, square yards, 155½, 18s.	62 4 0		
Tarring square yards, 155½, 1s.	7 15 6		
Iron work, lbs. 1610, 9d.	60 7 6		
			1757 14 6

## Peg No. 26.

Cutting foundation, cubic yards, 36, 2s.	312 0 0		
Foundation and rubble, c. yards, 65, 45s.	176 5 0		
Beams, cubic feet, 53, 2s.	5 6 0		
Planking, square yards, 30, 4s.	6 0 0		
Spikes, lbs. 30, 9d.	1 2 6	192 5 6	
			£1950 0 0
Grubbing, chains 65, 20s.	65 0 0	65 0 0	

*Finishing.*

Ballasting, cubic yards, 2480, 1s. 4d.	165 6 8		
Rail laying, lineal yards, 1926, 1s. 3d.	120 7 6		
Sleepers, No. 2934, 2s. 3d.	366 15 0		
Carriage of material, mile 1½, £90,	99 0 0		
Points and crossings, setts 2, £6,	12 0 0	763 9 2	828 9 2
			£8679 6 8

## NOVA SCOTIA RAILWAY.—CONTRACT No. 7, MAIN LINE.

Statement of work done up to Saturday, 16th January, 1858.

*Earth work.*

Cuttings put into embankments, on line, per schedule,	21081 15 6		
Raising grade on embankment, No. 20, cubic yards, 10,532, 2s. 2d.	1140 19 4		
Sloping cut, No. 15, c. yds. 4085, 2s. 2d.	442 10 10	22665 5 8	
			22665 5 8

*Road alterations.*

Forming Horn's road, lineal yards, 93, 2s.	9 6 0		
Gravelling ditto, square yards, 418, 6d.	10 9 0		
Truro road, lineal yards, 200, 2s.	20 0 0	39 15 0	
			39 15 0

*Culverts and drains.*

3½ feet by 2½ feet, lineal yards, 15½, 16s. 6d.	12 18 6		
3 " by 3 " " 11½, 16s. 6d.	9 5 2		
3 " by 2½ " " 27, 16s. 6d.	22 5 6		
3 " by 2 " " 79, 16s. 6d.	65 3 6		
2 " by 2 " " 88½, 15s.	66 10 0		
Timber culvert, cubic feet, 1572, 1s.	78 12 0		
		254 14 8	
Sides ditches, lineal yards, 7713, 2s.	771 6 0		
Diversion of stream, lineal yds. 260, 3s. 6d.	45 10 0		
		816 16 0	

Five

## Five dry stone culverts—

Cutting foundation, cubic yards, 356, 6s.	£106	16	0		
Dry stone masonry, cubic yards, 221, 25s.	276	5	0		
				<u>383</u>	1 0

## Peg No. 274—

Cutting foundation, cubic yards, 98, 6s.	29	8	0		
Rubble masonry, cubic yards, 95, 40s.	190	0	0		
Dry stone pitching, cubic yards, 30, 10s.	15	0	0		
				<u>234</u>	8 0
Retaining wall, cubic yards, 348, 25s.				435	0 0
					<u>£2123</u> 19 8

## Bridges.—Skubenacadie River.

Cutting foundation, cubic yards, 337, 6s.	101	2	0		
Foundation stones, cubic feet, 2717, 2s.	271	14	0		
Block and course, cubic yards, 641, 50s.	1602	10	0		
Dry stone, cubic yards, 20, 2s.	2	0	0		
Timber, cubic feet, 883, 1s.	44	3	0		
Planking, square yards, 150, 2s. 6d.	18	15	0		
Crib work, cubic feet, 370, 1s.	18	10	0		
Iron work, lbs. 420, 6d.	10	10	0		
Erection of girders,	30	0	0		
				<u>2099</u>	4 0

## Pegs Nos. 23 and 54—

Cutting foundation, cubic yards, 312, 6s.	93	12	0		
Rubble masonry, cubic yards, 535, 40s.	1070	0	0		
Timber, cubic feet, 1625, 1s.	81	5	0		
Planking, square yards, 240, 2s. 6d.	30	0	0		
Iron work, lbs. 700, 6d.	17	10	0		
				<u>1292</u>	7 0

## Peg No. 513—

Cutting foundation, cubic yards, 80, 6s.	24	0	0		
Rubble, cubic yards, 180, 40s.	360	0	0		
Timber, cubic feet, 258, 1s.	12	18	0		
Logs in foundation, tons, 8, 10s.	4	0	0		
Planking, square yards, 56, 2s. 6d.	7	0	0		
Iron work, lbs., 54, 6d.	1	7	0		
				<u>409</u>	5 0
					<u>3800</u> 16 0

## Finishing.

Ballasting, cubic yards, 23,446, 2s.	2344	12	0		
Rail laying, lineal yards, 12,331, 1s. 3d.	770	13	9		
Sleepers, No. 14,700, 1s. 4d.	984	2	8		
Carriage of material, miles, 7, £234,	1638	0	0	5737	8 5
					<u>5737</u> 8 5
Grubbing on line, chains, 560½, 10s.	280	5	0	280	0 5
Fencing, lineal yards, 1s. 1d.	381	0	2	381	0 2
Taking out and filling up bog, to account,				100	0 0
					<u>761</u> 5 2
					<u>£35,128</u> 9 11

## NOVA SCOTIA RAILWAY.—CONTRACT No. 8, MAIN LINE.

Statement of work done up to Monday, 4th January, 1858.

*Earth work.*

Cut No. 1,	cubic yards,	7446	
2,		10900	
3,		5095	
4,		973	
5,		17098	
6,		2444	
7,		29233	
8,		5051	
9,		448	
10,		5200	
11,		2512	
12,		2863	
13,		1674	
14,		2533	
15,		1147	
16,		1477	
17,		2927	
18,		8454	
19,		31463	
20,		11963	
21,		1229	
22,		2992	
23,		7219	
24,		19988	
25,		2525	184854

## Side Cutting—

Embankment No. 1,	cubic yards,	7826	
2,		7364	
5,		3060	
6,		6514	
8,		3231	
13,		1394	
19,		6059	
21,		7103	

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 42551

Due to raised grades,	4061	
Excess in previous embk't,	3003	7064

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 35487

## Raising grade—

Embankment No. 1,	cubic yards,	2445	
2,		3064	
4,		632	
5,		873	
21,		1312	

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 8326

Less taken from cuttings on line,	2485	5841
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Sloping

Sloping authorized—		
Cuts Nos. 5 and 7—2000 and 5500,		£7500
		<u>233682</u>

Deduct—		
Cuttings used for ballast, c. yards,	2241	
Do. roads, -	1376	
Do. bridges,	1915	
Do. contract No. 9,	2613	8155

Cubic yards, 225527 at 1s. 5d., · £15974 16 7

*Road alterations.*

At peg No. 233, cubic yards, 46, 3s.		£6 18 0
442, " 24, 5s.		6 0 0
502, " 10, 4s.		2 0 0
713, " 60, 10s.		30 0 0
744, " 10, 2s.		1 0 0
770, " 1031, 4s.	206 4 0	
830, " 344, 3s. 6d.	64 0 0	
875, " 220, 3s.	33 0 0	
775, " 60, 6s. 8d.	20 0 0	
Stoning in bottom at peg No. 770, sq. yards, 1000, 6d.	25 0 0	
Gravelling, square yards, 7975, 6d.	199 7 6	

Level crossing—

Masonry, &c, in cattle guard,	10 0 0	
Timber in beams, cubic feet, 20, 1s.	1 0 0	
Planking, square yards, 20, 2s. 6d.	2 10 0	
Spikes, lbs., 20, 6d.	0 10 0	14 0 0

603 13 6

*Culverts and drains.*

3 feet by 2 feet, cubic yards, 82 $\frac{1}{3}$ , 30s.	124 10 0	
2 " 1 $\frac{1}{2}$ " " 513 $\frac{1}{3}$ , 25s.	641 13 4	766 3 4

Six open courses.

Cutting, cubic yards, 104, 2s.	10 8 0	
Pitching, cubic feet, 492, 1s.	24 12 0	
Masonry, cubic yards, 91, 40s.	182 0 0	
Timber, cubic feet, 260, 1s. 6d.	19 10 0	
Iron work, lbs., 240, 6d.,	6 0 0	
	<u>242 10 0</u>	

Brook diversions.

At peg No. 73, cubic yards, 552	
175,	82
183,	58
315,	290
456,	918
478,	125
499,	51
638,	114
666,	98

At peg No. 776,	173			
818,	689			
847,	80			
Cubic yards, 3230, at 2s.	323	0	0	
Side ditches, cubic yards, 15884, 1s.	794	4	0	
				1117 4 0

## Bridge at peg No. 183.

Cutting foundation, cubic yards, 67, 2s.	6	14	0	
Foundation stones, cubic feet, 450, 2s.	45	0	0	
Block and course, cubic yds., 185, 40s.	370	0	0	
Coping, cubic feet, 75, 4s. 6d.	16	17	6	
Timber, " 176, 1s. 6d.	13	4	0	
Planking, square yards, 45, 2s. 6d.	5	12	6	
Iron work, lbs. 88, 6d.	2	4	0	
				459 12 0

## Retaining wall—

Cutting foundation, cubic yards, 388, 2s.	38	16	0	
Dry stone masonry, " 585, 25s.,	731	5	0	770 1 0

3355 10 4

## Bridges.

## Nine Mile River—

Cutting foundation, c. yds, 610, 7s. 6d.	228	15	0	
Foundation stones, cubic feet, 2952, 2s.	295	4	0	
Block and course, c. yards, 993, 50s.	2482	10	0	
Impost, cubic feet, 567, 4s. 6d.	127	11	6	
Coping, " 188, 4s. 6d.	42	6	0	
Timber, beams, &c. c. feet, 11180, 1s. 6d.	838	10	0	
Piles, cubic feet, 1400, 2s. 6d.	175	0	0	
Iron work, lbs., 6548, 6d.	163	14	0	
Piles in foundation, c. feet, 992, 2s. 6d.	124	0	0	
Timber in do. " 236, 1s. 6d.	17	14	0	
Planking in do. sq. yards, 84, 2s. 6d.	10	10	0	
Iron work, lbs., 495, 6d.	12	7	6	
				4518 2 0

## Barney's Brook.

Cutting foundation, cubic yards, 330, 2s.	33	0	0	
Foundation stones, cubic feet, 1850, 2s.	185	0	0	
Block and course, c. yards, 1432, 50s.	3580	0	0	
Dry stone, cubic yards, 45, 2s.	4	10	0	
Impost, cubic feet, 252, 4s. 6d.	56	14	0	
Coping, cubic feet, 120, 4s. 6d.	27	0	0	
Timber, cubic feet, 2232, 1s. 6d.	167	8	0	
Planking, square yards, 250, 2s. 6d.	31	5	0	
Iron work, lbs., 2047, 6d.,	51	3	6	
				4136 0 6

## Peg No. 456—

Cutting foundation, cubic yards, 59, 2s.	5	18	0	
Foundation stones, cubic feet, 200, 2s.	20	0	0	
Block and course, cubic yards, 95, 40s.	190	0	0	
Coping, cubic feet, 42, 4s. 6d.	9	9	0	
Timber, cubic feet, 150, 1s. 6d.	11	5	0	
				236 12 0

