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JOURNAL
OF
THE LEGISLATIVE COUNCIL
OF
THE PROVINCE
OF
NEW BRUNSWICK.

From 29th January to 14th April, 1845.

Being the Third Session of the Thirteenth General Assembly.



FREDEBICTON, NEW BRUNSWICK:

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

1845.



Faint, mostly illegible text covering the upper half of the page, possibly representing a letter or official communication.



THE NATIONAL BUREAU OF INVESTIGATION
 FEDERAL BUREAU OF INVESTIGATION
 DEPARTMENT OF JUSTICE
 WASHINGTON, D. C. 20535
 A MEMORANDUM FOR THE DIRECTOR
 FROM THE SAC, NEW YORK
 SUBJECT: [Illegible]



By His Excellency Sir WILLIAM MACBEAN GEORGE COLEBROOKE, K. H., Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

W. M. G. COLEBROOKE, Lt. Governor.

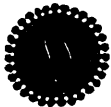
A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to Tuesday the twenty fifth day of June instant, I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued to the last Tuesday in September next.

Given under my Hand and Seal at Fredericton, the twenty fourth day of June, in the year of our Lord one thousand eight hundred and forty four, and in the eighth year of Her Majesty's Reign.

By His Excellency's Command.

WM. F. ODELL.



By His Excellency Sir WILLIAM MACBEAN GEORGE COLEBROOKE, K. H., Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

W. M. G. COLEBROOKE, Lt. Governor.

A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to the last Tuesday in this instant month of September, I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued to the third Tuesday in December next.

Given under my Hand and Seal at Fredericton, the twentieth day of September, in the year of our Lord one thousand eight hundred and forty four, and in the eighth year of Her Majesty's Reign.

By His Excellency's Command.

WM. F. ODELL.



By His Excellency Sir WILLIAM MACBEAN GEORGE COLEBROOKE, K. H., Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

W. M. G. COLEBROOKE, Lt. Governor.

A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to the third Tuesday in this instant month of December, I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued to Wednesday the twenty ninth day of January next, then to meet at Fredericton for dispatch of business.

Given under my Hand and Seal at Fredericton, the sixth day of December, in the year of our Lord one thousand eight hundred and forty four, and in the eighth year of Her Majesty's Reign.

By His Excellency's Command.

WM. F. ODELL.

JOURNAL
OF THE
LEGISLATIVE COUNCIL
OF THE
Province of New Brunswick.

THIRD SESSION OF THE THIRTEENTH GENERAL ASSEMBLY.

ANNO OCTAVO VICTORIÆ REGINÆ.

**His Excellency Sir William Macbean George Colebrooke, K. H., Lieutenant
Governor and Commander in Chief.**

At Fredericton in the Province of New Brunswick.

LEGISLATIVE COUNCIL CHAMBER, Wednesday, 29th January, 1845.

The General Assembly having been by three Proclamations prorogued to this day,
the House met—

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Chandler,
Mr. Kinnear,*

*Mr. Robinson,
Mr. Botsford,
Mr. Robertson,
Mr. Johnston.*

PRAYERS.

The House was adjourned during pleasure.

After some time the House resumed.

At two o'clock, His Excellency Sir William Macbean George Colebrooke, Knight of the Hanoverian Guelphic Order, Lieutenant Governor and Commander in Chief of the Province, &c. &c. &c., came to the Council Chamber, and being seated in the Chair on the Throne, the Honorable the President commanded the Gentleman Usher of the Black Rod to let the Assembly know—"It is His Excellency's pleasure that they attend him immediately in this House."

Who being come, with their Speaker,

His Excellency was pleased to open the Session by the following Speech to both Houses :—

" Mr.

“ Mr. President, and Honorable Gentlemen of the Legislative Council,

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

“ I HAVE convened you at the usual period of the year for the consideration of the affairs of the Province, relying with full confidence that your labours will be resumed in a spirit which will attest your zeal for the Public welfare.

“ You will participate in the lively gratification which the birth of a Prince has afforded to the Queen’s subjects in all parts of Her Dominions, and in thankfulness to the Almighty for Her Majesty’s health and safety.

“ Of the measures for which provision was made in the last Session, none have been of greater interest to the people, of every class, than the Inspection of the Parish and other Schools throughout the Province. This duty has been satisfactorily accomplished, and the Reports of the Inspectors will be laid before you.

“ The correspondence which I have held with Her Majesty’s Government on this subject, containing the observations of the Committee of Her Majesty’s Privy Council for Schools, will also be communicated to you. The Reports of that Board contain original information of great value, and I earnestly hope that the Session will not be allowed to pass, without the adoption of an improved system for the management of the Parish Schools founded on those principles which have been successfully applied in the United Kingdom.

“ Some amendments are found to be required in the Acts of 1843, for ameliorating the Criminal Laws; and I regret that the increase of Juvenile Delinquency and Vagrancy has rendered necessary some special enactment for the reformation of that class of offenders.

“ In adverting to measures which it had not been found practicable to mature, a correspondence will be laid before you relating to the Act of 1843, for improving the Election Laws, which Act Her Majesty in Council has been pleased to confirm, and I request your attention to the amendments which the Act is considered to require.

“ The Laws relating to Prisons and Debtors, and for the regulation of Savings’ Banks will also require some revision.

“ From the defective state of the Provincial Lunatic Asylum, some Reports have been obtained which will be laid before you, in which it is recommended that more suitable accommodation may be provided for its inmates.

“ Her Majesty’s Government having caused a Survey to be made for a new line of Road to be carried through this Province to Quebec, I recommend to you, in accordance with the Instructions I have received, that such facilities may be given for the Settlement of the Lands adjacent to the Line, as will provide for keeping open the Road when completed.

“ The importance of making more effectual provision for improving the Post Communications throughout the Province, and the Navigation of the River Saint John, will also be apparent to you.

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

“ I congratulate you on the great improvement which has taken place in the Revenues of the last year, not only as affording relief of the public burthens, but as enabling you to foster those interests which depend on the public contributions.

“ The

“ The Accounts of the last year will be laid before you, from which you will perceive that every attention has been given to economy, where it could be promoted without injury to the Public Service.

“ The ill effects which have arisen from fiscal restrictions on the Trade with the neighbouring Provinces is a subject which I hope will occupy your attention.

“ *Mr. President, and Honorable Gentlemen of the Legislative Council,*

“ *Mr. Speaker, and Gentlemen of the House of Assembly,*

“ The favourable change which has occurred within the last year in the Commercial prospects of the Province, has had a beneficial influence upon other branches of Industry ; while it has shewn the close relations subsisting between the prosperity of the Colonies and of the Mother Country.

“ Acknowledging with gratitude our dependance for these and other blessings on the bounties of a beneficent Providence, I fervently hope for their continuance, and that the measures of the present Session may conduce to the honor and advantage of the Province and be productive of lasting satisfaction to yourselves.”

Which being ended,

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

His Honor the President reported His Excellency's Speech.

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

ORDERED, That the Honorable Messieurs Saunders and Kinnear be appointed a Committee for that purpose.

ORDERED, That the Journals of the House be printed daily, and that two hundred copies thereof be furnished.

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 30th January, 1845.

PRESENT :

THE HON.

Mr. Black, President.

Mr. Shore,

Mr. Saunders,

Mr. Chandler,

Mr. Robertson,

Mr. Johnston.

Mr. Robinson,

Mr. Botsford,

Mr. Street,

Mr. Kinnear,

PRAYERS.

The Honorable Mr. Johnston, by leave, presented a Petition from Stephen Wiggins, Charles C. Stewart, John Duncan, and fourteen other persons, Merchants, Ship Owners, and Inhabitants of the City of Saint John, praying a Marine Assurance Company may be incorporated in the City of Saint John.

ORDERED, That the said Petition be received and lie-on the Table.

The

The Honorable Mr. Robertson, by leave, presented a Petition from Thomas M'Gaghey, of the City of Saint John, praying the sum of nineteen pounds five shillings may be granted to him for services performed under the orders of Government, while attending a Commission directed to investigate into the circumstances of the burning of a Church on the Island of Grand Manan.

ORDERED, That the said Petition be received and lie on the Table.

The Honorable Mr. Kinnear, by leave, presented a Petition from John Porter and George Porter, of Saint Stephen, in the County of Charlotte, praying for protection in their Mill operations in the said Parish and County.

ORDERED, That the said Petition be received and lie on the Table.

The Honorable Mr. Saunders, from 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.

ORDERED, That the House be put into a Committee of the whole to-morrow to take the same into consideration.

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 31st January, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Street,
Mr. Kinnear,*

*Mr. Cunard,
Mr. Botsford,
Mr. Chandler,
Mr. Robertson,
Mr. Johnston.*

PRAYERS.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Draft of an Address to His Excellency the Lieutenant Governor, in answer to His Speech at the opening of the Session.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had taken the said Draft into consideration, and recommended the same without amendment to the adoption of the House.

The said Address having been read, was approved of by the House, and is as follows :—

To

*To His Excellency Lieutenant Colonel Sir WILLIAM MACBEAN GEORGE COLEBROOKE,
Knight of the Hanoverian Guelphic Order, Lieutenant Governor and Commander in
Chief of the Province of New Brunswick, &c. &c. &c.*

THE HUMBLE ADDRESS OF HER MAJESTY'S LEGISLATIVE COUNCIL IN
GENERAL ASSEMBLY.

MAY IT PLEASE YOUR EXCELLENCY,

We thank Your Excellency for the Speech which Your Excellency has been pleased to make at the opening of the present Session of the Legislature; and trust, the confidence which Your Excellency has expressed, in the spirit with which our labours will be resumed, shall not be undeserved.

The birth of another Prince, and Her Majesty's continued health, afford us the most heartfelt satisfaction.

The Education of all classes of the People of this Province must ever be a subject of the deepest interest, and whenever the Reports and Correspondence to which Your Excellency alludes shall be laid before us, our assiduous attention shall be bestowed on the Parish School System at present existing in this Province, in connexion with the information promised by Your Excellency.

We are concerned to learn that Juvenile Delinquency and Vagrancy are increasing within the Province, and whatever measures may be necessary for the suppression of these offences, or for the amelioration of the Criminal Laws, shall have our best consideration.

When the correspondence regarding the Election Laws, to which Your Excellency refers, shall be before us, we shall attend to such amendments as may be proposed and considered necessary in that highly important branch of our Constitution.

The subject of Prison Regulations, with the confinement of Debtors, and the valuable enactments establishing and fostering Savings' Banks, shall receive the deliberation which their merits respectively demand.

Our concurrence shall be cheerfully given to any suitable plan for the better accommodation of the unfortunate inmates of the Provincial Lunatic Asylum.

Grateful to Her Majesty's Government for the Survey made, as announced by Your Excellency, of a new Line of Road through the Province to Quebec, it will give us much satisfaction to unite in any feasible plan, by which facilities may be afforded for the settlement of the Lands adjacent, for the purpose of keeping the Road open when completed.

The Post Communications of this Province, and the Navigation of the River Saint John, we agree with Your Excellency, are susceptible of much improvement, and will require our grave and careful consideration.

We rejoice in the favourable change which has taken place in the Commerce, and other sources of Industry of this happy portion of the Great British Empire, which we gratefully admit to be chiefly owing to those intimate relations which bind us to the Mother Country, relations which we fervently trust no time or change may ever disturb, while we desire with Your Excellency to acknowledge in all these blessings, our dependence on a gracious and beneficent Providence.

ORDERED, That the Honorable Messieurs Saunders and Kinnear be appointed a Committee to wait upon His Excellency the Lieutenant Governor, to know when this House would be received with their Address, in answer to His Excellency's Speech at the opening of the Session.

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 1st February, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Kinnear,*

*Mr. Cunard,
Mr. Saunders,
Mr. Attorney General,
Mr. Street,
Mr. Johnston.*

PRAYERS.

The Honorable Mr. Saunders, from the Committee appointed to wait upon His Excellency the Lieutenant Governor, to ascertain when this House would be received with their Address in answer to His Excellency's Speech at the opening of the Session, reported, that they had done so, and His Excellency was pleased to say, he would receive the Address this day at three o'clock.

At three o'clock the House proceeded to the Government House with their Address, and having returned—

The Honorable the President reported, that His Excellency had been pleased to receive the same, and to return 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 Honorable Gentlemen,

“ Accept my thankful acknowledgement for your Dutiful and Loyal Address.

“ It is very gratifying to me to receive the assurance of your support and co-operation, and I look forward with confidence to an honourable and successful termination of the business of the Session.”

Adjourned until Monday next at 12 o'clock.

MONDAY, 3d February, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Chandler,*

*Mr. Cunard,
Mr. Botsford,
Mr. Street.*

PRAYERS.

There not being eight Members present, the House adjourned until to-morrow at 12 o'clock.

TUESDAY,

TUESDAY, 4th February, 1845.

PRESENT :

THE HON.

*Mr. Cunard,
Mr. Botsford,
Mr. Chandler,
Mr. Johnston.*

Mr. Black, President.

*Mr. Saunders,
Mr. Attorney General,
Mr. Street,*

PRAYERS.

Several Messages from His Excellency the Lieutenant Governor were delivered by the Honorable Mr. Saunders, a Member of Her Majesty's Executive Council.

The Honorable the President read the same, and they were again read by the Clerk as follows :—

NEW BRUNSWICK.

*Message to the Legislative Council,
3d February, 1845.*

W. M. G. COLEBROOKE, LT. GOVERNOR.

The Lieutenant Governor lays before the Legislative Council, copy of a Despatch from the Secretary of State for the Colonies, recommending that the Act passed in the last Session "to establish the value of certain British Coins in this Province, and to amend the Acts relating to the establishment of a Legal Tender," should be amended.

W. M. G. C.

LEGAL TENDER ACT.

(Copy)

Downing Street, 13th August, 1844.

SIR,—I have had under my consideration an Act (No. 1511), passed by the Legislature of New Brunswick in the month of April last, entitled "An Act to establish the value of certain British Coins in this Province, and to amend the Acts relating to the establishment of a Legal Tender."

As the valuation assigned by the present Act for the British Sovereign and Crown Piece appear to be correct, I do not object to the Act having been passed without a suspending clause. The assent of the Queen in Council will be given to the Act at the next opportunity.

I observe however that the present Law repeals an Act of the 36th year of the Reign of George the Third. This would seem to be an error, inasmuch as the Act therein referred to was passed, not in the 36th but in the 26th year of that Reign.

I also observe that the present Act makes no provision for rectifying the over-valuation of the Eagle of the United States, although such over-valuation was pointed out in my Despatch, No. 197, of the 14th October, 1843.

On both these points therefore it appears to me that in the next Session of the Legislature amendments ought to be made by a further Act.

I have, &c.

(Signed)

STANLEY.

Lieut. Governor Sir Wm. Colebrooke, New Brunswick.

NEW BRUNSWICK.

*Message to the Legislative Council,
3d February, 1845.*

W. M. G. COLEBROOKE, LT. GOVERNOR.

The Lieutenant Governor lays before the Legislative Council, copy of a Despatch from

from the Right Honorable the Secretary of State for the Colonies, on the subject of the encouragement and facilities required towards the early formation of Settlements on the Line of Road to be carried through this Province to Quebec, to which he alluded in his Speech in opening the Session.

W. M. G. C.

(Copy)

MILITARY ROAD TO QUEBEC.

Military.—No. 13.

Downing Street, 3d September, 1844.

SIR,—I have to acknowledge the receipt of your Despatch marked "Separate and Private," with its enclosures, reporting the progress which had been made up to the end of July last in the Military Road from Halifax to Quebec.

These Reports are sufficiently satisfactory as to the practicability of carrying through the important project of establishing the Line of Communication proposed. But you will have the goodness to bear in mind the expediency of granting every possible degree of encouragement and facility towards the early formation of Settlements on that Line, as it is only by the existence of such Settlements, and by the intercourse to be carried on between them, that the proposed Road can be kept open.

I have the honor, &c.

(Signed)

STANLEY.

Lieutenant Governor Sir Wm. Colebrooke, &c. &c. &c.

The Honorable Mr. Saunders, also by direction of His Excellency the Lieutenant Governor, lays before the House—

Abstracts shewing the state of the Central Bank of New Brunswick on the third day of June, 1844, and the second day of December, 1844 :

Abstracts shewing the state of the Saint Stephen Bank on the first Monday in July, 1844, and the first Monday in January, 1845 :

An Abstract shewing the state of the Bank of New Brunswick on the sixth day of January, 1845 :

An Abstract shewing the state of the Charlotte County Bank on the first Monday in May, 1844 :

Abstracts shewing the state of the Marine Assurance Company on the twenty ninth day of June, 1844, and the second day of January, 1845 : also

A copy of a statement of the affairs of the Saint John Mechanics' Whale Fishing Company on the second day of September, 1844 ; accompanied by a List of the names of the Stockholders.

ORDERED, That the same do lie on the Table.

A Message was brought from the Assembly by Mr. Jordan, with the following Bills, to which they desire the concurrence of this House :—

A Bill to continue the Act to provide for the payment of Interest on Warrants :

A Bill to continue an Act, intituled "An Act to prevent Pedlars travelling and selling within this Province without Licence : " and

A Bill to incorporate sundry persons by the name of the Globe Assurance Company.

The said Bills were severally read a first time.

ORDERED, That the said Bills severally stand for a second reading to-morrow.

ORDERED,

ORDERED, That a Select Committee of three Members be appointed to examine and report upon such Bills relating to Corporations as may be referred to them during the present Session ; and

That the Honorable Messieurs Botsford, Chandler, and Hatch, do compose such Committee.

Adjourned until To-morrow at half past 1 o'clock.

WEDNESDAY, 5th February, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Street,
Mr. Johnston.*

*Mr. Cunard,
Mr. Botsford,
Mr. Chandler,
Mr. Kinneear,*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to continue the Act to provide for the payment of Interest on Warrants :

A Bill to continue an Act, intituled “ An Act to prevent Pedlars travelling and selling within this Province without Licence :” and

A Bill to incorporate sundry persons by the name of the Globe Assurance Company.

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the following Bills into consideration :—

A Bill to continue the Act to provide for the payment of Interest on Warrants : and

A Bill to continue an Act, intituled “ An Act to prevent Pedlars travelling and selling within this Province without Licence.”

ORDERED, That the Bill to incorporate sundry persons by the name of the Globe Assurance Company, be referred to the Select Committee appointed to examine and report upon Bills relating to Corporations.

A Message was brought from the Assembly by Mr. S. Earle, with a Bill to continue the Act for prohibiting and suppressing of Lotteries in this Province, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

The Honorable Mr. Shore, by leave, presented a Petition from Alexander Davidson, of the Parish of Nelson, in the County of Northumberland, praying an Act may be allowed to pass, authorizing the Governor of the Province for the time being to grant a Lease to him of certain Lands, covered with water, in Neguac Bay, in the County of Northumberland, for the purpose of planting and forming beds of Oysters.

ORDERED, That the said Petition be received and lie on the Table.

The Honorable Mr. Johnston, by leave, presented the following Petitions:—

A Petition from William Pitts, John Long, Robert Dowling, and sixty seven other persons, praying aid for a Road passing through the Mechanics' Settlement in Westmorland and King's Counties :

A Petition from the Justices of the Peace of King's County, praying an Act may pass to authorize an assessment to pay County Debts :

A Petition from Robert L. Saunders, praying compensation for teaching a School in the County of Saint John :

A Petition from James Moran, Jacob Bradshaw, David Vaughan, and ninety other inhabitants of the Parish of Saint Martins, praying a Road leading from the Marsh Road at Creighton's to Lake Lemond and Quaco, may be made one of the Great Roads of the Province : and

A Petition from Ezekiel C. Wilson, of King's County, praying an allowance for teaching a School in the Parish of Upham.

ORDERED, That the said Petitions be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 6th February, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Chandler,
Mr. Johnston.*

*Mr. Cunard,
Mr. Attorney General,
Mr. Street,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to continue the Act for prohibiting and suppressing of Lotteries in this Province, was read a second time.

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the said Bill into consideration.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue the Act to provide for the payment of Interest on Warrants.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue an Act, intituled "An Act to prevent Pedlars travelling and selling within this Province without Licence."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Several Messages from His Excellency the Lieutenant Governor were delivered by the Honorable Mr. Cunard, a Member of Her Majesty's Executive Council.

The Honorable the President read the same, and they were again read by the Clerk as follows :—

NEW BRUNSWICK.

*Message to the Legislative Council,
4th February, 1845.*

W. M. G. COLEBROOKE, LT. GOVERNOR.

The Lieutenant Governor communicates to the Council, the copy of a Despatch from the Secretary of State, in answer to their Address of the last Session, relative to the tenure of Office of their Members.

W. M. G. C.

(Copy)

[No. 254.]

Downing Street, 23d August, 1844.

SIR,—I have laid before the Queen the Address of the Members of the Legislative Council of New Brunswick, (enclosed in your Despatch of the 16th of last April,) recommending that their tenure of Office should be during good behaviour; and that they should be subject to the same disqualifications and mode of vacating their seats as have been prescribed for the Legislative Council of Canada by the Imperial Parliament.

Having maturely weighed this Address, and the Despatches noted in the margin, which you have addressed to me in reference to it, I have to acquaint you that the grounds for effecting such a change in the Constitution of this branch of the Legislature, as is desired, have not appeared to me to be sufficient to justify me in advising the Queen to accede to the wishes of the Legislative Council.

I have accordingly to instruct you to inform the Legislative Council of New Brunswick, that though Her Majesty was pleased to receive their Address very graciously, Her Majesty has not given me any commands in respect to it.

I have, &c.

(Signed)

STANLEY.

Lieut. Governor Sir William Colebrooke, &c. &c. &c.

NEW BRUNSWICK.

*Message to the Legislative Council,
6th February, 1845.*

W. M. G. COLEBROOKE, LT. GOVERNOR.

The Lieutenant Governor lays before the Council, the copy of a Despatch from the Secretary of State for the Colonies, relative to the Act passed in the Session of 1843, "to improve the Laws relating to the Elections of Representatives to serve in General Assembly," which Act Her Majesty has been pleased to confirm; and the Lieutenant Governor relies on such amendment being made in the Act as will remove the objections considered to apply to it.

W. M. G. C.

(Copy)

(Copy)

[No. 240.]

Downing Street, 21st June, 1844.

SIR,—I have received your Despatch, No. 35, of the 12th May, enclosing a report of the Committee of the House of Assembly of New Brunswick, upon introducing a Bill (which was subsequently rejected by the Council) for the purpose of removing the objections taken in my Despatch, No. 174, of the 31st July 1843, to the confirmation of the Act, No. 1434, passed by the Legislature of that Province, in the previous April, “to improve the Laws relating to the Election of Representatives to serve in the General Assembly.”

In that Despatch I objected to the extended powers which this Act would confer upon the Speaker of the Assembly, in issuing during the recess Writs for new Members “in the event of any vacancy by death, resignation, or appointment to the Legislative Council, or otherwise.”

It appears, however, from the report which you have now transmitted, that the words “*or otherwise*,” to which I had more particularly objected, had reference only to the provisions of the Provincial Act, No. 1408, “to vacate the Seats of Members of the Assembly in certain cases,” which Act had subsequently to the passing of the present Act been disallowed by Her Majesty’s Council.

Such being the fact, this objection ceases to have any weight.

I have therefore had the satisfaction of advising Her Majesty to confirm this Act, not doubting that the Council and Assembly will, at their next Session, pass an Act to remove the objections to which I referred, in the same spirit as the draft of the Bill which accompanied your present Despatch.

I enclose herewith an Order made by Her Majesty in Council on the 19th instant, specially confirming the Act which has formed the subject of this Despatch.

I have, &c.

(Signed)

STANLEY.

Lient. Governor Sir Wm. Colebrooke, K. H. &c. &c. &c.

The Honorable Mr. Cunard, also by direction of His Excellency the Lieutenant Governor, lays before the House the following Accounts and Documents:—

ABSTRACT

ABSTRACT OF THE REVENUE OF THE PROVINCE OF NEW BRUNSWICK FOR THE YEAR 1844.

	Loan Fund.	Ordinary Revenue.	Export Duty.	Casual and Territorial Revenue.	Rec. from the Clerk Pleas Sup. Court.	Received from Officers of H. M. Customs.	Auction Duties.	Pedlars' Licences.	Emigrant Duties.	Light House Duties.	S. and D. Seamen's Duties.	TOTALS.
Saint John,.....	4877 10 24	30,097 12 10 4	6957 1 11	11,601 7 9	327 7 10	17,162 17 11	327 12 7 4	5 0 0	9 548 4	2,306 10 4	889 2	171,880 7 8 4
Miramichi,.....	787 12 3 4	5,307 19 10	897 8 9	0 0 0	0 0 0	2,624 6 9	0 9 0 4	0 0 0	0 0 0	241 7 1	994 0 6	10,262 11 9
Dalhousie,.....	142 0 8	1,304 13 6	1018 6 2	0 0 0	0 0 0	421 4 6 4	38 0 0	0 0 0	0 0 0	103 12 9	85 3 8	3,403 1 8 4
Bathurst,.....	139 10 1	680 19 8	129 12 10	0 0 0	0 0 0	204 16 3	0 0 0	0 0 0	0 0 0	58 13 7	57 0 9	1,260 18 2
Richibucto,.....	128 16 8	334 9 4 4	383 14 11	0 0 0	0 0 0	621 0 7	0 0 0	0 0 0	0 0 0	45 19 7	42 12 9	2,036 13 11 4
Shediac,.....	7 16 6	80 17 1	2 11 3	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	2 11 1	1 9 8	95 6 1
Bay Verte,.....	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	1 12 6
Westmorland, (Parish),.....	4 11 0	19 11 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	24 2 0
Dorchester,.....	15 14 4	118 16 9	121 1 4	0 0 0	0 0 0	6 6 0	0 0 0	0 0 0	0 0 0	50 5 8	16 8 0	328 12 1
Woodstock,.....	15 8 4	211 3 6	0 0 0	0 0 0	0 0 0	105 15 10	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	332 7 8
Fredericton,.....	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	13 2 7	0 0 0	0 0 0	0 0 0	0 0 0	13 2 7
Fredericton,.....	135 3 5	736 5 1	61 8 2	0 0 0	0 0 0	273 10 7	14 11 3 4	0 0 0	9 14 2	272 12 8	126 13 6	1,029 18 10 4
Saint Andrew,.....	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	3 6 10	10 10 0	0 0 0	100 0 4	44 12 2	784 13 4
Saint Stephen,.....	64 12 10	561 11 2	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	56 10 8	25 5 4	283 17 2
Saint George,.....	22 14 9	73 12 6	104 1 2	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	6 14 1	0 0 0	6 14 1
Saint George,.....	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
TOTALS	6331 11 1	40,147 12 7	8675 7	0 8031 7 9	327 7 10	21,519 18 6 4	697 2 4 1	18 16	0 567 5 10	4444 17 10	1682 8	5,92,333 14 2

COMPARATIVE STATEMENT.

	1843.	1844.	Increase.	Decrease.
Loan Fund,.....	1,304 19 7 4	6,331 11 1	5,026 11 5 1	0 0 0
Ordinary Revenue,.....	24,998 8 4 4	40,147 12 7	15,149 4 2 1	0 0 0
Export Duty,.....	11,980 0 0	8,675 7 0	8,675 7 0	0 0 0
Casual and Territorial Revenue,.....	14,322 2 9	8,051 7 9	0 0 0	3,928 12 3
Received from Clerk of Pleas Sup. Court,...	528 12 10	327 7 10	327 7 10	0 0 0
Auction Duties,.....	12 5 0	597 2 4 1	7,197 15 8 1	0 0 0
Pedlars' Licences,.....	342 6 8	18 15 0	68 9 6 1	0 0 0
Emigrant Duties,.....	4,063 4 5	567 5 10	6 10 0	0 0 0
Light House Duties,.....	1,926 13 4 1	4,444 17 10	224 19 2	0 0 0
Sick and Disabled Seamen's Duties,.....		1,652 8 5	361 13 5	0 0 0
			0 0 0	274 4 11 1
TOTALS	£59,498 13 0 1	£92,333 14 2	£37,037 18 4	£4,202 17 2 1

Treasury, Saint John, 10th January, 1845.

B. ROBINSON, P. T.

STATEMENT OF THE FINANCES OF NEW BRUNSWICK, 31st DECEMBER, 1844.

<i>Debts.</i>				
Warrants, Series 1842, not called for,.....		£1,056	0	0
Do. 1843, Do.		1,755	16	10
Do. 1844, Do.		6,494	3	2
Balance due on Bye Roads, (Grants 1842,).....		668	15	0
Grants of 1842, 1843, and 1844, for which Warrants have not been issued,.....		4,000	0	0
Interest due on Warrants as above, not called for,.....		124	14	7
				£14,099 9 7
Amount of Savings' Bank Deposits, bearing 6 per cent. Interest,.....				12,773 1 9
Debentures for Loans, Burnt District, @ 6 per cent. Interest,.....	£16,300	0	0	
Interest due thereon,.....		282	0	0
				16,582 0 0
Balance due on Cash Credit Account at Bank of N. B., @ 5½ per cent. Interest,.....				18,360 13 7
Balance of Province Loan £65,000 Sterling @ 4s. 2d.—@ 5½ per cent. Interest,...				78,000 0 0
				£139,815 4 11
<i>Assets.</i>				
Bonds for Loans, Burnt District,.....	£13,950	0	0	
Interest due thereon,.....		1,802	0	0
Saint John Water Company's Bond,.....		5,000	0	0
Corporation Bonds for Loans for relief of Poor,.....		3,250	0	0
Balances at Out-Bays in Bonds and Cash,.....		6,593	9	2
				30,595 9 2
				£109,219 15 9

There are further Assets in the hands of the Attorney General, and of the Receiver General of Casual Revenue.

Treasury, Saint John, 30th January, 1845.

B. ROBINSON, P. T.

CIVIL LIST OF THE PROVINCE OF NEW BRUNSWICK FOR THE YEAR 1844.

First Quarter—March 30th.

To paid Salary of the Lieutenant Governor,.....		£865	7	8
“ “ Private Secretary,.....		57	13	10
“ “ Chief Justice,.....		274	0	9
“ “ Judge Botsford,.....		187	10	0
“ “ Judge Carter,.....		187	10	0
“ “ Judge Parker,.....		187	10	0
“ “ Provincial Secretary,.....		399	17	9
“ “ Surveyor General,.....		300	0	0
“ “ Auditor General,.....		86	10	9
“ “ Receiver General,.....		86	10	9
“ “ Attorney General,.....		158	13	0
“ “ Solicitor General,.....		57	13	10
				£2,848 18 4
				£2,848 18 4

	<i>Brought forward</i> ,.....	£2,848	18	4
To paid	Donation to King's College,.....	277	15	6
"	Donation to Indians,.....	15	0	0
"	Annuity to A. Lockwood, Esquire,.....	43	5	4
		£3,184	19	2

Second Quarter—to 30th June.

To paid	Salary of the Lieutenant Governor,.....	£865	7	8
"	" Private Secretary,.....	38	9	3
"	" Acting Private Secretary,.....	19	4	7
"	" Chief Justice,.....	274	0	9
"	" Judge Botsford,.....	187	10	0
"	" Judge Carter,.....	187	10	0
"	" Judge Parker,.....	187	10	0
"	" Provincial Secretary,.....	399	17	9
"	" Surveyor General,.....	300	0	0
"	" Auditor General,.....	86	10	9
"	" Receiver General,.....	86	10	9
"	" Attorney General,.....	158	13	0
"	" Solicitor General,.....	57	13	10
"	Donation to King's College,.....	277	15	6
"	Donation to Indians,.....	15	0	0
"	Annuity to A. Lockwood, Esquire,.....	43	5	4
		£3,184	19	2

Third Quarter—to 30th September.

To paid	Salary of the Lieutenant Governor,.....	£865	7	8
"	" Private Secretary,.....	32	1	0
"	" Acting Private Secretary,.....	25	12	10
"	" Chief Justice,.....	274	0	9
"	" Judge Botsford,.....	187	10	0
"	" Judge Carter,.....	187	10	0
"	" Judge Parker,.....	187	10	0
"	" Provincial Secretary,.....	399	17	9
"	" Surveyor General,.....	300	0	0
"	" Auditor General,.....	86	10	9
"	" Receiver General,.....	86	10	9
"	" Attorney General,.....	158	13	0
"	" Solicitor General,.....	57	13	10
"	Donation to King's College,.....	277	15	6
"	Donation to Indians,.....	15	0	0
"	Annuity to A. Lockwood, Esquire,.....	43	5	4
		£3,184	19	2

<i>Last Quarter—to 31st December.</i>		
To paid Salary of the Lieutenant Governor,.....		£865 7 8
“ “ Private Secretary,.....		57 13 10
“ “ Chief Justice,.....		274 0 9
“ “ Judge Botsford,.....		187 10 0
“ “ Judge Carter,.....		187 10 0
“ “ Judge Parker,.....		187 10 0
“ “ Late Provincial Secretary,.....		399 17 9
“ “ Surveyor General,.....		300 0 0
“ “ Auditor General,.....		86 10 9
“ “ Receiver General,.....		86 10 9
“ “ Attorney General,.....		158 13 0
“ “ Solicitor General,.....		57 13 10
“ “ Acting Emigrant Agent,.....		28 16 11
“ Donation to King's College,.....		277 15 6
“ Donation to Indians,.....		15 0 0
“ Annuity to A. Lockwood, Esquire,.....		43 5 4
		£3,213 16 1
		£3,213 16 1
Total for the Year,.....	£12,768 13 7	
Amount of Civil List,.....	14,500 0 0	
	£1,731 6 5	
	£1,731 6 5	

Audit Office, January, 1845.

F. P. ROBINSON, *Auditor.*

Abstract of the Receipts and Expenditure of the Casual and Territorial Revenue for the Year ending 31st December, 1844.

1843.

