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JOURNAL

AND

PROCEEDINGS



OF

HIS MAJESTY'S COUNCIL

OF

THE PROVINCE OF NOVA-SCOTIA.

1887.



PROCLAMATION.

BY HIS EXCELLENCY MAJOR-GENERAL

SIR COLIN CAMPBELL,

C. CAMPBELL.

Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant-Governor and Commander in Chief, in and over His Majesty's Province of Nova-Scotia, and its Dependencies, &c. &c. &c.

WHEREAS, the General Assembly of this Province stands prorogued until Thursday, the 30th day of June, instant :

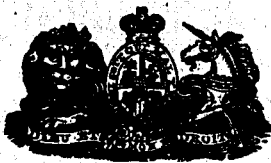
I have, therefore, thought fit further to prorogue the said General Assembly until Thursday, the 25th day of August next, of which all persons concerned are desired to take notice and govern themselves accordingly.

Given under my Hand and Seal at Arms, at Halifax, this 22d day of June, in the sixth year of His Majesty's Reign, A. D. 1836.

BY HIS EXCELLENCY'S COMMAND,

THOS. W. JAMES, D. S.

GOD SAVE THE KING.



PROCLAMATION.

BY HIS EXCELLENCY MAJOR-GENERAL

SIR COLIN CAMPBELL.

C. CAMPBELL.

Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant-Governor and Commander in Chief, in and over His Majesty's Province of Nova-Scotia, and its Dependencies, &c. &c. &c.

WHEREAS, the General Assembly of this Province stands prorogued until Thursday, the 25th day of August, instant :

I have, therefore, thought fit further to prorogue the said General Assembly until Thursday, the 13th day of October next, of which all persons concerned are desired to take notice and govern themselves accordingly.

Given under my Hand and Seal at Arms, at Halifax, this 16th day of August, in the sixth year of His Majesty's Reign, A. D. 1836.

BY HIS EXCELLENCY'S COMMAND,

THOS. W. JAMES, D. S.

GOD SAVE THE KING.



PROCLAMATION.

BY HIS EXCELLENCY MAJOR-GENERAL

SIR COLIN CAMPBELL,

Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant-Governor and Commander in Chief, in and over His Majesty's Province of Nova-Scotia, and its Dependencies, &c. &c. &c.

C. CAMPBELL.

WHEREAS, the General Assembly of this Province stands prorogued until Thursday, the 13th day of October, instant:

I have, therefore, thought fit further to prorogue the said General Assembly until Thursday, the 24th day of November next, of which all persons concerned are desired to take notice and govern themselves accordingly.

Given under my Hand and Seal at Arms, at Halifax, this 11th day of October, in the sixth year of His Majesty's Reign, A.D. 1836.

BY HIS EXCELLENCY'S COMMAND,

THOS. W. JAMES, D. S.

GOD SAVE THE KING.



PROCLAMATION.

BY HIS EXCELLENCY MAJOR-GENERAL

SIR COLIN CAMPBELL,

Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant-Governor and Commander in Chief, in and over His Majesty's Province of Nova-Scotia, and its Dependencies, &c. &c. &c.

C. CAMPBELL.

WHEREAS, I have thought fit to Dissolve the General Assembly of this Province, which now stands prorogued to Thursday, the 24th day of November, instant: I do for that purpose publish this Proclamation—and accordingly, by these presents, **DO DISSOLVE THE SAID GENERAL ASSEMBLY.**

And I do hereby notify the Members of the Legislative Council, as well as the Representatives of this His Majesty's Province, severally, as they are returned from the Counties and Townships, that they are discharged from further attendance in the said General Assembly.

And by these presents, I further declare that I have this day given orders to issue Writs in due form for calling a new General Assembly, which Writs will bear test this second day of November, and be returnable on Thursday, the 12th day of January next.

Given under my Hand and Seal at Arms, at Halifax, this 2d day of November, in the seventh year of His Majesty's Reign, A. D. 1836.

BY HIS EXCELLENCY'S COMMAND,

THOS. W. JAMES, D. S.

GOD SAVE THE KING.



PROCLAMATION.

BY HIS EXCELLENCY MAJOR-GENERAL

SIR COLIN CAMPBELL,

Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant-Governor and Commander in Chief, in and over His Majesty's Province of Nova-Scotia, and its Dependencies, &c. &c. &c.

C. CAMPBELL.

WHEREAS, the Writs issued for the Election of Members to serve in General Assembly, and which bear test the second day of November last, are made returnable at Halifax, on Thursday the Twelfth day of January next.

And whereas, the attendance of the Members chosen, or to be chosen, for the respective Counties and Townships within the Province, is not required on the said Twelfth day of January,

I have thought fit to prorogue the meeting of the General Assembly, until Tuesday, the Thirty-first day of January next, *then to meet for the Dispatch of Business*; of which all persons concerned, are required to take notice and govern themselves accordingly.

Given under my Hand and Seal at Arms, at Halifax, this 26th day of December, 1836, in the seventh year of His Majesty's Reign.

BY HIS EXCELLENCY'S COMMAND,

RUPERT D. GEORGE.

GOD SAVE THE KING.

JOURNAL
 OF THE
LEGISLATIVE COUNCIL,
 OF THE
PROVINCE OF NOVA-SCOTIA.

FIRST SESSION OF THE SIXTEENTH GENERAL ASSEMBLY.

ANNO SEPTIMO GULIELMI QUARTI REGIS.

AT HALIFAX, IN THE PROVINCE OF NOVA-SCOTIA.

LEGISLATIVE COUNCIL CHAMBER,

Tuesday, 31st January, 1837.

Writs having been issued for a new Election of Representatives to meet in General Assembly, on the twelfth day of January, instant; and the said General Assembly having been, by Proclamation, prorogued to this day—the Council met.

P R E S E N T—

The Honorable Breton Halliburton, Chief-Justice—President. The Honorable the Lord Bishop, T. N. Jeffery, H. N. Binney, Enos Collins, S. B. Robie, Charles R. Prescott,	<i>or</i>	The Honorable Samuel Cunard, Henry H. Cogswell, Peter M'Nab, James Tobin, Joseph Allison.
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At two o'clock, His Excellency Major General Sir COLIN CAMPBELL, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant-Governor and Commander in Chief, in and over the Province, came to the Council Chamber, attended as usual, and, being seated, sent a Message by the Secretary of the Province, to command the House of Assembly to attend His Excellency immediately in the Council Chamber. The House of Assembly attended accordingly, when the President of this House said—

His Excellency comes to the Council Chamber

House attend

Gentlemen,

I am commanded by His Excellency the Lieutenant-Governor, to inform you that he doth not think fit to declare the causes for which he has convened this General Assembly, until the House of Assembly have elected a Speaker.

Directed to choose in Speaker

It is therefore His Excellency's pleasure, that the House of Assembly do return to their own Chamber, and there elect a Speaker, and present him for His Excellency's approbation.

The House of Assembly then retired, and, after a short time, having returned, Mr. Heckman, Member for the Township of Lunenburg, addressed His Excellency as follows :

House retire, return, and Mr. Heckman presents Speaker

May it please your Excellency;

The House of Assembly, agreeably to your Excellency's command, have proceeded to the choice of a Speaker, and having unanimously elected Samuel George William Archibald, Esquire, His Majesty's Attorney-General, and Member for the County of Colchester, to that Office; and by their direction, I beg leave to present him for your Excellency's approbation.

His Excellency approves of the Speaker

After which, His Excellency was pleased to say, I approve of the Speaker which the House of Assembly have chosen.

Then the Speaker of the Assembly said,

May it please your Excellency;

Speaker solicits the usual Privileges

The ready approbation of Your Excellency of the first act of this House in the choice of me as their Speaker, induces me to hope, that their future proceedings shall receive from Your Excellency the same favorable regard.

Being now, by the choice of the House, and the approbation of Your Excellency of that choice, in due form, appointed the Speaker of the Assembly of Nova-Scotia; in the name of the Representatives of His Majesty's Loyal Subjects the People of Nova-Scotia, it becomes my duty humbly to solicit for them their usual rights and privileges; that they may have freedom of Speech in their debates; that they and their servants may be free from arrest; and that when His Majesty's service, and the interests of this Province may require it, that I, as their Speaker, may have free access to your Excellency's person.

To which His Excellency replied—

Mr. Speaker,

Privileges granted His Excellency opens the Session with a Speech House of Assembly withdrew His Excellency retired President reports Speech

I most cheerfully grant your request, conformably to ancient usage—the Laws of the Land and the Royal Instructions.

Then His Excellency was pleased to open the Session by a Speech to both Houses.

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

The Honorable the President informed the House that he was in possession of a Copy of His Excellency's Speech, which he read, and is as follows:

Mr. President, and Gentlemen of His Majesty's Council,

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

Speech

At the opening of this Session of a new Assembly, it affords me great satisfaction to congratulate you on the peace and prosperity which pervade this Province.

Although the last Harvest was not very productive, I trust that no serious evil will be experienced from that circumstance. To some of the newly arrived Settlers in Cape-Breton, who were represented to me as likely to suffer extreme distress, owing to the failure of the Potatoe Crop, I have already felt it my duty to send some assistance, and should these Poor People be found to require further relief, the proofs which you have uniformly given of your humanity, assure me that their wants will be cheerfully supplied.

The past Season, I regret to find, has been rather unfavorable to our Fisheries, but a steady and progressive improvement has taken place in every other branch of our Trade and Commerce.

I have great satisfaction in acquainting you that the Revenue is increasing; the Receipts of the last year were sufficient to meet all the demands upon the Treasury, and every just claim against the Government has, I believe, been discharged.

I feel it my duty, however, to advise a judicious and economical application of our means; and the surest way of accomplishing this is to keep our expenditure within our income.

I continue to receive from the Inspecting Field Officers very satisfactory Reports of the Militia; the regularity and good order of many of the Battalions are deserving of great praise.

Among the numerous matters of local interest which demand your notice, the improvement of our present defective system of appropriating and expending the Road Money seems to me to have a peculiar claim on your attention, and I should be neglectful of my duty, were I not to recommend that subject to your best consideration.

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

I shall direct the Public Accounts to be laid before You, and I trust that you will find that your grants to His Majesty have been faithfully applied.

I shall also direct the Estimate for the present year to be submitted to you, with a full persuasion

persuasion that the Supplies necessary for the support of His Majesty's Government will be provided with your usual liberality.

Mr. President, and Gentlemen of His Majesty's Council,
Mr. Speaker, and Gentlemen of the House of Assembly:

No Country, perhaps, has more reason than Nova-Scotia to be thankful to a Bountiful Providence for the manifold blessings which it enjoys. Our Laws are duly and impartially administered—Crime is of rare occurrence among us—the pressure of taxation is light, and a wide scope is afforded for the industry of our People; and it is most gratifying to me to have these and many other good grounds for the belief I firmly entertain that this Province, under a wise and steady Legislation, must rapidly advance in prosperity. To you, Gentlemen, is entrusted the task of calling forth its resources, and I confidently hope that, in discharging the important duties which have devolved on you, the calmness of your deliberations, and the soundness of your decisions, may satisfy the expectations of an intelligent and loyal People; and that the harmony which has so long marked the Legislative proceedings of this Province may continue to distinguish them.

On my part, Gentlemen, you will find the most anxious desire to co-operate with you in such measures as may promote the happiness and welfare of His Majesty's Subjects in this part of His North American Dominions.

Ordered, That a Committee be appointed to draft an Address to the Lieutenant-Governor, in answer to His Speech at the opening of the Session.

Committee to prepare Address
Committee

Ordered, That Mr. Robie, Mr. Prescott, and Mr. Cogswell, be appointed a Committee for the above purpose.

Resolved, That the Venerable Archdeacon Robert Willis, D. D. Rector of St. Paul's, be appointed the Chaplain of this House.

Archdeacon Willis appointed Chaplain

On motion made and seconded—the House adjourned until To-morrow, at two o'clock.

Adjourn

Wednesday, 1st February, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief Justice—President.	
The Honorable T. N. Jeffery,	§ S P E E C I A L S E C I O N
H. N. Binney,	
Enos Collins,	
S. B. Robie,	
Charles R. Prescott,	
	The Honorable Samuel Cunard,
	Henry H. Cogswell,
	James Tobin,
	Joseph Allison.

PRAYERS.

The Minutes of yesterday were read.—

The President informed the House, that during the recess of the Legislature, he had received from the President of the Legislative Council of the Province of Lower Canada, the following Letter, together with a copy of a Bill to establish a Post-Office in that Province, and to provide for the future management of the same, and other papers connected therewith.

President lays Letters, &c. and draft of L. Canada Post Office Bill

QUEBEC, 11th APRIL, 1836.

SIR—

In obedience to an Order of the Legislative Council of this Province, I have the honor to transmit to you a copy of the Bill sent up from the Assembly for the concurrence of the Legislative Council, "To establish and regulate a Post-Office in this Province," together with a Report, and the evidence reported by a Select Committee of the Legislative Council, to whom the said Bill was referred; and a copy of an Address of the Council to the King on the subject of the Post-Office.

I have the honor to be, Sir,
Your obedient Servant,
(Signed) J. SEWELL,

Speaker of the Legislative Council of Lower Canada.

To the Honorable the Speaker of the Legislative Council of Nova-Scotia.

Ordered, That the said Bill and Papers do lie on the Table.

Mr.

Address reported

Mr. Robie, the Chairman of the Committee appointed to prepare an Address to His Excellency the Lieutenant-Governor, in answer to His Speech at the opening of the Session, reported a draft thereof, which he read in his place.

Ordered, That the Report be received, and the said Draft was again read by the Clerk; and it was

Committed

Ordered, That the House be forthwith put into a Committee of the whole, to take the same into consideration.

The House was adjourned during pleasure, and put into a Committee on the said Address. After some time the House was resumed, and Mr. Jeffery reported that the Committee had gone through the said Address, and made several amendments thereto.

Amended

The amendments being read twice by the Deputy Clerk, were agreed to by the House.

Order to be engrossed

Ordered, That the said Address, with the amendments, be engrossed, and read a third time to-morrow.

The President was requested to wait upon His Excellency the Lieutenant-Governor to know when His Excellency would be pleased to receive this House with their Address.

His Honor the President presented a Bill in further amendment of an Act made and passed in the thirty-second year of His Majesty King George the Second, entitled, An Act relating to Wills, Legacies and Executors, and for the settlement and distribution of the Estates of Intestates; the same was then read, and it was

Ordered, That it be read a second time at a future day.

Petition of G. H. L'Epousie and al

Mr. Allison brought up a Petition of George H. L'Epousie and David Hall, which was laid on the Table.

Adjourn

On motion made and seconded—the House adjourned until To-morrow. at one o'clock.

Thursday, 2d February, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.	
The Honorable the Lord Bishop,	§ The Honorable Charles R. Prescott,
T. N. Jeffery,	§ Samuel Cunard,
H. N. Binney,	§ Henry H. Cogswell,
Enos Collins,	§ James Tobin,
S. B. Robie,	§ Joseph Allison.

PRAYERS.

President reports time when His Excellency will receive the Address

The Minutes of yesterday were read.—The President informed the House that, in pursuance of the request of the House, he had waited upon His Excellency the Lieutenant-Governor, to know when His Excellency would be pleased to receive this House with their Address; and that His Excellency had been pleased to appoint the hour of two of the clock, p. m. this day, for that purpose.

Pursuant to the Order of the Day, the Address to the Lieutenant-Governor in answer to His Excellency's Speech at the opening of the Session, was read a third time and passed.

Whereupon, the President signed the same, and it is as follows:

TO HIS EXCELLENCY MAJOR-GENERAL

SIR COLIN CAMPBELL,

Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant-Governor and Commander in Chief, in and over His Majesty's Province of Nova-Scotia, and its Dependencies, &c. &c. &c.

THE ADDRESS OF HIS MAJESTY'S COUNCIL.

May it please Your Excellency—

Address

His Majesty's Council thank Your Excellency for your Speech at the opening of the first Session of this General Assembly. The

The Peace and Prosperity which pervade the Province must be a source of great satisfaction to all who feel an interest in its welfare.

Although the last year has not been favourable to our Agriculture and Fisheries, we trust that no great or lasting evil will be experienced from that circumstance, and more productive seasons will reward the labours of all engaged in these honorable and useful pursuits.

We regret the distress of the new Settlers in Cape-Breton, and most sincerely thank your Excellency for the assistance you have already afforded them; should further relief be required we shall most cheerfully agree in supplying it.

We learn with much satisfaction that the Trade, Commerce and Revenue of the Province are increasing, and that all demands upon the Treasury have been satisfied. We earnestly hope, that no emergency will arise to call for Expenditures beyond the annual income of the Province.

We are much gratified by the satisfactory reports that have been received relative to the Militia, and hope it will continue to deserve your Excellency's approbation.

Your Excellency's recommendation of an improvement in the present system of expending money on the Roads shall receive our most attentive consideration; we are aware that it is a subject attended with many difficulties, but are not without hopes that some beneficial changes may be made in a service so important to the best interests of the Country.

We deeply feel how much we owe to the Almighty Giver of all Good for the Blessings which He has bestowed upon the Inhabitants of this Province. The impartial administration of justice—the rare occurrence of crime—the lightness of taxation—the watchful care of a Paternal Government—its ready attention to our wants—and all the Blessings secured to us by our Constitution and connection with the Parent State, claim our gratitude. The religious, moral and industrious habits of any Community are the surest means, under the blessing of Heaven, to produce and perpetuate the happiness and prosperity of the people; without these, the elements of wealth in which this Province abounds may be neglected or misapplied. The resources of the Country are numerous. We hope and trust that the energy and industry necessary to render them productive, will be called forth by wise and prudent Legislation. It will afford us great pleasure to unite with the other branch of the Legislature in judicious measures to effect this object; and it will be our earnest endeavour to cultivate and preserve the harmony so necessary in all Legislative proceedings.

We are assured from the experience which we have had of your Excellency's Administration, that a ready and zealous co-operation on your part, will always be afforded to carry into effect such measures as may be calculated to promote the interests and happiness of the People confided to your care by our most Gracious Sovereign.

At two of the o'clock, p. m. the House proceeded to the Government House with their Address in Answer to His Excellency's Speech at the opening of the Session; and having returned,

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

Mr. President, and Gentlemen of His Majesty's Council,

The sentiments contained in this Address are most acceptable to me; I return my warmest thanks for the assurances it contains, and I fully appreciate the value of that aid and support which you have invariably afforded me.

You may be assured that I shall continue to devote myself with unabated zeal to promote the interests of the Province which our most Gracious Sovereign has been pleased to confide to my care.

On motion made and seconded—the House adjourned until To-morrow. at two o'clock.

Friday, 3d February, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief Justice—President.	
The Honorable T. N. Jeffery,	§ § § §
H. N. Binney,	
S. B. Robie,	
Charles R. Prescott,	
	The Honorable Samuel Cunard,
	Henry H. Cogswell,
	James Tobin,
	Joseph Allison.

PRAYERS.

The Minutes of yesterday were read.—

Will Bill read 2d time

On motion, a Bill in further amendment of an Act made and passed in the thirty-second year of His Majesty King George the Second, entitled, An Act relating to Wills, Legacies and Executors, and for the settlement and distribution of the Estates of Intestates, was read a second time.

Committed

On motion, the House was adjourned, during pleasure, and put into a Committee on the said Bill. After some time the House was resumed, and Mr. Jeffery reported that the Committee had made some progress, and had directed him to ask leave to sit again—which was granted.

Report progress

A Message was brought from the House of Assembly by Mr. Whidden, with the following Resolution :

Committee of Public Accounts of H. A.

Ordered, That Mr. G. Smith, Mr. J. Young, Mr. Dewolf, Mr. Taylor and Mr. Uniacke, be a Committee of this House, for the purpose of examining the Public Accounts, with a Committee of His Majesty's Council ; which was read.

Conference on General State of the Province asked

The Messenger also informed the House that the House of Assembly requested a Conference with this House by Committee, on the General State of the Province.

Committee of Public Accounts of Council Conference agreed to

On motion, *resolved*, that Mr. Cunard, Mr. M'Nab and Mr. Allison, be a Committee of this House to join a Committee of the House of Assembly to examine the Public Accounts ; and that the Deputy Clerk do acquaint the House of Assembly therewith.

Committee

On motion, *resolved*, that the Conference requested by the House of Assembly be agreed to, and that the Deputy Clerk do acquaint the House of Assembly therewith.

Report of Committee

Ordered, That Mr. Prescott, Mr. Cogswell, Mr. Tobin and Mr. Allison, be a Committee of this House to manage the said Conference.

And the Managers went to the Conference, and being returned,

Mr. Prescott reported that the Committee had held the said Conference, and the Chairman of the Committee of the House of Assembly had delivered to him the following written Paper ; which he read in his place, and afterwards delivered it to the Deputy Clerk, who read the same, as follows :

In the House of Assembly, 2d February, 1837.

On motion, the following Resolutions were passed *unanimously*.

Resolved, That the practice hitherto pursued by His Majesty's Legislative Council, in this Province, of excluding the people from their deliberations, is not only at variance with that of the House of Lords, in England, and that of several of the Legislative Councils, in the other British North American Colonies, but contrary to the spirit of the British Constitution, and injurious to the interests and liberties of this Country.

Resolved, That while this House have no desire to deny to the Upper Branch of the Legislature the right enjoyed by the Representatives of the People, and sanctioned by public opinion, of closing their doors during the discussion of questions of Order and Privilege, and on particular occasions, when the public interests may require secret deliberation: Yet, they should fail in their duty if they did not express to His Majesty's Council, the deliberate conviction of those they represent—that the system of invariable exclusion pursued for a series of years, is fraught with much evil, and has a tendency to foster suspicion and distrust.

Resolved,

Resolved, That this House is prepared to provide for the expenses which may be incurred for the accommodation of the Public in the Legislative Council Chamber.

On motion, *resolved*, that a Conference, by Committee, be desired with the Council, on the General State of the Province; and upon that Conference, the Committee of this House do communicate the foregoing Resolutions to the Committee of the Council.

Ordered, That Mr. Doyle, Mr. Uniacke, Mr. J. Young, Mr. Howe and Mr. Forrester, be a Committee for the above purpose.

On motion, *ordered*, that the House be specially summoned to meet at one o'clock To-morrow. Call of the House

On motion made and seconded—the House adjourned until To-morrow, at one o'clock. Adjourn

Saturday, 4th February, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President. The Honorable the Lord Bishop, T. N. Jeffery, H. N. Binney, Enos Collins, S. B. Robie, Charles R. Prescott,	S M O N I T Y	The Honorable Samuel Cunard, Henry H. Cogswell, Peter M'Nab, James Tobin, Joseph Allison.
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PRAYERS.

The Minutes of yesterday were read.

On motion of Mr. Robie, the House resolved itself into a Committee of the whole House for the consideration of the Report of the Committee of Conference, held yesterday, with a Committee of the House of Assembly.

After some time the House was resumed, and Mr. Jeffery reported that the Committee had had the said Report under their consideration, and had directed him to report that the following Message be sent to the House of Assembly in Answer thereto.

Committee of whole
on report of Com-
mittee of Confer-
ence
Report of Com-
mittee

Council Chamber, 4th February, 1837.

Resolved unanimously, That a Message be sent to the House of Assembly, to inform them that the Council cannot continue the Conference, to which they consented yesterday, as it commenced on the part of the House, by a breach of the privilege of the Council, and a violation of Parliamentary usage, which prohibits one House from interfering with the internal regulations of the other.

The British Constitution does not confer a right upon any person to be present at the deliberations of any branch of the Legislature, of which he is not a Member.—The rights of an Englishman are not held by so precarious a tenure as the courtesy of any of his fellow subjects; and it is notorious that the only mode of gaining admission to the House of Lords, is, by procuring a special permission from a Member of that House, which may be either granted or withheld, at the pleasure of the person to whom the application is made, and it is therefore obvious, that it is asked and received as a courtesy, and not claimed as a right.

But, altho' His Majesty's Council do not admit the right, they have for some time had under consideration the expediency of adopting the example of the two Houses of Parliament, in the Mother Country, who now very generally refrain from enforcing the standing orders which preclude strangers from being present at their debates.

Altho' this practice is not unaccompanied by inconveniences—it is productive of much good. It gives to Members of the Legislature an opportunity of explaining the reasons which induce them to support or oppose the measures under discussion with greater publicity, and may thus not only shield themselves from misconception, but may also remove much misconception relative to those measures, from the public mind.

His Majesty's Council have this subject still under consideration, and will come to such decision upon it as they shall deem most conducive to the public good. But they cannot permit the House of Assembly to interfere with their deliberations upon it.

The

The best interests of the Country require that each branch of the Legislature should scrupulously preserve that independence which the Constitution has bestowed upon it, and which would soon be destroyed, if either were to allow the other to interfere in the regulations of its own House.

His Majesty's Council have seen by the Journals of the House of Assembly, that the House has, this Session, departed from the pious usage which has ever prevailed in this Country, and the Parent State. They regret that their coadjutors, in Legislation, do now discuss and decide upon the various measures which the public interest bring under their consideration, without offering up their united supplications for the aid and guidance of Him, from whom alone all good counsels and all just works do proceed; but, deeply as they may deplore this, they feel that they have no right to interfere, and the subject is only alluded to, to show that if such interference of one House with the regulations of another could ever be proper, His Majesty's Council might be more justified in reminding the House of Assembly of the duty of adhering to the ancient and christian practice of daily and unitedly imploring the Divine Blessing upon our Gracious Sovereign and their own deliberations, than the House of Assembly can be in applying to His Majesty's Council to adopt a practice new in this Country, and which, notwithstanding its many advantages, has had its attendant evils, whenever it has been introduced.

Ordered, That the said Report be received, and the Message being read,

Ordered, That the Deputy Clerk do carry the same to the House of Assembly.

Message sent to H
A

Message from His
Excellency with
Despatches, &c

Sir Rupert D. George, Bart. Secretary of the Province, informed the House, that he was commanded by His Excellency the Lieutenant-Governor to deliver to the House the following written Message from His Excellency.

M E S S A G E.

C. CAMPBELL.

The Lieutenant-Governor lays before His Majesty's Council, copies of several Orders of the King, in Council, confirming or disallowing various Acts, passed by the Legislature of this Province; with a copy of a Despatch from His Majesty's Principal Secretary of State for the Colonies, in answer to the Joint Address of His Majesty's Council and the House of Assembly in the last Session, praying that no alteration may be made in the existing duties on Timber imported into the United Kingdom.

The Lieutenant-Governor also submits to His Majesty's Council, copies of the three un-dermentioned Despatches from the same noble Secretary, and recommends the observations and suggestions which they contain, to the particular attention of the Council.

- No. 1. Despatch, dated 31st March, 1836, pointing out various objections to the three following Acts, viz. The Act for incorporating a Marine Insurance Company. The Act establishing a Fire and Life Insurance Company. And the Act for the encouragement of the manufacture of Chocolate.
2. Despatch, dated 31st August, 1836, containing various observations upon certain Acts passed in the Session of 1836.
3. Despatch, dated 31st August, 1836, and marked "Circular," representing the inconvenience that has arisen from measures adopted by various Colonial Legislatures, for revising and altering the Rates at which different Coins should pass current and be a legal tender, with reference to Local Monies of Account; and directing that no Act, Ordinance, Proclamation or Regulation, be permitted to go into operation relating to the Local Currency and Circulating Medium, or to the circulation of Promissory Notes or other Paper, without His Majesty's previous sanction.

Government-House,
4th February, 1837.

List alluded to in the annexed Message.

- No. 1. Order of the King, in Council, dated 13th April, 1836, confirming "An Act to divide the County of Halifax, and to regulate the representation thereof."

- No. 2. Order of the King, in Council, dated 15th June, 1836, confirming an Act relating to the Fisheries, and for the prevention of Illicit Trade.
3. Order of the King, in Council, dated 6th July, 1836, relating to the same Act.
4. Order of the King, in Council, dated 19th August, 1836, confirming seventy-nine Acts, passed in the year 1836.
5. Order of the King, in Council, of the same date, confirming three Acts, passed with suspending Clauses.
6. Order of the King, in Council, of the same date, disallowing an Act to give effect and validity to a certain devise or settlement of Real Estate, made in the Will of John McKay, late of Windsor.
7. Order of the King, in Council, of the same date, disallowing an Act to continue the Act to encourage the manufacture of Chocolate.
8. Order of the King, in Council, dated 30th November, 1836, confirming an Act for the better regulation of Sable Island and Seal Islands.
9. Despatch, dated 29th February, 1836, in reference to the joint Address of His Majesty's Council, and the House of Assembly, praying that no alteration may be made in the existing Duties on Timber, imported into the United Kingdom.
10. Despatch, dated 31st March, 1836, pointing out various objections to the three following Acts, viz:—The Act for Incorporating a Marine Insurance Company. The Act for establishing a Fire and Life Insurance Company. And the Act for the encouragement of the Manufacture of Chocolate.
11. Despatch, dated 31st August, 1836, containing observations on various Acts, passed in the Session of 1836.
12. Despatch, marked "Circular," dated 31st August, 1836, directing that no Act, Ordinance, Proclamation or Regulation, be permitted to go into operation, relating to the local Currency and circulating Medium, or to the circulation of Promissory Notes, or other Paper, without His Majesty's previous sanction.

The said Message and Papers were read, and ordered to lie on the Table.

Resolved, That the Journals of this and each succeeding Session of the Legislative Council, be disposed of as follows :

Distribution of Journals

Two Copies to the Lieutenant-Governor—one Copy to each Member of this House—twelve Copies to the House of Assembly, during the Session—one Copy to the Governor—one Copy to the Legislative Council—and one Copy to the House of Assembly, in each of the Provinces of Lower and Upper Canada, New-Brunswick, and Prince Edward Island.—One Copy to each Member of the Council—one Copy to each Member of the House of Assembly—four Copies to the Provincial Secretary—one Copy to the Chief-Justice and each of the Puisne Judges of the Supreme Court—one Copy to the Master of the Rolls—one Copy to the Attorney-General—one Copy to the Solicitor-General—two Copies to the Principal Secretary of State for the Colonies—four Copies to the Clerk of the Council.

On motion made and seconded—the House adjourned until Monday, at two o'clock.

Adjourn

Monday, 6th February, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.		The Honorable Samuel Cunard,
The Honorable the Lord Bishop,	S E C R E T A R Y	Henry H. Cogswell,
T. N. Jeffery,		Peter M'Nab,
H. N. Binney,		James Tobin,
Enos Collins,		Joseph Allison.
S. B. Robie,		
Charles R. Prescott,		

PRAYERS.

The Minutes of yesterday were read.

On motion, the House resolved itself into a Committee of the whole House, for the further consideration of the Bill in amendment of an Act made and passed in the thirty-second year

Will Bill further committed of

of His Majesty King George the Second, entitled, An Act relating to Wills, Legacies and Executors, and for the settlement and distribution of the Estates of Intestates.

After some time the House was resumed, and Mr. Jeffery reported that the Committee had gone through the said Bill, and had directed him to report the same, without any amendment.

Ordered, That the said Bill be engrossed, and read a third time to-morrow.

Mr. Robie presented a Bill relating to imprisonment for Debt; which was read a first time.

Ordered, That the said Bill be read a second time at a future day.

On motion made and seconded—the House adjourned until To-morrow, at two o'clock.

Reported without amendment
Order for reading

Imprisonment for Debt Bill
Read 1st time

Adjourn

Tuesday, 7th February, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief Justice—President.	
The Honorable T. N. Jeffery,	§ § § § § §
H. N. Binney,	
Enos Collis,	
S. B. Robie,	
Charles R. Prescott,	
The Honorable Samuel Cunard,	
	Henry H. Cogswell,
	Peter M'Nab,
	James Tobin,
	Joseph Allison.

PRAYERS.

The Minutes of yesterday were read.—

A Message was brought from the House of Assembly by Mr. Whidden, with the following Bills:

L'Epousie & Hall's Bill

A Bill, entitled, An Act for the relief of George Henry L'Epousie and David Hall, Insolvent Debtors.

Sheriffs of Juste-au-Corps, &c. Bill

A Bill, entitled, An Act to authorize the appointment of Sheriffs for the several Counties of Juste-au-Corps, Pictou, Colchester and Richmond.

The said Bills were read a first time.

Ordered, That the said Bills be read a second time at a future day.

Will Bill read

The Order of the Day being read for the third reading of the Bill, entitled, An Act in amendment of an Act made and passed in the thirty-second year of His Majesty King George the Second, entitled, An Act relating to Wills, Legacies and Executors, and for the settlement and distribution of the Estates of Intestates.

It was moved that the said Bill be now read a third time.

Bills read 3d time agreed to and sent to H. A.

The said Bill was read a third time, and the question was put—whether this Bill shall pass? It was resolved in the affirmative.

A Message was sent to the House of Assembly by the Deputy Clerk, to carry down the said Bill, and desire their concurrence thereto.

Insolvent Debtors Bill read 1st time

The President presented a Bill, entitled, An Act in addition to, and in amendment of, the various Acts made and passed by the General Assembly of this Province, for the relief of Insolvent Debtors—which was read a first time.

Ordered, That the said Bill be read a second time at a future day.

Adjourn

On motion made and seconded—the House adjourned until To-morrow, at two o'clock.

Wednesday,

Wednesday, 8th February, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.	
The Honorable T. N. Jeffery,	The Honorable Charles R. Prescott,
H. N. Binney,	Samuel Cunard,
Enos Collins,	Henry H. Cogswell,
S. B. Robie,	James Tobin.

PRAYERS.

The Minutes of yesterday were read.

On motion, a Bill, entitled, An Act in addition to, and in amendment of, the various Acts made and passed by the General Assembly of this Province, for the relief of Insolvent Debtors, was read a second time.

Insolvent Debtors' Bill
Read 2d time

Ordered, That the said Bill be committed to a Committee of the whole House, to-morrow.

On motion, a Bill, entitled, An Act to authorise the appointment of Sheriffs for the several Counties of Juste-au-Corps, Pictou, Colchester and Richmond, was read a second time.

Sheriffs Bill read 2d time

Ordered, That the said Bill be committed to a Committee of the whole House, to-morrow.

On motion made and seconded—the House adjourned until To-morrow, at two o'clock.

Adjourn

Thursday, 9th February, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.	
The Honorable T. N. Jeffery,	The Honorable Charles R. Prescott,
H. N. Binney,	Samuel Cunard,
Enos Collins,	Henry H. Cogswell,
S. B. Robie,	James Tobin.

PRAYERS.

The Minutes of yesterday were read.

The President laid before the House the Provincial Treasurer's Accounts for the year 1836, which were read, and ordered to lie on the Table.

Treasurer's Accounts

Mr. Cunard brought up the Petition of E. A. Moody and others, Trustees of the Yarmouth Academy; and also, the Report of A. V. S. Forbes; and another, relative to the said Academy; which were read, and ordered to lie on the Table.

Petition of Yarmouth Academy

The Order of the Day being read for the House to be put into a Committee upon the Bill, entitled, An Act in addition to, and in amendment of, the various Acts made and passed by the General Assembly of this Province, for the relief of Insolvent Debtors.

Insolvent Debtors' Bill

The House was accordingly adjourned during pleasure, and put into a Committee upon the said Bill. After some time the House was resumed, and Mr. Jeffery reported from the Committee, that the Committee had gone through the said Bill, and had agreed to the same without any amendment.

Committed

Reported without amendment

Whereupon, Mr. Cogswell moved, that the said Bill be re-committed for the purpose of making the following amendment, after the word "that" in the 2d line of the first clause leave out all the rest of the clause, and insert instead thereof the following words, "All and every Debtor or Debtors who now are or hereafter shall be imprisoned for Debt in any Jail or Jails of this Province, whether upon mesne process or under execution, shall, upon application, be entitled to the benefit of the Acts of this Province, which have been made for the relief of Insolvent

Motion to re-commit

- Negatived** Insolvent Debtors; which, being seconded, the question was put whether this Bill should be re-committed for the purpose of making the said amendment thereto.
It was resolved in the Negative.
Ordered, That the said Bill be engrossed, and read a third time to-morrow.
- Sheriffs' Bill** The Order of the Day being read for the House to be put into a Committee upon the Bill, entitled, An Act to authorise the appointment of Sheriffs for the several Counties of Juste-au-Corps, Pictou, Colchester and Richmond.
- Postponed** It was moved, that the Order of the Day be postponed until further order; which, being seconded, and the question being put, was resolved in the Affirmative.
- Sheriffs' Bill presented, and Read 1st time** The President presented a Bill, entitled, An Act in addition to, and in amendment of, the several Acts in this Province relating to the office and appointment of Sheriffs for the several Counties in this Province; which was read a first time.
Ordered, That the said Bill be read a second time at a future day,
- Adjourn** On motion made and seconded—the House adjourned until To-morrow, at two o'clock.

Friday, 10th February, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.	§	The Honorable Samuel Cunard,
The Honorable T. N. Jeffery,	§	Henry H. Cogswell
H. N. Binney,	§	James Tobin.
Enos Collins,	§	
S. B. Robie,	§	

PRAYERS.

The Minutes of yesterday were read.

Insolvent Debtors Bill

The Order of the Day being read, for the third reading of the Bill, entitled, An Act in addition to, and in amendment of, the various Acts, made and passed by the General Assembly of this Province, for the relief of Insolvent Debtors.

Read 3d time Agreed to

The said Bill was accordingly read a third time, and the question was put—whether this Bill shall pass? It was resolved in the Affirmative.

And sent to H. A.

A Message was sent to the House of Assembly, by the Deputy-Clerk, to carry down the said Bill, and desire their concurrence thereto.

Adjourn

On motion made and seconded—the House adjourned until To-morrow, at two o'clock.

Saturday, 11th February, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.	§	The Honorable Samuel Cunard,
The Honorable T. N. Jeffery,	§	Henry H. Cogswell,
H. N. Binney,	§	James Tobin.
Enos Collins,	§	
S. B. Robie,	§	

PRAYERS.

The Minutes of yesterday were read.

Sheriffs Bill read 2d time

A Bill, entitled, An Act in addition to, and in amendment of, the several Acts in this Province, relating to the office and appointment of Sheriffs, for the several Counties in this Province—was read a second time.

Ordered,

Ordered, That the said Bill be committed to a Committee of the whole House—presently, the House was adjourned during pleasure, and put into a Committee on the said Bill. After some time, the House was resumed—and, Mr. Jeffery reported that the Committee had gone through the said Bill, and had agreed to the same, without any amendment.

Committed
Reported without amendment

Ordered, That the said Bill be engrossed, and read a third time on Monday next.

Mr. Cogswell brought up a Petition of Temple F. Piers and others, which was laid on the Table.

Petition of T. F. Piers and al.

On motion made and seconded—the House adjourned until Monday, at two o'clock.

Adjourn

Monday, 13th February, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.

The Honorable T. N. Jeffery,
H. N. Binney,
Enos Collins,
S. B. Robie,

§
§
§
§
§

The Honorable Samuel Cunard,
Henry H. Cogswell,
Peter McNab,
James Tobin.

PRAYERS.

The Minutes of yesterday were read.

The Order of the Day being read for the third reading of the Bill, entitled, An Act in addition to, and in amendment of, the several Acts in this Province, relating to the office and appointment of Sheriffs, for the several Counties in this Province.

Sheriff's Bill read 3d time

The said Bill was accordingly read a third time, and the question was put—whether this Bill shall pass? It was resolved in the Affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk, to carry down the said Bill, and desire their concurrence thereto.

Agreed to and sent to H. A.

A Message was brought from the House of Assembly by Mr. Whidden, to return the Bill, entitled, An Act in addition to, and in amendment of, the various Acts made and passed by the General Assembly of this Province, for the relief of Insolvent Debtors, and to acquaint this House that they have agreed to the same with an amendment, to which they desire the concurrence of this House.

Message with Insolvent Debtors Bill with amendment

On motion made and seconded—the House adjourned until To-morrow, at two o'clock.

Adjourn

Tuesday, 14th February, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.

The Honorable T. N. Jeffery,
H. N. Binney,
Enos Collins,
S. B. Robie,

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§
§

The Honorable Samuel Cunard,
Henry H. Cogswell,
Peter McNab,
James Tobin.

PRAYERS.

The Minutes of yesterday were read.

