
JOURNAL

A N D

P R O C E E D I N G S

O F

T H E H O U S E O F A S S E M B L Y,

June - 1809. _____



PROCLAMATION.

BY HIS EXCELLENCY

SIR GEORGE PREVOST, BARONET,

*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 to Thursday the 11th inst.—

*I have thought fit, further to prorogue the said General Assembly, until Wed-
nesday the seventh day of June next, then to meet for the Dispatch of Business; 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 2d Day
of May, 1809, in the 49th Year of His Majesty's Reign.

GEORGE PREVOST.

By His Excellency's Command,

S. H. GEORGE.

G O D S A V E T H E K I N G .

JOURNAL AND PROCEEDINGS
OF
THE HOUSE OF ASSEMBLY,
OF
The Province of NOVA-SCOTIA.

WEDNESDAY, 7th JUNE, 1809.

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

Mr. Speaker,

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

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

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 said he had, to prevent mistakes, obtained a copy, which he read to the House, and is as follows, viz :

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

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

THE honor of His Majesty's Government, and the best interests 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 consideration 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 Majesty since the last settlement of the Public Accounts, and the Secretary of the Province will by my orders, present to you an Estimate of such Services, as I consider necessary to be provided for during the present 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 consideration.

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

I fully confide in your wisdom and liberality to make such provision for the support

part of His Majesty's Government, and other exigencies, as I have deemed necessary for those services.

*Gentlemen of the Council,
Gentlemen of the Assembly;*

As it is unquestionably for the public interest, as well as for your particular convenience, to expedite the business of this Session, I rely on your assiduity and harmony in the discharge of your respective duties, and I assure 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 House, during the absence of James B. Francklin, Esquire.

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

The said estimate and paper were read by the Clerk, and thereupon,

Ordered, That the said estimate and paper do lie on the Table, to be perused by the Members of the House.

On motion, the House resolved itself into a Committee of the whole House, to consider 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 resumed the Chair:

The chairman reported from the committee that they had made some progress in the business to them referred, and that they had directed him to ask leave to sit again on the consideration of the same, which report the House agreed to.

Then the House adjourned until six o'clock of the same day.

WEDNESDAY, 7th June, 1809—*six o'Clock.*

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

Mr. Speaker left the Chair,

Mr. Pyke took the Chair,

Mr. Speaker resumed the Chair.

The chairman reported from the committee that they had made some progress in the business to them referred, and that they had desired him to ask leave to sit again on the consideration of the same; which report the House agreed to.

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

Thursday,

Thursday, 8th June, 1809.

PRAYERS.

Mr. Haliburton, pursuant to leave given, presented a Bill to regulate the expenditure of Monies on Roads and Bridges : and the same was read a first time.

Ordered, That the Bill be read a second time.

On motion of Mr. Haliburton, no member dissenting, the said Bill was read a second time.

On motion of Mr. Dimock, the House resolved itself into a Committee of the whole House, on the consideration 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 resumed the Chair.

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

Ordered, That the Bill be engrossed.

On motion, the House resolved itself into a committee of the whole House on the further consideration 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 resumed the Chair.

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

Resolved, That it is the opinion of this committee, that the sum of seven pounds ten shillings, should be granted and paid to defray the expenses of His Majesty's Council in General Assembly, for the present Session.

Resolved, That it is the opinion of this committee, that the sum of two hundred pounds, should be granted and paid to defray the contingent expenses of the House of Assembly, during the present Session.

Resolved, That it is the opinion of this committee, that the sum of six pounds five shillings, should be granted and paid to the Reverend Robert Stanfer, for his services as Chaplain to His Majesty's Council and the House of Assembly, during the present Session.

Resolved, That it is the opinion of this committee, that the sum of six pounds five shillings, should be granted and paid to Charles S. Powell, for his services as Sergeant at Arms to the House of Assembly, during the present Session.

Resolved, That it is the opinion of this committee, that the sum of three pounds fifteen shillings should be granted and paid to Israel Conky for his services as Messenger to the House of Assembly during the present Session.

Resolved, That it is the opinion of this committee, that the sum of twenty-five pounds, should be granted and paid to William Hill, for his services as Clerk to the House of Assembly during the present Session.

Resolved, That it is the opinion of this committee that the sum of two hundred and fifty pounds should be granted and paid to defray such contingent expenses as may arise during the present year.

Resolved, That it is the opinion of this committee, that a sum not exceeding one hundred and sixty-five pounds should be granted and paid to complete the iron railing 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 sit again on the consideration of a Supply.

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

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

Mr. Haliburton, pursuant to leave given, presented a Bill in addition to an Act passed in the forty-sixth 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.