Peg

## Peg No. 549—

Cutting foundation, cubic yards, 29, 2s.	£2 18 0	
Foundation stones, cubic feet, 349, 2s.	34 18 0	
Block and course, cubic yards, 59, 40s.	118 0 0	
Coping, cubic feet, 48, 4s. 6d.	10 16 0	
Timber, cubic feet, 150, 1s. 6d.	11 5 0	
	<hr/>	£177 17 0

## Peg No. 638—

Cutting foundation, cubic yards, 80, 2s.	8 0 0	
Foundation stones, cubic feet, 280, 2s.	28 0 0	
Block and course, cubic yards, 208, 40s.	416 0 0	
Dry stone, cubic yards, 82, 2s.	8 4 0	
Coping, cubic feet, 78, 4s. 6d.	17 11 0	
Timber, cubic feet, 162, 1s. 6d.	12 3 0	
Iron work, lbs. 32, 6d.	0 16 0	
	<hr/>	490 14 0

## Pegs Nos. 691 and 694—

Cutting foundation, cubic yards, 150, 2s.	15 0 0	
Foundation stones, cubic feet, 214, 2s.	21 8 0	
Block and course, cubic yards, 191, 40s.	382 0 0	
Coping, cubic feet, 42, 4s. 6d.	9 9 0	
Timber, cubic feet, 2127, 1s. 6d.	159 10 6	
Piles, cubic feet, 1095, 2s. 6d.	136 17 6	
Planking on ground, sq. yards, 360, 2s.	36 0 0	
Iron work, lbs. 1462, 6d.	36 11 0	
Piles in foundation, c. feet, 308, 2s. 6d.	38 10 0	
Timber in do. cubic feet, 108, 1s. 6d.	8 2 0	
Planking in do. sq. yards, 35, 2s. 6d.	4 7 6	
Iron work in do. lbs. 250, 6s.	6 5 0	
	<hr/>	854 0 6

## Pegs Nos. 699 and 705—

Cutting foundation, cubic yards, 69, 2s.	6 18 0	
Foundation stones, cubic feet, 172, 2s.	17 4 0	
Block and course, cubic yards, 97, 40s.	194 0 0	
Coping, cubic feet, 36, 4s. 6d.	8 2 0	
Timber, cubic feet, 2987, 1s. 6d.	224 0 6	
Timber, on ground, cubic feet, 1700, 1s.	85 0 0	
Piles, cubic feet, 2975, 2s. 6d.	371 17 6	
Planking on ground, sq. yards, 774, 1s. 6d.	58 1 0	
Iron work, lbs. 1073, 6d.	26 16 6	
	<hr/>	991 19 6

## Peg No. 753—

Cutting foundation, cubic yards, 34, 2s.	3 8 0	
Foundation stones, cubic feet, 170, 2s.	17 0 0	
Block and course, cubic yards, 80, 40s.	160 0 0	
Coping, cubic feet, 54, 4s. 6d.	12 3 0	
Timber, cubic feet, 144, 1s. 6d.	10 16 0	
	<hr/>	203 7 0

MR. FORMAN'S REPORT.

LXXXI

Peg No. 777.

Cutting foundation, cubic yards, 29, 2s.	£2 18 0		
Foundation stones, cubic feet, 142, 2s.	14 4 0		
Block and course, cubic yards, 38, 40s.	76 0 0		
Coping, cubic feet, 30, 4s. 6d.	6 15 0		
Timber, cubic feet, 144, 1s. 6d.	10 16 0		
	<hr/>	110 13 0	

Truro Road.

Cutting foundation, cubic yards, 152, 2s.	15 4 0		
Foundation stones, cubic feet, 781, 2s.	78 2 0		
Block and course, cubic yards, 327, 50s.	817 10 0		
Coping, cubic feet, 114, 4s. 6d.	25 13 0		
Dry stone, cubic yards, 192, 2s.	19 4 0		
Timber, cubic feet, 281, 1s. 6d.	21 1 6		
Planking, square yards, 60, 2s. 6d.	7 10 0	984 4 6	
		<hr/>	12703 10 0
Grubbing, chains, 809½, 10s.		404 16 0	

Finishing.

Ballasting, cubic yards, 12002, 2s.	1200 4 0		
Rail laying, lineal yards, 4268, 1s. 3d.	266 15 0		
Sleepers, No. 20776, 1s. 4d.	1385 1 4		
Carriage of material, miles, 6, £270,	1620 0 0	4472 0 4	
		<hr/>	4876 16 4

Stations.

Grading at Elmsdale, c. yards, 7480, 6d.	187 0 0		
Grd'g at Shubenacadie, c. y. 9722, 1s. 5d.	688 12 10	875 12 10	
		<hr/>	875 12 10
			<hr/>
			£38389 19 7

## NOVA SCOTIA RAILWAY.

## STATEMENT OF EXTRA WORK.

Contracts.	Nature of work.	When reported to the board.	When sanctioned by the board.	Amount.	When paid.
<i>Main line.</i>					
Contract No. 5, Ditto	Filling bog in cut No. 5, Sloping cuts 1½ to 1, Bridge at peg No. 159, Raising grade of emb'kt. No. 20, Retaining wall, Bridges,	12th Feb. 1856, 24th July, 1857, 20th Feb. 1857, 19th April, 1856, 19th July, 1856, 21st July, 1856	20th Feb. 1856, 24th July, 1857, 21st Feb. 1857, 19th April, 1856, 21st July, 1856	£375 0 0 1660 0 0 233 13 6 1140 19 4 435 0 0 1660 3 0 234 8 0 442 10 10 413 14 9 1102 0 0 506 2 0 531 5 0 1068 17 6 150 0 0	From time to time as the works advanced. Ditto Ditto Ditto Ditto Ditto Ditto Ditto Ditto Ditto Ditto Ditto Ditto Ditto
Contract No. 6, Contract No. 7, Ditto Ditto Ditto Ditto	Large culvert at peg No. 273, Sloping cut No. 15, 1½ to 1, Raising grades, Nine Mile River bridge, In foundations of other bridges, Sloping cuts Nos. 5 & 7, 1½ to 1, Sloping other cuts 1½ to 1, Carriage of material,	20th Feb. 1857, 9th July, 1857, 26th Feb. 1857, 26th Feb. 1857, Under terms of contract, 9th July, 1857, Executed, but not yet authorised, Chairs carted to	20th Feb. 1857, 9th July, 1857, 27th Feb. 1857, 27th Feb. 1857, of contract, 9th July, 1857, yet authorised, Windsor branch,	234 8 0 442 10 10 413 14 9 1102 0 0 506 2 0 531 5 0 1068 17 6 150 0 0	Ditto Ditto Ditto Ditto Ditto Ditto Ditto Ditto
<i>Windsor branch.</i>					
Contract No. 1, Ditto Ditto	Sloping cut No. 18, 1½ to 1, Sloping other cuts, 1½ to 1, In foundation of bridges,	28th Apr. 1857, 22d Aug. 1857, Under terms of contract,	28th April, 1857, 22d Aug. 1857, of contract,	150 0 0 2830 0 0 217 5 7	Ditto Ditto Ditto
Contract No. 2, Ditto Ditto Ditto Ditto Ditto	Raising grades, Embankment No. 18, Embankment No. 1, Road at peg No. 667, Bridging, Allowed on account, Embankment No. 2, Embankment No. 9,	19th Apr. 1856, 21st Aug. 1856, 23d Aug. 1856, 25th Aug. 1857, Under terms of contract, ditto Per agreement of 7th Nov. 1857, Under terms of contract, ditto	20th April, 1856, 23d Aug. 1856, 25th Aug. 1857, of contract, of contract, of 7th Nov. 1857, of contract, of contract,	941 4 0 775 0 0 987 10 0 33 6 8 31 19 0 257 0 0 2316 9 6 500 0 0	Ditto Ditto Ditto Ditto Ditto Ditto 27th November, 1857. From time to time as the works advanced.
Contract No. 3, Ditto					

Contract No. 3, Ditto Ditto Ditto Ditto	Embankment No. 11, Bridge at peg No. 147, Pile bridge in emb'kt. No. 12, In foundations of other bridges, Allowed on account, Little meadow brooke bridge, In foundations of other bridges, Bridges, In foundations, &c. of St. Croix [bridge,	16th Feb. 1857, 20th Feb. 1857, 23d Sept. 1857, Under terms of contract, Per agreement of 7th Nov. 1857, 7th Sept. 1855, Under terms of contract, 20th Feb. 1857, Under terms of contract,	20th Feb. 1857, Feb. 1857, Sept. 1857, of contract, of 7th Nov. 1857, 22d Sept. 1855, of contract, 21st Feb. 1857, of contract,	748 13 0 891 14 3 865 16 6 1019 12 9 677 0 6 863 17 5 870 16 4 3220 14 0 510 4 9	Ditto Ditto Ditto Ditto 27th November, 1857, From time to time as the works advanced. Ditto Ditto
<i>Main line.</i>					
Contract No. 5, Do Do	Drainage, ditto ditto	Under terms of contract, ditto ditto	Under terms of contract, ditto ditto	1729 9 0 1096 1 8 2105 10 4	Ditto Ditto Ditto
<i>Windsor branch.</i>					
Contract No. 1, Do Do Do Do	ditto ditto ditto ditto ditto	Under terms of contract, ditto ditto ditto ditto	Under terms of contract, ditto ditto ditto ditto	545 3 8 1206 6 0 146 12 8 98 17 2 1128 14 6	Ditto Ditto Ditto Ditto Ditto
<i>Main line.</i>					
Contract No. 5, Do Do Do	Fletcher's station, Grand Lake station, Elmsdale station, Shubenacadie station,	2d July, 1856, 2d July, 1856, 22d May, 1856, 13th June, 1856,	3d July, 1856, 3d July, 1856, 22d May, 1856, 25th June, 1856,	724 6 6 1211 6 6 187 0 0 688 12 10	Ditto Ditto Ditto Ditto
<i>Windsor branch.</i>					
Contract No. 1, Do Do Do	Windsor junction, Mitchell's road station, Beddoe's road station, St. Croix station, Including one mile of road and depot,	4th April, 1857, 9th July, 1857, 9th July, 1857, 2d July, 1856, 18th Sept. 1855,	4th April, 1857, 9th July, 1857, 9th July, 1857, 3d July, 1856, 18th Sept. 1855,	208 0 0 100 0 0 160 0 0 568 16 9 8627 6 8	Ditto Ditto Ditto Ditto Ditto
<i>Extension into Windsor,</i>					
				£49194 2 5	

## ABSTRACT.

Earth works, masonry, &c.,	£28661	18	2
Drainage,	8056	15	0
Stations,	3848	2	7
Extension into Windsor,	8627	6	8
	£49194	2	5

NOTE.—Claims have been advanced by the contractors, which have not been allowed ; and for the particulars of these claims asked for, I have to refer to the several documents and correspondence relative thereto, handed to the honorable the provincial secretary, of which I kept no account.

J. R. FORMAN.

24th February, 1858.

## CONTRACTORS' CLAIMS.

[COPY]

*Provincial secretary's office,  
Halifax, 20th January, 1858.*

SIR—

I have it in command from his excellency the lieutenant governor, to send you the accompanying papers for your examination and report :—these are,

1st.—The statement of claims made by the railroad contractors, Messrs. Johnston and Blackie, Mr. McDonald and Mr. Sutherland, transmitted through Mr. Ritchie, as their counsel and legal adviser.