The House proceeded to take into consideration the amendments proposed by the House of Assembly to the Bill, entitled, An Act in addition to, and in amendment of, the various Acts, made and passed by the General Assembly of this Province, for the relief of Insolvent Debtors.

Amendments to Insolvent Debtors Bill committed

Agreed to

Which amendments being read three times by the Deputy-Clerk, were agreed to by the House.

Adjourn

On motion made and seconded—the House adjourned until To-morrow, at two o'clock.

Wednesday, 15th February, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.

The Honorable T. N. Jeffery,
Enos Collins,
S. B. Robie,
Samuel Cunard,

§
§
§
§

The Honorable Henry H. Cogswell,
Peter McNab,
James Tobin.

PRAYERS.

The Minutes of yesterday were read.

Message to H. A. agreeing to amendments to Insolvent Debtor's Bill

A Message was sent to the House of Assembly by the Deputy Clerk, to acquaint them that this House have agreed to the amendments proposed by them to the Bill, entitled, An Act in addition to, and in amendment of, the various Acts, made and passed by the General Assembly of this Province, for the relief of Insolvent Debtors.

Adjourn

On motion made and seconded—the House adjourned until To-morrow, at two o'clock.

Thursday, 16th February, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.

The Honorable T. N. Jeffery,
H. N. Binney,
Enos Collins,
S. B. Robie,

§
§
§
§

The Honorable Samuel Cunard,
Henry H. Cogswell,
Peter McNab,
James Tobin.

PRAYERS.

The Minutes of yesterday were read.

Petition of A. V. S. Forbes and al.

Mr. McNab brought up the Petition of A. V. S. Forbes and others, Trustees of the Yarmouth Academy, praying aid to that Establishment—which was laid on the Table.

Report of Committee of Public Accounts

Mr. Cunard, the Chairman of the Committee of Council, appointed to join a Committee of the House of Assembly, to examine the Public Accounts, made his report in writing, which he read in his place, and afterwards delivered the same to the Deputy-Clerk, who read the same.

Ordered, That the said Report do lie on the Table.

Insolvent Debtor's Bill agreed to

A Message was brought from the House of Assembly, by Mr. Whidden, agreeing to the Bill, entitled, An Act in addition to, and in amendment of, the various Acts, made and passed by the General Assembly of this Province, for the relief of Insolvent Debtors, as amended. Also with the following Bills,

Duration of General Assembly Bill

A Bill, entitled, An Act to repeal the Act, entitled, An Act for limiting the duration or continuance of the General Assemblies, and for substituting other provisions in lieu thereof.

Supervisors of Public Grounds

A Bill, entitled, An Act to continue the Act for appointing Supervisors to take charge of Public Grounds and for other purposes, and the Act in amendment thereof.

Killing of Bears

A Bill, entitled, An Act to continue the Act to encourage the killing of Bears, Loup-Cerviers and Wild Cats.

A Bill, entitled, An Act to continue the Acts now in force relating to Trespasses.	Trespasses
A Bill, entitled, An Act to continue the Act to restrain the issuing Writs of Attachment in certain cases.	Attachments
A Bill, entitled, An Act to continue the Act in amendment of the Act for the Settlement of the Poor in the several Townships within this Province.	Settlement of the Poor
A Bill, entitled, An Act to continue the Act to prevent the spreading of Contagious Diseases and for the performance of Quarantine, and the Act in amendment thereof.	Quarantine
A Bill, entitled, An Act to continue the Act to preserve and regulate the Navigation of the Harbour of Pugwash.	Pugwash Harbor
A Bill, entitled, An Act to continue the Act in addition to, and in amendment of, the Act relating to Wills, Legacies and Executors, and for the Settlement and Distribution of the Estates of Intestates.	Wills, &c.
A Bill, entitled, An Act to continue the Act relating to Marriage Licenses.	Marriage Licenses
A Bill, entitled, An Act to continue the Act further to amend the Act relating to Trespasses.	Trespasses
A Bill, entitled, An Act to continue the Act for regulating the Fishery in the River Shubenacadie.	Shubenacadie Fishery
A Bill, entitled, An Act to continue the Act to authorize the Sessions of the Peace for the County of Queen's County, to make Regulations for the gathering of Sea Manure in the said County.	Sea Manure Queen's County
A Bill, entitled, An Act to continue the Act in amendment of the Act relating to Highways, Roads and Bridges.	Highways
A Bill, entitled, An Act to continue the Act to amend an Act for establishing a Public School in the Town of Halifax.	School Halifax
A Bill, entitled, An Act to continue the Acts to provide for the Regulation and Management of the Grammar School or Academy at Annapolis.	Grammar School Annapolis
A Bill, entitled, An Act to continue the Act concerning the Terms of the Supreme Court at Halifax.	Sup. Court Halifax
A Bill, entitled, An Act to continue the Act to prevent Disorderly Riding, and to regulate the Driving of Carriages, on the Streets of Halifax or other Towns, or on the Public Roads of this Province, and for repealing certain Acts therein mentioned.	Disorderly riding
A Bill, entitled, An Act to continue the Act to suspend the operation of several Acts of the General Assembly, passed to prevent Forestalling, Re-grating and Monopolizing.	Monopolizing
A Bill, entitled, An Act to continue the Act to suspend the operation of the Acts to prevent Forestalling, Re-grating and Monopolizing, of Cord Wood in the Town of Halifax.	Monopolizing of Cordwood
A Bill, entitled, An Act to continue the Act in addition to the Act for regulating the Rates and Prices of Carriages.	Rates of Carriages
A Bill, entitled, An Act to continue an Act in amendment of certain Acts relating to Wills, Legacies and Executors, and for the Settlement and Distribution of the Estates of Intestates.	Wills, &c.
A Bill, entitled, An Act to continue the Act, entitled, An Act in further addition to the Act relating to Wills, Legacies and Executors, and for the Settlement and Distribution of the Estates of Intestates.	Wills, &c.
A Bill, entitled, An Act to continue the Act concerning Malicious Injuries to Property.	Malicious injuries
A Bill, entitled, An Act to continue the Act to lessen the expense of the proof of Written Documents in Actions depending in any of the Courts within this Province.	Proof of Written Documents
A Bill, entitled, An Act to continue the Act in amendment of an Act, made and passed in the first and second years of His late Majesty's Reign, entitled, An Act to extend the Laws and Ordinances of the Province of Nova-Scotia to the Island of Cape-Breton.	Cape Breton Bill
A Bill, entitled, An Act to continue the Act in further addition to, and in amendment of, the Act for the choice of Town Officers and Regulating of Townships, and the Act to alter and amend the same.	Town Officers
A Bill, entitled, An Act to continue the Act to prevent damage to the Nets of Fishermen by Coasting Vessels.	Fishermen's Nets
The said Bills were read a first time.	
<i>Ordered</i> , That the continuing Bills be referred to Mr. Binney and Mr. McNab, to examine and report upon.	Continuing Bills referred

A Message was brought from the House of Assembly, by Mr. Whidden, with

Fire and Life Insurance Bill read 1st time

A Bill, entitled, An Act in addition to, and in amendment of, an Act made and passed in the fifth year of His Majesty's Reign, entitled, An Act to Incorporate a Company for Insurance against Fire and on Lives.

The said Bill was read a first time.

Ordered, That the said Bill be read a second time at a future day.

Adjourn

On motion made and seconded—the House adjourned until To-morrow, at two o'clock.

Friday, 17th February, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief Justice—President.

The Honorable T. N. Jeffery,
Enos Collins,
S. B. Robie,
Samuel Cunard,

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§
§
§

The Honorable Henry H. Cogswell,
Peter M'Nab,
James Tobin

PRAYERS.

The Minutes of yesterday were read.—

Message with amendments to Sheriff's Bill

A Message was brought from the House of Assembly, by Mr. Whidden, agreeing to the Bill, entitled, An Act in addition to, and in amendment of, the several Acts in this Province relating to the office and appointment of Sheriffs for the several Counties in this Province, with several amendments, to which amendments they desired the concurrence of this House.

Adjourn

On motion made and seconded—the House adjourned until To-morrow, at two o'clock.

Saturday, 18th February, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.

The Honorable T. N. Jeffery,
H. N. Binney,
Enos Collins,
S. B. Robie,

§
§
§
§

The Honorable Samuel Cunard,
Henry H. Cogswell,
Peter McNab,
James Tobin.

PRAYERS.

The Minutes of yesterday were read.

A Message was brought from the House of Assembly, by Mr. Whidden, with the following Bills:

Absent Debtor Bill

A Bill, entitled, An Act to amend the Acts for recovering Debts from absent or absconding Debtors.

Diseases from Bite of Animals Bill

A Bill, entitled, An Act to continue the Act to provide against the occurrence of Diseases from the Bite of Animals.

Weighing of Beef Bill

A Bill, entitled, An Act to continue the Act to regulate the Weighing of Beef.

Inferior Court of C. P. Bill

A Bill, entitled, An Act to continue the Act concerning the Inferior Courts of Common Pleas within this Province.

To which Bills they desired the concurrence of this House.

The said Bills were read a first time.

Continuing Bills referred

Ordered, That the continuing Bills be referred to Mr. Binney and Mr. McNab, to examine and report upon.

Adjourn

On motion made and seconded—the House adjourned until Monday at two o'clock.

Monday,

Monday, 20th February, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief Justice—President.	
The Honorable T. N. Jeffery,	S e c o n d e d
H. N. Binney,	
Enos Collins,	
S. B. Robie,	
	The Honorable Charles R. Prescott,
	Samuel Cunard,
	Henry H. Cogswell,
	James Tobin

PRAYERS.

The Minutes of yesterday were read.—

The House proceeded to take into consideration the amendments made by the House of Assembly to the Bill, entitled, An Act in addition to, and in amendment of, the several Acts in this Province relating to the office and appointment of Sheriffs for the several Counties in this Province, and the said amendments being read twice by the Deputy-Clerk, Amendments to Sheriff's Bill considered

Ordered, That a Message be sent to the House of Assembly, by the Deputy-Clerk, to desire a Conference with that House, by Committee, on the subject matter of the said amendments. Conference asked

A Message was brought from the House of Assembly, by Mr. Whidden, agreeing to the Conference desired by the House. Agreed to

Ordered, That Mr. Cogswell and Mr. Tobin, be a Committee of this House to manage the said Conference. Committee

And the Managers went to the Conference, and being returned, Mr. Cogswell reported that the Committee had held the said Conference, and stated the substance of the Conference to the House. Report

A Bill, entitled, An Act in addition to, and in amendment of, an Act made and passed in the fifth year of His Majesty's Reign, entitled, An Act to Incorporate a Company for Insurance against Fire and on Lives, was read a second time. Fire and Life Insurance Bill read 2d time

Ordered, That the said Bill be committed to a Committee of the whole House.

Ordered, That the House be put into a Committee on the said Bill, to-morrow. Ordered to Committee Order of Day

A Bill, entitled, An Act to amend the Acts for recovering Debts from absent or absconding Debtors, was read a second time. Absconding Debtors Bill read 2d time

Ordered, That the said Bill be committed to a Committee of the whole House.

Ordered, That the House be put into a Committee on the said Bill, to-morrow. Ordered to Com. Order of Day

On motion made and seconded—the House adjourned until To-morrow, at two o'clock. Adjourn

Tuesday, 21st February, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.	
The Honorable T. N. Jeffery,	S e c o n d e d
H. N. Binney,	
Enos Collins,	
S. B. Robie,	
	The Honorable Charles R. Prescott,
	Samuel Cunard,
	Henry H. Cogswell,
	James Tobin.

PRAYERS.

The Minutes of yesterday were read.

Mr. Binney, the Chairman of the Committee appointed to examine the continuing Bills, made his Report. Report on continuing Bills

Mr. Tobin brought up the Petition of James Leishman, which was read, and ordered to lie on the Table. Petition of Jas. Leishman

Poor House Acc'ts	Mr. Jeffery presented the Poor-House Accounts for 1836, which were ordered to lie on the Table.
Conference on Sheriff's Bill asked	A Message was brought from the House of Assembly, by Mr. Whidden, requesting a Conference with this House, by Committee, on the subject of the last Conference.
Agreed to	<i>Ordered</i> , That the said Conference be agreed to, and that the Deputy-Clerk do acquaint the House of Assembly therewith.
Committee	<i>Ordered</i> , That the Committee who managed the last Conference do manage the present Conference.
Report	And the Managers went to the Conference, and being returned, Mr. Cogswell reported that the Committee had held the said Conference, and stated the substance of the Conference to the House.
Amendments to Sheriff's Bill	The amendments made by the House of Assembly to the Bill, entitled, An Act in addition to, and in amendment of, the several Acts in this Province, relating to the office and appointment of Sheriffs for the several Counties in this Province, were read a third time.
Disagreed to	And it being proposed to disagree with the House of Assembly therein—the question was put thereupon—it was resolved in the affirmative.
	A Message was sent to the House of Assembly by the Deputy Clerk, to acquaint them therewith.
Fire and Life Insurance Bill	The Order of the Day being read for the House to be put into a Committee upon the Bill, entitled, An Act in addition to, and in amendment of, an Act, made and passed in the fifth year of His Majesty's Reign, entitled, An Act to Incorporate a Company for Insurance against Fire and on Lives.
Committed	The House was accordingly adjourned, during pleasure, and put into a Committee upon the said Bill. After some time, the House was resumed—and, Mr. Jeffery reported that the Committee had made some progress in the said Bill, and had directed him to ask leave to sit again—which was granted.
Report progress	
Absconding Debtors Bill	The Order of the Day being read, for the House to be put into a Committee upon the Bill, entitled, An Act to amend the Acts for recovering Debts from absent or absconding Debtors.
Committed	The House was accordingly adjourned, during pleasure, and put into a Committee upon the said Bill. After some time the House was resumed, and Mr. Jeffery reported that the Committee had gone through the said Bill, and had made several amendments thereto.
Amended	Which amendments being read twice by the Deputy-Clerk, were agreed to by the House.
Amendments agreed to	The said Bill was then read a third time, and the question was put—whether this Bill with the amendments shall pass? It was resolved in the affirmative.
Bill read 3d time agreed to	
Trespasses	The following Bills, viz : A Bill, entitled, An Act to continue the Act further to amend the Act relating to Trespasses.
Trespasses	A Bill, entitled, An Act to continue the Acts now in force relating to Trespasses.
Courts of Common Pleas	A Bill, entitled, An Act to continue the Act concerning the Inferior Courts of Common Pleas within this Province.
Weighing of Beef	A Bill, entitled, An Act to continue the Act to regulate the Weighing of Beef.
Bite of Animals	A Bill, entitled, An Act to continue the Act to provide against the occurrence of Diseases from the Bite of Animals.
Shubenacadie Fishery	A Bill, entitled, An Act to continue the Act for regulating the Fishery in the River Shubenacadie.
Supervisors of Public Grounds	A Bill, entitled, An Act to continue the Act for appointing Supervisors to take charge of Public Grounds and for other purposes, and the Act in amendment thereof.
Restraining Attachments	A Bill, entitled, An Act to continue the Act to restrain the issuing Writs of Attachment in certain cases.
Marriage Licenses	A Bill, entitled, An Act to continue the Act relating to Marriage Licenses.
Wills, &c.	A Bill, entitled, An Act to continue an Act in amendment of certain Acts relating to Wills, Legacies and Executors, and for the Settlement and Distribution of the Estates of Intestates.
Malicious injuries	A Bill, entitled, An Act to continue the Act concerning Malicious Injuries to Property.
Highways	A Bill, entitled, An Act to continue the Act in amendment of the Act relating to Highways, Roads and Bridges.

- A Bill, entitled, An Act to continue the Act in addition to, and in amendment of, the Act relating to Wills, Legacies and Executors, and for the Settlement and Distribution of the Estates of Intestates. **Wills, &c.**
- A Bill, entitled, An Act to continue the Act to authorize the Sessions of the Peace for the County of Queen's County, to make Regulations for the gathering of Sea Manure in the said County. **Sea Manure Queen's County**
- A Bill, entitled, An Act to continue the Act to encourage the killing of Bears, Loup-Cerviers and Wild Cats. **Killing Bears, &c**
- A Bill, entitled, An Act to continue the Act in amendment of the Act for the Settlement of the Poor in the several Townships within this Province. **Settlement of the Poor**
- A Bill, entitled, An Act to continue the Act to preserve and regulate the Navigation of the Harbour of Pugwash. **Pugwash Harbor**
- A Bill, entitled, An Act to continue the Act to lessen the expense of the proof of Written Documents in Actions depending in any of the Courts within this Province. **Proof of Written Documents**
- A Bill, entitled, An Act to continue the Act in amendment of an Act, made and passed in the first and second years of His late Majesty's Reign, entitled, An Act to extend the Laws and Ordinances of the Province of Nova-Scotia to the Island of Cape-Breton. **Cape-Breton**
- A Bill, entitled, An Act to continue the Act to amend an Act for establishing a Public School in the Town of Halifax. **School Halifax**
- A Bill, entitled, An Act to continue the Act concerning the Terms of the Supreme Court at Halifax. **Sup. Court Halifax**
- A Bill, entitled, An Act to continue the Acts to provide for the Regulation and Management of the Grammar School or Academy at Annapolis. **Grammar School Annapolis**
- A Bill, entitled, An Act to continue the Act to prevent the spreading of Contagious Diseases and for the performance of Quarantine, and the Act in amendment thereof. **Quarantine**
- A Bill, entitled, An Act to continue the Act in further addition to, and in amendment of, the Act for the choice of Town Officers and Regulating of Townships, and the Act to alter and amend the same. **Town Officers**
- A Bill, entitled, An Act to continue the Act, entitled, An Act in further addition to the Act relating to Wills, Legacies and Executors, and for the Settlement and Distribution of the Estates of Intestates. **Wills, &c.**
- A Bill, entitled, An Act to continue the Act to prevent damage to the Nets of Fishermen by Coasting Vessels. **Fishermen's Nets**
- A Bill, entitled, An Act to continue the Act to suspend the operation of several Acts of the General Assembly, passed to prevent Forestalling, Re-grating and Monopolizing. **Monopolizing**
- A Bill, entitled, An Act to continue the Act to suspend the operation of the Acts to prevent Forestalling, Re-grating and Monopolizing, of Cord Wood in the Town of Halifax. **Monopolizing of Cordwood**
- A Bill, entitled, An Act to continue the Act in addition to the Act for regulating the Rates and Prices of Carriages. **Rates of Carriages**
- A Bill, entitled, An Act to continue the Act to prevent Disorderly Riding, and to regulate the Driving of Carriages, on the Streets of Halifax or other Towns, or on the Public Roads of this Province, and for repealing certain Acts therein mentioned, **Disorderly riding**
- Were read a second time, and by order, the said Bills were read a third time—and the question was put by the President on each Bill, whether this Bill shall pass? It was resolved in the affirmative. **Read 2d and 3d time and agreed to**
- Sir Rupert D. George, Baronet, the Secretary of the Province, laid before the House, by His Excellency's Command, the Estimate for the year 1837, which was read, and ordered to lie on the Table. **Estimate**
- On motion made and seconded—the House adjourned until To-morrow, at two o'clock. **Adjourn**

Wednesday,

Wednesday, 22d February, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.

The Honorable T. N. Jeffery,
Enos Collins,
S. B. Robie,
Charles R. Prescott,

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The Honorable Samuel Cunard,
Henry H. Cogswell,
James Tobin,
Joseph Allison.

PRAYERS.

The Minutes of yesterday were read.

Amoudments to
absconding Debtors
Bill sent to H. A.

A Message was sent to the House of Assembly, by the Deputy-Clerk, to return the Bill, entitled, An Act to amend the Acts for recovering Debts from absent or absconding Debtors, and acquaint them that this House have agreed to the same, with several amendments—to which they desire the concurrence of the House of Assembly.

Continuing Bills
sent to H. A.

A Message was sent to the House of Assembly, by the Deputy-Clerk, to return the thirty continuing Bills, which were agreed to yesterday, and to acquaint them that this House have agreed to the same without any amendment.

Adjourn

On motion made and seconded—the House adjourned until To-morrow, at two o'clock.

Thursday, 23d February, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.

The Honorable the Lord Bishop,
T. N. Jeffery,
H. N. Binney,
Enos Collins,
S. B. Robie,

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§

The Honorable Charles R. Prescott,
Samuel Cunard,
Henry H. Cogswell,
James Tobin,
Joseph Allison.

PRAYERS.

The Minutes of yesterday were read.

Petition for African
School

The Lord Bishop brought up the Petition of the Reverend Robert Willis, D. D. on behalf of the African School, which was ordered to lie on the Table.

Sir Rupert D. George, Baronet, the Secretary of the Province, informed the House that he was commanded by His Excellency the Lieutenant-Governor to deliver to the House the following written Message from His Excellency :

MESSAGE.

(Signed) C. CAMPBELL.

Message relative
Light-Houses on
St. Paul's and
Scatarie

THE Lieutenant-Governor acquaints His Majesty's Council that, under the authority of an Act passed in the last Session of the Legislature, he appointed the Honorable Samuel Cunard and Edmund M. Dodd, Esquire, to be Commissioners, on the part of this Province, to make the necessary arrangements, in concert with the Commissioners appointed on behalf of Lower Canada, New-Brunswick and Prince Edward Island, for the erection and maintenance of the Light-Houses proposed to be built on the Islands of St. Paul's and Scatarie.

The Commissioners from the several Colonies assembled at Miramichi in August last; and the Lieutenant-Governor now lays before His Majesty's Council a copy of the Award which was then agreed upon. It assigns the duty of superintending the construction of the Light-Houses

Houses to the Light-House Board of this Province, and apportions the sum of Two Hundred and Fifty Pounds as the amount of the annual contribution to be made by Nova-Scotia towards their support—for which expense, the Lieutenant-Governor recommends that a permanent provision may be made by Law.

The Lieutenant-Governor lays before His Majesty's Council a copy of a Despatch from Lord Glenelg, with several inclosures, as well as some other papers on this subject. It will be seen in one of these Communications, that the Lords of the Treasury were unwilling to authorise any steps being taken with respect to the execution of the works before receiving the Report and Estimates which the Commissioners of Light-Houses here were appointed to prepare. These Documents were forwarded by the last Packet; but the Lieutenant-Governor being apprehensive that another Season might be lost, and disastrous consequences might ensue, were he to wait the further instructions of His Majesty's Government, founded upon information so recently transmitted, without, in the meanwhile, causing any preparations to be made for the early completion of the works, has given directions to the Commissioners to proceed with such preparations immediately; and it affords him much satisfaction to add, that these much needed Establishments will probably be in effective operation in the course of the next Autumn.

Government-House, 23d February, 1837.

The said Message and Papers were read, and ordered to lie on the Table.

A Message was brought from the House of Assembly, by Mr. Whidden, to return the Bill, entitled, An Act to amend the Acts for recovering Debts from absent or absconding Debtors, and to acquaint this House that they have agreed to the amendments proposed by this House to the said Bill.

Amendments to absconding Debtors Bill agreed to by H. A.

Also with the following Bills:

A Bill, entitled, An Act to enable a Company called "The Bank of British North America," to sue and be sued, in the name of any one of the Local Directors, or of the Managers of the Branches of the said Bank established, or to be established, in this Province.

Bank of B. N. America Bill

A Bill, entitled, An Act to reduce the expense of Suits at Law on Judgment by Confession.

Judgments by Confession Bill

Also with the following Resolution,

Resolved, That the sum of Ten Thousand Pounds be granted for the service of Roads and Bridges for the present year.

£10,000 Roads and Bridges

The said Bills and Resolution were read a first time.

Ordered, That the said Bills and Resolution be read a second time at a future day.

Mr. Jeffery brought up the Petition of James McNab and others, relative to "the Bank of British North America," which was ordered to lie on the Table.

Petition of James McNab & al.

On motion made and seconded—the House adjourned until To-morrow, at two o'clock.

Adjourn

Friday, 24th February, 1837.

The House met pursuant to adjournment.

P R E S E N T —

The Honorable Brenton Halliburton, Chief-Justice—President.	
The Honorable T. N. Jeffery, §	The Honorable Henry H. Cogswell,
Enos Collins, §	Peter McNab,
S. B. Robie, §	James Tobin,
Charles R. Prescott, §	Joseph Allison,
Samuel Cunard, §	

PRAYERS.

The Minutes of yesterday were read.

A Message was brought from the House of Assembly, by Mr. Whidden, to return the Bill, entitled, An Act in addition to, and in amendment of, the several Acts in this Province relating to the office and appointment of Sheriffs for the several Counties in this Province, and to acquaint this House that the House of Assembly adhere to the first and second amendments, but do not adhere to the last amendment to said Bill.

Message adhering to 2 amendments and not adhering to 1 amendment to Sheriffs Bill

On motion made and seconded—the House adjourned until To-morrow, at two o'clock.

Adjourn

Saturday, 25th February, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief Justice—President.	
The Honorable T. N. Jeffery,	The Honorable Samuel Cunard,
H. N. Binney,	Henry H. Cogswell,
Enos Collins,	Peter McNab,
S. B. Robie,	James Tobin,
Charles R. Prescott,	Joseph Allison.

PRAYERS.

The Minutes of yesterday were read.—

Mr. McNab brought up the Petition of James Whitney, which was ordered to lie on the Table.

The Chief-Justice presented a Bill, entitled, An Act for the further amendment of the Law and the better advancement of Justice.

The said Bill was read a first time.

Ordered, That the said Bill be read a second time at a future day.

On motion, the House was adjourned during pleasure, and put into a Committee on the Bill, entitled, An Act to authorise the appointment of Sheriffs for the several Counties of Juste-au-Corps, Pictou, Colchester and Richmond. After some time the House was resumed, and Mr. Jeffery reported that the Committee had gone through the said Bill, and had made several amendments thereto.

The said amendments being read twice by the Deputy-Clerk, were agreed to by the House.

The said Bill was then read a third time, and the question was put—whether this Bill, with the amendments, shall pass? It was resolved in the Affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk, to return the said Bill, and acquaint them that this House have agreed to the said Bill, with several amendments, to which they desire the concurrence of the House of Assembly.

Sir Rupert D. George, Baronet, by His Excellency's command, laid before the House an Account of the Casual Revenue for the year 1836; which was read and ordered to lie on the Table.

Ordered, That the Resolution for granting the sum of Ten Thousand Pounds for the service of Roads and Bridges for the present year, be the Order of the Day for Monday next, to be read a second time.

On motion made and seconded—the House adjourned until Monday, at one o'clock.

Monday, 27th February, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.	
The Honorable T. N. Jeffery,	The Honorable Samuel Cunard,
H. N. Binney,	Henry H. Cogswell,
Enos Collins,	Peter McNab,
S. B. Robie,	James Tobin,
Charles R. Prescott,	Joseph Allison.

PRAYERS.

The Minutes of Saturday were read.

A Message was brought from the House of Assembly, by Mr. Whidden, to return the Bill, entitled,

Petition of James Whitney

Law amendment Bill presented

Juste-au-Corps, &c. Sheriffs Bill committed

Amended

Amendments agreed to

Bill read 3d time agreed to and sent to H. A.

Accounts of Casual Revenue

£10,000 for Roads & Bridges order of Day

Adjourn

Amendments to Juste-au-Corps Sheriffs Bill not agreed to

entitled, An Act to authorise the appointment of Sheriffs for the several Counties of Juste-au-Corps, Pictou, Colchester and Richmond, and to acquaint the House that the House of Assembly do not concur in the amendments proposed by this House to the said Bill.

Also with the following Bill and Resolution,

A Bill, entitled, An Act in amendment of the Act to Incorporate the Petite Plaister and Mills Company.

Petite Plaister Co. Bill

Resolved, That it is the opinion of this House, that the sum of Twelve Shillings and Six Pence per day be paid to each and every of the Members of the House of Assembly, for their attendance in General Assembly, for the present Session—to be paid on Certificate of the Speaker; also, the Travelling Charges as heretofore—no Member to receive pay for more than sixty-four days attendance.

Members pay read 1st time

The said Bill and Resolution were read a first time.

Ordered, That the said Bill and Resolution be read a second time at a future day.

The Order of the Day being read, for the second reading of the Resolution for granting the sum of Ten Thousand Pounds for the service of Roads and Bridges for the present year.

£10,000 Roads and Bridges

The said Resolution was accordingly read a second time—and after long debate, Mr. Cogswell moved, that the said Resolution be agreed to: which, being seconded, Mr Jeffery moved, as an amendment, the following Resolution:

Read 2d time

Resolved, That a Conference be desired with the House of Assembly, respecting the vote for granting the sum of Ten Thousand Pounds for the service of Roads and Bridges for the present year; and that the Committee of this House be instructed to state to the Committee of the House of Assembly, that although this House think the sum of £10,000 quite as large as the funds of the Province will admit of being expended, yet as the object is of great importance, this House will not withhold their assent from the vote for that sum, provided an adequate and certain proportion thereof be stated and set apart for the Main Post Roads of the Province, before the concurrence in the said vote is formally given by this House:

Conference on instructions

Which, being seconded and put, was carried in the affirmative—and a Message was sent to the House of Assembly by the Deputy Clerk to desire the said Conference.

On motion, *resolved*, that the amendments proposed by this House to the Bill, entitled, An Act to authorise the appointment of Sheriffs for the several Counties of Juste-au-Corps, Pictou, Colchester and Richmond, be not adhered to, but that the said Bill be agreed to as originally sent up—and a Message was sent to the House of Assembly by the Deputy Clerk to acquaint them therewith.

Amendments to Juste-au-Corps, &c. Sheriffs Bill not adhered to

The Bill, entitled, An Act to amend the Acts for recovering Debts from absent or absconding Debtors, was read as amended—and the question was put by the President?

Absconding Debtors Bill finally agreed to and sent to H.A.

Whether this Bill as amended be agreed to?

It was resolved in the Affirmative.

A Message was sent to the House of Assembly by the Deputy Clerk, to return the said Bill and acquaint them therewith.

Mr. Cunard brought up the Affidavit of James Walton Nutting, relative to the Bill to amend the Act to Incorporate the Petite Plaister and Mills Company, which was ordered to lie on the Table.

Affidavit of J. W. Nutting relative to Petite Plaister Co. Bill

A Message was brought from the House of Assembly, by Mr. Whidden, agreeing to the Conference desired by the House.

Conference on Road Vote agreed to

Ordered, That Mr. Jeffery, Mr. McNab and Mr. Allison, be a Committee of this House to manage the said Conference.

Committee

And the Managers went to the Conference, and being returned, Mr. Jeffery reported that the Committee had held the said Conference, and that he had communicated his instructions to the Committee of the House of Assembly.

Report

Ordered, That the Bill, entitled, An Act to enable a Company, called the Bank of British North America, to sue and be sued, in the name of any one of the Local Directors, or of the Managers of the Branches of the said Bank, established or to be established in this Province, be read a second time to-morrow.

Bank of B.N. America Bill Order of Day

On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Adjourn

Tuesday,

Tuesday, 28th February, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.		
The Honorable T. N. Jeffery,	§ § § § §	The Honorable Henry H. Cogswell,
Enos Collins,		Peter McNab,
S. B. Robie,		James Tobin,
Charles R. Prescott,		Joseph Allison.
Samuel Cunard,		

PRAYERS.

The Minutes of yesterday were read.

Bank of B. N.
Bill read 2d time

The Order of the Day being read for the second reading of the Bill, entitled, An Act to enable a Company, called "the Bank of British North America," to sue and be sued, in the name of any one of the Local Directors, or of the Managers of the Branches of the said Bank, established or to be established in this Province.

The said Bill was accordingly read a second time.

Committed

Ordered, That the said Bill be committed to a Committee of the whole House presently, the House was adjourned, during pleasure, and put into a Committee upon the said Bill.—After some time, the House was resumed, and Mr. Jeffery reported that the Committee had made some progress in the said Bill, and had directed him to ask leave to sit again—which was granted.

Report progress

Adjourn

On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Wednesday, 1st March, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.		
The Honorable The Lord Bishop,	§ § § § § §	The Honorable Samuel Cunard,
T. N. Jeffery,		Henry H. Cogswell,
H. N. Binney,		Peter McNab,
Enos Collins,		James Tobin,
S. B. Robie,		Joseph Allison.
Charles R. Preccott,		

PRAYERS.

The Minutes of yesterday were read.

Bank of B. N. America
Bill further
committed

On motion, the House was adjourned, during pleasure, and put into a Committee for the further consideration of the Bill, entitled, An Act to enable a Company, called "the Bank of British North America," to sue and be sued, in the name of any one of the Local Directors, or of the Managers of the Branches of the said Bank, established or to be established in this Province.—After some time the House was resumed, and Mr. Jeffery reported, that the Committee had gone through the said Bill, and had made several amendments thereto.

Amended

Amendments
agreed to

The said amendments, being read twice by the Deputy Clerk, were agreed to by the House.

Bill read 3d time
agreed to and sent
to H. A.

The said Bill was then read a third time, and the question was put by the President? Whether this Bill, with the amendments, be agreed to?
It was resolved in the affirmative.

A Message was sent to the House of Assembly by the Deputy Clerk,
To return the said Bill, and desire their concurrence to the said amendments?

Members pay read
2d time agreed to
and sent to H. A.

The Resolution relative to the pay of the Members of the House of Assembly, was read a second time—and the question was put by the President?
Whether this Resolution be agreed to?
It was resolved in the affirmative.

A Message was sent to the House of Assembly by the Deputy Clerk,
To return the said Resolution and acquaint them therewith.

Ordered, That the Bill, entitled, An Act for the further amendment of the Law and for the better advancement of Justice, be read a second time to-morrow.

Law amendment
Bill Order of Day

On motion, *ordered*, that the Bill, entitled, An Act in amendment of the Act to Incorporate the Petite Plaister and Mills Company; and also, the Affidavit of James Walton Nutting, Esquire, in support thereof, be published in the Royal Gazette, and such other Newspapers, as the persons interested in the said Corporation may think proper; and that this House will proceed no further in the said Bill until the same has been published for the space of fourteen days, in order that all parties concerned may have a full opportunity of being heard for and against the said Bill.

Petite Plaister Bill
ordered to be published

On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

A djourn

Thursday, 2d March, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.

The Honorable T. N. Jeffery,
H. N. Binney,
Enos Collins,
S. B. Robie,
Charles R. Prescott,

§
§
§
§
§

The Honorable Samuel Cunard,
Henry H. Cogswell,
Peter McNab,
James Tobin,
Joseph Allison.

PRAYERS.

The Minutes of yesterday were read.

Mr. Robie presented a Bill, entitled, An Act for vesting all Estates and Property in the Province of Nova-Scotia, occupied for the Ordnance Service, in the Principal Officers of His Majesty's Ordnance, and for granting certain powers to the said Principal Officers, which was read a first time.

Ordnance Bill presented and read 1st time

Ordered, That the said Bill be read a second time at a future day.

The Order of the Day being read, for the second reading of the Bill, entitled, An Act for the further amendment of the Law and for the better advancement of Justice.

Law amendment
Bill read 2d time

The said Bill was accordingly read a second time.

Ordered, That the said Bill be committed to a Committee of the whole House presently—the House was adjourned, during pleasure, and put into a Committee on the said Bill.—After some time, the House was resumed, and Mr. Jeffery reported that the Committee had made some progress in the said Bill, and had directed him to ask leave to sit again—which was granted.

Committed

Report progress

On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Adjourn

Friday, 3d March, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.

The Honorable T. N. Jeffery,
Enos Collins,
S. B. Robie,
Charles R. Prescott,
Samuel Cunard,

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The Honorable Henry H. Cogswell,
Peter McNab,
James Tobin,
Joseph Allison.

PRAYERS.

The Minutes of yesterday were read.

H

The

The Lieut. Gov. comes to the Council Chamber	The Lieutenant-Governor came to the Council Chamber, attended as usual, and, being seated, sent a Message to the House of Assembly by Sir Rupert D. George, Baronet, the Secretary of the Province, to command them to attend His Excellency in the Council Chamber immediately—the House attended accordingly, with their Speaker, when His Excellency was pleased to give his assent to the following Bills:—
House attend	
Governor assents to Bills	
Insolvent Debtors	An Act in addition to, and in amendment of, the various Acts made and passed by the General Assembly of this Province, for the relief of Insolvent Debtors.
Sheriffs of Juste-au-Corps, &c.	An Act to authorize the appointment of Sheriffs for the several Counties of Juste-au-Corps, Pictou, Colchester and Richmond.
Absconding debtors	An Act to amend the Acts for recovering Debts from Absent or Absconding Debtors.
Trespasses	An Act to continue the Act further to amend the Act relating to Trespasses.
Trespass	An Act to continue the Acts now in force relating to Trespasses.
Courts of Co. Pleas	An Act to continue the Act concerning the Inferior Courts of Common Pleas within this Province.
Weighing of Beef	An Act to continue the Act to regulate the Weighing of Beef.
Bite of Animals	An Act to continue the Act to provide against the occurrence of Diseases from the Bite of Animals.
Shubenacadie Fishery	An Act to continue the Act for regulating the Fishery in the River Shubenacadie.
Supervisors of Public Grounds	An Act to continue the Act for appointing Supervisors to take charge of Public Grounds and for other purposes, and the Act in amendment thereof.
Restraining Attachments	An Act to continue the Act to restrain the issuing Writs of Attachment in certain cases.
Marriage Licences	An Act to continue the Act relating to Marriage Licences.
Wills, &c.	An Act to continue an Act in amendment of certain Acts relating to Wills, Legacies and Executors, and for the Settlement and Distribution of the Estates of Intestates.
Malicious Injuries	An Act to continue the Act concerning Malicious Injuries to Property.
Highways	An Act to continue the Act in amendment of the Act relating to Highways, Roads and Bridges.
Wills, &c.	An Act to continue the Act in addition to, and in amendment of, the Act relating to Wills, Legacies and Executors, and for the Settlement and Distribution of the Estates of Intestates.
Sea Manure Queen's County	An Act to continue the Act to authorize the Sessions of the Peace for the County of Queen's County, to make Regulations for the gathering of Sea Manure in the said County.
Killing Bears, &c.	An Act to continue the Act to encourage the killing of Bears, Loup-Cerviers and Wild Cats.
Settlement of Poor	An Act to continue the Act in amendment of the Act for the Settlement of the Poor, in the several Townships within this Province.
Pugwash Harbour	An Act to continue the Act to preserve and regulate the Navigation of the Harbour of Pugwash.
Proof of Written Documents	An Act to continue the Act to lessen the expense of the proof of Written Documents in Actions depending in any of the Courts within this Province.
Cape-Breton	An Act to continue the Act in amendment of an Act made and passed in the first and second years of His late Majesty's Reign, entitled, An Act to extend the Laws and Ordinances of the Province of Nova-Scotia to the Island of Cape-Breton.
School Halifax	An Act to continue the Act to amend an Act for establishing a Public School in the Town of Halifax.
Supreme Court Halifax	An Act to continue the Act concerning the Terms of the Supreme Court at Halifax.
Grammar School Annapolis	An Act to continue the Acts to provide for the Regulation and Management of the Grammar School or Academy at Annapolis.
Quarantine	An Act to continue the Act to prevent the spreading of Contagious Diseases and for the performance of Quarantine, and the Act in amendment thereof.
Town Officers	An Act to continue the Act in further addition to, and in amendment of, the Act for the choice of Town Officers and Regulating of Townships, and the Act to alter and amend the same.
Wills, &c.	An Act to continue the Act, entitled, An Act in further addition to the Act relating to Wills, Legacies and Executors, and for the Settlement and Distribution of the Estates of Intestates.
Fishermen's Nets	An Act to continue the Act to prevent damage to the Nets of Fishermen by Coasting Vessels.

An Act to continue the Act to suspend the operation of several Acts of the General Assembly, passed to prevent Forestalling, Re-grating and Monopolizing. Monopolizing

An Act to continue the Act to suspend the operation of the Acts to prevent Forestalling, Re-grating and Monopolizing, of Cord Wood in the Town of Halifax. Monopolizing Cord Wood

An Act to continue the Act in addition to the Act for regulating the Rates and Prices of Carriages. Rates of Carriages

An Act to continue the Act to prevent Disorderly Riding, and to regulate the Driving of Carriages, on the Streets of Halifax or other Towns, or on the Public Roads of this Province, and for repealing certain Acts therein mentioned. Disorderly Riding

The House of Assembly then withdrew, and His Excellency was pleased to retire soon after. H. of A. withdraw His Excellency retires

On motion, the House was adjourned during pleasure, and put into a Committee, for the further consideration of the Bill, entitled, An Act for the further amendment of the Law, and for the better advancement of Justice.—After some time the House was resumed, and Mr. Jeffery reported, that the Committee had gone through the said Bill, and had made several amendments thereto. Law amendment Bill further committed Amended

The said amendments, being read twice by the Deputy Clerk, were agreed to by the House. Amendment agreed to

Ordered, That the Bill and amendments be engrossed.