Resolved, That the Bill be read a second time.

On motion of Mr. Haliburton, no member dissenting, the said Bill was read a second time.

Resolved, That the said Bill be committed to a committee of the whole House.

On motion, the House resolved itself into a committee of the whole House on the consideration of the Bill in addition to an Act, passed in the forty-sixth year of the reign of his present Majesty, entitled, An Act to encourage the raising Bread Corn on new Lands.

Mr. Speaker left the Chair,

Mr. James took the Chair,

Mr. Speaker resumed the Chair.

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

Ordered, That the Bill be engrossed.

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

Resolved, That the Bill do pass, and that the title be, An Act in addition to an Act, passed in the last Session of the General Assembly, entitled, An Act to regulate the expenditure of monies hereafter to be appropriated for the service of roads and bridges.

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

William H. Shey, returned duly elected as a Representative for the town of Falmouth, introduced to the Chair by John George Pyke, Esq. took the usual Oaths, in the presence of the House, before the Honorable Richard John Uniacke, the Commissioner appointed by His Excellency the Lieutenant-Governor, and his seat.

A message from the Council, by Mr. Cogswell:

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act in addition to an Act, passed in 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 Council have agreed to eight resolutions of this House for granting the following sums, viz :

16s. for completing the iron railing in the rear of the new Government House.

25s. to defray the contingent expenses of the present year.

25s. to William Hill, Clerk of the House of Assembly.

3s. 15s. to Israel Conkey, messenger to the House of Assembly.

6s. 5s. to Charles S. Powell, sergeant at arms to the House of Assembly.

6s. 5s. to the Reverend Robert Stanfer, chaplain to his Majesty's Council and House of Assembly.

200s. for the contingent expenses of the House of Assembly.

7s. 10s. for the expenses of his Majesty's Council.

The Council desire a conference, by committee, on the subject of the resolution for granting the sum of ten pounds to the Clerk of the House of Assembly.

And then the messenger withdrew.

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

Ordered; That Mr. Robie, Mr. Haliburton, and Mr. Lawson do manage the said 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 stated the substance thereof to the House.

A message from the Council, by Mr. Cogswell :

Mr. Speaker,

The Council have not agreed to the resolution of this House for granting the sum of ten pounds to the Clerk of the House of Assembly.

And then the messenger withdrew.

On motion, the House resolved itself into a committee of the whole House to consider further of a supply to be granted for the support of his Majesty's government.

Mr. Speaker left the Chair,

Mr. Pyke took the Chair,

Mr. Speaker resumed the Chair.

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

Resolved, That it is the opinion of this committee, that the sum of two hundred guineas should be granted for the purchase of a Sword or Piece of Plate, to be presented 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 sit again on the consideration of a Supply, which report the House agreed to.

The said resolution 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 desire their concurrence to the same.

A message from the Council, by Mr. Cogswell :

Mr. Speaker,

The Council have agreed to the resolution of this House for granting the sum 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 messenger withdrew.

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

Mr. Speaker left the Chair,

Mr. Pyke took the Chair,

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee, that they had gone through the business to them referred, and that the Committee had come to several resolutions thereupon, on which they had framed a Bill for applying certain monies therein mentioned, for the service of the 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 resolutions and clauses therein contained were severally read throughout a first and second time, and, upon the question put thereupon, agreed to by the House.

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

Resolved, That the Bill be now read a second time, and the same was read accordingly.

Ordered, That the Bill be engrossed.

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

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

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

TO HIS EXCELLENCY

Lieutenant-General Sir GEORGE PREVOST, Baronet;

Lieutenant-Governor and Commander in Chief, in and over the Province of Nova-SCOTIA, and its Dependencies, &c. &c. &c.

WE, His Majesty's faithful Subjects the Representatives of His loyal Province of Nova-Scotia, beg leave to offer our sincere thanks for your Excellency's Speech at the opening of this Session of the General Assembly.

Sensible that the honor of His Majesty's Government, and the best interests of the Province, have rendered it necessary to convene the General Assembly at this period, we shall cheerfully submit to any inconveniences which we may suffer in our private concerns, by our absence from our respective Counties.

We

We shall take into our immediate consideration the Public Accounts and Estimate, which your Excellency has been pleased to order to be laid before the Assembly, and shall devote our constant endeavours to effect, with harmony and expedition, the important object of our present 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 necessary to bring forward any business immediately conducive to the interest of the Province, we shall do so, in the fullest confidence of its obtaining your Excellency's ready concurrence.

Resolved, That the said 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 pleased 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, pursuant to the Resolution of yesterday.