Dec. 31. To Balance in favor of the Province,.....		£257 4 9
“ Proceeds of Tonnage on Timber and Lumber cut on Crown Lands, including Mileage on Licences to cut Timber and Logs,.....		4,613 16 9
“ Proceeds of Land sold,.....		3,235 2 9
“ Amount of Contingencies collected at the Secretary's Office, three Quarters ending 30th September, 1844,.....		369 18 4
“ Contingencies collected at Crown Land Office,.....		282 10 4
“ Fines in Courts of Law,.....		13 3 0
“ Proceeds of Militia Clothing,.....		55 0 0
“ Received from A. Inches, unexpended balance,.....		6 13 7
“ Received from John Kerr on account of amount ordered to be paid the Receiver General,.....		519 11 6
“ Amount transferred from Surplus Civil List, being Secretary's Contingencies for 1841 and 1842,.....		195 16 6
“ Amount received from Attorney General,.....		723 1 4
“ Amount of Fine imposed upon the Master of the ship Asia,.....		9 14 2
		£10,281 13 0
		£10,281 13 0

1844.				
Dec. 31.	By Amount paid	Land Special Surveys and Inspections,.....	£82	11 6
"	"	For inspecting Timber and Lumber,.....	583	0 4
"	"	Jacob Allan's Salary, and Contingencies of Office,.....	378	11 0
"	"	Seizing Officer's dues,.....	46	13 0
"	"	For investigating charges against Seizing Officers,.....	125	14 5
"	"	Expenses connected with Crown Prosecutions,.....	63	3 2
"	"	Clerk Hire Crown Land Office,.....	1,023	15 0
"	"	Contingencies of Crown Land Office,.....	305	7 4
"	"	Audit Office Rent and Contingencies,.....	56	4 6½
"	"	Receiver General's Office Rent and Contingencies,.....	24	18 1½
"	"	Travelling Expenses of Executive Council,.....	231	0 0
"	"	Postages—Surveyor General, Auditor General, & Receiver General,.....	212	17 4½
"	"	Deposits on Timber and Land returned,.....	104	18 8
"	"	Printing, Advertising, Gazettes, &c.....	66	3 0
"	"	Postage of Commissioners for collecting the Crown Debts, Charles Doherty, Esquire, as Counsel in the Prosecution of the Master of the ship Asia,.....	3	10 0
"	"	Amount paid Province Treasurer,.....	6,750	0 0
		Balance in favor of the Province,.....	212	15 5
			<u>£10,281</u>	<u>13 0</u>

1844.				
Dec. 31.	By Balance due the Province,.....		£212	15 5
Made up as follows :—				
		Balance in Receiver General's hands,.....	£240	6 1
		Fees on Timber Applications returned by order of the Executive,.....	15	15 0
			<u>£256</u>	<u>1 1</u>
		Less, unpaid Warrants,.....	43	5 8
			<u>£212</u>	<u>15 5</u>

Office of Audit, 27th January, 1845.

F. P. ROBINSON, Auditor.

A Message was brought from the Assembly by Mr. Gilbert, with a Bill to continue an Act, intituled "An Act for the better and more effectual securing the Navigation of the Newcastle River, in Queen's County," to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

A Message was brought from the Assembly by Mr. Fisher, with the following Bills, to which they desire the concurrence of this House :—

A Bill further to continue an Act, intituled "An Act to authorize the Justices of the Peace in the County of York to make further provision for the payment of the Treasurer of that County :"

A Bill further to continue an Act, intituled "An Act to provide for the summary punishment of persons committing trespasses upon Square Timber and other Lumber :

A Bill relating to the privilege of solemnizing Marriage : and

A Bill relating to certain Fees.

The said Bills were severally read a first time.

ORDERED, That the said Bills severally stand for a second reading to-morrow.

A Message was brought from the Assembly by Mr. Botsford, with a Bill to continue the Act imposing a Duty on Rum and other Spirituous Liquors distilled within the Province, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

A Message was brought from the Assembly by Mr. Jordan, with a Bill to continue the Act to provide for the services of the Clerk of the Circuit Courts in this Province, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

A Message was brought from the Assembly by Mr. Hanington, with a Bill to continue an Act, intituled "An Act to authorize the Justices of the Peace in certain Counties in this Province to exempt the French inhabitants from the Assessment of Poor Rates," to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

The Honorable Mr. Johnston, by leave, presented the following Petitions :—

A Petition from Samuel Scovil, Harry Peters, Charles Harrison, and one hundred and two other persons, inhabitants of the Parishes of Gagetown, Waterborough, Chipman, and Canning, in Queen's County, praying Legislative aid to support a Courier to run between Gagetown and Salmon River, and to pass through the said Parishes : and

A Petition from Peter Shuttleworth, of the City of Saint John, Tallow Chandler, praying a return of Duties may be allowed him on Tallow imported from the United States of America in the year 1843.

ORDERED, That the said Petition be received and lie on the Table.

The Honorable Mr. Cunard, by leave, presented a Petition from John Wilson, of the Parish of Nelson, in the County of Northumberland, praying a grant of money may pass to him for losses sustained in running a Team Boat across the North and South West Branches of the River Miramichi, and also for an allowance from the Provincial Funds to enable him to continue the Boat at the Ferry.

ORDERED, That the said Petition be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

FRIDAY,

FRIDAY, 7th February, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Cunard,
Mr. Botsford,
Mr. Chandler,
Mr. Kinnear,*

*Mr. Saunders,
Mr. Attorney General,
Mr. Street,
Mr. Johnston.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill to continue the Act to provide for the payment of Interest on Warrants : and

A Bill to continue an Act, intituled “ An Act to prevent Pedlars travelling and selling within this Province without Licence.”

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to these Bills without any amendment.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to continue an Act, intituled “ An Act for the better and more effectual securing the Navigation of the Newcastle River, in Queen’s County :”

A Bill further to continue an Act, intituled “ An Act to authorize the Justices of the Peace in the County of York to make further provision for the payment of the Treasurer of that County :”

A Bill further to continue an Act, intituled “ An Act to provide for the summary punishment of persons committing trespasses upon Square Timber and other Lumber :”

A Bill relating to the privilege of solemnizing Marriage :

A Bill relating to certain Fees :

A Bill to continue the Act imposing a Duty on Rum and other Spirituous Liquors distilled within the Province :

A Bill to continue the Act to provide for the services of the Clerk of the Circuit Courts in this Province : and

A Bill to continue an Act, intituled “ An Act to authorize the Justices of the Peace in certain Counties in this Province to exempt the French Inhabitants from the assessment of Poor Rates.”

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the said Bills severally into consideration.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue the Act for prohibiting and suppressing of Lotteries in this Province.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received and the Bill be read a third time to-morrow.

A

A Message from His Excellency the Lieutenant Governor was delivered by the Honorable Mr. Saunders, a Member of Her Majesty's Executive Council.

The Honorable the President read the same, and it was again read by the Clerk as follows :—

NEW BRUNSWICK.

*Message to the Legislative Council,
7th February, 1845.*

W. M. G. COLEBROOKE, LT. GOVERNOR.

The Lieutenant Governor lays before the Legislative Council, four Reports which have been made to him respecting the Provincial Lunatic Asylum, to which he referred in his Speech at the opening of the Session.

W. M. G. C.

[*See Appendix No. 1.*]

A Message was brought from the Assembly by Mr. Connell, with a Bill to continue an Act, intituled "An Act for the appointment of Firewards in the Parish of Woodstock," to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

A Message was brought from the Assembly by Mr. Boyd, with the following Bills, to which they desire the concurrence of this House :—

A Bill to continue an Act, intituled "An Act to continue an Act relating to Church Wardens and Vestrymen, and to persons having voices in their election, so far as relates to the Parish Church of Saint Andrews:"

A Bill to continue an Act, intituled "An Act for the better and more effectually securing the Navigation of the River Saint Croix, in the County of Charlotte, and also further to continue an Act, intituled 'An Act to empower the Justices of the County of Charlotte to make regulations for driving Timber and Logs down the Rivers Saint Croix, Magaguadavic, Digdeguash, and their Branches:'" and

A Bill to continue an Act for supplying the Town of Saint Andrews with Water by Pipes.

The said Bills were severally read a first time.

ORDERED, That the said Bills severally stand for a second reading to-morrow.

A Message was brought from the Assembly by Mr. End, with a Bill to continue the several Acts now in force relating to Tavern Keepers and Retailers, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

A Message was brought from the Assembly by Mr. Hill, with the following Bills, to which they desire the concurrence of this House :—

A Bill to continue several Acts relating to the appointment of Firewards and the better extinguishment of Fires in a part of the Parish of Saint Stephen, in the County of Charlotte : and

A

A Bill to repeal an Act, intituled "An Act for the better and more effectual securing the Navigation of the River Saint Croix, in the County of Charlotte, and to make other and more effectual provision relating to the same."

The said Bills were severally read a first time.

ORDERED, That the said Bills severally stand for a second reading to-morrow.

A Message was brought from the Assembly by Mr. Hazen, with a Bill relating to certain Lands belonging to Her Majesty, and for vesting the Title to the same in the Principal Officers of Her Majesty's Ordnance Department, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the Twenty-third Rule of this House be dispensed with, as regards this Bill, and that the said Bill be read a second time.

The said Bill was read a second time.

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the said Bill into consideration.

The Honorable Mr. Johnston, by leave, presented the following Petitions :—

A Petition from Henry Chubb and Company, of the City of Saint John, praying compensation for Printing the Report of the Geological Survey of this Province in the year 1842 : and

A Petition from Henry Whiteside, Treasury Clerk and Deputy Treasurer at the Port of Saint John, praying that an additional allowance may be granted to him for services performed in the year 1844.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Cunard, by leave, presented a Petition from William Lock, of the County of Northumberland, praying a return of ninety three pounds fifteen shillings, Duties paid to the Crown Land Office between the first day of May, 1843, and the first day of May, 1844, for reasons set forth in the Petition.

ORDERED, That the said Petition be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 8th February, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Chandler,
Mr. Wyer,
Mr. Kinnear,*

*Mr. Cunard,
Mr. Attorney General,
Mr. Street,
Mr. Hatch,
Mr. Johnston.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to continue the Act for prohibiting and suppressing of Lotteries in this Province, was read a third time and passed.

F

ORDERED,

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to continue an Act, intituled “ An Act for the appointment of Firewards in the Parish of Woodstock :”

A Bill to continue an Act, intituled “ An Act to continue an Act relating to Church Wardens and Vestrymen, and to persons having voices in their election, so far as relates to the Parish Church of Saint Andrews :”

A Bill to continue an Act for supplying the Town of Saint Andrews with Water by Pipes :

A Bill to continue an Act, intituled “ An Act for the better and more effectually securing the Navigation of the River Saint Croix, in the County of Charlotte, and also further to continue an Act, intituled ‘ An Act to empower the Justices of the County of Charlotte to make regulations for driving Timber and Logs down the Rivers Saint Croix, Magaguadavic, Digdeguash, and their Branches :’ ”

A Bill to continue the several Acts now in force relating to Tavern Keepers and Retailers :

A Bill to continue several Acts relating to the appointment of Firewards and the better extinguishment of Fires in a part of the Parish of Saint Stephen, in the County of Charlotte :

A Bill to repeal an Act, intituled “ An Act for the better and more effectual securing the Navigation of the River Saint Croix, in the County of Charlotte,” and to make other and more effectual provisions relating to the same.

ORDERED, That the said Bills severally stand for a Committee of the whole House on Monday next.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill relating to certain Lands belonging to Her Majesty, and for vesting the Title to the same in the Principal Officers of Her Majesty’s Ordnance Department.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and that the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the same be read a third time.

The said Bill was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

A Message was brought from the Assembly by Mr. Jordan, with the following Bills, to which they desire the concurrence of this House :—

A Bill to continue the Act to provide for the collection of County and Parish Rates : and

A Bill to continue the several Acts now in Force for the regulation of Cartmen, Waggoners, and Truckmen, and for regulating the truckage of Goods and the measurement of Coals and Salt.

The said Bills were severally read a first time.

ORDERED, That the said Bills stand for a second reading on Monday next.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue an Act, intituled "An Act for the better and more effectual securing the Navigation of the Newcastle River, in Queen's County."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time on Monday next.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill further to continue an Act, intituled "An Act to authorize the Justices of the Peace in the County of York to make further provision for the payment of the Treasurer of that County."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time on Monday next.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill relating to the privilege of solemnizing Marriage.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again on Monday next.

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue the Act imposing a Duty on Rum and other Spirituous Liquors distilled within the Province.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time on Monday next.

Pursuant

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue the Act to provide for the services of the Clerk of the Circuit Courts in this Province.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time on Monday next.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue an Act, intituled "An Act to authorize the Justices of the Peace in certain Counties in this Province to exempt the French Inhabitants from the assessment of Poor Rates."

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time on Monday next.

The Honorable Mr. Johnston, by leave, presented the following Petitions :—

A Petition from Solomon Hersey, of the City of Saint John, praying a return of Duties paid on Foreign Wheat manufactured into Flour, and exported to England in the brig Peter I. Nevius, in June last :

A Petition from James Kirk, of the City of Saint John, praying a return of Duties paid on Rum consumed by fire in a Bonded Warehouse in Saint John in the year 1841 :

A Petition from Messieurs Thomas Leavitt and Company, of the City of Saint John, praying a return of an excess of Duties paid on Teas at the Treasurer's Office :

A Petition from Harris Hatch, John Wilson, Gideon Knight, and thirty other persons, inhabitants of the Town of Saint Andrews, praying an Act may pass incorporating a Company under the name of the Saint Andrews Whale Fishing Company.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Hatch, by leave, presented the following Petitions :—

A Petition from Joseph T. Pomeroy, of Charlotte County, praying that a sum of money paid as Stumpage on Timber cut on Crown Lands may be repaid to him :

A Petition from Joel Ingersoll, Isaac Meigs, Jonathan Kent, and forty one other persons, inhabitants of Grand Manan, West Isles, and Campo Bello, praying an Act may pass prohibiting the erection of Weirs in those Parishes, and that an Armed Boat or Vessel may be stationed in the vicinity of the Fishing Grounds to protect the Fisheries, and enforce due regulations among the Fishermen :

A Petition from John Magill, of the Parish of Saint Patrick, in Charlotte County, praying a grant of money to aid him in perfecting an establishment for the manufacture of Cloth :

A Petition from Charles Byrne, a Schoolmaster, praying an allowance for teaching a School in Saint Andrews six months ending in June, 1843 :

A Petition from John Pendleberry, Keeper of a Light House at Saint Andrews, praying an increased Salary for services :

A Petition from Hugh Morrison, a Commissioner for building a Bridge over the Waweig River, praying an over expenditure in attending to this duty may be returned to him :

A Petition from George Fitzgerald, of Saint Stephen, in Charlotte County, praying for remuneration for services in teaching a School :

A Petition from John Connolly, Keeper of Machias Seal Island Light House, praying an allowance for extra Services : and

A Petition from William Ker, Thomas Turner, and John M'Keen, Trustees for all Creditors of James Rait, late of Charlotte County, praying such order as may be considered just may be made in regard to a sum of money paid by the deceased into the Crown Land Office, and for which no credit has in their opinion been obtained.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Wyer, by leave, presented a Petition from the Overseers of Poor of the Parish of Saint Stephen, in Charlotte County, praying a return of money expended for sick and indigent Emigrants.

ORDERED, That the said Petition be received and lie on the Table.

The Honorable Mr. Chandler, by leave, presented the following Petitions :—

A Petition from Martin Poor, praying a Pension due to Susan Boiles, the Widow of an old Soldier, may be paid to him : and

A Petition from John C. Wood, of Queen's County, praying an allowance for teaching a School.

ORDERED, That the said Petitions be received lie on the Table.

The Honorable Mr. Kinnear, by leave, presented the following Petitions :—

A Petition from the Justices of the Peace in Saint John, in Sessions, praying an Act may pass giving to the Petitioners in full Court authority to assess a fine on Magistrates for non-attendance :

A Petition from the same Justices, praying authority to order an assessment to be made in such Parishes as may require the employment of paid Police Officers :

A Petition from the same Justices, praying authority by Law to make, enter into, receive, and deliver contracts and obligations, refer to arbitration, and sue and be sued, by the name of the Justices of the Peace for the City and County of Saint John :

A Petition from the Mayor, Aldermen and Commonalty of the City of Saint John, praying a Legislative enactment to aid them in protecting the City from the losses caused by Fire : and

A Petition from the same Corporation, praying a grant of money to enable them to make necessary repairs on the Line of the Great Road at its connection with the Ferry at Carleton.

ORDERED, That the said Petitions be received and lie on the Table.

Adjourned until Monday next at 12 o'clock.

MONDAY, 10th February, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Street,
Mr. Wyer,
Mr. Kinnear,*

*Mr. Cunard,
Mr. Botsford,
Mr. Chandler,
Mr. Robertson,
Mr. Hatch,
Mr. Johnston.*

PRAYERS.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows :—

The Committee to whom were referred all Bills relating to Corporations report, that they have had under consideration “A Bill to incorporate sundry persons by the name of the Globe Assurance Company,” and recommend the same to the favourable consideration of the House.

A. E. BOTSFORD, *Chairman.*

Committee Room, 10th February, 1845.

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the said Bill, and the Report of the Select Committee thereon, into consideration.

The Honorable Mr. Johnston, by leave, presented the following Petitions :—

A Petition from Harris Hatch, Thomas Wyer, Richard M. Andrews, Robert Walton, and other Inhabitants of Charlotte County, praying for the incorporation of a Company under the style of the Saint Andrews Steam Mill and Manufacturing Company :

A Petition from John Gibson Macgregor, praying compensation for teaching a School in the City of Saint John : and

A Petition from John Walker, of the City of Saint John, Merchant, praying a return of Duty paid by him on Bricks imported from the United States in 1841.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Robertson, by leave, presented a Petition from George J. Harding, M. D., praying that a Grant may pass to remunerate him for services as Health Officer at Partridge Island in the year 1844.

ORDERED, That the said Petition be received and lie on the Table.

The Honorable Mr. Wyer, by leave, presented the following Petitions :—

A Petition from Josephus Moore, of Saint David, in Charlotte County, praying to be relieved from certain Bonds for Tonnage Duties on Saw Logs cut on Crown Lands on the Musquash River :

A Petition from Flora M'Kenzie, of Saint James, in Charlotte County, praying remuneration for teaching a School in Saint Stephen in the year 1842 : A

A Petition from Joseph Walton, of Saint Andrews, in the said County, praying remuneration for losses sustained by a portion of his land previously paid for having been surveyed and set off to another person by the orders of the Government :

A Petition from Henry Coulter, of Saint Andrews, a licenced Teacher, praying remuneration for teaching a School in that Parish for one year ending November, 1843 :

A Petition from Robert Watson, Deputy Treasurer at Saint Stephen, praying remuneration for services as Tide Surveyor at Saint Stephen :

A Petition from Robert Spence, of the Parish of Saint James, in Charlotte County, praying a return of Stumpage Money paid on Lumber cut on Crown Lands under Licence before the first day of May last :

A Petition from John Spence, with a similar prayer : and

A Petition from James Spence, with a like prayer.

ORDERED, That the said Petitions be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 11th February, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Street,
Mr. Wyer,
Mr. Kinnear,
Mr. Owen.*

*Mr. Cunard,
Mr. Botsford,
Mr. Chandler,
Mr. Robertson,
Mr. Hatch,
Mr. Johnston,*

PRAYERS.

On motion—

The following Bills were severally read a third time and passed :—

A Bill to continue an Act, intituled “ An Act for the better and more effectual securing the Navigation of the Newcastle River, in Queen’s County :”

A Bill further to continue an Act, intituled “ An Act to authorize the Justices of the Peace in the County of York to make further provision for the payment of the Treasurer of that County :”

A Bill to continue the Act imposing a Duty on Rum and other Spirituous Liquors distilled within the Province :

A Bill to continue the Act to provide for the services of the Clerk of the Circuit Courts in this Province : and

A Bill to continue an Act, intituled “ An Act to authorize the Justices of the Peace in certain Counties in this Province to exempt the French inhabitants from the assessment of Poor Rates.”

On

On motion—

The following Bills were severally read a second time :—

A Bill to continue the Act to provide for the collection of County and Parish Rates : and

A Bill to continue the several Acts now in force for the regulation of Cartmen, Waggoners, and Truckmen, and for regulating the truckage of Goods and the measurement of Coals and Salt.

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the said Bills severally into consideration.

The House adjourned during pleasure.

After some time the House resumed.

His Excellency the Lieutenant Governor came to the Council Chamber, and being seated in the Chair on the Throne, the Honorable the President commanded the Gentleman Usher of the Black Rod to let the Assembly know—"It is His Excellency's pleasure they attend him immediately in this House."

The House attended accordingly.

His Excellency then gave His assent to a Bill, intituled—

An Act relating to certain Lands belonging to Her Majesty, and for vesting the Title to the same in the Principal Officers of Her Majesty's Ordnance Department.

The House of Assembly thereupon withdrew, and His Excellency was pleased to retire.

The Honorable Mr. Johnston, by leave, presented the following Petitions :—

A Petition from James Kirk, John Kerr, Samuel Strange, Henry Nice, James Olive the third, Robert Salter, and one hundred and sixty five other persons, Merchants, Traders, Fishermen and Inhabitants of Saint John, praying that some efficient measures may be adopted to protect the interests of the numerous Fishermen resorting to the Island of Grand Manan and its neighbourhood :

A Petition from John Duncan, Solomon Hersey, John Owers, and twenty five other persons, residents of the Parish of Portland, in the County of Saint John, praying an alteration may be made in the Law in force regarding the labour to be performed on the Highways by the inhabitants of the Parish : and

A Petition from Asa A. Barker, Shadrack Holly, Andrew Stephenson, and twenty nine other Freeholders and Inhabitants of the County of Sunbury, praying a grant of money to improve a Road near the property of Mr. Street, in the Parish of Burton.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Owen, by leave, presented the following Petitions :—

A Petition from George Kay, Alfred Armstrong, and others, praying no alterations may be made in the Laws in existence for the regulation of the Fisheries : and

A Petition from James Agnew, of the City of Saint John, Watchmaker, praying a grant of money may be made to erect an Observatory at the City of Saint John.

ORDERED, That the said Petitions be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY,

WEDNESDAY, 12th February, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Chandler,
Mr. Wyer,
Mr. Kinnear,
Mr. Owen.*

*Mr. Cunard,
Mr. Attorney General,
Mr. Robertson,
Mr. Hatch,
Mr. Johnston,*

PRAYERS.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue the Act to provide for the collection of County and Parish Rates.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue the several Acts now in force for the regulation of Cartmen, Waggoners, and Truckmen, and for regulating the truckage of Goods and the admeasurement of Coals and Salt.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

A Message was brought from the Assembly by Mr. W. H. Street, with a Bill to continue an Act to regulate Dockage, Wharfage and Cranage in the City of Saint John and in the Parish of Portland, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

A Message was brought from the Assembly by Mr. Thomson, with a Bill to continue an Act to revive and continue an Act to regulate the driving of Timber and Saw Logs down the River Magaguadavic and its Branches, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to continue an Act, intituled "An Act for the appointment of Firewards in the Parish of Woodstock."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

A Message was brought from the Assembly by Mr. J. A. Street, with the following Bills, to which they desire the concurrence of this House :—

A Bill to establish periodical Fairs in the Town of Newcastle, in the County of Northumberland :

A Bill to continue an Act to extend the provisions of an Act, intituled “ An Act to repeal the Laws now in force for appointing Firewards and the better extinguishing of Fires, so far as the same relate to the Town of Fredericton, and to make regulations more suitable to the said Town,” to the Towns of Newcastle and Chatham, and their vicinities, in the County of Northumberland :

A Bill to continue certain Acts relating to the Fisheries in the County of Northumberland, that are now expiring :

A Bill to continue an Act for the regulation of Booms for securing Masts, Logs, and Lumber, in certain parts of the County of Northumberland :

A Bill to continue an Act to lay a Tax on Dogs in a certain part of the Parish of Chatham, in the County of Northumberland :

A Bill to continue an Act for the better and more effectual securing the Navigation of the River Miramichi, in the County of Northumberland, and to protect the Fisheries on the said River :

A Bill to lay a Tax on Dogs in a certain part of the Parish of Newcastle, in the County of Northumberland :

A Bill to continue an Act to regulate the Assize of Bread in the Towns of Newcastle and Chatham, in the County of Northumberland : and

A Bill to continue an Act, intituled “ An Act to repeal an Act, intituled ‘ An Act for the better security of the Navigation of certain Harbours in the County of Northumberland,’ and to make more effectual provision for the better security of the Harbours in the Counties of Northumberland, Kent, and Gloucester.”

The said Bills were severally read a first time.

ORDERED, That the said Bills severally stand for a second reading to-morrow.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to continue an Act, intituled “ An Act to continue an Act relating to Church Wardens and Vestrymen, and to persons having voices in their election, so far as relates to the Parish Church of Saint Andrews.”

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, they had made certain amendments thereto, and recommended the Bill as amended to the adoption of the House.

ORDERED, That the Report be received.

The

The said amendments were then read by the Clerk, as follows :—

At A insert the words “intituled an Act.”

At B insert the word “King.”

At C insert the words “other and.”

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill as amended be read a third time to-morrow.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to continue an Act for supplying the Town of Saint Andrews with Water by Pipes.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to continue an Act, intituled “An Act for the better and more effectually securing the Navigation of the River Saint Croix, in the County of Charlotte, and also further to continue an Act, intituled ‘An Act to empower the Justices of the County of Charlotte to make regulations for driving Timber and Logs down the Rivers Saint Croix, Magaguadavic, Digdeguash, and their Branches.’”

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to continue the several Acts now in force relating to Tavern Keepers and Retailers.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to continue several Acts relating to the appointment of Firewards and the better extinguishment of Fires in a part of the Parish of Saint Stephen, in the County of Charlotte.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The

The Chairman reported, that the Committee had gone through the Bill, they had made certain amendments thereto, and recommended the Bill as amended to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follows:—

At A insert the words “amend and.”

At B expunge the words “to amend and continue an Act.”

At C expunge the word “extinguishment,” and insert the word “extinguishing.”

At D expunge the words “an Act to continue an Act intituled.”

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill as amended be read a third time to-morrow.

A Message was brought from the Assembly by Mr. Wark, with a Bill to authorize the Justices of the Peace for the County of Kent to levy an assessment to defray the contingent expenses of the said County, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

The Honorable Mr. Wyer, by leave, presented the following Petitions:—

A Petition from William J. Bedell, Charles M'Pherson, John F. Taylor, and twenty other persons, praying an Act may pass to incorporate a Company under the name of the Nashwaak Boom Company:

A Petition from John Love, of Charlotte County, praying an allowance for teaching a School:

A Petition from James Taylor, of Fredericton, praying a return of Duties paid for Licences to cut Timber and other Lumber: and

A Petition from Messieurs B. Beveridge and Company, of Andover, praying a return of Duties paid for Licence to cut Timber and Lumber, for reasons set forth in their Petition.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Kinnear, by leave, presented the following Petitions:—

A Petition from Donald M'Kay, John M'Tavish, Malcolm M'Neil, James Atchison, and thirty eight other inhabitants of the County of Northumberland, praying that certain Reserves for the use of Mills in that County may be broken up, and the same thrown open to general competition, for reasons set out in the Petition: and

A Petition from the Trustees of the Grammar School in Newcastle, and other persons, praying an allowance may be made to John Sivewright, the Teacher of the said School.

ORDERED, That the said Petitions be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

THURSDAY,

THURSDAY, 13th February, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Chandler,
Mr. Wyer,
Mr. Kinnear,
Mr. Owen.*

*Mr. Cunard,
Mr. Botsford,
Mr. Robertson,
Mr. Hatch,
Mr. Johnston,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to continue an Act, intituled "An Act to continue an Act relating to Church Wardens and Vestrymen, and to persons having voices in their election, so far as relates to the Parish Church of Saint Andrews," as amended, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill, with amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the Bill to continue several Acts relating to the appointment of Firewards and the better extinguishment of Fires in a part of the Parish of Saint Stephen, in the County of Charlotte, as amended, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill, with amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill to continue an Act, intituled "An Act for the appointment of Firewards in the Parish of Woodstock :"

A Bill to continue an Act for supplying the Town of Saint Andrews with Water by Pipes :

A Bill to continue an Act, intituled "An Act for the better and more effectually securing the Navigation of the River Saint Croix, in the County of Charlotte, and also further to continue an Act, intituled 'An Act to empower the Justices of the County of Charlotte to make regulations for driving Timber and Logs down the Rivers Saint Croix, Magaguadavic, Digdeguash, and their Branches :'"

A Bill to continue the several Acts now in force relating to Tavern Keepers and Retailers :

A Bill to continue the Act to provide for the collection of County and Parish Rates : and

A Bill to continue the several Acts now in force for the regulation of Cartmen, Waggoners, and Truckmen, and for regulating the truckage of Goods and the measurement of Coals and Salt.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to these Bills without any amendments.

Pursuant

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to continue an Act to regulate Dockage, Wharfage and Cranage in the City of Saint John, and in the Parish of Portland :

A Bill to continue an Act to revive and continue an Act to regulate the driving of Timber and Saw Logs down the River Magaguadavic and its Branches :

A Bill to establish Periodical Fairs in the Town of Newcastle, in the County of Northumberland :

A Bill to continue an Act to extend the provisions of an Act, intituled “ An Act to repeal the Laws now in force for appointing Firewards and the better extinguishing of Fires, so far as the same relate to the Town of Fredericton, and to make regulations more suitable to the said Town,” to the Towns of Newcastle and Chatham, and their vicinities, in the County of Northumberland :

A Bill to continue certain Acts relating to the Fisheries in the County of Northumberland, that are now expiring :

A Bill to continue an Act for the regulation of Booms for securing Masts, Logs, and Lumber, in certain parts of the County of Northumberland :

A Bill to continue an Act to lay a Tax on Dogs in a certain part of the Parish of Chatham, in the County of Northumberland :

A Bill to continue an Act for the better and more effectual securing the Navigation of the River Miramichi, in the County of Northumberland, and to protect the Fisheries on the said River :

A Bill to lay a Tax on Dogs in a certain part of the Parish of Newcastle, in the County of Northumberland :

A Bill to continue an Act to regulate the Assize of Bread in the Towns of Newcastle and Chatham, in the County of Northumberland :

A Bill to continue an Act, intituled “ An Act to repeal an Act, intituled ‘ An Act for the better security of the Navigation of certain Harbours in the County of Northumberland, and to make more effectual provisions for the better security of the Harbours in the Counties of Northumberland, Kent, and Gloucester :’ ” and

A Bill to authorize the Justices of the Peace for the County of Kent to levy an assessment to defray the contingent expenses of the said County.

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the said Bills severally into consideration.

A Message was brought from the Assembly by Mr. Gilbert, with a Bill to continue an Act, intituled “ An Act to provide for the erection of Fences with Gates across Highways leading through Intervale Land in Queen’s County and the County of Sunbury, where the same may be found necessary, and to extend the provisions of the same to King’s County,” to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

A Message was brought from the Assembly by Mr. J. Earle, with Resolutions of Appropriation dated the sixth day of February instant, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED,

ORDERED, That the House be put into a Committee of the whole on Monday next, to take into consideration any Resolutions of Appropriation sent up from the Assembly.

ORDERED, That the foregoing Resolutions of Appropriation, dated the sixth day of February, be referred to the said Committee.

The Honorable Mr. Johnston, by leave, presented the following Petitions :—

A Petition from James Stockford, High Constable of the City of Saint John, praying compensation for his services and expenses incurred in the arrest of Stephen Munson and William M'Gowan, in the year 1842, charged with Arson :

A Petition from Andrew S. Phair, praying payment of the sum of fifteen pounds due to him for services rendered the Province in 1838 :

A Petition from Messieurs James Taylor and Company, of Fredericton, praying remission of the Export Duty on Lumber cut on Land on the first day of May last :

A Petition from John Lister, a Lieutenant of the Royal Marines, praying a renewal of the Act which authorized the remission of the purchase money of Land to Officers of the Army and Navy settling in this Province : and

A Petition from John Hagarty, James Crawford, John Smith, and twenty six other inhabitants of the Londonderry Settlement, praying a grant of money to form a Road from Theobald Settlement to the Road leading from the Shepody Road to the Great Salmon River.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Hatch, by leave, presented the following Petitions :—

A Petition from the Ministers and Elders of the Synod of New Brunswick, in connection with the Established Church of Scotland, praying for the abolishment of restrictive clauses in the Charter of King's College :

A Petition from Samuel Buhot, a Schoolmaster, praying an allowance for teaching a School in the Island of Campo Bello for six months : and

A Petition from John Sinclair, Ebenezer Gaskill, William Gubtill, and sixty other inhabitants of Grand Manan, praying the Fisheries near the Island may be protected by Legislative enactments.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Kinnear, by leave, presented a Petition from the Mayor, Aldermen and Commonalty of the City of Saint John, praying that the Act for an assessment on the City of Saint John, for the benefit of the Saint John Water Company, may be repealed.

ORDERED, That the said Petition be received and lie on the Table.

The Honorable Mr. Cunard, by leave, presented a Petition from Hugh A. Caie, John Doran, Valentine Gibbs, and three hundred and six other inhabitants of Gloucester, praying that the Road from Bathurst to Miramichi, through New Bandon, Carraquet, Shippegan, Pokemouche, Tabisintac, Oak Point, &c. may be established as a Post Road.

ORDERED, That the said Petition be received and lie on the Table.

The

The Honorable Mr. Botsford, by leave, presented the following Petitions :—

A Petition from Alexander Davidson, John Fraser, William Salter, and one hundred and eight other inhabitants of Northumberland, praying an Act may be allowed to pass, establishing Fairs in Newcastle :

A Petition from Charles Doucett, Benjamin Adams, and John T. Carter, Overseers of Poor in Bathurst, praying that the said Parish may be remunerated expenses for the care of and removal to the Asylum, of a transient Lunatic Pauper : and

A Petition from the Ministers, Elders and Trustees of Saint Luke's Church, Bathurst, praying Legislative aid to enable them to establish a School.

ORDERED, That the said Petitions be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 14th February, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Robertson,
Mr. Hatch,
Mr. Johnston,*

*Mr. Cunard,
Mr. Botsford,
Mr. Chandler,
Mr. Wyer,
Mr. Kinneear,
Mr. Owen.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to continue an Act, intituled "An Act to provide for the erection of Fences with Gates across Highways leading through Intervale Land in Queen's County and the County of Sunbury, where the same may be found necessary, and to extend the provisions of the same to King's County," was read a second time.