On motion made and seconded—the House adjourned until To-morrow, at one o'clock. Adjourn

Saturday, 4th March, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.	S	The Honorable Samuel Cunard,
The Honorable T. N. Jeffery,	S	Henry H. Cogswell,
H. N. Binney,	S	Peter McNab,
Enos Collins,	S	James Tobin,
S. B. Robie,	S	Joseph Allison.
Charles R. Prescott,	S	

PRAYERS.

The Minutes of yesterday were read.

On motion, the House was adjourned, during pleasure, and put into a Committee for the further consideration of the Bill, entitled, An Act in addition to, and amendment of, an Act made and passed in the fifth year of His Majesty's Reign, entitled, An Act to Incorporate a Company for Insurance against Fire and on Lives.—After some time the House was resumed, and Mr. Jeffery reported that the Committee had gone through the said Bill, and had made several amendments thereto. Fire and Life Insurance Bill further committed

The said amendments being read twice by the Deputy-Clerk, were agreed to by the House. Amended

The said Bill was then read a third time, and the question was put by the President—whether this Bill, with the amendments, shall pass? It was resolved in the Affirmative. Amendments agreed to

A Message was sent to the House of Assembly, by the Deputy-Clerk, to return the said Bill, and desire their concurrence to the said amendments. Read 3d time agreed to and sent to H. A.

A Bill, entitled, An Act for vesting all Estates and Property in the Province of Nova-Scotia, occupied for the Ordnance Service, in the Principal Officers of His Majesty's Ordnance, and for granting certain powers to the said Principal Officers, was read a second time. Ordnance Bill read 2d time committed

Ordered, That the said Bill be committed to a Committee of the whole House presently—the House was adjourned, during pleasure, and put into a Committee on the said Bill.—After some time the House was resumed, and Mr. Jeffery reported that the Committee had gone through the said Bill, and made several amendments thereto. Amended

The said amendments being read twice by the Deputy-Clerk, were agreed to by the House. Amendments agreed to

Ordered, That the said Bill, with the amendments, be engrossed. Ordered to be engrossed

Adjourn

On motion made and seconded—the House adjourned until Monday, at one o'clock.

Monday, 6th March, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief Justice—President.	
The Honorable T. N. Jeffery,	The Honorable Samuel Cunard,
H. N. Binney,	Henry H. Cogswell,
Enos Collins,	Peter McNab,
S. B. Robie,	James Tobin,
Charles R. Prescott,	Joseph Allison.

PRAYERS.

The Minutes of Saturday were read.

Message disagreeing to amendments to B. N. America Bank Bill

A Message was brought from the House of Assembly, by Mr. Gray, to return the Bill, entitled, An Act to enable a Company, called "the Bank of British North America," to sue and be sued, in the name of any one of the Local Directors, or of the Managers of the Branches of the said Bank, established or to be established in this Province; and to acquaint this House that the House of Assembly have not agreed to the amendments proposed by this House to the said Bill.

Law amendment Bill read 3d time

A Bill, entitled, An Act for the further amendment of the Law, and for the better advancement of Justice, was read a third time—and the question was put by the President?

Whether this Bill shall pass?

Agreed to

It was resolved in the Affirmative.

Adjourn

On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Tuesday, 7th March, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief Justice—President.	
The Hon. and Rt. Rev. the Lord Bishop,	The Honorable Samuel Cunard,
The Hon. T. N. Jeffery,	Henry H. Cogswell,
H. N. Binney,	Peter McNab,
Enos Collins,	James Tobin,
S. B. Robie,	Joseph Allison,
Charles R. Prescott,	

PRAYERS.

The Minutes of yesterday were read.

Law amendment Bill sent to H. A.

A Message was sent to the House of Assembly by the Deputy Clerk, to carry down the Bill, entitled, An Act for the further amendment of the Law and the better advancement of Justice, and desire their concurrence thereto.

Message agreeing to amendments to Fire and Life Insurance Bill

A Message was brought from the House of Assembly, by Mr. Whidden, to return the Bill, entitled, An Act in addition to, and amendment of, an Act made and passed in the fifth year of His Majesty's reign, entitled, An Act to Incorporate a Company for Insurance against Fire and on Lives, and to acquaint this House that they have agreed to the amendments proposed by this House to the said Bill.

Whereupon, the said Bill was read, and the question was put by the President?

Bill finally agreed to and sent to H. A.

Whether this Bill, as amended, shall pass?

It was resolved in the affirmative.

A Message was sent to the House of Assembly by the Deputy Clerk, To return the said Bill, and acquaint them therewith.

Sir

Sir Rupert D. George, Baronet, the Secretary of the Province, by His Excellency's command, laid before the House, the following Abstract of Expenses incurred with the Lieutenant-Governor's sanction in the year 1836, for the payment of which no provision has been made.

SUM.	SERVICE.
£42 7 6	—For thirty Barrels of Indian Meal, sent to Margaree for the relief of Distressed Settlers.—See their Petition and the Certificate of the Magistrates and Principal Inhabitants, No. 1.
117 18 9 } 55 11 4 }	For eighty-five Barrels of Indian Meal, and Fifty-eight Bags of Flour and Ship Stuff, sent to Judge Marshall and the Magistrates at Sydney, and to Mr. McAlpine at Louisbourg, for the relief of Distressed Settlers.—See Judge Marshall's Letter, Petition from St. Anne's and Letter from McAlpine, No. 2.
69 17 9 } 33 16 8 }	Expended by the Magistrates and Board of Health at Sydney, in relieving a number distressed Emigrants who arrived at that Port in September last, many of whom were inflicted with the Small Pox.—See Judge Marshall's Letter, No. 3.
40 0 0	—Expense of Humane Establishment on the Island of Scatarie, under the Superintendance of J. R. Dodd, Esq. No. 4.
218 17 6	—Expense incurred in the prosecution of Samuel Laramore and Clem Petit, charged with Murder on the High Seas, and tried at a Special Court of Vice Admiralty in Halifax, in———last, No. 5.
13 5 10	—Paid by the Commissioners appointed on behalf of the Province, to meet the Commissioners from the other Colonies, interested in the erection of the proposed Light-Houses on St. Paul's and Scatarie, for drawing up their Award, No. 6.
72 10 0	—Bill of John Howe & Son, for Printing the Journals of His Majesty's Council, No. 7.
33 10 0	—Bill of do. for Extra Printing for Government, No. 8.

£697 15 4

I recommend His Majesty's Council to concur in making provision for the payment of the above.

(Signed) C. CAMPBELL.

The said Abstract and Papers were read, and ordered to lie on the Table.

The Journals of the House of Assembly for Saturday, the fourth day of March, instant, having been this day laid on the Table of this House in the usual manner, the President called the attention of the House to several Resolutions of the House of Assembly conveying accusations against this House, and among others, one declaring that some of the "*Members of His Majesty's Council have evinced a disposition to protect their own interests and emoluments at the expense of the Public.*"

Consideration of
the Resolutions of
H. A.

Whereupon, after deliberation, it was *resolved*, that the following Message be sent to the House of Assembly.

Message to H. A.
thereupon

HIS Majesty's Council perceive by the Journals of the House of Assembly, which the Council have this day received—that the House have passed several Resolutions, conveying accusations against His Majesty's Council, and among others, one declaring that some of the "*Members of His Majesty's Council have evinced a disposition to protect their own interests and emoluments at the expense of the Public.*"

His Majesty's Council admit, that it is not only the right, but the duty, of the House of Assembly to propose any alteration in the Institutions of the Country, which they think would prove beneficial to the People; but they cannot admit the House of Assembly have any right to pronounce the Members of the Council to be guilty of acting from corrupt motives; and if they have evinced a disposition to protect their own interests and emoluments at the expense of the Public, their motives must be corrupt.

That decorum, which regulates the intercourse of Society, could not long be preserved in private life, if, in the transactions of the Legislature, where a mere ceremonious

observance of it ought to prevail, one branch should be permitted to commit so great a violation of it upon the other, without expostulation or resistance.

His Majesty's Council trust that the House of Assembly will, upon further consideration, perceive that a Resolution containing such accusations against a co-ordinate Branch of the Legislature is inconsistent with those rules of decorum.

His Majesty's Council would deeply deplore the evils the Country would sustain from an interruption of the Public Business—they trust that the House of Assembly would equally deprecate such an event, and they therefore earnestly hope that the House will feel the propriety of rescinding this Resolution, as His Majesty's Council feel, that if they were to continue to hold communication with the House while that Resolution remains unrescinded, they would justly forfeit their self respect, as well as the respect and confidence of the Public.

It therefore now remains with the House of Assembly to prevent any interruption of the public business; and the Council repeat their earnest hope, that the House of Assembly by an act of justice, will enable the Council to co-operate honorably with the House of Assembly, in carrying forward the business of the Session, and bringing it to an harmonious and happy issue with all possible benefit to the People and to the Province.

Resolved unanimously, That the foregoing Message be sent to the House of Assembly.

Adjourn

On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Wednesday, 8th March, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.	
The Honorable T. N. Jeffery,	The Honorable Samuel Cunard,
H. N. Binney,	Henry H. Cogswell,
Enos Collins,	Peter McNab,
S. B. Robie,	James Tobin,
Charles R. Prescott,	Joseph Allison.

PRAYERS.

The Minutes of yesterday were read.

Adjourn

On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Thursday, 9th March, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief Justice—President.	
The Honorable T. N. Jeffery,	The Honorable Samuel Cunard,
H. N. Binney,	Henry H. Cogswell,
S. B. Robie,	Peter McNab,
Charles R. Prescott,	Joseph Allison.

PRAYERS.

The Minutes of yesterday were read.

Adjourn

On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Friday, 10th March, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.	
The Honorable T. N. Jeffery,	The Honorable Samuel Cunard,
H. N. Binney,	Henry H. Cogswell,
Enos Collins,	Peter McNab,
S. B. Robie,	James Tobin,
Charles R. Prescott,	Joseph Allison.

PRAYERS

PRAYERS.

The Minutes of yesterday were read.
On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Adjourn

Saturday, 11th March, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.

The Honorable T. N. Jeffery,
H. N. Binney,
Enos Collins,
S. B. Robie,

§
§
§
§
§

The Honorable Charles R. Prescott,
Henry H. Cogswell,
James Tobin.
Joseph Allison.

PRAYERS.

The Minutes of yesterday were read.
On motion made and seconded—the House adjourned until Monday, at one o'clock.

Adjourn

Monday, 13th March, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.

The Honorable T. N. Jeffery,
H. N. Binney,
Enos Collins,
S. B. Robie,
Charles R. Prescott,

§
§
§
§
§

The Honorable Samuel Cunard,
Henry H. Cogswell,
Peter McNab,
James Tobin,
Joseph Allison.

PRAYERS.

The Minutes of Saturday were read.

The Journals of the House of Assembly having been laid on the Table in the usual manner, the President called the attention of the House to the following Resolution, which it appeared had been passed in the House of Assembly, on the 8th instant.

Consideration of Resolution of H. A. rescinding Resolutions complained by H. M. C.

Resolved, That the standing order of this House, which requires previous notice of rescinding Resolutions, be temporarily suspended, and that the several Resolutions passed by this House on the 27th and 28th of February, and the 2d and 3d of March, relative to the Constitution of this Colony—the distribution of Patronage—the structure of His Majesty's Council—and the disposition evinced by some Members of that Board to protect their own interests and emoluments at the expense of the Public—and for preparing an Address thereon, be, and the same are hereby rescinded.

Whereupon, it was *resolved*, that as the House of Assembly have rescinded the Resolutions of which this House complained in their Message to the House of Assembly of the 7th inst. this House will now resume and proceed with the business of the Session.

Resolution to resume business

A Message was brought from the House of Assembly, by Mr. Whidden, with the following Bills:

A Bill, entitled, An Act to continue and amend the Act for granting Colonial Duties of Impost, for the support of His Majesty's Government within this Province, and for promoting the Agriculture, Commerce, and Fisheries thereof.

Colonial Duty Bill

A Bill, entitled, An Act to continue the Act for the general regulation of the Colonial Duties.

Regulation of Col. Duty Bill

A Bill, entitled, An Act to continue the Act for the Warehousing of Goods, and in amendment thereof.

Warehousing Bill

Drawback Bill	A Bill, entitled, An Act to continue and amend the Act concerning Goods exported, and for granting Drawbacks.
Lock-up House New Glasgow Bill	A Bill, entitled, An Act to authorize the Grand Jury and the Court of Sessions, in the County of Pictou, to present and assess Monies for the erection of a Lock-up House in New Glasgow, in the said County.
Inf. Courts C. B. Bill	A Bill, entitled, An Act respecting the Inferior Courts, General Sessions and Justices of the Peace, within the Island of Cape-Breton.
Ferry Bill	A Bill, entitled, An Act for establishing and regulating Ferries, and to repeal the Acts now in force.
Marine Insurance Company Bill	A Bill, entitled, An Act further to amend the Act to Incorporate a Marine Insurance Company in Halifax.
Revenue Bills re- ferred	The said Bills were severally read a first time. <i>Ordered</i> , That the four Revenue Bills be referred to Mr. Jeffery, Mr. Binney and Mr. Allison, to examine and report upon.
Adjourn	On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Tuesday, 14th March, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.	
The Honorable T. N. Jeffery,	§ The Honorable Henry H. Cogswel
Enos Collins,	Peter McNab,
S. B. Robie,	James Tobin,
Charles R. Prescott,*	Joseph Allison.
Samuel Cunard,	

PRAYERS.

The Minutes of yesterday were read.

Pet. of E. H. Harrington and others

Mr. Tobin brought up the Petition of Edward H. Harrington and others, relative to the Dean and Chapter, College, Glebe and School Lands, in the County of Sydney—which was ordered to lie on the Table.

Report of Com. on
Revenue Bills

Mr. Jeffery, the Chairman of the Committee to whom the Revenue Bills were referred, made his report.

Colonial Duty Bill

A Bill, entitled, An Act to continue and amend the Act for granting Colonial Duties of Impost for the support of His Majesty's Government within this Province, and for promoting the Agriculture, Commerce, and Fisheries thereof; also,

Regulation of Du-
ties Bill

A Bill, entitled, An Act to continue the Act for the general regulation of the Colonial Duties; also,

Warehousing Bill

A Bill, entitled, An Act to continue the Act for the Warehousing of Goods, and in amendment thereof; also,

Drawback Bill

A Bill, entitled, An Act to continue and amend the Act concerning Goods exported, and for granting Drawbacks; also,

Marine Insurance
Company Bill

A Bill, entitled, An Act further to amend the Act to Incorporate a Marine Insurance Company, in Halifax; also,

Ferry Bill

A Bill, entitled, An Act for establishing and regulating Ferries, and to repeal the Acts now in force; also,

Inf. Courts C. B.
Bill

A Bill, entitled, An Act respecting the Inferior Courts, General Sessions and Justices of the Peace, within the Island of Cape-Breton; also,

Lock-up House
New-Glasgow Bill
read 2d time order-
ed to Committee

A Bill, entitled, An Act to authorize the Grand Jury and the Court of Sessions, in the County of Pictou, to present and assess Monies for the erection of a Lock-up House in New Glasgow, in the said County, were severally read a second time.

Ordered, That the said several Bills be committed to a Committee of the whole House at a future day.

Ordnance Bill

A Bill, entitled, An Act for vesting all Estates and Property in the Province of Nova-Scotia,

tia, occupied for the Ordnance Service, in the Principal Officers of His Majesty's Ordnance, and for granting certain powers to the said Principal Officers, was read a third time, and the question was put by the President?

Read 3d time agreed to & sent to H. A.

Whether this Bill shall pass?

It was resolved in the Affirmative.

A Message was sent to the House of Assembly by the Deputy Clerk, to carry down the said Bill, and desire their concurrence thereto.

A Message was brought from the House of Assembly, by Mr. Whidden, with the following Bills :

A Bill, entitled, An Act to divide and set off the Township of St. Mary's as a separate and distinct District.

St Mary's Bill

A Bill, entitled, An Act relating to the Commissioners of Streets in and for the several Towns throughout this Province, in which such Commissioners are now by Law appointed.

Comms. of Streets Bill

A Bill, entitled, An Act for abolishing the Office of Associate Judge of the Supreme Court.

Associate Judge Bill

A Bill, entitled, An Act to enable Members of the House of Assembly, about to leave the Province, or unable, from indisposition, to attend their duty, to resign their seats therein.

Respecting seats of Members of H. A.

The said Bills were read a first time.

Ordered, That the said Bills be read a second time at a future day.

Mr. Jeffery presented a Bill, entitled, An Act to amend the Act concerning Cemeteries or Burial Grounds in the Town of Halifax, which was read a first time.

Cemetery Bill presented & read 1st time

Ordered, That the said Bill be read a second time at a future day.

On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Adjourn

Wednesday, 15th March, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Hon. and Rt. Rev. the Lord Bishop,	§ S P E E C H E R S	The Hon. Samuel Cunard,
The Hon. T. N. Jeffery,		Henry H. Cogswell,
H. N. Binney,		Peter McNab,
Enos Collins,		James Tobin,
S. B. Robie,		Joseph Allison.
Charles R. Prescott,		

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act to amend the Act concerning Cemeteries or Burial Grounds in the Town of Halifax, was read a second time.

Cemetery Bill read 2d time

Ordered, That the said Bill be committed to a Committee of the whole House presently—the House was adjourned, during pleasure, and put into a Committee on the said Bill.—After some time the House was resumed, and Mr. Jeffery reported that the Committee had gone through the said Bill, and had made several amendments thereto.

Committed

Amended

The said amendments being read twice by the Deputy-Clerk, were agreed to by the House.

Amendments agreed to

Ordered, That the said Bill and amendments be engrossed.

The said Bill engrossed was read a third time, and the question was put by the President?

Bill read 3d time agreed to & sent to H. A.

Whether this Bill shall pass?

It was resolved in the Affirmative.

A Message was sent to the House of Assembly by the Deputy Clerk, To carry down the said Bill, and desire their concurrence to the said Bill.

A Bill, entitled, An Act for abolishing the Office of Associate Judge of the Supreme Court, was read a second time.

Associate Judge Bill read 2d time

Ordered, That the said Bill be committed to a Committee of the whole House presently.

Committed

The House was adjourned during pleasure, and put into a Committee on the said Bill.—After some time the House was resumed, and Mr. Jeffery reported that the Committee had gone through the said Bill, and had made several amendments thereto.

Amended

The

Amendments
agreed to

The said amendments being read twice by the Deputy-Clerk, were agreed to by the House.

Bill read 3d time
agreed to & sent to
H. A.

The said Bill was then read a third time, and the question was put by the President ?

Whether this Bill, as amended, shall pass?

It was resolved in the affirmative.

A Message was sent to the House of Assembly by the Deputy Clerk,

To return the said Bill, and acquaint them that this House have agreed to the said Bill, with several amendments—to which amendments they desired the concurrence of the House of Assembly.

Chocolate Bill read
1st time

A Message was brought from the House of Assembly, by Mr. Whidden, with A Bill, entitled, An Act for granting a Bounty on Chocolate manufactured in this Province—to which Bill they desired the concurrence of this House.

The said Bill was read a first time.

Ordered, That the said Bill be read a second time at a future day.

Conference on
Road vote

The Messenger also informed the House, that the House of Assembly desired a Conference with this House, by Committee, on the subject of the last Conference.

Agreed to

Ordered, That the said Conference be agreed to, and that the Deputy-Clerk do acquaint the House of Assembly therewith.

Committee

Ordered, That the Committee who managed the last Conference do manage the present Conference.

Report of Com.

And the Managers went to the Conference, and being returned, Mr. Jeffery reported that the Committee had held the said Conference, and that the Chairman of the Committee of the House of Assembly had delivered to him a written paper, which he read in his place, and afterwards delivered the same to the Deputy-Clerk, who read the same as follows:—

In the House of Assembly, 15th March, 1837.

Resolved, That a further Conference be requested with His Majesty's Council upon the subject of the last Conference; and that the Committee of this House be instructed to state to the Committee of His Majesty's Council, that the proposition of His Majesty's Council, requiring an adequate and certain proportion of the sum of £10,000 granted by this House for the service of Roads and Bridges, should be stated and set apart for the Main Post Roads of the Province, before the concurrence of the Council thereto, is equivalent to an amendment upon a grant of Money, and that this House cannot, consistently with its acknowledged privileges, receive or act upon any such suggestion.

(Signed) J. WHIDDEN, Clerk."

Amendments to B.
N. A. Bank Bill
considered

The House proceeded to the consideration of the amendments proposed by this House to the Bill, entitled, An Act to enable a Company, called "the Bank of British North America," to sue and be sued, in the name of any one of the Local Directors, or of the Managers of the Branches of the said Bank, established or to be established in this Province—which amendments have not been concurred in by the House of Assembly.

1st amendment not
adhered to

The first amendment was read as follows: in the Preamble leave out the words "Cities" in the 8th line—and on motion, *resolved*, that the said amendment be not adhered to.

2d do do

The second amendment was read as follows: leave out the words "whereby it is expected this Province will be greatly benefitted," in the 22d, 23d and 24th lines.

On motion, *resolved*, that the said amendment be not adhered to.

3d amendment
Conference on

The third amendment was read as follows: 1st Clause, after the word "Company" in the 70th line insert the following Proviso: "*Provided always*, that in any such Suit the Defendant or Defendants shall and may set off against any such demand, any Bill, Bond, Note or Demand, which he may have against the said Company, called the Bank of British North America."

Whereupon, Mr. Cunard moved that the said amendment be not adhered to: which, being seconded, Mr. Prescott moved, as an amendment, the following Resolution:

Resolved, That a Conference be desired with the House of Assembly, by Committee, and that the Committee of this House be instructed to state to the Committee of the House of Assembly, that this House are willing to modify the said amendment, by inserting after the word "Demand," in the 3d line, the following words, "to the amount of such demand and not further": which, being seconded and put, was carried in the Affirmative. The

The fourth amendment was read as follows: at the end of the Bill add the following Clauses:—

4th amendment adhered to

And be it further enacted, That it shall and may be lawful to and for any person or persons whomsoever indebted to the said Bank of British North America, to tender and offer in or towards payment of any such debt, any Note, Undertaking in Writing, or Bank Bill, signed, issued or put in circulation, by the said Company, or by any person or persons for and on account of said Company, to whom such debt is or may be payable, as and for and to the full amount in money, in such Note, Undertaking, or Bank Bill respectively, expressed or mentioned, or made payable thereby.

On motion, *resolved*, that the said amendment be adhered to.

The fifth amendment was read as follows: *Provided always, and be it further enacted*, That nothing herein contained shall extend, or be construed to extend, to authorise the said Company, or any of the persons belonging thereto, or any of the Officers or Servants of the said Company, to make, issue, receive, or pay, or circulate, any Bonds, Notes, Bills, or other Instruments, as and for Paper Money, or to be used as Paper Money.

5th amendment not adhered to

On motion, *resolved*, that the said amendment be not adhered to

The sixth amendment was read as follows: *And whereas*, there is now in force within this Province a good and beneficial Law, which prohibits the making, issuing, or re-issuing any Note or Bill for any sum of Money less than Five Pounds; *And whereas*, the said Company may make Notes or Bills for a less sum of Money in other places, out of this Province; and the introduction of the same into this Province would be contrary to Law, but it may be difficult to enforce the said Law—for remedy whereof:

6th amendment not adhered to

Be it further enacted, That it shall not be lawful for the said Company, or any person belonging thereto, or for any Director or other Officer of the said Company, or any Servant of the said Company, to pay, issue or circulate, or to receive, take or deal, in any Promissory Note, or Bank Note, Bill, or any other Paper Money, that now is or hereafter may be prohibited to be made or issued in this Province.

On motion, *resolved*, that the said amendment be adhered to.

The seventh amendment was read as follows: And if the said Company, or any Director thereof, or any other Officer, Teller, Cashier or other Servant, of the said Company, or any person belonging to the said Company, shall import, bring, or cause to be imported or brought, into this Province, or pay, issue, receive, take or deal in, or have in his, her or their possession, any Promissory Note, or Bank Note, or Bill, for a less sum than Five Pounds, such Director, Officer, or other person so offending, shall be adjudged guilty of a misdemeanor; and it shall be the duty of His Majesty's Attorney and Solicitor General to prosecute any person or persons so offending; and it shall be no defence to such prosecution, that the said Notes or Bills were made, or purport to be made out of this Province.

Conference on 7th amendment

Whereupon, it was *resolved*, that the Committee to manage the Conference to be held with the House of Assembly, be instructed to state that this House are willing to modify the foregoing amendment, by leaving out the words "or have in his or their possession," in the 8th and 9th lines of the said amendment.

The eighth amendment was read as follows: *And be it further enacted*, That nothing herein contained shall extend, or be construed to extend, to authorize the said Company, or any of its Officers or Servants, to make, issue, pay or receive, any Notes or Bills which may hereafter be prohibited from being made or issued by any Law hereafter to be passed.

8th amendment adhered to

Whereupon, it was *resolved*, that the said amendment be adhered to.

The ninth amendment was read as follows: *Provided always*, that nothing herein contained shall prevent the said Company, their Officers and Servants, from receiving, paying and dealing in the Treasury Notes issued, or hereafter to be issued, under the authority of any Act of the General Assembly.

9th amendment adhered to

Whereupon, it was *resolved*, that the said amendment be adhered to.

The tenth amendment was read as follows: *And be it further enacted*, That this Act shall continue and be in force for five years, and from thence to the end of the then next Session of the General Assembly.

10th amendment Conference on

Whereupon, it was *resolved*, that the Committee of Conference be instructed to state to the Committee of the House of Assembly, that this House are willing to modify the said amendment, by substituting the word "ten" for the word "five," in the third line of the said amendment.

On

adjourn

On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Thursday, 16th March, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.

The Honorable T. N. Jeffery,
H. N. Binney,
Enos Collins,
S. B. Robie,
Charles R. Prescott,

§
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The Honorable Samuel Cunard,
Henry H. Cogswell,
Peter McNab,
James Tobin,
Joseph Allison.

PRAYERS.

The Minutes of yesterday were read.

The House proceeded to the consideration of the Resolution for granting the sum of £10,000 for the service of Roads and Bridges for the present year—and after debate,

On motion, *resolved*, that a Conference be desired with the House of Assembly, by Committee, on the subject of the last Conference, and that the Committee of this House be instructed to state to the Committee of the House of Assembly, that His Majesty's Council regret that the House of Assembly, in their Communication made in Conference yesterday, deem their proposition to set apart an adequate and certain proportion of the sum of £10,000 for the Main Post Roads to be equivalent to an amendment upon a Grant of Money.

The amendment of a Money Vote is a proposal to alter that which has already been decided upon by the House.

No decision upon the portion of this sum to be applied to the Main Post Roads had been decided upon by the House of Assembly, and the Council not only did not make any decision upon that point themselves, but on the contrary requested the House of Assembly to do so before the Council gave their formal assent to the vote.

On reference to the Journals of the Council and House of Assembly of the years 1835 and 1836, it will be seen that difficulties then arose owing to an adequate sum not having been appropriated to the Great Roads, and that after representations had been made upon the subject by His Majesty's Council to the House of Assembly, the House of Assembly made additional Grants for the Great Roads in both of those years. It appears by a Resolution, passed by a large majority of the House of Assembly, on the fourth day of February, 1835, that the House on that day stated its regret that the suggestions of His Majesty's Council respecting the Main Roads, East and West, had not been made before the House had deliberated upon the Message of His Excellency upon the subject of the Road Vote, and communicated the result of their deliberations to His Excellency; and that the House having made the Sub-divisions of the sum of £8,000, after much deliberation, could not consent to alter them at that late period of the Session. This Resolution was then carried by a majority of twenty-eight to nine, and although a motion to rescind it was carried the next day by a majority of one—19 voting to rescind, and 18 against rescinding—yet no suggestion of any interference on the part of the Council was then made, but as has been before observed, an additional Grant was made both in that and the following Sessions for the Great Roads, after the representation of the Council had been received by the House upon that subject.

His Majesty's Council could not, therefore, anticipate that the House of Assembly would now so view a proceeding, for which there are so many precedents, and as they are firmly convinced that the Funds of the Province will not admit of any additional Grant to the sum of £10,000, they deemed it right for the purpose of avoiding the inconvenience pointed out in the latter part of the Resolution of the 4th February, 1835, to suggest the propriety of stating the proportion to be allotted to the Great Roads, agreeably to ancient practice, before any Sub-division could take place, as experience has proved that, if in the County Sub-division of the whole sum any of the Main Communications through the Country should be,

as

Consideration of
Road Vote

Further Conference
on

Instruction to
Committee of Con-
ference

as heretofore they have been, unprovided for, that evil would be left without remedy, unless the risk of increasing the Public Debt was incurred.

His Majesty's Council having thus, in the exercise of their known rights, communicated their views to the House of Assembly in the manner suggested by the Resolution of the House of Assembly already referred to, the Council will assent to the Resolution for granting £10,000 for the service of Roads and Bridges, in the full confidence that the House of Assembly will see the expediency of returning to the mode in use until the year 1833, of first setting off a specific sum for the Great Post Roads, and thereby avoiding the inconvenience that has been experienced by a departure from that usage.

His Majesty's Council, in addition to the interest they take in the improvement of the Roads, are further induced to give their assent to this vote, from a sincere desire that the sum applied to that service this year should be as large as the resources of the Province will admit, as they are convinced that the necessities of the Country, in consequence of the failure of the Crops of the last year, require as great an expenditure among its Inhabitants as possible.

On motion made and seconded—the House adjourned until To-morrow, at one o'clock. Adjourn

Friday, 17th March, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.

The Honorable T. N. Jeffery,
H. N. Binney,
Enos Collins,
S. B. Robie,
Charles R. Prescott,

§
§
§
§
§

The Honorable Samuel Cunard,
Henry H. Cogswell,
Peter McNab,
James Tobin,
Joseph Allison.

PRAYERS.

The Minutes of yesterday were read.

A Message was brought from the House of Assembly, by Mr. Whidden, with the following Bills:

A Bill, entitled, An Act for the encouragement of the Nova-Scotia Horticultural Society.

A Bill, entitled, An Act to divide the County of Annapolis, and to regulate the Representation thereof.

To which Bills they desired the concurrence of this House.

The said Bills were read a first time.

Ordered, That the said Bills be read a second time at a future day.

A Message was sent to the House of Assembly, by the Deputy-Clerk, to desire a Conference with that House, by Committee, on the subject of the last Conference.

A Message was brought from the House of Assembly, by Mr. Whidden, agreeing to the Conference desired by this House.

Ordered, That the Committee who managed the last Conference do manage the present Conference.

And the Managers went to the Conference, and being returned, Mr. Jeffery reported that the Committee had held the said Conference, and that he had communicated his instructions to the Committee of the House of Assembly.

The Resolution for granting the sum of £10,000 for the service of Roads and Bridges for the present year, was then read a second time—and the question was put by the President?

Whether this Resolution be agreed to?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk, to return the said Resolution, and acquaint them therewith.

A Message was sent to the House of Assembly by the Deputy Clerk, to desire a Conference

Horticultural Society Bill
Division of Annapolis County Bill

Read 1st time

Conference asked on Road Vote

Agreed to

Committee

Report

Road Vote read 2d time agreed to and sent to H. A.

Conference on amendments to B. N. A. Bank Bill asked

ence with that House, by Committee, on the subject of the amendments proposed by this House to the Bill, entitled, An Act to enable a Company, called "the Bank of British North America," to sue and be sued, in the name of any one of the Local Directors, or of the Managers of the Branches of the said Bank, established or to be established in this Province—which amendments have not been concurred in by the House of Assembly.

Agreed to

A Message was brought from the House of Assembly, by Mr. Whidden, agreeing to the Conference desired by this House.

Committee of Conference

Ordered, That Mr. McNab and Mr. Allison, be a Committee to manage the said Conference, and that the Committee be instructed to state to the Committee of the House of Assembly, that this House do not adhere to the first, second and fifth, amendments proposed by this House to the said Bill; that they adhere to the fourth, sixth, eighth and ninth, amendments to the said Bill—and that this House are willing to modify the third amendment proposed to the said Bill, by inserting after the word "Demand," in the 3d line, the following words, "to the amount of such demand and not further,"—and that this House are willing to modify the seventh amendment proposed by them to the said Bill, by leaving out the words "or have in his or their possession," in the eighth and ninth lines of the said amendment—and further, that this House are willing to modify the tenth amendment proposed to the said Bill, by substituting the word "ten" for the word "five," in the third line of the said amendment.

Instructions to Com.

And the Managers went to the Conference, and being returned, Mr. McNab reported that the Committee had held the said Conference, and that he had communicated his Instructions to the Committee of the House of Assembly.

Report of Com.

Sir Rupert D. George, Baronet, the Secretary of the Province, informed the House that he was commanded by His Excellency the Lieutenant-Governor to deliver to the House the following written Messages :

MESSAGE.

(Signed) C. CAMPBELL.

Message relative to distressed Inhabitants of Parrsboro'

THE Lieutenant-Governor lays before His Majesty's Council, a Copy of a Communication from the Magistrates at Parrsborough, representing the extreme distress which many of the Inhabitants of that Township are suffering from the want of provisions; and there being reason to apprehend that equal distress prevails, or will shortly prevail, in many other parts of the Province—the Lieutenant-Governor earnestly recommends this subject to the consideration of His Majesty's Council, in order that prompt and effectual measures may be adopted to relieve existing wants, and to avert the serious evils that must follow a scarcity of Seed in the ensuing Season.

Government-House,
March, 1837.

MESSAGE.

(Signed) C. CAMPBELL.

Message relative to Distressed Coloured People

THE Lieutenant-Governor regrets having to bring under the consideration of His Majesty's Council, the wretched condition of the Black Population settled in the neighbourhood of Halifax. The vote of the House of Assembly in the early part of the present Session for the assistance of these poor people, proved very disproportionate to their numerous and urgent wants; and they are now again in a state of almost utter destitution, from which they can only be relieved by the generosity of the Legislature; the private and unsparing charity of this Community having been for the last twenty years, and more especially in the present season, over-taxed, in alleviating their misery.

Dr. Desbrisay and E. H. Lowe, Esq. having, at the Lieutenant-Governor's request, kindly visited Preston a few days since, a Copy of their Report on the present state and future prospects of the colored Settlers there is herewith laid before His Majesty's Council; and the Lieutenant-Governor regrets to add, that the observations of those Gentlemen with respect to the injudicious location of these People, and their present lamentable condition, are equally applicable to the Settlements of Hammond's Plains and Birch Hill. It is clear that these unfortunate beings, while settled together in such numbers, and with the encouragement to idleness and dependence on others, which their proximity to the Capital is supposed to afford, can never derive a maintenance from the soil, and must continue a heavy burthen upon the charitable Inhabitants of this Town; and it is therefore suggested by Messrs. Desbrisay and

and Lowe, that a few Families might be removed to each County of the Province, with advantage to themselves and the Country generally.

This suggestion appears to the Lieutenant-Governor to deserve the best attention of His Majesty's Council, and should it be deemed advisable to adopt it, he will have pleasure in causing Lands to be laid out in the most convenient situations for such as shall be disposed to remove, and in assisting to the utmost of his power in carrying the plan into execution.

Government-House,
March, 1837.

The said Messages and Papers were read, and ordered to lie on the Table.

Mr. Robie brought up the Petition of the Rev. Thomas McCulloch, and the Petition of the Rev. James Robson and others, relative to the Pictou Academy, which were read, and ordered to lie on the Table. Petition of Dr. McCulloch & Rev. James Robson & al.

A Bill, entitled, An Act for granting a Bounty on Chocolate manufactured in this Province ; also, Chocolate Bill

A Bill, entitled, An Act to enable Members of the House of Assembly, about to leave the Province, or unable, from indisposition, to attend their duty, to resign their seats therein ; also, Seats of Members of H. A. Bill

A Bill, entitled, An Act to divide and set off the Township of St. Mary's as a separate and distinct District, were read a second time. St Mary's Bill read 2d time

Ordered, That the said Bills be committed to a Committee of the whole House at a future day.

The House was adjourned, during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. Jeffery reported that the Committee had made some progress, and had directed him to ask leave to sit again—which was granted. Com. on Bills

The Chairman also reported that the Committee had gone through the Bill, entitled, An Act further to amend the Act to Incorporate a Marine Insurance Company, in Halifax ; also, Report Marine Insurance Co. Bill

A Bill, entitled, An Act respecting the Inferior Courts, General Sessions and Justices of the Peace, within the Island of Cape-Breton ; also, Inf. Courts C. B. Bill &

A Bill, entitled, An Act to authorize the Grand Jury and the Court of Sessions, in the County of Pictou, to present and assess Monies for the erection of a Lock-up House in New Glasgow, in the said County, and had agreed to the same without any amendment. Lock-up House New Glasgow Bill without amendment

Ordered, That the said Bills be read a third time, to-morrow.

Mr. Cunard informed the House, that he had been requested to attend a Committee of the House of Assembly, to give information respecting Light-Houses, of which he was one of the Commissioners, and that he was willing, with the leave of the House, to attend the said Committee. Leave given Mr. Cunard to attend Com. of H. A.

Resolved, That Mr. Cunard have leave to attend the said Committee, if he think fit.

On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Adjourn

Saturday, 18th March, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.

The Honorable T. N. Jeffery,
H. N. Binney,
Enos Collins,
S. B. Robie,
Charles R. Prescott,

Gentlemen

The Honorable Samuel Cunard,
Henry H. Cogswell,
James Tobin.
Joseph Allison.

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act further to amend the Act to Incorporate a Marine Insurance Company in Halifax ; also,

Marine Insurance Co. Bill

A

Inf. Courts C. B. Bill &

Lock-up-House New Glasgow Bill read 3d time

Agreed to

Adjourn

A Bill, entitled, An Act respecting the Inferior Courts, General Sessions and Justices of the Peace, within the Island of Cape-Breton ; also,

A Bill, entitled, An Act to authorize the Grand Jury and the Court of Sessions, in the County of Pictou, to present and assess Monies for the erection of a Lock-up House, in New Glasgow, in the said County, were severally read a third time, and the question was put by the President on each Bill,

Whether this Bill shall pass ?

It was resolved in the Affirmative.

On motion made and seconded—the House adjourned until Monday, at one o'clock.

Monday, 20th March, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Hon. and Rt. Rev. the Lord Bishop,		§ § § § § §	The Honorable Samuel Cunard,	
The Honorable T. N. Jeffery,			Henry H. Cogswell,	
H. N. Binney,			Peter McNab,	
Enos Collins,			James Tobin,	
S. B. Robie,			Joseph Allison.	
Charles R. Prescott,				

PRAYERS.

The Minutes of Saturday were read.

A Message was sent to the House of Assembly by the Deputy Clerk,

To return the Bill, entitled, An Act further to amend the Act to Incorporate a Marine Insurance Company in Halifax ; also,

A Bill, entitled, An Act respecting the Inferior Courts, General Sessions and Justices of the Peace, within the Island of Cape-Breton ; also,

A Bill, entitled, An Act to authorize the Grand Jury and the Court of Sessions, in the County of Pictou, to present and assess Monies for the erection of a Lock-up House in New Glasgow, in the said County.

And to acquaint them that this House have agreed to the said several Bills, without any amendment.

A Message was brought from the House of Assembly, by Mr. Whidden, with the following Bills :

A Bill, entitled, An Act to alter, amend and continue, the Act to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape-Breton ; also,

A Bill, entitled, An Act to abolish one of the Sittings of the Inferior Court of Common Pleas and General Sessions of the Peace, for the Counties of Cumberland and Colchester, and Pictou—to which Bills they desired the concurrence of this House.

The said Bills were read a first time.

Ordered, That the said Bills be read a second time at a future day.

