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JOURNAL
OF THE
HOUSE OF ASSEMBLY,

OF THE
PROVINCE
OF
NEW BRUNSWICK,

*From WEDNESDAY the 10th day of MARCH, to SATURDAY
the 13th day of MARCH,*

1830.



FREDERICTON:

JOHN SIMPSON, PRINTER TO THE KING'S MOST EXCELLENT MAJESTY.

1830.



JOURNAL
OF THE
HOUSE OF ASSEMBLY
OF THE
PROVINCE OF NEW-BRUNSWICK.

The Honorable WILLIAM BLACK President and Commander-in-Chief.

F R E D E R I C T O N ,

WEDNESDAY, 10th MARCH, 1830.

The General Assembly having been prorogued until this day, then to meet for the dispatch of business—

And the House being met—

A Message was received from His Honor the President, by the Gentleman Usher of the Black Rod, requiring the immediate attendance of the House in the Council Chamber.

The House attended, and being returned.

Read, A Bill to enable the Chancellor, President and Scholars of King's College, at Fredericton, in the Province of New-Brunswick, to dispose of a Lot of Land in the Town of Fredericton.

Mr. Speaker then reported, that His Honor had been pleased to make a Speech to both Houses, of which he had procured a Copy, and is as follows :—

Mr.

Mr. President and Honorable Gentlemen of His Majesty's Council ;

Mr. Speaker and Gentlemen of the House of Assembly ;

WHILE sincerely lamenting the awkward difficulty which obliged me to terminate the late Session of the Legislature, I felt it an indispensable duty to afford you again the earliest opportunity of relieving the Province from the calamitous consequences that must attend the loss of its Revenue.

Mr. Speaker and Gentlemen of the House of Assembly ;

I have the fullest reliance in your sound wisdom, loyalty, and accustomed liberality, to make the necessary grants for all the important public services left without provision at the close of the late Session.

Mr. President and Honorable Gentlemen of His Majesty's Council ;

Mr. Speaker and Gentlemen of the House of Assembly :

I anxiously hope, that the same good feeling and harmony, so conspicuous in the late Session, may now prevail, and enable you to bring the business of the present, to a speedy and happy conclusion.

On motion of Mr. Allen.

Resolved, that a Committee be appointed, to whom may be referred all matters, which may in any wise be supposed to affect the Privileges of this House.

Ordered, that Mr. Allen, Mr. Johnston, Mr. Partelow, Mr. Campbell and Mr. Hayward, be the Committee for that purpose.

On motion of Mr. Partelow.

Resolved, that an humble Address be presented to His Honor the President, in answer to his Speech.

Ordered, That Mr. Partelow, Mr. Campbell and Mr. Johnston be a Committee to prepare the Address.

On motion of Mr. Hayward.

Ordered, that one hundred Copies of His Honor the President's Speech, at the opening of this Session be printed for the use of the Legislature.

On motion of Mr. Humbert.

Ordered, that the Journals of this House be daily, or as soon as a Copy can be prepared by the Clerk, printed, and that one hundred Copies thereof be furnished for the use of the Legislature.

On motion of Mr. Allen.

The House resolved itself into Committee of the whole, in consideration of ways and means of raising a Revenue in this Province.

Mr. Miles in the Chair of the Committee.

The Chairman reported, that the Committee had passed one Resolution, which he read, and it being handed in at the Clerk's Table, was there again read, and agreed to by the House, and is as follows :—

“ Resolved, That it is now expedient to impose Duties upon Merchandise imported into this Province, equal in amount to the duties mentioned in a Bill which passed this House at the last Session.”

Mr. Taylor moved for leave to bring in a Bill for raising a Revenue in this Province.

Leave granted.

And the said Bill being brought in, was read a first and second times.

And on motion of Mr. Campbell,

Ordered, that the Bill be referred to a Committee of the whole House to-morrow.

The House adjourned until to-morrow Morning, at 9 o'clock.

THURSDAY, 11th MARCH, 1830.

Prayers.

Mr. Partelow from the Committee appointed to prepare an Address in answer to His Honor the President's Speech at the opening of this Session ;

Reported a draft thereof, which he read, and it being handed in at the Clerk's Table, was then again read and ordered to be accepted.

And on motion of Mr. Partelow.