ORDERED, That the House be put into a Committee of the whole to-morrow to take the said Bill into consideration.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue an Act to regulate Dockage, Wharfage and Cranage in the City of Saint John, and in the Parish of Portland.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue an Act to revive and continue an Act to regulate the driving of Timber and Saw Logs down the River Magaguadavic and its Branches.

The

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to establish periodical Fairs in the Town of Newcastle, in the County of Northumberland.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

A Message was brought from the Assembly by Mr. M'Leod, with the following Bills, to which they desire the concurrence of this House :—

A Bill to continue an Act for the better regulation of the Office of Sheriff in this Province : and

A Bill to authorize the Justices of the Peace in King's County to levy an assessment to pay off the County Debts.

The said Bills were severally read a first time.

ORDERED, That the said Bills severally stand for a second reading to-morrow.

A Message was brought from the Assembly by Mr. S. Earle, with the following Bills, to which they desire the concurrence of this House :—

A Bill to continue the Act to provide for the better assessment of County and Parish Rates : and

A Bill further to continue an Act to prevent disorderly riding on Streets and Highways in this Province.

The said Bills were severally read a first time.

ORDERED, That the said Bills severally stand for a second reading to-morrow.

A Message was brought from the Assembly by Mr. Scoullar, with the following Bills, to which they desire the concurrence of this House :—

A Bill to continue an Act to make more effectual provisions for the regulation of Seamen in this Province : and

A Bill to continue the Act relating to Landlord and Tenant.

The said Bills were severally read a first time.

ORDERED, That the said Bills severally stand for a second reading to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue an Act to extend the provisions of an Act, intituled "An Act to repeal the Laws now in force for appointing Firewards and the better extinguishing of Fires, so far as the same relate to the Town of

Fredericton, and to make regulations more suitable to the said Town, to the Towns of Newcastle and Chatham, and their vicinities, in the County of Northumberland.”

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue certain Acts relating to the Fisheries in the County of Northumberland now expiring.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue an Act for the regulation of Booms for securing Masts, Logs, and Lumber, in certain parts of the County of Northumberland.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue an Act to lay a tax on Dogs in a certain part of the Parish of Chatham, in the County of Northumberland.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue an Act for the better and more effectual securing the Navigation of the River Miramichi, in the County of Northumberland, and to protect the Fisheries on the said River.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to lay a tax on Dogs in a certain part of the Parish of Newcastle, in the County of Northumberland.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue an Act to regulate the Assize of Bread in the Towns of Newcastle and Chatham, in the County of Northumberland.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue an Act, intituled "An Act to repeal an Act, intituled 'An Act for the better security of the Navigation of certain Harbours in the County of Northumberland, and to make more effectual provision for the better security of the Harbours in the Counties of Northumberland, Kent, and Gloucester.'"

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to authorize the Justices of the Peace for the County of Kent to levy an assessment to defray the contingent expenses of the said County.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

A Message was brought from the Assembly by Mr. Jordan, with a Bill to continue the Act to regulate Pawn Brokers within this Province, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to repeal an Act, intituled "An Act for the better and more effectual securing the Navigation of the River Saint Croix, in the County of Charlotte," and to make other and more effectual provisions relating to the same.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Several

Several Messages from His Excellency the Lieutenant Governor were delivered by the Honorable Mr. Saunders, a Member of Her Majesty's Executive Council.

The Honorable the President read the same, and they were again read by the Clerk as follows :—

NEW BRUNSWICK.

*Message to the Legislative Council,
14th February, 1845.*

W. M. G. COLEBROOKE, LT. GOVERNOR.

The Lieutenant Governor lays before the Legislative Council, Copies of Reports and Correspondence with the Mayor and Corporation and the Magistrates of Saint John, on the subject of the measures required for the better preservation of the Peace of the City and County.

W. M. G. C.

(Copy)

Saint John, November 4, 1844.

SIR,—Be pleased to state to His Excellency, that I have deemed it my duty to draw his attention to the following observations, touching the present Government of this City, and I do so at this period, knowing, that should it be considered necessary to attempt a remedy, time is required to devise and determine on the mode and extent of the same, prior to a meeting of the Legislature.

There are few inhabitants of Saint John who will hazard the assertion that there exists a Police enjoying in any degree the confidence of this public. One or two of the Aldermen, when not engaged in other public or in their private concerns, act as Police Magistrates, they receive it is true no Salary, but many of the inhabitants are by no means satisfied that this is advantageous, or that the often stern, and at all times unpleasant duties of a Police Magistrate, are likely to be well performed by parties who must every year necessarily solicit votes from the very individuals most likely (owing to the freedom qualification being so very low, and consequently to so great a proportion of the Citizens uneducated being enabled to vote) to be brought before their Courts.

It is certain that the City Laws, and in very many cases those of the Legislature, are in a vast variety of instances infringed with impunity, that confusion prevails to a great extent, and that the Police arrangements are held in much less respect than the well being of the community requires. Fines (judging from the payments of the Chamberlain) are either not imposed, or their payment is not enforced, and a degree of sloth and indifference touching the City Ordinances and even the Acts of the Legislature prevails, which is highly injurious in every way.

If these evils do not result from having only unpaid and annually elected Police Magistrates, it cannot be denied that just such effects might be expected to flow from such a cause. A Police Magistrate appointed by the Executive, and whose term of Office and Salary were not dependent upon the vote of a yearly changing Board, would soon effect great change in the City of Saint John, while at the same time, the fees and fines collected would, I am perfectly satisfied, do more than pay the Salary of such an Officer as is required. Last year, I have been informed the fines and fees of the Halifax Police Court exceeded £500, while it is self-apparent that the greater population and trade of Saint John would promise a much larger result. An adequate Officer could, I feel satisfied, here be got for £300.

All bodies of men when placed in similar circumstances act in nearly the same manner, nor can we expect from the result of any new elections to amend the inherent evils of the system, or that an Alderman will be likely, even if in easy circumstances, to devote his whole time and talents year after year, (if elected, and which might be very doubtful,) to the patient and increasing performance of a most unpleasant public service, without receiving what he may consider to be adequate compensation either in honors or in money, and this too besides performing his duties at the Common Council or Committees, in superintending Public Works, and in investigating the Public Accounts. Saint John is now a large place, if it requires a Police the Inhabitants must pay for it, or they must be content to suffer the unhappy consequences which in almost all cases flow from unpaid services, such as riots, confusion, filth, crime, sickness, damage to property, and alarms and loss from fires.

There

There are two paid City Magistrates, the Mayor and Recorder, but their whole time is fully employed, and individually I beg to state to His Excellency, that the shocking state of confusion in which I found the City and County Finances, together with the various other duties attached to the Office of Mayor, have made the labor every day nine to ten hours on an average, since I went into office; though such exertions are now, I rejoice to say, becoming less necessary, as order is becoming restored both in City and County matters.

The Common Council, it may be, would shrink from praying for such an alteration in their Charter as would result in the appointment of a regular Police Officer, and many of their constituents might do the same, fearing an increase of taxation; but as stated above, I believe this is a vain and unnecessary alarm. Our Watch and the Constable force would not long be held in their present low estimation by this Public, if they were under the control and constant supervision of an active and independent Police Magistrate, and I am persuaded such Officer's labors, while they would result in a thousand services to the community, would fully repay to the City the amount of his Salary, while the Police duties devolved on Aldermen, none of the more affluent Citizens, or none engaged to a great extent in business, can afford time to act as such, and consequently will not be found at the Common Council Board.

The only two Legislative imposed Taxes on the City, are—1st. That (Five hundred pounds) for Watch; (Two hundred pounds) Scavengers; and (Three hundred pounds) Lamps, yielding annually about £1000; and 2nd. For Statute Labor defaulters, yielding annually about £800. Those two funds were 18 months since deeply involved, the proceeds of the same having most improperly been merged in the general concerns of the City; all debts on each of them are now paid off, and their future proceeds will be devoted in accordance with the Acts. The Taxation under the former Act might have £300 per annum added to it, provided the Law (which expires 1st April, 1845,) were so altered as to embrace such an Officer's Salary, and this would, in one or two years, test the whole action, although even this £300 would not in my view be required, if the Officer appointed, reasonably did his duty. It may be considered by His Excellency well to address the City Corporation on this subject generally, and to that limited extent of additional Taxation. If that body refuse to act in the premises, then might he order an appointment of Commissioners for the purpose of making the necessary investigation preparatory to bringing the same before the Legislature.

Any Police Magistrate appointed, must be invested with like powers as an Alderman, (with the exception of sitting at the Common Council Board, and in the small debt Court,) otherwise his labors would not embrace the various and most material City matters requiring attention.

I have, &c.

(Signed)

L. DONALDSON.

Honorable Wm. F. Odell, Provincial Secretary, Fredericton.

Secretary's Office, Fredericton, 3d December, 1844.

GENTLEMEN,—I have the honor to inform you that the attention of His Excellency the Lieutenant Governor has been directed to the disorderly state of the City of Saint John on several late occasions, and am directed to call upon you to report for the information of His Excellency, what steps in your opinion may be necessary for the better preservation of the peace in the City and County.

I have, &c.

(Signed)

WM. F. ODELL.

To the Magistrates, and Mayor, Aldermen and Commonalty
for the City and County of Saint John.

At a Special Sessions holden in and for the County of Saint John, on the 11th day of January, A. D. 1845:

On motion put—*Resolved*, That the Report now read by Mr. Justice Street, with regard to a Police Force, be adopted as the basis of a Petition to the Legislature, and that a copy of the same be forwarded to the Lieutenant Governor.

Extract from the Minutes.

JAS. PETERS, JUN., Clerk of the Peace.

To _____

L

The

The Committee of Sessions appointed to report for approval a reply to His Excellency the Lieutenant Governor, to the subject matter of Mr. Secretary Odell's letter, dated 3d December, 1844, directing the Justices to report by what means the peace of the City and County of Saint John may be better preserved :

The Committee are of opinion, that the establishment of a Stipendiary Police Magistrate, with twelve or fifteen Stipendiary Officers as Constables under him, for the City as well as the County of Saint John, if established by Legislative enactment, with the special power necessary to render a Police effective, would be the best means of preserving the peace, and prevent recurrence of acts of violence and assembling of mobs for the purpose of committing outrage in defiance of the Civil Authorities. That if the fees and fines for offences, by provision of Legislative enactment, be made available to the support of a Stipendiary Police, and the Justices in Session be empowered to make an assessment as necessary locally upon the Parish in which disorderly conduct may render the presence of paid Officers of Police necessary for the protection of the lives and property of Her Majesty's subjects, the charge would be so excessive as to preclude its establishment.

The Committee are however aware of other difficulties which may arise by reason of the vested rights, by Charter, to the Corporation of the City of Saint John, rendering it necessary to obtain the concurrence of the Common Council to any application on the part of the Sessions to the Legislature for any Act of common application to the City and County, and which, on a former occasion, was withheld, and precluded the transmission of a Bill which had been approved in Sessions. The Committee conceive also that difficulties will arise by reason of the present assessment upon the City for the payment of a Nightly Watch, which latter, in the event of the establishment of an efficient Police, might be dispensed with, and the sum presently applied for payment of an effective Watch, be more beneficially appropriated for the Police service. Thus taking the present cost of the Nightly Watch within the City, along with the fines imposed for offences, and the Magistrates ordinary fees, and a local assessment upon any Parish not within the City for the cost of the number of Officers required to be employed in such Parish, it is probable the whole charge of an effective Police would be provided for.

The Committee, in case measures be not immediately progressed in for obtaining the preceding named object, recommend application to the Legislature to alter and amend the Act, 7 W. 4, c. 12, to the effect of enabling the Justices in Session to make local assessment upon any Parish without the City in which the employment of paid Constables be rendered necessary to the preservation of the Peace, to such extent as will meet the charges for the day and night services of so many special or other Constables as may be required within such Parish, and who shall have been appointed for such special service under the provisions of the same Act.

All which is respectfully submitted.

(Signed)

JACOB ALLAN, *Chairman.* } *Committee.*
W. H. STREET,

Saint John, 30th December, 1844.

Common Clerk's Office, Saint John, January, 1845.

At a Common Council holden at the Council Chamber on the 17th day of January, A. D. 1845—

Read a Report from the Committee appointed to report on the communication from the Secretary of the Province, relative to affording information to His Excellency as to the means to be adopted to preserve the Public Peace, &c. :

And thereupon Ordered, That His Worship the Mayor be requested to transmit to His Excellency the Lieutenant Governor a copy of the said Report, as a Reply from this Board to the communication received from him.

Extract from the Minutes.

(Signed)

JAS. PETERS, JUN., *Common Clerk.*

The

The Committee of the Common Council appointed to report upon the communication of His Excellency the Lieutenant Governor, requesting information as to what steps in their opinion may be necessary for the better preservation of the Peace in the City and County of Saint John, respectfully beg leave to report, that they consider the best means of accomplishing the desired object would be the establishing of a Day and Night Police, consisting of about twenty men, in lieu of the present Watch: That a Petition from the Board be forwarded to the Legislature for authority to levy an additional assessment annually upon the inhabitants of the City of Saint John, so long as necessary in the opinion of the Common Council for the support of said Day and Night Police; such Police to be appointed by the Common Council, and to be under the direction and supervision of a Committee appointed by the Board.

That your Committee do not deem it advisable in the present depressed state of the City generally, to add an additional Tax for the support of a Stipendiary Magistrate.

Your Committee are fully of opinion, that having now a Chief Magistrate at a Salary of four hundred pounds, as also a Recorder at a Salary of two hundred pounds annually, with the Aldermen and a large number of other Magistrates, justice can be meted out to all parties without the additional appointment of a Magistrate with a Stipend of four hundred pounds, besides other incidental expenses.

The Committee further report, that a number of the Aldermen are fully capable and willing to investigate all complaints made to them either by a Police or by the Citizens generally; and should it be a fact (which, if so, is unknown to your Committee,) that the Magistrates of the City and County neglect their bounden duties, the appointment of another with a stipend would be no security for a more faithful performance.

Your Committee would also recommend that the inhabitants of the Parish of Portland be requested to meet the views of your Committee, and take such means as they may deem advisable to provide an additional Day and Night Police; as your Committee consider that a great proportion of the trouble and disorder taking place in the neighbourhood of York Point arises from evil disposed persons residing in that Parish.

All which your Committee with respect submit.

(Signed)

W. O. SMITH,
THOMAS HARDING, } Committee.
G. VANHORNE,

NEW BRUNSWICK.

*Message to the Legislative Council,
14th February, 1845.*

W. M. G. COLEBROOKE, LT. GOVERNOR.

The Lieutenant Governor communicates to the Legislative Council, a Report made to him by the Mayor of Saint John on the subject of Imprisonment for small Debts, to which he referred in his Speech at the opening of the Session.

W. M. G. C.

[See Appendix No. 2.]

NEW BRUNSWICK.

*Message to the Legislative Council,
14th February, 1845.*

W. M. G. COLEBROOKE, LT. GOVERNOR.

The Lieutenant Governor lays before the Council, Extracts from the Reports of the Inspectors of Prisons in Great Britain, on the subject of Juvenile Delinquents, and the measures required for their reformation, to which subject he referred in his opening Speech.

W. M. G. C.

[See Appendix No. 3.]

The

The Honorable Mr. Saunders, also by direction of His Excellency the Lieutenant Governor, lays before the House—

Accounts of the State of King's College :

Also, a Communication from the Agent for Emigrants at Saint John.

ORDERED, That the same do lie on the Table.

KING'S COLLEGE.

PROFESSORS.

The Reverend Edwin Jacob, D. D., Classical Literature, History, Moral Philosophy, Metaphysics and Divinity.

James Robb, Esquire, M. D., Chemistry and Natural History.

William B. Jack, Esquire, A. M., Mathematics and Natural Philosophy.

GEO. FRED. STREET, *Registrar.*

Fredericton, 8th February, 1845.

STUDENTS.

RESIDENT.

R. D. Palmer,
H. B. Russell,
John O'Mar,
W. Q. Ketchum,
I. D. Keator,
John M'Givern,
E. B. Chandler,
Robert Street,
William Street,
C. Simonds,
H. G. Simonds.

NON-RESIDENT.

C. P. Bliss,
C. H. Connell,
W. B. Robinson,
Charles Odell,
G. M. Wetmore,
Richard Ketchum,
James M. Allan,
T. B. Smith,
J. F. Peters,
Hodson Peters,
William Doak.

GEO. FRED. STREET, *Registrar.*

Fredericton, 8th February, 1845.

INCOME AND EXPENDITURE.

		DR.	
1844.			
Jan. 1.	To Balance from last Account,.....		£137 3 7
	“ Crown Grant from Casual Revenue,.....	£1,111 2 0	
	“ Provincial Grant,.....	1,100 0 0	
		2,211 2 0	
	“ Amount of Rents received,.....		102 17 1
	“ Interest received on Monies advanced on Real Estate,.....		75 7 8
	“ Received from Students for Books,.....		14 8 6
			£2,540 18 10

CR.

1844.	CR.			
Jan. 1.	By Salaries paid to Professors and others, viz :—			
	Dr. Jacob as Vice President, &c.....	£500	0	0
	The same as Professor of Divinity,.....	150	0	0
	James Robb, Esquire, M. D.....	300	0	0
	W. B. Jack, Esquire, A. M.....	300	0	0
	E. J. Jacob, Librarian, $\frac{3}{4}$ year,.....	15	0	0
	Honorable G. F. Street, Registrar,.....	100	0	0
	George Roberts, Esquire, Master Grammar School,	200	0	0
	James Holbrook, Esquire, Assistant Master,.....	150	0	0
	The same for House Rent,.....	25	0	0
	The Steward,.....	60	0	0
	“ Beadle,.....	40	0	0
	“ Gate Keeper,.....	10	0	0
	“ Forrester,.....	5	0	0
				£1,855 0 5
“	“ Scholarships—John O’Mar, the year ending Trin. ’44,	£25	0	0
	W. Q. Ketchum, ditto,	25	0	0
				50 0 0
“	“ Library—for Books, &c. imported,.....			272 0 8
“	“ Incidental Expenses—			
	Fuel for 1844,.....	£40	0	0
	Pew Rent in Christ Church,.....	11	5	0
	Livery for the Beadle,.....	7	6	7
	J. F. Gale, Chemicals,.....	7	8	7
	Wiley, Chairs,.....	3	12	0
	Custom House, Duties and Expenses on Books			
	imported,.....	9	18	6
	J. H. Harding, Repairs,.....	9	14	9
	Andrew Blair, Surveying,.....	12	15	0
	Messrs. Rankin and Co., on Books from Boston,	6	18	5
	Carpenters’, Painters’ and Glaziers’ Bills,.....	23	12	0
	The Steward, for loss sustained on Students’			
	Commons from 1839 to 1842, not previously			
	charged,.....	55	0	0
				187 10 10
“	By Balance carried to the debit of new Account,.....			176 7 4
				£2,540 18 10

(E. E.)

GEO. FRED. STREET, *College Registrar.**Fredericton, February 8, 1845.**Government Emigration Office,
Saint John, 5th February, 1845.*

SIR,—I have the honor of enclosing for the consideration of His Excellency the Lieutenant Governor, a Communication from Dr. Harding, Health Officer at this Port, respecting the difficulties experienced last season in providing for and relieving sick and destitute Immigrants on their arrival here.

I beg most respectfully to add my testimony to Dr. Harding’s on this subject, and earnestly request that an arrangement may be made for the coming season to relieve Immigrants on their arrival, by some officer having means and authority to do so, in a systematic and economical manner.

M

If

If the whole, or even a portion, of the Head Money to be received from Immigrants, should be placed under the control of the Executive, to be accounted for at the succeeding Session of the Legislature, all the existing difficulties would be obviated, and Immigrants would be properly cared for on their arrival, without detention or great expense.

I have the honor to be
your obedient servant,

M. H. PERLEY.

A. Reade, Esquire, Provincial Secretary, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

Having been the Health Officer at Partridge Island for the eleven preceding years, and in consequence of the difficulties and delay at the Quarantine Station last season to vessels with Emigrants having infectious diseases on board, causes me at present to lay the case open for Your Excellency's consideration; and those difficulties have existed since the dissolution of the Board of Health in 1841, although only a small number of Emigrants have since arrived until last season.

I have therefore to state, that there is no Provincial provision, or funds, that can at the time in any way be obtained for the support or comfort of the Emigrant who might require to be landed at Partridge Island, having infectious disease on his arrival.

And the Owners or Consignees of Ships have been compelled to become responsible to the Mayor, Aldermen and Commonalty for expenses, in order to get the infected persons out of their vessels, and it has been effected with much difficulty, and objected to by them in consequence of having to pay the Head Money, and then giving the sick (who require to be landed for the protection of the City) the necessary support. And I have been obliged to find a conveyance for the destitute convalescents from the Island in my own boat, and in many cases straw for filling the Hospital beds, in order to get through the season quietly; as the Common Council have no funds for the purpose, and the Commissioners of the Poor would not furnish any supplies to the Island, as they did not consider themselves authorized to do so, I was therefore compelled, through the Common Council, to bind the owners of the vessels to support the sick Emigrants on the Island last season, which would shorten their detention, and did not land the infected parties until such arrangements were made, and reluctantly effected in all cases, although the Masters or Owners had no other alternative in getting their vessels relieved from sickness, unless by a long period of quarantine under the Law.

The brig Midas, which arrived with sixteen passengers from Galway, in October last, had the Small Pox on board, and was placed on quarantine, on my recommendation to the Common Council, and the order was "That the passengers were all to be landed on Partridge Island for cleansing and purification, the sick to be separated from the others, provided that the Master or Consignee would provide for their support while on the Island," and which they objected to for one week previous to making the arrangements, and the vessel lay with the passengers on board for that period—and an unnecessary quarantine: as the quarantine was useless with the infected parties on board, and as they could not be purified in the vessel with the disease there at the same time, and they did not consider themselves justified in supporting their sick on the Island.

I have therefore represented this case, in order to shew the difficulties when infectious diseases arrive; and therefore trust that Your Excellency and Council will take the subject into consideration, whether it is not necessary that some means of obtaining immediate relief to Emigrants from the Head Money should be afforded when they arrive with infectious disease, and require to be landed for the protection of the City.

I have also to observe, that if a vessel arrives with one or more cases of Small Pox on board, and having one hundred passengers or more, it is requisite in all cases that the whole number of passengers should be landed on Partridge Island for cleansing and observation; and as we are situated at present, the vessel cannot land them without becoming responsible for the support of both the destitute sick and healthy until they are all discharged; and if any provision should be made, it is necessary to ascertain if such would be for the sick alone, or for those in health also who may be destitute, and require detention for purification, or whether the ship should be compelled to support the latter, and convey them off the Island.

I have here given a full statement respecting the Emigrants arriving with disease, trusting that Your Excellency and Council will take the matter into consideration, in order to meet any emergencies in giving immediate comfort to the sick and destitute Emigrant, and in protecting the City from infectious diseases, as appearances present an extensive Emigration during the ensuing season.
Respectfully submitted.

G. J. HARDING, *M. D.*

Saint John, N. B., January 28, 1845.

To His Excellency Sir Wm. Colebrooke, &c. &c. &c.

A Message was brought from the Assembly by Mr. Botsford, with a Bill to continue the Act for the more speedy and effectual punishment of persons keeping disorderly Houses, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to incorporate sundry persons by the name of the Globe Assurance Company, and the Report of the Select Committee thereon.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

The Honorable Mr. Cunard, by leave, presented the following Petitions:—

A Petition from John Miller, Deputy Treasurer at Bathurst, praying an increased allowance for past services, and a retired allowance in the event of the Consolidation of the Customs and Treasury Department: and

A Petition from Alexander, Donald and John M'Beath, of Northumberland, in reference to certain Post Office Contracts for the conveyance of the Mails in the Northern part of the Province.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Hatch, by leave, presented a Petition from Hugh Flaherty, Hugh M'Callum, Dominicus Milliken, and fifty four other inhabitants of Charlotte County, praying aid to build a Bridge in the Town of Magaguadavic.

ORDERED, That the said Petition be received and lie on the Table.

The Honorable Mr. Wyer, by leave, presented the following Petitions:—

A Petition from Robert Hay, John Bedell, James Robertson, and sixty two other persons of the County of Carleton, praying an Act may pass to incorporate the Meduxnikik Boom Company:

A Petition from Mary C. Foster, of Charlotte County, praying an allowance for teaching a School in Charlotte County:

Several Petitions from Peter M'Ewen, Christian Walker, and Edward Jagoe, with similar prayers:

A Petition from David Brown of Sunbury, praying remuneration for losses sustained in the erection of the Bridge at the Oromocto River, on the Great Road :

A Petition from Robert Ash, of the Parish of Saint George, in Charlotte County, praying remuneration for services performed in repairing the Pomeroy Bridge, over the Magaguadavic River: and

A Petition from Grizilla Sherwood, of Charlotte County, praying the usual Pension to the Widows of old Soldiers may be allowed to her.

ORDERED, That the said Petitions be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 15th February, 1845.

PRESENT :

<p>THE HON.</p> <p><i>Mr. Shore,</i> <i>Mr. Saunders,</i> <i>Mr. Attorney General,</i> <i>Mr. Street,</i> <i>Mr. Wyer,</i> <i>Mr. Owen.</i></p>	<p><i>Mr. Black, President.</i></p>	<p><i>Mr. Cunard,</i> <i>Mr. Botsford,</i> <i>Mr. Chandler,</i> <i>Mr. Robertson,</i> <i>Mr. Hatch,</i></p>
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PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed:—

A Bill to incorporate sundry persons by the name of the Globe Assurance Company :

A Bill to repeal an Act, intituled “ An Act for the better and more effectual securing the Navigation of the River Saint Croix, in the County of Charlotte, and to make other and more effectual provision relating to the same :”

A Bill to continue an Act to regulate Dockage, Wharfage and Cranage in the City of Saint John, and in the Parish of Portland :

A Bill to continue an Act to revive and continue an Act to regulate the driving of Timber and Saw Logs down the River Magaguadavic and its Branches :

A Bill to establish periodical Fairs in the Town of Newcastle, in the County of Northumberland :

A Bill to continue an Act to extend the provisions of an Act, intituled “ An Act to repeal the Laws now in force for appointing Firewards and the better extinguishing of Fires, so far as the same relate to the Town of Fredericton, and to make regulations more suitable to the said Town,” to the Towns of Newcastle and Chatham, and their vicinities, in the County of Northumberland :

A Bill to continue certain Acts relating to the Fisheries in the County of Northumberland, that are now expiring :

A Bill to continue an Act for the regulation of Booms for securing Masts, Logs, and Lumber, in certain parts of the County of Northumberland :

A Bill to continue an Act to lay a Tax on Dogs in a certain part of the Parish of Chatham, in the County of Northumberland : A

A Bill to continue an Act for the better and more effectual securing the Navigation of the River Miramichi, in the County of Northumberland, and to protect the Fisheries on the said River :

A Bill to continue an Act to regulate the Assize of Bread in the Towns of Newcastle and Chatham, in the County of Northumberland :

A Bill to continue an Act, intituled " An Act to repeal an Act, intituled ' An Act for the better security of the Navigation of certain Harbours in the County of Northumberland,' and to make more effectual provision for the better security of the Harbours in the Counties of Northumberland, Kent, and Gloucester:" and

A Bill to authorize the Justices of the Peace for the County of Kent to levy an assessment to defray the contingent expenses of the said County.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to these Bills without any amendments.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to continue an Act for the better regulation of the office of Sheriff in this Province :

A Bill to authorize the Justices of the Peace for King's County to levy an assessment to pay off the County Debts :

A Bill to continue the Act to provide for the better assessment of County and Parish Rates :

A Bill further to continue an Act to prevent disorderly riding on Streets and Highways in this Province :

A Bill to continue an Act to made more effectual provisions for the regulation of Seamen in this Province :

A Bill to continue the Act relating to Landlord and Tenant :

A Bill to continue the Act to regulate Pawn Brokers within this Province : and

A Bill to continue the Act for the more speedy and effectual punishment of persons keeping disorderly Houses.

ORDERED, That the House be put into a Committee of the whole on Monday next to take the said Bills severally into consideration.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue the Act, intituled " An Act to provide for the erection of Fences with Gates across Highways leading through Interval Land in Queen's County and the County of Sunbury, where the same may be found necessary, and to extend the provisions of the same to King's County."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommend the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time on Monday next.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill relating to certain Fees.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again on Monday next.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill relating to the privilege of solemnizing Marriage.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, they had made an amendment thereto, and recommended the Bill as amended to the adoption of the House.

ORDERED, That the Report be received.

The said amendment was then read by the Clerk, as follows :—

At A expunge the remainder of the Preamble, and insert the words “it is considered expedient to abolish any Fees on or for granting any such Licence.”

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That it be engrossed, and the Bill as amended be read a third time on Monday next.

A Message was brought from the Assembly by Mr. Boyd, with the following Bills, to which they desire the concurrence of this House :—

A Bill to continue an Act, intituled “An Act to regulate the Assize of Bread in the Towns of Saint Andrews and Saint Stephen, in the County of Charlotte, and to repeal the Acts now in force relating to the Town of Saint Andrews :”

A Bill to continue an Act to authorize the Grand Jurors of the several Counties within this Province to inspect the Public Accounts :

A Bill to continue an Act, intituled “An Act to repeal the Laws now in force for appointing Firewards and for the better extinguishing Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned :”

A Bill to continue an Act relating to the Navigation of the Inner Bay of Passamaquoddy :

A Bill to continue an Act, intituled “An Act to continue an Act relating to the Herring Fisheries in the County of Charlotte :”

A Bill to suspend the operation of certain Acts to provide for sick and disabled Seamen, so far as they relate to the County of Charlotte : and

A Bill to suspend the operation of the Act for maintaining Light Houses in the Bay of Fundy, so far as regards Vessels arriving in the County of Charlotte, for a limited period.

The said Bills were severally read a first time.

ORDERED, That the said Bills severally stand for a second reading on Monday next.

The

The Honorable Mr. Hatch, by leave, presented a Petition from Marcy M'Nichol, of Charlotte County, praying the usual Pension for Widows of Old Soldiers may be allowed to her.

ORDERED, That the said Petition be received and lie on the Table.

The Honorable Mr. Robertson, by leave, presented a Petition from Thomas Taylor, of Fredericton, praying a return of Duties paid on Watches imported from England, for reasons stated in his Petition.

ORDERED, That the said Petition be received and lie on the Table.

Adjourned until Monday next at 12 o'clock.

MONDAY, 17th February, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Cunard,
Mr. Botsford,
Mr. Chandler,
Mr. Wyer,
Mr. Owen.*

*Mr. Saunders,
Mr. Attorney General,
Mr. Robertson,
Mr. Hatch,*

PRAYERS.

Pursuant to the Order of the Day, the Bill relating to the privilege of solemnizing Marriage, as amended, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill, with amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the Bill to continue an Act, intituled "An Act to provide for the erection of Fences with Gates across Highways leading through Intervale Land in Queen's County and the County of Sunbury, where the same may be found necessary, and to extend the provisions of the same to King's County," was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to continue an Act, intituled "An Act to regulate the Assize of Bread in the Towns of Saint Andrews and Saint Stephen, in the County of Charlotte, and to repeal the Acts now in force relating to the Town of Saint Andrews :"

A Bill to continue an Act to authorize the Grand Jurors of the several Counties within this Province to inspect the Public Accounts :

A Bill to continue an Act, intituled "An Act to repeal the Laws now in force for appointing Firewards and for the better extinguishing of Fires in the Town of Saint Andrews,

Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned :”

A Bill to continue an Act relating to the Navigation of the Inner Bay of Passamaquoddy :

A Bill to continue an Act, intituled “ An Act to continue an Act relating to the Herring Fisheries in the County of Charlotte :”

A Bill to suspend the operation of certain Acts to provide for sick and disabled Seamen, so far as they relate to the County of Charlotte : and

A Bill to suspend the operation of the Act for maintaining Light Houses in the Bay of Fundy, so far as regards Vessels arriving in the County of Charlotte, for a limited time.

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the said Bills severally into consideration.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue an Act for the better regulation of the office of Sheriff in this Province.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

A Message was brought from the Assembly by Mr. Hill, that the Assembly had agreed to the amendments made by this House to the Bill to continue several Acts relating to the appointment of Firewards and the better extinguishment of Fires in a part of the Parish of Saint Stephen, in the County of Charlotte.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to authorize the Justices of the Peace in King’s County to levy an assessment to pay off the County Debts.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue the Act to provide for the better assessment of County and Parish Rates.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

A Message from His Excellency the Lieutenant Governor was delivered by the Honorable Mr. Saunders, a Member of Her Majesty’s Executive Council.

The

The Honorable the President read the same, and it was again read by the Clerk as follows :—

NEW BRUNSWICK.

*Message to the Legislative Council,
17th February, 1845.*

W. M. G. COLEBROOKE, LT. GOVERNOR.

The Lieutenant Governor communicates to the Council, copy of a Report from the Honorable Captain Owen, on the subject of a proposal for establishing an Observatory at Saint John.
W. M. G. C.

(Copy)

Legislative Council Chamber, 11th February, 1845.

SIR,—In obedience to Your Excellency's command, I lose no time in offering some observations on the subject of the Petition of Mr. Agnew, Watchmaker, of Saint John.

The necessity of an Observatory at Saint John must be evident, on consideration, at least for the purposes of obtaining the true time by the Sun, and (by the aid of a good clock) the mean astronomical time; thus to regulate the Chronometers of its numerous Merchant Ships, and to give them true time, not only at their departure from that Port, but whenever required for any purpose: because, in the navigation and conduct of Ships at Sea, the place of a Ship cannot be truly determined without the true time at the Port left, at the Vessel herself, and at the Port bound to. Therefore it is that Chronometers cannot now be dispensed with, although constructed at an extraordinary expense. Yet no Ship in these days can be considered as sufficiently equipped for a sea voyage, without two of these Instruments, at least.