The Messenger also informed the House, that the House of Assembly desired a further Conference on the amendments proposed by this House, to the Bill, entitled, An Act to enable a Company, called “the Bank of British North America,” to sue and be sued, in the name of any one of the Local Directors, or of the Managers of the Branches of the said Bank, established or to be established in this Province—which amendments have not been concurred in by the House of Assembly.

Ordered, That the said Conference be agreed to, and that the Deputy-Clerk do acquaint the House of Assembly therewith.

Ordered, That the Committee who managed the last Conference do manage the present Conference.

And the Managers went to the Conference, and being returned, Mr. McNab reported that the Committee had held the said Conference, and stated the substance of the Conference to the House.

Marine Insurance Co. Bill

Inf. Courts C. B. Bill

Lock-up House New Glasgow Bill sent to H. A.

Pilotage Sydney Bill

Inferior Court Cumberland Bill

Further Conference on amendments to B. N. A. Bank Bill asked by H. A.

Agreed to

Committee

Report

A Bill, entitled, An Act relating to the Commissioners of the Streets in and for the several Towns throughout this Province, in which such Commissioners are now by Law appointed, was read a second time. Comms. of Streets
Bill read 2d time

On motion, *resolved*, that the further consideration of this Bill be postponed to this day three months. Postponed 3 months

Mr. Tobin brought up the Petition of William McGillvray and others, of Malignant Cove, which was read, and ordered to lie on the Table. Pet. of Wm. McGill-
vray & al.

Ordered, That the first Clause of the Bill, entitled, An Act to divide the County of Annapolis, and to regulate the Representation thereof, be published in the Royal Gazette, for the information of those interested therein—and that this House will proceed no further in the said Bill, until the same has been published for the space of fourteen days, in order that all parties concerned may have a full opportunity of being heard for and against the said Bill. Annapolis C'ty. Di-
vision Bill ordered
to be published

On motion made and seconded—the House adjourned until To-morrow, at one o'clock. Adjourn

Tuesday, 21st March, 1837.

The House met pursuant to adjournment.

P R E S E N T—

<p>The Honorable Brenton Halliburton, Chief-Justice—President.</p> <p>The Honorable T. N. Jeffery, H. N. Binney, Enos Collins, S. B. Robie, Charles R. Prescott,</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Ordered</p>	<p>The Honorable Henry H. Cogswell, Peter McNab, James Tobin, Joseph Allison.</p>
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PRAYERS.

The Minutes of yesterday were read.

A Message was brought from the House of Assembly, by Mr. Whidden, with the following Bills:

A Bill, entitled, An Act to continue and amend the Act for regulating the Importation of Goods.	Importation of Goods Bill
A Bill, entitled, An Act to continue the several Acts for the prevention of Smuggling.	Smuggling Bill
A Bill, entitled, An Act for the quiet of the Subjects in their possession of Lands, Tenements and Hereditaments, within this Province.	Quieting possession Bill

To which Bills they desired the concurrence of this House.

The said Bills were read a first time.

Ordered, That the Revenue Bills be referred to Mr. Jeffery, Mr. Binney and Mr. Allison, to examine and report upon. Revenue Bills re-
ferred

A Bill, entitled, An Act for the encouragement of the Nova-Scotia Horticultural Society, was read a second time. Horticultural So-
ciety Bill read 2d
time
Com. on Bills

Ordered, That the said Bill be referred to a Committee of the whole House.

The House was adjourned, during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. Jeffery reported that the Committee had made some progress, and had directed him to ask leave to sit again—which was granted. Report progress

The Chairman also reported that the Committee had gone through the Bill, entitled, An Act for the encouragement of the Nova-Scotia Horticultural Society; and also, Report
Horticultural and

The Bill, entitled, An Act for establishing and regulating Ferries, and to repeal the Acts now in force, and had made several amendments to the said Bills. Ferry Bills, with
amendments

Which amendments being read twice by the Deputy-Clerk, were agreed to by the House. Amendments a-
greed to

Mr. Robie then moved to strike out the words "and shall be further liable in an action on the case for all such damages as any person shall sustain by such neglect," at the end of the third Clause of the Bill, entitled, An Act for establishing and regulating Ferries, and to re-

peal

peal the Acts now in force : which, being seconded by Mr. Cogswell, the question was put, and passed in the Negative.

Bills read 3d time agreed to and sent to H. A.

The said two Bills were then read a third time, and the question was put by the President on each Bill,

Whether this Bill as amended shall pass ?

It was resolved in the Affirmative.

A Message was sent to the House of Assembly by the Deputy Clerk,

To return the said two Bills, and acquaint them that this House have agreed to the said Bills with amendments—to which amendments they desire the concurrence of that House.

Adjourn

On motion made and seconded--the House adjourned until To-morrow, at one o'clock.

Wednesday, 22d March, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.	
The Honorable T. N. Jeffery,	§ The Honorable Samuel Cunard,
H. N. Binney,	§ Henry H. Cogswell,
Enos Collins,	§ Peter McNab,
S. B. Robie,	§ James Tobin,
Charles R. Prescott,	§ Joseph Allison.

PRAYERS.

The Minutes of yesterday were read.

The Committee to whom the Revenue Bills were referred made their report.

A Bill, entitled, An Act to continue and amend the Act for regulating the Importation of Goods ; also,

A Bill, entitled, An Act to continue the several Acts for the prevention of Smuggling, were read a second time.

Ordered, That the said Bills be referred to a Committee of the whole House.

The House was adjourned, during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. Jeffery reported that the Committee had made some progress, and had directed him to ask leave to sit again—which was granted.

The Chairman also reported that the Committee had gone through the Bill, entitled, An Act to continue and amend the Act for granting Colonial Duties of Impost for the support of His Majesty's Government within this Province, and for promoting the Agriculture, Commerce, and Fisheries thereof ; also,

A Bill, entitled, An Act to continue the Act for the general regulation of the Colonial Duties ; also,

A Bill, entitled, An Act to continue the Act for the Warehousing of Goods, and in amendment thereof ; also,

A Bill, entitled, An Act to continue and amend the Act concerning Goods exported, and for granting Drawbacks ; also,

A Bill, entitled, An Act to continue and amend the Act for regulating the Importation of Goods ; also,

A Bill, entitled, An Act to continue the several Acts for the prevention of Smuggling ; also,

A Bill, entitled, An Act for granting a Bounty on Chocolate manufactured in this Province, and had directed him to report the same to the House without any amendment.

The said Bills were then read a third time, and the question was put by the President, on each Bill,

Whether this Bill shall pass?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk,

To return the said Bills, and acquaint them that this House have agreed to the same without any amendment.

Sir Rupert D. George, Baronet, the Secretary of the Province, informed the House, that he

Com. on Revenue Bills report Importation of Goods and

Smuggling Bills read 2d time

Com. on Bills

Report progress

Report Colonial Duty and

Regulation of Duties and

Warehouse and

Drawbacks and

Importation of Goods and

Smuggling and Chocolate Bills without amendt.

Read 3d time agreed to and sent to H. A.

he was commanded by His Excellency the Lieutenant-Governor, to lay before the House the following written Message :

M E S S A G E.

(Signed) C. CAMPBELL.

THE Lieutenant-Governor lays before His Majesty's Council a Copy of the Annual Report of the Superintending Committee of the Halifax Savings' Bank.

Message relative to Savings' Bank

It will be seen that the Deposits had attained in June last, the amount to which they are limited by Law, and that many have since been precluded from the benefits of an Institution, which has had so salutary an influence on the habits of the laboring and poor classes of the Community.

The Lieutenant-Governor recommends that the Act of 1826 may be so altered in the present Session as to authorise the receipt of Deposits to a further amount, and secure their application, in future, to the reduction of the Funded Debt : For such a disposal of them, the Law does, in fact, already provide, but a compliance with that provision has hitherto been found impracticable—the Deposits, with very few exceptions, having been made in Treasury Notes or Silver Coins, and Gold being required to pay off the Loan Certificates.

Government-House, 22d March, 1837.

The said Message and report were read, and ordered to lie on the Table.

A Message was brought from the House of Assembly, by Mr. Whidden, with

A Bill, entitled, An Act for the Summary Trial of Actions in the Island of Cape-Breton.

To which Bill they desired the concurrence of this House.

Summary Trial C. B. Bill read 1st time

The said Bill was read a first time.

Ordered, That the said Bill be read a second time at a future day.

Amendts. to Horticultural and

The Messenger also informed the House, that the House of Assembly agreed to the amendments proposed by this House to the Bill, entitled, An Act for the encouragement of the Nova-Scotia Horticultural Society.

Also, to the amendments proposed by this House to the Bill, entitled, An Act for establishing and regulating Ferries, and to repeal the Acts now in force.

Ferry Bill agreed to by H. A.

The said Bills were then read, as amended, and the question was put by the President, on each Bill,

Whether this Bill, as amended shall pass ?

It was resolved in the affirmative.

Bills finally agreed to and sent to H. A.

A Message was sent to the House of Assembly, by the Deputy Clerk,

To return the said Bills, and acquaint them therewith.

A Bill, entitled, An Act to alter, amend and continue, the Act to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape-Breton, was read a second time.

Pilotage Sydney Bill read 2d time

Ordered, That the said Bill be committed to a Committee of the whole House presently.—

Committed

The House was adjourned, during pleasure, and put into a Committee on the said Bill.—After some time the House was resumed, and Mr. Jeffery reported that the Committee had gone through the said Bill, and had directed him to report the same without any amendment.

Reported without amendt. read 3d time agreed to and sent to H. A.

The said Bill was then read a third time—and the question was put by the President ?

Whether this Bill be agreed to ?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk,

To return the said Bill, and acquaint them that this House have agreed to the same, without any amendment.

On motion made and seconded,—the House adjourned until To-morrow, at one o'clock.

Adjourn

Thursday, 23d March, 1837.

The House met pursuant to adjournment.

P R E S E N T.

The Honorable Brenton Halliburton, Chief-Justice—President.

The Honorable T. N. Jeffery,

Enos Collins,

S. B. Robie,

Charles R. Prescott,

Samuel Cunard,

§

The Honorable Henry H. Cogswell,

Peter McNab,

James Tobin.

Joseph Allison.

PRAYERS.

PRAYERS.

The Minutes of yesterday were read.

Pets. of Thomas Ritchie & al. John Ditmars & al. and S. H. Bogart & al.

Mr. Robie brought up the Petition of Thomas Ritchie and others; also, the Petition of John Ditmars and others; also the Petition of Samuel H. Bogart and others, praying this House not to assent to the Bill for dividing the County of Annapolis—which were read and ordered to lie on the Table.

Message from His Excellency recommending Judge Marshall's guide for Justices of the Peace, &c.

Sir Rupert D. George, Baronet, the Secretary of the Province, informed the House that he was commanded by His Excellency the Lieutenant-Governor to lay before the House the following copy of a Letter addressed to him by Mr. Justice Marshall, together with His Excellency's recommendation thereof.

(Copy)

HALIFAX, 11th MARCH, 1837.

SIR—

I have the honor of addressing you for the purpose of mentioning that I have prepared, and have now in Manuscript, ready for publication, a work intended to serve as a guide to Justices of the Peace and certain County and Township Officers in this Province, in the discharge of their various duties—and that I am willing, gratuitously, to present the same to the Legislature, in order to its being printed and published for the use of Magistrates and others.—I am satisfied to relinquish the prospect of any pecuniary benefit from such publication; and therefore, should this offer be accepted, and the publication take place, at the expense of the Province, the amount which may be derived from the sale of the work may of course be applied for the reimbursement of such expense, and it is probable will ultimately prove fully adequate to that purpose.—Should His Excellency the Lieutenant-Governor deem this Communication worthy of attention, and be pleased to bring it under the notice of the Legislature, I shall be ready to submit the Manuscript of the work to their examination at any time and in any manner which may be desired.—I take the liberty, however, of mentioning, that I make the offer, with the understanding, that the printing of the work will be commenced during the present year; and also, that the same shall take place under my own superintendance and direction.

I have the honor to be,

Sir,

Your most obedient Servant,

(Signed) JOHN G. MARSHALL.

Sir Rupert George, Baronet, &c. &c. &c.

I beg to recommend this to the favourable consideration of His Majesty's Council.

The same were read, and ordered to lie on the Table.

Summary Trial C. B. Bill read 2d time, committed

A Bill, entitled, An Act for the Summary Trial of Actions in the Island of Cape-Breton, was read a second time.

Ordered, That the said Bill be committed to a Committee of the whole House presently. The House was adjourned during pleasure, and put into a Committee on the said Bill.—After some time the House was resumed, and Mr. Jeffery reported that the Committee had gone through the said Bill, and had made several amendments thereto.

Amended

Amendts. agreed to Bill read 3d time agreed to and sent to H. A.

Which amendments being read twice by the Deputy-Clerk, were agreed to by the House.

The said Bill was then read a third time, and the question was put by the President?

Whether this Bill, with the amendments, shall pass?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy Clerk,

To return the said Bill, and acquaint them that this House have made several amendments thereto—to which they desire the concurrence of that House.

Adjourn.

(To-morrow being Good Friday,) on motion made and seconded—the House adjourned until Saturday, at one o'clock.

Saturday,

Saturday, 25th March, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton,	Chief-Justice—President.
The Honorable T. N. Jeffery,	§ The Honorable Samuel Cunard,
Enos Collins,	§ Henry H. Cogswell,
S. B. Robie,	§ James Tobin,
Charles R. Prescott,	§ Joseph Allison.

PRAYERS.

The Minutes of yesterday were read.

A Message was brought from the House of Assembly, by Mr. Whidden, with the following Bill and Resolution :

A Bill, entitled, An Act to change the name of the County of Juste-au-Corps to the County of Inverness.

Resolved, That the proposal made by Mr. Justice Marshall of presenting to the Legislature the Manuscript of a Work prepared by him, for the assistance of Magistrates in the discharge of their duties, be accepted, and that the same Work be forthwith printed and published, pursuant to the said proposal contained in Judge Marshall's Letter on the subject ; and that this House will provide the means for defraying the expense attending the same, and that Five Hundred Copies thereof be struck off.

Change of name of Juste-au-Corps Bill

Resolution relative to Judge Marshall's Work

The said Bill and Resolution were read a first time.

Ordered, That the said Bill and Resolution be read a second time at a future day.

Mr. Allison brought up the following Affidavit of James W. Nutting, which was read by the Deputy-Clerk as follows :—

James Walton Nutting of Halifax, Esquire, maketh Oath and saith, that the order in Council contained in the printed paper hereunto annexed, the copy of an Act entitled, An Act in amendment of an Act to Incorporate the Petite Plaister and Mills Company, and the affidavit of this Deponent, both also contained in said printed paper annexed, were, in pursuance of said Order in Council made in that behalf, duly published in the Acadian Telegraph, Newspaper, published at Halifax, on the third day of March instant ; that the same were severally again published in an extra publication of the Royal Gazette, and distributed with the Acadian Recorder, Newspaper, published at Halifax, on the eleventh day of March instant, and that the same were again published in the Royal Gazette, on the fifteenth day of March instant, 1837.

Affidavit of J. W. Nutting relating to publication of Petite Plaister Co. Bill

(Signed) J. W. NUTTING.

Sworn before me, at Halifax,
this 25th day of March, 1837.

(Signed) BRENTON HALLIBURTON.

Ordered, That the said Affidavit do lie on the Table.

A Bill, entitled, An Act in amendment of the Act to Incorporate the Petite Plaister and Mills Company, was read a second time.

Petite Plaister Co. Bill read 2d time

Ordered, That the said Bill be committed to a Committee of the whole House.

The House was adjourned, during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. Jeffery reported that the Committee had made some progress, and had directed him to ask leave to sit again—which was granted.

Committee on Bills Report progress

The Chairman also reported that the Committee had gone through the Bill, entitled, An Act in amendment of the Act to Incorporate the Petite Plaister and Mills Company, and had directed him to report the same to the House without any amendment.

Report Petite Plaister Co. Bill without amendment

The said Bill was then read a third time—and the question was put by the President ?

Whether this Bill shall pass ?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk,

Bill read 3d time agreed to and sent to H. A.

To return the said Bill, and acquaint them that this House have agreed to the same, without any amendment.

Report Seats of
Members Bill with
amendments

The Chairman also reported that the Committee had gone through the Bill, entitled, An Act to enable Members of the House of Assembly about to leave the Province, or unable, from indisposition, to attend their duty, to resign their Seats therein, and had made several amendments thereto.

Amendments a-
greed to
Bill read 3d time
agreed to & sent to
H. A.

Which amendments being read twice by the Deputy-Clerk, were agreed to by the House. The said Bill was then read a third time, and the question was put by the President?

Whether this Bill, with the amendments, shall pass?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy Clerk,

To return the said Bill, and acquaint them that this House have made several amendments thereto—to which amendments they desire their concurrence.

Message agreeing
to amendments to
Summary Trials
C. B. Bill

A Message was brought from the House of Assembly, by Mr. Whidden, To acquaint this House that they have agreed to the amendments proposed by this House to the Bill, entitled, An Act for the Summary Trial of Actions in the Island of Cape-Breton. The said Bill was then read, as amended, and the question was put by the President?

Whether this Bill, as amended shall pass?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy Clerk, to acquaint them therewith.

Bill agreed to and
sent to H. A.

Adjourn

On motion made and seconded—the House adjourned until Monday, at one o'clock.

Monday, 27th March, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.

The Hon. and Rt. Rev. the Lord Bishop,
T. N. Jeffery,
H. N. Binney,
Enos Collins,
S. B. Robie,
Charles R. Prescott,

The Honorable Samuel Cunard,
Henry H. Cogswell,
Peter McNab,
James Tobin.
Joseph Allison.

PRAYERS.

The Minutes of Saturday were read.

A Message was brought from the House of Assembly, by Mr. Whidden, with the following Bills:

Suits between H.
M & Subjects

A Bill, entitled, An Act regarding Suits between the King's Majesty and His Subjects; also,

Licenses Halifax
Bill

A Bill, entitled, An Act for granting Duties on Licences for the Sale of Spirituous Liquors, and for Sales by Auction, to Persons resident in the Town of Halifax.

To which Bills they desired the concurrence of this House.

The said Bills were read a first time.

Ordered, That the said Bills be read a second time.

His Excellency
comes to the Council
Chamber

His Excellency the Lieutenant-Governor came to the Council Chamber, attended as usual, and, being seated, sent a Message by Sir Rupert D. George, Baronet, the Secretary of the Province, to command the House of Assembly to attend His Excellency in the Council Chamber immediately—the House attended accordingly, with their Speaker, when His Excellency was pleased to give his assent to the following Bills—

House attend
His Excellency as-
sents to Bills
Fire & Life Insur-
ance

An Act in addition to, and amendment of, an Act made and passed in the fifth year of His Majesty's reign, entitled, An Act to Incorporate a Company for Insurance against Fire and on Lives.

Marine Insurance
Inferior Courts CB.

An Act further to amend the Act to Incorporate a Marine Insurance Company in Halifax. An Act respecting the Inferior Courts, General Sessions and Justices of the Peace within the Island of Cape-Breton.

Lock-up House
New Glasgow

An Act to authorize the Grand Jury and the Court of Sessions in the County of Pictou, to present

present and assess Monies for the erection of a Lock-up House in New-Glasgow, in the said County.

An Act to continue and amend the Act for granting Colonial Duties of Impost for the support of His Majesty's Government within this Province, and for promoting the Agriculture, Commerce, and Fisheries thereof. Colonial Duties

An Act to continue the Act for the general regulation of the Colonial Duties. Regulation of Duties

An Act to continue the Act for the Warehousing of Goods, and in amendment thereof. Warehousing

An Act to continue and amend the Act concerning Goods exported, and for granting Drawbacks. Drawbacks

An Act to continue and amend the Act for regulating the Importation of Goods. Importation of Goods

An Act to continue the several Acts for the prevention of Smuggling. Smuggling

An Act for granting a Bounty on Chocolate manufactured in this Province. Chocolate

An Act for the encouragement of the Nova-Scotia Horticultural Society. Horticultural Society

An Act for establishing and regulating Ferries, and to repeal the Act now in force. Ferries

An Act to alter, amend and continue, the Act to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape-Breton. Pilotage Sydney, C. B.

An Act in amendment of the Act to Incorporate the Petite Plaister and Mills Company. Petite Plaister Co.

An Act for the Summary Trial of Actions in the Island of Cape-Breton. Summary Trials

The House of Assembly then withdrew, and His Excellency was pleased to retire soon after. C. B. House withdraw His Excellency retires

The Resolution relative to the proposal made by Judge Marshall, of publishing a Work prepared by him for the assistance of Magistrates in the discharge of their duties, was read a second time, and the question was put by the President? Resolution relative to Judge Marshall's Work read 2d time

Whether this Resolution be agreed to?

It was resolved in the Affirmative.

Agreed to and sent to H. A.

A Message was sent to the House of Assembly, by the Deputy Clerk,

To return the said Resolution, and acquaint them that this House have agreed to the said Resolution without any amendment.

A Message was brought from the House of Assembly, by Mr. Whidden, with

A Bill, entitled, An Act for granting Duties on Licences for the Sale of Spirituous Li- quors. Licence Bill read 1st time

To which Bill they desired the concurrence of this House.

The said Bill was read a first time.

Ordered, That the said Bill be read a second time at a future day.

On motion made and seconded--the House adjourned until To-morrow, at one o'clock. Adjourn

Tuesday, 28th March, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.	
The Honorable T. N. Jeffery,	§ The Honorable Samuel Cunard,
H. N. Binney,	Henry H. Cogswell,
Enos Collins,	Peter McNab,
S. B. Robie,	James Tobin,
Charles R. Prescott,	§ Joseph Allison.

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act for granting Duties on Licences for the Sale of Spirituous Li- quors, and for Sales by Auction, to Persons resident in the Town of Halifax; also, Halifax Licence Bill

A Bill, entitled, An Act for granting Duties on Licences for the Sale of Spirituous Li- quors; also, General Licence Bill

A Bill, entitled, An Act to change the name of the County of Juste-au-Corps to the Coun- ty of Inverness; also, Change of name of Juste-au-Corps County Bill.

Imprisonment for
Debt Bill read 2d
time
Committed

A Bill, entitled, An Act relating to imprisonment for Debt, were read a second time.
Ordered, That the said Bills be committed to a Committee of the whole House presently.—
The House was adjourned, during pleasure, and put into a Committee on the said Bills.—After
some time the House was resumed, and Mr. Jeffery reported that the Committee had gone
through the three first Bills, and had directed him to report the same to the House without
any amendment.

Three first reported
without amendment

Read 3d time
agreed to & sent to
H. A.

The said Bills were then read a third time, and the question was put by the President
on each Bill,

Whether this Bill shall pass ?

It was resolved in the Affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk,

To return the said Bills, and acquaint them that this House have agreed to the said Bills
without any amendment.

4th Bill amended

The Chairman also reported that the Committee had gone through the fourth Bill, and
made several amendments thereto.

Amendments a-
greed to
Ordered to be en-
grossed
Read 3d time
Agreed to
Title altered & sent
to H. A.

Which amendments being read twice by the Deputy-Clerk, were agreed to by the House.

Ordered, That the said Bill and amendments be engrossed.

The said Bill was then read a third time, and the question was put by the President ?

Whether this Bill shall pass?

It was resolved in the affirmative—and that its title be, An Act to extend the benefits of
the Insolvent Debtors' Acts to Persons arrested upon Mesne Process.

A Message was sent to the House of Assembly, by the Deputy-Clerk,

To carry down the said Bill, and desire their concurrence thereto.

Adjourn

On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Wednesday, 29th March, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.	
The Honorable T. N. Jeffery,	§ The Honorable Samuel Cunard,
H. N. Binney,	Henry H. Cogswell,
Enos Collins,	Peter McNab,
S. B. Robie,	James Tobin,
Charles R. Prescott,	Joseph Allison.

PRAYERS.

The Minutes of yesterday were read.

Whaling Company
Bill

Mr. Allison presented a Bill, entitled, An Act to Incorporate the Halifax Whaling Com-
pany—which was read a first time.

Ordered, That the said Bill be read a second time at a future day.

A Message was brought from the House of Assembly by Mr. Whidden, with the following
Resolutions :

150l. Attorney Ge-
neral

Resolved, That the sum of One Hundred and Fifty Pounds be granted and paid to the
Attorney-General, for his services for the present year.

200l. Guager &
Weigher

Resolved, That the sum of Two Hundred Pounds be granted and paid to the Guager and
Weigher for the Collector of Impost for the District of Halifax, for his services for the pre-
sent year.

600l. Transient
Poor

Resolved, That the sum of Six Hundred Pounds be granted for the support of the Tran-
sient Poor, for the present year, to be paid to the Commissioners of the Poor, at Halifax.

40l. Conveyance
of Judges to C. B.

Resolved, That the sum of Forty Pounds be granted and paid to Laurence Kavanagh, Esq.
—to be drawn from the Treasury, when it shall be certified by a Judge of the Supreme
Court, that he has conveyed the Judge or Judges to the several Circuit Courts in Cape-Bre-
ton, during the present year.

125l. Indians

Resolved, That the sum of One Hundred Pounds be granted and placed at the disposal of His
Excellency the Lieutenant-Governor, or Commander in Chief for the time being, to be applied
in

in such way as he may deem most proper for the relief of the Indians of this Province; and also, a further sum of Twenty-five Pounds, to reimburse that amount advanced by His Excellency for relief of Indians, under a Resolution of this Session.

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-House, for the present year, for the benefit of Orphans and Poor Children in that Establishment.

Resolved, That the sum of Four Hundred Pounds be granted and paid to the Commissioners of Sable Island, for the support of that establishment for the present year.

Resolved, That the sum of Two Hundred Pounds be granted and paid to the Commissioners of Bridewell for the support of the present Establishment for the current year, and for the temporary repair of the Buildings.

Resolved, That the sum of Three Hundred Pounds be granted and paid to the Managing Committee of the Horton Academy, in aid of that Institution, for the present year.

Resolved, That the sum of One Hundred Pounds be granted and paid to the Reverend R. F. Uniacke, to enable him to defray the expenses incurred to support Schools for poor children, in the North Suburbs of the Town of Halifax.

Resolved, That the sum of One Hundred Pounds be granted and paid in aid of the Arichat Academy for the present year—to be placed in the hands of Trustees appointed by His Excellency the Lieutenant-Governor.

Resolved, That the sum of One Hundred Pounds be granted and paid to the Trustees of the Yarmouth Academy in aid of that Institution, for the present year.

Resolved, That the sum of Fifty Pounds be granted and paid to the Commissioners of Schools for the County of Lunenburg, for the support of the National School in the Town of Lunenburg, for the present year.

Resolved, That the sum of Fifty Pounds be granted and paid to the Ladies' Managers of the Infant School at Halifax, in aid of that Institution, for the present year.

Resolved, That the sum of Fifty Pounds be granted and paid to Doctors Stirling and Grigor, in aid of the Halifax Dispensary for the present year—provided they keep during the year a sufficient quantity of Vaccine Matter.

Resolved, That the sum of Seven Hundred and Eighty-two Pounds and Five-pence, be granted and paid to the Commissioners of Light-Houses for the balance due them, agreeably to the Report of the Committee of Public Accounts.

Resolved, That the sum of Fifty Pounds be granted and paid to the Mechanics' Institute and Mechanics' Library—Thirty Pounds to the Institute, and Twenty Pounds to the Library, for the support of those Establishments for the present year.

Resolved, That the sum of Two Hundred and Fifty Pounds be granted and paid to defray the sum of One Hundred and Fourteen Pounds Seventeen Shillings and Two-pence due to sundry persons, according to the report of the Committee of Public Accounts, and for the repairs of the Province Building and Government-House during the present year, and for no other purpose whatsoever.

Resolved, That a sum not exceeding One Hundred and Sixty-five Pounds be granted to defray the expences of extra Messengers to the Council and House of Assembly, and for Fuel, and sundry other articles and services for the Council and House of Assembly, according to estimate; the said sum to be drawn and applied by the Clerk of the House of Assembly, under the sanction of the President of the Council and Speaker of the House of Assembly.

Resolved, That the sum of One Hundred Pounds, each, be granted and paid to the Clerk and Assistant Clerk of the House of Assembly, for their extra services during the present Session.

Resolved, That a sum not exceeding Seventy-five Pounds be granted and paid to the Clerk of the House of Assembly, to defray the expense of Stationary, and binding of Journals and Laws for the Council and House of Assembly, during the present Session.

Resolved, That the sum of Ten Pounds be granted and paid to John James Sawyer, Esquire, High Sheriff of the County of Halifax, for his expense as such Sheriff, at the opening and closing of the present Session of the General Assembly.

Resolved, That the sum of Two Hundred and Fifty Pounds be granted and paid for building a Bridge over the South West Arm of Sydney River.

25l. School in Poor House

400l. Sable Island

200l. Bridewell

500l. Horton Academy

100l. Mr. Uniacke's School

100l. Arichat Academy

100l. Yarmouth Academy

50l. National School Lunenburg

50l. Infant School

50l. Halifax Dispensary

782l. 0 5d Comms. of Light-Houses

50l. Mechanics' Institute

250l. Repairs of Public Buildings

165l. Fuel, &c.

100l. Clerk 100l. Assistant Clerk H.A.

75l. Stationary, &c.

10l. J. J. Sawyer

250l. Bridge Sydney River

Resolved,

750l. Light-House
Yarmouth

Resolved, That the sum of Seven Hundred and Fifty Pounds be granted and paid towards the erection of a Light-House, on the West side of the entrance into Yarmouth Harbour—not more than Five Hundred Pounds thereof to be drawn for the present year. To which Resolutions they desired the concurrence of this House.

The said Resolutions were read a first time.

Ordered, That the said Resolutions be read a second time at a future day.

Quieting posses-
sions Bill

A Bill, entitled, An Act for the quiet of the Subjects in their possession of Lands, Tenements and Hereditaments, within this Province; also,

Saint Mary's Bill
read 2d time

A Bill, entitled, An Act to divide and set off the Township of St. Mary's as a separate and distinct District, were read a second time.

Committed

Ordered, That the said Bills be committed to a Committee of the whole House presently. The House was adjourned during pleasure, and put into a Committee on the said Bills.—After some time the House was resumed, and Mr. Jeffery reported that the Committee had gone through the said Bills, and had directed him to report the first Bill to the House without any amendment.

1st reported with-
out amendment

The Chairman also reported that the Committee had made an amendment to the second Bill—which being read twice by the Deputy Clerk, was agreed to by the House.

2d amended
Amendments a-
greed to

Petition of J. W.
Nutting and al.

Mr. Prescott brought up the Petition of J. W. Nutting and others, praying aid to the Baptist Academy—which was ordered to lie on the Table.

Adjourn

On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Thursday, 30th March, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief Justice—President.

The Honorable T. N. Jeffery,
H. N. Binney,
Enos Collins,
S. B. Robie,
Charles R. Prescott,

§
§
§
§
§

The Honorable Samuel Cunard,
Henry H. Cogswell,
Peter McNab,
James Tobin,
Joseph Allison.

PRAYERS.

The Minutes of yesterday were read.

A Message was brought from the House of Assembly, by Mr. Whidden, with

A Bill, entitled, An Act to prohibit the Exportation of Grain and Potatoes out of this Province.

To which Bill they desired the concurrence of this House.

The said Bill was read a first time.

Ordered, That the said Bill be read a second time.

Exportation of
Grain Bill read 1st
time

The following Resolutions for granting Money, viz :

£150 0 0 Attorney-General.
200 0 0 Guager and Weigher, Halifax.
600 0 0 Transient Poor.
40 0 0 Conveyance of Judges to Cape-Breton.
125 0 0 Indians.
25 0 0 School in Poor-House.
400 0 0 Sable Island.
200 0 0 Bridewell.
300 0 0 Horton Academy.
100 0 0 Mr. Uniacke's School.
100 0 0 Arichat Academy.
100 0 0 Yarmouth Academy.
50 0 0 National School, Lunenburg.
50 0 0 Infant School, Halifax.
50 0 0 Halifax Dispensary.
782 0 5 Commissioners of Light-Houses.
50 0 0 Mechanics' Institute.

£250 0 0

Money Votes

£250 0 0 Repair of Public Buildings.
 165 0 0 Fuel, &c.
 100 0 0 Clerk, and
 100 0 0 Assistant-Clerk of House of Assembly.
 75 0 0 Stationary, &c.
 10 0 0 Sheriff of Halifax, J. J. Sawyer.

Were read a second time, and the question was put by the President, on each Resolution, Whether this Resolution be agreed to? Read 2d time agreed to and sent to H. A.

It was resolved in the Affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk,

To return the said Resolutions, and acquaint them that this House have agreed to the same without any amendment.

A Bill, entitled, An Act to prohibit the Exportation of Grain and Potatoes out of this Province, was, by order, read a second time. Exportation of Grain Bill read 2d time Committed

Ordered, That the said Bill be committed to a Committee of the whole House presently.—The House was adjourned, during pleasure, and put into a Committee on the said Bill.—After some time the House was resumed, and Mr. Jeffery reported that the Committee had gone through the said Bill, and had directed him to report the same to the House without any amendment. Reported without amendment

The said Bill was then, by order, read a third time and the question was put by the President? Read 3d time agreed to and sent to H. A.

Whether this Bill shall pass?

It was resolved in the Affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk,

To return the said Bill, and acquaint them that this House have agreed to the same without any amendment.

A Bill, entitled, An Act to divide and set off the Township of St. Mary's as a separate and distinct District, was read a third time, and the question was put by the President? St. Mary's Bill read 3d time agreed to and sent to H. A.

Whether this Bill, with the amendments, shall pass?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy Clerk,

To return the said Bill, and acquaint them that this House have made several amendments thereto—to which they desire their concurrence.

A Bill, entitled, An Act for the quiet of the Subjects in their possession of Lands, Tenements and Hereditaments, within this Province, was read a third time. Quieting possessions Bill read 3d time

Then it was moved to add the following clause to the end of the said Bill:

Provided always, and be it further enacted, That nothing herein contained shall be of any force or effect until His Majesty's Assent shall be signified to this Act. Amendment made

The same was agreed to and ordered accordingly.

The question was put by the President?

Whether this Bill, with the amendment shall pass?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy Clerk,

To return the said Bill, and acquaint them that this House have agreed to the same with an amendment, to which they desire their concurrence.

Mr. Jeffery presented a Bill, entitled, An Act for increasing the Capital Stock of the Shubenacadie Canal Company, and the number of Shares therein, for conferring further powers on that Corporation, and for other purposes. Shubenacadie Canal Co. Bill presented and read 1st time

The said Bill was read a first time.

On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Adjourn.

Friday, 31st March, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.		
The Hon. and Rt. Rev. the Lord Bishop,	§ § § § § §	The Honorable Samuel Cunard,
The Hon. T. N. Jeffery,		Henry H. Cogswell,
H. N. Binney,		Peter McNab,
Enos Collins,		James Tobin.
S. B. Robie,		Joseph Allison.
Charles R. Prescott,		

PRAYERS.

The Minutes of yesterday were read.

His Excellency the Lieutenant-Governor came to the Council Chamber, attended as usual, and, being seated, sent a Message by Sir Rupert D. George, Baronet, the Secretary of the Province, to command the House of Assembly to attend His Excellency in the Council Chamber immediately—the House of Assembly attended accordingly, with their Speaker, when His Excellency was pleased to give his assent to the following Bills—

An Act to prohibit the Exportation of Grain and Potatoes out of this Province.

An Act for granting Duties on Licences for the Sale of Spirituous Liquors, and for Sales by Auction, to Persons resident in the Town of Halifax.

An Act for granting Duties on Licences for the Sale of Spirituous Liquors.

An Act to change the name of the County of Juste-au-Corps to the County of Inverness.

The House of Assembly then withdrew, and His Excellency was pleased to retire soon after.

Ordered, That the Bill, entitled, An Act for increasing the Capital Stock of the Shubenacadie Canal Company and the number of Shares therein, for conferring further powers on that Corporation, and for other purposes, be referred to Mr. Jeffery, Mr. Cogswell, Mr. McNab and Mr. Allison, to examine and report upon.

On motion, *resolved*, that a Committee be appointed to wait upon His Excellency the Lieutenant-Governor, and respectfully request that he will be pleased to inform the House whether he has received any information to prove the utility, and ascertain the probable expense, of erecting a Light-House on the West side of the entrance of Yarmouth Harbour; and if he has received such information, to request he will be pleased to communicate the same to this House.

Ordered, That Mr. Collins and Mr. Cunard, be a Committee to wait on His Excellency for the above purpose.

Mr. Robie brought up the Petition of Alfred Whitman and another, against the Bill to divide the County of Annapolis—which was ordered to lie on the Table.

A Bill, entitled, An Act to abolish one of the Sittings of the Inferior Court of Common Pleas and General Sessions of the Peace, for the Counties of Cumberland and Colchester, and Pictou, was read a second time.

Whereupon, it was moved that the said Bill be published, and that the consideration thereof be deferred until the next Session; which, being seconded—it was moved, in amendment, that this House do now go into a Committee on the said Bill; which, being seconded, the question was put, and passed in the negative.

The original Resolution was then put, and carried.

A Message was brought from the House of Assembly by Mr. Whidden, with the following Resolutions :

Resolved, That the sum of Fifty Pounds, granted last year to alter the Road in Cornwallis, near William Tupper's, number fifteen, on Elder's Plan, and unexpended, be applied as follows : £25 to alter the Road near John Caldwell's, in Bill Town, marked in Elder's Plan No.

His Excellency comes to the Council Chamber

House of A. attend His Excellency assents to

Exportation of Grain Act
Halifax Licence Act
General Licence Act
Change of Juste-au-Corps County name Act
House withdraw His Excellency retires

Shubenacadie Canal Co. Bill referred to Select Committee

Committee to wait on His Excellency to request information as to Yarmouth Light-House

Committee

Petition of A. Whitman and al.

Inferior Courts Cumberland, &c.
Read 2d time

Motion to publish and defer consideration

Motion to refer to Committee negatived

Original motion carried

50l. Change of Appropriation in Cornwallis

No. 12—and £20 for the Road from the Annapolis Road, past Graham Role's to Black Rock, one half at least of said sum to be expended in altering Road as laid out by a Committee, under the order of the Court of Sessions—and £5 to alter the Road at the hill near the Shore, at Black Rock.

Whereas, it is by Law established, that there shall be allowed and paid to any Grammar School combined with a Common School, wherein fifteen or upwards of the Scholars shall be instructed in certain higher branches of Education, the sum of Thirty-five Pounds, of which combined Schools, entitled thereto, there may be three in each County, but the grant is confined to Schools not receiving any separate Provincial grant; and whereas, in the County of Yarmouth, there is not at present any combined Grammar and Common School, except the Yarmouth Academy, which, receiving a separate Provincial allowance, is precluded from drawing the above allowance, although it would be otherwise entitled thereto, and the same is much needed therein, that an Usher may be employed. Resolved therefore, that the Trustees of said Academy shall be, and are hereby authorized to receive from the Treasury the said allowance of Thirty-five Pounds towards the support of said Academy, in addition to any other allowance made by the Legislature. But as it is not intended that the said County of Yarmouth shall receive aid for any greater number of Grammar Schools than is now by Law contemplated, Be it further resolved, that the Commissioners of Schools for said County shall not be entitled to draw from the Treasury more than the allowance for two combined Common and Grammar Schools, under the Act now in force for the encouragement of Schools.

S51. Additional to Yarmouth Academy

To which Resolutions they desired the concurrence of this House.

The said Resolutions were read a first time.

Ordered, That the said Resolutions be read a second time.

The Messenger also informed the House, that the House of Assembly did not agree to the amendments proposed by this House to the Bill, entitled, An Act to divide and set off the Township of St. Mary's as a separate and distinct District.

Message disagreeing to amendments to St. Mary's Bill

The Messenger also informed the House, that the House of Assembly agreed to the amendments proposed by this House to the Bill, entitled, An Act for the quiet of the Subjects in their possession of Lands, Tenements and Hereditaments, within this Province.

Message agreeing to amendments to quieting possessions Bill

The said Bill was read, as amended, and the question was put by the President?

Whether this Bill, as amended, shall pass?

Bill read, agreed to and sent to H. A.

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk,

To return the said Bill, and acquaint them therewith.

A Bill, entitled, An Act to Incorporate the Halifax Whaling Company, was read a second time.