The House in Committee of the whole, went into consideration of the Address, as reported by the Select Committee.

Mr. Johnston in the Chair of the Committee.

The Chairman reported that the Committee had agreed to the Address referred to them.

And on motion of Mr. Johnston.

Resolved unanimously, that the Address be engrossed, signed by the Speaker, and presented to His Honor the President by the whole House.

Ordered, that Mr. Humbert, Mr. Wyer and Mr. Dow, be a Committee to wait upon His Honor, to know when he will be pleased to receive the House with the Address.

On motion of Mr. Campbell.

The House in pursuance of the order of the day, went into Committee of the whole, on a Bill for raising a Revenue in this Province.

Mr. Hayward in the Chair of the Committee.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had agreed to the same, with amendments.

Ordered, that the Report be accepted and the Bill engrossed as amended.

On motion of Mr. Humbert.

"Whereas certain Orders and Resolutions, were made and passed at the last Session of the General Assembly, referring several matters to the consideration of the next Session: And whereas in consequence of this early and unexpected meeting of the Legislature the said Orders and Resolutions cannot be observed or enforced. Therefore Resolved, that the said Orders and Resolutions stand over, and be continued until the next meeting of the Legislature."

Mr. Humbert, from the Committee to wait upon His Honor the President, to know when he would be pleased to receive the House with their Address, Reported, that His Honor was pleased to say, he would receive the Address, at 10 o'clock to-morrow, at Government House."

The House adjourned until to-morrow Morning, at 9 o'clock.

FRIDAY, 12th MARCH, 1830.

Prayers.

Read a third time as engrossed,

A Bill for Raising a Revenue in this Province.

Resolved that the Bill do pass.

Ordered, that Mr. Taylor take the said Bill to the Council, and desire their concurrence thereto.

The House waited upon His Honor the President with their Address, in answer to His Honor's Speech at the opening of the Session, and presented the following Address :—

To His Honor WILLIAM BLACK, Esquire,

President and Commander-in-Chief of the Province of New-Brunswick, &c. &c.

The Humble Address of the House of Assembly.

MAY IT PLEASE YOUR HONOR,—

THE House of Assembly, for the reasons stated in your Honor's Speech, feel satisfied that they express the sentiments of their Constituents, in offering to Your Honor their warmest acknowledgements, for calling them together at so early a period, after the termination of the late session, and although the House must deeply regret that their unwearied attention in framing a Revenue Bill, which they considered in all its provisions, well adapted to the circumstances of the Country, did not meet with the approbation they hoped for and expected of another Branch of the Legislature, they beg to assure Your Honor, that nothing on their part shall be wanting to relieve the Province from the disastrous results, which must attend the loss of its Revenue.

Your Honor may rely upon due consideration being given to any grants for public services, previously left unprovided for.

The same good feeling will continue to animate the House in their relations with all the other branches of the Legislature, and they confidently look forward to a prompt and happy conclusion of the business of the present Session.

And being returned—

Mr. Speaker reported, that His Honor was pleased to make the following Reply thereto :—

Mr. Speaker and Gentlemen of the House of Assembly :

I RECEIVE your Address on the present occasion with great satisfaction, as conveying the sentiments of yourselves and constituents, in approbation of the course, I felt myself obliged to pursue, under the recent irksome and unanticipated difficulty. And I return you my best thanks, for your gratifying assurances, promptly to supply what remained unavoidably wanting at the late prorogation, and of your determination to maintain harmony and good feeling with the other Branches of the Legislature ; which cannot fail speedily to bring your public labours to a happy conclusion.

On motion of Mr. Partelow.

“ Whereas a Grant was made at the last Session of the Legislature, of a Sum not exceeding £200 sterling, to His Honor the President, to enable him to pay Messrs. Bainbridge's and Brown a balance due on Furniture sent out by them from London, for the late Government House, in the year 1824 ; and whereas it appears, by a Report made in the Session of 1826, by the standing Committee on Public and Private Accounts, which Report was sustained by the House, that a part of the said Furniture purchased by the Commissioners for furnishing Government House, was the private Property of His Excellency the Lieutenant-Governor, and in the same and succeeding Sessions, provision was made in the House for the whole sum then established to be due by the Province, for Furniture supplied Government-House—

Therefore Resolved, that the Appropriation of the late Session above referred to, of a sum not exceeding £200 sterling, is incorrect, and that in consequence an humble Address be presented to His Honor the President, praying that he will direct a warrant may not issue for the said sum.