The only use of Chronometers, that is, of Timekeepers, is to shew at any time or place on board a Ship the exact time at the Port left. For example, a Ship leaving Saint John with good timekeepers, whose loss or gain per day has been well ascertained, and presuming they know the exact time at Saint John, or the difference between the true time at Saint John and their timekeepers on the day they may leave it, they may always know the exact hour, minute and second at Saint John, wherever they may be, presuming their time pieces to go well. Since then this exact knowledge of the true time at some known place, (at Saint John for example,) is at all times necessary to a Ship leaving that place, to enable her to ascertain her true position or place, and that an error of one minute of time, will cause no less an error than 15 miles of Longitude, that is, of nearly as much in distance in one direction; and if uncertain which way the error may be, an error of one minute involves uncertainty to twice the amount, or 30 miles in distance. Thus far on the importance and consequent necessity of being able to have and to measure time truly; and it becomes proper to consider the means, if any, at present available for a purpose so essential. At present there is no certain and unexceptionable means of knowing the true time at Saint John, or in New Brunswick, any more than exist now on the Nashwaak or at Fredericton, so that even no Watchmaker at Saint John can certify the time truly, or without some uncertainty, to one, two, or even three minutes of the actual time, or who can ascertain the number of seconds of time his own clock gains or loses each day, and some are even ignorant that although all time is regulated by the sun, yet that the times by sun, moon, or stars, and that by the Watchmaker's clock, all differ from each other. Such is the present general state of the available means of ascertaining and measuring time at Saint John.

The Petitioner appears to be an intelligent man, and very good mechanic, and with a very little instruction, would become perfectly qualified for making all the requisite observations in an infant establishment, such as contemplated in the present instance. For the specific purpose of time, as stated, two instruments only are required: 1st. An Astronomical Clock, with a compensation pendulum to maintain the same lengths, and consequently the same precise duration of time in all changes of temperature to which it may be subject, the cost of which will be about (£50) fifty pounds; and 2d. A Transit Telescope fixed in the meridian of the place, that is, it must be so fixed, that turning on its own spindle or axis, the observer would trace out that line in the Heavens, when the sun, moon and stars obtain their greatest height, and then begin to fall—such an instrument, four or four and a half feet focal length will cost (£50 or £60) fifty or sixty pounds. One only
other

other instrument might be useful for observing other phenomena, viz : a Refracting Telescope of three or four feet focal length, cost (£10) ten pounds. The apartments necessary to the person in charge, and for the care and management of Chronometers, could be completed for £250 or £300. The continued care of the house and instruments would cost almost nothing, because being entrusted to a Watchmaker, the number of Chronometers entrusted to him to regulate would each pay for the care, as they now do, for inadequate benefit and possibly erroneous results. The revenue to the person who would regulate the timekeepers, may well be assured at about £350 per annum from this source only. In the present advanced state of practical science, it is absolutely discreditable to the whole Province, and more particularly to the extensive Commercial Interests at Saint John, that such an establishment does not yet exist, and the sarcasms would be just, that in New Brunswick we do not yet know the precise time of day or night. At Boston, Mr. Bond, an English Watchmaker, has a similar establishment, and is now a very reputable Astronomer, and the advantages derived therefrom to the commerce of that Port are known to be incalculable, wrecks less frequent, navigation and commerce are rendered more secure, insurance much lower, and commercial enterprise much nourished by its silent effects. Such an establishment might be made by private means, because the expense is so trifling; but there are very many reasons why it should be subject to Government directly, and only to it : we may then hope to see such an establishment grow with our growth, and the Observatory at Saint John, at least rival that at Boston, and innumerable other advantages would necessarily flow from this institution, which it would be superfluous to detail to Your Excellency, but all conducive to the glory and prosperity of New Brunswick. There are now two sources from which the necessary funds (only £450) may be so applied by Act of Assembly, even without a direct Grant, viz : The Seamen's Hospital Fund, and the Light House Fund ; and it is to be presumed that the Corporation of Saint John would gladly furnish the site, by appropriating a commodious spot for the purpose.

I remain,

Your Excellency's, &c.

(Signed)

W. F. W. OWEN, L. C.

Naval Surveyor, &c.

His Excellency Sir Wm. M. G. Colebrooke, K. H., &c. &c. &c.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill further to continue an Act to prevent disorderly riding on Streets and Highways in this Province.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue the Act relating to Landlord and Tenant.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue the Act to regulate Pawn Brokers within this Province.

The

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue the Act for the more speedy and effectual punishment of persons keeping disorderly Houses.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, they had made certain amendments thereto, and recommended the Bill as amended to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follows :—

At A insert the words “ of the Reign.”

At B insert the words “ speedy and.”

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill as amended be read a third time to-morrow.

A Message was brought from the Assembly by Mr. Connell, with a Bill to incorporate the Maduxnikik Boom Company, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the same be read a second time.

The said Bill was read a second time.

ORDERED, That the same be referred to the Committee appointed to examine and report upon Bills relating to Corporations.

A Message was brought from the Assembly by Mr. Boyd, that the Assembly had agreed to the amendments made by this House to the Bill to continue an Act, intituled “ An Act to continue an Act relating to Church Wardens and Vestrymen, and to persons having voices in their election, so far as relates to the Parish Church of Saint Andrews.”

And with the following Bills, to which they desire the concurrence of this House :—

A Bill to incorporate the Saint Andrews Steam Mill and Manufacturing Company : and

A Bill to incorporate the Saint Andrews Whale Fishing Company.

The said Bills were severally read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards these Bills, and that the said Bills be referred to the Committee appointed to examine and report upon Bills relating to Corporations.

A Message was brought from the Assembly by Mr. Jordan, with a Bill to establish the Road leading from the City of Saint John to Quaco, in the Parish of Saint Martin's, in the County of Saint John, as one of the Great Roads, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

A Message was brought from the Assembly by Mr. Palmer, with a Bill to amend an Act, intituled "An Act to amend an Act, intituled 'An Act to repeal an Act to encourage the destroying of Wolves, and an Act to grant a Bounty on the destruction of Bears in this Province, and to make other provisions in lieu thereof,'" to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

The Honorable Mr. Robinson, by leave, presented a Petition from Thomas Wallace, of the City of Saint John, praying to be reimbursed the amount of Duties paid on Machinery imported for the manufacture of Cordage.

ORDERED, That the said Petition be received and lie on the Table.

The Honorable Mr. Chandler, by leave, presented the following Petitions :—

A Petition from David A. Rose, James Frink, and one hundred and eighty four others, inhabitants of Charlotte County, praying measures may be adopted to prevent the sale of large Tracts of Crown Land :

A Petition from Robert A. Hay, of the County of Carleton, praying a return of money paid into the Treasury on Timber and other Lumber in the year 1843 :

A Petition from Abigail Davenport, Widow of an old Soldier, praying the Pension allowed to her late husband may be continued to her : and

A Petition from Jennett Turner, also the Widow of an old Soldier, praying the amount due to her late husband may be granted to her, he having died shortly before the sitting of the York General Sessions.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Wyer, by leave, presented the following Petitions :—

A Petition from Francis Beverly, of Fredericton, praying a return of Duty paid by him on Calf Skins imported for Book Binding: and

A Petition from Margaret Grant, of Charlotte County, praying an allowance for teaching a School in that County.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Botsford, by leave, presented the following Petitions :—

A Petition from John Boultenhouse, owner of the brig Abigail, praying a return of Double Head Money paid on Passengers :

A Petition from C. Boultenhouse, C. Dixon, and forty four other persons, engaged in Lumbering and Ship Building in Westmorland, praying that such part of the Export Bill relating to Duties on Timber cut from private property, may be repealed :

A Petition from Jonathan Lunn, praying compensation for completing a contract for work on the Road from Fredericton to North River : and

A

A Petition from William F. Bent and Blair Botsford, of Westmorland, praying a return of Duties paid by them.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Hatch, by leave, presented the following Petitions :—

A Petition from John Leonard, Plato Loyd, Archibald Haney, and three hundred and eighty four others, Fishermen and Merchants, in the Parishes of Saint George, Pennfield, West Isles, and Campo Bello, in Charlotte County, praying that an Act may pass to prevent the taking of Fish in Wiers, and also for the protection of the Spawning Grounds near the Island of Grand Manan : and

A Petition from Malcolm M'Naughton, of Charlotte County, praying an allowance for teaching a School in Brockway Settlement.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Cunard, by leave, presented the following Petitions :—

A Petition from Amos Dickinson, of Wakefield, in the County of Carleton, praying a remission of Duties paid by him on Timber in the year 1843 : and

A Petition from Hugh Harrison and George Jouett, of the same County, praying a return of Stumpage Money paid on Timber, for reasons set forth in the Petition.

ORDERED, That the said Petitions be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 18th February, 1845.

PRESENT :

THE HON.

Mr. Black, President.

Mr. Cunard,

Mr. Botsford,

Mr. Attorney General,

Mr. Chandler,

Mr. Street,

Mr. Robertson,

Mr. Wyer,

Mr. Hatch,

Mr. Johnston,

Mr. Owen.

PRAYERS.

Pursuant to the Order of the Day, the Bill to continue the Act for the more speedy and effectual punishment of persons keeping disorderly Houses, as amended, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill, with an amendment, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill to continue an Act for the better regulation of the Office of Sheriff in this Province :

A Bill to authorize the Justices of the Peace in King's County to levy an assessment to pay off the County Debts :

A Bill to continue the Act to provide for the better assessment of County and Parish Rates :

A Bill further to continue the Act to prevent disorderly riding on Streets and Highways in this Province :

A Bill to continue the Act relating to Landlord and Tenant : and

A Bill to continue the Act to regulate Pawn Brokers within this Province.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to these Bills without any amendment.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to establish the Road leading from the City of Saint John to Quaco, in the Parish of Saint Martin's, in the County of Saint John, as one of the Great Roads: and

A Bill to amend an Act, intituled "An Act to amend an Act, intituled 'An Act to repeal an Act to encourage the destroying of Wolves, and an Act to grant a Bounty on the destruction of Bears in this Province, and to make other provisions in lieu thereof.' "

ORDERED, That the House be put into a Committee of the whole to-morrow to take the said Bills severally into consideration.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue an Act, intituled "An Act to regulate the Assize of Bread in the Towns of Saint Andrews and Saint Stephen, in the County of Charlotte, and to repeal the Acts now in force relating to the Town of Saint Andrews."

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue an Act to authorize the Grand Jurors of the several Counties within this Province to inspect the Public Accounts.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to suspend the operation of certain Acts to provide for sick and disabled Seamen, so far as they relate to the County of Charlotte.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The

The Chairman reported, that the Committee had gone into consideration of the said Bill, and recommended that the further consideration thereof be postponed for three months.

ORDERED, That the Report be received ; and it was thereupon

RESOLVED, That the further consideration of the said Bill be postponed for three months.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue an Act, intituled "An Act to repeal the Laws now in force for appointing Firewards and for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned."

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue the Act relating to the Navigation of the Inner Bay of Passamaquoddy.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue an Act, intituled "An Act to continue an Act relating to the Herring Fisheries in the County of Charlotte."

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. J. A. Street, with the following Bills, to which they desire the concurrence of this House :—

A Bill in addition to and in amendment of the Acts now in force for regulating the Fisheries in the County of Northumberland: and

A Bill to continue an Act in addition to the Laws now in force for the protection of the Fisheries in the Counties of Northumberland, Kent and Gloucester.

The said Bills were severally read a first time.

ORDERED, That the said Bills severally stand for a second reading to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to suspend the operation of the Act for maintaining Light Houses in the Bay of Fundy, so far as regards Vessels arriving in the County of Charlotte, for a limited period.

The

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, and recommended that the further consideration thereof be postponed for three months.

ORDERED, That the Report be received ; and it was thereupon

RESOLVED, That the further consideration of the said Bill be postponed for three months.

The Honorable Mr. Cunard, a Member of Her Majesty's Executive Council, lays before the House, by direction of His Excellency the Lieutenant Governor—

A Report from the Commissioners of the Provincial Penitentiary, dated the 31st December, 1844.

ORDERED, That the same do lie on the Table.

[See Appendix No. 4.]

On motion made and seconded—

RESOLVED, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency would be pleased to direct to be laid before this House—

A List of the Officers appointed to take account of the Stock of Timber and Lumber on hand at the respective Shipping Ports in this Province on the first day of May last, under Act 7 Victoria, chapter 18 : also

Copies of the Instructions to the said Officers respectively : and

Copies of the Order to the Treasurer, and to the respective Deputy Treasurers in the Province, relating to the collection of the Duties under and by virtue of said Act.

ORDERED, That the Honorable Messieurs Robertson and Wyer be a Committee to present the same.

The Honorable Mr. Street, by leave, presented a Petition from the Venerable Archdeacon Coster, on behalf of the Executive Committee of the Church Society of the Archdeaconry of New Brunswick, praying a return of Duty on Books imported for the Society.

ORDERED, That the said Petition be received and lie on the Table.

The Honorable Mr. Johnston, by leave, presented the following Petitions :—

A Petition from Thomas S. Magee, of the City of Saint John, praying a return of Duty paid by him on Sugar imported in November last : and

A Petition from John M'Curt, a Schoolmaster, praying an allowance for teaching a School in King's County in the years 1843 and 1844.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Robertson, by leave, presented a Petition from William Davidson, of the City of Saint John, praying to be reimbursed an Export Duty paid by him upon a cargo of Timber and Deals shipped on board the barque Olga, at Dorchester, in July last.

ORDERED, That the said Petition be received and lie on the Table.

The

The Honorable Mr. Cunard, by leave, presented the following Petitions :—

A Petition from Roderick M'Leod, James Davidson, and one hundred and eight other persons, Freeholders and Inhabitants of Northumberland, praying the Road leading from Bathurst to Goodfellow's, round the Coast, may be established as a Great Road :

A Petition from Roderick M'Leod, Donald Campbell, Robert Loggie, and thirty seven other persons in Northumberland, praying a Law may pass prohibiting the hauling of Gaspereaux with Seines, or any other description of Nets, in the River Tabusintac :

A Petition from John Dickson, a Ferryman in Chatham, praying an allowance for Ferrying Mails for nine years past :

A Petition from John T. Williston, praying a return of Duty paid in 1843 on Timber cut on Crown Lands : and

A Petition from Daniel Keith, William Johnston, and seventeen Firemen in Chatham, praying additional exemptions from Public Duties.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Robertson, by leave, presented the following Petitions :—

A Petition from James Peters, Junior, of Saint John, praying that no Act may pass which will place the emoluments of his office as Clerk of the Peace and Clerk of the Inferior Court of Common Pleas, under the control of the Common Council of Saint John : and

A Petition from William Davidson, of the City of Saint John, praying that Duties paid by him upon Timber and other Lumber on hand at the Port of Saint John on the first of May last, may be returned to him, for reasons set forth in the said Petition.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Wyer, by leave, presented a Petition from Mary C. Albee, of Charlotte County, praying an allowance for teaching a School in the Parish of Saint Stephen.

ORDERED, That the said Petition be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 19th February, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Cunard,
Mr. Attorney General,
Mr. Street,
Mr. Wyer,
Mr. Johnston,*

*Mr. Botsford,
Mr. Chandler,
Mr. Robertson,
Mr. Hatch,
Mr. Owen.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill to continue an Act, intituled "An Act to regulate the Assize of Bread in the Towns of Saint Andrews and Saint Stephen, in the County of Charlotte, and to repeal the Acts now in force relating to the Town of Saint Andrews:"

A Bill to continue an Act to authorize the Grand Jurors of the several Counties within this Province to inspect the Public Accounts:

A Bill to continue an Act, intituled "An Act to repeal the Laws now in force for appointing Firewards and for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned:" and

A Bill to continue an Act relating to the Navigation of the Inner Bay of Passamaquoddy.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to these Bills without any amendment.

Pursuant to the Order of the Day, the following Bills were severally read a second time:—

A Bill in addition to and in amendment of the Acts now in force for regulating the Fisheries in the County of Northumberland: and

A Bill to continue an Act in addition to the Laws now in force for the protection of the Fisheries in the Counties of Northumberland, Kent, and Gloucester.

ORDERED, That the said Bills severally stand for a Committee of the whole House to-morrow.

A Message was brought from the Assembly by Mr. Taylor, with a Bill to incorporate the Nashwaak Boom Company, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

A Message was brought from the Assembly by Mr. Jordan, with the following Bills, to which they desire the concurrence of this House:—

A Bill to continue the several Acts now in force relating to insolvent confined Debtors:

A Bill to continue an Act, intituled "An Act to provide for reporting and publishing the Decisions of the Supreme Court:" and

A Bill to facilitate the settlement of Accounts between the Justices of the Peace for the City and County of Saint John, and John R. Partelow, Esquire, late County Treasurer.

The said Bills were severally read a first time.

ORDERED, That the said Bills severally stand for a second reading to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to establish the Road leading from the City of Saint John to Quaco, in the Parish of Saint Martin's, in the County of Saint John, as one of the Great Roads.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

A Message was brought from the Assembly by Mr. W. H. Street, with the following Bills, to which they desire the concurrence of this House :—

A Bill to continue an Act, intituled “ An Act to authorize the extension of the Gaol Limits in the City and County of Saint John :” and

A Bill in addition to an Act, intituled “ An Act for the better extinguishing of Fires which may happen in the City of Saint John, and to continue a certain Act relating to the same matter therein mentioned.”

The said Bills were severally read a first time.

ORDERED, That the said Bills severally stand for a second reading to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to amend an Act, intituled “ An Act to amend an Act, intituled ‘ An Act to repeal an Act to encourage the destroying of Wolves, and an Act to grant a Bounty on the destruction of Bears in this Province, and to make other provisions in lieu thereof.’ ”

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received and the Bill be read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill to continue an Act, intituled “ An Act to continue an Act relating to the Herring Fisheries in the County of Charlotte.”

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, they had made an amendment thereto, and recommended the Bill as amended to the adoption of this House.

ORDERED, That the Report be received.

The said amendment was then read by the Clerk, as follows :—

At A expunge the word “ fifty,” and insert the words “ forty seven.”

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That it be engrossed, and the Bill as amended read a third time to-morrow.

The Honorable Mr. Johnston, by leave, presented the following Petitions :—

A Petition from Lieutenant Colonel Whannel, commanding Her Majesty’s Thirty Third Regiment, praying for a return of the Duties paid on Wine and other Liquors consumed by the Officers of the Mess of that Regiment during the past year :

A Petition from Thomas Parks, of the City of Saint John, praying a return of Duty over paid by him at the Province Treasury in October, 1843 :

A Petition from Thomas Lamb, Keeper of the Light House at Quaco, praying an additional allowance to enable him to employ an Assistant Keeper :

A Petition from the Mayor, Aldermen and Commonalty of Saint John, praying the continuance of the Act for the support of a Nightly Watch in the said City :

A Petition from John Herrington, praying an allowance for teaching a School in the City of Saint John for two years :

A Petition from John Brittain, E. B. Smith, Samuel Graham, and ninety one others, inhabitants of King's County, praying an increase of Representation for the said County :

A Petition from Asa Coy and Zebedee G. Gable, Trustees of the Baptist Meeting House in Fredericton, praying a return of Duties paid on an Organ imported for Public Worship : and

A Petition from Seymour Pickett, of Kingston, in King's County, praying Legislative protection for a Cloth Manufactory established by him, and aid towards its encouragement.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Robertson, by leave, presented a Petition from Messieurs I. and J. G. Woodward, of Saint John, praying Legislative aid to relieve them from the provisions of the Act 7th Victoria, chapter 42, and from the payment of Duties on Machinery for a Steam Ship to be constructed upon the most improved principle, to ply between the Ports of Saint John and Boston ; and for pecuniary aid to assist them in the undertaking.

ORDERED, That the said Petition be received and lie on the Table.

The Honorable Mr. Wyer, by leave, presented a Petition from the Commissioners of the Alms House and Overseers of the Poor at Saint Andrews, praying the sum of two hundred and forty pounds ten shillings and one penny may be repaid them for expenses incurred in the support of the Emigrant Poor.

ORDERED, That the said Petition be received and lie on the Table.

The Honorable Mr. Cunard, by leave, presented the following Petitions :—

A Petition from Alexander M'Laggan, praying a return of Licence money paid on Lumber previous to the first May, 1844, and subject to Export Duty :

A Petition from Richmond Burbridge, of Chatham, praying a Grant of the sum of sixteen pounds fifteen shillings deducted from his Account as Superintendent of the Hospital in Chatham :

A Petition from Roderick M'Leod, James Davidson, Louis Robicheau, and one hundred and eleven others, inhabitants of Northumberland and Gloucester, praying that the Road from Bathurst to Goodfellow's, round the Coast, may be established as one of the Great Roads :

A Petition from Alexander Davidson, John Frazer, Henry B. Allison, and one hundred and five inhabitants of Northumberland and Gloucester, with a similar prayer :

A Petition from Alexander Rankin, on behalf of himself and partners, praying a grant to remunerate them for Duties paid on Timber and Lumber coming to market too late to come within the exception of the Act 7 Victoria, c. 18 :

A Petition from the Prince Edward Island Steam Navigation Company, praying some compensation for keeping up a communication between Miramichi, Charlotte Town, and Pictou: and

A Petition from Alexander Davidson, John Knight, Donald M'Kay, and sixty four inhabitants of Miramichi, praying aid for the said Steam Navigation Company.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Hatch, by leave, presented a Petition from Messieurs E. and J. Wilson, Merchants, of Saint Andrews, praying they may have credit for the Duty paid on certain quantities of Lumber, for reasons set forth in their Petition.

ORDERED, That the said Petition be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 20th February, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Cunard,
Mr. Chandler,
Mr. Robertson,
Mr. Hatch,
Mr. Owen.*

*Mr. Botsford,
Mr. Street,
Mr. Wyer,
Mr. Johnston,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to continue an Act, intituled "An Act to continue an Act, intituled 'An Act to continue an Act relating to the Herring Fisheries in the County of Charlotte,'" as amended, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill, with an amendment, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed:—

A Bill to establish the Road leading from the City of Saint John to Quaco, in the Parish of Saint Martin's, in the County of Saint John, as one of the Great Roads: and

A Bill to amend an Act, intituled "An Act to amend an Act, intituled 'An Act to repeal an Act to encourage the destroying of Wolves, and an Act to grant a Bounty on the destruction of Bears in this Province, and to make other provisions in lieu thereof.'"

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to these Bills without any amendment.

Pursuant to the Order of the Day, the Bill to incorporate the Nashwaak Boom Company, was read a second time.

R

ORDERED,

ORDERED, That the said Bill be referred to the Committee appointed to examine and report upon Bills relating to Corporations.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to continue the several Acts now in force relating to insolvent confined Debtors :

A Bill to continue an Act, intituled “ An Act to provide for reporting and publishing the Decisions of the Supreme Court :”

A Bill to facilitate the settlement of Accounts between the Justices of the Peace for the City and County of Saint John, and John R. Partelow, Esquire, late County Treasurer :

A Bill to continue an Act, intituled “ An Act to authorize the extension of the Gaol Limits in the City and County of Saint John :” and

A Bill in addition to an Act, intituled “ An Act for the better extinguishing of Fires which may happen in the City of Saint John,” and to continue a certain Act relating to the same matter therein mentioned.

ORDERED, That the House be put into a Committee of the whole to-morrow to take the said Bills severally into consideration.

The Honorable Mr. Johnston, by leave, presented the following Petitions :—

A Petition from William Hammond, of the City of Saint John, Merchant, praying the return of Duties paid by him on a puncheon of Geneva exported by him to Nova Scotia in May, 1844 :

A Petition from Thomas M. Sime, of the City of Saint John, praying that protection may be afforded to his Establishment for the manufacture of Brooms in the said City :

A Petition from Letty Bell, the Widow of an old Soldier, praying for pecuniary aid :

A Petition from David Brown, of the Parish of Burton, in Sunbury County, praying an allowance for teaching a School in the said Parish : and

A Petition from Messieurs Jardine and Company, of Saint John, praying a return of Duty paid on Bastard Sugar imported by them in the years 1843 and 1844.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Wyer, by leave, presented the following Petitions :—

A Petition from Henry B. Allison, of Miramichi, praying a return of Tonnage Duty on Licences to cut Timber and Lumber paid by him : and

A Petition from Thomas Watt, of Saint Andrews, praying a grant of money may be made to him to reimburse him for money exacted from him on Bonds to the Crown not due.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Owen, by leave, presented a Petition from Lieutenant Charles Hare, R. N. praying for a grant of two hundred pounds, according to a Scale arranged in an Act passed in the eighth year of His late Majesty King William the Fourth.

ORDERED, That the said Petition be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

FRIDAY,

FRIDAY, 21st February, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Botsford,
Mr. Street,
Mr. Wyer,
Mr. Johnston,*

*Mr. Cunard,
Mr. Chandler,
Mr. Robertson,
Mr. Hatch,
Mr. Owen.*

PRAYERS.

The Honorable Mr. Robertson, from the Committee appointed to wait upon His Excellency the Lieutenant Governor, with the Address of this House, praying that certain Documents relating to the collection of Duty upon Timber and other Lumber, under the Act of 7th Vict. cap. 18, might be laid before the House, reported that they had attended to that duty, and that His Excellency was pleased to say, that he would comply with the wishes of the House.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue an Act, intituled "An Act to provide for reporting and publishing the Decisions of the Supreme Court."

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue an Act, intituled "An Act to authorize the extension of the Gaol Limits in the City and County of Saint John."

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to facilitate the settlement of Accounts between the Justices of the Peace for the City and County of Saint John, and John R. Partelow, Esquire, late County Treasurer.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill in addition to an Act, intituled "An Act for the better

better extinguishing of Fires which may happen in the City of Saint John," and to continue a certain Act relating to the same matter therein mentioned.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

A Message was brought from the Assembly, by Mr. End, with a Bill to establish the Road leading from Bathurst, in the County of Gloucester, to the Southern termination of the Great Bathurst Road, via Pokemouche, as one of the Great Roads of this Province, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

A Message was brought from the Assembly, by Mr. Fisher, that the Assembly had agreed to the amendments made by this House to the Bill relating to the privilege of solemnizing Marriage : and with

A Bill to erect a part of the Parish of Dumfries, in the County of York, into a separate Town or Parish, and to alter the name of the said Parish, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

The Honorable Mr. Hatch presented to the House a Bill, intituled "An Act to amend the Act, intituled 'An Act incorporating the Charlotte County Bank.'"

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

A Message was brought from the Assembly by Mr. S. Earle, with a Bill to increase the Representation of King's County, to which they desire the concurrence of this House:

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

The Honorable the President informed the House, that he had received from the Cashier of the Commercial Bank of New Brunswick—

An Abstract, shewing the average amount of the Liabilities and Assets of the Bank for the half year ending the twenty eighth day of September, 1844.

ORDERED, That the same do lie on the Table.

A Message from His Excellency the Lieutenant Governor was delivered by the Honorable Mr. Cunard, a Member of Her Majesty's Executive Council.

The Honorable the President read the same, and it was again read by the Clerk as follows :—

NEW BRUNSWICK.

Message to the Legislative Council,

20th February, 1845.

W. M. G. COLEBROOKE, LT. GOVERNOR.

The Lieutenant Governor lays before the Council, a Report from the Commissioners of Light Houses.

W. M. G. C.

(Copy.)

To His Excellency Sir WILLIAM M. G. COLEBROOKE, K. H., Lieutenant Governor and
Commander in Chief of the Province of New Brunswick, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

The Commissioners of Light Houses in the Bay of Fundy, (residing at Saint John,) beg leave to Report to Your Excellency, that the Accounts of the amount expended for the support and maintenance of the different Light Stations in the Bay of Fundy belonging to this Province, also the amount paid in aid towards the support of the Light Houses at Cape Sable, Seal Islands, and Brier Island, in the Province of Nova Scotia, have been forwarded to A. Reade, Esquire, Provincial Secretary, with vouchers, &c. for the Audit Office, of which the following is an abstract, viz:—

Keepers' Salaries at nine Stations,	£820 0 0
Contingencies for the same including 5 per cent. Commission,	1,372 14 10
Amount paid in aid of Nova Scotia Lights for 1843,	256 8 8
New Pier at the Beacon in the Harbor of Saint John, } and repairs to the old Block or Pier, }	527 2 1
Total expenditure for 1844,	£2,976 5 7

The Ordinary Contingencies are nearly the same as last year, if we deduct the amount expended for Painting four of the Light Houses, Plans, &c. for the contemplated improvements at the Gannet Rock, building a new Chimney in the Keeper's House at the same place, an addition to Keeper's House at Partridge Island, in all amounting to £130 9 4; also the cost of erecting a Shed at Head Harbor, and also at Machias Seal Island Stations, and the amount paid for Provisions deposited at the latter Station for the relief of shipwrecked persons, amounting to £61 15 6, in all £192 4 10, which deducted from the whole Ordinary Contingencies, will leave the sum of £1,180 10s. for 1844.

The amount of receipts for Light dues collected from Tonnage in the Ports of the Bay of Fundy, for the year 1844 is £3944 17 2, leaving a surplus of £986 3 5 in the Treasury after disbursing the service, which added to the balance in favor of the Light House Fund on the 31st December, 1843, makes the amount at credit of said Fund on the 31st December last £2,756 5 7: under which circumstances, we would again respectfully suggest the propriety of a reduction in the rate of Duty on Tonnage now collected for this service.

The various communications received by direction of Your Excellency during the past season have been all attended to.

The work at the Beacon in this Harbor has been completed to our satisfaction, and we think will secure that Station for many years.

The Contract for the Granite Wall around the Light House at the Gannet Rock, in accordance with the instructions of Your Excellency, has been entered into to be completed on or before the 1st day of October, 1845, for the sum of thirteen hundred pounds, (£1,300) which, when completed, will render that Station perfectly secure, as well as being an additional comfort to the Keepers at that desolate and dreary situation.

The Ordinary Contingencies for the year 1845, we think will not exceed that of the past season, as we are not aware of any extraordinary expenditure (except the Gannet Rock) beyond the ordinary wear and tear of Lamps, Reflectors, &c. some of which will have to be removed,—which was noticed in the remarks of the Honorable Captain Owen, also of Lieutenant Shortland, in their Reports on the state of some of the Light Establishments which they visited last season, but which we were also aware of.

All which is respectfully submitted by Your Excellency's obedient servants,

(Signed)

JOHN WARD, Junr.

ROBERT W. CROOKSHANKS,

L. DONALDSON,

I. WOODWARD,

W. F. W. OWEN,

} Commissioners of
Light Houses.

Saint John, N. B., 21st January, 1845.

The Honorable Mr. Cunard, also by direction of His Excellency the Lieutenant Governor, lays before the House, the following Documents and Reports, prayed for by an humble Address to His Excellency from this House :—

(Copy)

Secretary's Office, Fredericton, 25th April, 1844.

SIR,—In answer to your Letter of the 20th instant, respecting the surface measurement of Lumber, I am directed to state to you that the accustomed rule of measurement is to be pursued, and to instruct you to require the Shilling Duty on every thousand feet of one inch thick.

I have, &c.

(Signed)

WM. F. ODELL.

B. Robinson, Esquire, Province Treasurer, Saint John.

(Copy)

Secretary's Office, Fredericton, 17th May, 1844.

SIR,—I have the honor to enclose an Extract from the Minutes of Council of the 15th instant, in answer to your Letter of the 10th instant, on the subject of the shipment of Timber under the Act 7 Vic. c. 18.

I have, &c.

(Signed)

WM. F. ODELL.

IN COUNCIL, 12th April, 1844.

Ordered that the following Persons be appointed to take an account of Timber, Masts, Spars, Logs, Sawed Lumber or Scantling, claimed to be exported Duty free, under the Act 7th Vic., Ch. 18, relating to the collection of Duty on Timber and other Lumber, for the several undermentioned Counties viz :—

Jacob Allan,	Saint John.	Chas. J. Peters, Jun.,	Northumberland.
Wm. Mahood,	Charlotte.	Joseph Hunter,	Restigouche.
Philip Palmer,	Westmorland.	Alex. McNeil,	Gloucester.
John G. Layton,	Kent.		

Extract from the Minutes.

W. H. ODELL.

Extract from the Report of the Committee of Council upon the construction of the Act 7th Vic., cap. 18, for the collection of Duty on Timber.

(Extract)

Having attentively perused the opinion of the Attorney General of the 20th instant, and considered the language and intention of the Act to which it refers, we have no hesitation in recording it as our opinion, that the account to be taken under the second Section of the Act, must be confined to such Timber and Lumber only, as in the language of the first Section, may have been actually carried to the Port of Shipment, before the Act shall have come into operation, and such as is bona fide intended for exportation.

With this view, it will be the duty of the Seizing Officers on the 1st of May, to take account of all Lumber found in the usual and accustomed Places of Deposit, such as Wharves, Coves, and Ponds, at or near the respective Ports of Shipment.

At Saint John, for example, we think an account should be taken of all the Timber &c. in the different Coves, and Ponds, and on the different Wharves below the Narrows above Indian Town, and outwards to the mouth of the Harbour.

At Miramichi, we think the Port would include from Wilson's Point or Ferry, down to the lowest place of lading Vessels including all the accustomed places of Deposit.

With reference to the question submitted by the Treasurer, we entertain no doubt whatever.

Not only has the usage of the Trade for twenty years and upwards, but the Provincial enactments also from the 9th and 10th Geo. 4, cap. 23, to the present time, have attached a particular signification to the "*thousand superficial feet*," as meaning a superficies of one thousand feet, by one inch in thickness.

The

The Act referred to, gave the Surveyors for every thousand superficial feet of Deals, Planks, Scantling and Boards, one shilling.

Again the 7th Wm. 4, cap. 10, sec. 7, (the Law now in force,) gives to the Surveyor for every cubic feet of Timber four pence, for every thousand superficial feet of Deals, Plank, Scantling and Boards, one shilling.

Under the operation of these Acts since 1829, it has been the invariable practice of Buyers, Sellers and Surveyors, in all their accounts and bills, to deal with the "*thousand superficial feet*" as only one inch thick, in fact we believe one solitary exception cannot be found, so universal and general has been the application of this Rule.

We are therefore of opinion that the Treasurer should be instructed to require the shilling duty on every thousand feet of one inch thick.

We recommend that Deputy Allan should be authorised to employ as many fit and proper persons as he may deem necessary, to assist him on the first of May, in taking accounts of stock on hand and that he be instructed to confine himself entirely to such Timber, Lumber, &c., as is fit and intended by the owners for exportation.

A true Extract.

25th April, 1844.

W. H. ODELL.

IN COUNCIL, 15th May, 1844.