Whaling Company Bill read 2d time

Ordered, That the said Bill be committed to a Committee of the whole House presently.—The House was adjourned, during pleasure, and put into a Committee on the said Bill. After some time the House was resumed, and Mr. Jeffery reported that the Committee had gone through the said Bill, and had directed him to report the same to the House without any amendment.

Committed

Reported without amendment

Ordered, That the said Bill be engrossed.

Ordered to be engrossed

On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Adjourn

Saturday, 1st April, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton,	Chief-Justice—President.
The Honorable T. N. Jeffery,	The Honorable Samuel Cunard,
H. N. Binney,	Henry H. Cogswell,
Enos Collins,	Peter McNab,
S. B. Robie,	James Tobin,
Charles R. Prescott,	Joseph Allison.

PRAYERS.

The

The Minutes of yesterday were read.

Report of Committee to wait on His Excellency relative to the Yarmouth Light

Mr. Collins, the Chairman of the Committee appointed to wait on His Excellency the Lieutenant-Governor, to ascertain if His Excellency had received any information relative to the utility and probable expence of erecting a Light-House on the western side of Yarmouth Harbour, reported that the Committee had performed that duty, and that His Excellency had been pleased to state that he would direct such information as he possessed to be laid before the House.

Whaling Company Bill read 3d time agreed to and sent to H. A.

A Bill, entitled, An Act to Incorporate the Halifax Whaling Company, was read a third time, and the question was put by the President?

Whether this Bill shall pass?

It was resolved in the Affirmative.

Ordered, That the Deputy-Clerk do carry down the said Bill to the House of Assembly, and desire their concurrence thereto.

Money Votes

The following Resolutions, for granting Money, viz :

£50 Change of appropriation of Road Money in Cornwallis.

25 Additional allowance to Yarmouth Academy.

250 Bridge over the South West Arm of Sydney River.

Read 2d time agreed to and sent to H. A.

Were read a second time, and the question was put by the President, on each Resolution, Whether this Resolution be agreed to?

It was resolved in the Affirmative.

Ordered, That the Deputy-Clerk do return the said Resolutions, and acquaint them that this House have agreed to the same without any amendment.

Report of Committee on Shubenacadie Canal Bill

Mr. Jeffery, the Chairman of the Committee, to whom the Bill, entitled, An Act for increasing the Capital Stock of the Shubenacadie Canal Company, and the number of Shares therein, for conferring further powers on that Corporation, and for other purposes, made his report in favour of the Bill.

Adjourn

On motion made and seconded—the House adjourned until Monday, at one o'clock.

Monday, 3d April 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.

The Honorable T. N. Jeffery,

H. N. Binney,

Enos Collins,

S. B. Robie,

Charles R. Prescott,

§
§
§
§
§

The Honorable Henry H. Cogswell,

Peter McNab,

James Tobin,

Joseph Allison.

PRAYERS.

The Minutes of Saturday were read.

Shubenacadie Canal Com. Bill read 2d time

A Bill, entitled, An Act for increasing the Capital Stock of the Shubenacadie Canal Company, and the number of Shares therein, for conferring further powers on that Corporation, and for other purposes, was read a second time.

Committed

Ordered, That the said Bill be committed to a Committee of the whole House presently. The House was adjourned during pleasure, and put into a Committee on the said Bill.—

Report progress

After some time the House was resumed, and Mr. Binney reported that the Committee had made some progress in the said Bill, and had directed him to ask leave to sit again—which was granted.

Adjourn

On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Tuesday,

Tuesday, 4th April, 1837.

The House met pursuant to adjournment.

P R E S E N T —

The Honorable Brenton Halliburton, Chief-Justice—President.	
The Hon. and Rt. Rev. the Lord Bishop,	§ The Honorable Samuel Cunard,
The Hon. T. N. Jeffery,	§ Henry H. Cogswell,
H. N. Binney,	§ Peter McNab,
Enos Collins,	§ James Tobin,
S. B. Robie,	§ Joseph Allison.
Charles R. Prescott,	§

PRAYERS.

The Minutes of yesterday were read.

His Excellency the Lieutenant-Governor came to the Council Chamber, attended as usual, and, being seated, sent a Message by Sir Rupert D. George, Baronet, the Secretary of the Province, to command the House of Assembly to attend His Excellency in the Council Chamber immediately—the House of Assembly attended accordingly, when the President of this House, by His Excellency's desire, said

The Lt. Gov. comes to the Council Chamber

H. A. attend

His Excellency the Lieutenant-Governor has been informed that the Speaker of the House of Assembly is confined to his house by sickness, and is consequently unable to discharge his duties.

His Excellency is aware that any interruption of the Public Business would prove very inconvenient to the Members of the Assembly at this late period of the Session, when their private affairs must render their presence necessary at their respective homes.

His Excellency finds that a precedent has been established in this Province, which authorises the election of a temporary Speaker under similar circumstances.

It is therefore His Excellency's pleasure, that the House of Assembly do now return to their own Chamber, and elect one of the Members of that House to act as the Speaker of it until the present Speaker shall be enabled to resume his duties, and present him here for His Excellency's approbation.

H. A. directed to choose a temporary Speaker

The House of Assembly then withdrew, and after some time having returned, Mr. Heckman, Member for the Township of Lunenburg, addressed His Excellency as follows:—

H. A. withdraw & return

May it please Your Excellency;

The House of Assembly, agreeably to your Excellency's command, have proceeded to the choice of a temporary Speaker, until the present Speaker shall be enabled to resume his duties, and have unanimously elected George Smith, Esquire, Member for the County of Picou, to act as Speaker, and, by their directions, I beg leave to present him for your Excellency's approbation.

Mr. Heckman presents the temporary Speaker

After which His Excellency was pleased to say,

I approve of the Speaker which the House of Assembly have temporarily appointed.

His Excellency approves of Speaker

Then the Speaker said,

The House of Assembly have made choice of me to act as their Speaker, until the present Speaker shall be enabled to resume his duties, which choice has been sanctioned by your Excellency's approval; and your Excellency having been pleased at the beginning of the Session, to grant the usual rights and privileges, it only remains for me to solicit from your Excellency the most favorable construction of all my acts as such acting Speaker of the House, whilst I shall continue to hold that office.

Speaker requests favorable interpretation of actions

To which His Excellency assented.

The House of Assembly then withdrew, and His Excellency was pleased to retire soon after.

H. A. withdraw His Excellency retires

A Message was sent to the House of Assembly, by the Deputy-Clerk,

To carry down the Bill, entitled, An Act to Incorporate the Halifax Whaling Company, and desire their concurrence thereto.

Whaling Com. Bill sent to H. A.

And also to return the three Resolutions for granting Money, agreed to on the first instant.

Money Votes sent to H. A.

A Message was brought from the House of Assembly by Mr. Whidden, with the following Resolutions:

Resolved,

201. Teacher in
Arichat Academy

Resolved, That the sum of Twenty Pounds be granted and paid to the Trustees of the Arichat Academy, for the use of Mr. Caffrey, the Master of said Academy, to compensate him for the deduction made from his Salary on account of his Predecessor's death.

5001. Casualty Vote

Resolved, That if any accident shall happen to any of the Bridges on the Main Roads in this Province, or any unforeseen obstructions to travelling shall arise, from the fall of Trees or otherwise, it shall and may be lawful for the Governor, Lieutenant-Governor or Commander in Chief for the time being, to order a Commissioner or Commissioners to repair or rebuild such Bridge, or to remove such obstructions, and it shall be further lawful for the Governor, Lieutenant-Governor or Commander in Chief for the time being, to draw Warrants on account, and in favour of, such Commissioner or Commissioners; *Provided* the same shall not exceed the the sum of Five Hundred Pounds.

221. 17s. Messrs.
Cunard & Co.
Drawback on Rum

Resolved, That the sum of Twenty-two Pounds and Seventeen Shillings be granted and paid to Messrs. Cunard & Co. for Drawback on four Puncheons of Rum, exported by Benjamin Terrio to Newfoundland.

1001. Commrs. of
Light-Houses St.
Paul's and Scatarie

Resolved, That the sum of One Hundred Pounds be granted and paid, Fifty Pounds thereof to Hon. Samuel Cunard, and Fifty Pounds to Edmund M. Dodd, Esquire, to remunerate them for their expences and services as Commissioners, under the Act of last Session, relative to the proposed Light-Houses on St. Paul's and Scatarie.

501. Guysborough
Packet

Resolved, That the sum of Fifty Pounds be granted to such person or persons as will run a proper Packet between Guysborough and Arichat, touching occasionally at Fox Island and Canso, under such regulations as shall be established by the General Sessions of the Peace for the County of Guysborough, to be paid upon the Certificate of the said General Sessions, that such Packet has been properly kept and run during the present year; and provided that the Judges of the Supreme Court are conveyed from Guysborough to Arichat in the said Packet, and from Arichat to Guysborough on their return, if they return by this route.

1001. Seed Oats &
Field Peas

Resolved, That the sum of One Hundred Pounds be granted, to be placed at the disposal of His Excellency, for the purchase of Seed, Oats and Field Peas, agreeably to the report of the Agricultural Committee.

19. 5s 10d Award
St Paul & Sca-
tarie

Resolved, That the sum of Thirteen Pounds Five Shillings and Ten-pence be granted and paid to the Commissioners of St. Paul's and Scatarie, to defray their proportion of the expence incurred in drawing up their award.

1751. 12s 9d Ex-
penses of prosecu-
tion of Petit & La-
ramore

Resolved, That the sum of One Hundred and Seventy-five Pounds Twelve Shillings and Three-pence be granted and placed at the disposal of His Excellency the Lieutenant-Governor, to enable him to pay the several expences incurred in the Criminal Prosecution against Petit and Laramore, according to the report of the Select Committee.

171. 10s Mary
Hughes

Resolved, That the sum of Seventeen Pounds and Ten Shillings be granted and placed at the disposal of His Excellency the Lieutenant-Governor, for the purpose of paying to Mary Hughes that sum, upon her executing to the Province, pursuant to the report of the Select Committee, on her Petition, a sufficient conveyance of the lot of land at Digby, whereon the Block House now stands.

81. 15s 11d A.
Lawson

Resolved, That the sum of Eight Pounds Fifteen Shillings and Eleven-pence be granted and paid to Alexander Lawson, of Yarmouth—Duties paid by him on a Printing Press and Apparatus.

71. 2s 11d Rev.
Mr. Cossman

Resolved, That the sum of Seven Pounds Two Shillings and Eleven-pence be granted and paid to the Rev. Mr. Cossman, of Lunenburg, being the amount of duty paid by him on a Piano Forte imported, being part of his Furniture.

111. J. G. Hierlihy

Resolved, That the sum of Eleven Pounds be granted and paid to John George Hierlihy, for certain expences, and as a compensation for loss of time in pursuing a public prosecution under the Quarantine Act.

5701. 8s 10d Ex-
penses paid by Lt
Gov. in Cape-Bre-
ton

Resolved, That the sum of Three Hundred and Seventy Pounds Eight Shillings and Ten Pence be granted and placed at the disposal of His Excellency the Lieutenant-Governor, to repay the amounts advanced by him for the relief of Emigrants and Poor Settlers in Cape-Breton, and the support of the Humane Establishment at Scatarie, agreeably to the report of the Committee thereon.

201. C. E. Leonard

Resolved, That the sum of Twenty Pounds be granted and paid to Charles E. Leonard, Esquire, Collector of Excise at the Port of Sydney, to compensate him for extra trouble and expence in securing Duties on wrecked Merchandize, in accordance with the report of the Committee, and the recommendation of the Commissioners of the Revenue. *Resolved*,

- Resolved*, That the sum of Three Pounds and Fifteen Shillings be granted and paid to Eliza Sherlock, agreeably to the prayer of her Petition. 81. 15s Eliza Sherlock
- Resolved*, That it shall be lawful for His Excellency the Lieutenant-Governor to draw a Warrant on the Treasury, in favor of Mrs. Mary Wiswall, for the balance of salary which would have been payable to the late Judge Wiswall on the 31st December, 1836. Balance of salary Mrs. Wiswall
- Resolved*, That the sum of Two Pounds be granted and paid to John Northrup, for that amount of Province Notes destroyed by Fire. 21. J. Northrup
- Resolved*, That the sum of Five Pounds and Five Shillings be granted and paid to Jacob Crook, for burying seven Seamen on Crook's Island, in the County of Guysborough. 51. 5s J. Crook
- Resolved*, That the sum of Two Pounds and Ten Shillings be granted and paid to James Dawson, as a Drawback on paper exported to Prince Edward Island in 1835, agreeably to the report of the Committee. 21. 10s Jas. Dawson
- Resolved*, That the sum of Two Hundred and Twenty Pounds Eight Shillings and Five Pence be granted and paid to James Bain, James N. Shannon and Edward Allison, being the amount of Duty paid at the Custom House in Halifax upon wrecked Goods, afterwards exported to the United States of America, and on which they there paid the Duties. 220l. 8s 5d J. Bain
- Resolved*, That the sum of One Hundred Pounds be granted and paid to James Whitney, for running the Steam Boat between Annapolis and Digby, and St. John, the present year, under the same regulations, and in the same manner as heretofore. 100l. Jas. Whitney
- Resolved*, That the sum of Two Hundred Pounds be granted and paid in aid of the Halifax Steam Boat Company for the present year. 200l. Halifax Steam Boat
- Resolved*, That the sum of Seventeen Pounds Four Shillings and Eight-pence be granted and paid to the Committee of the Bar Society, in pursuance of the prayer of their Petition, and the report of the Committee thereon. 17l. 4s 8d Bar Society
- Resolved*, That the sum of Forty Pounds, in addition to the sum of Sixty Pounds heretofore now by Law granted and paid to the Rev. Doctor Willis, to enable him more fully to compensate the Teachers of the African School, for the present year. 40l. African School
- Resolved*, That the sum of Nineteen Pounds Thirteen Shillings be granted and paid to James Leishman, being the amount of Duties twice paid by him on Goods imported in the first instance in the Ship Eagle. 19l. 13s J. Leishman
- Resolved*, That the sum of Thirty Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor, to aid the Indians in erecting a Chapel in the Island of Cape-Breton. 30l. Indian Chapel in Cape-Breton
- Resolved*, That the sum of Fifty-three Pounds Thirteen Shillings and Nine Pence, be granted and paid to James Turnbull, Esquire, to defray the expense of extra Waiters, and to compensate him for his services, in securing Duties on Merchandize saved from the wreck of the Iona. 53l. 13s 9d J. Turnbull
- Resolved*, That the sum of Twenty-six Pounds Eighteen Shillings and Two Pence Half-penny, be granted and paid to John Farquhar, being the amount of Duties on Goods consumed in his Store by fire. 26l. 18s 2d John Farquhar
- Resolved*, That the sum of Twelve Pounds be granted and paid to John Romans, Collector of Impost, at Truro, for expenses incurred in travelling from thence to Halifax and back again, to appear before a Committee of this House. 12l. J. Romans
- Resolved*, That the sum of Twenty Pounds, in addition to the sum voted last Session, be granted and paid to erect a Beacon on Wedge Island, at the mouth of St. Mary's River. 20l. Beacon Wedge Island
- Resolved*, That the sum of Forty-five Pounds be granted and paid to the Owners of the Packet running between Windsor and Partridge Island, to encourage the running of the said Packet between the said places, under such regulations as may be made and ordered by the Justices in their Sessions for the County of Hants for the present year. 45l. Parrsborough Packet
- Resolved*, That such sum as will pay Fifteen Pounds Sterling in London, be granted and paid to the Speaker of the House of Assembly, to pay for Acts of Parliament and Journals of the House of Commons and Parliamentary Papers, obtained by him from London, for the use of the House of Assembly, pursuant to the Resolution of last Session. 15l. Sterling to Speaker
- Resolved*, That the sum of Nine Pounds Seventeen Shillings be granted and paid to the Clerk of the Crown at Halifax, to defray the amount of taxed costs in the cause of the King against twenty-three Casks of Brandy, condemned in the Supreme Court. 9l. 17s Clerk of the Crown

150l. Breakwater at
Margaree

Whereas, in the year 1832 the sum of One Hundred and Fifty Pounds was granted in aid of the Breakwater at Margaree, Cape-Breton, to be drawn from the Tréasury when it should be duly certified to the Secretary of the Province that double the amount had been expended; *And whereas*, the sum of One Hundred and Forty-five Pounds had been raised by private contributions and expended on said work previous to said grant, and doubts have been entertained as to the meaning thereof: *Resolved*, that the sum of One Hundred and Fifty Pounds, granted as aforesaid, shall be paid to the Commissioners who may be appointed by His Excellency in that behalf, when it shall be certified to the Secretary of the Province that the sum of Four Hundred Pounds in all, including the above sum of One Hundred and Forty-five Pounds, has been expended in and about the erection of said Breakwater at Margaree, the further sum of Two Hundred and Forty-five Pounds to be laid out by contract, and the sufficiency of the work to be certified by the General Sessions.

100l. Breakwater
Wilmot

Resolved, That the sum of One Hundred Pounds be granted to the Inhabitants of Wilmot, to assist them in building a Breakwater on the Shore of Gate's Mountain, which sum of One Hundred Pounds shall be paid out of the Treasury, when the Commissioners for the erection of said Breakwater shall give sufficient evidence of their having expended One Hundred and Fifty Pounds raised by subscription, for the purpose of building said Breakwater.

5l. 19s. 3d. Overseers
of Poor at Barrington

Resolved, That the sum of Five Pounds Nineteen Shillings and Three Pence Half-penny, be granted and paid to the Overseers of the Poor for the Township of Barrington, for expenses incurred by them in maintaining a Transient Pauper.

To which Resolutions they desired the concurrence of this House.

The said Resolutions were read a first time.

Ordered, That the said Resolutions be read a second time.

Amendments to B.
N. A. Bank Bill
adhered to

On motion, *resolved*, that the amendments proposed by this House to the Bill, entitled, An Act to enable a Company called the Bank of British North America, to sue and be sued, in the name of any one of the Local Directors, or of the Managers of the Branches of the said Bank, established or to be established in this Province, be adhered to; and

Sent to H. A.

A Message was sent to the House of Assembly, by the Deputy-Clerk,
To return the said Bill, and acquaint them therewith.

Amendments to St.
Mary's Bill adhered
to

The amendments proposed by this House to the Bill, entitled, An Act to divide and set off the Township of St. Mary's as a separate and distinct District, were read; and

On motion, *resolved*, that the said amendments be adhered to.—Dissentients Mr. Allison, Mr. Tobin, Mr. Cogswell, Mr. Collins and Mr. Binney.

Sent to H. A.

A Message was sent to the House of Assembly, by the Deputy Clerk,
To return the said Bill and acquaint them therewith.

The President informed the House that he had received the following Letter from the Secretary of the Province, which was read by the Deputy-Clerk, as follows:—

Letter from Pro.
Sec. relating to
Yarmouth Light

Provincial Secretary's Office, Halifax, 4th April, 1837.

SIR—

With reference to a Resolution passed by His Majesty's Council on the 31st March last, requesting any information which the Lieutenant-Governor may have it in his power to afford with respect to the utility of erecting a Light-House on the Western side of the entrance of Yarmouth Harbour, I have the honor, by His Excellency's command, to request that you will lay before that Honorable Board the enclosed Copy of a Letter from His Excellency to the Naval Commander in Chief on this subject, and of that Officer's reply.

13th Sept. 1836
24th Sept. 1836

I have the honor to be,

Sir,

Your most obedient, humble Servant,
(Signed) RUPERT D. GEORGE.

The Honble. the President of H. M. Council.

(Copy)

Government-House, Halifax, 13th September, 1836.

Letter from the
Gov. to the Admiral
relative to Yar-
mouth Light

SIR—

In the last Session of the Legislature the enclosed Resolution was presented to me by a Committee of the House of Assembly, requesting I would take the earliest opportunity of obtaining

obtaining a report of the best situation for placing a Light at or near the entrance of Yarmouth Harbour. It has been suggested that the erecting one in that neighbourhood may lead to some accidents, being nearly in a line with the Brier Island and Shelburne Light-Houses.

I have to request that you would have the kindness to direct any of His Majesty's Cruisers employed in the Bay of Fundy, to examine and report whether it would add to the security of Navigation to build a Light-House in that neighbourhood; if so, the particulars of the situation and kind of Light most likely to be distinguished.—Mr. Clements and Mr. Huntington, the Members for Yarmouth, will be ready to afford every information.

I have the honor to be, Sir, Your Excellency's most obedient, humble Servant,
(Signed) C. CAMPBELL.

His Excellency Vice Admiral Sir Peter Halkett, G. C. H. Commander in Chief, &c. &c. &c.

Melville, Halifax, 24th September, 1836.

SIR—

In return to your Excellency's Letter of the 13th instant, enclosing a Resolution from the Committee of the House of Assembly, (31st March last,) and requesting certain information relative to the erection of a Light-House at the entrance of Yarmouth Harbour of this Province, I have the honor to acquaint you, that I have, agreeably to your request, given the necessary directions, though I fear that the season is too far advanced to obtain the information required by your Excellency.

Admiral's answer

I have the honor to be, Sir, Your Excellency's most obedient Servant,
(Signed) P. HALKETT, Vice Admiral.

His Excellency Major-General Sir Colin Campbell, K. C. B. &c. &c. &c.

The Resolution for granting the sum of £750 towards the erection of a Light-House on the West side of Yarmouth Harbour, was then read a second time.

Vote for Yarmouth Light disagreed to

Whereupon the following Resolution was moved:

Whereas, it appears by the foregoing Letters that His Excellency has not yet received sufficient information to authorize the proposed expenditure: *Resolved*, that the said Resolution be not agreed to: which, being seconded, and the question being put, was agreed to.

Whereas the opening of the Doors of the Council Chamber for the admission of Strangers has been frequently under the notice of the Council, but the consideration of it was deferred this Session in consequence of the interference which has already been noticed upon the Journals.—The Council now deem it right to take up the consideration of that subject; and it is thereupon, on motion of Mr. Prescott,

Resolution to appoint a Committee to report alterations when Strangers are admitted to Council Chamber

Resolved, That a Committee be appointed to suggest and report such alterations in the Council Chamber as may become necessary, whenever the Council decide that Strangers shall be admitted, under such regulations as the Council may deem proper.

On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Adjourn

Wednesday, 5th April, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.

The Honorable T. N. Jeffery, §
H. N. Binney, §
Enos Collins, §
S. B. Robie, §
Charles R. Prescott, §

The Honorable Samuel Cunard,
Henry H. Cogswell,
Peter McNab,
James Tobin,
Joseph Allison.

PRAYERS.

The Minutes of yesterday were read.

The President brought up the Petition of Henry Oakes and others, of Bridgetown, relative to the division of the County of Annapolis—which was ordered to lie on the Table.

Pet. of H. Oakes
Mr.

Pet. of M. Gordon and al. H. Purdy & al. J. Crawford and al. and G. Wells & al.

Mr. Robie brought up the Petition of M. Gordon and others; also, of Henry Purdy and others; also, of John Crawford and others; and also, of George Wells and others, relative to the Bill to abolish one of the sittings of the Inferior Courts of Common Pleas and General Sessions of the Peace for the Counties of Cumberland and Colchester and Pictou—which were ordered to lie on the Table.

A Message was brought from the House of Assembly, by Mr. Whidden, with the following Bills:

Firewards Bill A Bill, entitled, An Act to continue the Act to repeal the Act to amend the Acts respecting Firewards and Fires in Halifax, and to substitute other provisions in lieu thereof.

Bridewell Bill A Bill, entitled, An Act to continue the several Acts concerning the Bridewell and Police in Halifax.

Grand Juror's Bill A Bill, entitled, An Act to continue the Act relating to Grand Jurors.

Sable Island Bill A Bill, entitled, An Act to continue the Act for the better regulation of Sable Island and Seal Islands in this Province.

Nuisance in Rivers Bill A Bill, entitled, An Act to continue the Act in addition to, and in amendment of, the Act to prevent Nuisances by Hedges, Wears and other Incumbrances, obstructing the passage of Fish in the Rivers of this Province.

Fees of Constable Commrs. Court Bill A Bill, entitled, An Act to continue the Act to regulate the Fees of the Constable of the Court of Commissioners at Halifax.

Commrs. Court Bill A Bill, entitled, An Act to continue an Act relating to the Court of Commissioners in Halifax.

Pilotage Halifax Bill A Bill, entitled, An Act to continue the Act to regulate the Pilotage of Vessels at the Port of Halifax, and the several Acts in amendment thereof and additional thereto.

Light-House Bill A Bill, entitled, An Act to continue the Act for the support and regulation of Light-Houses.

Billeting of Troops A Bill, entitled, An Act to continue the Act to provide for the Accommodation and Billeting of His Majesty's Troops, or of the Militia, when on their march from one part of the Province to another, and also the Acts in amendment thereof.

Watch Bill A Bill, entitled, An Act to continue the Act for the better preservation of the Property of the Inhabitants of the Town of Halifax, by providing for a sufficient Watch at Night.

Highways Bill A Bill, entitled, An Act to remedy a mistake in the Act relating to Highways, Roads and Bridges.

Fire Engine Yarmouth Bill A Bill, entitled An Act for providing Fire Engines for the Town of Yarmouth, and for other purposes.

To which Bills they desired the concurrence of this House.
The said Bills were read a first time.

Continuing Bills referred Ordered, That the continuing Bills be referred to Mr. Binney and Mr. McNab, to examine and report upon.

Petition of J. Bain Mr. Allison brought up the Petition of James Bain and others—which was ordered to lie on the Table.

Money Votes

The following Resolutions for granting Money, viz:—

£500	0	0	Casualty Vote.
370	8	10	Expenses paid by Lt. Governor in Cape-Breton.
220	8	5	Messrs. James Bain and others, return of Duties.
200	0	0	Halifax Steam-Boat.
175	12	3	Expense of prosecution of Petit and Laramore.
150	0	0	Breakwater at Margaree.
100	0	0	Breakwater in Wilmot.
100	0	0	James Whitney, for Steam-Boat.
100	0	0	Importation of Seed Oats and Field Peas.
100	0	0	Commissioners of Light-Houses, St. Paul and Scatarie.
53	13	9	James Turnbull.
50	0	0	Guysborough Packet.
45	0	0	Parrsborough Packet.
40	0	0	African School.
30	0	0	Indian Chapel, Cape-Breton.
26	8	2½	John Farquhar, return of Duties.

£22 17 0

£22	17	0	Messrs. Cunard & Co. Drawback on Rum.
20	0	0	Teacher in Arichat Academy.
20	0	0	Charles E. Leonard.
20	0	0	Beacon on Wedge Island.
19	13	0	James Leishman, return of Duties.
17	10	0	Mrs. Hughes, of Digby.
17	4	8	Bar Society, return of Duties.
15	0	0	Sterling, Speaker, for Acts of Parliament, &c.
13	5	10	Commissioners on St. Paul and Scatarie Light-Houses, expenses of award.
12	0	0	John Romans.
11	0	0	John George Hierlihy.
9	17	0	Clerk of the Crown.
8	15	11	Alexander Lawson, return of Duty.
7	2	11	Rev. Mr. Cossman, return of Duty.
5	19	3½	Overseers of Poor in Barrington.
5	5	0	Jacob Crook.
3	15	0	Eliza Sherlock.
2	10	0	James Dawson.
2	0	0	John Northrup.

Were read a second time, and the question was put by the President, on each Resolution, Whether this Resolution be agreed to?

Read 2d time agreed to and sent to H. A.

It was resolved in the Affirmative.

A Message was sent to the House of Assembly, by the Deputy Clerk, To return the said Resolutions, and acquaint them therewith.

A Message was sent to the House of Assembly, by the Deputy-Clerk, To return the Resolution for granting £750 for a Light-House at Yarmouth, and acquaint them that this House have not agreed to the same.

Yarmouth Vote sent to H. A.

On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Adjourn

Thursday, 6th April, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.		
The Honorable T. N. Jeffery,	§ § § § §	The Honorable Samuel Cunard,
H. N. Binney,		Henry H. Cogswell,
Enos Collins,		Peter McNab,
S. B. Robie,		James Tobin,
Charles R. Prescott,		Joseph Allison.

PRAYERS.

The Minutes of yesterday were read.

A Message was brought from the House of Assembly, by Mr. Whidden,

To acquaint the House that the House of Assembly agreed to the amendments proposed by this House to the Bill, entitled, An Act to enable Members of the House of Assembly, about to leave the Province, or unable, from indisposition, to attend their duty to resign their seats therein.

Message agreeing to amendments to vacating seats of Members Bill

The Messenger also brought up the following Bills:

A Bill, entitled, An Act to continue, alter and amend, the several Acts now in force relative to the Inspection of Pickled Fish.

Pickled Fish Bill

A Bill, entitled, An Act to continue the Act to regulate the Expenditure of Monies hereafter to be appropriated for the Service of Roads and Bridges, and the Act in amendment thereof, and to alter and amend the said Acts.

Roads and Bridges Bill

A Bill, entitled, An Act for improving the Administration of Criminal Justice.

A Criminal Justice Bill

Elections Amherst
Bill
Bank of N. Scotia
Bill

A Bill, entitled, An Act relative to Elections for the Township of Amherst.
A Bill, entitled, An Act to amend the Act to Incorporate sundry Persons by the name of the President, Directors, and Company of the Bank of Nova-Scotia.
To which Bills they desired the concurrence of this House.
The said Bills were read a first time.
Ordered, That the said Bills be read a second time.

Report continuing
Bills
Bridewell Bill

Mr. Binney, the Chairman of the Committee to whom the continuing Bills were referred, made his report ; whereupon,
A Bill, entitled, An Act to continue the several Acts concerning the Bridewell and Police in Halifax ; also,

Light-House Bill

A Bill, entitled, An Act to continue the Act for the support and regulation of Light-Houses ; also,

Pilotage Halifax
Bill

A Bill, entitled, An Act to continue the Act to regulate the Pilotage of Vessels at the Port of Halifax, and the several Acts in amendment thereof and additional thereto ; also,

Nuisance in Rivers
Bill

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

Firewards Bill

A Bill, entitled, An Act to continue the Act to repeal the Act to amend the Acts respecting Firewards and Fires in Halifax, and to substitute other provisions in lieu thereof ; also,

Sable Island Bill

A Bill, entitled, An Act to continue the Act for the better regulation of Sable Island and Seal Islands in this Province ; also,

Grand Jurors Bill

A Bill, entitled, An Act to continue the Act relating to Grand Jurors ; also,

Watch Bill

A Bill, entitled, An Act to continue the Act for the better preservation of the Property of the Inhabitants of the Town of Halifax, by providing for a sufficient Watch at Night ; also,

Comms. Court Bill

A Bill, entitled, An Act to continue an Act relating to the Court of Commissioners at Halifax ; also,

Billetting of Troops
Bill

A Bill, entitled, An Act to continue the Act to provide for the Accommodation and Billetting of His Majesty's Troops, or of the Militia, when on their march from one part of the Province to another, and also the Acts in amendment thereof, were read a second time, and by order read a third time, and the question was put by the President, on each Bill,

Read 2d time a-
greed to and sent
to H. A.

Whether this Bill shall pass ?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy Clerk,

To return the said Bills, and acquaint them that this House have agreed to the same without any amendment.

Shubenacadie Ca-
nal Bill further com-
mitted

The House was adjourned, during pleasure, and put into a Committee on the further consideration of the Bill, entitled, An Act for increasing the Capital Stock of the Shubenacadie Canal Company, and the number of Shares therein, for conferring further powers on that Corporation, and for other purposes.—After some time the House was resumed, and Mr. Binney reported that the Committee had gone through the said Bill, and made several amendments thereto.

Amended

Which amendments being read twice by the Deputy-Clerk, were agreed to by the House.

Amendments a-
greed to

Ordered, That the said Bill be engrossed.

Bill read 3d time

The said Bill was then read a third time.

Amendment made

Then an amendment was made to the said Bill.

Agreed to and sent
to H. A.

The question was put by the President ?

Whether this Bill shall pass ?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy Clerk,

To carry down the said Bill, and desire their concurrence thereto.

Adjourn

On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Friday, 7th April, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.		The Honorable Henry H. Cogswell,
The Honorable T. N. Jeffery,	S e c r e t a r y	Peter McNab,
H. N. Binney,		James Tobin,
Enos Collins,		Joseph Allison.
S. B. Robie,		
Samuel Cunard,		

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act to enable the Members of the House of Assembly about to leave the Province, or unable, from indisposition, to attend their duty to resign their seats therein, was read as amended, and the question was put by the President?

Seats of Members Bill
Finally agreed to and sent to H. A.

Whether this Bill, as amended, shall pass?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk, To return the said Bill, and acquaint them therewith.

A Bill, entitled, An Act to continue the Act to regulate the Fees of the Constable of the Court of Commissioners at Halifax; also,

Fees of Constable Commrs. Court Bill

A Bill, entitled, An Act for providing Fire Engines for the Town of Yarmouth, and for other purposes; also,

Fire Engine Yarmouth Bill

A Bill, entitled, An Act to remedy a mistake in the Act relating to Highways, Roads and Bridges, were read a second time.

Mistake in Highways Bill
Read 2d time

Ordered, That the said Bills be committed to a Committee of the whole House presently.

Committed

—The House was adjourned, during pleasure, and put into a Committee on the said Bills. After some time the House was resumed, and Mr. Jeffery reported that the Committee had gone through the said Bills, and had directed him to report the two first Bills to the House without any amendment.

2 first reported without amendment

The Bill, entitled, An Act to continue the Act to regulate the Fees of the Constable of the Court of Commissioners at Halifax, was then read a third time, and the question was put by the President?

Constable's Fees of Commrs. Court Bill
read 3d time and agreed to

Whether this Bill shall pass?

It was resolved in the Affirmative—Mr. Cogswell dissenting.

The Bill, entitled, An Act for providing Fire Engines for the Town of Yarmouth, and for other purposes, was then read a third time, and the question was put by the President?

Fire Engine Yarmouth Bill read 3d time and agreed to

Whether this Bill shall pass?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk,

Bills sent to H. A.

To return the said two Bills, and acquaint them that this House have agreed to the same without any amendment.

The Chairman also reported that the Committee had made several amendments to the Bill, entitled, An Act to remedy a mistake in the Act relating to Highways, Roads and Bridges.

Mistake in Highways Bill reported with amendments

Which amendments being read twice by the Deputy-Clerk, were agreed to by the House. The said Bill was then read a third time, and the question was put by the President?

Amendments agreed to
Bill read 3d time, agreed to and sent to H. A.

Whether this Bill, with the amendments, shall pass?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk,

To return the said Bill, and acquaint them that this House have made several amendments to the said Bill—to which they desire the concurrence of the House of Assembly.

A Message was brought from the House of Assembly, by Mr. Whidden, with

Militia Bill

A Bill, entitled, An Act respecting the Militia of this Province.

To which Bill they desired the concurrence of this House.

The said Bill was read a first time.

Ordered,

Referred to Committee

Ordered, That the said Bill be referred to Mr. Jeffery and Mr. Cunard, to examine and report upon.

Adjourn

On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Saturday, 8th April, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.	
The Honorable T. N. Jeffery,	The Honorable Samuel Cunard,
H. N. Binney,	Henry H. Cogswell,
Enos Collins,	Peter McNab,
S. B. Robie,	James Tobin,
Charles R. Prescott,	Joseph Allison.

PRAYERS.

The Minutes of yesterday were read.

A Message was brought from the House of Assembly, by Mr. Whidden, with the following Resolutions :

General division of Road Vote

Resolved, That the sum of Ten Thousand Pounds granted for the service of Roads and Bridges for the present year, be applied as follows :—

Halifax	£960
Hants	795
King's	790
Annapolis	850
Shelburne	460
Yarmouth	460
Queen's	520
Lunenburg	730
Colchester	750
Cumberland	630
Pictou	790
Sydney	440
Guysborough	440
Cape-Breton	525
Richmond	420
Juste-au-Corps	440

—£10,000

Division of £960 Halifax County

Also, with a Resolution specifically applying the sum of £960 appropriated for Roads and Bridges in Halifax County ;

£795 Hants Co.

Also, with a Resolution specifically applying the sum of £795, appropriated for Roads and Bridges in Hants County ;

£790 King's Co.

Also, with a Resolution specifically applying the sum of £790, appropriated for Roads and Bridges in King's County ;

£850 Annapolis Co.

Also, with a Resolution specifically applying the sum of £850, appropriated for Roads and Bridges in Annapolis County ;

£460 Shelburne Co.

Also, with a Resolution specifically applying the sum of £460, appropriated for Roads and Bridges in Shelburne County ;

£460 Yarmouth Co.

Also, with a Resolution specifically applying the sum of £460, appropriated for Roads and Bridges in Yarmouth County ;

£520 Queen's Co.

Also, with a Resolution specifically applying the sum of £520, appropriated for Roads and Bridges in Queen's County ;

£730 Lunenburg County

Also, with a Resolution specifically applying the sum of £730, appropriated for Roads and Bridges in Lunenburg County ;

£750 Colchester Co.

Also, with a Resolution specifically applying the sum of £750, appropriated for Roads and Bridges in the County of Colchester ;

£630 Cumberland County

Also, with a Resolution specifically applying the sum of £630, appropriated for Roads and Bridges in the County of Cumberland ;

Also,

Also, with a Resolution specifically applying the sum of £790, appropriated for Roads and Bridges in the County of Pictou; £790 Pictou Co.

Also, with a Resolution specifically applying the sum of £440, appropriated for Roads and Bridges in the County of Sydney; £440 Sydney Co.

Also, with a Resolution specifically applying the sum of £440, appropriated for Roads and Bridges in the County of Guysborough; £440 Guysboro' Co.

Also, with a Resolution specifically applying the sum of £420, appropriated for Roads and Bridges in the County of Richmond. £420 Richmond County

Resolved, That the sum of Five Hundred and Twenty-five Pounds, granted during the present Session, for Roads and Bridges in the County of Cape-Breton, and not specifically appropriated, be applied and expended in such manner as His Excellency the Lieutenant-Governor for the time being may think fit. £525 Cape-Breton County

Resolved, That the sum of Four Hundred and Forty Pounds, appropriated for the service of Roads and Bridges in the County of Inverness, in the present year, be placed at the disposal of His Excellency the Lieutenant-Governor. £440 Inverness Co.

To which Resolutions they desired the concurrence of this House.

The said Resolutions were read a first time.

A Bill, entitled, An Act relative to Elections for the Township of Amherst, was read a second time. Elections Amherst Bill read 2d time

Ordered, That the said Bill be committed to a Committee of the whole House presently. The House was adjourned during pleasure, and put into a Committee on the said Bill.—After some time the House was resumed, and Mr. Jeffery reported that the Committee had gone through the said Bill, and had directed him to report the same to the House without any amendment. Committed
Reported without amendment

A Message was brought from the House of Assembly, by Mr. Whidden, desiring a Conference with this House, by Committee, on the subject of the amendments proposed by this House to the Bill, entitled, An Act for abolishing the office of Associate Judge of the Supreme Court. Conference asked on amendments to Associate Judge Bill

Ordered, That the said Conference be agreed to, and that the Deputy-Clerk do acquaint the House of Assembly therewith. Agreed to

Ordered, That Mr. Prescott and Mr. McNab, be a Committee of this House to manage the said Conference. Committee

And the Managers went to the Conference, and being returned, Mr. Prescott reported that the Committee had held the said Conference, and stated the substance of the Conference to the House. Report

A Message was brought from the House of Assembly, by Mr. Whidden, To return the Bill, entitled, An Act for abolishing the office of Associate Judge of the Supreme Court, and to acquaint this House that they have agreed to the amendments made by this House thereto with several amendments, to which they desire the concurrence of this House. Message agreeing to amendments to Associate Judge Bill with amendments

On motion made and seconded—the House adjourned until Monday, at one o'clock. Adjourn

Monday, 10th April, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton,	§	Chief-Justice—President.
The Honorable T. N. Jeffery,	§	The Honorable Samuel Cunard,
H. N. Binney,	§	Henry H. Cogswell,
Enos Collins,	§	Peter McNab,
S. B. Robie,	§	James Tobin,
Charles R. Prescott,	§	Joseph Allison.

PRAYERS.

The Minutes of Saturday were read.