2nd.—The copy of a letter from the provincial secretary, conveying these papers to the railroad board, for the purpose of their being brought under the consideration of the chief engineer, Mr. Forman, for his report.

3rd.—The report of that gentleman.

In submitting these papers to you, it is the desire of the lieutenant governor, that the subject, as it is presented on both sides, should be brought out more distinctly. For this purpose, it will be proper to shew the aggregate amount of the claims, and also that each claim should be considered in detail, so that the facts and principles asserted by the contractor in support of the several items may appear ; and that the answer of the engineer, both as regards facts and principles as applicable to each item of claim, may also be distinctly apparent, it will be proper to mention these claims, (if any) which want distinctness, as well as those to which Mr. Forman's report furnishes no reply, and also to state the extent to which facts asserted on the one side appear to be admitted on the other, and to point out where and how the discrepancies that exist chiefly arise, and their amount.

You are requested to give your own opinion on the origin, nature and foundation of the claims, and the rights of the claimants, and on the nature and sufficiency of the objections to the claims furnished by the chief engineer, and you will mention the cases, if any, in which the materials supplied you are insufficient for forming a judgment. Should you, for the want of measurements, or other information, be unable to form a judgment on any particular points, it is desired that you should not on that account delay your report, it being his excellency's wish that you should report as fully as the materials will enable you, with the least possible delay.

I have, &c.,  
(Signed)

CHARLES TUPPER.

JAMES LAURIE, esquire, &c.

Railway

*Railway office, Halifax, 2nd February, 1858.*

SIR—

I submitted to the engineer your application, to be allowed to take copies of the monthly detailed statements of the engineers' returns made to this office, of all works done upon your contracts Nos. 2 & 5, Windsor branch, from the commencement of the work in 1855.

I now have the honor to enclose for your information, a copy of Mr. Forman's reply to that application.

I am, sir,

Your obedient servant,

JAMES McNAB.

DUNCAN McDONALD, esquire, contractor.

[COPY.]

*Nova Scotia railway, engineer's office,*

*Halifax, 2nd February, 1858.*

SIR—

In reply to your instructions for my report, upon an application made by Mr. McDonald, for "monthly detailed statements of the engineer's returns made to your office," I have to state, that under the specification, the contractor undertook to furnish each month, during construction, a statement of all the materials used upon the works, and the workmanship and labour done within the month, and which he failed to do—had these statements been submitted at the proper time, they would have been examined and forwarded to your office with any corrections found necessary.

All the measurements in my possession are solely intended for my own information.

I have the honor to be,

Sir,

Your obedient servant,

(Signed)

J. R. FORMAN.

Hon. JAMES McNAB, &c. &c.

*Halifax, 3rd February, 1858.*

GENTLEMEN—

I was a good deal surprised at the communication I received from your chairman, that Mr. McDonald would not be permitted to have access, or receive copies of the monthly returns of the work, on which he from time to time received payments. I have mentioned to you on several occasions, that these statements would, I believe, shew that Mr. Forman had, from month to month, paid for the very work which he subsequently said was not within the contracts, and ought not to be paid for. On all these occasions, you, all of you, intimated to me, that you had nothing to conceal, and that you were prepared to exhibit to me any papers in your office, bearing on the subject, I trust as these are there, and under your control, and this is a question with which Mr. Forman has nothing to do, you will accede to this reasonable request of Mr. McDonald. Depriving him of access to these papers will naturally confirm him in the belief that his statements regarding the contents of them are correct, and Mr. Forman's incorrect, as otherwise, Mr. Forman could have no object in concealing them from him. Should you deem it your duty still to persevere in refusing Mr. McDonald's request, I shall be under the

the necessity of applying to the government, who, I hope, will be induced from a sense of justice to interfere in his behalf, and obtain them for him.

Your obedient servant,

(Signed)

J. W. RITCHIE.

Hon. JAMES McNAB, chairman, and members of railway board.

*Nova Scotia railway office,  
Halifax, 4th February, 1858.*

SIR—

In answer to your letter of yesterday's date, I beg to say that subsequent to Mr. McDonald's making applications for the measurements made by Mr. Forman, he applied to the board to have Mr. Mosse sent on his contracts to take the whole of the measurements, and with the results of which he stated he would be perfectly satisfied.

Mr. Mosse was sent for that purpose, and I presume Mr. McDonald is now in possession of the result, but if not he can get it on application.

As the measurements for which you now apply are not in this office, or ever have been, the board can only refer you to Mr. Forman's letter, enclosed to Mr. McDonald, as the reasons why they are not furnished.

I am, sir,

Your obdt. servt..

JAMES McNAB.

J. W. RITCHIE, esquire.

CONTRACT No. 5, WINDSOR BRANCH.

*Total quantity of work done up to 1st September, 1857.*

510 chains, grubbing and clearing, 20s.	£510	0	0
162,354 cubic yards, excavation, 1s. 3d.	10147	2	6
25,180 " " slopes, 1½ to 1, 3s. 9d.	4721	5	0
Road alterations, peg No. 735,	£16	0	0
" " 774,	20	0	0
" " 848,	12	0	0
" " 858,	7	10	0
" " 869,	12	0	0
" " 896,	105	15	0
2,500 cubic yards, road alterations, 860, 1s. 3d.	156	5	0
Metalling do.	40	0	0
Accommodation roads across and side of line,	250	0	0
		619	10 0
Drains,		162	6 8
61 cubic yds., culvert at Killam's, rebuilt by order of Mr. Forman, 15s.	45	15	0
11,792 lineal yards, side ditches, 2s. 6d.	1474	0	0
3,187 cubic yards, masonry including St. Croix bridge, and other bridges on line, 80s.	12748	0	0
Finishing bridges, including timber and plank on work,	2250	0	0
Erection of girders at St. Croix, including scaffolding, and hauling same from Windsor,	500	0	0
Opening in masonry, in St. Croix bridge, wrongly represented on plan and levels inaccurately given,	50	0	0
Alterations in plan and timber work, per order of Mr. Handwright, inspector, and sanctioned by chief engineer,	25	0	0
		21,197	

CONTRACTORS' CLAIMS.

LXXXVII

21,197 cubic yards, ballasting, 1s. 4d.	£1413	2	8
11,220 lineal yards, plate laying, 1s. 3d	701	5	0
13,106 No. sleepers, 2s. 6d.	1632	5	0
Carriage of material, per mile, £90,	374	5	0
Carriage of side keys from Sackville to Windsor,	20	0	0
Reducing joint keys to fit joint chairs,	25	0	0
Removing barn per order, Mr. Forman,	10	0	0
150 loads brush put on to road at peg 860, per order of Mr. Cunningham, commissioner,	46	17	6
	<hr/>		
	37,675	14	4
Amount paid on above by commissioners,	25725	12	2
	<hr/>		
	£11950	2	2
Halifax, 2nd September, 1857.			

EXTENSION OF CONTRACT No. 5, WINDSOR BRANCH.

Total quantity of work done up to 1st September, 1857.

40 chains, clearing and grubbing, 20s.	£40	0	0
91,505 cubic yards excavation, 1s. 3d.	5719	1	3
42 lineal yards, drains, 3x3, 40s.	84	0	0
1,870 " " side ditches, 2s. 6d.	233	15	0
Winkworth bridge, including masonry, timber, iron, &c.	1757	14	6
Bridge at peg No. 26, ditto,	273	14	0
2,480 cubic yards, ballasting, 1s. 4d.	165	6	8
1,926 lineal yards, rail laying, 1s. 3d.	120	7	6
2,934 No. sleepers, 2s. 6d.	366	15	0
Carriage of material,	99	0	0
2 sets points and crossings, 120s.	12	0	0
Stoppage from taking material from ordnance hill during summer, and having to blast same in winter to protect wharf from sea, &c.	500	0	0
	<hr/>		
	9371	13	11
Amount paid on above to date,	8679	6	8
	<hr/>		
	£692	7	3
Halifax, 2nd September, 1857.			

No. 5, CONTRACT, WINDSOR BRANCH.

The increase of excavations on the section over schedule quantity is caused by bogs, and inaccurate soundings having been taken, in some cases to the depth of 40 feet, I may remark that a portion of this claim (viz : 61,500 cubic yards excavation) was paid to me in 1855, as will be found on reference to the monthly pay bills in the chief engineer's office, to the amount of 20,500 cubic yards, which, after being allowed for twelve months, I understand is now deducted. I have no copies of the monthly pay bills, and no means of getting, as the chief engineer refused to give or allow me to take copies. After having understood, in December, 1856, that the borrowing or side cutting, which had been paid, was deducted, I immediately made up a statement of work up to December 20th, 1856, and I enclosed it to Mr. Forman, who returned me the annexed account in his letter attached, dated 26th December, 1856, and there was at that time due me for work done to that date £5,941 17s. 7½d., and which to this day I am not paid.

Nova

*Nova Scotia railway, engineer's office,  
Halifax, 26th December, 1856.*

SIR—

Your letter of the 22nd inst, I received last evening.

As I never asked for a statement of work done on contract No. 5, you must be under some mistake, and I therefore beg to return the paper referred to.

I am,

Your obedient servant,

J. R. FORMAN.

D. McDONALD, esq,

*Estimate of work done on No. 5 contract, 20th December, 1856.*

Earth cutting put into embankment,	110700		
Rock cutting,	14100		
	124800	cubic yards, 1s. 3d.	£7800 0 0
Side cutting put into embankment,	20566	cubic yards, 1s. 3d.	1285 7 6
7241 cubic yards of earth taken from cuttings on line making road approaches, 1s 3d.			452 3 9
Alteration of line at peg 680, Killam's—900 cubic yards, 1s. 3d.,			56 5 0
2500 cubic yards earth, 600 do. ballast, excavation new road between peg 855 and peg 870,			193 15 0
Embankment, peg 27, extension,	16250		
Depot,	28724		
Approaches to W. road, peg 975,	3400		
	48374	cubic yards, 1s 3d.	3023 7 6
			£12810 18 9
Clearing and grubbing, 560 chains, 20s.			560 0 0
Carriage of material, 7 miles, £90,			630 0 0
Rail laying, 10560 lineal yards, 1s. 3d.			660 0 0
15500 railway sleepers, 1s. 6d.			1937 10 0
St. Croix bridge,			6544 14 0
Arch bridge, peg 708,			773 8 0
Bridge, peg 721,			544 16 0
Arch bridge, peg 749,			1078 8 0
Dry stone in voids,			49 12 0
Winkworth bridge,			1741 2 1½
Bridge, peg 577,			127 14 0
“ 655,			256 14 0
“ 889,			181 14 0
“ 902,			214 14 0
“ 944,			174 14 0
Extension, peg 26, (bridge),			273 14 0
Carriage of girders to St. Croix,			33 0 0
Painting do. two coats,			17 10 0
Side ditching between pegs 905 and 585, 8712 lineal yards,			
Extension,	1870	“	
	10582	l.yds, 2s. 6d.	1322 15 0
			29932 17 10½
Paid J. Sweet, drawing 3 loads of side keys from Sackville to Windsor,			14 10 0
Paid Duncan McArthur for removing barn, by order of J. R. Ferman,			10 0 0

CONTRACTORS' CLAIMS.