Ordered, That the following Instructions be communicated to the Surveyor General and the Provincial Treasurer, in reference to the Duty to be exacted on Timber, Logs, and other Lumber, viz :—

Ordered, That no further Duty be enacted upon Timber or Lumber cut under Licence from this Government, or in excess thereof, over and above the sums already paid on such Licence, except the Export Duty under the Act 7th Vict. chap. 18.

But all Timber cut without Licence from this Government, to be subject to a Duty of three shillings per Ton, exclusive of the Export Duty, and all Logs and Lumber also cut without Licence from this Government, to be subject to a Duty of three shillings and nine pence per thousand feet, exclusive of the Export Duty.

Further Ordered, That no Timber or Lumber be exported Duty free, except such quantities as shall have been actually at the Port of shipment on the first day of May instant, and of which an account has been taken as required by the Act.

Extract from the Minutes.

W. H. ODELL.

ORDER OF COUNCIL, 8th June, 1844.

Upon a Petition of Duncan and Lock, of Miramichi, (3rd June, 1844) praying credit for Timber cut in 1843, and now lying above the Port of Miramichi.

The Deputy to be instructed to include all Timber actually at and below Barnaby's Island, in the South West Miramichi, and at and below Tozer's Boom and Cay's Cove, in the North West Miramichi, in his return of Timber, &c., on hand on the 1st of May last, and if no account was taken of the said Timber by him on the 1st of May last, to require satisfactory proof under the oath of the owner and others (if requisite,) in addition to his own inspection, of the quantities actually at those places on that day.

Extract from the Minutes.

W. H. ODELL.

IN COUNCIL, 25th July, 1844.

Mr. Cunard, submits whether Kouchibouguac, should not be considered a shipping Port under the Timber Export Act.

Approved.

Ordered that the Deputy Treasurer at Richibucto, be informed.

Extract from the Minutes.

W. H. ODELL.

A Message was brought from the Assembly by Mr. Scoullar, with a Bill to provide for the expenses incurred by the Commissioners of the Provincial Penitentiary, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

The Honorable Mr. Johnston, by leave, presented the following Petitions:—

A Petition from Robert Keltie, James Peters, Leveret H. DeVeber, and forty four others, of Saint John, praying a Legislative Grant to improve and repair the Great Marsh Road, in the vicinity of Saint John :

A Petition from the Justices of the Peace of York County, praying for Legislative aid to assist them in paying a debt due for erecting a new Gaol :

A Petition from James Thompson, a Schoolmaster in the County of Sunbury, praying an allowance for teaching a School :

A Petition from David Vaughan, and twenty other persons, of the Parish of Saint Martin's, in Saint John, praying a grant to provide for the services of James Newcomb, a teacher of Youth :

A Petition from James Kirk, John Wishart, and thirty nine others, of Saint John, praying an amendment may be made in the Law regulating Sales at Auction :

A Petition from Thomas Pickard, of Fredericton, praying a grant of money to aid him in constructing a low Wharf on the Shoals at the Steam Ferry Landing in Saint Mary's :

A Petition from Robert V. Hanson, of the City of Saint John, praying a return of Export Duty on Lumber shipped since May last : and

A Petition from the same person, praying that the Bridge over the Little Lepreaux River, on the Great Road from Saint John to Saint Andrews, may be raised, to enable him to pass his Lumber down the said River.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Chandler, by leave, presented the following Petitions:—

A Petition from the Saint John Water Company, praying the Company may be released from the payment of a Bond given by the Company to the Province :

A Petition from William M'Intosh, of the Parish of Dumfries, in York County, a Schoolmaster, praying the usual Provincial allowance, and an additional one in consequence of the superiority of his to the common Schools :

A Petition from the Reverend Enoch Wood, Chairman of the New Brunswick Wesleyan District, on behalf of the Trustees of the Wesleyan Academy, praying aid in behalf of the Institution :

A Petition from Henry E. Dibblee, Sub-Collector and Deputy Treasurer at Woodstock, praying a return of Office Rent paid by him since the year 1838 :

A Petition from Robert Fulton, and others, praying an Act may pass to incorporate the "Fredericton Society of Saint Andrew :"

A Petition from David B. Wetmore, Charles Keith, Thomas Beer, and one hundred and fifty seven other inhabitants of King's County, praying that the Representation of the said County may be increased : and

A Petition from Stephen Binney, of Westmorland, praying for a return of Duty paid on Timber cut on Crown Lands and shipped in the Summer of 1844.

ORDERED, That the said Petitions be received and lie on the Table.

The

The Honorable Mr. Wyer, by leave, presented the following Petitions :—

A Petition from John Wilson, William T. Ross, Edward Seely, and ninety five other inhabitants of the County of Charlotte, praying relief from the operation of certain Laws injurious to the West India Trade :

A Petition from Tristram Moore, Andrew Hay, and sixty inhabitants of Charlotte County, praying that a free grant of Land may pass to Reuben Norton, Millwright, to encourage him to build a Grist Mill on Jones' Brook, in the said County : and

A Petition from John Wilson, of Saint Andrews, praying a return of Tonnage Duties paid on Timber and Deals exported by him after the first day of May last.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Hatch, by leave, presented the following Petitions :—

A Petition from William Ker, Joseph Wilson, and fifty other inhabitants of Charlotte County, praying a grant of money to make an alteration in the Road from Saint Andrews to Saint Stephen :

A Petition from Messieurs Dimock and Wilson, of Saint Andrews, praying a return of Duties on Deals exported, as appears by statements and certificates annexed to their Petition : and

A Petition from John Wilson, of Saint Andrews, praying a grant of money, in addition to individual subscription, to defray the expense of opening a passage into Dark Harbour, in the Island of Grand Manan.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Botsford, by leave, presented the following Petitions :—

A Petition from the Justices of the Peace for the County of Gloucester, praying that an Act may pass authorizing the assessment of the said County to pay off the County Debt : and

A Petition from John Moore, Courtney Kinnear, William Dickey, and seventy eight inhabitants of Westmorland, praying for the repeal of the Export Duty imposed upon Timber and Lumber cut on private property.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Cunard, by leave, presented a Petition from William Carman, Junior, of Chatham, in Northumberland, praying an alteration may be made in the Law "regulating Juries and declaring the qualifications of Jurors."

ORDERED, That the said Petition be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 22d February, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Botsford,
Mr. Street,
Mr. Hatch.*

*Mr. Chandler,
Mr. Wyer,*

PRAYERS.

There not being eight Members present, the House adjourned until Monday next at 12 o'clock.

T

MONDAY,

MONDAY, 24th February, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Robinson,
Mr. Attorney General,
Mr. Street,
Mr. Hatch,*

*Mr. Botsford,
Mr. Chandler,
Mr. Wyer,
Mr. Owen.*

PRAYERS.

On motion—

The following Bills were severally read a third time and passed :—

A Bill to continue an Act, intituled “ An Act to provide for reporting and publishing the Decisions of the Supreme Court :”

A Bill to continue an Act to authorize the extension of the Gaol Limits in the City and County of Saint John : and

A Bill in addition to an Act, intituled “ An Act for the better extinguishing of Fires which may happen in the City of Saint John, and to continue a certain Act relating to the same matter therein mentioned.”

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to these Bills without any amendment.

On motion—

The following Bills were severally read a second time :—

A Bill to establish the Road leading from Bathurst, in the County of Gloucester, to the Southern termination of the Great Bathurst Road, via Pokemouche, as one of the Great Roads of this Province :

A Bill to erect a part of the Parish of Dumfries, in the County of York, into a separate Town or Parish, and to alter the name of the said Parish :

A Bill to increase the Representation of King’s County :

A Bill to provide for the expenses incurred by the Commissioners of the Provincial Penitentiary : and

A Bill to amend the Act, intituled “ An Act incorporating the Charlotte County Bank.”

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the said first mentioned Bills severally into consideration ; and that the said last mentioned Bill be referred to the Committee appointed to examine and report upon Bills relating to Corporations.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to continue several Acts now in force relating to insolvent confined Debtors.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House. ORDERED,

ORDERED, That the Report be received, and the Bill stand for a third reading to-morrow.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to continue an Act in addition to the Laws now in force for the protection of the Fisheries in the Counties of Northumberland, Kent, and Gloucester.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill stand for a third reading to-morrow.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows:—

The Committee to whom were referred all Bills relating to Corporations, report, that they have had under consideration the following Bills, viz:—“A Bill to incorporate the Saint Andrews Whale Fishing Company;” and “A Bill to incorporate the Saint Andrews Steam Mill and Manufacturing Company;” also “A Bill to incorporate the Maduxnikik Boom Company,” to which they have prepared several amendments, which they recommend to the adoption of the House.

A. E. BOTSFORD, *Chairman*.

Committee Room, 22d February, 1845.

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the said Bills, and the Report of the Select Committee thereon, into consideration.

A Message was brought from the Assembly by Mr. Barberie, with the following Bills, to which they desire the concurrence of this House:—

A Bill regulating the Salmon Fisheries in the County of Restigouche: and

A Bill to alter the time of holding the Terms of the Inferior Court of Common Pleas and General Sessions of the Peace for the County of Gloucester.

The said Bills were severally read a first time.

ORDERED, That the said Bills severally stand for a second reading to-morrow.

The Honorable Mr. Wyer, by leave, presented the following Petitions:—

A Petition from Leonard R. Coombes, of the Parish of Madawaska, in Carleton, praying remuneration for monies paid to a Deputy Surveyor of the Crown Land Office:

A Petition from Samuel C. Trew, a Schoolmaster, praying compensation for teaching a School in Charlotte County in the year 1837:

A Petition from Jacob M'Keen, of York County, praying that the sum of forty eight pounds fifteen shillings, paid as Stumpage on Timber, may be returned to him: and

A Petition from George Morrow, of the County of Sunbury, praying the sum of sixty four pounds ten shillings, paid by him for Stumpage on Timber, may also be returned to him.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Owen, by leave, presented a Petition from Wilford Fisher, of the Island of Grand Manan, praying that his property in certain Fishing Grounds purchased by him from Government, may not be interfered with by the Legislature to his injury, or that the Government will resume their Grants and remunerate him.

ORDERED, That the said Petition be received and lie on the Table.

The Honorable Mr. Chandler, by leave, presented the following Petitions :—

A Petition from the Commissioners of the York County Alms House, praying for expenses incurred in supporting Emigrants and transient Poor :

A Petition from Charles M'Pherson, of York County, praying the amount of sixty six pounds five shillings, paid for Stumpage on Timber, may be returned to him :

A Petition from John Phelon, a Schoolmaster in King's County, praying an allowance for teaching a School :

A Petition from Thomas Philps and Son, of Saint John, Rope and Twine Makers, praying a return of Duties, and other encouragement to aid them in their undertakings :

A Petition from J. E. Carmichael, Provincial Tide Surveyor at the Port of Saint John, praying an allowance for services performed :

A Petition from Thomas M. Sime, of Saint John, Grocer and Broom Manufacturer at that place, praying for a return of Duties paid by him :

A Petition from Samuel Strange, William Olive, and seventy other persons, praying that an Act may pass to prevent the setting of Lines for catching Fish on the Banks from Point Lepreaux to Cape Spencer :

A Petition from Thomas Harding, Daniel Ansley, Charles J. Melick, and other Manufacturers of Leather in the City of Saint John, praying further Legislative protection :

A Petition from George Powell, of the County of Kent, praying an allowance for teaching a School in King's County for six months ending June 1842 :

A Petition from Adam D. Allan, Daniel Dow, Hugh Jamieson, and sixty inhabitants of the Parish of Dumfries, in York County, praying for a division of the said Parish :

A Petition from Gideon Vernon, of Saint John, praying that Duties paid by him on Timber shipped during the year 1844, may be refunded to him :

A Petition from Patrick M'Ginnis, of Northumberland, a confined debtor, praying to be relieved from a Judgment obtained against him by Donald Morrison :

A Petition from Solomon Buckingham, of the County of Sunbury, praying the Pension due to his late mother may be paid to him :

A Petition from Sarah Crichmore, of the said County, praying the usual allowance to Widows of old Soldiers may be granted to her :

A Petition from William J. Bedell, George Morrow, Spafford Barker, and eleven other persons, praying an Act may pass authorizing persons holding Licences on Crown Lands to maintain actions in their own names against trespassers : and

A Petition from William J. Bedell, of Fredericton, Merchant, in the name of himself and others, praying a remission of Duties paid on Timber.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Hatch, by leave, presented a Petition from Alexander M'Curdy, Alexander Greenlaw, William Cookson, and one hundred and nine others, inhabitants of Charlotte County, praying that the Grand Jury may be authorized by Law to examine, audit and allow the Public Accounts of the County.

ORDERED, That the said Petition be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 25th Febrúary, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Robinson,
Mr. Attorney General,
Mr. Street,
Mr. Hatch,
Mr. Owen.*

*Mr. Botsford,
Mr. Chandler,
Mr. Wyer,
Mr. Kinnear,*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill to continue an Act in addition to the Laws now in force for the protection of the Fisheries in the Counties of Northumberland, Kent, and Gloucester : and

A Bill to continue the several Acts now in force relating to insolvent confined Debtors.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to these Bills without any amendment.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill for regulating the Salmon Fisheries in the County of Restigouche : and

A Bill to alter the time of holding the Terms of the Inferior Court of Common Pleas and General Sessions of the Peace for the County of Gloucester.

ORDERED, That the House be put into a Committee of the whole to-morrow to take the said Bills severally into consideration.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to incorporate the Maduxnikik Boom Company, and the Report of the Select Committee thereon.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, they had made an amendment thereto, and recommended the Bill as amended to the adoption of the House.

ORDERED, That the Report be received.

The said amendment was then read by the Clerk, as follows :—

At A, Section III. expunge the remainder of the Section, and insert the words—
“nothing in this Act contained shall extend or be construed to extend to authorize or empower the said Corporation, or any of their Agents or Servants, to enter in and upon any Lands or Tenements of any person whomsoever, unless the consent of the owner or owners, lessee or lessées thereof, be first had and obtained in writing.”

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That it be engrossed, and the Bill as amended read a third time tomorrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to incorporate the Saint Andrews Steam Mill and Manufacturing Company, and the Report of the Select Committee thereon.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, they had made an amendment thereto, and recommended the Bill as amended to the adoption of the House.

ORDERED, That the Report be received.

The said amendment was then read by the Clerk, as follows :—

At A, Section I. insert the words “connected therewith.”

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That it be engrossed, and the Bill as amended read a third time tomorrow.

A Message was brought from the Assembly by Mr. Botsford, that the Assembly had agreed to the amendment made by this House to the Bill to continue the Act for the more speedy and effectual punishment of persons keeping disorderly Houses.

A Message was brought from the Assembly by Mr. S. Earle, with a Bill to incorporate the King's County Mechanics' Institute, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the same be read a second time.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Committee appointed to examine and report upon Bills relating to Corporations.

The

The Honorable Mr. Chandler, by leave, presented the following Petitions :—

A Petition from R. Hayne, Edward L. Wigan, James Anderson, and two hundred inhabitants of the Counties of York and Northumberland, praying a grant of money for a Road to pass through the tract of Land purchased by the New Brunswick and Nova Scotia Land Company :

A Petition from R. Hayne, Commissioner for the New Brunswick and Nova Scotia Land Company, praying the Company may be exempted from a Tax imposed by the Export Duty on Lumber Act :

A Petition from Leonard R. Coombes, A. B. Hammond, Isaac Kilburn, and four other persons, praying alterations may be made in the Fredericton Boom Company Act : and

A Petition from John L. Marsh, of York County, praying to be reimbursed money paid as a Duty on Timber.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Kinnear, by leave, presented the following Petitions :—

A Petition from the Mayor, Aldermen and Commonalty of the City of Saint John, praying for an explanatory Act to the Act in amendment of the City Charter : and

A Petition from the same Corporation, praying aid towards the erection of a Public Wharf or Pier in the City of Saint John, for sea-going Steamers.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Street, by leave, presented the following Petitions :—

A Petition from the College Council of King's College, praying no alteration may be made in the College Charter by the Provincial Legislature : and

A Petition from John Robinson, Joseph Pickard, Jacob M'Keen, and twelve proprietors of Madam Keswick Island, in the County of York, praying the Island may be annexed to the Parish of Douglas.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Botsford, by leave, presented the following Petitions :—

A Petition from Arthur Ritchie and Company, John Duncan, Allan Andrews, and other inhabitants of Campbelltown and its vicinity, in the County of Restigouche, praying the privilege of a Ware House may be extended to that Town :

A Petition from James Doak and Thomas Hill, praying for a Legislative grant to enable them to publish an Agricultural Journal : and

A Petition from William H. Hardie, of the County of Westmorland, praying compensation for teaching a School in that County.

ORDERED, That the said Petitions be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY,

WEDNESDAY, 26th February, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Robinson,
Mr. Attorney General,
Mr. Street,
Mr. Hatch,
Mr. Owen.*

*Mr. Cunard,
Mr. Botsford,
Mr. Chandler,
Mr. Wyer,
Mr. Kinnear,*

PRAYERS.

Pursuant to the Order of the Day, the following Bills, as amended, were severally read a third time and passed :—

A Bill to incorporate the Maduxnikik Boom Company : and

A Bill to incorporate the Saint Andrews Steam Mill and Manufacturing Company.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to these Bills, with amendments, to which they desire the concurrence of the Assembly.

The Honorable Mr. Chandler, by leave, presented a Petition from Joseph Read, Henry W. Baldwin, John Doran, and two hundred inhabitants of the County of Gloucester, praying the times of holding the Courts of Common Pleas in Gloucester, may be altered to the first Tuesday in January and July respectively.

ORDERED, That the said Petition be received and lie on the Table.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill for regulating the Fisheries in the County of Restigouche.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill stand for a third reading to-morrow.

A Message was brought from the Assembly by Mr. Taylor, with a Bill to annex the Madam Keswick Island to the Parish of Douglas, in the County of York, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to alter the time of holding the Terms of the Inferior Court of Common Pleas and General Sessions of the Peace for the County of Gloucester.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill stand for a third reading to-morrow.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to facilitate the settlement of Accounts between the Justices of the Peace for the City and County of Saint John, and John R. Partelow, Esquire, late County Treasurer.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, they had made certain amendments thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follow :—

At A in Section I. expunge the word “ Arbitrators,” and insert the word “ Arbitration.”

At B expunge the following words—“ name and style of the Justices of the Peace for the City and County of Saint John, to enter into, conclude, execute, and sign, seal and deliver,” and insert “ style and designation of the Justices of the Peace of the City and County of Saint John, to enter into, conclude, and execute, under the Seal of the Court of Sessions for the City and County of Saint John, and the signature of the Clerk of the Peace for the said City and County, and in the same style and designation to receive from the said John R. Partelow.”

At C in Section II. expunge the word “ thereon,” and insert the words “ on the said bond and award or either of them.”

At D insert the word “ Bond.”

At E insert the word “ and.”

At F in the Preamble, expunge the words “ and various claims and demands having become matter of dispute between the parties.”

At G expunge the word “ Accounts,” and insert the words “ matters in dispute.”

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill, as amended, read a third time to-morrow.

A Message was brought from the Assembly by Mr. W. H. Street, with a Bill to amend an Act to establish the value of certain British Coins in this Province, and to amend the Acts relating to the establishment of a Legal Tender, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to increase the Representation of King's County. The

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

A Message was brought from the Assembly by Mr. Hill, with a Bill to incorporate the Saint Croix Bridge Company, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the said Bill be read a second time.

The said Bill was read a second time.

ORDERED, That it be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to incorporate the Saint Andrews Whale Fishing Company, and the Report of the Select Committee thereon.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, they had made certain amendments thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follow :—

At A insert a new Section, as follows :—

“ XVI. And be it enacted, That unless twenty per cent. of the said Capital Stock shall be paid in for the purpose of this Corporation, and a certificate of such payment, signed and verified on oath by the Directors, or a majority of them, before any Justice of the Peace, shall be filed in the Office of the Secretary of the Province before the expiration of two years next after the passing of this Act, the operation of this Act shall cease, and the existence of this Corporation be terminated at the end of the said two years.”

At B expunge XV. and insert XVII: and

At C in the same Section, expunge the word “ sixty,” and insert the words “ fifty five.”

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill, as amended, read a third time to-morrow.

Several Messages from His Excellency the Lieutenant Governor were delivered by the Honorable Mr. Street, a Member of Her Majesty's Executive Council.

The Honorable the President read the same, and they were again read by the Clerk, as follow :—

NEW BRUNSWICK.

NEW BRUNSWICK.

*Message to the Legislative Council,
21st February, 1845.*

W. M. G. COLEBROOKE, LT. GOVERNOR.

The Lieutenant Governor lays before the Council, a Letter he has received from the Lieutenant Governor of Prince Edward Island, with a Memorial from the Steam Navigation Company of that Island, which, at the request of His Excellency, he recommends to the consideration of the House.

W. M. G. C.

Government House, Prince Edward Island, January 24, 1845.

SIR,—The Steam Navigation Company of this Island having presented me with two Memorials addressed to the Houses of Legislature of New Brunswick, I have the honor to transmit them, requesting at the same time that Your Excellency will be pleased to bring them under the consideration of the Houses.

I consider it my duty to assure Your Excellency, that, in my opinion, had not the Company been influenced by a most praiseworthy Public spirit, they would hardly have continued their operations after the severe losses which they have sustained, although every possible care has been given to the management of the expenditure upon the Steamboat; the Company, however, are prepared to maintain to their best ability the present means of intercourse between the Provinces, and look with much confidence for encouragement from a Legislature so fully able to judge of the utility of their enterprize.

I have the honor to be, Sir,

Your Excellency's most obedient, humble servant,

H. V. HUNTLEY, *Lieutenant Governor, &c.*

His Excellency Sir W. M. Colebrooke, &c. &c. Fredericton.

NEW BRUNSWICK.

*Message to the Legislative Council,
3d February, 1845.*

W. M. G. COLEBROOKE, LT. GOVERNOR.

The Lieutenant Governor lays before the Council, copies of the Reports which have been made to him by the Inspectors of Parish and other Provincial Schools, and copies of the Correspondence he has held on the subject with Her Majesty's Government, to which he alluded in his Speech on opening the Session.

W. M. G. C.

(Copy)

[No. 260.]

Downing Street, 8th September, 1844.

SIR,—I have received your Despatch, dated the 30th of July last, No. 62, and having referred it to the Committee of the Privy Council for superintending Education, I have received from that Committee, through their Secretary Mr. Kay Shuttleworth, an answer dated the 3rd instant, of which I enclose a copy. I also enclose the Minutes of the Committee of Council on Education for 1839-40, referred to at the close of that Letter.

I have, &c.

(Signed)

STANLEY.

Lieutenant Governor Sir William Colebrooke, &c. &c. &c.

(Copy)

Committee of Council on Education.

Council Office, Whitehall, September 3, 1844.

SIR,—I have submitted to the Lord President of the Council your Letter dated the 24th of August, and the enclosed extracts from a Despatch of Sir W. M. G. Colebrooke, Lieutenant Governor

Governor

Governor of New Brunswick, dated 24th April, 1844, and the copy of a Despatch dated the 30th July, 1844, and in answer to your request I am instructed to furnish you with the following remarks:—

The establishment of a Model and Training School, which has for some time past been contemplated by Sir W. M. G. Colebrooke, would probably prove a more powerful means of promoting the improvement of the Elementary Schools than any other agency which the Lieutenant Governor could employ.

The requisition of Certificates on the removal of a Teacher from one Parish to another is important, but the value of this check on incompetent or unworthy Schoolmasters, and of this mode of encouragement to those who are skilful and well conducted would be generally enhanced, if the Certificates were awarded after examination and enquiry by an Inspector; or if to the local Certificates as to character, the Certificate of an Inspector or Board of Examiners as to ability and attainments were a necessary adjunct.

In the course of the inquiry which the Lieutenant Governor has instituted, it is probable that as the Schools are small, very little additional time and trouble would enable the Inspectors to register the attainments of every child in Biblical knowledge, Reading, Writing, and Arithmetic, and to establish a system of registration of attainments in every School, by which the progress of the children would be recorded continually. A Table, such as Sir Wm. Colebrooke will find in the Appendix of Questions to the Instructions to Inspectors of Schools, would be well adapted to the collection of this information.

Among the matters to which the attention of the Inspectors may be profitably directed is the state of the ventilation and warming of the School, and the means adopted for this purpose.

The Lieutenant Governor will find a cheap and efficacious method of warming and ventilation for Schools described in the Minutes of the Committee of Council on Education for 1839-40.

I have, &c.

(Signed)

J. P. KAY SHUTTLEWORTH.

G. W. Hope, Esquire, Under Secretary of State for the Colonial Department.

NEW BRUNSWICK.

Message to the Legislative Council,

21st February, 1845.

W. M. G. COLEBROOKE, LT. GOVERNOR.

The Lieutenant Governor, referring to his Message of the third instant, lays before the House, the copy of a General Report which has been made to him by the Inspectors of Parish and other Schools.

W. M. G. C.

[*See Appendix No. 5.*]

The Honorable Mr. Street, also by direction of His Excellency the Lieutenant Governor, lays before the House—

The Report of James Brown, one of the School Inspectors, reporting the state of the Wesleyan Academy at Sackville, in the County of Westmorland.

[*See Appendix No. 6.*]

The Honorable Mr. Chandler, by leave, presented a Petition from Sarah West, of York County, the Widow of an old Soldier of the Revolutionary War in America, praying the usual Provincial Pension.

ORDERED, That the said Petition be received and lie on the Table.

The Honorable Mr. Kinnear, by leave, presented the following Petitions:—

A Petition from the Mayor, Aldermen and Commonalty of Saint John, praying that

that the three Bonds for certain sums borrowed for distressed Emigrants and others, in the year 1841, may be cancelled : and

A Petition from the same Corporation, praying that the Building established by an Act of the Assembly as an Infirmary, in the City of Saint John, may be devoted to other purposes.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Botsford, by leave, presented a Petition from Andrew Barron, Missionary, Joseph Read, John Ritchie, and thirty inhabitants of Bathurst, praying a School taught by William Gilmore may receive the aid of a Provincial Grant.

ORDERED, That the said Petition be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 27th February, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Wyer,
Mr. Kinneear,*

*Mr. Cunard,
Mr. Saunders,
Mr. Attorney General,
Mr. Street,
Mr. Hatch,
Mr. Owen.*

PRAYERS.

The Order of the Day being read for the third reading of the Bill to incorporate the Saint Andrews Whale Fishing Company, as amended—

It was moved "That the said Bill be now read the third time."

Which being objected to—

The question was put thereupon.

It was Resolved in the affirmative.

Then the said Bill was read the third time.

Then it was moved that the said Bill do pass.

Which being objected to—

The question was put thereupon.

It was Resolved in the affirmative.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill, with amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill to increase the Representation of King's County :

A Bill for regulating the Salmon Fisheries in the County of Restigouche : and

A Bill to alter the time of holding the Terms of the Inferior Court of Common Pleas and General Sessions of the Peace for the County of Gloucester.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to these Bills without any amendment.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to annex the Madam Keswick Island to the Parish of Douglas, in the County of York: and

A Bill to amend an Act to establish the value of certain Coins in this Province, and to amend the Acts relating to the establishment of a Legal Tender.

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the said Bills severally into consideration.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows :—

The Committee to whom are referred all Bills relating to Corporations, report, that they had under consideration “ A Bill to amend the Act, intituled ‘ An Act to incorporate the Charlotte County Bank,’ ” and recommend the same to the adoption of the House, without amendment: They have also had under consideration “ A Bill to incorporate the Nashwaak Boom Company,” and have prepared an amendment to the same, which they recommend to the adoption of the House.

All which is respectfully submitted.

A. E. BOTSFORD, *Chairman.*

Committee Room, 27th February, 1845.

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the said Bills, and the Report of the Select Committee thereon, severally into consideration.

A Message was brought from the Assembly by Mr. End, with a Bill to authorize Her Majesty’s Justices of the Peace for the County of Gloucester to assess the said County to pay off the County Debts, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to provide for the expenses incurred by the Commissioners of the Provincial Penitentiary.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received and the Bill be read a third time to-morrow.

On

On motion—

The House was put into a Committee of the whole to take into consideration the Bill to erect a part of the Parish of Dumfries, in the County of York, into a separate Town or Parish, and to alter the name of the said Parish.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended that the further consideration thereof be postponed for three months.

ORDERED, That the Report be received ; and it was thereupon

RESOLVED, That the further consideration of the said Bill be postponed for three months.

A Message was brought from the Assembly by Mr. S. Earle, with a Bill in further addition to the Acts regulating the sale of Real Estate seized and taken in Execution, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

On motion—

The House was put into a Committee of the whole to take into consideration the Bill to establish the Road leading from Bathurst, in the County of Gloucester, to the Southern termination of the Great Bathurst Road, via Pokemouche, as one of the Great Roads of this Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

On motion—

The House was put into a Committee of the whole to take into consideration the Bill in addition to and in amendment of the Acts now in force for regulating the Fisheries in the County of Northumberland.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Botsford, by leave, presented the following Petitions:—

A Petition from Alleyn C. Evanson, of King's County, praying a return of Duties paid on valuable animals imported by him from Ireland :

A Petition from Francis Ferguson, of Bathurst, by his Agent William J. Bedell, praying a return of Duties paid on Timber and Lumber in 1844 :

A Petition from Sarah H. Davidson and S. Bates Davidson, of the City of Saint John, praying the aid of the Legislature to enable them to make good a Title to Land conveyed by Asa Davidson, late Sheriff of King's County, for reasons in the Petition set forth : and

A Petition from Samuel Boon, of the County of Sunbury, praying an allowance for a School taught by Ebenezer Boon, of the same place, deceased.

ORDERED, That the said Petitions be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 28th February, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Robinson,
Mr. Attorney General,
Mr. Robertson,
Mr. Hatch,
Mr. Johnston,*

*Mr. Cunard,
Mr. Botsford,
Mr. Chandler,
Mr. Wyer,
Mr. Kinneer,
Mr. Owen.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill to establish the Road leading from Bathurst, in the County of Gloucester, to the Southern termination of the Great Bathurst Road, via Pokemouche, as one of the Great Roads of this Province : and

A Bill to provide for the expenses incurred by the Commissioners of the Provincial Penitentiary.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to these Bills without any amendments.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to authorize Her Majesty's Justices of the Peace for the County of Gloucester to assess the said County to pay off the County Debt : and

A Bill in further addition to the Acts regulating the sale of Real Estate seized and taken in Execution.

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the said Bills severally into consideration.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to amend an Act to establish the value of certain British Coins in this Province, and to amend the Acts relating to the establishment of a Legal Tender.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, they had made

made an amendment thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendment was then read by the Clerk, as follows :—

From A expunge the remainder of the Preamble, and insert as follows :—

“ The first Section of an Act made and passed in the seventh year of the Reign of Her present Majesty, intituled ‘ An Act to establish the value of certain British Coins in this Province, and to amend the Acts relating to the establishment of a Legal Tender,’ a certain part of an Act therein mentioned, and intended to be thereby repealed, is recited as passed in the thirty sixth instead of the twenty sixth year of the Reign of His Majesty King George the Third.”

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That the amendment be engrossed, and the Bill, as amended, read a third time to-morrow.

DISSENTIENT

To passing the Bill to incorporate the Saint Andrews Whale Fishing Company :

First.—Because this Bill establishes a Company with a nominal Capital of £50,000, with power invested in the Stockholders to increase the same to £100,000, for the purpose of private speculation, possessing all the powers made incident to a Corporation in this Province, without containing any provisions calculated to protect Public interests, while it expressly relieves its Members from any personal liability for the engagements of such Company.

Secondly.—Because this Bill confers upon the Members of the Corporation extensive privileges and immunities, without providing that the Capital Stock should be paid in, thereby depriving the Public of one of the most effectual guards against improvident speculation, and mismanagement of the Company’s affairs.

Thirdly.—Because the Bill contains no provision making the Stockholders liable in their individual capacities, in case the whole amount of the Capital Stock should not be paid in, or provided that any part of the same should be withdrawn and refunded to the Stockholders after being so paid in, for any debts and contracts made by such Company.

A. E. BOTSFORD.
JOHN ROBERTSON.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to annex the Madam Keswick Island to the Parish of Douglas, in the County of York.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommend the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and that the Bill stand for a third reading to-morrow.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill further to continue an Act, intituled “ An Act to provide for the summary punishment of persons committing trespasses upon Square Timber and other Lumber.”

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and that the Bill stand for a third reading to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to amend the Act, intituled “ An Act to incorporate the Charlotte County Bank,” and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and that the Bill stand for a third reading to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to incorporate the Nashwaak Boom Company, and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the Bill, they had made some progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Johnston, by leave, presented the following Petitions :—

A Petition from Alleyn C. Evanson, of King's County, praying the expense of publishing a Pamphlet, entitled “ An Address on the subject of Emigration :” and

A Petition from Matthew Barrett, of the County of Sunbury, praying an allowance for teaching a School.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Hatch, by leave, presented the following Petitions :—

A Petition from Henry Seelye, of Charlotte County, praying a return of certain Duties paid by him on Lumber cut on private property previous to the first day of May last : and

A Petition from Daniel Gilmour, of the same County, praying that the Provincial Treasurer may be directed to permit him to ship, free of Export Duty, a quantity of Lumber cut previous to the first day of May on Crown Lands, and on which he paid Stumpage Duty.

ORDERED, That the said Petitions be received and lie on the Table.

The

The Honorable Mr. Wyer, by leave, presented the following Petitions :—

A Petition from Joseph Messinett, of Charlotte County, praying to be remunerated for extra materials and labour provided in making repairs on the Great Road between Saint John and Saint Andrews, under a Contract with the Supervisor : and

A Petition from the Rector, Church Wardens and Vestry of the Parish of Saint George, in Charlotte County, praying the return of Duties paid on a Bell imported for the Corporation.

ORDERED, That the said Petitions be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 1st March, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Wyer,
Mr. Kinnear,
Mr. Owen.*

*Mr. Saunders,
Mr. Attorney General,
Mr. Robertson,
Mr. Hatch,
Mr. Johnston,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to amend the Act, intituled "An Act to incorporate the Charlotte County Bank," was read a third time and passed.

ORDERED, That the Title be—

An Act to amend the Act, intituled "An Act to incorporate the Charlotte County Bank."

ORDERED, That the Master in Chancery do carry the said Bill down to the Assembly, and acquaint that House that the Legislative Council have passed this Bill, and desire the concurrence of the Assembly thereto.

