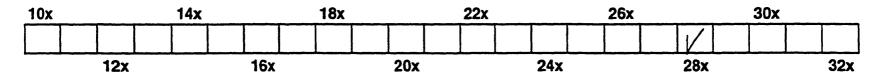
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# JOURNAL

A'N D

## PROCEEDINGS

OF

## THE HOUSE OF ASSEMBLY,





## PROCLAMATION.

BY HIS EXCELLENCY

## SIR GEORGE PREVOST, BARONET,

Licutenant-Governor and Commander in Chief, in and over His Maje/ty's Province of North Scotta, and its Dependencies, Sc. Sc.

HEREAS the General Affembly of this Province stands prorogued to Thursday the 11th inst.-

I have thought fit, further to prorogue the faid General Affembly, until Wedneiday the feventh day of June next, then to meet for the Difpatch of Business; of which all perfons concerned, are defired to take notice, and govern themselves accordingly.

> GIVEN under my Hand and Seal at Arms, at Halifax, this 2d Day of May, 1809, in the 49th Year of His Majefty's Reign.

## GEORGE PREVOST.

By His Excellency's Command,

### S. H. GEORGE.

## JOURNAL AND PROCEEDINGS

#### OF

## THE HOUSE OF ASSEMBLY,

OF

The Province of Nova-Scotia.

## WEDNESDAY, 7th JUNE, 1809.

MESSAGE from His Excellency the Lieutenant-Governor, by Mr. Secretary George :

Mr. Speaker,

His Excellency commands this Houfe to attend His Excellency, immediately in the Council Chamber.

Accordingly Mr. Speaker, with the Houfe, went up to attend his Excellency, And being returned,

Mr. Speaker reported that the House had attended his Excellency in the Council Chamber, where his Excellency was pleased to make a Speech, of which Mr. Speaker faid he had, to prevent mistakes, obtained a copy, which he read to the House, and is as follows, yiz:

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

Mr. Speaker, and Gentlemen of the Houfe of Affembly;

HE honor of His Majefty's Government, and the best incerests of the Province, have made it my duty to convene the General Assembly, perhaps, at a moment when your private concerns require your presence in your respective Counties, I shall therefore only recommend for your confideration such business as is immediately connected with the cause of this meeting.

I have directed the Treasurer to lay before you an account of the receipts and expenditures of the Revenue granted to His Majefty fince the last fettlement of the Public Accounts, and the Secretary of the Province will by my orders, prefent to you an Estimate of such Services, as I confider necessary to be provided for during the prefent Session.

If in the course of your deliberations you recommend to me any immediate object, which you view as likely to conduce to the further prosperity and welfare of the Province, I shall give to the same a very ready and serious confideration.

Mr. Speaker, and Gentlemen of the Houfe of Affembly,

I fully confide in your wildom and liberality to make fuch provision for the fup-

port

port of His Majefty's Government, and other exigencies, as I have deemed neceffary for those fervices.

Gentlemen of the Council, Gentlemen of the Affembly;

As it is unqueftionably for the public intereft, as well as for your particular convenience, to expedite the bulinefs of this Seffion, I rely on your affiduity and harmony in the difcharge of your refpective duties, and I affure you of my ready concurrence in all measures originating in public good, and tending to the real advantage of the Province.

On motion, ordered, that Mr. Hutchinson, Mr. Robie, and Mr. Pearson, be a committee to prepare an Address in answer to His Excellency's Speech.

On motion, Mr. William Hill was appointed to act as Clerk to this Houfe, during the absence of James B. Francklin, Efquire.

Mr. Secretary George, by order of his Excellency the Lieutenant-Governor, delivered to the House an effimate of the expense for the support of the Civil Effablishment of His Majelly's Government for the year 1809; and also a paper containing a flate of the Treasury.

The faid effimate and paper were read by the Clerk, and thereupon,

Ordered, That the faid effimate and paper do lie on the Table, 10 be perused by the Members of the House.