LXXXIX

150 loads of brush put on new road, by order of Mr. Cunningham, 6s. 3d.	£46	17	6
6069 cubic feet timber in culverts, 2s.	401	10	0
Stone drains, per statement,	125	4	3½
10500 cubic yards, ballast, 1s. 4d.	700	0	0
200 cords wood, 10s.	100	0	0
Diverting road, 896—910,	105	0	0
868, 44 lineal yards, 8s.	17	12	0
858, 30       "       8s.	6	0	0
848, 66       "       6s.	19	16	0
774, 220      "       8s.	89	0	0
735, 88       "       4s.	17	12	0
Hinds, 34     "       4s.	6	16	0
Killans, 33   "       4s.	6	12	0
650, 22       "       5s.	5	10	0
664, 66       "       6s.	19	16	0
	£31628	7	7½
Amount of Mr. Forman's estimate to this date,	25687	0	0
	£5	94	17 7½

20th December, 1856.

STATEMENT OF CLAIM ON NO. 1, CONTRACT, WINDSOR BRANCH.

Side cutting to No. 1 embankment,	5,002	cubic yards.
"       for siding in embankment,	1,760	"
"       to No. 11 embankment,	1,800	"
"       13       "       "	4,000	"
Extra depth in Long lake from inaccuracy in survey, See resident engineer's survey annexed,	} 10,000	"
	<u>22,562</u>	"
To 22,562 cubic yards excavation, 2s. 3d.	£2538	4 6
taking off slopes of cuts to 1½ to 1,	3000	0 0
"       cut 18       "	150	0 0
masonry executed not in contract,	250	0 0
horse labour for want of permanent materials, viz.: rails, chairs, &c.	1225	0 0
	<u>£7163</u>	4 6

The first item in the above, viz., 5,002 cubic yards, rock excavation, was ordered to be done by the chief engineer; we having an understanding that as an equivalent, a loop line to join main line would be given in at our schedule prices—this however has not been done—causing a loss to us of the above sum.

The quantity for siding in No. 1 embankment was also ordered to be made by the chief engineer.

The three last items, viz., 1,800 cubic yards, 4,000 cubic yards, and 10,000 cubic yards were required from the surveys being inaccurate.

The last item is proved by a tracing made by resident engineer hereto annexed.

The £3000 and £150 are special agreements with the board of commissioners—but not being furnished with an official monthly statement for some months past we are not aware whether any or what amount has been paid for the same.

The £250 for masonry in small bridges was necessary for the drainage of the line, and objected to be paid for by chief engineer, although sanctioned by resident engineer.

The last item, viz, £1225 is caused by not being supplied with rails and chairs; the cuts having to be taken out with horses and carts, having in many cases to employ from 16 to 20 horses; whereas, if we had been supplied with material, 2 horses would have been sufficient for the same work.

We further state that the fault altogether rests with the board of commissioners, that this section has not been ready for traffic by August last. After repeated applications, we have not at this present date, the whole of the materials on the ground, although we have at a great cost brought back from contract No. 8, Shubenacadie, 13,000 chairs, besides retaining at considerable expense the services of skilled workmen, thereby shewing that no want of energy or perseverance has been on our part

CONTRACT NO. 2, WINDSOR BRANCH.

Total quantity of work done to 7th January, 1858, as per Mr. Mosse's measurements.

144,377 Cubic yards earth excavation, 2s. 8d.	£19250	5	4
37,303 " " rock excavation, add 1, 55955, 2s. 8d.	7460	13	4
26,850 " " of slopes taken off, 1½ to 1, 3s. 9d.,	5034	7	6
13,500 " " ballast, 2s.	1350	0	0
235 " " culvert masonry, 17s. 6d.	205	15	0
120 Cubic feet timber in girders, 1s. 8d.	9	0	0
4,864 Lineal yards, side ditches, 2s. 6d.	618	0	0
3,461 Cubic yards, tap drains, 5s.	865	5	0
112 Cubic yards masonry in open culverts, 17s. 6d.	100	16	0
•Sackville River bridge, blocking course,	3164	10	0
11,418 Lineal yards, rail laying, 1s. 3d.	713	12	6
13,300 Sleepers, 2s. 6d.	1662	10	0
Carriage of material, as per contract,	715	0	0
519 Chains grubbing, 3s.	934	4	0
Forming Beddoe's road,	60	0	0
	<hr/>		
Total of Mr. Mosse's measurements,	£42143	18	8

Not included in above measurements.

4,500 cubic yards in embankment No. 14, being deeper than section depth, not allowed by Mr. Mosse, 2s. 8d.	600	0	0
Not being supplied with rails, chairs, &c., and having to haul chairs from Windsor,	600	0	0
2,200 Pieces timber put into Beaver pond, and brushwood,	275	0	0
	<hr/>		
	43618	18	8
Amount paid to date, per office return,	30036	0	2
	<hr/>		
Balance due,	£12582	18	6

Halifax, 8th January, 1858.

The large increase of excavation in the foregoing statement, above what is shewn in the schedule for this contract is caused—1st—By the substitution of a solid embankment for a viaduct from pegs 498 to 511 on original survey. The line also at this point was changed, neither of which at my request, but made by the chief engineer, at request of

of Messrs. Cameron, contractors on No. 1 section. The cutting at this point is very difficult, having to be taken out at a rising gradient of 1 in 74. This has been acknowledged by chief engineer, he having offered me a *bonus* of £3000, in presence of Mr. Johnston and Mr. McBain, in September last, if I would push on this cutting, as he was satisfied it was costing 3s. per cubic yard.

*Moss Bank*, between cuts 14 and 15, new section, was found to be altogether under water, by original survey; it had consequently to be raised, causing an increase of at least 16,000 cubic yards.

*Alterations at Sackville River*—The alteration at this point, the shortening of the viaduct, was ordered and made by chief engineer, on account of being unable to procure stone for the description of masonry specified for this viaduct, he requiring better stone and a better dress of masonry, which has been built of granite blocking course, by this alteration the quantity up to present date has been increased 27,000 cubic yards. This was done at his own suggestion, and not at my request.

An additional expense has also been entailed on me by the lowering of gradients, after the line was graded on each side of the viaduct, also a great delay and loss of time.

*Evans' Lake*. From inaccurate surveys in this embankment, the depths from accurate soundings proving nearly double what is shewn on section, causing an increase to date of 8000 cubic yards.

*Detention by alteration of line at Beaver Pond*.—On starting this work it was discovered that Beaver Pond was 50 or 60 feet deeper than represented on the original section. This was notified to chief engineer, and he was informed by me that I should require the line to be altered, or that I should be paid for the quantity *actually* put in, or else I should be obliged to abandon the contract. He agreed to alter the line, but this was not done until 15 months afterwards, during all which time I had workmen waiting, who had been brought by me from Canada, at great expense; and I was also obliged to work the cuttings against a steep grade during the winter months—the cut being constantly so full of water that it had to be pumped dry before the men could go to work in the morning. The chief commissioners letter dated 26th November, 1856, urging me to push the work, under pain of penalty, compelling me to continue this exertion at heavy loss.

On the new survey accurate soundings were taken, shewing a depth of 32 feet below the surface of ground; and on the old survey the depths were shewn only 10 feet, although accurate soundings being taken, they proved over 60 feet. Copies of old and new sections annexed.

Great delay and expense has also been caused by clay cuttings not being sufficiently flat in the slopes, from which cause I have been compelled to remove the earth so fallen down, in many cases to a slope of  $1\frac{1}{2}$  to 1, the earth, in many cases, covering the rails several feet.

*Rails*.—The chief engineer furnished me with an order for the whole of the permanent material for this contract in January, 1856, still up to this date, I am not in possession of those materials by 800 rails, it being now nearly impossible to get the same on to the line. Had I received them in the winter, I could have hauled them for at least half the expense they now cost.

## CLAIM ON SECTION No. 3.

Statement of filling, above the sectional quantity put into embankments on Section No. 3, Windsor branch, Nova Scotia railway, 22nd October, 1857.

No. of Embankm't.	Quantity shewn on section.	Quantity filled to date.	Incr'se over sectional quantity.	REMARKS.
No. 1,	Cubic yds. 317	Cubic yds. 317	Cubic yds. nil	Depth of lake wrongly represented on section. This inaccuracy in survey was provided for in our contract. Grade was altered and embankments raised. Depth of lake wrongly represented on section. Ditto As Nos. 4, 5, 6. As Nos. 4, 5, 6. A bridge was originally intended here, and if built, contractors would have been paid according to quantity of masonry executed. Carelessness of engineer in sounding bog. Mr. Forman is now in possession of correct soundings taken by Mr. Blackie. Ditto Carelessness of engineer in sounding bog. Correct soundings taken by Mr. Smellie and Mr. Blackie. This embankment would have taken fully 20000 yards more to complete, according to specification, but the commissioners have now given orders to put piles across, to obviate such expense, and hasten completion. It was impracticable to build a bank the height required, at a slope of 1 to 1, from the material (clay) taken from the nearest cutting required by specification. Grade was altered, and this embankment made a cutting.
2,	26960	56895	29935	
3,	1200	2200	1001	
4,	17824	33645	5821	
5 & 6,	15406	18022	2622	
7,	146	146	nil	
8,	2935	4925	1990	
9,	18741	25659	6918	
10,	100	100	nil	
11,	43	103	63	
12,	724	1202	478	
13,	6300	22376	16076	
14,	19994	29397	9403	
15,	966	966	nil	
16,	599	599	nil	
17,	1797	1797	nil	
18,	22245	27680	5435	
19,	nil	nil	nil	

20,	5711	Lowering embankment and borrowing to suit altered line in cut No. 21, made by Mr. Cameron, without consent of engineer, but subsequently approved by him. ditto
21,	11112	Ditto
22,	nil	
23,	nil	
24,	8542	As Nos. 20 and 21.
	Total,	105104

## Abstract of Claims.

To 105104 cubic yards excavation, at 1s. 3d.	-	£18393	4	0
60 chains logging, at £10,	-	600	0	0
Making culverts to embankments,	-	50	0	0
Removing and replacing chairs,	-	20	0	0
Want of rails and material,	-	1000	0	0
Reducing joint keys to fit chairs,	-	10	0	0
Loss through time being taken by engineers assistants,	-	1000	0	0
Remuneration for detention in province, &c.,	-	1000	0	0
		£22073	0	0
Less amount already allowed by comms. for lake No. 1—being 22347 yards, at 3s. 6d.		• 3910	14	6
		£18162	9	6

*Culverts.*—When the work was transferred to us, we found that in consequence of Mr. Cameron having been allowed to complete banks without proper supervision, no culverts had been put in, and we had to make them to allow the water to escape from against banks already formed.

A very heavy loss has been sustained by us for want of rails and material which we have applied for from time to time without access thereby, causing us to keep on hand a large amount of skilled labour, which we were unable to make available: and but for this our contract, would have been completed at the specified time, viz., June, 1857—since when we might have been employed on other remunerative contracts.

The depths of embankments, 12, 13, 14 have been accurately taken by us, and herewith is a statement shewing the same, and the depths as shewn per section. The depths of embankments Nos. 2, 4, 5, 6, 8, 9, have not yet been so accurately determined—but the quantities put into them have been measured from cuttings and side cuttings—they will however be taken at every chain length, and furnished if required.