- Poor Settlers' Bill A Message was brought from the House of Assembly, by Mr. Whidden, with A Bill, entitled, An Act to afford relief to Poor Settlers in this Province. To which Bill they desired the concurrence of this House. The said Bill was read a first time. Ordered, That the said Bill be read a second time.
- Division of Road Money The Resolution dividing the sum of Ten Thousand Pounds voted for Roads and Bridges for the present year, among the different Counties ; also,
- £960 Halifax The Resolution specifically applying the sum of £960 appropriated for Roads and Bridges in the County of Halifax ; also,
- £795 Hants Co. The Resolution specifically applying the sum of £795, appropriated for Roads and Bridges in the County of Hants ; also,
- £790 King's Co. The Resolution specifically applying the sum of £790, appropriated for Roads and Bridges in King's County ; also,
- £850 Annapolis The Resolution specifically applying the sum of £850, appropriated for Roads and Bridges in the County of Annapolis ; also,
- £460 Shelburne The Resolution specifically applying the sum of £460, appropriated for Roads and Bridges in the County of Shelburne ; also,
- £460 Yarmouth The Resolution specifically applying the sum of £460. appropriated for Roads and Bridges in the County of Yarmouth ; also,
- £520 Queen's Co. The Resolution specifically applying the sum of £520, appropriated for Roads and Bridges in Queen's County ; also,
- £730 Lunenburg The Resolution specifically applying the sum of £730, appropriated for Roads and Bridges in the County of Lunenburg ; also,
- £750 Colchester The Resolution specifically applying the sum of £750, appropriated for Roads and Bridges in the County of Colchester ; also,
- £630 Cumberland The Resolution specifically applying the sum of £630, appropriated for Roads and Bridges in the County of Cumberland ; also,
- £790 Pictou The Resolution specifically applying the sum of £790, appropriated for Roads and Bridges in the County of Pictou ; also,
- £440 Sydney The Resolution specifically applying the sum of £440 appropriated for Roads and Bridges in the County of Sydney ; also,
- £440 Guysborough The Resolution specifically applying the sum of £440. appropriated for Roads and Bridges in the County of Guysborough ; also,
- £440 Richmond The Resolution specifically applying the sum of £440 appropriated for Roads and Bridges in the County of Richmond ; also,
- £525 Cape-Breton The Resolution relative to the sum of £525, appropriated for Roads and Bridges in the County of Cape-Breton ; also,
- £440 Inverness The Resolution relative to the sum of £440, appropriated for Roads and Bridges in the County of Inverness, were read a second time, and the question was put by the President, on each Resolution,
Whether this Resolution be agreed to ?
It was resolved in the Affirmative.
A Message was sent to the House of Assembly, by the Deputy Clerk,
To return the said Resolutions, and acquaint them that this House have agreed to the same without any amendment.
- Amherst Election Bill read 3d time agreed to and sent to H. A. A Bill, entitled, An Act relative to Elections for the Township of Amherst, was read a third time, and the question was put by the President ?
Whether this Bill shall pass ?
It was resolved in the affirmative.
A Message was sent to the House of Assembly, by the Deputy-Clerk,
To return the said Bill, and acquaint them that this House have agreed to the same without any amendment.
- Conference on Associate Judge Bill Instructions to Com. On motion, *resolved*, that a Conference be desired with the House of Assembly upon the subject of the last Conference, and that the Committee of this House be instructed to inform the Committee of the House of Assembly, that this House are also unanimous in desiring the

the abolition of the Office of the Associate Circuit Judge of the Supreme Court, which, under the present arrangement of the Circuits, imposes an unnecessary burthen upon the Treasury.

But should the temporary Law which now regulates the Circuits be permitted to expire, the former Acts respecting them, under which the Office of Associate Judge was created, would revive, and that Office would then be as necessary as it was at the time of its creation.

That temporary Act expires this Session, and the House of Assembly propose to continue it for one year only in the Act which permanently abolishes the Office of the Associate Circuit Judge.

This House cannot consent to this measure, for should that Act be permitted to expire at the termination of the next Session, and the King's Representative or this House should not concur in the views which the House of Assembly may entertain upon the subject of the Circuits, the old system must then revive, when an Office deemed essential for the execution of the duties required by it has been abolished.

The King's Representative and this House would then be either compelled to adopt a measure of which they did not approve, or to place the Country in a very embarrassing situation.

The plan proposed by this House is free from those difficulties. If the present system which has now undergone a trial of three years, is rendered perpetual by Law, as this House propose, it will not preclude the adoption of any improvements in it during the next Session, which all the Branches of the Legislature consider to be such, but each will be enabled to exercise its independent judgment upon the proposed measure; and should they not finally concur in the adoption of such proposals, the Country would still have a *practicable* system, under which justice would continue to be administered to His Majesty's Subjects throughout the Province.

This House must therefore adhere to the amendment by which the present system of holding the Circuits is rendered perpetual, but they willingly concur in the other amendments proposed by the House of Assembly—one of which illustrates the benefits of submitting the measures of one Branch of the Legislature to the consideration of the other, where any omissions or mistakes, arising either from inadvertence or other causes, may be, and frequently are, supplied and corrected.

In this case, this House admit that, in their proposal to continue the Act which established the system of the Circuits in 1834, they did not advert to the Act amending that system in 1835—which inadvertence, the House of Assembly have very properly corrected.

The Public would soon be deprived of this benefit, if each Branch were not left to the independent exertion of its own judgment.

This House (although they have no objection so to modify the Bill as to prevent the appointment of an Associate Judge, so long as the Bill which the House of Assembly propose to continue for one year shall remain in force), trust that the House of Assembly will concur in the Bill as framed upon the views herein expressed; for should it be lost, and the former system thereby revived, it will become the duty of the Executive to appoint an Associate Judge as soon as the Session terminates, and an expense will thereby be entailed upon the Province, which the Public would justly deem to be burthensome and unnecessary.

A Message was sent to the House of Assembly, by the Deputy-Clerk, to desire such Conference. Conferences asked

A Message was brought from the House of Assembly, by Mr. Whidden, agreeing to the Conference desired by the House. Agreed to

Ordered, That the Committee who managed the last Conference do manage the present Conference. Committee

And the Managers went to the Conference, and being returned, Mr. Prescott reported that the Committee had held the said Conference, and had communicated their instructions to the Committee of the House of Assembly. Report

And the said amendments having been thrice read by the Deputy-Clerk, Amendments

It was thereupon, *resolved*, that this House do not concur with the House of Assembly in the amendment proposed by the House of Assembly to leave out the words "*render perpetual*," in the title of the Bill, and to insert instead thereof the word "*continued*." 1st not agreed to

It was further *resolved*, that this House do not concur with the House of Assembly in the proposal 2d partly agreed to and partly disagreed to

proposal to leave out all the words after the word "contained," in the first clause, proposed by this House to be added to the Bill; but they do concur with the House of Assembly in the proposal to insert the following words at the end of the said clause, viz: "except in so far as the same have been altered by the Act passed in the fifth year of His present Majesty's Reign, entitled, An Act to discontinue one sitting of the Supreme Court in each year, in the Upper and Lower Districts of the County of Sydney, and for altering the sittings of the said Court in the said County, and in the County of Cape-Breton, and except also in so far as the same are altered by this Act"; but they do not concur in the proposal of the House of Assembly to add the following words to this clause, viz: "shall be continued, and the same are hereby continued for one year, and from thence to the end of the then next Session of the General Assembly."

3d and 4th agreed to

It was also *resolved*, that this House do concur in the two last amendments proposed by the House of Assembly to the amendments proposed by this House to the said Bill.

Adjourn

On motion made and seconded—the House adjourned until Tomorrow, at one o'clock.

Tuesday, 11th April, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief Justice—President.	
The Honorable H. N. Binney,	The Honorable Henry H. Cogswell,
Enos Collins,	Peter McNab,
S. B. Robie,	James Tobin,
Charles R. Prescott,	Joseph Allison.
Samuel Cunard,	

PRAYERS.

The Minutes of yesterday were read.

A Message was brought from the House of Assembly, by Mr. Whidden, with the following Resolutions:

£4 Change of appropriation in Kempt

Resolved, That that the sum of Four Pounds granted for the Road between Kempt and Noel in 1834, and not drawn from the Treasury, be drawn and paid to Adam Hunter, the Commissioner, to pay for a Road Plough furnished by him for the use of the Road.

Change of appropriation in Onslow

Resolved, That the sum of Five Pounds granted in the year 1832 from Cork Settlement to Downing's, and the sum of Six Pounds for a Bridge near Drysdale's, in Earl Town, be now appropriated and expended on the Main Road from Onslow to Tatamagouche, in addition to Forty Pounds granted for that purpose for the present year.

To which Resolutions they desired the concurrence of this House.

The said Resolutions were read a first time.

Ordered, That the said Resolutions be read a second time.

Pickled Fish Bill read 2d time

A Bill, entitled, An Act to continue, alter and amend, the several Acts now in force relative to the Inspection of Pickled Fish, was read a second time.

Committed

Ordered, That the said Bill be committed to a Committee of the whole House presently.—The House was adjourned, during pleasure, and put into a Committee on the said Bill. After some time the House was resumed, and Mr. Binney reported that the Committee had gone through the said Bill, and had made an amendment thereto.

Amended

Which amendment being read twice by the Deputy-Clerk, was agreed to by the House.

Amendment agreed to Bill read 3d time agreed to and sent to H. A.

The said Bill was then read a third time, and the question was put by the President?

Whether this Bill, with the amendment, shall pass?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy Clerk,

To return the said Bill, and acquaint them that this House have made an amendment to the said Bill, to which amendment they desired the concurrence of the House of Assembly.

Message to H. A. relative to Associate Judge Bill

A Message was sent to the House of Assembly, by the Deputy-Clerk, To return the Bill, entitled, An Act for abolishing the Office of Associate Judge of the Supreme

Supreme Court, and to acquaint them that this House have agreed to some of the amendments, and have not agreed to others of the amendments made by the House of Assembly to the amendments made by this House to the said Bill, as specified in the Resolution sent herewith.

A Bill, entitled, An Act to afford relief to Poor Settlers in this Province, was read a second time.

Poor Settlers' Bill
read 2d time

Ordered, That the said Bill be committed to a Committee of the whole House presently.— The House was adjourned, during pleasure, and put into a Committee on the said Bill.— After some time the House was resumed, and Mr. Binney reported that the Committee had gone through the said Bill, and had directed him to report the same to the House without any amendment.

Committed

The said Bill was then read a third time, and the question was put by the President?

Reported without
amendment

Whether this Bill shall pass?

Read 3d time

It was resolved in the affirmative—Mr. Robie, Mr. Prescott and Mr. McNab, dissenting, to the sixth clause of the said Bill, because it makes Paper a tender and payment.

Agreed to
Dissentients

A Message was sent to the House of Assembly, by the Deputy Clerk,

Bill sent to H. A.

To return the said Bill, and acquaint them that this House have agreed to the said Bill without any amendment.

On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Adjourn

Wednesday, 12th April, 1837.

The House met pursuant to adjournment.

P R E S E N T —

The Honorable Brenton Halliburton, Chief-Justice—President.		
The Honorable H. N. Binney,	S P E E C H E R S	The Honorable Henry H. Cogswell,
Enos Collins,		Peter McNab,
S. B. Robie,		James Tobin,
Charles R. Prescott,		Joseph Allison.
Samuel Cunard,		

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act to continue the Act to regulate the Expenditure of Monies hereafter to be appropriated for the Service of Roads and Bridges, and the Act in amendment thereof, and to alter and amend the said Acts, was read a second time.

Roads & Bridges
Bill read 2d time

Ordered, That the said Bill be committed to a Committee of the whole House presently.— The House was adjourned, during pleasure, and put into a Committee on the said Bill.— After some time the House was resumed, and Mr. Binney reported that the Committee had gone through the said Bill, and had directed him to report the same to the House without any amendment.

Committed

Reported without
amendment

The said Bill was then read a third time, and the question was put by the President,

Read 2d time agreed
to & sent to H. A.

Whether this Bill shall pass?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk,

To return the said Bill, and acquaint them that this House have agreed to the same without any amendment.

The following Resolutions for granting Money, viz :

£4 Change of appropriation in Kempt.

£5 & £6 do. do. Onslow,

Money votes read
2d time agreed to &
sent to H. A.

Were read a second time, and the question was put by the President, on each Resolution, Whether this Resolution be agreed to?

It was resolved in the Affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk,

To return the said Resolutions, and acquaint them that this House have agreed to the said Resolutions without any amendment.

A Message was brought from the House of Assembly, by Mr. Whidden, with the following Resolutions :

£300 great Western Road

Resolved, That the sum of Three Hundred Pounds be granted and placed at the disposal of His Excellency, to pay that amount expended for the repair and improvement of the Great Western Road between Halifax and Windsor, under the Resolution of this House, during the last Session.

£19 Oat Mill Guysboro'

Resolved, That the sum of Nineteen Pounds be granted and paid to such person or persons as shall, within two years, erect and put in operation the first Oat Mill and Kiln, on the North West Branch of Salmon River, in the County of Guysborough.

£50 Adjutant & Quarter Master General

Resolved, That the Lieutenant-Governor be authorised to draw from the Treasury the sum of Fifty Pounds to be apportioned between the Adjutant-General and Quarter-Master General of Militia, for their services during the present year; and that this House will, at its next Session, provide for the payment of the same.

£100 for 3 years Steam Boat Bay of Fundy

Resolved, That the sum of One Hundred Pounds per annum, for three years, be granted and paid to any person or persons who will Navigate the Waters of the Bay of Fundy with a Steam-Boat of sufficient Horse power, to the satisfaction of the Lieutenant-Governor, to ply between Windsor and Parrsboro', and Horton and Parrsboro', to carry a Mail once a week, to each place.

£62 15s 6d survey of Road from Avon Bridge

Resolved, That the sum of Sixty Two Pounds Fifteen Shillings and Six Pence be granted and placed at the disposal of His Excellency the Lieutenant-Governor, to enable him to defray the expense of the Survey, and exploring the line of Road from the New Avon Bridge, near Windsor, to Mud Bridge at Wolfville, in Horton, pursuant to His Excellency's recommendation.

£47 6s 9 C. H. Belcher

Resolved, That the sum of Forty Seven Pounds Six Shillings and Nine Pence be granted and paid to Clement H. Belcher, for Binding and Lettering 4th Volume of the Province Laws and Journals of the Commons, and Acts of the Imperial Parliament, as per Account, and the report of the Select Committee thereon.

£150 Comr's. Light Houses

Resolved, That the sum of One Hundred and Fifty Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor, to enable the Commissioners of Light Houses to put in useful operation the Light-House on Cross Island, by a revolving and fixed lower Light, or otherwise to distinguish said Light-House, as the Commissioners may deem proper, agreeably to the report of the Committee.

£37 15s 1d Indian Meal for Country Harbour &c.

Resolved, That the sum of Thirty-seven Pounds Fifteen Shillings and One Penny be granted and placed at the disposal of His Excellency, to defray the expenses incurred in furnishing Indian Meal, for the relief of the Inhabitants of Country Harbor, Fisherman's Harbor, and Beckington, agreeably to their Petition.

£300 Eastern £400 Western Stage Coaches 3 years

Resolved, That there shall be granted and paid to the Proprietors of the Eastern and Western lines of Stage Coaches for three years, from and after the end of the present year, by quarterly payments, such sum as will, with the allowance now made from the General Post-Office Fund, amount to the annual sum of Three Hundred Pounds to the former, and Four Hundred Pounds to the latter, to ensure, by each, the transmission of the Mails between Halifax and Pictou, and Halifax and Annapolis, twice in each week—the above granted amounts to be included in the Post-Office Accounts.

Pay to 1st July to Ins. Field Officers

Resolved, That it shall be lawful for His Excellency the Lieutenant-Governor, to draw his Warrant on the Treasury, for the pay or Salary of the Inspecting Field Officers of Militia, up to, and not beyond, the first day of July next.

£25 G. B. Watson

Resolved, That the sum of Twenty-five Pounds be granted and paid to George B. Watson, for his services as Teacher in the Annapolis Academy, agreeably to the report of the Committee.

£18 0s 6d Overseers of Poor Annapolis

Resolved, That the sum of Eighteen Pounds and Six Pence be granted and paid to the Overseers of the Poor for the Township of Annapolis, for so much paid by them for the support of a Transient Pauper, agreeably to the report of the Select Committee.

£35 8s 6d Overseers of Poor Dorchester

Resolved, That the sum of Thirty-three Pounds Eight Shillings and Six Pence be granted and paid to the Overseers of the Poor for the Township of Dorchester, for so much paid by them for the support of Transient Paupers, agreeably to the report of the Select Committee.

£75 Relief of Blacks

Resolved, That the sum of Seventy-five Pounds be granted and placed at the disposal of His

His Excellency, to repay the sum of Twenty-five Pounds expended by His Excellency, for the relief of the Colored Population of Hammond's Plains, Birch Hill and Preston, agreeably to the Resolution of this House, during the present Session; and also, to enable His Excellency to take such measures for the further relief and amelioration of the condition of the said Colored Population as may be deemed proper, agreeably to the Message of His Excellency to this House, of the 17th March last.

Resolved, That the sum of One Hundred and Fifty Pounds be granted and paid to Messrs. Samuel Cunard and Company, for the support of a sufficient Steam Boat for the carrying of Merchandize and Passengers between the Port of Pictou and Prince Edward's Island, upon the following conditions, that is to say—that the Government of the said Island shall make a similar provision for the same Boat, and that she shall be kept continually plying between the said places from the opening to the closing of the Navigation in each year, and perform a voyage at least once a week, during each season, unless in case of unavoidable accident, with convenient accommodation for Passengers.

£150 Steam Boat
between Pictou &
Pr. Edw. Island

Resolved, That that there shall be granted and paid to the Commissioners for signing Treasury Notes, the sum of One Hundred Pounds; and to the Treasurer of the Province the sum of One Hundred and Fifty Pounds, as a compensation for their services in issuing and cancelling Treasury Notes, and in negotiating Loans, paying off part of the Funded Debt, and preparing, renewing and altering, Stock Certificates since the year 1834.

£100 Comr's Trea-
sury Notes £150
Treasurer

Resolved, That the sum of Twenty Pounds be granted and paid to aid the Inhabitants of Gape-Breton in supporting a suitable Boat or Scow to run between M'Millan's Point, in Cape-Breton, and Auld's Cove, in the County of Sydney—the said Boat or Scow to be placed under the regulation of the General Sessions for the County of Inverness.

£20 Ferry Gut of
Canso

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 to run between Londonderry and that place—the said Boat to run under the regulations of the General Sessions for the County of Hants; to be paid by Warrant from His Excellency the Lieutenant-Governor, upon Certificate from said Sessions that such Boat has been running at least twice a week for four months, to the satisfaction of the said Sessions, under their regulations.

£20 Ferry Shubena-
cadie

Resolved, That the sum of Seventy-two Pounds and Ten Shillings be granted and paid to Messrs. John Howe and Son, for printing the Journals of His Majesty's Council for the Session of 1836; and also, the further sum of Thirty-three Pounds and Ten Shillings for extra printing for the last year, agreeably to their account.

£72 10s & £33 10 J.
Howe & Son

Resolved, That a sum not exceeding One Thousand Five Hundred and Twenty Pounds be granted and paid for defraying the expenses of the Post Communication, for the year 1837, agreeably to the report of the Committee, and for the purposes therein stated; but such sum not to include the sums mentioned in the report of the Post-Office Committee, as payable to Messrs. Bergman, Smith and Martin.

£1520 Post Commu-
nication

Resolved, That a sum of money not exceeding Five Hundred Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor, to enable His Excellency to employ small Vessels to protect the Fisheries in the Bay of Fundy, Gulf of St. Lawrence, and on the Coasts of Nova-Scotia and Cape-Breton, with such force and powers, and under such regulations as he shall deem expedient.

£500 Protection of
Fisheries

To which Resolutions they desired the concurrence of this House.

The said Resolutions were read a first time.

Ordered, That the said Resolutions be read a second time.

Ordered, That the Bill, entitled, An Act to divide the County of Annapolis, and to regulate the Representation thereof, be the Order of the Day for to-morrow, to be read a second time.

Division of Annapo-
lis Order of Day

On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Adjourn

Thursday,

Thursday, 13th April, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief Justice—President.

The Hon. and Rt. Rev. the Lord Bishop, §
The Honorable H. N. Binney, §
S. B. Robie, §
Charles R. Prescott, §
Samuel Cunard, §

The Honorable Henry H. Cogswell,
Peter McNab,
James Tobin,
Joseph Allison.

PRAYERS.

The Minutes of yesterday were read.

A Message was brought from the House of Assembly, by Mr. Whidden,

To return the Bill, entitled, An Act for the further amendment of the Law and for the better advancement of Justice, and to acquaint this House that they have agreed to the same with several amendments, to which they desire the concurrence of this House; and also,

To return the Bill, entitled, An Act in further amendment of an Act made and passed in the thirty-second year of His Majesty King George the Second, entitled, An Act relating to Wills, Legacies and Executors, and for the Settlement and Distribution of the Estates of Intestates, and to acquaint this House that they have agreed to the same with several amendments, to which they desire the concurrence of this House.

The Messenger also brought up the following Bills:

A Bill, entitled, An Act to continue and amend the Act respecting the Trial of Issues in the Supreme Court, and for regulating the Times of holding the Circuits in the several Counties and Districts of this Province.

A Bill, entitled, An Act to revive, as to the Town of Halifax, the Act to regulate the Assize of Bread.

A Bill, entitled, An Act in amendment of the Act for the more easy Redemption and Foreclosure of Mortgages.

A Bill, entitled, An Act to render less dangerous the Navigation of the Gulf of St. Lawrence, by erecting Light Houses on the Islands of St. Paul and Scatarie, and for the support and maintenance thereof.

A Bill, entitled, An Act to increase the Representation of the County of Inverness.

A Bill, entitled, An Act to continue and amend the Act for the Summary Trial of Actions, and the Act in amendment thereof.

A Bill, entitled, An Act to regulate the Fishery of Saint Mary's Bay, in the County of Annapolis.

To which Bills they desire the concurrence of this House.

The said Bills were read a first time.

Ordered, That the said Bills be read a second time.

A Bill, entitled, An Act to divide the County of Annapolis, and to regulate the Representation thereof, was read a second time.

Ordered, That the said Bill be committed to a Committee of the whole House presently.—The House was adjourned, during pleasure, and put into a Committee on the said Bill. After some time the House was resumed, and Mr. Binney reported that the Committee had made some progress in the said Bill, and had directed him to report that, it was the opinion of the Committee that a Conference should be held with the House of Assembly on the said Bill.

Ordered, That the said report be received, and a Message was sent to the House of Assembly, by the Deputy-Clerk, to desire such Conference.

A Message was brought from the House of Assembly, by Mr. Whidden, agreeing to the Conference desired by the House.

Ordered, That Mr. McNab and Mr. Allison, be a Committee of this House to manage the said Conference.

And the Managers went to the Conference, and being returned, Mr. McNab reported that the Committee had held the said Conference, and stated the substance of the Conference to the House.

Message with amendments to Law amendments Bill

Amendments to Wills Bill

Circuit Bill

Assize of Bread Bill

Foreclosure of Mortgages Bill

Light-Houses for St. Paul and Scatarie Bill

Representation of Inverness Bill
Summary Trial Bill

Fishery St. Mary's Bay Bill

Annapolis County division Bill read 2d time

Committed

Report Conference

Report read, Conference asked

Agreed to

Committee

Report

On

On motion, the House was adjourned, during pleasure, and put into a Committee for the further consideration of the said Bill.—After some time the House was resumed, and Mr. Binney reported that the Committee had gone through the said Bill, and had made several amendments thereto.

Which amendments being read twice by the Deputy-Clerk, were agreed to by the House. Bill further committed
Ordered, That all the Members be summoned to attend the service of the House to-morrow. Reported with amendments
Amendments agreed to
Members summoned

The following Resolutions for granting money, viz :

£1520	0	0	Post Communication.	
500	0	0	Armed Vessel to protect the Fisheries.	
300	0	0	Eastern	} Stage Coaches, for three years.
400	0	0	Western	
300	0	0	Great Western Road, last year.	
150	0	0	Steam-Boat, Pictou and Prince Edward's Island.	
100	0	0	Commissioners, issuing Treasury Notes.	
150	0	0	Treasurer.	
100	0	0	Steam-Boat, Basin of Mines, for three years.	
75	0	0	Relief of Black People.	
72	10	0	} Messrs. Howe and Son.	
33	10	0		
62	15	6	Survey of Road from New Avon Bridge.	
47	6	9	C. H. Belcher.	
37	15	1	Provisions for Country Harbour, &c.	
33	8	6	Overseers of Poor, Dorchester.	
25	0	0	G. B. Watson.	
20	0	0	Shubenacadie Ferry.	
20	0	0	Ferry, Gut of Canso.	
19	0	0	Oatmill in Guysboro'.	
18	0	6	Overseers of Poor, Annapolis.	

Money Votes

Also, the Resolution granting pay to the Inspecting Field Officers of Militia, to the first day of July next, were read a second time, and the question was put by the President, on each Resolution, Read 2d time and agreed to

Whether this Resolution be agreed to?

It was resolved in the Affirmative.

On motion made and seconded—the House adjourned until To-morrow, at one o'clock. Adjourn

Thursday, 14th April, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.		The Honorable Henry H. Cogswell,
The Honorable H. N. Binney,	} <i>Present</i>	Peter McNab,
Enos Collins,		James Tobin,
S. B. Robie,		Joseph Allison.
Charles R. Prescott,		
Samuel Cunard,		

PRAYERS.

The Minutes of yesterday were read.

A Message was brought from the House of Assembly, by Mr. Whidden,

To return the Bill, entitled, An Act to amend the Act concerning Cemeteries or Burial Grounds in the Town of Halifax, and to inform the House that they have agreed to the same without any amendment. Message agreeing to Cemetery Bill

The Messenger also informed the House that the House of Assembly agreed to the amendments proposed by this House to the Bill, entitled, An Act to remedy a mistake in the Act relating to Highways, Roads and Bridges. Amendments to mistake in Highway Bill agreed to

The said Bill, now entitled, An Act to repeal an Act in addition to, and amendment of, the Bill read as amended agreed to and sent to H. A.

the Act for the choice of Town Officers and regulating of Townships, and to revive an Act in further addition to, and amendment of, the several Acts for the choice of Town Officers and regulating of Townships, was then read as amended, and the question was put by the President,

Whether this Bill, as amended, shall pass ?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy Clerk,
To return the said Bill, and acquaint them therewith,

Money Votes sent
to H. A.

A Message was sent to the House of Assembly, by the Deputy Clerk,
To return the Resolutions, agreed to yesterday, and acquaint them that this House have agreed to the said Resolutions without any amendment.

£150 Cross Island
Light read 2d time
agreed to and sent
to H. A.

The following Resolution for granting money, viz :

£150 For Lighting Cross Island Light-House, was read a second time, and the question was put by the President,

Whether this Resolution shall pass ?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk,
To return the said Resolution, and acquaint them that this House have agreed to the same without any amendment.

Annapolis Co. divi-
sion Bill read 3d
time agreed to

The Order of the Day for the Members being summoned, being read,
A Bill, entitled, An Act to divide the County of Annapolis, and to regulate the Representation thereof, was read a third time, and the question was put by the President,

Whether this Bill shall pass ?

It was resolved in the affirmative.

Dissentients

Dissentient to the passing of the Bill during the present Session, entitled, An Act to divide the County of Annapolis, and to regulate the Representation thereof.

Reasons

Because, altho' after this Bill was received from the House of Assembly by this House, accompanied by numerous Petitions of Freeholders in support of it, it was deemed proper to give a notice of fourteen days in the Royal Gazette Newspaper, calling upon persons interested in the division of the County, to communicate their opinions upon the subject of the division contemplated by the Bill ; and the Petitions that have come in since the publication of the Bill are more numerous signed against the Bill than in favor of it, yet this Bill has been passed before time can be given to ascertain the wishes of a majority of the Freeholders of the County.

Because, as the division of the County is a measure of great importance to the interests of the Freeholders resident therein, it does not appear to be just or expedient to pass an Act for this purpose, until the opinion of all such Freeholders can be known, which cannot be ascertained during the present Session.

Because, as the Representation is not to be increased until the next General Election, which may not take place for several years, it does not appear that any great inconvenience can be sustained by deferring the passing of this Act until the next Session.

Because, altho' these Dissentients are perfectly willing that a division of the large and populous County of Annapolis should be made ; yet they are not at present in possession of sufficient evidence of the wishes of the Freeholders as to enable them to decide upon the proper line of division, about which conflicting opinions are expressed in the Petitions now before the House.

(Signed)

HENRY H. COGSWELL,
ENOS COLLINS,
S. B. ROBIE.

Adjourn

On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Saturday,

Saturday, 15th April, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.	
The Honorable H. N. Binney,	§ The Honorable Henry H. Cogswell,
Enos Collins,	Peter McNab,
S. B. Robie,	James Tobin,
Charles R. Prescott,	Joseph Allison.
Samuel Cunard,	

PRAYERS.

The Minutes of yesterday were read.

A Message was brought from the House of Assembly, by Mr. Whidden,

To return the Bill, entitled, An Act for increasing the Capital Stock of the Shubenacadie Canal Company and the number of Shares therein; for conferring further powers on that Corporation, and for other purposes, and to acquaint the House that the House of Assembly had agreed to the said Bill without any amendment.

Message with Shubenacadie Canal Co. Bill and

And also, to return the Bill, entitled, An Act to extend the benefits of the Insolvent Debtors' Acts to persons arrested upon Mesne Process, and to acquaint the House that the House of Assembly have agreed to the said Bill without any amendment.

Insolvent Debtors' Bill agreed to without amendment

The Messenger also returned the Bill, entitled, An Act to Incorporate the Halifax Whaling Company, and acquainted the House that the House of Assembly have agreed to the same with several amendments—to which they desire the concurrence of this House.

Message agreeing to Whaling Co. Bill with amendments

The Resolution for granting to Mrs. Wiswall the balance of Salary which would have been payable to the late Judge Wiswall on the 31st December, 1836, was read a second time, and the question was put by the President,

£100 Mrs. Wiswall read 2d time agreed to and sent to H. A

Whether this Resolution be agreed to?

It was resolved in the Affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk,

To return the said Resolution, and acquaint them that this House have agreed to the same without any amendment.

A Message was brought from the House of Assembly, by Mr. Whidden, with the following Bills:

The 12 following Bills were brought up at 3 past 2 p. m.

A Bill, entitled, An Act to make better provision for the Trial of Offences committed on the High Seas.

Trial of offences at Sea Bill

A Bill, entitled, An Act for placing the Bridge at Bridgetown under the direction of the Commissioners of Highways for Bridgetown.

Bridge at Bridgetown Bill

A Bill, entitled An Act to extend to the Counties of Sydney and Guysborough the Act respecting Stray Horses and Cattle in the County of King's County, and for enabling the Owners thereof to discover the same.

Stray Cattle Sydney and Guysboro' Bill

A Bill, entitled, An Act to repeal the Act for appointing Commissioners to enquire into, and report upon, the expediency of reforming the practice and proceedings of Courts of Law and Equity, and the revising and consolidating the Laws of the Province.

Repeal of Law reform Bill

A Bill, entitled, An Act to revive, continue and amend, the Act to encourage the manufacture of Tobacco in the Province, by granting a Bounty thereon.

Tobacco Bill

A Bill, entitled, An Act for the appointment of Trustees of School Lands in the several Townships of this Province.

School Lands Bill

A Bill, entitled, An Act to establish a new Parish, to be called the Parish of Saint Margaret.

Saint Margaret's Parish Bill

A Bill, entitled, An Act in amendment of the Act relating to the Merchant Seamen of this Province.

Merchant Seamen Bill

A Bill, entitled, An Act to continue until the next Session, the proceedings of the Select Committee appointed to try the merits of the Petition against the Election for the Township of Annapolis.

Annapolis Town Election Bill

A Bill, entitled, An Act to prevent the Chief Justice or Justices of the Supreme Court from taking Fees.

Chief Justices' Fees Bill

A

Collector of Excise
Halifax Bill

A Bill, entitled, An Act respecting the Office of Collector of Impost and Excise for the District of Halifax.

Court-House Anna-
polis assessment
Bill

A Bill, entitled, An Act to limit the amount of assessment for building a Court-House and Jail in the County of Annapolis.

To which Bills they desired the concurrence of this House.

The said Bills were read a first time.

Ordered, That the said Bills be read a second time.

Circuit Court Bill
read 2d time

A Bill, entitled, An Act to continue and amend the Act respecting the Trial of Issues in the Supreme Court, and for regulating the times of holding the Circuits of the said Court in the several Counties and Districts of this Province, was read a second time.

Committed

Ordered, That the said Bill be committed to a Committee of the whole House presently. The House was adjourned, during pleasure, and put into a Committee on the said Bill.— After some time the House was resumed, and Mr. Binney reported that the Committee had gone through the said Bill, and had directed him to report that the Committee had made an amendment thereto.

Reported with a-
mendment

The said amendment was read by the Deputy-Clerk as follows, viz :—

Amendment

And Whereas, the office of Associate Circuit Judge is now vacant, and it will not be necessary to appoint any person to fill such vacancy as long as this Act is in force :

Be it therefore enacted, That so long as this Act remains in force, it shall not be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to appoint any person to be an Associate Circuit Judge, any thing in the Act passed in the fifty-sixth year of the Reign of His Majesty King George the Third, entitled, An Act to alter and extend the times of holding the Supreme Court in the several Counties and Districts of this Province, to the contrary thereof notwithstanding.

Read and agreed to

And the said amendment being read a second time was agreed to by the House.

Bill read 3d time
agreed to and sent
to H. A.

The said Bill was then read a third time, and the question was put by the President, Whether this Bill, with the amendments, shall pass ?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk,

To return the said Bill, and acquaint them that this House have agreed to the said Bill with an amendment—to which amendment they desire their concurrence.

Annapolis County
division Bill sent to
H. A.

A Message was sent to the House of Assembly, by the Deputy-Clerk,

To return the Bill, entitled, An Act to divide the County of Annapolis, and to regulate the Representation thereof, and to acquaint them that this House have agreed to the said Bill with several amendments—to which amendments they desire their concurrence.

Amendment to Will
Bill read

The House proceeded to the consideration of the amendments made by the House of Assembly to a Bill, entitled, An Act in further amendment of an Act, made and passed in the thirty-second year of His Majesty King George the Second, entitled, An Act relating to Wills, Legacies and Executors, and for the Settlement and Distribution of the Estates of Intestates.

not agreed to & sent
to H. A.

And the said amendments being read three times by the Deputy-Clerk, and it being proposed to disagree with the House of Assembly therein.

The question was put thereupon,

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk,

To return the said Bill, and acquaint them that this House do not agree to the amendments proposed by them to the said Bill.

Amendment to
Whaling Co. Bill
considered agreed
to & sent to H. A.

The House proceeded to the consideration of the amendments made by the House of Assembly to the Bill, entitled, An Act to Incorporate the Halifax Whaling Company.

Which amendments being read three times by the Deputy-Clerk, were agreed to by the House.

A Message was sent to the House of Assembly, by the Deputy-Clerk,

To return the said Bill, and acquaint them that this House have agreed to the amendments made by them to the said Bill.

Assize of Bread Bill
read 2d time

A Bill, entitled, An Act to revive, as to the Town of Halifax, the Act to regulate the Assize of Bread, was read a second time.

Ordered, That the said Bill be committed to a Committee of the whole House presently. The House was adjourned, during pleasure, and put into a Committee on the said Bill.— After some time the House was resumed, and Mr. Binney reported that the Committee had gone through the said Bill, and had directed him to report the same to the House without any amendment. Committed

The said Bill was then read a third time, and the question was put by the President, Whether this Bill shall pass ? Reported without amendment

It was resolved in the affirmative. Read 3d time, agreed to & sent to H. A.

A Message was sent to the House of Assembly, by the Deputy-Clerk,

To return the said Bill, and acquaint them that this House have agreed to the same without any amendment.

The House proceeded to take into consideration the amendments made by the House of Assembly to the Bill, entitled, An Act for the further amendment of the Law, and for the better advancement of Justice. Amendments to Law Amendment Bill considered

And the said amendments were read twice by the Deputy-Clerk, and are as follow, viz :

In the Preamble, between the word "oi" and the word "His" in the 3d line, insert the words "the reign of."

In the 40th line, after the word "Parliament," leave out the words "as are," and insert instead thereof as follows—"as also such other of the rules and orders for regulating the practice of the said Superior Courts, which were made by the Judges thereof, during the Reign of His present Majesty, previous to the passing the said Act of Parliament, as may be deemed."

In the first Clause, leave out all the words between the word "Province" in the 9th line, and the word "of," in the 10th line, and instead thereof, insert the words "such and so many." Leave out all the words between the word "Westminster," in the 14th line, and the word "under," in the 17th line. After the word "Parliament," in the 18th line, leave out the words "as they," and instead thereof, insert the following:—"and also such other of the rules and orders for regulating the practice of the said Superior Courts as were made by the Judges thereof, during the reign of His present Majesty, previous to the passing of the said Act of Parliament, and which the Judges of the Supreme Court of this Province, or any three of them, of whom the Chief-Justice shall be one."

At the end of the Clause add the following Proviso :

Provided always, that such rules, orders and regulations to be adopted and established as aforesaid, shall be published in the Royal Gazette, and in such other form as the Judges of the Supreme Court or any three of them shall direct, and when so adopted, established and published, shall have the like force and efficacy, and receive the same construction in the Courts of this Province, as if they had been enacted in General Assembly.

In the second clause, in the 10th line, omit the words "Fieri Facias," and instead thereof, insert the word "Execution."

In the eighth clause, at the end of the clause add the following words "and as the Judge shall reasonably tax the same."

In the thirteenth clause, in the 26th and 57th lines, omit the word "five," and instead thereof, insert the word "ten."

Leave out the Provisoes at the end of the clause.

In the fourteenth clause, between the words "Quo Warrants," in the 27th line, and the word "proceedings," in the 28th line, insert the word "or." Between the word "amendment" and the word "to," in the 74th line insert the following "and who shall have removed the cause by a Writ of Certiorari, if tried in the Court of Common Pleas." After the word "Supreme," in the 77th line, add the word "Court."

In the eighteenth clause, between the word "the" and the word "vend," in the 11th line, insert the words "docket or."

In the twenty-second clause, between the word "vend" and the word "under," in the 11th line, insert the words following, "or other Document whereon the trial shall have been had."

In the twenty-fourth clause, leave out the words "or demandant," in the 8th and 9th lines, and the words "or Tenant," in the 9th and 10th lines.

In the twenty-seventh clause, between the word "notice" and the word "shall," in the 23d line insert the words "in writing."

In the twenty-eighth clause, between the word "cause" and the word "to," in the 6th line insert the words "at common Law or in Equity."

Between the word "any," in the 9th line, and the word "Judge," in the 10th line, and also, between the word "any" and the word "Judge," in the 18th line insert the words "Officer of any Court duly authorized, or any."

At the end of the clause, add the following "and the party by whom or on whose behalf any person or persons shall be so examined *de bene esse* in any cause, shall be entitled to include in his taxation of costs on judgment, if the same shall pass on him in said cause, the reasonable costs of attending and taking such examination, with the usual charges for attendance and travel of such witnesses, to be computed on the same principle as if they had been examined in open Court.

At the end of the Bill, add the following clause :

And be it further enacted, That this Act shall continue and be in force for five years, and from thence to the end of the then next Session of the General Assembly.

Then the first amendment being read the third time, was agreed to.

The four next amendments being read the third time, were severally agreed to.

The next amendment, viz :—at the end of the 1st clause, to add the following proviso :

"*Provided always,* that such rules orders, and regulations, to be adopted and established as aforesaid, shall be published in the Royal Gazette, and in such other form as the Judges of the Supreme Court or any three of them, shall direct, and when so adopted, established and published, shall have the like force and efficacy, and receive the same construction in the Courts of this Province, as if they had been enacted in General Assembly"—was read, and it being proposed to amend the same, by leaving out all the words after the word "direct," in the 7th line, the question was put thereupon,

It was resolved in the Affirmative.

The two next amendments being read the third time, were severally agreed to.

The two next amendments being read, viz :—in the thirteenth clause, in the 26th and 57th lines, omit the word "five," and insert instead thereof, the word "ten."