Ordered, that Mr. Partelow, Mr. Dow and Mr. Gilbert, be a Committee to wait upon His Honor with the Address.

And on motion of Mr. Partelow—

Further ordered, that the Clerk of this House do communicate this Resolution to Messrs. Bainbridge's & Brown, in order that they may apply to the proper quarter for the balance due them.

Mr. Cunard moved the following Resolution :—

Resolved,

Resolved, that a Bill introduced at the last Session of the General Assembly, intituled, "A Bill to provide for the Custom House Establishment in New-Brunswick" the further consideration thereof being postponed until the next Session, be now read a first time.

Upon the question for sustaining the Resolution, the House divided.

Yeas 7.—Nays 9.

It was therefore decided in the negative.

The House adjourned until to-morrow Morning, at 10 o'clock.

SATURDAY, 13th MARCH, 1830

Prayers.

Mr. Partelow, from the Committee appointed to wait upon His Honor the President, with an Address, praying His Honor would direct that a Warrant might not issue for the grant made at the last Session, of a sum to be applied to the payment of a balance due Messrs. Bainbridge's and Brown, for furniture imported from London, for the late Government House; Reported, that His Honor was pleased to say, that the subject should have due consideration.

On motion of Mr. Wyer.

"Whereas a Resolution of this House of the 9th February, 1829, respecting seizures made by the Revenue Cutters Elizabeth and Defiance, has not been complied with, in consequence of the departure of His Excellency the Lieutenant-Governor from the Province.

"Therefore Resolved, that an humble Address be presented to His Honor the President, praying His Honor will be pleased to direct to be laid before the House, at the next Session of the Legislature, an account of all seizures made by the Revenue Cutters Elizabeth, and Defiance; and also particular statements of the charges incurred in securing the same, the costs of condemnation, and the manner in which the nett proceeds of such seizures have been disposed of."

Ordered, that Mr. Wyer, Mr. Harrison, and Mr. Campbell, be a Committee to wait upon His Honor with the Address.

A Message from His Majesty's Council,

Mr. Bliss, Master in Chancery, informed the House that the Council had agreed to the Bill for raising a Revenue in the Province.

Mr. Wyer, from the Committee appointed to wait upon His Honor the President with the Address, praying His Honor would be pleased to direct to be laid before the House of Assembly, at their next Session, a return of seizures made by the Revenue Cutters Elizabeth and Defiance; Reported, that His Honor was pleased to say he would comply with the wishes of the House.

A Message from His Honor the President, by the Gentleman Usher of the Black Rod, requiring the immediate attendance of the House in the Council Chamber.

The House attended, and being returned,

Mr. Speaker reported, that he had addressed His Honor as follows:

"*May it please Your Honor,*

"The House of Assembly, immediately on the opening of the present Session, proceeded with diligence and close attention to the means for raising a Revenue; and they had passed a Bill for that purpose, which I now tender to your Honor on behalf of His Majesty's faithful and loyal subjects, The Commons of New-Brunswick, and pray your Honor's assent thereto."

And

And that His Honor having given his assent to the said Bill—
He was then pleased to make the following Speech to both Houses.

Mr. President and Honorable Gentlemen of His Majesty's Council ;

Mr. Speaker and Gentlemen of the House of Assembly :

“ Having now the pleasure to release you from farther attendance at this time, I cannot but express to you my warmest acknowledgements, for your liberal and judicious appropriations, as also for the very prompt attention bestowed on every matter recommended to the wisdom of your consideration.

“ It will be my earnest desire, as it is my incumbent duty, while I may continue in my present highly responsible situation, to pay a watchful regard to the faithful and proper application of the means you have granted, to their intended purposes.”

And His Honor the Chief Justice then said.

Gentlemen of His Majesty's Council ;

Mr. Speaker and Gentlemen of the House of Assembly ;

It is His Honor the President's will and pleasure that this General Assembly be prorogued until the first Tuesday in June next ; and this General Assembly is accordingly prorogued until the first Tuesday in June next, then here to be holden.