Pursuant to the Order of the Day, the Bill to amend an Act to establish the value of certain British Coins in this Province, and to amend the Act relating to the establishment of a Legal Tender, as amended, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill, with amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill further to continue an Act, intituled "An Act to provide for the summary punishment of persons committing trespasses upon Square Timber and other Lumber:" and

A Bill to annex the Madam Keswick Island to the Parish of Douglas, in the County of York.

ORDERED,

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to these Bills without any amendment.

A Message was brought from the Assembly by Mr. Connell, that the Assembly had agreed to the amendment made by this House to the Bill to incorporate the Maduxnikik Boom Company.

The Honorable Mr. Johnston presented to the House a Bill, intituled "An Act to prevent injuries on Lands in the vicinity of the River Saint John by persons conveying Timber, Logs or Lumber down the same."

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading on Monday next.

A Message was brought from the Assembly by Mr. Taylor, with a Bill to amend the Charter of King's College, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading on Monday next.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to authorize Her Majesty's Justices of the Peace for the County of Gloucester to assess the said County to pay off the County Debts.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill stand for a third reading on Monday next.

The Honorable Mr. Saunders, by leave, presented a Petition from Abraham Gesner, Geologist, praying for remuneration for services performed by order of the Government.

ORDERED, That the said Petition be received and lie on the Table.

The Honorable Mr. Johnston, by leave, presented a Petition from Henry A. Scovil, Josiah Marvin, James Hughson, and seventy eight inhabitants of the Parish of Springfield, in King's County, praying a grant of money for the purpose of opening a new Line of Road between Hampton and Springfield, in King's County.

ORDERED, That the said Petition be received and lie on the Table.

Adjourned until Monday next at 12 o'clock.

MONDAY, 3d March, 1845.

PRESENT :

THE HON.

*Mr. Shore,
Mr. Botsford,
Mr. Chandler,*

Mr. Black, President.

*Mr. Cunard,
Mr. Attorney General,
Mr. Street,*

Mr.

Mr. Robertson,
Mr. Hatch,
Mr. Johnston,

Mr. Wyer,
Mr. Kinneear,
Mr. Owen.

PRAYERS.

Pursuant to the Order of the Day, the Bill to authorize Her Majesty's Justices of the Peace for the County of Gloucester to assess the said County to pay off the County Debts, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

On motion—

The Bill to facilitate the settlement of Accounts between the Justices of the Peace for the City and County of Saint John, and John R. Partelow, Esquire, late County Treasurer, as amended, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill, with amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to amend the Charter of King's College : and

A Bill to prevent injuries on Lands in the vicinity of the River Saint John by persons conveying Timber, Logs or Lumber down the same.

ORDERED, That the House be put into a Committee of the whole to-morrow to take the said Bills severally into consideration.

A Message was brought from the Assembly by Mr. Hill, with a Bill for the relief of the Trade of the County of Charlotte, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

On motion—

The House was put into a Committee of the whole to take into further consideration the Bill to incorporate the Nashwaak Boom Company, and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into further consideration of the said Bill, they had made further progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows :—

The Committee to whom were referred all Bills relating to Corporations, have had under their consideration “ A Bill to incorporate the King’s County Mechanics’ Institute,” and “ A Bill to incorporate the Saint Croix Bridge Company,” and recommend these Bills, without amendment, to the adoption of the House.

All which is respectfully submitted.

A. E. BOTSFORD, *Chairman.*

Committee Room, 3d March 1845.

ORDERED, That the House be put into a Committee of the whole to-morrow to take the said Bills, and the Report of the Select Committee thereon, severally into consideration.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill in further addition to the Acts regulating the sale of Real Estate seized and taken in Execution.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Chandler, by leave, presented the following Petitions :—

A Petition from John Kerr, of the City of Saint John, praying relief in the case in which he was surety for James Campbell, late a Deputy Treasurer of the Province, in the County of Charlotte :

A Petition from John Davidson, a Seizing Officer of the Crown Land Department, praying remuneration for services performed by him : and

A Petition from John Stevens, of the Parish of Lancaster, in the County of Saint John, praying to be indemnified for expenses incurred by him as a Surveyor of Highways.

ORDERED, That the said Petitions be received and lie on the Table.

The Honorable Mr. Kinnear, by leave, presented the following Petitions :—

A Petition from the Justices of the Peace of the City and County of Saint John, praying that an Act may pass to enable them to make an annual assessment for the payment of the County contingencies :

A Petition from the same Justices, praying an Act may pass to enable them to obtain a Loan of Money to discharge certain Debts against the City and County :

A Petition from Thomas Coneys, of the City of Saint John, praying a return of Duty paid on Tallow imported into Saint John in the year 1843 : and

A Petition from Isaac Woodward, Henry Gilbert, James Kirk, and eight other persons, of the City of Saint John, praying they, with their associates, may be incorporated under the style and name of the “ Saint John Gas Company.”

ORDERED, That the said Petitions be received and lie on the Table.

The

The Honorable Mr. Botsford, by leave, presented a Petition from John Christie, formerly a Mail Carrier between Bathurst and Restigouche, praying Legislative assistance under his present circumstances.

ORDERED, That the said Petition be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 4th March, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Kinnear,
Mr. Owen.*

*Mr. Cunard,
Mr. Botsford,
Mr. Robertson,
Mr. Hatch,
Mr. Johnston,*

PRAYERS.

Pursuant to the Order of the Day, the Bill for the relief of the Trade of the County of Charlotte was read a second time.

ORDERED, That the House be put into a Committee of the whole to-morrow to take the said Bill into consideration.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to incorporate the King's County Mechanics' Institute, and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill stand for a third reading to-morrow.

A Message was brought from the Assembly by Mr. Smith, with a Bill to divide the County of Westmorland into two Counties, and to provide for the Government and Representation of the new County, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

A Message was brought from the Assembly by Mr. W. H. Street, with a Bill to amend an Act to facilitate the negotiation of a Loan to pay off the Public Debt, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to prevent injuries on Lands in the vicinity of the
River

River Saint John by persons conveying Timber, Logs or other Lumber down the same.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same to the adoption of the House.

Upon the question, that the Report be received, the House divided—

CONTENT.

Mr. Black,
Mr. Shore,
Mr. Attorney General,
Mr. Wyer,
Mr. Hatch,
Mr. Kinnear,
Mr. Johnston,
Mr. Owen.

NON-CONTENT.

Mr. Botsford,
Mr. Robertson.

And so it passed in the affirmative.

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

A Message was brought from the Assembly by Mr. Fisher, with a Bill to vacate the Seats of Members of the Assembly in certain cases, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

A Message was brought from the Assembly by Mr. S. Earle, with a Bill to establish the Line of Road leading from Charles Dixon's, near Hampton Ferry, intersecting the Old Post Road from Bellisle to Kingston, as one of the Great Roads of Communication in this Province; also

With Resolutions of Appropriation dated the first day of March; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

The said Resolutions were read a first time.

ORDERED, That they be referred to the Committee of the whole House on Resolutions of Appropriation.

A Message was brought from the Assembly by Mr. W. H. Street, that the Assembly had agreed to the amendments made by this House to the Bill to amend an Act to establish the value of certain British Coins in this Province, and to amend the Acts relating to the establishment of a Legal Tender.

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY,

WEDNESDAY, 5th March, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Robertson,
Mr. Hatch,
Mr. Johnston,*

*Mr. Cunard,
Mr. Botsford,
Mr. Wyer,
Mr. Kinnear,
Mr. Owen.*

PRAYERS.

Pursuant to the Order of the Day, the Bill, intituled "An Act to prevent injuries on Lands in the vicinity of the River Saint John by persons conveying Timber, Logs or Lumber down the same," was read a third time and passed.

ORDERED, That the Title be—

An Act to prevent injuries on Lands in the vicinity of the River Saint John by persons conveying Timber, Logs or Lumber down the same.

ORDERED, That the Master in Chancery do carry the said Bill down to the Assembly, and acquaint that House that the Legislative Council have passed this Bill, and desire the concurrence of the Assembly thereto.

Pursuant to the Order of the Day, the Bill to incorporate the King's County Mechanics' Institute, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill for the relief of the Trade of the County of Charlotte. The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to divide the County of Westmorland into two Counties, and to provide for the Government and Representation of the new County:

A Bill to amend an Act to facilitate the negotiation of a Loan to pay off the Public Debt :

A Bill to vacate the Seats of Members of the Assembly in certain cases : and

A Bill to establish the Line of Road leading from Charles Dixon's, near Hampton Ferry, intersecting the Old Post Road from Bellisle to Kingston, as one of the Great Roads of Communication in this Province.

ORDERED, That the House be put into a Committee of the whole to-morrow to take the said Bills severally into consideration.

A Message was brought from the Assembly by Mr. Payne, with a Bill to enable the Justices of the Peace of the City and County of Saint John to raise by Loan a further sum of Money towards paying off the County Debt, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

On motion—

The House was put into a Committee of the whole, to take into consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the sixth day of February last, and recommended that the House should concur in the same, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the Resolutions of Appropriation dated the sixth day of February last, were concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the said Resolutions.

The Honorable Mr. Robertson, by leave, presented a Petition from the Saint John Mechanics' Institute, praying such pecuniary aid as may enable the Corporation to render the Institution more extensively useful in all its departments.

ORDERED, That the said Petition be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 6th March, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Kinnear,
Mr. Owen.*

*Mr. Cunard,
Mr. Botsford,
Mr. Robertson,
Mr. Hatch,
Mr. Johnston,*

PRAYERS.

A Message from His Excellency the Lieutenant Governor was delivered by the Honorable Mr. Saunders, a Member of Her Majesty's Executive Council.

The Honorable the President read the same, and it was again read by the Clerk, as follows :—

NEW BRUNSWICK.

NEW BRUNSWICK.

*Message to the Legislative Council,
27th February, 1845.*

W. M. G. COLEBROOKE, LT. GOVERNOR.

The Lieutenant Governor lays before the Council, a Report which has been made to him by Dr. Key, the Medical Officer superintending the Lazaretto at Sheldrake Island, relative to the condition of the Patients under his charge, and explanatory of the nature of the Disease with which they are afflicted. W. M. G. C.

[*See Appendix No. 7.*]

Pursuant to the Order of the Day, the Bill to enable the Justices of the Peace of the City and County of Saint John to raise by Loan a further sum of money towards paying off the County Debt, was read a second time.

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the said Bill into consideration.

The Honorable Mr. Johnston presented to the House a Bill, intituled "An Act in addition to the Acts regulating the sale of Real Estate seized and taken in Execution."

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

A Message was brought from the Assembly by Mr. Hill, that the Assembly had agreed to the Bill sent down from this House, intituled "An Act to amend the Act, intituled 'An Act to incorporate the Charlotte County Bank.'"

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to amend an Act to facilitate the negotiation of a Loan to pay off the Public Debt.

The Honorable Mr. Shore took the Chair.

After some time the House resumed

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Fisher, with a Bill to amend and continue the Act to provide for the repair of the Streets and Highways in Fredericton, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to establish the Line of Road leading from Charles Dixon's, near Hampton Ferry, intersecting the Old Post Road from Bellisle to Kingston, as one of the Great Roads of Communication in this Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

On

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to incorporate the Nashwaak Boom Company, and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, they had made certain amendments thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follow :—

At A in Section IV. expunge the word “or,” and insert “as.”

At b. insert the words “shall appoint.”

At B in Section V. expunge the remainder of the Section.

At C in Section X. insert the words “of them.”

At D in Section XV. expunge the word “ten,” and insert the word “five.”

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill, as amended, read a third time to-morrow.

The Honorable Mr. Kinnear presented to the House a Bill for an Act further to amend the Law relating to Bastardy.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

On motion—

The House was put into a Committee of the whole to take into consideration the Bill to incorporate the Saint Croix Bridge Company, and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill stand for a third reading to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to divide the County of Westmorland into two Counties, and to provide for the Government and Representation of the new County.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. J. A. Street, with a Bill to facilitate

facilitate the settlement of the Crown Lands on the Military Road from Nova Scotia to the Canada Line, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 7th March, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Kinnear,
Mr. Owen.*

*Mr. Cunard,
Mr. Botsford,
Mr. Robertson,
Mr. Hatch,
Mr. Johnston,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to incorporate the Nashwaak Boom Company, as amended, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill, with amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill to incorporate the Saint Croix Bridge Company : and

A Bill to establish the Line of Road leading from Charles Dixon's, near Hampton Ferry, intersecting the Old Post Road from Bellisle to Kingston, as one of the Great Roads of Communication in this Province.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to these Bills without any amendments.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill, intituled "An Act in addition to the Acts regulating the sale of Real Estate seized and taken in Execution :"

A Bill to amend and continue the Act to provide for the repair of the Streets and Highways in Fredericton :

A Bill for An Act further to amend the Law relating to Bastardy : and

A Bill to facilitate the settlement of the Crown Lands on the Military Road from Nova Scotia to the Canada Line.

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the said Bills severally into consideration.

A Message was brought from the Assembly by Mr. Thomson, with a Bill to repeal an Act in amendment of the Act for the regulation of the Militia, so far as respects the City of Saint John, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to enable the Justices of the Peace of the City and County of Saint John to raise by Loan a further sum of money towards paying off the County Debt.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill stand for a third reading to-morrow.

On motion—

The House was put into a Committee of the whole to take into further consideration the Bill in addition to and in amendment of the Acts now in force for regulating the Fisheries in the County of Northumberland.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

On motion—

The House was put into a Committee of the whole to take into consideration the Bill to continue an Act to make more effectual provisions for the regulation of Seamen in this Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended that the further consideration thereof be postponed for three months.

ORDERED, That the Report be received ; and it was thereupon

RESOLVED, That the further consideration of the said Bill be postponed for three months.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to vacate the Seats of Members of the Assembly in certain cases.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received, and leave granted.

Pursuant

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill for the relief of the Trade of the County of Charlotte.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended that the further consideration thereof be postponed for three months.

ORDERED, That the Report be received; and it was thereupon

RESOLVED, That the further consideration of the said Bill be postponed for three months.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill to divide the County of Westmorland into two Counties, and to provide for the Government and Representation of the New County.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill stand for a third reading to-morrow.

The Honorable Mr. Saunders, by leave, presented a Petition from George Woods, of the City of Saint John, praying for indemnification for loss sustained in consequence of Thomas Stinson being located on a lot of Land on the Nashwaak River, by a Minute of Council, in the year 1826, which Land was afterwards included in a Grant to the New Brunswick and Nova Scotia Land Company.

ORDERED, That the said Petition be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 8th March, 1845.

PRESENT :

THE HON.

Mr. Black, President.

Mr. Shore,

Mr. Cunard,

Mr. Saunders,

Mr. Botsford,

Mr. Attorney General,

Mr. Hatch,

Mr. Kinnear,

Mr. Johnston,

Mr. Owen.

PRAYERS.

On motion made and seconded—

RESOLVED, That in lieu of the Forty Second and Forty Fifth Standing Orders of this House, the following shall be declared a Standing Order, and that it be entered on the Roll of the Standing Orders of this House:—

That

That no Bill of a private or local nature shall be received by the House, unless such Bill has been previously read at the Assizes or Court of Nisi Prius, or at some General Sessions of the Peace for the County, or City and County, interested in such Bill, in the presence of the Grand Jury, and a Certificate be endorsed thereon by the Clerk of such Court, that the same was so read; or unless such Bill has been previously published four times successively in some one of the Newspapers published in the County interested in such Bill; and when no Newspaper is published in such County, in some Newspaper published in the nearest adjoining County, or in the Royal Gazette.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed:—

A Bill in addition to and in amendment of the Acts now in force for regulating the Fisheries in the County of Northumberland:

A Bill to divide the County of Westmorland into two Counties, and to provide for the Government and Representation of the new County: and

A Bill to enable the Justices of the Peace of the City and County of Saint John to raise by Loan a further sum of money towards paying off the County Debt.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to these Bills without any amendment.

Pursuant to the Order of the Day, the Bill to repeal an Act in amendment of the Act for the regulation of the Militia, so far as respects the City of Saint John, was read a second time.

ORDERED, That the House be put into a Committee of the whole on Monday next, to take the said Bill into consideration.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill for an Act further to amend the Law relating to Bastardy.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same to the adoption of the House.

ORDERED, That the Report be received, and the Bill be engrossed and read a third time on Monday next.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to lay a Tax on Dogs in a certain part of the Parish of Newcastle, in the County of Northumberland.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time on Monday next.

The

The Honorable Mr. Johnston, by leave, presented a Petition from James Kirk, John V. Thurgar, Thomas E. Millidge, and thirty others, Merchants, of the City of Saint John, praying that an Act may pass protecting the importation of Spirits in Casks containing less than one hundred gallons, except from the United Kingdom and British Possessions, and in Vessels less than thirty tons; and also for a reduction of the present Duty on Spirits; and that in case of a seizure, a bounty to the full amount of the Duty be paid to the Seizing Officer.

ORDERED, That the said Petition be received and lie on the Table.

Adjourned until Monday next at 12 o'clock.

MONDAY, 10th March, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Street,
Mr. Hatch,
Mr. Johnston,*

*Mr. Cunard,
Mr. Attorney General,
Mr. Robertson,
Mr. Kinnear,
Mr. Owen.*

PRAYERS.

Pursuant to the Order of the Day, the Bill for an Act further to amend the Law relating to Bastardy, was read a third time and passed.

ORDERED, That the Title be—

An Act further to amend the Law relating to Bastardy.

ORDERED, That the Master in Chancery do carry the said Bill down to the Assembly, and acquaint that House that the Legislative Council have passed this Bill, and desire the concurrence of the Assembly thereto.

Pursuant to the Order of the Day, the Bill to lay a Tax on Dogs in a certain part of the Parish of Newcastle, in the County of Northumberland, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

A Message was brought from the Assembly by Mr. Jordan, that the Assembly had agreed to the amendments made by this House to the Bill to facilitate the settlement of Accounts between the Justices of the Peace for the City and County of Saint John, and John R. Partelow, Esquire, late County Treasurer; and with

Resolutions of Appropriation dated the eighth day of March instant, to which they desire the concurrence of this House.

The said Resolutions of Appropriation were read a first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

A Message was brought from the Assembly by Mr. Taylor, that the Assembly had agreed to the amendments made by this House to the Bill to incorporate the Nashwaak Boom Company.

A Message was brought from the Assembly by Mr. Boyd, that the Assembly had agreed to the amendments made by this House to the following Bills:—

A Bill to incorporate the Saint Andrew's Steam Mill and Manufacturing Company :
and

A Bill to incorporate the Saint Andrew's Whale Fishing Company ; and with

A Bill to authorize the Grand Jurors of the County of Charlotte to examine, audit and allow the Public Accounts, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to facilitate the settlement of the Crown Lands on the Military Road from Nova Scotia to the Canada Line.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to repeal an Act in amendment of the Act for the regulation of the Militia, so far as respects the City of Saint John.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended that the further consideration thereof be postponed for three months.

ORDERED, That the Report be received; and it was thereupon

RESOLVED, That the further consideration of the said Bill be postponed for three months.

The Honorable Mr. Cunard, a Member of Her Majesty's Executive Council, by direction of His Excellency the Lieutenant Governor, lays before the House—

An Abstract, shewing the state of the Central Bank of New Brunswick on Monday the third day of March, 1845: also

A Copy of a further Report from the Commissioners of the Provincial Lunatic Asylum.

ORDERED, That the same do lie on the Table.

[See Appendix No. 8.]

Adjourned until To-morrow at 12 o'clock.

TUESDAY,

TUESDAY, 11th March, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Robinson,
Mr. Attorney General,
Mr. Robertson,
* Mr. Kinnear,
Mr. Owen.*

*Mr. Cunard,
Mr. Botsford,
Mr. Street,
Mr. Hatch,
Mr. Johnston,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to authorize the Grand Jurors of the County of Charlotte to examine, audit and allow the Public Accounts, was read a second time.

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the said Bill into consideration.

On motion—

The House was put into a Committee of the whole to take into further consideration the Bill to vacate the Seats of Members of the Assembly in certain cases.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into further consideration of the said Bill, they had made further progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

ORDERED, That the House be called over on Thursday next, and that the Clerk do notify absent Members.

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 12th March, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Robinson,
Mr. Attorney General,
Mr. Robertson,
Mr. Kinnear,
Mr. Owen.*

*Mr. Cunard,
Mr. Botsford,
Mr. Street,
Mr. Hatch,
Mr. Johnston,*

PRAYERS.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill to vacate the Seats of Members of the Assembly in certain cases.

The

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee having the said Bill under consideration, it was moved and seconded—

That the whole of the first Section of the said Bill be expunged.

To which the following amendment was moved :—

At A in Section I. expunge the words “ Executive Councillors.”

Which passed in the affirmative.

It was then moved and seconded—To expunge the first Section.

To which an amendment was moved and seconded, as follows :—

At B in Section I. expunge the word “ thereto,” and insert the words “ to such office, commission or appointment, and his acceptance thereof.”

Whereupon the Committee divided—

CONTENT.	NON-CONTENT.
Mr. Black,	Mr. Shore,
Mr. Botsford,	Mr. Cunard,
Mr. Street,	Mr. Robinson,
Mr. Robertson,	Mr. Attorney General,
Mr. Hatch,	Mr. Kinnear,
Mr. Johnston.	Mr. Owen.

And so it passed in the negative.

The question being then taken upon the motion—To expunge the first Section, the House divided—

CONTENT.	NON-CONTENT.
Mr. Shore,	Mr. Black,
Mr. Cunard,	Mr. Botsford,
Mr. Robinson,	Mr. Street,
Mr. Attorney General,	Mr. Robertson,
Mr. Kinnear,	Mr. Hatch,
Mr. Owen.	Mr. Johnston.

And so it passed in the negative.

The Chairman further reported, that the Committee recommended that the further consideration of the said Bill be postponed for three months.

ORDERED, That the Report be received ; and it was thereupon

RESOLVED, That the further consideration of the said Bill be postponed for three months.

A Message was brought from the Assembly by Mr. Fisher, with a Bill further to amend the Law relating to Bankruptcy, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

On

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill relating to certain Fees.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and that the Bill stand for a third reading to-morrow.

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 13th March, 1845.

PRESENT :

THE HON.

Mr. Black, President.

Mr. Cunard,

Mr. Attorney General,

Mr. Robertson,

Mr. Hatch,

Mr. Johnston,

Mr. Robinson,

Mr. Street,

Mr. Wyer,

Mr. Kinnear,

Mr. Owen.

PRAYERS.

The Order of the Day being read for the third reading of the Bill relating to certain Fees, the said Bill was accordingly read the third time.

Then the following amendment was made to the said Bill :—

At A insert "IV. And be it enacted, That this Act shall not be in force until Her Majesty's Royal approbation be thereunto had and declared."

The question was put—"Whether this Bill with the amendment shall pass ;" it was **RESOLVED** in the affirmative.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the said Bill, with an amendment, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the Bill further to amend the Law relating to Bankruptcy was read a second time.

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the said Bill into consideration.

Pursuant to the Order of the Day, the House was called.

PRESENT :

The Honorable William Black, President,

" " Joseph Cunard,

" " William H. Robinson,

" " A. Edwin Botsford,

" " The Attorney General,

D*

The

The Honorable George F. Street,
 “ “ John Robertson,
 “ “ Thomas Wyer,
 “ “ Harris Hatch,
 “ “ William B. Kinnear,
 “ “ Hugh Johnston,
 “ “ William F. W. Owen.

ABSENT :

The Honorable George Shore,
 “ “ John S. Saunders,
 “ “ Edward B. Chandler,
 “ “ William Crane, *Sick*,
 “ “ George Minchin, *Excused by leave of Absence
 from the Lieutenant Governor.*

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to amend the Charter of King's College.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Cunard, by leave, presented a Petition from Louison Albert, of the Parish of Madawaska, praying to be repaid expenses incurred in consequence of the introduction of the Small Pox into his neighbourhood.

ORDERED, That the said Petition be received and lie on the Table.

Adjourned until To-morrow at 11 o'clock.

FRIDAY, 14th March, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
 Mr. Robinson,
 Mr. Botsford,
 Mr. Street,
 Mr. Wyer,
 Mr. Kinnear,
 Mr. Owen.*

*Mr. Cunard,
 Mr. Saunders,
 Mr. Attorney General,
 Mr. Robertson,
 Mr. Hatch,
 Mr. Johnston,*

PRAYERS.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to amend an Act to facilitate the negotiation of a Loan to pay off the Public Debt. The

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill, intituled “An Act in addition to the Acts regulating the sale of Real Estate seized and taken in Execution.”

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to facilitate the settlement of the Crown Lands on the Military Road from Nova Scotia to the Canada Line

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill to amend the Charter of King’s College.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received.

The Honorable the President lays before the House—

An Abstract, shewing the state of the Central Fire Insurance Company on the fourth day of March instant, received by him from the Secretary of the Province.

ORDERED, That the same do lie on the Table.

Adjourned until To-morrow at 11 o’clock.

SATURDAY, 15th March, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,*

*Mr. Cunard,
Mr. Botsford,
Mr. Street,*

Mr.

Mr. Robertson,
Mr. Hatch,
Mr. Johnston,

Mr. Wyer,
Mr. Kinnear,
Mr. Owen.

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill to amend an Act to facilitate the negotiation of a Loan to pay off the Public Debt: and

A Bill to facilitate the settlement of the Crown Lands on the Military Road from Nova Scotia to the Canada Line.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to these Bills without any amendment.

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the first and eighth days of March instant, and recommended that the House should concur in the same, with an exception, which the Committee recommend should not be concurred in, and ask leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the said Resolutions of Appropriation were concurred in with the following exception :—

To Asa Coy and Zebedee G. Gabel, Trustees of the Baptist Meeting House in Fredericton, the sum of fourteen pounds ten shillings, being the return of Duties paid on an Organ imported for Public Worship.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the said Resolutions of Appropriation, with the exception before stated.

On motion made and seconded—

The Bill to amend the Charter of King's College was read the third time.

Then it was moved that the said Bill do pass.

Which being objected to, the question was put thereupon.

Whereupon the House divided—

CONTENT.

Mr. Cunard,
Mr. Botsford,
Mr. Attorney General,
Mr. Robertson,
Mr. Hatch,
Mr. Kinnear,
Mr. Johnston,
Mr. Owen.

NON-CONTENT.

Mr. Black,
Mr. Shore,
Mr. Saunders,
Mr. Street,
Mr. Wyer.

It was resolved in the affirmative.

ORDERED,

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

A Message was brought from the Assembly by Mr. Fisher, that the Assembly had agreed to the amendments made by this House to the Bill relating to certain Fees.

A Message was brought from the Assembly by Mr. Jordan, with a Bill to incorporate the Fredericton Society of Saint Andrew; and with

Resolutions of Appropriation, dated the tenth and twelfth days of March instant, to which they desire the concurrence of this House.

The same were severally read a first time.

ORDERED, That the said Bill stand for a second reading on Monday next; and

That the said Resolutions of Appropriation be referred to the Committee of the whole House upon Resolutions of Appropriation.

The Honorable Mr. Robertson, by leave, presented a Petition from the President, Officers and Committee of the Saint John Total Abstinence Society, in the City of Saint John, praying for Legislative aid to enable them to extend the benefits and promote the objects of Temperance.

ORDERED, That the said Petition be received and lie on the Table.

Adjourned until Monday next at 12 o'clock.

MONDAY, 17th March, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Cunard,
Mr. Saunders,
Mr. Attorney General,
Mr. Robertson,
Mr. Hatch,
Mr. Owen.*

*Mr. Robinson,
Mr. Botsford,
Mr. Street,
Mr. Wyer,
Mr. Johnston,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to incorporate the Fredericton Society of Saint Andrew, was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

A Message was brought from the Assembly by Mr. S. Earle, with a Bill to provide for the more efficient inspection of Flour and Meal, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

On motion—

The House was put into a Committee of the whole, to take into consideration the

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Bill

Bill to authorize the Grand Jurors of the County of Charlotte to examine, audit and allow the Public Accounts.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended that the further consideration thereof be postponed for three months.

ORDERED, That the Report be received ; and it was thereupon

RESOLVED, That the further consideration of the said Bill be postponed for three months.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to amend and continue the Act to provide for the repair of the Streets and Highways in Fredericton.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the tenth and twelfth days of March instant, and recommended that the House should concur in the same, with an exception, which the Committee recommend should not be concurred in, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the said Resolutions of Appropriation were concurred in, with the following exception:—

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of three hundred and fifty pounds to compensate the Prince Edward Island Steam Navigation Company for having maintained a good and efficient Line of Steam Communication between Miramichi, Charlottetown, and Pictou, for the year one thousand eight hundred and forty four.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the said Resolutions of Appropriation, with the exception before stated.

DISSENTIENT

To the Bill to amend the Charter of King's College :

First.—Because it is an unconstitutional interference with a Royal Charter, (founding the College,) granted after mature and long consideration, by his late Majesty George the Fourth, (accompanied by a munificent endowment,) and is a direct infringement

infringement upon the Royal Prerogative. It is also the exercise of a power which a Colonial Legislature has no right to, without the previous sanction of the Crown, and the assent of the College Corporation.

Secondly.—Because it is the acknowledged exclusive right of the Crown to institute Collegiate Corporations for the establishment of Colleges and Universities for learning; and we know of no precedent in any part of Great Britain, of a University being erected, or the Charter thereof, when once granted, being altered by Act of Parliament.

Thirdly.—Because this measure is adopted without any application from the College Corporation, and in direct opposition to the declared dissent of that Body, through the Petition of the College Council to this House, praying that no Bill may pass to alter the Charter, and is therefore an unjust infringement upon the rights, privileges and interests of all the Members of the Corporation.

Fourthly.—Because there is no necessity for such alterations in the Charter as this Bill is intended to make, as the University, under its present constitution, is open to all denominations of Christians, and the Professors' Chairs, except that of Divinity, are not required to be filled by persons of any particular Church or Religious Doctrine. That it does not exclude any one from what can be considered essential benefits of the University, except Degrees in Divinity, and is placed on a more liberal footing than any similar Institution in Great Britain or Ireland, or even in the United States of America; and the only exclusive provisions in the Charter, are, the Divinity Chair, Degrees in Divinity, the President of the College, and the composition of the Council, as the governing Body, and these were advisedly introduced to secure to the Institution one certain Religious character, that of the Established Church of England and Ireland, and which it was intended it always should have when the Charter was granted, and no case has been shewn, of the governing Body so composed, having ever, during the sixteen years that the College has been in operation, introduced any regulations of an exclusive nature to the prejudice of any Christian denomination whatever; but on the contrary, their proceedings hitherto have shewn a sincere desire to extend the benefits of the Institution as widely as possible to all who have been disposed to partake of them.

Fifthly.—Because if a Colonial Legislature is allowed by an enactment of its own to alter a Royal Charter, it would be establishing a most dangerous precedent, and would in all probability, in this case, lead to endless alterations from time to time, according as the opinions or prejudices of the different denominations of Christians in the Province might dictate, until the Institution would be ruined for any useful purpose; and it would also tend to destroy that public faith in Charters from the Crown, which should ever be maintained unshaken.

Sixthly.—Because the provisions of the Bill would, if confirmed, be most injurious to the best interests of the Institution, in the following respects:—

1st.—To displace the Bishop of the Diocese from the office of Visitor of the College, in direct violation of the Royal Founder's exercised right of nominating his own representative in that office, would be depriving the Institution of one of its greatest safeguards against innovations upon its religious character, which it is conceded on all sides should be that of the Established Church of England and Ireland, and also

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of the benefits to be derived from that high and important office being so vested in a person, who, from his education and experience in College matters, must be best qualified to fill the same in a Colonial Institution, and whose high and sacred station, and independence both of the Colonial Government and People, places him (more than any other person in the Colony) above any improper influence in the discharge of his duties : added to which, the office, while in his hands, would be without patronage as regards situations of emoluments within the College.

2ndly.—The making the Lieutenant Governor or Administrator of the Government for the time being, Visitor, and giving to him the right of appointing the College Professors, would be a most dangerous experiment, in as much as it would subject the Institution to frequent changes in the holders of that important office, and a great uncertainty as to whose hands it might come into, as every change in the Governor of the Province would place a stranger in the office of Visitor, who might be entirely ignorant of the government of Colleges and Universities, and who also might be a dissenter from the Established Church, or a Roman Catholic, and who would therefore either be indifferent to the interests of an Institution in which the religion of his own persuasion was not taught, or he might wish to introduce some new system in the establishment different from that of his predecessor, and make changes in the Members of the Council. It would also be vesting the powers of the respective offices of Visitor and Chancellor in one and the same person, contrary to all usages in Universities, and thus subjecting the office of Visitor, which should be entirely free of all bias, to the external influences usually attendant upon patronage, and placing him in a situation to sit in judgement upon the creatures of his own favor, which would inevitably subject him to suspicion and distrust.

3rdly.—That the opening the door to the introduction to the Council (the governing body of the University) of persons of all religious denominations in the country, would in all probability lead to great dissension, difficulty and confusion in the proceedings of that Body, and would have the effect of destroying all confidence in its religious character ; and a Council so composed, without the present safeguard in the Visitor, would have the power of abolishing the Divinity Chair altogether, and leave the Institution without any Religious instruction of any kind.

WILLIAM BLACK,
GEO. SHORE,
W. H. ROBINSON,
JOHN SIMCOE SAUNDERS,
GEO. FRED. STREET,
THOS. WYER.

A Message was brought from the Assembly by Mr. End, with the following Bills, to which they desire the concurrence of this House :—

A Bill to authorize the extension of the Gaol Limits in the County of Gloucester :
and

A Bill to extend the provisions of an Act, intituled “ An Act to repeal the Laws now in force for appointing Firewards and for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town,
and

and for other purposes therein mentioned," to the Town of Bathurst, in the County of Gloucester.

The said Bills were severally read a first time.

ORDERED, That the said Bills severally stand for a second reading to-morrow.

The Honorable Mr. Wyer, by leave, presented a Petition from Ruth M'Farlane, the Widow of an old Soldier, praying the Pension allowed to her husband may be continued to her.