On reference to monthly measurements in chief engineers office, upon which measurements we have been paid, and copies of some of which we annex, you will find that before the contract was transferred to us, the Messrs. Cameron were paid for side cuttings, and for many months we were also paid for the same, even as lately as August last.

In these monthly measurements sent into the office by the resident engineer will be found detail of cuttings and side cuttings, and it will also be seen that a cubic yard taken from rock cuttings is allowed  $1\frac{1}{2}$  cubic yards in the embankments, and we have until recently been paid accordingly.

*Rails.*—Our horses had to remain at Livery, at Sweet's and at Sackville, in consequence of there being no rails supplied, and men had to carry rails, the season for sleighing them over rough places having passed before we obtained material.

We were also at great expense in keeping skilled labour on our works for the laying of rails and finishing the road. Mr. Howe, late commissioner, having by his letter dated 26th November, 1856—(copy of which is herewith)—distinctly assured us that the penalties for non-completion of our contract according to date stipulated, would be rigidly enforced—notwithstanding we are to this day, 11 months after that date, still in want of the necessary material to enable us even to put in the road—the material not having arrived in the province.

*Culverts.*—When the work was transferred to us, we found that in consequence of Mr. Cameron having been allowed to complete banks without proper supervision, no culverts had been put in, and we had to make them to allow the water to escape from against banks already formed.

We claim £1000 as a loss on our labour since the labourers have been made aware that the chief engineer had given orders to his assistants to take an exact account of the men on the works. The men are aware that our work has not been paid for according to measurement, since the above arrangement, and also that the assistant engineer is now taking the time daily.

Had the surveys been accurately taken, and plans and sections truthfully represented to us, we should have been able to so distribute our forces as to have ensured the line being ready for traffic by August last passed. Consequently our presence in this province is necessary for a much longer period than we anticipated, and we therefore claim £1000 as remuneration and for interest on value, and wear and tear of our stock.

The depths of embankments 12, 13, 14 have been accurately taken by us, and herewith is a statement shewing the same, and the depths as shewn per section.

The depths of embankments Nos. 2, 4, 5, 6, 8, 9 have not yet been so accurately determined—but the quantities put into them have been measured from cuttings and side cuttings—they will however be taken at every chain length and furnished if required.

On

On reference to monthly measurements in chief engineer's office, upon which measurements we have been paid, and copies of some of which we annex, you will find that before the contract was transferred to us, the Messrs. Cameron were paid for side cuttings, and for many months we were also paid for the same even as lately as August last. In these monthly measurements sent into office by the resident engineer, will be found detail of all cuttings and side cuttings—and it will also be seen that a cubic yard taken from rock cuttings is allowed  $1\frac{1}{2}$  cubic yards in the embankments, and we have until recently been paid accordingly.

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CONTRACT No. 8, MAIN LINE.

*Statement of additional work executed to date, not provided for in contract,*

*24th October, 1857.*

Taking off slopes of cuttings $1\frac{1}{2}$ to 1, after having been trimmed, and again trimming 40,000 cubic yards, at 3s.	6000	0	0
Not being supplied with rails and chairs, having to take out 150,000 cubic yards excavation, with horses and carts, and teams, being delayed at Sackville, and Grand Lake, waiting for material,	3750	0	0
Taking 13,000 chairs to contracts No. 1 and 3, Windsor branch,	150	0	0
Masonry in small bridges,	240	0	0
	<hr/>		
	£10,140	0	0

Seven miles of this contract was graded and ready for the permanent way in October, 1856. Had permanent materials been furnished, this contract would have been ready for traffic by the time stated in the contract, viz: 30th June, 1857. Earth wag-gons that we brought to this contract in July, 1856, we have not been able at this date to put to work, for reason above stated, thereby causing great delay and serious loss to us.

We have now only  $3\frac{1}{2}$  miles of rails out of  $10\frac{1}{8}$  miles required for this contract, and 18,000 chairs out of 41,000 required.

Three of the cuttings for the above reason are standing idle, and also our plant. The haulage of rails and chairs at this advanced season of the year, should such be now given for this contract, will also entail a considerable loss, and if the cuttings are to be taken out this winter it will add at least 50 per cent. to the contract prices.

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## REPORT OF MR. LAURIE

### ON CONTRACTORS' CLAIMS.

*Halifax, March 8th, 1858.*

SIR—

In accordance with your letter of January 30th last, I have examined the papers relating to the claims of the railroad contractors, Messrs. Johnston & Blackie, Mr. McDonald, and Messrs. Sutherland & Sons, and respectfully submit the following reports :

In your letter, I am informed that, "in submitting these papers to me, it is the desire of the lieutenant governor, that the subject, as it is presented on both sides, should be brought out more distinctly," and I am requested to give my own opinion on the origin, nature and foundation of the claims, and the rights of the claimants, and on the nature and sufficiency of the objections to the claims furnished by the chief engineer.

The

The following statements exhibits the principal facts in relation to the claims.

No. of section.	Contractors Names.	Amount of claim.			Claims admitted.			In dispute.		
		£	s.	d.	£	s.	d.	£	s.	d.
7	Sutherland & Sons,	20000	0	0	1140	19	4	18859	0	8
8	Johnston & Blackie,	10140	0	0	921	5	0	9218	15	0
1 W. B.	Do.	7163	4	6	3800	10	0	3362	14	6
2	D. McDonald,	14220	14	10	4328	5	8	9892	9	2
3	Johnston & Blackie,	16756	14	6	5165	3	0	11591	11	6
5	D. McDonald,	11580	12	2	10	0	0	11570	12	2
Extension	Do.	500	0	0				500	0	0
		80361	6	0	15366	3	0	64995	3	0

Having in my recent report on the railway referred to these claims, I here insert so much as relates to them—their origin, nature and foundation.

*Extracts from reports of February 5th, 1858.*

“ On other sections of the road, difficulties of another kind are encountered in endeavouring to make an estimate of the cost, originating in a difference of opinion between the engineer and contractors, as to the meaning or construction to be put on certain clauses and stipulations in the contracts.

In earth cuttings, the contracts specify that the slopes shall be one horizontal to one perpendicular, and the quantities exhibited, at the time of the letting, were estimated on such slopes. During the progress of the work, however, they were found insufficient, and were in some instances reduced to one and a half horizontal to one perpendicular, the engineer in some cases having made agreements, and given orders to that effect, while in others, the contractors reduced them, or removed the material which had fallen into the cuttings, to enable them to complete their works, but without instruction from the engineer—and for removing such extra material they claim to be paid.

Again, on several of the sections, where the road crosses lakes and bogs, the bottoms being composed of soft mud 10 to 50 or 60 feet in depth—large subsidencies have taken place, and much larger quantities of material have been required to fill them than was anticipated or shewn on the schedule of work, and for the excess over the schedule quantities, the contractors claim to be allowed.

Several of them also make claim for extra material required to supply the waste and shrinkage in making embankment, where there is no subsidence.

These claims are met on the other side by referring to the following clauses in the contracts:—“ The quantity in each cutting and embankment is written upon the longitudinal sections, and every care has been taken to insure their accuracy; contractors must, however, examine the ground previous to tendering for the work; and satisfy themselves on this point, as well as of the accuracies of the lengths, depths and quantities drawn or written upon the several sheets, and of the nature of all the cuttings, and of the sites of all the embankments; for when a tender has been accepted, no claim for extra work will be allowed for any real or supposed inaccuracy therein, nor from slips or otherwise, as the contractor shall be bound to construct the railway, so that the gradients at the formation level shall be agreeable to the gradients marked upon the longitudinal sections, with the breadth and side slopes specified in the supplementary specification for the portion of the work tendered for, and so as to accurately coincide with the curves and straight portions drawn and written red on the ground plans. Embankments shall be made from the material taken out of the excavations so far as it goes, and the deficiency shall be made up by side cutting procured and deposited at the contractor's risk and expense.”

The

The contractors hold that the above clauses refer only to the profiles and quantities and plans exhibited; and do not cover inaccuracies of surveys and soundings; and that so far from every care having been taken to insure accuracy in the quantities, no cross sections nor proper soundings had been taken, and that there are large discrepancies between the amount of work exhibited in the schedule, and that actually performed. That by the contracts, the commissioners reserve to themselves the right of making alterations, and of requiring extra operations of any kind to be performed by the contractors, and that it is specified that—"Such alterations, or any additional labor, shall in no way effect the contract entered into, further than the same shall be paid for as extras, at like rates as other work, and they reserve a like right to withdraw any portion of the work, and thereupon to make a corresponding deduction in payment." And that annexed to each contract was a schedule of quantities referred to in the specifications, as follows:—"The contractors shall fill in prices for the several descriptions of work enumerated in the annexed schedule, and by these rates the value of any extra or altered work shall be fixed, and the contract price increased or diminished by the amount thus ascertained, as the case may be; but should there be any extra or altered work for which no price has been given, then, in these instances, the value shall be decided by the engineer."

Other claims, such as damage for not being furnished with iron rails, for alterations made in the grade and line of the road, and for other items, are also made.

The whole amount of extra work which has been recognized and allowed by the board of commissioners and engineer, under the foregoing clauses, over and above the sums specified in the contracts, up to December 31st, 1857, is about £41000. The additional claims which have been presented by the contractors, and which are now in dispute, amount to over £70,000.

It would, perhaps, be premature to go much into detail on the merits of these claims, although I am free to confess that for some of them—such as for additional material removed by reducing the slopes—the contractors are, in my opinion, entitled to be paid; for although the contracts provide that "the contractor shall be bound to construct the railway with the breadths and side slopes specified," this, in earth and clay cuttings—such as are met with on this road—is impracticable. The slopes originally ought to have been not less than  $1\frac{1}{2}$  to 1; and at a few places a flatter slope even than this will be required to prevent the road being obstructed by slides. On equitable principles, I can see no reason why the extra sloping, where actually required, should not, as a general rule, be embraced under the clause referring to extra work and extra operations.

The claims of another class, however, for additional material excavated beyond what was shown on the profile and schedule, to make up for the waste and shrinkage in making embankments, in my opinion, ought not to be allowed. The contracts specify that embankments shall be made from the material taken out of the excavations, so far as it goes, and the deficiency shall be made up by side cutting procured and deposited at the contractors' risk and expense." I see no construction that can be put on this to raise a doubt, or give the contractors a claim; they were bound to make all due allowances for waste and shrinkage in making their calculations.

The important item, however, in these claims, is that for the additional material required to fill the bogs and lakes. The quantities estimated and shown on the profiles and schedules of work, at the time of the letting, having proved erroneous, is the origin of these claims.

The contracts undoubtedly mean to put the risk of quantities with the contractors, but it is under the representation that "every care has been taken to insure their accuracy," and although the contractors are required to satisfy themselves on this point, it could scarcely be expected that they were each to have surveys and soundings made of the entire line,—some reliance must have been placed on the soundings made, and the

the quantities estimated by the engineers, especially under the representation above quoted.

It is difficult to understand how, where the bogs and lakes were so numerous, and where it was so evident to any one passing over the line that the bottoms were soft and yielding, and that large quantities of material would be required to fill them, that no distinct understanding was had between the parties,—that no special mention or clause in the contract occurs in relation to them. The only mention made of subsidencies or settlements, is under the head of upholding the road for twelve months after completion, and the prices attached to this item sufficiently show that the contractor did not allow for subsidencies of the character in question.