"Leave out the provisos at the end of the clause."

And it being proposed to disagree with the House of Assembly therein, the question was put thereupon,

It was resolved in the Affirmative.

The eleven next amendments being read the third time, were agreed to.

A Message was brought from the House of Assembly, by Mr. Whidden, with

A Bill, entitled, An Act to amend the Act concerning persons licensed to keep Public Houses or Shops, and the Duties thereon.

To which Bill they desired the concurrence of this House.

The said Bill were read a first time.

Ordered, That the said Bill be read a second time.

Resolved, That Mr. Cunard, Mr. Tobin and Mr. Allison, be a Committee to suggest such alterations in the Council Chamber as may become necessary, whenever the Council decide that Strangers shall be admitted, and to make their report before the close of the Session.

On motion made and seconded—the House adjourned until Monday, at twelve o'clock.

Monday, 17th April, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.

The Hon. and Rt. Rev. the Lord Bishop,

The Hon. H. N. Binney,

Enos Collins,

S. B. Robie,

Charles R. Prescott,

The Honorable Samuel Cunard,

Henry H. Cogswell,

Peter McNab,

James Tobin,

Joseph Allison.

PRAYERS.

The Minutes of Saturday were read.

A

1st amendment agreed to

4 next agreed to

Next amended

2 next agreed to

2 next disagreed to

11 next agreed to

Public House License Bill

Committee to suggest alteration in Council Chamber

Adjourn

A Bill, entitled, An Act to provide for the better application of Fines and Penalties, was read a second time.

Application of Fines Bill read 2d time

On motion, *resolved*, that the further consideration of the said Bill be deferred to this day three months.

Deferred 3 months

A Message was brought from the House of Assembly, by Mr. Whidden,

To return the Bill, entitled, An Act to divide and set off the Township of Saint Mary's, as a separate and distinct District, and to acquaint the House that the House of Assembly adhere to their determination not to agree to the first amendment, and agree to the second remaining amendment with amendments.

Message not agreeing to one amendment & agreeing to the other amendment with amendments to St. Mary's Bill Also agreeing to amendments to Pickled Fish Bill with amendments

And also, to return the Bill, entitled, An Act to continue, alter and amend, the several Acts now in force relative to the Inspection of Pickled Fish, and to acquaint the House that the House of Assembly have agreed to the amendment proposed by this House to the said Bill, with amendments—to which amendments they desire the concurrence of this House.

Also agreeing to amendments to Annapolis Co. Division Bill

And also, to return the Bill, entitled, An Act to divide the County of Annapolis, and to regulate the Representation thereof, and to acquaint this House that the House of Assembly agreed to the amendments proposed by this House to the said Bill.

Also agreeing to Circuit Court Bill

And also, to return the Bill, entitled, An Act to continue and amend the Act respecting the Trial of Issues in the Supreme Court, and for regulating the times of holding the Circuits of the said Court in the several Counties and Districts of this Province, and to acquaint this House that the House of Assembly have agreed to the amendments proposed by this House to the said Bill.

And also, to return the Bill, entitled, An Act to Incorporate the Halifax Whaling Company, and to acquaint this House that the House of Assembly have agreed to the said Bill as amended.

Also agreeing to Whaling Co. Bill as amended

A Bill, entitled, An Act to reduce the expense of Suits at Law on Judgments by Confession, was read a second time.

Judgments by Confession Bill read 2d time

On motion, *resolved*, that the further consideration of the said Bill be deferred to this day three months.

Deferred 3 months

Dissentient to the deferring of the consideration of the Bill, entitled, An Act to reduce the expense of Suits at Law on Judgments by Confession.

Protest

Because, by the present Bill, an Affidavit of the existence and amount of the Debt is rendered a necessary accompaniment of the Warrant of Attorney to enter up a Judgment by Confession. This guard against the entry of Judgments for fraudulent or fictitious Debts to protect property against the just demands of Creditors, is a great improvement of the present practice in which no such Affidavit is required.

Because this Bill greatly diminishes the expenses of Judgments by Confession, by rendering it unnecessary to make out and file many useless papers, which by the present practice make part of the proceedings, and greatly augments the expenses.

Because the present Bill not only more effectually guards against the entering up of fraudulent Judgments, but renders more easy and less expensive a mode of obtaining Judgments, and therefore must be more beneficial and satisfactory to both the Creditors and honest Debtors; and as the House of Assembly, past and present, have, for several successive Sessions, sent up Bills of import similar to the present, it appears that the Country are anxiously seeking for the passing of this Bill, and it appears inexpedient to disagree to the Bill without stating to the House of Assembly good and sufficient reasons, if such exist, for its rejection.

[Signed]

HENRY H. COGSWELL.

A Message was sent to the House of Assembly, by the Deputy Clerk:

To carry down the Bill, entitled, An Act for the further amendment of the Law, and for the better advancement of Justice, and to acquaint them that this House have agreed to the first, second, third, fourth, fifth, seventh, eighth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth and twenty-first amendments to the said Bill.—That they have not agreed to the ninth and tenth amendments to the said Bill, and have agreed to the sixth amendment to the said Bill with an amendment—to which amendment they desire their concurrence.

Message relative to amendments to Law amendment Bill

St Paul's & Scatarie
Light Houses Bill
read 2d time

A Bill, entitled, An Act to render less dangerous the Navigation of the Gulf of St. Lawrence, by erecting Light-Houses on the Islands of St. Paul's and Scatarie, and for the support and maintenance thereof, was read a second time.

Committed

Ordered, That the said Bill be committed to a Committee of the whole House presently. The House was adjourned, during pleasure, and put into a Committee on the said Bill.—After some time the House was resumed, and Mr. Binney reported that the Committee had gone through the said Bill, and made several amendments thereto.

Reported with a-
mendments

Amendments a-
greed to & sent to
H. A.

Which amendments being read twice by the Deputy-Clerk, were agreed to by the House. The said Bill was then read a third time and the question was put by the President? Whether this Bill, with the amendments, shall pass?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk,

To return the said Bill, and acquaint them that this House have agreed to the said Bill, with amendments, to which they desire their concurrence.

Appropriation Bill
read 1st time

A Message was brought from the House of Assembly, by Mr. Whidden, with

A Bill, entitled, An Act for applying certain Monies therein mentioned, for the service of the year of Our Lord One Thousand Eight Hundred and Thirty-seven, and for appropriating such part of the Supplies granted in this Session of the General Assembly, as are not already appropriated by the Laws or Acts of the Province.

To which Bill they desire the concurrence of this House.

Read 1st time

The said Bill was read a first time.

Referred

Ordered, That the said Bill be referred to Mr. Binney, Mr. Collins and Mr. Allison, to examine and report upon.

Annapolis assess-
ment Bill read 2d
time
Deferred 3 months

A Bill, entitled, An Act to limit the amount of Assessment for building a Court-House and Jail, in the County of Annapolis, was read a second time.

On motion, *resolved*, that the further consideration of the said Bill be deferred to this day three months.

St. Mary's Fishery
Bill

A Bill, entitled, An Act to regulate the Fishery of Saint Mary's Bay, in the County of Annapolis; also,

Bank Nova-Scotia
Bill read 2d time

A Bill, entitled, An Act to amend the Act to incorporate sundry Persons, by the name of the President, Directors and Company of the Bank of Nova-Scotia, was read a second time.

Committed

Ordered, That the said Bill be committed to a Committee of the whole House presently. The House was adjourned, during pleasure, and put into a Committee on the said Bills. After some time the House was resumed, and Mr. Binney reported that the Committee had gone through the said Bills, and had directed him to report the first Bill to the House, without any amendment.

1st reported with-
out amendment

The said first Bill was then read a third time, and the question was put by the President?

Bill read 3d time
agreed to and sent
to H. A.

Whether this Bill shall pass?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk,

To return the said Bill, and acquaint them that this House have agreed to the same, without any amendment.

2d Bill reported
with amendments

The Chairman also reported that the Committee had made several amendments to the second Bill.

Amendments a-
greed to

Which amendments being read twice by the Deputy-Clerk, were agreed to by the House.

Bill read 3d time
agreed to and sent
to H. A.

The said Bill was then read a third time, and the question was put by the President?

Whether this Bill with the amendments shall pass?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk,

To return the said Bill, and acquaint them that this House have agreed to the said Bill, with amendments—to which they desire their concurrence.

Message agreeing
to amendments to
St. Paul's & Scata-
rie Light-Houses
Bill

A Message was brought from the House of Assembly, by Mr. Whidden,

To return the Bill, entitled, An Act to render less dangerous the Navigation of the Gulf of

of St. Lawrence, by erecting Light-Houses on the Islands of St. Paul's and Scatarie, and for the support and maintenance thereof, and to acquaint the House that the House of Assembly have agreed to the amendments made by this House, to the said Bill.

The said Bill was then read as amended, and the question was put by the President

Whether this Bill as amended shall pass?

Bill read, agreed to & sent to H. A.

It was resolved in the Affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk,

To return the said Bill, and acquaint them therewith.

Mr. Cunard (in the absence of Mr. Jeffery,) made his report upon the Bill, entitled, An Act respecting the Militia of this Province;

Report on Militia Bill
Militia Bill

Whereupon, the said Bill, as also,

A Bill, entitled, An Act to extend to the Counties of Sydney and Guysborough, the Act respecting Stray Horses and Cattle, in the County of King's County, and for enabling the Owners thereof to discover the same; also,

Stray Horses Sydney Bill

A Bill, entitled, An Act to amend the Act concerning Persons licensed to keep Public Houses or Shops, and the Duties thereon; also,

Licences Bill

A Bill, entitled, An Act for placing the Bridge at Bridgetown under the direction of the Commissioners of Highways for Bridgetown; also,

Bridge at Bridgetown Bill

A Bill, entitled, An Act to repeal the Act for appointing Commissioners to enquire into, and report upon, the expediency of reforming the practice and proceedings of Courts of Law and Equity, and the revising and consolidating the Laws of the Province; also,

Law Reform Bill

A Bill, entitled, An Act in amendment of the Act relating to the Merchant Seamen of this Province; also,

Merchant Seamen Bill

A Bill, entitled, An Act to revive, continue and amend, the Act to encourage the manufacture of Tobacco in this Province, by granting a Bounty thereon, were read a second time.

Tobacco Bill read 2d time

Ordered, That the said Bills be committed to a Committee of the whole House presently. The House was adjourned, during pleasure, and put into a Committee on said Bills.—After some time the House was resumed, and Mr. Binney reported that the Committee had gone through the said Bills, and had directed him to report the same to the House, without any amendment.

Committed

Reported without amendment

The said Bills were then read a third time, and the question was put by the President on each Bill,

Bills read 3d time

Whether this Bill shall pass?

Agreed to

It was resolved in the Affirmative.

Mr. Robie dissenting to the Bill, entitled, An Act relating to the Merchant Seamen of this Province.

Dissent to Merchant Seamen Bill

A Message was sent to the House of Assembly, by the Deputy-Clerk,

Bills sent to H. A.

To return the said Bills, and acquaint them that this House have agreed to the same, without any amendment.

A Message was brought from the House of Assembly, by Mr. Whidden,

To return the Bill, entitled, An Act to amend the Act to incorporate sundry Persons, by the name of the President, Directors and Company of the Bank of Nova-Scotia, and to acquaint this House that the House of Assembly have agreed to the amendments proposed by this House to the said Bill.

Message agreeing to amendments to Bank of N. S. Bill

The Messenger also informed the House that the House of Assembly desired a Conference with this House, by Committee, on the subject of the Bridewell, in Halifax.

Conference asked on Bridewell

Ordered, That the said Conference be agreed to, and a Message was sent to the House of Assembly, by the Deputy-Clerk to acquaint them therewith.

Agreed to

Ordered, That Mr. Cunard, Mr. McNab and Mr. Allison, be a Committee of this House to manage the said Conference.

Committee

The Bill, entitled, An Act to amend the Act to incorporate sundry Persons, by the name of the President, Directors and Company of the Bank of Nova-Scotia, was read as amended, and the question was put by the President

Bank N. S. Bill finally agreed to & sent to H. A.

Whether this Bill as amended shall pass?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk, To return the said Bill, and acquaint them therewith.

Report of Com. of Conference on Bridewell

The Managers appointed to manage the Conference, on the subject of the Bridewell, went to the Conference, and being returned, Mr. Cunard reported that the Committee had held the said Conference, and stated the substance of the Conference to the House.

Adjourn

On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Tuesday, 18th April, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.

The Hon. and Rt. Rev. the Lord Bishop,
The Honorable T. N. Jeffery,
H. N. Binney,
Enos Collins,
S. B. Robie,
Charles R. Prescott,

The Honorable Samuel Cunard,
Henry H. Cogswell,
Peter McNab,
James Tobin,
Joseph Allison,

PRAYERS.

The Minutes of yesterday were read.

A Message was brought from the House of Assembly, by Mr. Whidden, with the following Bills:

Annapolis Co. Election Bill

A Bill, entitled, An Act to continue the Select Committee appointed to try the Election of Frederick A. Robicheau, for the County of Annapolis.

Savings' Bank Bill

A Bill, entitled, An Act relative to the establishment of Banks for Savings.

To which Bills they desired the concurrence of this House.

The said Bills were read a first time.

Ordered, That the said Bills be read a second time.

Report on Appropriation Bill

Mr. Binney, the Chairman of the Committee to whom the Appropriation Bill was referred, made his report.

Summary Trial Bill read 3d time

A Bill, entitled, An Act to continue and amend the Act for the Summary Trial of Actions, and the Act in amendment thereof, was read a second time.

Committed

Ordered, That the said Bill be committed to a Committee of the whole House presently. The House was adjourned, during pleasure, and put into a Committee on the said Bill.—After some time the House was resumed, and Mr. Jeffery reported that the Committee had gone through the said Bill, and made an amendment thereto.

Amended

Amendment agreed to Bill read 3d time

The said amendment being read twice by the Deputy-Clerk, was agreed to by the House. The said Bill was then read a third time, and the question was put by the President Whether this Bill, with the amendment, shall pass?

Agreed to

It was resolved in the affirmative.

Dissentients

Mr. Jeffery, Mr. Prescott and Mr. Cunard, dissenting.

Sent to H. A.

A Message was sent to the House of Assembly, by the Deputy-Clerk, To return the said Bill, and acquaint them that this House have agreed to the said Bill, with an amendment—to which they desire their concurrence.

Message agreeing to amendment

A Message was brought from the House of Assembly, by Mr. Whidden, agreeing to the amendment proposed by this House to the said Bill.

Bill finally agreed to & sent to H. A.

The said Bill was then read as amended, and the Question was put by the President, Whether this Bill, as amended, shall pass?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk,

To return the said Bill, and acquaint them therewith.

The Messenger also informed the House that the House of Assembly desired a Conference

ence with this House by Committee, on the subject of the amendments proposed by the House of Assembly to the Bill, entitled, An Act for the further amendment of the Law, and for the better advancement of Justice.

Conference asked on amendments to Law amendment Bill
Agreed to

Ordered, That the said Conference be agreed to, and a Message was sent to the House of Assembly, by the Deputy Clerk, to acquaint them therewith.

Ordered, That Mr. Cogswell, Mr. McNab and Mr. Allison, be a Committee of this House, to manage the said Conference.

Committee

And the Managers went to the Conference; and being returned, Mr. Cogswell reported that the Committee had held the said Conference, and stated the substance of the Conference to the House.

Report

A Bill, entitled, An Act to continue and amend the Act respecting the trial of Issues in the Supreme Court, and for regulating the times of holding the Circuits of the said Court in the several Counties and Districts of this Province, was read as amended; and the Question was put by the President,

Circuit Court Bill finally agreed to & sent to H. A.

Whether this Bill, as amended, shall pass?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy Clerk, To return the said Bill, and acquaint them therewith.

A Bill, entitled, An Act to divide the County of Annapolis, and to regulate the Representation thereof, was read as amended; and the Question was put by the President,

Annapolis Division Bill finally agreed to & sent to H. A.

Whether this Bill, as amended, shall pass?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy Clerk, To return the said Bill, and acquaint them therewith.

The House proceeded to the consideration of the amendments made by the House of Assembly to the amendments made by this House to the Bill, entitled, An Act to continue, alter and amend, the several Acts now in force relative to the Inspection of Pickled Fish.

Amendments of amendment to Pickled Fish Bill considered

Which amendments being read three times by the Deputy-Clerk, were agreed to.

Agreed to & Bill sent to H. A.

A Message was sent to the House of Assembly, by the Deputy-Clerk, To return the said Bill, and acquaint them therewith.

A Message was brought from the House of Assembly, by Mr. Whidden, To return the Bill, entitled, An Act for the further amendment of the Law, and for the better advancement of Justice, and to acquaint this House that the House of Assembly do not adhere to the ninth and tenth amendments proposed by them to the said Bill, and do not agree to the amendment proposed by this House to the sixth amendment of the House of Assembly, but adhere to the said sixth amendment.

Message with Law amendment Bill

A Bill, entitled, An Act to establish a new Parish, to be called the Parish of Saint Margaret, was read a second time.

St. Margaret's Parish Bill read 2d time

Ordered, That the said Bill be committed to a Committee of the whole House presently. The House was adjourned, during pleasure, and put into a Committee on the said Bill. After some time the House was resumed, and Mr. Jeffery reported that the Committee had gone through the said Bill, and made an amendment thereto.

Committed

Amended

Which amendment being read twice by the Deputy Clerk, was agreed to by the House.

Amendment agreed to

On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Adjourn

Wednesday, 19th April, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.

The Hon. and Rt. Rev. the Lord Bishop,

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The Hon. T. N. Jeffery,

H. N. Binney,

Enos Collins,

S. B. Robie,

Charles R. Prescott,

The Honorable Samuel Cunard,

Henry H. Cogswell,

Peter McNab,

James Tobin,

Joseph Allison.

PRAYERS.

The

Message with Pickled Fish Bill

The Minutes of yesterday were read.
 A Message was brought from the House of Assembly, by Mr. Whidden, To return the Bill, entitled, An Act to continue, alter and amend, the several Acts now in force relative to the Inspection of Pickled Fish, and to acquaint the House that the House of Assembly agreed to the said Bill as amended.

Bill finally agreed to & sent to H. A.

The said Bill was then read as amended, and the question was put by the President, Whether this Bill, as amended, shall pass?
 It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk, To return the said Bill and acquaint them therewith.

St Margaret's Parish Bill read 3d time agreed to & sent to H. A.

A Bill, entitled, An Act to establish a new Parish, to be called the Parish of Saint Margaret, was read a third time, and the question was put by the President,

Whether this Bill with the amendments shall pass?
 It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy-Clerk, To return the said Bill, and acquaint them that this House have agreed to the said Bill, with amendments—to which they desire their concurrence.

Recd. at 4 o'clock, p. m.

Sir Rupert D. George, Baronet, the Secretary of the Province, informed the House that he was commanded by His Excellency the Lieutenant-Governor to lay before the House the following Written Message:

MESSAGE:

(Signed) C. Campbell.

Message relative to Address of H. A. to His Majesty

A recent Address of the House of Assembly to His Majesty, and which the Lieutenant-Governor has been requested to transmit, to be laid at the foot of the Throne, containing some observations upon His Majesty's Council, the Lieutenant-Governor deems it his duty, in justice to that Honorable House, to lay before it a Copy of the Address.

Government-House, Halifax, 19th April, 1837.

The said Message and Address were read, and ordered to lie on the Table.

Savings' Bank Bill read 2d time

A Bill, entitled, An Act relative to the establishment of Banks for Savings, was read a second time.

Committed

Ordered, That the said Bill be committed to a Committee of the whole House presently. The House was adjourned, during pleasure, and put into a Committee on the said Bill.—

Reported without amendment

After some time the House was resumed, and Mr. Jeffery reported that the Committee had gone through the said Bill, and had directed him to report the same to the House without any amendment.

Adjourn

On motion made and seconded—the House adjourned until To-morrow, at one o'clock.

Thursday, 20th April, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Hon. Brenton Halliburton—Chief-Justice, President.	
The Hon. and Rt. Rev. the Lord Bishop,	The Hon. Samuel Cunard,
The Hon. T. N. Jeffery,	Henry H. Cogswell,
H. N. Binney,	Peter McNab,
Enos Collins,	James Tobin
S. B. Robie,	Joseph Allison.
Charles R. Prescott,	

PRAYERS.

The Minutes of yesterday were read.

Savings' Bank Bill read 3d time agreed to & sent to H. A.

A Bill, entitled, An Act relative to the establishment of Banks for Savings, was read a third time, and the question was put by the President,

Whether this Bill shall pass?

It was resolved in the Affirmative.

A

A Message was sent to the House of Assembly, by the Deputy Clerk,
To return the said Bill, and acquaint them that this House have agreed to the said Bill
without any amendment.

A Bill, entitled, An Act in amendment of the Act for the more easy Redemption and
Foreclosure of Mortgages; also, Foreclosure of
Mortgage Bill

A Bill, entitled, An Act for applying certain Monies therein mentioned, for the service of
the year of Our Lord One Thousand Eight Hundred and Thirty-seven, and for appropriating
such part of the Supplies granted in this Session of the General Assembly, as are not already
appropriated by the Laws or Acts of the Province, were read a second time. Appropriation Bill

Ordered, That the said Bills be committed to a Committee of the whole House presently.
The House was adjourned, during pleasure, and put into a Committee on the said Bills.— Reported without
amendment
After some time the House was resumed, and Mr. Jeffery reported that the Committee had
gone through the said Bills, and had directed him to report the same to the House without
any amendment.

The said Bills were then read a third time, and the Question was put by the President
on each Bill, Read 3d time, a-
greed to & sent to
H. A.

Whether this Bill shall pass?

It was resolved in the affirmative.

A Message was sent to the House of Assembly, by the Deputy Clerk,
To return the said Bills, and acquaint them that this House have agreed to the said Bills
without any amendment.

The House proceeded to the consideration of His Excellency's Message of yesterday,
together with the Address of the House of Assembly, which accompanied the same. Consideration of
His Excellency's
Message

Whereupon it was resolved that the following Address should be presented to His Excel-
lency, together with the following Observations on the Address of the House of Assembly.

To His Excellency Major-General Sir COLIN CAMPBELL, Knight Commander of the Most Address to His Ex-
cellency
Honorable Military Order of the Bath, Lieutenant-Governor, and Commander in Chief
in and over the Province of Nova-Scotia, and its Dependencies, &c. &c. &c.

THE ADDRESS OF HIS MAJESTY'S COUNCIL.

May it please your Excellency,

His Majesty's Council feel it to be their duty to offer their sincere thanks to
your Excellency for communicating to them the Address of the House of Assembly, con-
taining complaints against the Constitution and conduct of the Council of this Province.

If His Majesty's Council believed that any serious grievances existed in this retired but
peaceful Colony, they would gladly co-operate with the House of Assembly in humbly re-
presenting them to His Majesty, with unbounded confidence in the gracious inclination of
their Sovereign to redress every wrong.

But deeply interested as they are in the prosperity of a Province which is the home of
themselves and their families, they look with anxiety upon every proposal to make impor-
tant changes in the Constitution of a Colony which has hitherto had abundant cause for con-
tentment, and whose happiness they are unwilling to hazard by any experiments that might
endanger its Institutions, or diminish the prosperity and peace which it now enjoys.

It cannot be expected that every part of the conduct of any Legislative Body should give
universal satisfaction; and when the Council have differed from the House of Assembly
upon the expediency of any measure which the House have originated, it is neither unna-
tural nor unusual for the disappointed supporters of such measures to complain of the Body
by which it was rejected.

The Council cannot be called upon to vindicate their conduct against general charges,
which in their nature are incapable of refutation; and can only be met by the general charac-
ter of the accused.

To the opinion of their proceedings entertained by the intelligent and upright members of
the Community, the Council look without apprehension.

Upon those parts of the Address which contain anything like specific complaints, the
Council

Council have felt themselves called upon to make some *Observations* which they now submit to your Excellency, with a request that you will have the goodness to transmit them, with the Address of the House of Assembly, to His Majesty's Principal Secretary of State for the Colonies—and they humbly hope that when that high Officer lays that Address at the foot of the Throne, he will inform the Sovereign that his faithful and loyal Council in Nova-Scotia are prepared to vindicate their conduct; and to answer every charge that can be brought against them.

Observations of His Majesty's Council for the Province of Nova-Scotia, on the Address of the House of Assembly of that Province to His Majesty.

Observations of H. M. C. on the Address of the H. A. to His Majesty

The first complaint stated in the Address, is that Members of Council have been chosen almost exclusively from the heads of Departments, and from persons resident in the Capital, who, from a deficiency of local knowledge, or from the natural bias incident to their official stations, were not qualified to decide upon the wants or just claims of the People.

It is not necessary now to consider whether it was wise to select Members of Council from the heads of Departments or not, as no recent instance of such selection has taken place.

The Chief Justice, the Bishop, the Collector of the Customs and the Collector of Imposts, are now the only Public Officers at the Board, and nearly twenty years have elapsed since the last was appointed; the eight Junior Members are all Gentlemen unconnected with the Government by any other office than that of Member of the Council.—It seems difficult, therefore, to assign any reason for bringing that forward among the list of Grievances.

The residence of the Members of the Council in the Capital is next complained of.—If the King's Representative were now called upon to supply the names of Gentlemen residing in the Country, qualified to become Legislative Councillors, who would be willing to perform their duty without remuneration, His Majesty's Council are of opinion, that His Excellency would feel great difficulty in making such nomination.

To the various charges contained in the third clause of the Address, it may be observed, that the opposition made by the Council to extend to the Out-ports the advantage of Foreign Trade, is confined to the representations which they made on the 16th May, 1834, and submitted to His Majesty's Government.

That report was founded on the conviction, that the extension sought for by the House of Assembly, would have the effect of counteracting the provisions of the Act of the Imperial Parliament for regulating Foreign Trade—facilitate Smuggling—diminish the Provincial Revenue—injure the Fair Trader—increase the expenses of the Customs Department—and operate injuriously upon British and Colonial Shipping.

For a statement of these views, the Council refer to the representation herein before alluded to, by which it will be seen, that although they were opposed to the general extension of the Free Port system to the whole Province, they did not advocate the confinement of it to Halifax only.

That the Council took any part in determining upon the amount of the sum which the House of Assembly states it was compelled to resign for the support of the Customs Establishment, is distinctly denied. The Council only concurred in the Bill, which the House of Assembly passed, to give effect to the arrangement which now exists.

The Council are at a loss to know to what the House of Assembly allude, in stating that the Council have interposed difficulties to the introduction of a just and liberal system of Education. The Council are, and ever have been, earnestly desirous to promote liberal Education, but, as that cannot be done without the provision of funds adequate to the object, it is the province of the House of Assembly and not of the Council to provide them.—The Council would readily concur in any judicious system which the House of Assembly would originate, to promote so desirable an object.

The Council deferred the consideration of the Bills sent up by the House of Assembly to abolish the Chief-Justice's Fees, because they would not legislate upon a subject which, if brought under their consideration at all, should have been brought before them in their judicial and not in their legislative capacity.

All the Chief-Justice's Predecessors in Office had received those Fees, except for two years,

years, during which a commutation was given for them to that Officer by Law, out of the public Treasury, and no provision was made in these Bills for any such commutation.

If any grievance existed a remedy should have been sought by Law here, and had the decision proved unsatisfactory, an appeal lay to His Majesty and His Privy Council, in England.

But the House of Assembly without seeking for redress in a Court of Law, applied directly to His Majesty; and the answer to their Address as communicated by the Right Honorable the Secretary of State for the Colonies, should have prevented the House of Assembly from introducing this subject as a grievance chargeable upon the Council.

The next complaint is, that while Dissenters in this Province are much more numerous than the Members of the Church of England, nine Churchmen are Members of the Council, and only two Presbyterians, and one Catholic, leaving the numerous body of Baptists and others altogether unrepresented.

The first observation that suggested itself in reply to this complaint is, that the Council are not the representative Branch of the Legislature, and if it were, it is quite a new principle of Representation to classify all the Religious Sects in the Country, and apportion the Representatives who are to compose a Legislative Body according to the relative numbers of each.

The language of liberality has recently been, that men should be selected for the discharge of political duties, without reference to their religious creeds, but this liberality, it appears, must not be extended to the Members of the Established Church.

His Majesty's Council are confident that with the exception of the Bishop, who rarely attends their meetings, not one gentleman was ever called to the Council on account of his being a member of the Church, but solely because the Governor for the time being thought he was an eligible person.

Admitting the relative numbers of the various religious sects in this Province to be correctly stated in the Address, the people themselves have not acted upon this new principle of Representation, for it will be found that a much greater number of Churchmen have been elected, and are now Members of the Representative Branch of the Legislature than this principle would warrant.

The numerous body of Dissenters in this Province contains many persons of great intelligence and respectability—but His Majesty's Council think it right, in order to vindicate the conduct of the Governors who recommended the several Members who now sit at the Board to state, that a great number of the Loyalists who settled in this Province after the American Revolution were Churchmen. Among these were many men of education and comparative affluence, who were then better enabled to bestow a liberal Education upon their Children than those who were struggling for a subsistence in a new Country—and hence it arose, that a greater proportion of Churchmen have often been found qualified to fill Public Stations, than a mere reference to their relative numbers would have led us to assume; but this accidental superiority is fast wearing away, and all recent appointments shew, that the Government cannot be justly charged with any undue preference to Members of the Church. Neither of the three last appointed Councillors, before alluded to, are Churchmen. The Master of the Rolls—the Attorney General—the Solicitor General—the Clerk of the Crown, are all Dissenters, and have been appointed within these few years to their respective high offices, and the patronage of the Government will be found to have been exercised, as it respects other minor appointments, without any reference to the Religious Creed of the various Candidates for office.

The present period, therefore, appears to have been not very opportunely chosen, to bring forward the presence of so many Churchmen at the Council Board, as one of the prominent grievances of Nova-Scotia.

If His Majesty's Council could entertain any other feeling than that of deep regret at the attempts which have been made to excite discontent in this hitherto happy and peaceful Province, they would be gratified to discover this proof of the difficulty of finding real Grievances here.

The framers and supporters of the Address have devoted a great part of the Session to this subject—yet this prominent Grievance remains unsupported by a single fact—not one instance of partiality for Churchmen in the exercise of Patronage has been adduced.—But
His

His Majesty is told that He will readily perceive that the mere circumstance of one Body of Christians having such an overwhelming influence in the Council, "*has a tendency to excite a suspicion,*" that in the distribution Patronage the fair claims of the Dissenting Population are frequently overlooked.

It is worthy of remark that four of the Churchmen now at the Board were appointed by Governors who belonged to the Church of Scotland, (Lord Dalhousie and Sir James Kempt,) while the three Dissenters recently called to the Council owe their appointments to Sir Peregrine Maitland, a zealous Member of the Church of England.

If the framers of this Address are ignorant of the past history of the Province, it is presumptuous in them to approach the Throne with any representations upon this subject. If they are acquainted with it they must then know either that this abuse of Patronage has or has not taken place—if it has they should have stated the instances—if it has not, it is not only unjust to the Council, but disrespectful to His Majesty, to endeavour to excite suspicions in the Royal Breast which they themselves know to be unfounded.

In connection with this complaint is the intimation of dissatisfaction, because the Bishop has a seat in the Council. To this complaint the reply is easy.—The Bishop of the Established Church is ex officio a Member of the Council, by the appointment of His Majesty, because that Church, with its Liturgy and Rites and Ceremonies, was introduced into this Colony at its first Settlement, by the Royal Instructions, and was afterwards established by Law in the first Session of the first General Assembly convened here. The Bishop is its natural and most proper Representative. Its interests often require explanation and protection in the Legislature, and such have uniformly been furnished when necessary, to the satisfaction of the Council, and as they confidently assert without injury or just cause of dissatisfaction to any other Denomination of Christians.

It is true that two family connections comprize five Members of the Council. Two of them however are unconnected with the other three; and the Journals of the Council will shew that those who are so connected, differ in opinion with each other quite as often as any other Members.

In respect to the complaint that five Members were Co-partners of one Banking Establishment, it may be observed that one of them was a Member of the Council before that Co-partnership was formed—another was a Merchant extensively concerned in business, who was shortly after called to the Board to fill a vacancy at a time when there was only one other Commercial Member of the Council. When His Majesty's Government at Home were induced to think it injudicious to continue to appoint Judges of the Supreme Court to be Councillors, (an opinion which has certainly produced serious inconvenience in Nova-Scotia and New-Brunswick,) it was thought necessary to select some other person of legal acquirements, and a retired Barrister was preferred to any Gentleman of the Law engaged in practice. After the restrictions upon Roman Catholics having seats in the Legislature were removed at Home, it was considered right to call a gentleman professing that Religion to the Council in this Province, and an influential Member of that profession was accordingly selected. When His Majesty's Government had signified their pleasure that no addition should be made to the number of persons holding official situations at the Board, a gentleman was selected from the mercantile part of Community, who was then at the head of the Chamber of Commerce, and therefore deemed a very proper Member to call to the Council.

These Gentlemen, it is true, were at one time all Members of one Banking Establishment—but no reference was made to that circumstance at the time of their respective appointments. They were chosen because they were all men of property and standing in the Country—and two of them have for some time withdrawn from that Co-partnership. For the accuracy of this statement a reference is respectfully requested to a Despatch from Sir Peregrine Maitland to Lord Goderich, dated 6th June, 1831, relative to these appointments.

To the statement that the failure of the efforts of the Assembly to fix a standard of value and establish a legal currency, has been attributed to the presence of so many Bankers in the Council, it may be briefly replied, that those measures failed on account of their own intrinsic defects.

The Bill sent up by the House of Assembly would have given a marketable and nominal value to Coins, far above their intrinsic value. This was opposed by the whole Council as impolitic

impolitic and unjust. In that opposition the Bankers joined, although any increased nominal value given to Coins would have been beneficial to them.

His Majesty's Council do not feel called upon to make any observations upon the claim of the House of Assembly to the King's Casual and Territorial Revenue. Whenever it shall be His Majesty's pleasure to make, or to listen to, any offer respecting it, to or from the Assembly of Nova-Scotia, the Council will then, and not till then, feel themselves justified in entering upon that topic.

They cannot however pass over this branch of the Address without adverting to the complaint it contains against the present mode of disposing of the Crown Lands in this Province. If the existing system is found to be objectionable, His Majesty's Council are not chargeable with introducing it. They beg leave to refer to the annexed Copy of a Report of a Committee of the Council, dated 28th July, 1826, to show how strenuously they opposed it when it was first suggested by His Majesty's Government at Home.

It is next asserted that the presence of the Chief-Justice at the Council Board has a tendency to lessen the respect which the People ought to feel for the Courts over which he presides.

The Council cannot agree in this opinion.—On the contrary they think that its tendency is directly the reverse, nor if he were removed from that situation, do the Council see who could be selected with equal advantage to the Public, to preside over their deliberations.—If it is essential for a Member of the Legal Profession to hold that situation, and the Council think it is, none can be supposed more free from objection than a person who is at the head of the Judicial Establishment of the Country, and who is every day in the habit of investigating and expounding the existing Laws.

The Chief Justices of this Province have been Presidents of the Council since its formation.—The present Chief Justice has for upwards of twenty years combined the offices of Judge and Councillor, and no instance has been adduced even in the Debates upon this Address, of his ever having allowed political feeling to bias his judicial decisions.—The usage is in strict analogy with that of the House of Lords, and of all the Legislative Councils in America, and so far is it from being the case that all Judges ought to be excluded from the Legislature, that at this very time the Chief Justices of the Superior Courts in England have seats in the House of Lords.

It is next said, that the appointment of the Collector of the Customs and the Collector of the Excise to the Council Board is unwise.

Upon this, the Council would observe, that the office of Collector of the Customs in every Colony, is one of very great importance and responsibility—upon him devolves the duty of enforcing those Laws which are made for the regulation of the general Trade and Commerce of the Empire, and which frequently come in conflict with local interests in the Colony. His Majesty's Council are of opinion, that it will be injudicious to take any step which will tend to diminish the influence and importance of the person who holds this office. It is the interest of the Government to uphold such an Officer, who cannot be expected to act with becoming independence, where his duty brings him into conflict with influential men in the Colony, if his office is deemed to be a disqualification for a seat at the Council Board.

The knowledge of the Laws relating to the Trade of the Empire, with which he must make himself familiarly acquainted, renders him a most valuable Member in the discussion of all Fiscal Questions; and the Council have no hesitation in stating their opinion, that his exclusion would be most unwise.

As it respects the Collector of Excise, there are not the same forcible reasons for his having a seat at the Board, solely on account of his office—but the Council respectfully submit to the consideration of His Majesty's Government, whether it would be just to exclude from the Board a Gentleman of his respectability, both in public and private life, merely because he is, in the language of the day, an office holder.

It may suit the views of those who are desirous of assimilating our Institutions with those of our Republican Neighbours, to join in the opposition to the appointment of Office Holders to seats in the Council, but these feelings and principles are not congenial with those which should predominate in the bosoms of all who love and revere the British Monarchy. On this side of the Atlantic the Representative Branch is so thoroughly imbued with the Democratic

mocratic Principle, that, unless the Crown retains some influence in the Upper Branch of the Legislature, it will be impossible to counteract the progress of Republicanism.

This observation is not designed to cast any reflection upon the House of Assembly, but merely to state that from its organization it does contain so great a portion of the Democratic Principle, that, if a mixed form of Government is to be retained, some principle supporting Monarchical Institutions must be sought in the other Branch, from which, therefore, the higher officers of the Government should not be systematically excluded.

The Address next alludes to the difference which arose between the House of Assembly and the Council in the year 1830.—Many Gentlemen who now sit at the Council Board were not then Members of the Legislature; but the proceedings of that Session were vindicated at the time, and as the Council believe to the satisfaction of His Majesty's Government.

To the observations respecting the events of the present Session, the Council reply that they did not require the House of Assembly to rescind their series of Resolutions, but merely those expressions in one of them respecting the Members of His Majesty's Council, which a regard to decorum should have prevented from appearing upon their Journals.

As it respects the Council's deliberating with closed doors, that practice has ever prevailed in this Province, and until lately in all the other Colonies in British North America.

The Council of Nova-Scotia would probably have followed the recent example of the Councils in some of the other Provinces before this time, had it not been for the improper interference of the House of Assembly.

The Council think that His Majesty will see with some surprise the extent of the claim made by the House of Assembly in the latter part of their Address. The request to have an Elective Legislative Council, and the desire to render the Salary of every Officer of the Government subject to an annual vote of that Body, by which the House of Assembly will have it in their power to withhold support from those Public Functionaries, the performance of whose duties are essential to the maintenance and regulation of Civil Society, unless the other Branches of the Legislature uniformly yield to their dictates, are demands so utterly inconsistent with the principles of the British Constitution that the Council feel it would be improper for them to waste the time of His Majesty's Government by making any observations upon this part of the Address.

In answer to the alternative proposed by the House of Assembly, of separating the Executive from the Legislative Council, His Majesty's Council beg leave to refer to the opinion which they were formerly required to give upon that subject by the Right Hon. Viscount Goderich, when Secretary of State for the Colonies.

A copy of that opinion, extracted from the proceedings of the Executive Council of the 7th May, 1834, is hereunto annexed.

The sentiments of the Council upon that important subject are not only unchanged, but have been strongly confirmed by subsequent events in His Majesty's North American Colonies, where great pains have recently been taken by persons unfriendly to Monarchical Institutions, to excite discontent in them. These innovators however, are aware that if they were plainly to express their wishes they would defeat their own plans, for the great body of the people are loyal subjects, and would indignantly reject any direct proposal that would lead them to swerve from their allegiance to their Sovereign. These designing men therefore endeavour to induce them to believe that they are deprived of the rights of Englishmen—that they have not equal political power with their fellow-subjects at Home—that the Councils are arbitrary bodies appointed by the Crown, and, altho' called the Upper Branch of the Legislature, have no resemblance to the House of Lords.

Now it is unquestionably true that the Councils have little, very little resemblance to the House of Lords; and it cannot be doubted that every attempt to create a Body in the Colonies that shall resemble the House of Lords will prove a failure—the greatest of which, however, would be that of an Elective Council. Precluded then by our situation in the Colonies from having among ourselves any thing approaching to that august Body, we should look to the general origin of Colonial Constitutions.