On motion, the Houfe refolved itfelf into a Committee of the whole Houfe, to confider of a Supply to be granted for the fupport of His Majefty's Government.

Mr. Speaker left the Chair,

Mr. Pyke took the Chair,

Mr. Speaker refumed the Chair:

The chairman reported from the committee that they had made fome progrefs in the bulinels to them referred, and that they had directed him to afk leave to fitagain on the confideration of the fame, which report the Houfe agreed to.

Then the Houfe adjourned until fix o'clock of the fame day.

WEDNESDAY, 7th June, 1809-fix o'Clock.

On motion, the Houfe refolved itfelf into a committee of the whole Houfe to confider further of a Supply to be granted for the fupport of His Majefty's Government.

Mr. Speaker left the Chair,

Mr. Pyke took the Chair,

Mr. Speaker refumed the Chair.

The chairman reported from the committee that they had made fome progrefs in the bufinefs to them referred, and that they had defired him to alk leave to fit again on the confideration of the fame; which report the Houfe agreed to.

Then the House adjourned until to morrow at eleven of the clock.

Thurfday,

#### PRAYERS.

Mr. Haliburton, purfuant to leave given, presented a Bill to regulate the expenditure of Monies on Roads and Beidges : and the fame was read a first time.

Ordered, That the Bill be read a fecond time.

On motion of Mr. Haliburton, no member diffenting, the faid Bill was read a fecond time.

On motion of Mr. Dimock, the House resolved itself into a Committee of the whole House, on the confideration of the Bill to regulate the expenditure of Monies on Roads and Bridges.

Mr. Speaker left the Chair,

Mr. Pyke took the Chair,

Mr. Speaker refumed the Chair.

The chairman reported from the committee, that they had gone through the Bill to them referred, and that the committee had directed him to report the faid Bill without any amendments, and he delivered it in at the Clerk's Table.

Ordered, That the Bill be engroffed.

On motion, the Houle refolved itfelf into a committee of the whole Houle on the further confideration of a Supply to be granted for the fupport of His Majefty's Government.

Mr. Speaker left the Chair,

Mr. Pyke took the Chair,

Mr. Speaker refumed the Chair.

The chairman reported from the committee that they had made further progrefs in the bufinefs to them referred, and that the Committee had come to feveral refolutions thereupon, which they had directed him to report to the Houfe, and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows :

Refolved, That it is the opinion of this committee, that the fum of feven pounds ten shillings, should be granted and paid to defray the expenses of His Majesty's Council in General Affembly, for the prefent Session.

Refered, That it is the opinion of this committee, that the fum of two hundred pounds, should be granted and paid to defray the contingent expenses of the House of Affembly, during the prefent Session.

Refolved, That it is the opinion of this committee, that the fum of fix pounds five Failings, fhould be granted and paid to the Reverend Robert Stanfer, for his fervices as Chaplain to His Majefy's Council and the Houfe of Affembly, during the prefent Seffion.

Refolved, That it is the opinion of this committee, that the fum of fix pounds five fhillings, flouid be granted and paid to Charles S. Powell, for his fervices as Sergeant at Arms to the House of Alfembly, during the prefent Selfin.

Refolved. That it is the opinion of this committee, that the fum of three pounds fifteen shillings flouid be granted and paid to Israel Conky for his services as Mesfenger to the House of Assembly during the present Session.

Refolved, That it is the opinion of this committee, that the funn of twenty-five pounds, fhould be granted and paid to William Hill, for his fervices as Clerk to the Houfe of Atlembly during the prefent Seffion.

Refelved;

Refolved, That it is the opinion of this committee that the fum of two h undrec and fifty pounds should be granted and paid to defray such contingent expenses a may arise during the prefent year.

Refolved, That it is the opinion of this committee, that a fum not exceeding one hundred and fixty-five pounds flould be granted and paid to complete the iron rail ing in the rear of the new Government House.