Notwithstanding, therefore, by the strict letter of some of the stipulations of the contracts, the risk of quantities appears to be with the contractors; still taking the whole matter in view, the general scope and spirit of the contracts, which assume that quantities estimated are substantially correct, I consider it a fair subject for settlement on equitable principles, depending on the facts and special merits of each claim. Some of them are undoubtedly extravagant; but as to others, a re-measurement of the work would be necessary in order to arrive at any conclusion. If the approximate estimates made by the engineer, of the additional quantity of material moved on the sections, are correct, at least one-half of the total amount claimed would be stricken off. None of these disputed claims are included in the following estimate of cost—where I have allowed for reducing slopes, it is in cases where the work still remains to be done.

CONTRACT No. 7, MAIN LINE — *Sutherland & Sons, contractors.*

The following is an abstract of the claims presented for extra work on this section up to November 1st, 1857.

66,035	cubic yards	of extra filling put into embankment No. 3, or Grand Lake, being in addition to the schedule quantity.
54,716	“	of extra filling put into six other embankments.
16,586	“	of extra filling in embankment No 20, by alteration of grade.

137,337 cubic yards.

The contractors state, that “the above increase of quantities above sectional measurements arises from inaccuracy of survey, except in embankment No. 20, which is caused by alterations of grade.”

*Engineer's statements.*

“It is admitted that owing to the nature of the sites of some of the embankments, and also to the fact that the slopes are formed of clay at a batter of  $1\frac{1}{2}$  to 1, instead of one to one, as specified, side cutting has been excavated as follows:

1st,	14,338	cubic yards	on account of site of embankment No. 3.
2nd,	14,813	“	do do on other embankments and due to contingencies.
3rd,	27,333	“	on account of slopes of embankment formed of clay at a batter of $1\frac{1}{2}$ to 1.

56,484 cubic yards.

In the statement of work done, accompanying the report of the engineer, there is allowed 10,532 cubic yards for raising grade on embankment No. 20, 2s. 2d., £1140 19s. 4d., but no reference is made thereto in the report.

Neither the Messrs. Sutherland nor the engineer, in the papers submitted, carry out any price or amount for this work. A paper is referred to in Mr. Ritchie's letter, as marked A. and shewing the amount of additional work done, but it does not appear among the papers. The contractors however state that their claim is about £20000—  
they

they claiming an addition to the schedule price, from there being a larger relative proportion of rock cutting in the work performed, than there was required by the original schedule and profile.

Mr. Forman remarks in relation to this claim: "The claimants' tender was accepted, and it would now be *manifestly unjust to the other eighteen parties*"—(parties who proposed for the work)—"were they allowed claims opposed to the terms of the specifications, and not included in such liberal interpretation of its several clauses, as under the circumstances might be proper."

And in another place he says—"The sites of embankments, as will be seen hereafter, was one of the points to which the contractors' attention was directed, the extent of waste that may arise from this cause, depending as it does upon the nature of the material and the mode in which the work is conducted, very properly is left for his own judgment to determine."

"It is now too late to seek to evade the just obligations of the contracts and conditions which are not only embodied in the present specifications, but were in force, and were well understood upon the works, before Mr. Sutherland came to the province."

As to the first paragraph quoted, I confess that I cannot see its force, although it contains the only reason assigned, apart from the conditions of the contract—why the claim nor any part of it should be allowed. Messrs Sutherland claim that they have done two-thirds more work than was originally contemplated, or shown in the schedule. The engineer admits that they have done about one-third more, but he cannot say that this work was originally contemplated or expected by him, without impugning the truth of his own estimate of quantities, and assertion that every care had been taken to insure their accuracy. If any one of the other eighteen parties had obtained the work, would they not have been in precisely the Messrs. Sutherland's position, with two-third or one-third more work to be performed than they calculated upon. And no one I presume will pretend that, with an increase of work to this extent, that either the Messrs. Sutherland, or any one of the other contractors who proposed for the work, could have performed it otherwise than at a serious loss. How, then the making an allowance would be "manifestly unjust" to the other parties, under the state of facts presented, I am at a loss to discover. To make an allowance may be wrong, but certainly not for the reason stated.

As to the second paragraph quoted, so far as it relates to the manner of making embankments, which is fully described in the contract, and not left to the judgment or discretion of the contractor, I can see no practical bearing that it has on the question, further than to involve the fact, that the increased quantity for which the Messrs. Sutherland make claim, is for that due alone to the incorrect soundings and erroneous estimate of quantities submitted to them, and to the other contractors to base their estimates upon. If more rock had been used, it would only have increased their claim, and if a larger proportion of earth had been used the quantity of material moved would of course have been increased.

As the word *site*, plays a prominent part in the paragraph referred to, and generally throughout the reports, it may be deserving of consideration. The additional quantity of material is accounted for thus—"owing to the nature of the sites of some of the embankments," and on "account of site of embankment." And I would here ask if the additional quantity is due to the nature, or on account of site, why it was not originally allowed for? That the engineer intended to allow for subsidencies, is evidenced by the fact that the quantities are not always calculated to the surface of the ground, but allowances made in some cases for settlement. In Johnston and Blackie's contract for section No. 3, Windsor branch, we have "it also appearing to be for the advantage of the work to alter the *site* of the line at cutting No. 19, about 30 feet south," and a few lines further on in the same contract—"arrangements having been entered into with the original contractors to alter the *site* of the line and form a solid embankment at Third lake." In both these cases, *site* appears to have the meaning of place, situation

situation or position. In the same contract we have, "and further, from the *nature of the bottom of the embankment* at First lake, their being reason to conclude that some rock borrowing will be required in the embankment, such additional quantity, if any, shall be paid for at the rate of 3s. 6d. per cubic yard." Here, where in consequence of soft bottom, an allowance was about being made, the word *site* would have been peculiarly appropriate under the meaning attached to it on section 7, we have "*nature of the bottom of the embankment*" substituted. I think the engineer puts more weight on this word than it will fairly bear.

The third paragraph appears to intimate that some rule or well understood principle was established on the work in relation to claims of this kind. I find, however, that the practice has been somewhat at variance with the rule. On section No. 5, main line, we have an allowance of £375 for taking out and filling up bog—and on the same section an allowance of £2800 for sloping cuttings  $\frac{1}{2}$  to 1, and in consideration of contractors' withdrawing all claims for extra filling caused by subsidencies, and this when by measurement there had been no additional material moved on the section. On section No. 3, Windsor branch, an allowance is made of 3s. 6d. per cubic yard for all extra material put into embankment No. 2, amounting, September 30th, 1857, to £2978 10—and on the same section an allowance of over £1000, for building a pile bridge, where the bottom was soft and yielding, and no deduction made for the embankment which would have been required, which would probably have amounted to twice that sum. These may show that if there was a well understood rule, the practice has been by no means uncommon, heretofore, to make allowances for the work of the character in question.

Mr. Ritchie, in his letter presenting the claims of the Messrs Sutherland, states that the grounds for Mr. Sutherland's asserting that the additional fillings have been paid for from time to time heretofore, are that at No. 3 embankment, he received payment up to October, for 14,000 cubic yards beyond the amount which would be payable, assuming the longitudinal section to be correct—on other embankments on the same section he has received payment for 36,000 cubic yards beyond the amount shewn on the longitudinal section; that these payments were made on the return of the engineer alone, and before any difficulty occurred, or any question arose between him and the commissioners."

The engineer's reply to this, is as follows:—

"I have to explain that the monthly payments are only approximate estimates of the value of work done at date, when contingencies arise early in construction, affecting the expenditures for the current months, additions or deductions are made as the case requires."

CONTRACT NO. 8, MAIN LINE.—*Johnston and Blackie's claims to October 24, 1857.*

Item 1. Taking off slopes of cuttings $1\frac{1}{2}$ to 1, after having been trimmed, and again trimming them—40,000 cubic yards, at 3s.	£6000 0 0
2. Damages for "not being supplied with rails and chairs, having to take 150,000 cubic yards excavation with horses and carts, and teams, delayed at Sackville and Grand lake, waiting for material,"	3750 0 0
3. Taking 13,000 chairs from contract No. 8 to contracts Nos. 1 and 3, Windsor branch,	150 0 0
4. Masonry in small bridges,	240 0 0
Amount of claims,	£10140 0 0

Engineer's

*Engineer's statements.*

Item 1. Engineer admits having authorized slopes of cuttings No. 5 and 7 to be reduced, and estimated the work done at 7500 cubic yards, at ls. 5d. £531 5 0		
Admits that 15,090 cubic yards of unauthorized sloping has been executed.		
2. Denies that the contractors suffered damage for want of rails, that they "failed to make use of the material delivered; that by the contract the rails were to be delivered at Halifax, not at Bedford or Grand lake, and that "it was the contractors duty to ascertain that this material was forwarded before sending their horses and carts, and in not doing so great carelessness was exhibited by them."		
Items 3 and 4 are admitted,	390 0 0	
		921 5 0
Claims admitted,		
Disputed,		£9218 15 0

CONTRACT NO. 1, WINDSOR BRANCH.—*Johnston & Blackie's claims.*

Item 1, 5002 cubic yards of rock side cutting to embankment No. 1, ordered to be done by the engineer, with the understanding, that as an equivalent, a loop line to join main line would be given them at their contract price, at 2s. 3d.		£562 14 6
Item 2, 1760 cubic yards for siding in embankment, ordered by engineer, at 2s. 3d.		198 0 0
3, 1800 cubic feet of side cutting to No. 11 embankment, from inaccurate survey, at 2s. 3d.		202 10 0
4, 4000 cubic feet of side cutting to No. 13 embankment, from inaccurate survey, at 2s. 3d.		450 0 0
5, 10,000 cubic yards, extra, put into Long lake, from inaccuracy of survey—per resident engineer's survey annexed, at 2s. 3d.		1125 0 0
<hr/> 22,562 cubic yards,		£2538 4 6
6, reducing slopes of cuttings to 1½ to 1,		3000 0 0
7, " " of cut No. 18,		150 0 0
8, masonry executed not in contract,		250 0 0
9, horse labour for want of rails, chairs, &c.		1225 0 0
		£7163 4 6
	Amount of claims,	

*Engineer's statement.*

- Item 1, engineer denies that any such understanding existed on his part—did not consider himself authorised to make deviations from the contract, except under the instructions of the board.
- 2, admitted and allowed, 198 0 0
- 3, " as embanking in lieu of bridges, 202 10 0
- 4 & 5, admits that 10940 cubic yards of this quantity was due to subsidencies and additional sloping in embankments.

Item

Item 6, admitted and paid for,	£3000 0 0	
7, " " "	150 0 0	
8, all masonry executed is allowed for,	250 0 0	
9, "the total cuttings removed by horses and carts is estimated at 20,000 cubic yards." This is all the remark the engineer makes in relation to this item,		
	Claims admitted,	3800 10 0
	Disputed,	£3362 14 6

CONTRACT No. 2, WINDSOR BRANCH.—*Duncan McDonald's claims.*

The contractor presents a detailed statement of the whole amount of work which he claims he had performed up to October 24th, 1857, amounting to	£39928 9 4
The engineer's estimate, which accompanies his report, gives the value of the work done to January 16th, 1858, including £4328 5 8 of extras allowed, at	30036 0 2
Leaving claims, exclusive of work done between October 24th, 1857, and January 16th, 1858,	£9829 9 2

The extra work allowed consists of the following items:—

Raising grade of embankments Nos. 20 & 21—7059 cubic yards, at 2s. 8d.	941 4 0
Allowance on embankment No. 1,	987 10 0
Allowance on Sackville river bridge and embankment,	875 0 0
Road alterations,	33 6 8
Culverts and drains,	1206 6 0
Grading way stations,	260 0 0
Extra work on bridges,	24 19 0
	£4328 5 8

The contractor in his statement claims to have removed of cuttings, 207,242 cubic yards. The engineer estimates the whole amount of cuttings removed on the section according to contract, excluding what he has allowed for as extra, at

108,881	"
---------	---

Difference, 98,361 "

which, at the contract price of 2s. 8d. per cubic yard, amounts to £13,114 16 0, and which, if deducted from Mr. McDonald's account, would reduce it to £26,813 13 4, or £3222 6 10 less than the engineer's estimate of the value of the work done on the section.