And being returned,

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

Mr. Speaker and Gentlemen of the Assembly,

THE assurances 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 personal gratification.

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

Resolved, That the Bill do pass, and that the title be, An Act for applying certain monies therein mentioned, for the service of the 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 said Bill to the Council, and desire their concurrence to the same.

An engrossed Bill, in addition to an Act passed in the forty-sixth year of the reign of His present Majesty, entitled, An Act to encourage the raising Bread-Corn on new Lands, was read a third time.

Resolved, That the Bill do pass, and that the title be, An Act to extend the provisions of an Act, passed in the forty-sixth year of the reign of his present Majesty, entitled, An Act to encourage the raising of Bread-Corn on New Lands.

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

Mr. Robie, reported from the committee appointed to prepare an Address to his Excellency Lieutenant-General Sir GEORGE PREVOST, on the subject of the vote of two hundred guineas—presented an Address accordingly, which he read in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows :

TO HIS EXCELLENCY

Lieutenant-General Sir GEORGE PREVOST, Baronet,

Commanding His Majesty's Forces in the Districts of Nova-Scotia and New-Brunswick, and their Dependencies, &c. &c. &c.

The Address of the House of Representatives in General Assembly,

May it please your Excellency,

WE, 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 safe return to this country.

The splendid successes which have attended his Majesty's arms in the late expedition against the Island of Martinique, in adding one more to the numerous testimonies of British valour already on record, have proved that when well directed it is capable of achieving enterprises the most difficult.

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

To the distinguished approbation you have already received for the part you bore in this service, 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 sum of Two Hundred Guineas for the purpose of purchasing a Sword or a Piece of Plate, which we request you to accept as a memorial of the high consideration in which we hold your talents and exertions.

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

A message from the Council, by Mr. Cogswell :

Mr. Speaker,

The Council have agreed to a Bill, entitled, An Act for applying certain monies therein mentioned, for the service 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; and also,

A Bill, entitled, An Act to extend the provisions of an Act, passed in the forty-sixth year of the reign of his present Majesty, entitled, An Act to encourage the raising of Bread-Corn on new Lands; severally; without any amendment.

And then the messenger withdrew.

Ordered, That Mr. Robie, Mr. Haliburton, and Mr. Pyke, be a committee to wait on his Excellency to know his pleasure when he would be attended by the House.

Mr. Robie reported from the committee appointed to wait on his Excellency, to know his pleasure when he would be attended by the House, that the committee had wait-

ed on his Excellency, and that he was pleased to say he would receive the House to-morrow at ten of the Clock.

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

Saturday, 10th June, 1809.

PRAYERS,

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 pleased to give this ANSWER :

GENTLEMEN,

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

GEORGE PREVOST.

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

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

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

Mr. Speaker,

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

Accordingly, Mr. Speaker, and the House, went up to attend his Excellency in the Council Chamber, where his Excellency was pleased to give his assent to the several Bills following :

An ACT, in addition to an Act, passed in the last Session of the General Assembly, entitled, An Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges.

An ACT to extend the provisions of an Act, passed in the forty-sixth 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 spoke as follows :

May it please your Excellency,

It is my duty on the part of the Commons of Nova-Scotia, to present to your Excellency a Bill, for appropriating the supplies granted in the last Session of the General Assembly for the support of his Majesty's Government, and the service of the Province for the year One Thousand Eight Hundred and Nine, and to pray your Excellency's assent to the same.

His

His Excellency was pleased to give his assent to the said Bill following, viz :
 An ACT for applying certain Monies therein mentioned for the service of the year
 one thousand eight hundred and nine ; and for appropriating such part of the sup-
 plies granted in the last Session of the General Assembly, as are not already appro-
 priated by the Laws or Acts of the Province.

His Excellency was then pleased to make the following SPEECH :

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

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

I return you my thanks for the liberal and wise provision you have made for the
 services I recommended at the opening of this Session : as well as for the personal
 testimony I have received of your consideration of the services performed by His
 Majesty's Forces lately employed in wresting from France, a possession, for the preserva-
 tion of which her Government had made unceasing sacrifices, and evinced extreme
 sollicitude.

I sincerely hope that you will find prosperity, peace and loyalty, prevailing through-
 out the Province ; and that those invaluable blessings will be ever promoted and
 secured 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,
 said,

GENTLEMEN,

IT is His Excellency's will and pleasure that this General Assembly, be prorogued
 to Wednesday the sixth day of September next, to be then here held, and this Ge-
 neral Assembly is accordingly prorogued to Wednesday the sixth day of September
 next.