The chairman also reported to the House, that he was directed by the committee to move for leave to fit again on the confideration of a Supply.

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

Ordered, That the Clerk do carry the foregoing refolutions to the Council, and defire their concurrence to the fame.

Mr. Haliburton, pursuant to leave given, prefented a Bill in addition to an Act passed in the forty-fixth year of the reign of His present Majesty, entitled, An Act to encourage the raising Bread Corn on new Lands; and the same was read a first time.

Refolved, That the Bill be read a fecond time.

On motion of Mr. Haliburton, no member diffenting, the faid Bill was read a fecond time.

Refolved, That the faid Bill be committed to a committee of the whole Houfe.

On motion, the Houfe refolved itself into a committee of the whole House on the confideration of the Bill in addition to an Act, paffed in the forty-fixth year of the reign of his prefent Majesty, entitled, An Act to encourage the raising Bread Cornon new Lands.

Mr. Speaker left the Chair,

Mr. James took the Chair,

Mr. Speaker refumed the Chair.

The chairman reported from the committee, that they had gone through the Bill<sup>5</sup> to them referred, and that the committee had directed him to report the faid Bill without any amendment; and he afterwards delivered it in at the Clerk's Table,

Ordered, That the Bill be engroffed.

An engroffed Bill, to regulate the expenditure of monies on roads and bridges, wa read a third time.

selowed, That the Bill do país, and that the title be, An Act in addition to an Act, paffed in the last Seffion of the General Affembly, entitled, An Act to regulate the expenditure of monies hereafter to be appropriated for the fervice of roads and bridges.

Ordered, That the Clerk do carry the faid Bill to the Council, and defire their concurrence to the fame.

William H. Shey, returned duly elected as a Reprefentative for the town of Falmouth, introduced to the Chair by John George Pyke, Efq. took the ufual Oaths, in the prefence of the Houfe, before the Honorable Richard John Uniacke, the Commiflioner appointed by His Excellency the Lieutenant-Governor, and his feat.

A meffage from the Council, by Mr. Cogfwell :

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act in addition to an Act, paffedin the last Sessions of the General Assembly, entitled, An Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges, without any amendment.

The

The Council have agreed to eight refolutions of this House for granting the following sums, viz :

1651, for completing the iron railing in the rear of the new Government House. 2501, to defray the contingent expenses of the prefect year.

Son to derray the contingent expenses of the prefet year

251. to William Hill, Clerk of the House of Aslembly.

31. 15s. to Israel Conkey, messenger to the House of Astembly.

61. 5s. to Charles S. Powell, fergeant at arms to the Houfe of Affembly.

61. 5s. to the Reverend Robert Stanfer, chaplain to his Majefty's Council and House of Affembly.

2001. for the contingent expenses of the House of Assembly.

71. 103. for the expenses of his Majesty's Council.

The Council defire a conference, by committee, on the fubject of the refolution for granting the fum of ten pounds to the Clerk of the Houfe of Affembly.

And then the meffenger withdrew.

Refolved; That this House doth agree to the conference as defired by the Council, and that the Clerk do acquaint the Council therewith.

Ordered, That Mr. Robie, Mr. Haliburton, and Mr. Lawfon do manage the faid conference.

And the names of the managers were called over.

And they went to the conference.

And being returned,

Mr. Robie reported that the managers had been at the conference; and he flated the fubftance thereof to the Houfe.

A meffage from the Council, by Mr. Cogfwell :

Mr. Speaker,

The Council have not agreed to the refolution of this Houle for granting the fum of ten pounds to the Clerk of the Houle of Affembly.

And then the meffenger withdrew.

O'n motion, the Houfe refolved itfelf into a committee of the whole Houfe to confider further of a fupply to be granted for the fupport of his Majefty's government.

Mr. Speaker left the Chair,

Mr. Pyke took the Chair,

Mr. Speaker refumed the Chair.