The following is an abstract of the special claims made by the contractor, with the the engineer's remarks thereon, which I have arranged in parallel columns, the more distinctly to exhibit wherein their statements agree or disagree.

*Contractor's statement.*

The contractor states that the large increase of excavation above what is shewn in the schedule for this contract is caused, 1st :

Item 1.—“By the substitution of a solid embankment for a viaduct from peg 498 to 511 on original survey. The line also at this point was changed, neither of which at my request, but made by the chief engineer at request of Messrs. Camerons, ~~contractors~~ on section 1.”

Item 2.—16000 cubic yards by raising grade between cuts 14 and 15.

Item 3.—27000 cubic yards of embankment by shortening Sackville bridge, which the contractor states was done by the engineer, and not his, (the contractor's) request.

Item 4.—8000 cubic yards additional put into Evans' lake, “from inaccurate soundings, the depths proving nearly double what is shewn on section.

Item 5.—“Detention by alteration of line at Beaver pond.”

Item 6.—Great delay and expense by clay cuttings not being sufficiently flat on the slopes.

Item 7.—Delay and injury by not being furnished with rails in season.

Item 8.—Delay and injury by not being furnished with levels.

Item 9.—Reducing slopes of cuts 1½ to 1, £3000.

*Engineer's statement.*

Items 1 and 3.—“The substituting embankments for bridges was agreed to solely for the accommodation of the contractors,” “to save embankment for the contractors benefit.” “These substitutions were effected under special arrangements.” Copies of the letters addressed to the contractors by the engineer, and the action of the railway board in relation to these items, are given, by which they agree to add £875 to the contract sum, for alterations at Sackville bridge, &c.

Item 2.—“The increased sectional quantity occasioned thereby has been allowed the contractor, under the order of the board.”

See item 1.

Item 4.—“The contractor failed to slope the embankment with rock as specified, some loss of material from the wash of the lake was the result, but to what extent I am unable to say. I am not aware of any inaccuracy on the soundings at this place.”

Item 5.—“This alteration was for the contractor's benefit, a heavy cutting of the hardest description of rock (whinstone) was reduced from 23600 yards to 11000 yards.”

Item 6.—“The slopes of the clay cuttings are injuriously affected by the sudden thaws which occur in the winter, and not otherwise.”

Item 7.—“The commissioners were not bound to deliver the rails at any particular season, but in such proportions and at such times as the engineer directed.”

Item 8.—“It was the contractor's duty to preserve the levels,” &c. as per contract.

Item 9.—The contractors agreed to flatten slopes of cuttings 19 and 20, “upon condition of being allowed to raise the grade 2 feet 6 inches at peg 600.” Copy of letter of contractor making application to this effect given, also approval of board. The engineer makes no special reference to the other cuttings sloped on the section.

CONTRACT NO. 3, WINDSOR BRANCH.—*Johnston & Blackie, Contractors.*

The contractors present a detailed statement of the filling, above the sectional quantity, put into sixteen separate embankments, up to October, 22d, 1857, and state the causes of such increase; and then present an abstract of their claims. The embankment details may be best exhibited in parallel columns thus:

No. of emb'mt.	<i>Contractors' statement.</i>	Increase over sect'nl. quan- tity, c. yds.	<i>Engineer's statement.</i>
2	Depth of lake wrongly represented on section, but provided for in our contract,	29937	The contract provides that Johnston and Blackie are to be paid 3s. 6d. per cubic yard for the additional quantity put into this embankment, which, November 21st, 1857, was 13237 cubic yards.
3	Grade was altered and embankment raised,	1001	Covered by contract, in allowance of £500 in addition to contract price with Cameron & Co.
4	Depth of lake wrongly represented on section,	5821	Not referred to in engineer's statement,
5, 6	Ditto ditto	2622	Ditto
8	Ditto ditto	1990	Ditto
9	A bridge originally intended here. Contractors would have been paid according to quantity of masonry executed,	6918	Covered by contract at No 3. The embankment to be completed for the sum set apart for the viaduct originally intended to have been built near this place, and which has been allowed, viz; £4585 3s.
11	No remark,	63	No remark.
12	Carelessness of engineer in sounding bogs,	478	Not referred to.
13	Ditto	16076	Ditto.
14	Ditto. This embankment would have taken filling 2000 yards more, but commissioners have given order to pile across, &c.	9403	Ditto.
18	Imp practicable to build a bank the height required at a slope of one to one from the material (clay) taken from the nearest cutting required by specification,	5435	All the slopes of embankments were to be formed of rock at a batter of one to one, the contractor failed to comply with this requirement. The slopes in many cases were formed of clay at a batter of 1½ to 1.
20	Lowering embankment, &c., to suit altered line in cut No. 21, made by Mr. Cameron without consent of engineer, but subsequently approved by him,	5711	Covered by contract same as embankment No. 3.
21	Ditto ditto	11112	Ditto ditto
24	Ditto ditto	8542	There was no alteration of the line at embankment No. 24.
Total—		105104	Cubic yards.

“ Before

“ Before the contract was transferred to us, the Messrs. Cameron were paid for side cuttings, and for many months we were also paid for the same, even as lately as August last. In the monthly measurements sent into the office by the resident engineer, will be found detail of cuttings and side cuttings, and it will also be seen that a cubic yard taken from rock cuttings is allowed  $1\frac{1}{2}$  cubic yards in the embankments, and we have until recently been paid accordingly.”

“ The monthly statements as already explained, are intended only as approximate estimates of the value of work, and the allowances are on as liberal a scale as possible, in order to remove any cause of complaint on the part of the contractors. They are not to be founded upon in case of a final settlement, or on an accurate adjustment made at any time.”

The following is an abstract of the claims presented :

Item 1.—105,104 cubic yards of excavation, increase over sectional quantity exhibited on profile and schedule, at 3s. 6d.	£18,393	4	0
Item 2.—Sixty chains logging, at £10,	600	0	0
Item 3.—Making culverts to embankments,	50	0	0
Item 4.—Removing and replacing chairs,	20	0	0
Item 5.—Reducing joint keys to fit chairs,	10	0	0
	£19,073	4	0
Less—amount allowed for Lake No. 1, Oct. 22, 1857, 22,347 cubic yards, at 3s. 6d.	3910	14	6
	Amount of claim,	£15,162	9 6

*Engineer's statement.*

Item 1.—By engineer's statement there has been allowed for substituting embankment in place of viaduct originally intended at embankment No. 9, the schedule price of the viaduct per agreement,	£4585	3	0
And allowed for alterations of line, &c., on embankments Nos. 3, 20 and 21, per agreement,	500	0	0
Item 2.—The engineer states “ if admitted as an extra charge, the amount now claimed is exorbitant.”			
Item 3.—The contractors have been paid at the contract prices,	50	0	0
Item 4.—Admitted that some of the chairs were removed and replaced,” say	20	0	0
Item 5.—Admitted that a portion of the first keys had to be reduced,” say	10	0	0
	£5165	3	0
Claims admitted,	£9997	6	6

Add

Add for difference between engineer's estimate of October 22d, (as stated by Johnston & Blackie) and November 21st, 1857, of the additional quantity of material put into lake No. 1, viz., 22347 less 13237—9110 cubic yards, at 3s. 6d.		1594	5	0
	Claims,	£11591	11	6
The engineer estimates the total quantity of rock that would have been required to be excavated on the original section at slopes of $\frac{1}{4}$ to 1, at		82,820	cubic	yds.
And the additional quantity put into embankments Nos. 2 and 9, and by raising grade on No. 11, at		30,198	“	“
The earth excavation as per section,		37,987	“	“
		151,005	“	“
The total quantity of rock excavated on the section as per measurement, November 21st, 1857, he states at	119,777 c. yards.			
The total quantity of earth,	66,579	“		
	186,356	“		
From which he deducts claims on embankments Nos. 3, 18, 20, 21 & 24—31,801 cubic yards, and earth put into embankment No. 9, 3034 cubic yards,	34,835	“	151,521	“
	Difference,		516	“

This statement, if I understand it right, goes to show that there has only been a few thousand cubic yards, more material excavated, exclusive of what has been allowed for as extra, than was shown on the original profile.

CONTRACT No. 5, WINDSOR BRANCH.—*D. McDonald's claims.*

D. McDonald, who is the contractor on this section, as on section No. 2, Windsor branch, presents a statement of the total quantity of work which he claims to have performed up to September 1st, 1857, amounting to	£37306	4	4
The engineer estimates the value of work done at the schedule rates, up to January 16th, 1858, at	25735	12	2
Leaves claims, exclusive of work done between September 1st, 1857, and January 16th, 1858,	£11570	12	2

The contractor claims to have removed 187,534 cubic yards of cuttings. The engineer, in his estimate, allows the schedule quantity, or 126,034 cubic yards. Difference 61,500 cubic yards, which at the schedule rate, 1s. 3d., amounts to £3843 15s.

The contractor, in his statement estimates 3187 cubic yards of masonry, at 80s. per cubic yard. The engineer estimates 2076 cubic yards at that price, but no explanation is given of the discrepancy.

The following excerpts from the statements of the contractor and the engineer, refer to some of the special claims made :

*Contractor's statement.*

1.—“The increase of excavation on this section, over schedule quantity, is caused by bogs, inaccurate soundings having been taken in some cases to the depth of 40 feet. I may remark that a portion of this claim, viz., 61,500 cubic yards excavation, was paid to me in 1855, as will be found on reference to the monthly pay bills in the engineer's office, to the amount of 20,500 cubic yards, which after being allowed for 12 months, I understand is now deducted.

2.—“Erection of girders at St. Croix, including scaffolding and hauling same from Windsor, £500.”

3.—“Removing barn, per order of Mr. Forman,” £10.

4.—“Taking off slopes of cuts  $1\frac{1}{2}$  to 1, and removing slurm from same, £3000.”

5.—“150 loads brush put on to road at peg No. 860, per order of Mr. Cunningham, £46 17s. 6d.”

*Engineer's statement.*

1.—“20,500 cubic yards of side cutting was allowed, at the contractor's special request, *pro tempore*, in October, 1855, on the grounds that the price for excavations was low, whereas, on the contrary, there would be considerable profit on the masonry of the St. Croix bridge, no parts of which had been erected at that time.”

2.—“The cost of carriage, and erection of girders at the St. Croix viaduct, is included in the contract price.” See contract, pages 16 and 20.

3.—“Removing barn, charged £10—admitted.”