ORDERED, That the said Petition be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 18th March, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Robertson,
Mr. Hatch,
Mr. Owen.*

*Mr. Robinson,
Mr. Botsford,
Mr. Street,
Mr. Wyer,
Mr. Johnston,*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to provide for the more efficient Inspection of Flour and Meal :

A Bill to authorize the extension of the Gaol Limits in the County of Gloucester : and

A Bill to extend the provisions of an Act, intituled "An Act to repeal the Laws now in force for appointing Firewards and for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned," to the Town of Bathurst, in the County of Gloucester.

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the said Bills severally into consideration.

A Message was brought from the Assembly by Mr. Wark, with a Bill to extend the Division Line between the Counties of Northumberland and Kent to the rear Line of the Counties of Queen's County and Sunbury, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

A Message was brought from the Assembly by Mr. Hanington, with a Bill to appropriate a part of the Public Revenue for the payment of the Ordinary Services of the Province, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

On motion—

The House was put into a Committee of the whole to take into further consideration the Bill in further addition to the Acts regulating the Sale of Real Estate seized and taken in Execution.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, they had made an amendment thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendment was then read by the Clerk, as follows :—

From A expunge the remainder of the Bill, and insert the words—“ In all cases where any Real Estate has been or shall hereafter be duly and regularly advertised and sold as by Law is required under and by virtue of any Writ of Execution heretofore or hereafter duly issued out of any Court of Law of competent jurisdiction in this Province, directed to any Sheriff of any County in this Province, and the Sheriff or other person duly authorized making Sale thereof has died, or may hereafter die, before any conveyance made of the property so sold to the purchaser thereof as the Law directs, then, and in every such case, it shall and may be lawful for the Sheriff for the time being of the County in which such Real Estate shall be, and he is hereby required upon payment being made of the purchase money for which such Real Estate was or may be so sold either to the said Sheriff of the County for the time being, or to the party lawfully entitled to receive the same, or upon the said purchase money having been paid to the deceased Sheriff or other Officer who made such Sale previous to his death, to make and execute a conveyance of such Real Estate to such purchaser thereof, in the same manner as such deceased Sheriff or other Officer making such Sale would have been required to do by Law, and every such Deed of Conveyance so made and executed by such said Sheriff for the time being, shall be as good and effectual to pass the said title to such Real Estate to such purchaser thereof, the same as if it had been made by such deceased Sheriff or other Officer making such Sale : Provided always, that nothing in this Act contained shall extend or be construed to extend to relieve any person claiming title under any such Conveyance to any such Real Estate from the evidence now required by Law to sustain such title, unless the Sheriff executing such Deed of Conveyance or some Officer acting under such deceased Sheriff, or other Officer making such Sale who shall have been duly appointed to such office, shall at the time of the execution of such Deed of Conveyance by the Sheriff for the time being, make affidavit before some Justice or other Officer authorized by Law to take acknowledgments and proof of the execution of Deeds to be registered, who shall and is hereby required to take the same affidavit, and indorse the same on such Deed, that the said property by such Deed conveyed was regularly seized, advertised and sold in every respect as by Law directed, which Deed with such affidavit when so made and indorsed thereon, shall be held and taken to be a Deed and affidavit executed and made within the intent and meaning of an Act made and passed in the fourth year of the Reign of King William the Fourth, intituled ‘ An Act in further amendment of an Act, intituled An Act subjecting Real Estates in the Province of New Brunswick to the payment of Debts, and directing the Sheriff

Sheriff in his proceedings thereon,' and shall be held as prima facie evidence to the same extent as the Deed and affidavit mentioned in the said recited Act is therein declared to extend to, any thing in the said recited Act to the contrary thereof in any-wise notwithstanding."

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That it be engrossed, and the Bill as amended read a third time to-morrow.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill, intituled "An Act in addition to the Acts regulating the Sale of Real Estate seized and taken in Execution."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended that the further consideration of the said Bill be postponed for three months.

ORDERED, That the Report be received; and it was thereupon

RESOLVED, That the further consideration of the said Bill be postponed for three months.

A Message was brought from the Assembly by Mr. Hazen, with a Bill to continue an Act, intituled "An Act to provide for the support of a Nightly Watch in, and for Lighting the City of Saint John, and for other purposes," to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

A Message was brought from the Assembly by Mr. Fisher, with the following Bills, to which they desire the concurrence of this House:—

A Bill to continue and amend the Act to incorporate the Arestook Boom Company: and

A Bill to continue and amend the Act to incorporate the Fredericton Boom Company.

The said Bills were severally read a first time.

ORDERED, That the said Bills severally stand for a second reading to-morrow.

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 19th March, 1845.

PRESENT:

THE HON.

Mr. Black, President.

Mr. Shore,

Mr. Robinson,

Mr. Saunders,

Mr. Botsford,

Mr. Attorney General,

Mr. Street,

Mr.

*Mr. Wyer,
Mr. Johnston,*

*Mr. Hatch,
Mr. Owen.*

PRAYERS.

Pursuant to the Order of the Day, the Bill in further addition to the Acts regulating the sale of Real Estate seized and taken in Execution, as amended, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill with an amendment, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to extend the Division Line between the Counties of Northumberland and Kent to the rear Line of the Counties of Queen's County and Sunbury :

A Bill to continue an Act, intituled " An Act to provide for the support of a Nightly Watch in, and for Lighting the City of Saint John, and for other purposes : " and

A Bill to appropriate a part of the Public Revenue for the payment of the Ordinary Services of the Province.

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the said Bills severally into consideration.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to continue and amend the Act to incorporate the Arestook Boom Company : and

A Bill to continue and amend the Act to incorporate the Fredericton Boom Company.

ORDERED, That the said Bills be severally referred to the Select Committee appointed to examine and report upon Bills relating to Corporations.

A Message was brought from the Assembly by Mr. Jordan, that the Assembly had agreed to the Bill sent down from this House, intituled " An Act further to amend the Law relating to Bastardy ; " and with

Resolutions of Appropriation, dated the seventeenth day of March instant, to which they desire the concurrence of this House.

The said Resolutions were read the first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to provide for the more efficient Inspection of Flour and Meal.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

On

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to amend and continue the Act to provide for the repair of the Streets and Highways in Fredericton.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and that the Bill stand for a third reading to-morrow.

A Message was brought from the Assembly by Mr. Payne, with a Bill to enable the Justices of the Peace for the City and County of Saint John to make an assessment for the payment of the County Contingencies, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 20th March, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Johnston.*

*Mr. Robinson,
Mr. Botsford,
Mr. Street,
Mr. Hatch,*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill to amend and continue the Act to provide for the repair of the Streets and Highways in Fredericton : and

A Bill to provide for the more efficient Inspection of Flour and Meal.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to these Bills without any amendment.

Pursuant to the Order of the Day, the Bill to enable the Justices of the Peace for the City and County of Saint John to make an assessment for the payment of the County Contingencies, was read a second time.

ORDERED, That the House be put into a Committee of the whole on Saturday next to take the said Bill into consideration.

Pursuant to the Order of the Day, the House was put into a Committee of the whole

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to take into consideration the Bill to appropriate a part of the Public Revenue for the payment of the Ordinary Services of the Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time on Saturday next.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue an Act, intituled "An Act to provide for the support of a Nightly Watch in, and for Lighting the City of Saint John, and for other purposes."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time on Saturday next.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to extend the Division Line between the Counties of Northumberland and Kent to the rear Line of the Counties of Queen's County and Sunbury.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time on Saturday next.

On motion—

The House was put into a Committee of the whole to take into further consideration Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the Resolutions dated the seventeenth day of March, they had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Botsford, by leave, presented the following Petitions:—

A Petition from John M'Carthy, a Schoolmaster, praying an allowance for teaching a School in Queen's County: and

A Petition from John Connor, a Schoolmaster, praying an allowance for teaching a School in the Parish of Westfield, in King's County.

ORDERED, That the said Petitions be received and lie on the Table.

Adjourned until Saturday next at 12 o'clock.

SATURDAY,

SATURDAY, 22d March, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Johnston,*

*Mr. Robinson,
Mr. Botsford,
Mr. Street,
Mr. Hatch,
Mr. Owen.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill to appropriate a part of the Public Revenue for the payment of the Ordinary Services of the Province :

A Bill to extend the Division Line between the Counties of Northumberland and Kent to the rear Line of the Counties of Queen's County and Sunbury : and

A Bill to continue an Act, intituled "An Act to provide for the support of a Nightly Watch in, and for Lighting the City of Saint John, and for other purposes."

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to these Bills without any amendment.

A Message was brought from the Assembly by Mr. Hill, that the Assembly had agreed to the amendment made by this House to the Bill to continue an Act, intituled "An Act to continue an Act relating to the Herring Fisheries in the County of Charlotte;" and with

A Bill to authorize a return of Duties in certain cases, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading on Monday next.

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the seventeenth day of March instant, and recommended that the House should concur in the same, with certain exceptions, which the Committee recommend should not be concurred in, and ask leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the said Resolutions of Appropriation were concurred in, with the following exceptions :—

To David O'Gorman the sum of three pounds six shillings and eight pence for having taught a School in the Parish of Portland, in the County of Saint John, for two months in the year one thousand eight hundred and forty four :

To

To George W. Steeves the sum of four pounds three shillings and four pence for teaching a School in the Parish of Hillsborough, County of Westmorland, for two and a half months ending the fifth day of August in the year one thousand eight hundred and forty four ;

Which were not concurred in by this House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the said Resolutions of Appropriation, with the exceptions before stated.

The Honorable Mr. Johnston, by leave, presented a Petition from William J. Bell, of Fredericton, one of the Corporation of the Arestook Boom Company, praying an Act may pass to amend and continue the Act of Incorporation.

ORDERED, That the said Petition be received and lie on the Table.

Adjourned until Monday next at 12 o'clock.

MONDAY, 24th March, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Johnston,*

*Mr. Robinson,
Mr. Botsford,
Mr. Street,
Mr. Hatch,
Mr. Owen.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to authorize a return of Duties in certain cases, was read a second time.

ORDERED, That the House be put into a Committee of the whole to-morrow to take the said Bill into consideration.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to enable the Justices of the Peace for the City and County of Saint John to make an assessment for the payment of the County Contingencies.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

A Message was brought from the Assembly by Mr. W. H. Street, with a Bill imposing Duties for raising a Revenue, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the same be read a second time.

The said Bill was read a second time.

ORDERED,

ORDERED, That the House be put into a Committee of the whole to-morrow to take the said Bill into consideration.

A Message was brought from the Assembly by the Honorable Mr. M'Leod, with a Bill to facilitate the making of the Military Road through this Province by Her Majesty's Government, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows :—

The Committee to whom were referred all Bills relating to Corporations, beg to report, that they have had under consideration the "Bill to incorporate the Fredericton Society of Saint Andrew," and recommend the same without amendment to the favorable consideration of the House : They have also examined the "Bill to continue and amend the Act to incorporate the Fredericton Boom Company," and the "Bill to continue and amend the Act to incorporate the Arestook Boom Company," to which several Bills the Committee have prepared certain amendments which they recommend to the adoption of the House.

All which is respectfully submitted.

A. E. BOTSFORD, *Chairman.*

Committee Room, 24th March, 1845.

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the said Bills, and the Report of the Select Committee thereon, severally into consideration.

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 25th March, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Street,
Mr. Hatch,
Mr. Owen.*

*Mr. Robinson,
Mr. Attorney General,
Mr. Wyer,
Mr. Johnston,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to enable the Justices of the Peace for the City and County of Saint John to make an assessment for the payment of the County Contingencies, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

H*

Pursuant

Pursuant to the Order of the Day, the Bill to facilitate the making of the Military Road through this Province by Her Majesty's Government, was read a second time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the House be put into a Committee of the whole presently, to take the said Bill into consideration.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

The Honorable Mr. Johnston, by leave, presented a Petition from the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Woodstock, in the County of Carleton, praying authority to sell and dispose of a tract of Land.

ORDERED, That the said Petition be received and lie on the Table.

The Honorable Mr. Street, by leave, presented a Petition from Thomas Baillie and Elizabeth Baillie, praying a Bill may be allowed to pass, authorizing the sale of Lands under the direction of the Master of the Rolls, subject to the provisions contained in the Will of the late William F. Odell, of Fredericton.

ORDERED, That the said Petition be received and lie on the Table.

The Honorable Mr. Johnston presented to the House a Bill, intituled "An Act to authorize the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Woodstock, in the County of Carleton, to sell and dispose of certain Lands belonging to the said Corporation, situate in the Parish of Dumfries, in the County of York."

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to incorporate the Fredericton Society of Saint Andrew, and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

A Message was brought from the Assembly by Mr. S. Earle, that the Assembly had agreed to the amendment made by this House to the Bill in further addition to the Acts regulating the Sale of Real Estate seized and taken in Execution.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue and amend the Act to incorporate the Fredericton Boom Company, and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

Pursuant

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue and amend the Act to incorporate the Arestook Boom Company, and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Street presented to the House a Bill, intituled "An Act to authorize the sale of certain Lands, in the County of York, commonly called the Hermitage, lately belonging to the Honorable William F. Odell, deceased, and to regulate the disposal of the proceeds thereof."

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the said Bill be read a second time.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to a Select Committee of two Members to examine and report thereon.

ORDERED, That the Honorable Messieurs Street and Johnston do compose the said Committee.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to authorize a return of Duties in certain cases.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill imposing Duties for raising a Revenue.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same to the adoption of the House.

ORDERED, That the Report be received, and the Bill stand for a third reading to-morrow.

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 26th March, 1845.

PRESENT :

THE HON.

Mr. Shore,
Mr. Saunders,
Mr. Street,

Mr. Black, President.

Mr. Robinson,
Mr. Attorney General,
Mr. Wyer,

Mr.

Mr. Hatch,
Mr. Owen.

Mr. Johnston,

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill imposing Duties for raising a Revenue :

A Bill to facilitate the making of the Military Road through this Province by Her Majesty's Government :

A Bill to incorporate the Fredericton Society of Saint Andrew : and

A Bill to authorize a return of Duties in certain cases.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to these Bills without any amendment.

A Message was brought from the Assembly by Mr. Hill, with a Bill to regulate the Survey and Exportation of Lumber, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill to continue and amend the Act to incorporate the Fredericton Boom Company, and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, they had made certain amendments thereto, and recommended the Bill as amended to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follow :—

At A in the Title, expunge the words "continue and."

At B in the Preamble, expunge the remainder, and insert the words "amend the Act made and passed in the seventh year of the Reign of Her Majesty Queen Victoria, intituled 'An Act to incorporate the Fredericton Boom Company,' to increase the Capital Stock and enlarge the powers of the said Company."

At C expunge Section VII.

At D expunge Section IX.

At E in Section X. expunge the words "to extend its operation to the Grand Falls on the River Saint John and."

At F insert the word "River."

At G insert the word "Grand."

At H insert the words "from the said Falls."

At J expunge Sections XVI. and XVII. and insert two new Sections as follow :—

"XIV. And be it enacted, That nothing contained in this Act, or in the Act to which it is an amendment, shall be construed to authorize the said Corporation, or their

their Agent or Agents, to interfere with or abridge in any manner the rights and privileges heretofore enjoyed by the owners or occupiers of any Land fronting on the said River Saint John."

"XV. And be it enacted, That this Act shall continue and be in force so long as the said Act to which this is an amendment continues in force, and no longer."

Alter the numbers of the Sections to agree with the foregoing amendments.

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill as amended read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill to continue and amend the Act to incorporate the Arestook Boom Company, and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, they had made certain amendments thereto, and recommended the Bill as amended to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follow :—

At A in Section I. insert the words "made and passed in the seventh year of the Reign of Her Majesty Queen Victoria, intituled 'An Act.'"

At B in Section IV. expunge the remainder of the Section, and insert as follows :—
"Shall continue and be in force so long as the said Act to which this is an amendment continues in force, and no longer."

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill as amended read a third time to-morrow.

A Message was brought from the Assembly by Mr. Jordan, with Resolutions of Appropriation, dated the twenty fourth day of March instant, to which they desire the concurrence of this House.

The said Resolutions were read the first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

Pursuant to the Order of the Day, the Bill to authorize the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Woodstock, in the County of Carleton, to sell and dispose of certain Lands belonging to the said Corporation, situate in the Parish of Dumfries, in the County of York, was read a second time.

ORDERED, That the House be put into a Committee of the whole to-morrow to take the said Bill into consideration.

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 27th March, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Robinson,
Mr. Attorney General,
Mr. Wyer,
Mr. Kinnear,
Mr. Owen.*

*Mr. Cunard,
Mr. Saunders,
Mr. Street,
Mr. Hatch,
Mr. Johnston,*

PRAYERS.

Pursuant to the Order of the Day, the following Bills, as amended, were read the third time and passed :—

A Bill to continue and amend the Act to incorporate the Arestook Boom Company :
and

A Bill to continue and amend the Act to incorporate the Fredericton Boom Company.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to these Bills, with amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the Bill to regulate the Survey and Exportation of Lumber, was read a second time.

ORDERED, That the House be put into a Committee of the whole to-morrow to take the said Bill into consideration.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to authorize the extension of the Gaol Limits in the County of Gloucester.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to extend the provisions of an Act, intituled "An Act to repeal the Laws now in force for appointing Firewards and for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned," to the Town of Bathurst, in the County of Gloucester.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

A

A Message was brought from the Assembly by Mr. Jordan, with a Bill to make provision for the regulation of Seamen shipped on board of or belonging to all Ships or Vessels registered in or belonging to the Province of New Brunswick, while such Ships or Vessels shall be within the precincts thereof ; and with

Resolutions of Appropriation dated the twenty fifth day of March instant ; to which they desire the concurrence of this House.

The same were severally read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow ; and that the said Resolutions of Appropriation be referred to the Committee of the whole House upon Resolutions of Appropriation.

A Message was brought from the Assembly by Mr. Hill, with a Bill to revive and continue an Act for the Naturalization of Aliens in this Province, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to authorize the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Woodstock, in the County of Carleton, to sell and dispose of certain Lands belonging to the said Corporation, situate in the Parish of Dumfries, in the County of York.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended that the further consideration thereof be postponed for three months.

ORDERED, That the Report be received ; and it was thereupon

RESOLVED, That the further consideration of the said Bill be postponed for three months.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill further to amend the Law relating to Bankruptcy.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, they had made certain amendments thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follow :—

At A in Section I. insert the words " have or may."

At B in Section IV. insert the words " or to be brought."

At C expunge the word " on."

At D in Section V. insert the words " or to be brought."

At E in Section VI. insert the word " may."

At F in Section VII. expunge the word " and," and insert " a."

At G in Section IX. expunge the words " in case."

At

At H insert the words "of account."

At I insert the word "said."

At J in Section X. insert the words "to be brought."

At K expunge the words "which being mutual and."

At L insert a new Section, as follows :—

"XII. And be it enacted, That every Certificate of Conformity, whether absolute or conditional, ordered under the Acts relating to Bankruptcy, shall be confirmed, or the confirmation of the same shall be applied for, agreeably to the provisions of the said Acts, within six months from the time of such Order ; provided that in all cases where Orders may already have been made for such Certificate, and the time aforesaid may have expired, three months further time shall be allowed in such cases from and after the passing of this Act ; and if the said Certificate shall not be confirmed, or the same applied for as aforesaid, within such time, the said Certificate shall be deemed and taken to be finally refused within the meaning of the twenty fourth Section of the Act made and passed in the fifth year of Her present Majesty's Reign, intituled ' An Act relating to Bankruptcy in this Province.'

At M expunge "XII." and insert "XIII."

At N in the same Section, expunge the words "as well as to any Act hereafter passed, unless the contrary is expressly declared in such Act."

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill as amended read a third time to-morrow.

The House adjourned during pleasure.

After some time the House resumed.

His Excellency the Lieutenant Governor came to the Council Chamber, and being seated in the Chair on the Throne, the Honorable the President commanded the Gentleman Usher of the Black Rod to let the Assembly know—"It is His Excellency's pleasure they attend him immediately in this House."

The House attended accordingly.

His Excellency then gave his assent to the following Bills, intituled—

An Act imposing Duties for raising a Revenue :

An Act to provide for the Expenses incurred by the Commissioners of the Provincial Penitentiary :

An Act to continue the Act to provide for the payment of Interest on Warrants :

An Act to continue an Act, intituled "An Act to prevent Pedlars travelling and selling within this Province without Licence :"

An Act to continue the Act for prohibiting and suppressing of Lotteries in this Province :

An Act to continue an Act, intituled "An Act for the better and more effectual securing the Navigation of the Newcastle River, in Queen's County :"

An Act further to continue an Act, intituled "An Act to authorize the Justices of the Peace in the County of York to make further provision for the payment of the Treasurer of that County :"

An

An Act to continue the Act imposing a Duty on Rum and other Spirituous Liquors distilled within the Province :

An Act to continue the Act to provide for the services of the Clerk of the Circuit Courts in this Province :

An Act to continue an Act, intituled " An Act to authorize the Justices of the Peace in certain Counties in this Province to exempt the French Inhabitants from the assessment of Poor Rates :"

An Act to repeal an Act, intituled " An Act for the better and more effectual securing the Navigation of the River Saint Croix, in the County of Charlotte," and to make other and more effectual provision relating to the same :

An Act to continue an Act to regulate Dockage, Wharfage and Cranage in the City of Saint John, and in the Parish of Portland :

An Act to continue an Act to revive and continue an Act to regulate the driving Timber and Saw Logs down the River Magaguadavic and its Branches :

An Act to establish periodical Fairs in the Town of Newcastle, in the County of Northumberland :

An Act to continue an Act to extend the provisions of an Act, intituled " An Act to repeal the Laws now in force for appointing Firewards and the better extinguishing of Fires, so far as the same relate to the Town of Fredericton, and to make regulations more suitable to the said Town," to the Towns of Newcastle and Chatham, and their vicinities, in the County of Northumberland :

An Act to continue certain Acts relating to the Fisheries in the County of Northumberland, that are now expiring :

An Act to continue an Act for the regulation of Booms for securing Masts, Logs and Lumber in certain parts of the County of Northumberland :

An Act to continue an Act to lay a Tax on Dogs in a certain part of the Parish of Chatham, in the County of Northumberland :

An Act to continue an Act for the better and more effectual securing the Navigation of the River Miramichi, in the County of Northumberland, and to protect the Fisheries on the said River :

An Act to continue an Act to regulate the Assize of Bread in the Towns of Newcastle and Chatham, in the County of Northumberland :

An Act to continue an Act, intituled " An Act to repeal an Act, intituled ' An Act for the better security of the Navigation of certain Harbours in the County of Northumberland, and to make more effectual provision for the better security of the Harbours in the Counties of Northumberland, Kent, and Gloucester :' "

An Act to authorize the Justices of the Peace for the County of Kent to levy an assessment to defray the contingent expenses of the said County :

An Act to incorporate sundry persons by the name of the Globe Assurance Company :

An Act to continue an Act, intituled " An Act for the appointment of Firewards in the Parish of Woodstock :"

An Act to continue an Act for supplying the Town of Saint Andrews with Water by Pipes :

An Act to continue an Act, intituled " An Act for the better and more effectually securing the Navigation of the River Saint Croix, in the County of Charlotte, and

also further to continue an Act, intituled 'An Act to empower the Justices of the County of Charlotte to make regulations for driving Timber and Logs down the Rivers Saint Croix, Magaguadavic, Digdeguash, and their Branches:'

An Act to continue the several Acts now in force relating to Tavern Keepers and Retailers :

An Act to continue the Act to provide for the collection of County and Parish Rates :

An Act to continue the several Acts now in force for the regulation of Cartmen, Waggoners, and Truckmen, and for regulating the truckage of Goods and the measurement of Coals and Salt :

An Act to continue an Act, intituled "An Act to continue an Act relating to Church Wardens and Vestrymen, and to persons having voices in their elections, so far as relates to the Parish Church of Saint Andrews:"

An Act to continue several Acts relating to the appointment of Firewards and the better extinguishment of Fires in a part of the Parish of Saint Stephen, in the County of Charlotte :

An Act to continue an Act, intituled "An Act to provide for the erection of Fences with Gates across Highways leading through Intervale Land in Queen's County and the County of Sunbury, where the same may be found necessary, and to extend the provisions of the same to King's County:"

An Act to continue an Act for the better regulation of the Office of Sheriff in this Province :

An Act to authorize the Justices of the Peace in King's County to levy an assessment to pay off the County Debts :

An Act to continue the Act to provide for the better assessment of County and Parish Rates :

An Act further to continue an Act to prevent disorderly riding on Streets and Highways in this Province :

An Act to continue the Act relating to Landlord and Tenant :

An Act to continue the Act to regulate Pawn Brokers within this Province :

An Act to continue an Act, intituled "An Act to regulate the Assize of Bread in the Towns of Saint Andrews and Saint Stephen, in the County of Charlotte, and to repeal the Acts now in force relating to the Town of Saint Andrews:"

An Act to continue an Act to authorize the Grand Jurors of the several Counties within this Province to inspect the Public Accounts :

An Act to continue an Act, intituled "An Act to repeal the Laws now in force for appointing Firewards and for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned:"

An Act to continue an Act relating to the Navigation of the Inner Bay of Passamaquoddy :

An Act to establish the Road leading from the City of Saint John to Quaco, in the Parish of Saint Martin's, in the County of Saint John, as one of the Great Roads :

An Act to amend an Act, intituled "An Act to amend an Act, intituled 'An Act to repeal an Act to encourage the destroying of Wolves, and an Act to grant a Bounty on the destruction of Bears in this Province, and to make other provisions in lieu thereof:' "

An

An Act relating to the privilege of solemnizing Marriage :

An Act to continue an Act, intituled "An Act to provide for reporting and publishing the Decisions of the Supreme Court:"

An Act to continue an Act, intituled "An Act to authorize the extension of the Gaol Limits in the City and County of Saint John :"

An Act in addition to an Act, intituled "An Act for the better extinguishing of Fires which may happen in the City of Saint John, and to continue a certain Act relating to the same matter therein mentioned :"

An Act to continue an Act in addition to the Laws now in force for the protection of the Fisheries in the Counties of Northumberland, Kent, and Gloucester :

An Act to continue the several Acts now in force relating to Insolvent confined Debtors :

An Act to continue the Act for the more speedy and effectual punishment of persons keeping disorderly Houses :

An Act to alter the times of holding the Terms of the Inferior Court of Common Pleas and General Sessions of the Peace for the County of Gloucester :

An Act for regulating the Salmon Fisheries in the County of Restigouche :

An Act further to continue an Act, intituled "An Act to provide for the summary punishment of persons committing trespasses upon Square Timber and other Lumber:"

An Act to annex the Madam Keswick Island to the Parish of Douglas, in the County of York :

An Act to incorporate the Maduxnikik Boom Company :

An Act to authorize Her Majesty's Justices of the Peace for the County of Gloucester to assess the said County to pay off the County Debts :

An Act to establish the Road leading from Bathurst, in the County of Gloucester, to the Southern termination of the Great Bathurst Road, via Pokemouche, as one of the Great Roads of the Province :

An Act to amend an Act to establish the value of certain British Coins in this Province, and to amend the Acts relating to the establishment of a Legal Tender :

An Act to incorporate the King's County Mechanics' Institute :

An Act to amend an Act, intituled "An Act to incorporate the Charlotte County Bank :"

An Act to establish the Line of Road leading from Charles Dixon's, near Hampton Ferry, intersecting the Old Post Road from Bellisle to Kingston, as one of the Great Roads of Communication in this Province :

An Act to incorporate the Saint Croix Bridge Company :

An Act in addition to and in amendment of the Acts now in force for regulating the Fisheries in the County of Northumberland :

An Act to enable the Justices of the Peace of the City and County of Saint John to raise by Loan a further sum of money towards paying off the County Debt :

An Act to incorporate the Saint Andrew's Whale Fishing Company :

An Act to incorporate the Saint Andrew's Steam Mill and Manufacturing Company :

An Act to incorporate the Nashwaak Boom Company :

An Act to facilitate the settlement of Accounts between the Justices of the Peace for the City and County of Saint John, and John R. Partelow, Esquire, late County Treasurer :

An

An Act to lay a Tax on Dogs in a certain part of the Parish of Newcastle, in the County of Northumberland :

An Act further to amend the Law relating to Bastardy :

An Act to amend and continue the Act to provide for the repair of the Streets and Highways in Fredericton :

An Act to provide for the more efficient Inspection of Flour and Meal :

An Act to continue an Act, intituled "An Act to continue an Act relating to the Herring Fisheries in the County of Charlotte :"

An Act to extend the Division Line between the Counties of Northumberland and Kent to the rear Line of the Counties of Queen's County and Sunbury :

An Act to continue an Act, intituled "An Act to provide for the support of a Nightly Watch in, and for Lighting the City of Saint John, and for other purposes :"

An Act in further addition to the Acts regulating the sale of Real Estate seized and taken in Execution :

An Act to enable the Justices of the Peace for the City and County of Saint John to make an assessment for the payment of the County Contingencies :

An Act to facilitate the making of the Military Road through this Province by Her Majesty's Government :

An Act to facilitate the Settlement of the Crown Lands on the Military Road from Nova Scotia to the Canada Line, (*with a suspending clause*) :

An Act to increase the Representation of King's County, (*with a suspending clause*) :

An Act to divide the County of Westmorland into two Counties, and to provide for the Government and Representation of the new County, (*with a suspending clause*) :

An Act to amend the Charter of King's College, (*with a suspending clause*) :

An Act relating to certain Fees, (*with a suspending clause*) : and

An Act to amend an Act to facilitate the negotiation of a Loan to pay off the Public Debt, (*with a suspending clause*).

The House of Assembly thereupon withdrew, and His Excellency was pleased to retire.

A Message was brought from the Assembly by Mr. Fisher, with a Bill to explain and amend the Act to afford relief to persons unfortunate in business in certain cases, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

A Message was brought from the Assembly by Mr. Jordan, with a Bill to amend an Act to repeal an Act, intituled "An Act to provide for the greater safety of Passengers on board Steam Boats, and to make further provision in lieu thereof;" and with Resolutions of Appropriation, dated the twenty sixth day of March instant, to which they desire the concurrence of this House.

The same were severally read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow; and that the said Resolutions of Appropriation be referred to the Committee of the whole House upon Resolutions of Appropriation.

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation.

The

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the Resolutions dated the twenty fourth day of March instant, they had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 28th March, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Street,
Mr. Wyer,
Mr. Kinnear,
Mr. Owen.*

*Mr. Cunard,
Mr. Attorney General,
Mr. Robertson,
Mr. Hatch,
Mr. Johnston,*

PRAYERS.

Pursuant to the Order of the Day, the Bill further to amend the Law relating to Bankruptcy, as amended, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill with amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to revive and continue an Act for the Naturalization of Aliens in this Province :

A Bill to amend an Act to repeal an Act, intituled "An Act to provide for the greater safety of Passengers on board Steam Boats, and to make further provision in lieu thereof:" and

A Bill to explain and amend the Act to afford relief to persons unfortunate in business in certain cases.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards these Bills.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to revive and continue an Act for the Naturalization of Aliens in this Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and that the Bill stand for a third reading to-morrow.

On

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to amend an Act to repeal an Act, intituled “An Act to provide for the greater safety of Passengers on board Steam Boats, and to make further provision in lieu thereof.”

The Honorable Mr. Robertson took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, they had made an amendment thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendment was then read by the Clerk, as follows:—

At A in Section III. insert the word “British.”

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That it be engrossed, and the Bill as amended be read a third time tomorrow.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to explain and amend the Act to afford relief to persons unfortunate in business in certain cases.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, they had made an amendment thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendment was then read by the Clerk, as follows:—

At A insert a new Section, as follows:—

“III. And be it further enacted, That the Clerk of the Peace mentioned in the said Act shall be, and he is hereby authorized to withhold the transmission of the papers taken on the examination before him to the Master of the Rolls, until all the Fees due and payable to him on such examination shall be first paid.”

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That it be engrossed, and the Bill as amended be read a third time tomorrow.

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into further consideration
of

of the Resolutions of Appropriation dated the twenty fourth day of March instant, they had made further progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the Bill to make provision for the regulation of Seamen shipped on board of or belonging to all Ships or Vessels registered in or belonging to the Province of New Brunswick, while such Ships or Vessels shall be within the precincts thereof, was read a second time.

ORDERED, That the House be put into a Committee of the whole to-morrow to take the said Bill into consideration.

RESOLVED, That a Select Committee of three Members be appointed to investigate the Contingent Accounts of this House for the present Session.

ORDERED, That the Honorable Messieurs Cunard, Hatch, and Johnston, do compose the Committee.

A Message was brought from the Assembly by Mr. Jordan, with Resolutions of Appropriation dated the twenty seventh day of March instant, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

The Honorable Mr. Street, by leave, presented a Petition from the Reverend Samuel D. L. Street, Charles Ketchum, John Dibblee, and other inhabitants of Carleton, praying certain grants of money for Bye Roads may not be sustained by this House.

ORDERED, That the said Petition be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 29th March, 1845.

PRESENT :

THE HON.

Mr. Black, President.

Mr. Shore,

Mr. Cunard,

Mr. Robinson,

Mr. Saunders,

Mr. Attorney General,

Mr. Street,

Mr. Robertson,

Mr. Wyer,

Mr. Hatch,

Mr. Kinnear,

Mr. Johnston,

Mr. Owen.

PRAYERS.

Pursuant to the Order of the Day, the following Bills, as amended, were severally read a third time and passed :—

A Bill to explain and amend the Act to afford relief to persons unfortunate in business in certain cases : and

A Bill to amend an Act to repeal an Act, intituled "An Act to provide for the greater

greater safety of Passengers on board Steam Boats, and to make further provision in lieu thereof."

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to these Bills, with amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the Bill to revive and continue an Act for the Naturalization of Aliens in this Province, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

A Message was brought from the Assembly by Mr. Barker, with Resolutions of Appropriation dated the twenty ninth day of March instant, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That the said Resolutions be referred to the Committee of the whole House upon Resolutions of Appropriation.

A Message was brought from the Assembly by Mr. Fisher, that the Assembly had agreed to the amendments made by this House to the following Bills :—

A Bill further to amend the Law relating to Bankruptcy :

A Bill to continue and amend the Act to incorporate the Arestook Boom Company :
and

A Bill to continue and amend the Act to incorporate the Fredericton Boom Company.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to make provision for the regulation of Seamen shipped on board of or belonging to all Ships or Vessels registered in or belonging to the Province of New Brunswick, while such Ships or Vessels shall be within the precincts thereof.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again on Monday next.