The chairman reported from the committee that they had made further progress in the business to them referred, and that the committee had come to a resolution thereupon, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the clerk's table, where it was read, and is as follows:

Refelved, That it is the opinion of this committee, that the fum of two hundred guineas fhould be granted for the purchase of a Sword or Piece of Plate, to be prefeated to His Excellency Lieutenant-General Sir GEORGE PREVOST, as a testimony of the high opinion entertained by the House of His Excellency's conduct at the capture of the Island of Martinique from the French.

The chairman also acquainted the House that he was directed by the committee to move for leave to fit again on the confideration of a Supply, which report the House agreed to.

The faid refolution was read throughout a first and second time, and, upon the question put thereupon, agreed to by the House.

Ordered,

Ordered, That the Clerk do carry the foregoing resolution to the Council, and defire their concurrence to the fame.

A meffage from the Council, by Mr. Cogswell:

Mr. Speaker,

The Council have agreed to the refolution of this Houfe for granting the fum of Two Hundred Guineas to purchase a Sword, or Piece of Plate, to be presented to His Excellency Lieutenant-General Sir GEORGE PREVOST.

And then the meffenger withdrew.

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

Mr. Speaker left the Chair,

Mr. Pyke took the Chair,

Mr. Speaker refumed the Chair.

The Chairman reported from the Committee, that they had gone through the bufinefs to them referred, and that the Committee had come to feveral refolutions thereupon, on which they had framed a Bill for applying certain monies therein mentioned, for the fervice of the year one thousand eight hundred and nine; and he read the report in his place, and afterwards delivered the Bill in at the Clerk's Table, where the refolutions and clauses therein contained were feverally read throughout a first and fecond time, and, upon the question put thereupon, agreed to by the House.

On motion, the faid Bill was read a first time.

Refolved, That the Bill be now read a fecond time, and the fame was read accordingly.

Ordered, That the Bill be engroffed.

On motion, refolved, that a committee be appointed to prepare an Address to his Excellency Lieutenant-General Sir GEORGE PREVOST, on the fubject of the vote of two hundred guineas.

Ordered, That Mr. Robie, Mr. Haliburton, and Mr. Pyke, be a committee for the above purpofe.

Mr. Hutchinfon reported from the committee appointed to prepare an Address in answer to His Lacellency's Speech, and prefented an Address accordingly, which he read in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows:

TO HIS EXCELLENCY -

#### Lieutenant-General Sir GEORGE PREVOST, Baronet,

Lieutenant Governor and Commander in Chief, in and over the Province of North-Scotta, and its Dependencies, Sc. Sc.

V E. His Majefty's faithful Subjects the Reprefentatives of His loyal Province of Nova-Scotia, beg leave to offer our fincere thanks for your Excellency's Speech at the opening of this Seffions of the General Affembly.

Senfible that the honor of His Majelly's Government, and the best interests of the Province, have rendered it necessary to convene the General Allembly at this period, we shall cheerfully fubrit to any inconveniences which we may fuffer in our private concerns; by our absence from our respective Counties. We thall take into our immediate confideration the Public Accounts and Effi mate, which your Excellency has been pleafed to order to be laid before the Affem bly, and thall devote our conftant endeavours to effect, with harmony and expedition, the important object of our prefent meeting.

Your Excellency may rely on the continual disposition of the House of Assembly, to make a liberal provision for the support of His Majesty's Government, and for all other exigencies of the public service.

Should it appear neceflary to bring forward any bufines immediately conducive to the intereft of the Province, we shall do fo, in the fullest confidence of its obtaining your Excellency's ready concurrence.

Refolved, That the faid Address be presented to His Excellency by the whole House.