Most of them, and that of Nova-Scotia among them, were founded upon the King's Instructions, issued upon the responsibility of the Ministers of the day.

These Instructions in the first instance committed the Government of the Colony to the Governor and a Council therein named; with directions, however, that whenever the Popu-
lation

lation should become sufficiently numerous, a House of Assembly should be elected by the People to represent them—which House of Assembly, in conjunction with the Governor and Council, should then become the Legislature of the Province, and be authorised to pass Laws for the regulation and government of its Inhabitants. Under this Constitution every person residing in this Province has settled himself here—and unless some positive infringement of it has been made which affects his rights, he has no legitimate cause of complaint.

If however this Constitution can now be improved, it would be as unwise to refuse to improve it, because those who seek such improvement may not have a positive legal right to it, as it would be imprudent to hazard a change in order apparently to improve its theory, without the prospect of any practical good.

It must here be repeated, that these observations are not addressed to those who are desirous of vesting all power in the democratic branch—they will think every measure that has a tendency to introduce Republicanism to be a practical good—but to those who are desirous of assimilating our Institutions as much as possible to those of the British Constitution, it is asserted, that a Legislative Council created in addition to, and distinct from, the Executive Council, would bear no more resemblance to the House of Lords than the present Council does; and that it would only increase the Machinery of the Constitution, and render it more cumbrous, without producing any real benefit to the Province.

From the extent of the elective Franchise, and the freedom which every Elector possesses, to exercise his own opinion in the choice of a Representative, the people are as fully represented as they can be in any Country, where universal suffrage does not prevail; no measure can now pass, of which their Representatives disapprove, nor could any measure pass, of which the Government disapproved, if there was a Legislative Council concurring with the House of Assembly in the adoption of such measure. For so long as we form a part of the British Empire, the King's Representative here must not shrink from putting a negative upon any act contrary to his Instructions, or to the views he and his Executive Council entertain upon any subject, in which the local interests of the Colony clash, with the general interest of the Empire.

But if a new Body, neither Elective, Hereditary nor Executive, were created, it would bear no analogy either to the British or Colonial Constitutions.

The fluctuating state of Colonial Society—the universal division of the property of a deceased person among his children or relatives, and the general feelings and habits of the people, prevent the growth of aristocracy among us. We cannot, therefore, found any Branch of the Legislature here upon Aristocratic Principles. Our Laws must be enacted by those who represent the feelings and wishes of the great body of the people, and those who constitute the Government of the Country—and let the machinery of Colonial Legislation be rendered ever so complex, these after all will be the two, and the only two, principles that can be introduced into it.

The interposition of the Council between the Governor and the House of Assembly is judicious.—They form a part of the community, and their families—their property and their descendants, will be affected by the Laws they consent to enact—while their connection with the Government will naturally render them desirous of upholding the King's authority.

Thus we have a Governor to represent the Crown—a House of Assembly fully representing the People—and a Council interested in supporting both.

Neither the result of the experiment made upon the Canadas, in the year 1791, nor that more recently tried in New-Brunswick, is such as to induce thinking persons among us to wish for its extension to Nova-Scotia.

His Majesty's Council feel the embarrassment of thus advocating the continuance of their own Body, with all its Executive and Legislative powers, and they therefore in conclusion would observe, that the greater part of the Members now composing it were selected from the Community and summoned to the Council Board without any solicitation on their part. A large majority of them are unconnected with the Government by any office; and although not insensible to the honor that was conferred upon them by their Sovereign when he called them to His Council, they are quite willing to retire into private life whenever he shall deem it right to dispense with their services; but while they retain their seats, they are urged by a sense of duty to vindicate their own characters—to preserve the rights of the Body to which

which they belong, and to give their opinions respectfully but explicitly to His Majesty's Government, upon a subject so deeply affecting the interest of all the King's Subjects in His Province of Nova-Scotia.

[Signed]

BRENTON HALLIBURTON, JOHN NOVA SCOTIA, T. N. JEFFERY,
H. N. BINNEY, ENOS COLLINS, S. B. ROBIE, CHARLES
R. PRESCOTT, SAMUEL CUNARD, HENRY H. COGSWELL,
PETER M'NAB, JAMES TOBIN, JOSEPH ALLISON.

Council Chamber, 20th April, 1837.

For the Observations of the Privy Council, on opening the Ports of this Province, vide Appendix, No. 1.

For Report of the Committee of the Privy Council relative to the proposed alteration in the mode of granting Lands, vide Appendix, No. 2.

For the Observations of the Council relative to the separation of the Legislative from the Executive Council, vide Appendix, No. 3.

To ascertain when His Excellency will receive the House

The Secretary of the Province was directed to wait upon His Excellency the Lieutenant-Governor, to know when His Excellency would be pleased to receive this House with their Address; and also, the Observations of this House, on the Address of the House of Assembly to His Majesty.

Adjourn

On motion made and seconded—the House adjourned until To-morrow, at half-past eleven o'clock.

Friday, 21st April, 1837.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable Brenton Halliburton, Chief-Justice—President.

The Hon. and Rt. Rev. the Lord Bishop,
The Hon. T. N. Jeffery,
H. N. Binney,
Enos Collins,
S. B. Robie,
Charles R. Prescott,

§ The Honorable Samuel Cunard,
§ Henry H. Cogswell,
§ Peter McNab,
§ James Tobin,
§ Joseph Allison.

PRAYERS.

The Minutes of yesterday were read.

Secy. informs the House that His Excellency will receive their Address & Observations at 12 o'clock

The Secretary of the Province informed the House that he had waited upon His Excellency the Lieutenant-Governor to know when His Excellency would be pleased to receive this House with their Address, and their Observations on the Address of the House of Assembly to His Majesty; and that His Excellency had been pleased to appoint the hour of twelve o'clock at noon of this day, for that purpose.

House wait upon His Excellency with Address and Observations

At twelve o'clock at noon, the House proceeded to the Government-House with their Address to His Excellency, and their Observations on the Address of the House of Assembly to His Majesty—and having returned,

The President informed the House, that His Excellency had been pleased to receive the same, and to give an answer thereto, of which he had obtained a Copy, which he read; and it was again read by the Clerk, as follows:—

HIS EXCELLENCY'S ANSWER TO THE ADDRESS OF HIS MAJESTY'S COUNCIL.

Mr. President, and Gentlemen of His Majesty's Council;

His Excellency's Answer

I receive this Address with peculiar satisfaction, and can with truth assure you, since I have administered the Government of this Province, that, both in your Executive and Legislative capacities, I have had every reason to be satisfied with your conduct; and I should consider myself unworthy of the trust which His Majesty has been pleased to confer upon me, if I did not make this honest and candid avowal, and bear testimony to your unremitting

unremitting anxiety to promote the Public Good and welfare of your Native Land. Feeling this, I shall have great pleasure in forwarding to the Right Hon. the Secretary of State for the Colonies, the Observations which accompany your Address, with a request that they may be laid at the Foot of the Throne, at the same time with the Address of the House of Assembly.

Mr. Cunard, the Chairman of the Committee appointed to suggest such alterations in the Council Chamber as may become necessary, whenever the Council decide that Strangers shall be admitted, made his report, which he read in his place, and afterwards delivered the same to the Deputy-Clerk, who read the same, as follows:—

Report of Com. on
alteration of Room

COUNCIL CHAMBER, 21st April, 1837.

The Committee to whom it was referred to suggest such alterations in the Council Chamber as may become necessary for the accommodation of Strangers—beg leave to report that they are of opinion, that a space of about eighteen feet square, enclosed by a double rail of Mahogany, would be sufficient for that purpose, and for the protection of the Pictures, &c. This alteration may be made without injury to the Room, and at a small expense. A space of about fourteen feet to be left between the front Rail and the present Partition, for the accommodation of Members of the House of Assembly. The entrance for Strangers to be from the door of the Robing Room, if it does not interfere with the arrangements of the Supreme Court, for that purpose.

(Signed)

S. CUNARD,
J. TOBIN,
JOSEPH ALLISON.

Ordered, That the said Report do lie on the Table.

His Excellency the Lieutenant-Governor came to the Council Chamber, attended as usual, and, being seated, sent a Message by Sir Rupert D. George, Baronet, the Secretary of the Province, to command the House of Assembly to attend His Excellency in the Council Chamber immediately; the House of Assembly attended accordingly, with their Speaker, when His Excellency was pleased to give his assent to the several Bills, entitled as follow:

An Act for the quiet of the Subjects in their possession of Lands, Tenements and Hereditaments, within this Province.

Quieting possession
Bill
Bridewell
Light-Houses

An Act to continue the several Acts concerning the Bridewell and Police in Halifax.

An Act to continue the Act for the support and regulation of Light-Houses.

An Act to continue the Act to regulate the Pilotage of Vessels at the Port of Halifax, and the several Acts in amendment thereof and additional thereto.

Pilotage Halifax

An Act to continue the Act in addition to, and in amendment of, the Act to prevent Nuisances by Hedges, Wears and other Incumbrances, obstructing the passage of Fish in the Rivers of this Province.

Nuisances in Rivers

An Act to continue the Act to repeal the Act to amend the Acts respecting Firewards and Fires in Halifax, and to substitute other provisions in lieu thereof.

Firewards Halifax

An Act to continue the Act for the better regulation of Sable Island and Seal Islands, in this Province.

Sable & Seal Island

An Act to continue the Act relating to Grand Jurors.

Grand Jurors

An Act to continue the Act for the better preservation of the Property of the Inhabitants of the Town of Halifax, by providing for a sufficient Watch at Night.

Watch
Commissioners
Court Halifax
Billeting Troops

An Act to continue the Act relating to the Court of Commissioners at Halifax.

An Act to continue the Act to provide for the accommodation and billeting of His Majesty's Troops or of the Militia, when on their March from one part of the Province to another, and also the Acts in amendment thereof.

Seats of Members

An Act to enable the Members of the House of Assembly about to leave the Province, or unable, from indisposition, to attend their duty, to resign their seats therein.

An Act to continue the Act to regulate the Fees of the Constable of the Court of Commissioners at Halifax.

Commissioners
Court Constable
Fees
Fire Engine Yar-
mouth
Amherst Election

An Act for providing Fire Engines for the Town of Yarmouth, and for other purposes.

An Act relative to Elections for the Township of Amherst.

Poor Settlers	An Act to afford relief to Poor Settlers in this Province.
Roads and Bridges	An Act to continue the Act to regulate the Expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges, and the Act in amendment thereof, and to alter and amend the said Acts.
Cemetries	An Act to amend the Act concerning Cemetries or Burial Grounds in the Town of Halifax.
Town Officers	An Act to repeal an Act in addition to, and in amendment of, the Act for the choice of Town Officers and regulating of Townships, and to revive an Act in further addition to, and amendment of, the several Acts for the choice of Town Officers and regulating of Townships.
Annapolis Co. Division	An Act to divide the County of Annapolis, and to regulate the Representation thereof.
Shubenacadie Canal Co.	An Act for increasing the Capital Stock of the Shubenacadie Canal Company and the number of Shares therein, for conferring further powers on that Corporation, and for other purposes.
Insolvent Debtors	An Act to extend the benefits of the Insolvent Debtors' Acts to persons arrested upon Mesne Process.
Assize of Bread	An Act to revive, as to the Town of Halifax, the Act to regulate the Assize of Bread.
Whaling Company	An Act to incorporate the Halifax Whaling Company.
St Mary's Fishery	An Act to regulate the Fishery of Saint Mary's Bay, in the County of Annapolis.
Light Houses St. Paul's and Scatarie	An Act to render less dangerous the Navigation of the Gulf of St. Lawrence, by erecting Light-Houses on the Islands of St. Paul and Scatarie, and for the support and maintenance thereof.
Militia	An Act respecting the Militia of this Province.
Stray Horses Guysboro'	An Act to extend to the Counties of Sydney and Guysborough, the Act respecting Stray Horses and Cattle in the County of King's County, and for enabling the Owners thereof to discover the same.
Licenses	An Act to amend the Act concerning persons licensed to keep Public Houses or Shops, and the Duties thereon.
Bridge Bridgetown	An Act for placing the Bridge at Bridgetown under the direction of the Commissioners for Highways for Bridgetown.
Law Reform	An Act to repeal the Act for appointing Commissioners to enquire into, and report upon, the expediency of reforming the practice and proceedings of Courts of Law and Equity, and the revising and consolidating the Laws of the Province.
Merchant Seamen	An Act in amendment of the Act relating to the Merchant Seamen of this Province.
Tobacco	An Act to revive, continue and amend, the Act to encourage the Manufacture of Tobacco in this Province, by granting a Bounty thereon.
Bank of Nova-Scotia	An Act to amend the Act to incorporate sundry Persons, by the name of the President, Directors and Company of the Bank of Nova-Scotia.
Summary Trials	An Act to continue and amend the Act for the Summary Trial of Actions, and the Act in amendment thereof.
Circuit Courts	An Act to continue and amend the Act respecting the Trial of Issues in the Supreme Court, and for regulating the times of holding the Circuits of the said Court, in the several Counties and Districts of this Province.
Pickled Fish	An Act to continue, alter and amend, the several Acts now in force relative to the Inspection of Pickled Fish.
Savings' Bank	An Act relative to the establishment of Banks for Savings.
Foreclosure of Mortgages	An Act in amendment of the Act for the more easy Redemption and Foreclosure of Mortgages.

Then the Speaker of the House of Assembly spoke as follows :

May it please Your Excellency,

I beg leave to present to Your Excellency, on behalf of His Majesty's Faithful and Loyal Subjects, the People of Nova-Scotia, a Bill for appropriating the Supplies granted in the present Session for the support of His Majesty's Government for the present year, and to request Your Excellency's assent to the same.

Assented to

His Excellency was pleased to give His assent to the Bill, entitled as follows :

An

An Act for applying certain Monies therein mentioned, for the service of the year of Our Lord One Thousand Eight Hundred and Thirty-seven, and for appropriating such part of the Supplies granted in this Session of the General Assembly, as are not already appropriated by the Laws or Acts of the Province.

After which His Excellency was pleased to close the Session with the following

S P E E C H :

*Mr. President, and Gentlemen of His Majesty's Council ;
Mr. Speaker, and Gentlemen of the House of Assembly ;*

Speech

I am happy to have it in my power to release you from further attendance in General Assembly

I have had much pleasure in giving my assent to many of the new Bills that have been presented to me, for they appear to be the result of an accurate knowledge of the wants of the Province in regard to Legislation, and to be well calculated to supply them. From one, in particular, the most beneficial effects may be expected, for while it affords adequate assistance to the Poor Settler in his present distress, it guards against improper demands on your bounty.

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

I thank you in the name of His Majesty for the provision you have made for the current expenses of the Government, and for those which the wants of suffering Emigrants compelled me, on my own responsibility, to incur in the last year ; nor must I neglect to convey to you my best acknowledgments, for originating, at my recommendation, a Bill to render that excellent Institution, the Halifax Savings' Bank, more extensively useful. At the same time I cannot avoid expressing my regret that, as I have never requested any Supplies but such as were necessary for the proper conduct of public affairs, or for the security of the Province, or promotion of useful objects, you have omitted the usual grants for the Inspecting Field Officers and the ordinary Staff of the Militia ; since I feel persuaded that this omission, coupled with the virtual repeal of the Militia Act in the present Session, will gradually render that constitutional force utterly inefficient.

*Mr. President, and Gentlemen of His Majesty's Council ;
Mr. Speaker, and Gentlemen of the House of Assembly ;*

I am so sensible of the many evils which have arisen from the habitual and unauthorised interference of Foreigners with our Fisheries, that it will afford me peculiar satisfaction to make the best arrangements for their protection that I can with the means which you have placed at my disposal ; and I shall hope, by employing small Cruizers on the Coasts of this Province, that this open disregard of the stipulations of an existing Treaty, as well as the illicit traffic with which it is too frequently accompanied, may be in a great measure prevented.

It will also afford me pleasure to see that your appropriations for the improvement of the Roads and Bridges, and for all other services, are duly applied.

I take this opportunity to assure you that His Majesty relies on your duty, fidelity and affection—and I trust that it will be your care, in your respective stations, to encourage similar good dispositions, to preserve peace and good order, and to discountenance all attempts to create discontent in the minds of the People ; as it shall be mine to advance and secure the prosperity and happiness of this rising Colony.

The President of the Council, by His Excellency's desire, then said,

Gentlemen—

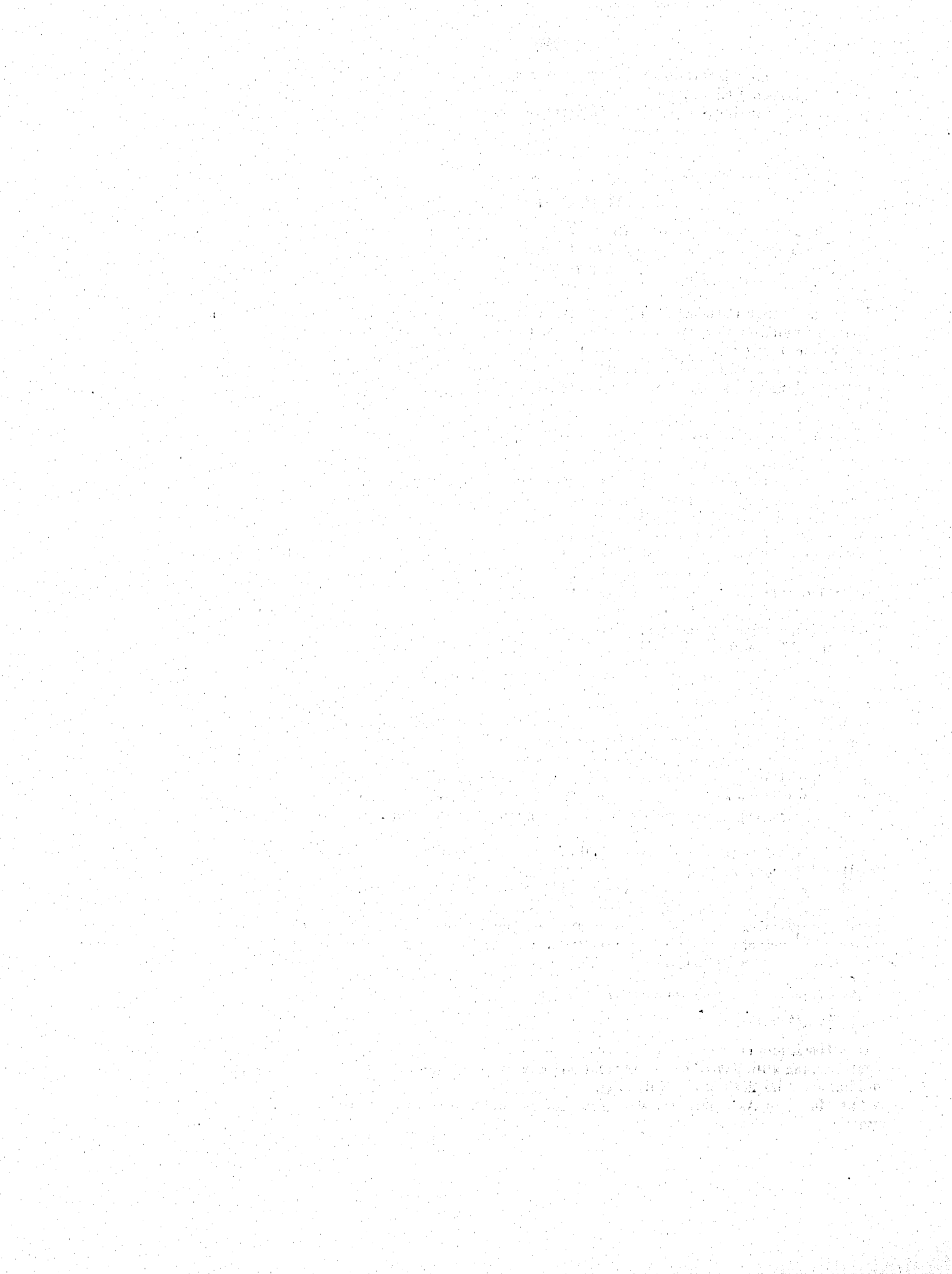
It is His Excellency's will and pleasure, that this General Assembly be prorogued to Thursday, the 20th day of July next ; and this General Assembly is accordingly prorogued to Thursday, the 20th day of July next.

Prorogation

The House of Assembly then withdrew, and His Excellency was pleased to retire soon after.

House withdraw
His Excellency re-
tires

JOHN C. HALLIBURTON, D. C. C.



APPENDIX No. 1.

OBSERVATIONS

OF THE PRIVY COUNCIL OF NOVA-SCOTIA ON THE ADDRESS OF THE HOUSE OF ASSEMBLY OF THAT PROVINCE TO HIS MAJESTY, ON THE SUBJECT OF THE FREE PORTS AND FOREIGN TRADE.

Extract from the Minutes of the Proceedings of a Privy Council held at the Council Chamber in Halifax, on the 16th May, 1834.

The Board resume the consideration of the Address of the House of Assembly on the subject of the Free Ports and Foreign Trade, and conceiving that it does not contain all the views which should be presented to His Majesty's Government, to enable them to form a correct opinion upon this important subject, request the President to transmit to His Majesty's Principal Secretary of State for the Colonies, the following remarks upon the Address for such consideration as they may appear to merit.

That from the nature of the Trade and the amount and character of the Population of this Province, the productions of Foreign Countries cannot, with advantage to the best interests of the Colony, enter very largely into our Market for domestic consumption. That the warehousing such articles to any very great extent for exportation to other Countries or Colonies, who possess similar privileges of Foreign Trade, cannot, in the regular course of Commerce, be attended with much success. One of the advantages contemplated from the warehousing system in these Northern Colonies, was an extensive Carrying Trade in the productions of the United States for the supply of our West India Possessions, but the existing Scale of Duties on those articles has not been found sufficiently favorable to such mode of importation to influence the carriage of any considerable portion of those supplies through the Warehouses in the Northern Provinces; it is therefore at least problematical whether more than three Free Ports are required for beneficial purposes in this Province. It is possible that a more advantageous arrangement of such Ports might be made, but, when the nature of the Trade is considered, the number of Ports cannot, we think, fairly be deemed insufficient. The Address deduces, as the very encouraging inferences to be drawn from the establishment of numerous Warehousing Ports in the Province, that the Revenue will be increased, its collection facilitated, and Smuggling suppressed—could these objects be attained it would seem very desirable; the only question then remaining for adjustment would be the effect to be produced upon the Agriculture and other branches of Industry and Commerce of the Province—but the inferences intended to be drawn are not, in the opinion of His Majesty's Council, borne out by experience. Since the opening of the Free Ports of Sydney and Pictou, the aggregate of the Public Revenue in these Ports has diminished, as will be seen by reference to the annexed comparative statement of the amount of Duties received there, during five years previous, and a like period subsequent to the opening of the Ports. It may also fairly be inferred that the articles warehoused in these Ports have diminished the quantity which would have been warehoused in Halifax, by which the Imperial Duties have been diminished, which would make the loss of the General Revenue of the Province much greater than appears by the comparative statement. It is admitted that the Trade has increased—the conclusion is inevitable that the making a Port Free increases the facilities of Smuggling, which can only be prevented by an expensive increase of the Custom-House Officers. In addition to the Foreign Trade carried on with the United States from Sydney, an Illicit Trade with St. Pierre and Miquelon, in French Commodities, is carried on to a considerable extent, and Foreign productions in many of the Out-ports of the Province can be procured at a much less rate than in Halifax, an evil which now extends to the diminution of the Revenue in Halifax, by the clandestine introduction of such articles from the Out-ports.

The object which His Majesty's Government had in view by the establishment of Free Warehousing Ports, appears to have been to permit a general intercourse in Foreign and British Ships between Foreign Countries and the Capital or Principal Ports of the Colonies; but it would be found impracticable to extend the privileges of Free Ports beyond

this limit, in consequence of the heavy additional expense it would occasion for the support of the various subordinate Officers of the Customs, nor can it be perceived by His Majesty's Council that such extended Foreign intercourse would be found either beneficial or necessary in this Colony; indeed it must be evident that such Trade would prove injurious to our Navigation, by giving to Foreigners a great portion of the carrying Trade now enjoyed solely by Colonial Vessels. But, if His Majesty's Government shall see fit to grant the limited privileges of *Warehousing Ports* now possessed by several of the Out-ports in the Colonies, to an additional number of those Ports in this Province, where the Imports of Flour and other Articles are required for the consumption of the Inhabitants, such regulation would, in the opinion of His Majesty's Council, prove more conducive to the general interests of the Province, than by opening the Ports generally, as sought for in the Address. His Majesty's Council also beg to remark, that in one County where there is now an Officer of the Customs and a Collector of Excise, the whole Colonial Duties collected for several years past, has not paid the expense of the Officers, and from its local situation, little better success can be anticipated from increasing the facilities of Trade by opening Ports there. The same remark, to a less extent, perhaps may apply to many other parts of the Province, which so abounds with Rivers, Creeks, and Landing Places, that an expense amounting to one half of the Revenue would be insufficient to secure its faithful collection. His Majesty's Council have, with much regret, but with a sense of imperative duty, stated the foregoing views, as they are extremely anxious that all the benefits of a fair and free Commerce should be indiscriminately extended to all parts of the Province, so far as the same can be done consistently with an efficient control of the Revenue—due protection to the fair Trader—and the safe guard of the People from the demoralizing effects of illicit Traffic. It should also be borne in mind that most of the Articles imported from the United States for consumption, operate injuriously upon the interests of the Agriculturists and Artizans of this Province, or upon the importation of the Manufactures of the United Kingdom.

Having presented this view, which they entertain upon the subject of the Address, His Majesty's Council indulge the hope that, before His Majesty's Government shall determine upon granting the prayer of the Petition *in extenso*, Commissioners may be appointed to take evidence upon all the points connected with the Trade of the Province, which His Majesty's Government may deem necessary to enable it to come to a just conclusion, in what mode the Commerce of this Colony can be regulated to promote the best interests of all the Inhabitants.

In respect to that part of the Address which relates to the arrangement and expense of the Custom-House Establishment, His Majesty's Council do not conceive it necessary to make any remark until the other parts of the Address have been decided upon by His Majesty's Government.

Comparative statement of Duties received at Pictou and Sydney, Cape-Breton, from 1824 to 1828, and from 1829 to 1833, inclusive—5 years previous and 5 years subsequent to opening them as Free Warehousing Ports.

	KING'S.	PROVINCIAL.	TOTAL.
Pictou, 1824 to 1828	£1462 14 2	£7252 3 4	£8714 17 6
Sydney, 1824 to 1828	886 1 6	5964 6 0	6849 7 7
			£15564 5 1
Pictou, 1829 to 1833	2238 14 11	4139 11 2	£6378 6 1
Sydney, 1829 to 1833	2093 0 2	5034 19 10	7128 0 0
Pictou previous	£8714 17 6		13506 6 1
Subsequent	6378 6 1		15564 5 1
Loss	£2336 11 5	Loss	£2057 19 0
Sydney previous	£6849 7 7		
Subsequent	7128 0 0		
Gain	£278 12 5		

APPENDIX No. 2.

REPORT

OF A COMMITTEE OF THE PRIVY COUNCIL OF NOVA-SCOTIA, RELATIVE TO THE PROPOSED ALTERATIONS IN THE MODE OF GRANTING LANDS IN THIS PROVINCE.

Extract from the Minutes of the Proceedings of a Privy Council, held at the Government House, in Halifax, on the 28th July, 1826.

The Committee of His Majesty's Council, to whom the regulations which have been adopted in Upper Canada for granting Lands were referred, report—

That they have carefully perused these regulations, and they submit the following considerations upon the subject to His Excellency and His Majesty's Council.

1st. The situation of Upper Canada differs widely from that of Nova-Scotia—the former is an extensive Colony, containing an immense body of valuable Land remote from the Sea, and *Agriculture* must ever form the primary pursuit of its Inhabitants.

Nova-Scotia is comparatively a small Colony, surrounded by the Sea, abounding in Harbors and Inlets from the Ocean, and altho' it contains a great quantity of very valuable Land, the wealthiest part of its population is and ever will be commercial.

In Upper Canada, therefore, it may be expected that as its Inhabitants acquire wealth, they will be disposed to invest it in the purchase of Lands, either from the Government or private Individuals; but in Nova-Scotia Capital may be more profitably employed in Commerce, and few persons will be met with who will be disposed to invest it in the purchase of wild Lands.

In confirmation of this opinion the Committee refer His Excellency and the Council to the well known fact, that the large Grants which were injudiciously made some years since, of the most valuable Lands in the Province, to the different Individuals who had influence with the Government of the day, still remain in the hands of the Grantees or their Representatives, and altho' procured for the express purpose of selling them, a very small portion of them have as yet been disposed of, and even that portion at prices which have not realized the expectations of the Grantees.

2d. In Upper Canada, we are informed, that regular Surveys have been made of the Lands in general, and that large reserves have been made for the Crown, in situations which render the reserved Lands valuable. In Nova-Scotia no such system was adopted; when His Majesty's Government first attempted the settlement of this Province, it was considered a cold inhospitable barren country, (only calculated for the abode of Fishermen,) but few would undertake to settle in it, and those who did, were encouraged to do so by extensive Grants, in *whatever situations* or forms they deemed most eligible; the consequence of which has been that not only the most valuable Land in the Province has been already granted, but what remains to the Crown lies in remote situations where none but the Poor, who are unable to purchase, will submit to live.

The Committee think they may safely assert, that there has not been a single instance for twenty years past, in which any person possessing Capital has planted himself in the Wilderness, and devoted that Capital to the cultivation of Wild Land—during that period, a vast body of the Wilderness has been reclaimed, but these improvements have been chiefly effected by the efforts of Emigrants, who were compelled by their poverty to submit to the toil of subduing the Forest, and partly by the poorer part of the native population; some of the Grantees of the large tracts have expended money in clearing a part of their Land, but in no case have they received a return to encourage them to proceed.

Under these circumstances the Committee conceive that no price could be procured for the Wild Lands which now remain to the Crown in Nova-Scotia, sufficient to pay the expense of the survey of them, which must be made prior to the valuation contemplated in the Article of the Upper Canada regulations; in confirmation of this opinion, the Committee refer His Excellency and His Majesty's Council to the Order made by His late Majesty, of the 3d February, 1774, for the sale of the Wilderness Lands in Nova-Scotia. At that time a large portion of the best Land in the Province belonged to the Crown, and convenient Plantation Lots were laid off in the most eligible situations, and advertised for sale at Public Auction; but altho' these Lots were set up at 6d. per acre, and due notice given of four months, as by the said order directed, there were no bidders for them. The expense of the Survey (pre-

paratory to the sale) was defrayed by His Majesty's Government, and the system of granting Lands in the usual manner was resumed, which your Committee think would be the case if the experiment should be again tried in this Province.

The Committee have no doubt but that these regulations may be very beneficial in such Colonies as Upper Canada, New South Wales, and Countries where the Crown still retains a great quantity of valuable Lands, but they venture to suggest the propriety of continuing in this Province the system which has been hitherto pursued, of granting Lands gratuitously, with the usual reservations, as the interest of the Crown in the Wild Lands in Nova-Scotia is so much diminished, that the Government would derive little benefit from the change.

The system which now prevails might undoubtedly be improved, and the knowledge which the local Government possess may enable them to remedy some inconveniences which now exist, but an entire change of that system might create confusion and discontent, without producing any corresponding benefit. The Committee therefore report as their opinion, that the proposed regulations are inapplicable to the present state of Nova-Scotia, and that the very trifling pecuniary advantage which might probably be gained by its adoption, would not compensate for the dissatisfaction which it would excite among that description of persons who are almost exclusively the applicants for Grants of Land. It is not easy for those who reside in Europe to form a correct opinion of the difficulty of subduing the Wilderness, and reducing it to a state of cultivation. The Wild Lands which adjoin populous Settlements may indeed be cultivated to advantage by those who already possess Farms, which yield them a subsistence, but no Land so situated now belongs to the Crown in Nova-Scotia. The ungranted Lands lie in very remote situations, and the man who plunges into the woods almost invariably struggles with hardships, to which nothing but poverty would compel him to submit; it has hitherto been the object of Government to afford every encouragement to this hardy class of useful Settlers, to whose efforts we are indebted for the improvements of the Country; they cannot purchase, and if wild Land is not granted to them upon the easy terms on which they have hitherto procured it, they will be both unwilling and unable to continue their labours.

(Signed)

CHARLES MORRIS,
BRENTON HALLIBURTON.
S. B. ROBIE.

Committee Room, Halifax, 11th February, 1836.

APPENDIX No. 3.

REPORT

OF A COMMITTEE OF THE PRIVY COUNCIL OF NOVA-SCOTIA ON VISCOUNT GODERICH'S DESPATCH, DATED 8TH DECEMBER, 1832, RELATIVE TO A SEPARATION OF THE LEGISLATIVE COUNCIL FROM THE EXECUTIVE COUNCIL.

Extract from the Minutes of the Proceedings of a Privy Council, held at the Government-House, in Halifax, on the 7th day of May, 1834.

The President laid before the Board a Despatch from the Right Honorable Viscount Goderich, dated Downing Street, the 8th December, 1832, requiring the opinion of the Council upon the expediency of establishing, in Nova-Scotia, two separate Councils, Executive and Legislative, composed for the most part of different Individuals.

After giving their best consideration to this important Communication, the Council would gladly have declined offering any opinion upon a subject which appears to be nearly connected with themselves and their Office: But as this Board from its Establishment in the year 1749, to the present day, have not been accustomed to shrink from any duty committed to them by His Majesty, or His Government, because it was difficult or unpleasant, they will proceed at once to give with frankness the result of the best judgment they have been able to exercise upon this question, which they have felt to be one of some delicacy.

If the theory of the Constitution were alone regarded, the example in the Parent Country would prompt them to say such a separation of the Executive from the Legislative Council, as is proposed, would be desirable; but it is manifest that the difference in the condi-

tion of the two Countries is so great that no parallel can be preserved; and, looking at the subject practically, they perceive at once very serious objections to the proposal.

The intention of the Government is without doubt to nominate to the Legislative Council sensible and well educated men, possessing large landed property, separate from office, and having influence in the different Counties in which they reside; upon a supposition that such men would be likely to concur with the most respectable majorities of the House of Assembly, in all questions which affect the great interests of the Country, and so preserve harmony in the Legislature. But unhappily such men are not to be found in the several Counties of Nova-Scotia; and even if they could be found, there is much reason for believing they would not be more ready than the Members of the present Council to concur with the House of Assembly in such objects as have sometimes been differently entertained in the two Houses. If the personal allusion may be excused, it may be remarked that the discernment of Sir James Kempt, when Lieutenant-Governor of Nova-Scotia, and anxiously looking for such persons as have been described, placed two Members of the present Board in the Council, because he was satisfied they answered the description as completely as any individuals that could be found in the Colony. But it is well known, and the Minutes of the Council supply the information, that these individuals, wholly unconnected with office, whose independence in every respect has never been questioned, have been uniformly opposed to the views of the House of Assembly—on each of those few occasions when a difference of opinion in the two Branches of the Legislature has given dissatisfaction to the Lower House, and excited their complaints, it is only on account of the difficulty or rather the impossibility of finding more persons in the different sections of the Province with all the qualifications which these possess; that the number of the present Council has not been increased. In selecting individuals, therefore, to fill a more extensive Legislative Council, a different description of persons must of necessity be taken, and the most eligible that could be found would be so many of the best Members of the House of Assembly as would be required, or of the fittest Candidates for seats there, whose services would be more important and more valuable in that House, which could ill spare them, than in the other, and whose appointment to the Council would therefore be an injury to the House of Assembly and to the Province.

The Government, it is believed, look forward to an increase of strength and influence in the Legislative Council as the natural result of the proposed alteration. But those in Nova-Scotia who desire the change are loud in the complaint that the Council are already too powerful. The Government, therefore, must be disappointed in their expectation, or the dissatisfaction of those in the Colony who desire the change must be increased as soon as the change is effected, and either of these consequences is very undesirable.

But perhaps a more serious objection will be found in the effect that had been produced in those Colonies, into which the measure has already been introduced, the present state of the Canadas supplies such objection in full force. The measures of their Legislative Councils for some years past have given rise to more complaint and invective than were ever known under the more ancient constitution of the Colonial Councils. These complaints indeed have been so multiplied, that an Elective Council, which would inevitably lead to a Republican Constitution, is boldly insisted upon by the complainants as the only effectual remedy for their alleged grievances.

In New Brunswick the experiment has been recently made, and, instead of affording general satisfaction, has created unusual discontent in that peaceable Province, which will not be easily allayed unless by a return to the ancient system.

The Records in the Colonial Office will shew whether Nova-Scotia, under its present Constitution, has been more or less quiet and content and easily governed than those Colonies into which a different Constitution has been introduced, while the testimony of its Governors and the Journals of its Council will shew, what part that Body, as at present constituted, has had in promoting the welfare of the people. The Board will be excused from saying more on this point, but earnestly request the reference and the comparison may be made by His Majesty's Secretary of State.

If it should be alleged, as a reason for making the proposed alteration, that some desire for it has been expressed, it may be observed that change of any and of every kind will never be without advocates, while discontent and self interested men form a part of every community. There has been no evidence that the measure is generally desired in the Colony, and if some or even many wish for it, it is not probable that all these will be satisfied

if the change should be accomplished. There will be ten expectants for every appointment that will follow—nine-tenths of these, therefore, must be disappointed, and thus discontent will be increased. The subject has indeed been under discussion in the House of Assembly, where the first mention of it has led some of its advocates, and even His Majesty's Solicitor-General among others, to express a desire for an *Elective* Council, with total disregard or forgetfulness of the obvious fact that the balance of the Constitution would at once be destroyed, when no intermediate Body would be left between the Representative of the Crown and the Representatives of the People. But it is believed that the subject has never yet created much interest in that House, although several of its Members have been named as expectants of seats in the Executive and Legislative Councils.

All these considerations lead to the conclusion that the suggested alteration should not be hastily made, even if the acts of the Council or the character and conduct of the individuals who compose it were obnoxious to objection. Whether they are so obnoxious may be easily ascertained by the Secretary of State, upon reference to the discerning individuals now in England, who have been Governors of the Colony, but have ceased to be connected with it, and these distinguished persons, when giving their testimony to the character and usefulness of the Council as now constituted, can easily state whether the Board, although ready and anxious at all times to promote the objects of the Government when they could conscientiously promote them, have ever flinched from offering their honest advice when they have been so unfortunate as to differ in opinion from the Representative of their Sovereign.

A due regard to all the circumstances which have now been mentioned, and to many others which need be enumerated, has satisfied the Council that it must be desirable to retain in this Province its ancient Constitution which hitherto has neither been inconvenient nor unsuccessful. It may easily be altered at a future day, when the Colony shall be more ripe for such a change, if the new Constitutions which have been introduced into the adjoining Colonies should, notwithstanding the inconvenience which now attends them, ultimately prove to be superior in practical effect to those for which they have been substituted; but the Council are impressed with a conviction that at present the proposed change is unnecessary, and would prove not only useless but injurious; and they feel confident that this explicit declaration of their opinion will at least be received as evidence of the honesty with which their advice is given, whether called for by His Majesty's Government or His Majesty's Representative in this Province.

If more than has already been stated were wanting to strengthen the opinion which the Council have now expressed, a full confirmation of it would be supplied by the very extraordinary measures which have recently been adopted in the House of Assembly in Lower Canada, where indulgent compliance with unreasonable claims has created a habit of yielding on one side and a habit of complaining and demanding on the other—until ultimate objects are now avowed which fill every loyal subject with regret and alarm, and the discontented have boldly declared, with revolutionary violence, that one of the most favored and happy Colonies of the most indulgent Monarch in the World must be converted into a Republic.

Having now performed the duty which has been laid upon them, the Members of the Council have only to add, with every feeling of respect, that if His Majesty's Government should not be satisfied with the view they have taken and with the reasons they have adduced in support of that view, the same feelings which have always influenced this Board will prevail. Nothing can be more foreign from their wish than to be impediments in the way of any measure which His Majesty or His Government may deem essential to the welfare of the Colony, and therefore as it has been their uniform and only desire in their present station to be instrumental, according to their ability, in promoting the honor of His Majesty and the benefit of the Province, they are ready to retire from that station whenever it may be thought their retirement will conduce more effectually than their continuance to those important objects.

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