4.—“The contractor had no authority to reduce slopes of cuttings to  $1\frac{1}{2}$  to 1, to do so would add 22,000 cubic yards to the original quantity; this work has not been performed, portions of the slopes are flatter than specified, but the cuttings are not in all cases taken out to the full width.”

5.—Not referred to in the engineer's statements.

## CONTRACT No. 5 EXTENSION, WINDSOR BRANCH.

D. McDonald, as in his other contracts, presents a bill for the whole amount of work which he claims to have done to September 1st, 1857, at the schedule prices—which amounts to

£8965 2 4½

The above is included a charge of £500, “for stoppage from taking material from ordnance hill during summer, and having to blast same in winter to protect wharf from sea, &c.”

The engineer remarks in relation to this claim: “The board of ordnance authorised side cutting to be taken from their lands, within certain limits, and in the manner to be directed from time to time by their officer on the ground; the contractors not having complied with this officer's instructions, the heads of the departments interfered, and the railway board had great difficulty in obtaining their consent to any further excavations being made on their lands.”

Engineer's estimate of the value of work done to January 16th, 1858,

8679 6 8

£285 15 8½

This work was let out by the cubic yard, and the above claim for £500, is the only one in dispute.

I have thus endeavoured to elucidate the points in controversy between the engineer and contractors, with such detail as appeared necessary to a clear understanding of the subject. The most noticeable feature in the statements, is the very large discrepancies between the estimate of quantities made by the engineer, and the contractors, of the work

work actually done on the several sections. In some cases the difference is equivalent to the whole amount claimed for extra work. A re-measurement, or at least a comparison of the data, between the parties themselves, would appear to be necessary in order to reconcile the conflicting statements.

I have no doubt that in some instances the contractors over-estimated the work done—for instance, the claims for sloping cuttings on section 5, Windsor branch, and No. 8, main line. On neither of these sections has additional sloping been done to the value stated.

As to that part of your letter which requests my opinion on the rights of the claimants, I would state, that as the contractors present and base their claims on the contract itself, and the specifications and schedules which are referred to, and form part of it, their rights in this view, become a purely legal question, which it is not my province to discuss. From the nature of the claims, however, and the written statements submitted, I presume they could be satisfactorily adjusted on the basis that the contractors originally proposed for the schedule quantities of work only; and, under the facts and circumstances presented, and on view of the whole subject, I am disposed to think that this would be the most judicious and equitable way of meeting them. If the excess of material moved on the section is no larger than the engineer's estimates indicate, the amount of the claims, when adjusted on this basis, could not be large.

My opinion, then, is, that where the quantities have been increased by alterations of the line or grade, or by unforeseen and unexpected difficulties, the excess should be treated as extra work, and paid for at its actual worth, which in some cases would exceed, and in others fall short of the schedule rates, depending on the relative proportions of earth and rock. Where alterations have been made reducing the quantities, as on section No. 2, Windsor branch, where 12,600 cubic yards of whinstone rock was avoided, deductions should be made. So also where the grade or line has been altered so as to reduce the quantities, and where the cuttings and embankments are not to the proper widths, deductions should also be made, or the contractors be required to complete them to the widths specified.

As to claims for damages by not being furnished with rails in accordance with contract, they are of course legitimate; and when the exact facts are established in regard to them, and other minor claims, probably no great difficulty would be experienced in settling them.

I have the honor to be,

Sir, your most obedient servant,

JAMES LAURIE, civil engineer.

The hon. CHARLES TUPPER, provincial secretary.

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## RAILWAY CORRESPONDENCE.

*Halifax, March 6th, 1858.*

SIR—

The railway commissioners having taken away the engine "Mayflower," and our contracts on the Windsor branch, sections numbers one and three, being now in running order, and considerably better than that now in use, we are again obliged to apply to the government, and to call their attention to the fact that we have been refused payment for work done by us under our agreement entered into in October last, with the commissioners of railways. At that time we felt it impossible to go on under the terms of our original contract, as the commissioners understood it, the effect of which would have been to leave a large amount of work done by us unpaid for, and it was then

then agreed, that if we proceeded with the work, and put the road in working order, we should be paid for the work actually done, according to the schedule rates, leaving our claims for extra work for future settlement.

We therefore proceeded with the work on the faith of this agreement, and expended large sums of money, and incurred heavy liabilities, and there is now a balance of upwards of one thousand pounds due on number three alone, which the commissioners refuse to pay, together with a large amount due on number one, which has not yet been measured; and also on number eight. That some time since one thousand pounds was advanced on number one section, but the commissioners have now debited to number three the whole amount advanced on both numbers one and three.

That the commissioners, or rather Mr. Foreman, now raise the objection, that because the railway was not put in working order in December, the work should not be paid for at all. Now it is known to the commissioners, and probably to the government also, that difficulties have been experienced by us which rendered it impossible for us to have the road in working order at the time specified; and among the difficulties experienced by us, and not the least, has been the disappointment in not getting the locomotives, which we were led to expect would be furnished, and in having to expend our time and money in attempting to work with engines which turned out to be worthless.

This objection has now taken us by surprise, for though the road was not open in December, in January the commissioners gave notice to us that they would take the works into their own hands, but were subsequently induced to let us go on under the terms of the agreement above referred to, thus leading us to incur larger liabilities. In consequence of the renewed agreement in January, we advertised for and procured a large number of men, who have done the work; so that the sections are now put in running order, by the labor of the workmen who have been employed on the faith of the agreement made by the commissioners, and they are deprived of the fruit of their labor by the non-fulfilment of them, as we are unable to meet our engagements with them.

We would add, that though the road is now in working order, we would call the attention of the government to the fact, that even where the slopes are one and a half to one, they are running over the rails, and men must be put on the line to keep it clear, if the commissioners are in possession of locomotive power enough to warrant them in opening the railway to Windsor, otherwise the same inconvenience will be felt as is now experienced on the main line.

We have the honor to be,

Your obedient servants,

JOHNSTON & BLACKIE.

To the honorable the provincial secretary.

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*Nova Scotia railway office,  
Halifax, 9th March, 1858.*

SIR—

In returning you Messrs. Johnston & Blackie's letter of the 6th inst., (referred to the board,) in reference to their claims for extra work performed on their contracts Nos. 1 and 3, Windsor branch, and on No. 8, main line, I beg to say, that the board have heretofore declined entertaining their claims for these extra works, considering them, as they do, within the contract. But as doubts have arisen as to their right construction on this point, and to prevent, if possible, litigation and loss, they recommend that the proposition of the contractors, to submit their claims to the decision of competent engineers, be acceded to; and would therefore beg to suggest that they be referred

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referred to Mr. Forman and Mr. Laurie, for their opinion and decision thereon. And as similar claims have been made by Mr. Duncan McDonald on his contracts Nos. 2 and 5, Windsor branch, and by Messrs. Sutherland & Sons on No. 7, main line, the board recommend that they be also referred to the same parties for their decision.

I have the honor to be,

Sir,

Your obedient servant,

JAMES McNAB.

The honorable the provincial secretary.

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*Railway office, Halifax, 15th March, 1858.*

SIR—

I have the honor to forward herewith, copies of correspondence and other documents requested to be furnished from this office, in your letter of the 2nd inst., for the information of the house of assembly.

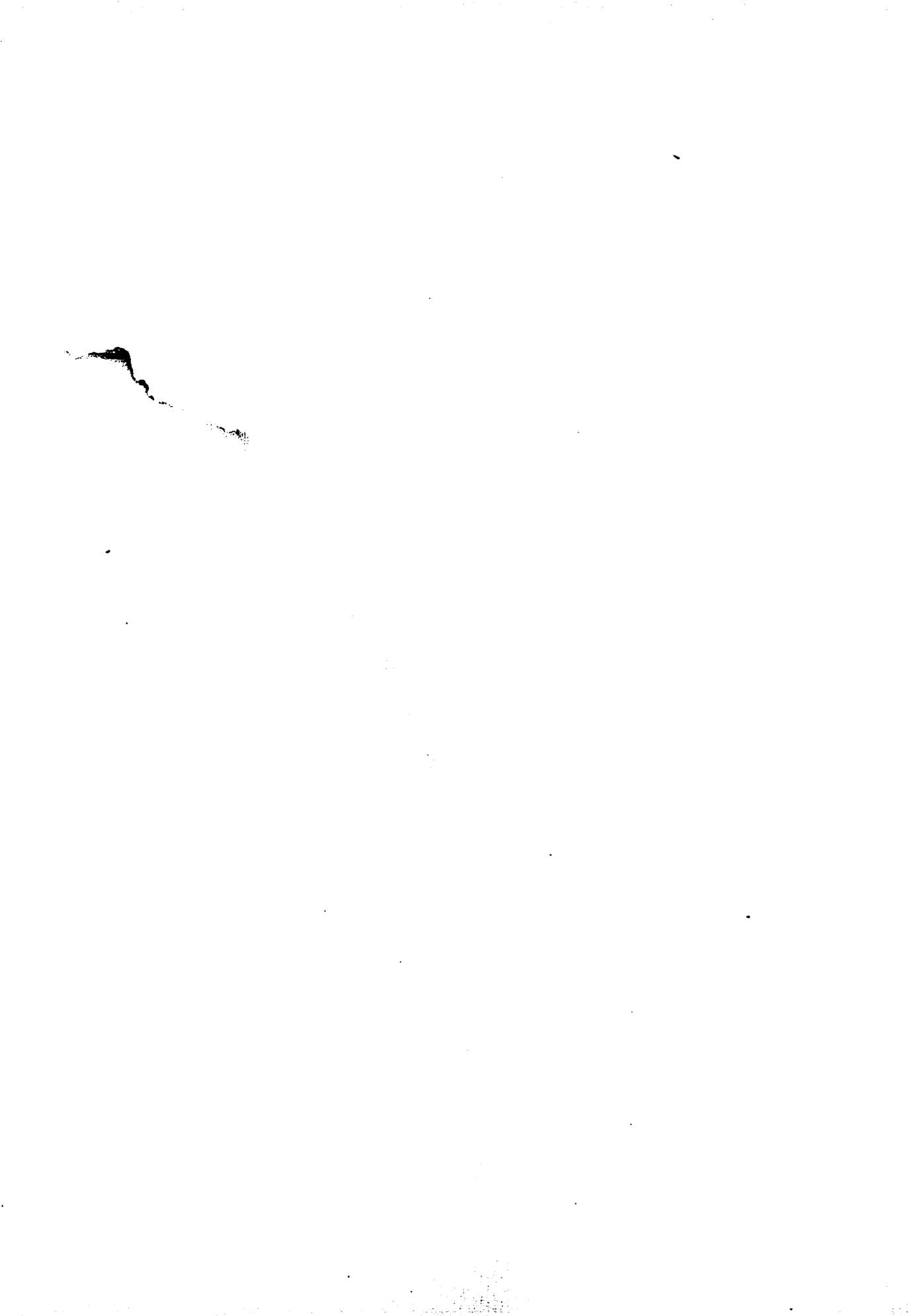
I have the honor to be,

Sir,

Your obedient servant,

JAMES McNAB.

The honorable the provincial secretary.





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OF

### NOVA-SCOTIA.

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1858.

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- 110 Licence law. To regulate licences for the sale of intoxicating liquors, 501, 512; amended, 523; read 3d time and passed, two amendments being negatived, 539; amended in council, 553; amendments agreed to, 554, 557, 563; governor's assent, 578.
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