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

## Friday, 9th June, 1809.

#### PRAYERS.

Mr. Speaker reported that his Excellency the Lieutenant Governor, had been pleafed to appoint the hour of twelve of the Clock of this day to receive the Address of this House, at Government-House

Mr. Speaker, and the House, attended His Excellency the Lieutenant Governor with their Address, purfuant to the Refolution of yesterday. And being returned,

Mr. Speaker reported that His Excellency was pleafed to give this Answer :

#### Mr. Speaker and Gentlemen of the Affembly,

THE affurances contained in your Address are grateful to my feelings : Such a ready participation of my views for the honor of His Majesty's Government, and the best interests of the Province, must render the performance of my duty a perfonal gratification.

An engrofied Bill for applying certain monies therein mentioned for the fervice of the year one thousand eight hundred and nine, was read a third time.

Refelved, That the Bill do país, and that the title be, An Act for applying certain monies therein mentioned, for the fervice of the year one thousand eight hundred and nine; and for appropriating such part of the supplies granted in the last Session of the General Assembly, as are not already appropriated by the Laws or Acts of the Province.

Ordered, That the Clerk do carry the faid Bill to the Council, and defire their concurrence to the fame.

An engroffed Bill, in addition to an Act paffed in the forty-fixth year of the reign of His prefent Majefty, entitled, An Act to encourage the raifing Bread Corn on new Lands, was read a third time.

Refolved, That the Bill do pais, and that the title be, An Act to extend the provitions of an Act, patied in the forty-fixth year of the reign of his prefent Majefty, entitled, An Act to encourage the railing of Bread Corn on New Fands.

Ordered, That the Clerk do carry the faid Bill to the Council, and defire their concurrence to the fame. C TO HIS EXCELLENCY

### Lieutenant-General Sir GEORGE PREVOST, Baronet,

Commanding His Majefty's Forces in the Diffricts of Nova-Scotia and New-Brunf. wick, and their Dependencies, &c. &c.

The Address of the House of Representatives in General Assembly,

May it plsafe your Excellency,

follows:

TE, His Majesty's dutiful subjects the Representatives of his loyal Province of Nova-Scotia, request your Excellency will be pleased to receive our congratulations upon your fafe return to this country.

The fplendid fucceffes which have attended his Majesty's arms in the late expedition against the Island of Martinique, in adding one more to the numerous teftimonies of British valour already on record, have proved that when well directed it is capable of atchieving enterprifes the most difficult.

The acquisition of this important Island must be the more gratifying to his Majefty and the Nation, in confequence of the high- value known to be annexed to it by the Enemy, and the great but unfuccessful exertions made by him for its defence.

To the diffinguished approbation you have already received for the part you bore in this fervice, we can add but little, yet in confidence that the value you may place upon it, will be chiefly derived from a recollection of the motives which now induce us to offer it, we have voted the fum of Two Hundred Guineas for the purpofe of purchasing a Sword or a Piece of Plate, which we request you to accept as a memorial of the high confideration in which we hold your talents and exertions.

Refolved, That the faid Address be presented to his Excellency by the whole House.

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A meffage from the Council, by Mr. Cogfwell

Mr. Speaker,

The Council have agreed to a Bill, entitled, An Act for applying certain monies! therein mentioned, for the fervice of the year one thousand eight hundred and nine; and for appropriating fuch part of the Supplies granted in the laft Seffion of the General Affembly, as are not already appropriated by the Laws or Acts of the Prote ser di Matter de se l'i fami vince; and alfo,

A Bill, entitled, An Act to extend the provisions of an Act, paffed in the forty fixth year of the reign of his prefent Majesty, entitled, An Act to encourage the railing of Bread Corn on new Eands; feverally; without any amendment. Labin grand manage 1 b . .

And then the meffenger withdrew.

Ordered, That Mr. Robie, Mr. Haliburton, and Mr. Pyke, be a committee to vait on his Excellency to know his pleafure when he would be attended by the Houle-

Mr. Robie reported from the committee appointed to wait on his Excellency, to know his pleafure when he would be attended by the House, that the committee had waited on his Excellency, and that he was pleafed to fay he would receive the Houle to morrow at ten of the Clock.

Then the adjourned until To-morrow at half past nine of the Clock.

### Saturday, 10th June, 1809.

#### PRAYER'S,

Mr. Speaker and the House attended his Excellency with their Address on the subject of the vote of Two Hundred Guineas, pursuant to the resolution of yesterday. And being returned.

Mr. Speaker reported that His Excellency was pleafed to give this ANSWER :

GENTLEMEN

IT is with fentiments highly gratifying to my feelings, that I have received your congratulations on my return to this Province, after a fuccelsful campaign, and the teftimony with which you have accompanied your expressions will always be greatly valued as a memorial of the patriotic zeal, that has actuated his Majefty's Representatives of the loyal Province of Nova-Scotia in the confideration of my fervices, and also of the manner they have been appreciated by them.

#### GEORGE PREVOST.

On motion, *refolved*, that a committee be appointed to carry into effect the refolution of this House relative to the purchasing a Sword, or Piece of Plate, to be prefented to His Excellency Lieutenant-General Sir GEORGE PREVOST.

Ordered, That Mr. Robie, Mr. Haliburton, and Mr. Pyke, be a committee for that purpose.

A Meffage from his Excellency the Lieutenant Governor, by Mr. Secretary GEORGE:

Mr. Speaker,

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

Accordingly, Mr. Speaker, and the Houfe, went up to attend his Excellency in the Council Chamber, where his Excellency was pleafed to give his affent to the feveral Bills following :

- An ACT, in addition to an Act, paffed in the last Seffions of the General Assembly, entitled, An Act to regulate the expenditure of Monies hereafter to be appropriated for the fervice of Roads and Bridges.
- An ACT to extend the provisions of an Act, passed in the forty-fixth year of the reign of his present Majesty, entitled, An Act to encourage the raising of Bread Corn on new Lands.

After which Mr. Speaker fpoke as follows :

#### May it pleafe your Excellency,

It is my duty on the part of the Commons of Nova-Scotia, to prefent to your Excellency a Bill, for appropriating the fupplies granted in the laft Seffion of the General Affembly for the fupport of his Majefty's Government; and the fervice of the Province for the year One Thoufand Eight Hundred and Nine, and to pray your Excellency's affent to the fame. His His Excellency was pleafed to give his affent to the faid Bill following, viz: An ACT for applying certain Monies therein mentioned for the fervice of the year one thousand eight hundred and nine; and for appropriating such part of the fupplies granted in the last Seffion of the General Affembly, as are not already appropriated by the Laws or Acts of the Province.

His Excellency was then pleafed to make the following SPERCH:

Mr. Prefident, and Gentlemen of His Majefty's Council, Mr. Speaker, and Gentlemen of the House of Affembly;

HE harmony and affiduity with which the public fervice has been performed, cannot fail to produce the most beneficial effects, by promoting the honor and prosperity of the Province, and enable me to confult your convenience by affording you a recess, that you may attend to those private concerns, which at this feasion of the year require your immediate superintendance.

I return you my thanks for the liberal and wife provision you have made for the fervices I recommended at the opening of this Sellion : as well as for the perforal testimony I have received of your confideration of the fervices performed by His-Majesty's Forces lately employed in wressing from France, a possession, for the prefervation of which her Government had made unceasing facrifices, and evinced extreme folicitude.

I fincerely hope that you will find profperity, peace and loyalty, prevailing throughout the Province; and that those invaluable bleffings will be ever promoted and fecured by a zealous attention, on every occasion, to the best interest of the Country. GEORGE PREVOST.

Afterwards the President of His Majesty's Council, by his Excellency's command, faid,

#### Gentlemen,

IT is His Excellency's will and pleafure that this General Affembly, he prorogued to Wednefday the fixth day of September next, to be then here held, and this General Affembly is accordingly prorogued to Wednefday the fixth day of September next.