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Jordan, with a Bill to amend the Act to regulate Sales by Public Auction, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading on Monday next.

A Message from His Excellency the Lieutenant Governor was delivered by the Honorable Mr. Cunard, a Member of Her Majesty's Executive Council.

The Honorable the President read the same, and it was again read by the Clerk as follows :—

NEW BRUNSWICK.

NEW BRUNSWICK.

*Message to the Legislative Council,
29th March, 1845.*

W. M. G. COLEBROOKE, LT. GOVERNOR.

The Lieutenant Governor communicates to the Legislative Council, a Report made to him by the Surveyor General on the subject of the Boundary between this Province and Canada.

W. M. G. C.

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into further consideration of the Resolutions of Appropriation dated the twenty fourth day of March instant, they had made further progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to extend the provisions of an Act, intituled "An Act to repeal the Laws now in force for appointing Firewards and for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned," to the Town of Bathurst, in the County of Gloucester.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time on Monday next.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to authorize the extension of the Gaol Limits in the County of Gloucester.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time on Monday next.

Adjourned until Monday next at 12 o'clock.

MONDAY, 31st March, 1845.

PRESENT :

THE HON.

Mr. Shore,
Mr. Robinson,
Mr. Attorney General,
Mr. Robertson,
Mr. Hatch,
Mr. Johnston,

Mr. Black, President.

Mr. Cunard,
Mr. Saunders,
Mr. Street,
Mr. Wyer,
Mr. Kinnear,
Mr. Owen.

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill to authorize the extension of the Gaol Limits in the County of Gloucester : and

A Bill to extend the provisions of an Act, intituled “ An Act to repeal the Laws now in force for appointing Firewards and for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned,” to the Town of Bathurst, in the County of Gloucester.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to these Bills without any amendment.

Pursuant to the Order of the Day, the Bill to amend the Act to regulate Sales by Public Auction, was read a second time.

ORDERED, That the House be put into a Committee of the whole to-morrow to take the said Bill into consideration.

A Message was brought from the Assembly by Mr. Fisher, that the Assembly had agreed to the amendments made by this House to the Bill to explain and amend the Act to afford relief to persons unfortunate in business in certain cases.

A Message was brought from the Assembly by Mr. Jordan, that the Assembly had agreed to the amendments made by this House to the Bill to amend an Act to repeal an Act, intituled “ An Act to provide for the greater safety of Passengers on board Steam Boats, and to make further provision in lieu thereof.”

A Message was brought from the Assembly by Mr. John Earle, with Resolutions of Appropriation dated the twenty ninth day of March instant, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That the said Resolutions be referred to the Committee of the whole House upon Resolutions of Appropriation.

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation sent up from the Assembly.

The

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into further consideration of the said Resolutions of Appropriation, they had made further progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 1st April, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Robinson,
Mr. Botsford,
Mr. Street,
Mr. Wyer,
Mr. Kinneear,*

*Mr. Cunard,
Mr. Saunders,
Mr. Attorney General,
Mr. Robertson,
Mr. Hatch,
Mr. Owen.*

PRAYERS.

A Message was brought from the Assembly by Mr. Barker, with Resolutions of Appropriation dated the thirty first day of March last, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That the said Resolutions be referred to the Committee of the whole House upon Resolutions of Appropriation.

On motion—

The House was put into a Committee of the whole upon Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the twenty fourth, twenty fifth, twenty sixth, twenty seventh, and twenty eighth days of March, and recommended that the House should concur in the same, with certain exceptions, which the Committee recommended should not be concurred in.

The Chairman further reported, that in the Committee, on the question, whether the Resolution granting to the Reverend John G. M'Gregor the sum of forty pounds towards remunerating him for his services for conducting a School in the City of Saint John, should be concurred in—the Committee divided.

CONTENT.

*Mr. Black,
Mr. Shore,
Mr. Cunard,
Mr. Saunders,
Mr. Robertson,*

NON-CONTENT.

*Mr. Attorney General,
Mr. Street.*

Mr.

Mr. Wyer,
Mr. Hatch,
Mr. Kinnear,
Mr. Johnston.

And so it passed in the affirmative.

That on the question, whether the Resolution granting to John Paddock and Thomas Harding, Esquires, President and Vice President of the Saint John Total Abstinence Society, the sum of twenty five pounds to aid their exertions in the Total Abstinence cause, should be concurred in—the Committee divided.

CONTENT.

Mr. Cunard,
Mr. Robertson,
Mr. Kinnear,
Mr. Johnston.

NON-CONTENT.

Mr. Black,
Mr. Shore,
Mr. Street,
Mr. Wyer,
Mr. Hatch.

And so it passed in the negative.

That on the question, whether the Resolution granting to His Honor the Speaker the sum of three hundred pounds towards remunerating any expenses he may incur in vindicating the Privileges of the Assembly under the Resolution of this House of the twelfth April one thousand eight hundred and forty four, should be concurred in—the Committee divided.

CONTENT.

Mr. Black,
Mr. Shore,
Mr. Saunders,
Mr. Robertson,
Mr. Wyer,
Mr. Kinnear,
Mr. Johnston.

NON-CONTENT.

Mr. Cunard,
Mr. Street,
Mr. Hatch.

And so it passed in the affirmative.

That on the question, whether the Resolution granting to John Paddock and Thomas Harding, Esquires, President and Vice President of the Total Abstinence Society, the sum of twenty five pounds to aid their exertions in the Total Abstinence cause, be reconsidered, and that the Committee should concur in the same—the Committee divided.

CONTENT.

Mr. Black,
Mr. Cunard,
Mr. Robinson,
Mr. Botsford,
Mr. Attorney General,
Mr. Robertson,
Mr. Kinnear,
Mr. Owen.

NON-CONTENT.

Mr. Shore,
Mr. Street.

And so it passed in the affirmative.

That

That on the question, whether the Resolution granting two hundred and fourteen pounds thirteen shillings and six pence to Alexander Goodfellow, Esquire, to reimburse the following sums over-expended by him :—

On the Road from Bartibog to Fredericton, ninety three pounds three shillings and seven pence :

On the Road from Moorfield's to Russell's Mill, thirteen shillings and six pence :

On the Road from Neguac to Stymest's Mill, two pounds twelve shillings and six pence :

On the Road from Moodie's Point to the head of the Tide, thirteen shillings and four pence :

On the Road from Patrick Hall's to Bartibog, two pounds ten shillings :

On the Road from Bathurst Road to M'Carthy's, fifteen shillings and six pence :

Sundry Commissions, twelve shillings :

Exploring the Line of Road from Porter's Brook to the Upper Settlement on the South West Branch, six pounds eight shillings :

Balance due on Taxes River Bridges, one hundred and seven pounds thirteen shillings and six pence—

the Committee divided.

CONTENT.

Mr. Black,
Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Street,
Mr. Robertson,
Mr. Wyer.

NON-CONTENT.

Mr. Cunard,
Mr. Botsford,
Mr. Hatch,
Mr. Kinneer,
Mr. Owen.

And so it passed in the affirmative.

ORDERED, That the Report be received.

Whereupon the Resolutions of Appropriation dated the twenty fourth, twenty fifth, ~~twenty sixth, twenty seventh, and twenty eighth~~ days of March, were concurred in, with the following exceptions :—

To Seymour Pickett, of King's County, fifty pounds to encourage him in maintaining with more efficiency his Cloth and Woollen Manufacture :

To John Magill, of the County of Charlotte, thirty pounds to assist him in a similar establishment :

Thirty five pounds to open a Road laid out by the Commissioners leading from the Main Highway on the Division Line between the Lands of George A. Bedell, and Robert Griffiths, until it intersects the Hodgden Road ; ten pounds of this sum from Joseph I. Bedell's, past Gates, until it intersects the Hodgden Road :

To James Wands the sum of five pounds for having taught a School in the Parish of Addington, County of Gloucester, for three months in the year one thousand eight hundred and thirty eight.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the Resolutions of Appropriation

priation dated the twenty fourth, twenty fifth, twenty sixth, twenty seventh, and twenty eighth days of March, with the exceptions before stated.

It was moved and seconded, that it be

RESOLVED, That in the opinion of this House, the Appropriations made this year for the Bye Roads in the different Counties are much too large for the limited amount of the Revenue, and more than in due proportion with the amount granted for the Great Roads in the Province; and this House has only concurred in the same to avoid rejecting them altogether, or doing injustice in particular cases by passing only a portion of such Grants.

The House divided.

CONTENT.

Mr. Black,
Mr. Attorney General,
Mr. Street,
Mr. Robertson,
Mr. Wyer,
Mr. Kinnear.

NON-CONTENT.

Mr. Cunard,
Mr. Saunders,
Mr. Botsford,
Mr. Hatch.

And so it passed in the affirmative.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to amend the Act to regulate Sales by Public Auction.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

A Message was brought from the Assembly by Mr. Fisher, with a Bill in further amendment of the Criminal Law, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

The Honorable Mr. Cunard, by leave, presented a Petition from John Nesmith, Henry B. Allison, John T. Williston, John Frazer, and three hundred and twenty six other inhabitants of the County of Northumberland, praying for an increase of Representation for that County.

ORDERED, That the said Petition be received and lie on the Table.

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 2nd April, 1845.

PRESENT :

THE HON.

*Mr. Shore,
Mr. Robinson,*

Mr. Black, President.

*Mr. Cunard,
Mr. Saunders,*

Mr.

*Mr. Botsford,
Mr. Street,
Mr. Wyer,
Mr. Kinnear,*

*Mr. Attorney General,
Mr. Robertson,
Mr. Hatch,
Mr. Owen.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to amend the Act to regulate Sales by Public Auction, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

Pursuant to the Order of the Day, the Bill in further amendment of the Criminal Law, was read a second time.

ORDERED, That the House be put into a Committee of the whole to-morrow to take the said Bill into consideration.

A Message was brought from the Assembly by Mr. Jordan, with Resolutions of Appropriation dated the first day of April, to which they desire the concurrence of this House.

The said Resolutions of Appropriation were read a first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

A Message was brought from the Assembly by Mr. Boyd, with a Bill to provide for the inspection of Fish and other Articles, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

The Honorable the President acquainted the House, that by a Mandamus under the Royal Sign Manual, dated the thirteenth day of December, 1843, Thomas Horsfield Peters, Esquire, was appointed a Member of this House in the room of the Honorable Thomas Carleton Lee, and desired to be admitted.

ORDERED, That the Honorable Messieurs Robertson and Hatch be a Committee to attend Mr. Peters and see him qualified.

The Honorable Mr. Robertson, from the Committee appointed to attend Mr. Peters and see him qualified, reported, that they had, according to order, attended the Honorable Mr. Peters, who took the usual oaths in the presence of His Excellency the Lieutenant Governor.

The Honorable Mr. Peters was then introduced between Mr. Robertson and Mr. Hatch, and took his Seat.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to make provision for the regulation of Seamen shipped on board of or belonging to all Ships or Vessels registered in or belonging to the Province of New Brunswick, while such Ships or Vessels shall be within the precincts thereof.

The

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, they had made certain amendments thereto, and recommended the Bill as amended to the adoption of the House.

On the question, that the Report be received, the House divided.

CONTENT.

Mr. Black,
Mr. Shore,
Mr. Cunard,
Mr. Saunders,
Mr. Botsford,
Mr. Attorney General,
Mr. Street,
Mr. Wyer,
Mr. Hatch,
Mr. Kinnear,
Mr. Owen,
Mr. Peters.

NON-CONTENT.

Mr. Robertson.

And so it passed in the affirmative.

The said amendments were then read by the Clerk, as follow :—

At A insert two new Sections, as follow :—

“ XI. Provided always, and be it enacted, That nothing in this Act or in any agreement contained, shall prevent any Seaman or person belonging to any Ship or Vessel whatever from entering or being received into the Naval Service of Her Majesty, nor shall any such entry be deemed a desertion from the Ship or Vessel ; nor shall such Seaman or other person thereby incur any penalty or forfeiture whatever either of wages, clothes or effects, or other matter or thing ; and no Master or Owner shall insert or introduce, or permit to be inserted or introduced, into any Articles or Agreement, any clause, engagement or stipulation whereby any Seaman or other person shall or may incur any forfeiture or be exposed to loss in case he shall enter into Her Majesty’s Naval Service, and if inserted, the clause, engagement or stipulation shall be void.

“ XII. And be it enacted, That when any Seaman shall quit any such Ship or Vessel as aforesaid, in order to enter into Her Majesty’s Naval Service, and shall thereupon be actually received into such Service, not having previously committed any act amounting to and treated by the Master as desertion, he shall be entitled immediately upon such entry to have all his clothes and effects on board such Ship or Vessel delivered to him, and to receive from the Master the balance of the proportionate amount of his wages up to the period of such entry, after deducting therefrom all charges such Seaman may then be liable to under the provisions of this Act, to be paid either in money or by a bill on the Owner ; all which clothes, effects, money or bill, such Master is hereby required to deliver and pay to him accordingly ; but in case the Master shall have no means of ascertaining the balance, he shall make out and deliver

deliver to such Seaman a Certificate of the period of his service and the rate of wages he is entitled to, producing at the same time to the Commanding or other Officer of Her Majesty's Vessel the agreement with the Seaman; and every such Master, upon the delivery of such clothes and effects, and the settlement of such wages in manner herein mentioned, shall receive from the Officer in command of the Vessel into which the Seaman shall have entered a Certificate of such entry, endorsed on the agreement, and signed by the said Officer, which such Officer is hereby required to give.

At B expunge "XI." and insert "XIII."

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill as amended read a third time to-morrow.

The Honorable Mr. Street, from the Select Committee appointed to examine and report upon the Bill, intituled "An Act to authorize the sale of certain Lands in the County of York, commonly called the Hermitage, lately belonging to the Honorable William F. Odell, deceased, and to regulate the disposal of the proceeds thereof," presented a Report.

ORDERED, That the Report be received.

The same was then read by the Clerk as follows:—

The Committee to whom was referred the Bill to authorize the Sale of certain Lands in the County of York, commonly called the Hermitage, lately belonging to the Honorable W. F. Odell, deceased, and to regulate the disposal of the proceeds thereof, beg to report, that they have attended to the duty imposed on them, and find, on investigation, that it is not advisable to pass the Bill this Session, and therefore recommend the further consideration of it be postponed until the next Session of the General Assembly.

G. F. STREET, *Chairman.*

Committee Room, 29th March, 1845.

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the said Bill and the Report of the Select Committee thereon into consideration.

A Message was brought from the Assembly by Mr. W. H. Street, with a Bill relating to Smuggling, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

A Message was brought from the Assembly by Mr. Hanington, with a Bill further to continue the Acts relating to Parish Schools, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

On motion—

The House was put into a Committee of the whole to take into consideration Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the twenty ninth and thirty first days of March, and recommended that the House should concur in the same, with an exception, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the Resolutions of Appropriation dated the twenty ninth and thirty first days of March were concurred in, with the following exception:—

The sum of one hundred and fifty pounds to pay for reporting the Debates of the House of Assembly the present Session—

To Doak and Hill, fifty pounds ;

To James Hogg, fifty pounds ;

To J. P. A. Phillips, fifty pounds.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the Resolutions of Appropriation dated the twenty ninth and thirty first days of March, with the exception of the foregoing Resolution, which was not concurred in.

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 3d April, 1845.

PRESENT :

THE HON.

Mr. Black, President.

Mr. Shore,

Mr. Saunders,

Mr. Attorney General,

Mr. Robertson,

Mr. Hatch,

Mr. Owen,

Mr. Cunard,

Mr. Botsford,

Mr. Street,

Mr. Wyer,

Mr. Kinnear,

Mr. Peters.

PRAYERS.

Pursuant to the Order of the Day, the Bill to make provision for the regulation of Seamen shipped on board of or belonging to all Ships or Vessels registered in or belonging to the Province of New Brunswick, while such Ships or Vessels shall be within the precincts thereof, as amended, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill with amendments, to which they desire the concurrence of the Assembly.

On motion—

The House was put into a Committee of the whole to take into further consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the first day of April, and recommended that the House should concur in the same, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the Resolutions of Appropriation dated the first day of April were concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the said Resolutions of Appropriation.

Pursuant to the Order of the Day, the following Bills were severally read a second time :—

A Bill to provide for the inspection of Fish and other Articles :

A Bill relating to Smuggling: and

A Bill further to continue the Acts relating to Parish Schools.

ORDERED, That the House be put into a Committee of the whole to-morrow to take the two last Bills severally into consideration.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards the Bill to provide for the inspection of Fish and other Articles, and that the House be put into a Committee of the whole presently, to take the said Bill into consideration.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Payne, with Resolutions of Appropriation dated the second day of April instant, to which they desire the concurrence of this House.

The said Resolutions of Appropriation were read a first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill in further amendment of the Criminal Law.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. End, with a Bill to incorporate the Roman Catholic Bishop of New Brunswick, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

Pursuant

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill, intituled "An Act to authorize the Sale of certain Lands in the County of York, commonly called the Hermitage, lately belonging to the Honorable William F. Odell, deceased, and to regulate the disposal of the proceeds thereof."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into a Committee of the whole to take into further consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the second day of April, and recommended that the House should concur therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the Resolutions of Appropriation dated the second day of April were concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the said Resolutions of Appropriation.

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 4th April, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Wyer,
Mr. Kinnear,
Mr. Peters.*

*Mr. Cunard,
Mr. Botsford,
Mr. Robertson,
Mr. Hatch,
Mr. Owen,*

PRAVERS.

A Message was brought from the Assembly by Mr. Jordan, with a Bill to explain an Act for the amendment of the Charter of the City of Saint John, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

Pursuant

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill further to continue the Acts relating to Parish Schools.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill in further amendment of the Criminal Law.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, they had made certain amendments thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follow :—

At A expunge the remainder of the Bill, and insert as follows :—

“That if any person shall wilfully and maliciously damage, cut, break or destroy any Net or Seine lawfully set or placed for the purpose of taking Fish in this Province, and shall be thereof convicted before any one of Her Majesty’s Justices of the Peace for the County or City and County where the offence may be committed, either by the confession of the party offending, or on the oath of one or more credible witness or witnesses, every such person so offending shall for each and every offence forfeit and pay a sum not exceeding ten pounds nor less than five pounds, together with costs of suit, to be levied by Warrant of Distress and Sale of the goods and chattels of every such offender ; one moiety of which forfeiture, when recovered, shall be paid to the Overseers of the Poor of the Parish, or the Commissioners of Alms Houses of the County or City and County, where the offence may be committed, and the other moiety to be paid to the person who shall prosecute for the same ; and for want of goods and chattels whereon the same can be levied, it shall and may be lawful to commit any such offender to the Common Gaol or House of Correction of the County or City and County where the same may be committed, there to remain without bail or mainprize, and to be kept at hard labour for a term not exceeding two months, unless such forfeiture and costs shall be sooner paid.”

In the Title, at B, expunge the remaining part, and insert “for the punishment of persons who shall be guilty of maliciously cutting or otherwise injuring Nets or Seines set for fishing in this Province.”

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill as amended read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill relating to Smuggling.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended that the further consideration thereof be postponed for three months.

ORDERED, That the Report be received ; and it was thereupon

RESOLVED, That the further consideration of the said Bill be postponed for three months.

A Message was brought from the Assembly by Mr. J. A. Street, with a Bill to increase the Representation of the County of Northumberland, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill to provide for the inspection of Fish and other Articles.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, they had made certain amendments thereto, and recommended the Bill as amended to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follow :—

At A in Section I. expunge the remainder of the Bill, and insert the words “ an Act made and passed in the fifth year of the Reign of His late Majesty King William the Fourth, intituled ‘ An Act to regulate the inspection of Dry and Pickled Fish for Home Consumption and for Exportation,’ be and the same is hereby revived and declared to be in force until the first day of April in the year of our Lord one thousand eight hundred and forty seven.”

In the Title, at B. insert the words “ to revive the Act to.”

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill as amended read a third time to-morrow.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to regulate the Survey and Exportation of Lumber.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

Adjourned until To-morrow at 12 o'clock.

SATURDAY,

SATURDAY, 5th April, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Robinson,
Mr. Botsford,
Mr. Robertson,
Mr. Owen,*

*Mr. Cunard,
Mr. Saunders,
Mr. Attorney General,
Mr. Kinnear,
Mr. Peters.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills, as amended, were severally read a third time and passed :—

A Bill in further amendment of the Criminal Law : and

A Bill to provide for the inspection of Fish and other Articles.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to these Bills, with amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill further to continue the Acts relating to Parish Schools.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time on Monday next.

Pursuant to the Order of the Day, the Bill to explain an Act for the amendment of the Charter of the City of Saint John, was read a second time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the House be put into a Committee of the whole presently, to take the said Bill into consideration.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again on Monday next.

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Connell, with Resolutions of Appropriation dated the third and fourth days of April, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

On

On motion—

The following Bills were severally read a second time :—

A Bill to incorporate the Roman Catholic Bishop of New Brunswick : and

A Bill to increase the Representation of the County of Northumberland.

ORDERED, That the House be put into a Committee of the whole on Monday next,

That the Twenty third Rule of this House be dispensed with, as regards the first mentioned Bill, and that the House be put into a Committee of the whole presently, to take the said Bill into consideration.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again on Thursday next.

ORDERED, That there be a Call of the House on Thursday the tenth day of April instant, and that the Clerk do notify absent Members.

On motion—

The House was put into a Committee of the whole to take into consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the Resolutions of Appropriation dated the third and fourth days of April, they had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Adjourned until Monday next at 12 o'clock.

MONDAY, 7th April, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Kinnear,
Mr. Peters.*

*Mr. Cunard,
Mr. Botsford,
Mr. Street,
Mr. Owen,*

PRAYERS.

Pursuant to the Order of the Day, the Bill further to continue the Acts relating to Parish Schools, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

A

A Message was brought from the Assembly by Mr. Wilmot, with the following Resolution :—

“ House of Assembly, 5th April, 1845.

“ Resolved, unanimously, That an Humble and Dutiful Address be presented to Her Most Gracious Majesty upon the subject of the Post Office Department in this Province, and that the Honorable the Legislative Council be requested to join in such Address.

“ CHAS. P. WETMORE, Clerk.”

The said Resolution was read by the Clerk.

RESOLVED, That this House will join the Assembly in the proposed Address.

ORDERED, That the Honorable Messieurs Botsford and Kinnear be a Committee to join such Committee as may be appointed by the Assembly to prepare the same.

ORDERED, That the Master in Chancery do go down to the Assembly, and communicate the Resolution and Appointment.

A Message was brought from the Assembly by Mr. Connell, with Resolutions of Appropriation dated the fifth day of April, to which they desire the concurrence of this House.

The said Resolutions of Appropriation were read a first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to increase the Representation of the County of Northumberland.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

On motion—

The House was put into a Committee of the whole to take into further consideration the Bill, intituled “ An Act to authorize the Sale of certain Lands in the County of York, commonly called the Hermitage, lately belonging to the Honorable William F. Odell, deceased, and to regulate the disposal of the proceeds thereof.”

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, they had made certain amendments thereto, and recommended the Bill as amended to the adoption of the House.

ORDERED, That the Report be received, and the Bill be engrossed and read a third time to-morrow.

A Message was brought from the Assembly by Mr. Wilmot, that Mr. Wilmot, Mr. End, Mr. Wark, and the Honorable Mr. M'Leod, are appointed a Committee from the Assembly, to join the Committee appointed by this House, to prepare an Humble and Dutiful Address to Her Majesty on the subject of the Post Office Department in this Province.

On

On motion—

The House was put into a Committee of the whole to take into further consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into further consideration of the Resolutions of Appropriation dated the third and fourth days of April, they had made further progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 8th April, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Robinson,
Mr. Botsford,
Mr. Street,
Mr. Kinnear,
Mr. Peters.*

*Mr. Cunard,
Mr. Saunders,
Mr. Attorney General,
Mr. Robertson,
Mr. Owen,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to authorize the Sale of certain Lands in the County of York, commonly called the Hermitage, lately belonging to the Honorable W. F. Odell, deceased, and to regulate the disposal of the proceeds thereof, as amended, was read a third time and passed.

ORDERED, That the Title be—

An Act to authorize the Sale of certain Lands in the County of York, commonly called the Hermitage, lately belonging to the Honorable William F. Odell, deceased, and to regulate the disposal of the proceeds thereof.

ORDERED, That the Master in Chancery do carry the said Bill down to the Assembly, and acquaint that House that the Legislative Council have passed this Bill, and desire the concurrence of the Assembly thereto.

Pursuant to the Order of the Day, the Bill to increase the Representation of the County of Northumberland, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

On motion—

The House was put into a Committee of the whole to take into further consideration the Bill to explain an Act for the amendment of the Charter of the City of Saint John.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The

The Chairman reported, that the Committee had gone through the Bill, and recommended that the further consideration thereof be postponed for three months.

ORDERED, That the Report be received; and it was thereupon

RESOLVED, That the further consideration of the said Bill be postponed for three months.

On motion—

The House was put into a Committee of the whole to take into consideration the Bill to regulate the Survey and Exportation of Lumber.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, they had made certain amendments thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follows :—

At A in Section IV. insert the words “with his private mark, and the initials of the name of the purchaser of such Logs.”

At B in Section XIV. insert the words “upon taking the oath prescribed by this Act.”

At C insert a new Section, as follows :—

“XVI. And be it further enacted, That no Surveyor of Lumber under this Act shall be a Pond Keeper or Dealer in Timber, either directly or indirectly.”

At D expunge “XVI.” and insert “XVII.”

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill as amended read a third time to-morrow.

A Message was brought from the Assembly by Mr. Scoullar, with a Bill relating to Mill Reserves, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the said Bill be read a second time.

The said Bill was read a second time.

ORDERED, That the House be put into a Committee of the whole to-morrow to take the said Bill into consideration.

A Message was brought from the Assembly by Mr. Payne, with a Bill to restrict the illegal importation of Foreign Rum and other Spirits, and to provide for the better protection of the Revenue of this Province, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the said Bill be read a second time.

The said Bill was read a second time.

ORDERED, That the House be put into a Committee of the whole to-morrow to take the said Bill into consideration.

A Message was brought from the Assembly by Mr. Jordan, with a Bill to revive the Act relating to the inspection of Fish for Home Consumption and Exportation, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the same be read a second time.

The said Bill was read a second time.

ORDERED, That the House be put into a Committee of the whole to-morrow to take the said Bill into consideration.

On motion—

The House was put into a Committee of the whole to take into further consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into further consideration of Resolutions of Appropriation dated the fourth day of April, they had made further progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 9th April, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Street,
Mr. Kinnear,
Mr. Peters.*

*Mr. Cunard,
Mr. Botsford,
Mr. Chandler,
Mr. Robertson,
Mr. Owen,*

PRAYERS.

On motion made and seconded, that the Bill to regulate the Survey and Exportation of Lumber, as amended, be read a third time—the House divided.

CONTENT.

*Mr. Black,
Mr. Shore,
Mr. Botsford,
Mr. Street,
Mr. Kinnear,
Mr. Owen,
Mr. Peters.*

NON-CONTENT.

Mr. Robertson.

And so it passed in the affirmative.

The said Bill was read a third time and passed.

ORDERED,

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill with amendments, to which they desire the concurrence of the Assembly.

A Message was brought from the Assembly by Mr. Jordan, that the Assembly had agreed to the amendments made by this House to the Bill to make provision for the regulation of Seamen shipped on board of or belonging to all Ships or Vessels registered in or belonging to the Province of New Brunswick, while such Ships or Vessels shall be within the precincts thereof; and with

A Bill to protect the grounds and enclosures around the Province Buildings in Fredericton, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the same be read a second time.

The said Bill was read a second time.

ORDERED, That the House be put into a Committee of the whole to-morrow to take the said Bill into consideration.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to revive the Act relating to the inspection of Fish for Home Consumption and Exportation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

A Message was brought from the Assembly by Mr. Fisher, with a Bill relating to the Election of Representatives to serve in the General Assembly, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the same be read a second time.

The said Bill was read a second time.

ORDERED, That the Twenty third Rule of this House be further dispensed with, as regards this Bill, and that the House be put into a Committee of the whole presently, to take the said Bill into consideration.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into a Committee of the whole to take into further consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into further consideration of the Resolutions of Appropriation dated the fourth and fifth days of April, they had made further progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to restrict the illegal importation of Foreign Rum and other Spirits, and to provide for the better protection of the Revenue of this Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended that the further consideration thereof be postponed for three months.

ORDERED, That the Report be received ; and it was thereupon

RESOLVED, That the further consideration of the said Bill be postponed for three months.

A Message was brought from the Assembly by Mr. Jordan, with a Bill to repeal an Act, intituled " An Act to amend an Act to provide for maintaining Light Houses within the Bay of Fundy," and to substitute other enactments in lieu thereof, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the said Bill be read a second time.

The said Bill was read a second time.

ORDERED, That the Twenty third Rule of this House be further dispensed with, as regards this Bill, and that the House be put into a Committee of the whole presently, to take the said Bill into consideration.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill relating to Mill Reserves.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made some progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

Adjourned until To-morrow at 11 o'clock.

THURSDAY,

THURSDAY, 10th April, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Robinson,
Mr. Botsford,
Mr. Chandler,
Mr. Robertson,
Mr. Kinnear,
Mr. Owen,*

*Mr. Cunard,
Mr. Saunders,
Mr. Attorney General,
Mr. Street,
Mr. Hatch,
Mr. Johnston,
Mr. Peters.*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill to revive the Act relating to the inspection of Fish for Home Consumption and Exportation : and

A Bill to repeal an Act, intituled “An Act to amend an Act to provide for maintaining Light Houses within the Bay of Fundy,” and to substitute other enactments in lieu thereof.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to these Bills without any amendment.

On motion—

The House was put into a Committee of the whole to take into further consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the third, fourth and fifth days of April, and recommended that the House should concur in the same, with the following exceptions, which the Committee recommend should not be concurred in :—

To Abraham Fayerweather the sum of twenty five pounds, in lieu of any Bounty under Legislative enactment, for the erection of an Oat Mill and Kiln in Springfield, in King's County :

To Walter Seeley the sum of twenty five pounds, in lieu of any Bounty to which he may be entitled under Legislative enactment, for the erection of an Oat Mill and Kiln in Dutch Valley, in King's County :

To James Hogg the sum of twenty pounds to remunerate him for reporting Debates of the Legislative Council :

To the Overseers of the Poor for the Parish of Addington, County of Restigouche, the sum of twelve pounds fifteen shillings to reimburse them for expenses incurred in the support of William Quinton, a transient Pauper, in the year 1844 :

To Doak and Hill the sum of fifty pounds for reporting the Debates of the Legislative Council.

The

The Chairman further reported, that on the question, whether the Resolution of Appropriation granting to the Honorable Thomas Baillie, Surveyor General, the sum of one hundred and fifty pounds for extra services in preparing a Map of the Province, and his Report on the Boundary Line between Canada and New Brunswick—the Committee divided.

CONTENT.

Mr. Black,
Mr. Shore,
Mr. Botsford,
Mr. Attorney General,
Mr. Chandler,
Mr. Street,
Mr. Robertson,
Mr. Johnston.

NON-CONTENT.

Mr. Cunard,
Mr. Robinson,
Mr. Saunders,
Mr. Hatch,
Mr. Kinnear,
Mr. Owen,
Mr. Peters.

And so it passed in the affirmative.

The Chairman further reported, that he was directed by the Committee to ask leave to sit again.

ORDERED, That the Report be received and leave granted.

The Resolutions of Appropriation dated the third, fourth and fifth days of April, were then concurred in by the House, with the exceptions above entered, which were not concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the Resolutions of Appropriation dated the third, fourth and fifth days of April instant, with the exceptions before entered.

Pursuant to the Order of the Day, the House was called over.

PRESENT.

The Honorable William Black, President,
“ “ George Shore,
“ “ Joseph Cunard,
“ “ William H. Robinson,
“ “ John S. Saunders,
“ “ A. Edwin Botsford,
“ “ The Attorney General,
“ “ Edward B. Chandler,
“ “ George F. Street,
“ “ John Robertson,
“ “ Harris Hatch,
“ “ William B. Kinnear,
“ “ Hugh Johnston,
“ “ William F. W. Owen,
“ “ Thomas H. Peters.

ABSENT.

ABSENT.

The Honorable Thomas Wyer, *Excused by Illness.*
 “ “ William Crane, *Excused by Illness.*
 “ “ George Minchin, *Excused by leave of Absence*
from the Lieutenant Governor.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to incorporate the Roman Catholic Bishop of New Brunswick.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that in the Committee it was moved and seconded—That the further consideration of the said Bill be postponed until the next Session of the General Assembly, and that the same be printed in the Royal Gazette; and that the Committee divided.

CONTENT.

Mr. Shore,
 Mr. Attorney General,
 Mr. Street,
 Mr. Robertson,
 Mr. Hatch,
 Mr. Kinnear,
 Mr. Johnston,
 Mr. Owen.

NON-CONTENT.

Mr. Black,
 Mr. Cunard,
 Mr. Saunders,
 Mr. Botsford,
 Mr. Chandler,
 Mr. Peters.

And so it passed in the affirmative.

ORDERED, That the Report be received; and it was thereupon

RESOLVED, That the further consideration of the said Bill be postponed until the next Session of the Legislature.

A Message was brought from the Assembly by Mr. Hill, that the Assembly had agreed to the amendments made by this House to the Bill to regulate the Survey and Exportation of Lumber.

A Message was brought from the Assembly by Mr. Payne, with a Bill to prevent malicious injuries to Nets and Lines set for taking Fish in this Province, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the same be read a second time.

The said Bill was read a second time.

ORDERED, That the Twenty third Rule of this House be further dispensed with, as regards this Bill, and that the House be put into a Committee of the whole presently, to take the said Bill into consideration.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

The Honorable Mr. Cunard, a Member of Her Majesty's Executive Council, by command of His Excellency the Lieutenant Governor, lays before the House—

A copy of the Blue Book made up for the year 1844.

ORDERED, That the same do lie on the Table.

The Honorable Mr. Botsford, from the Joint Committee of the Legislative Council and Assembly, appointed to prepare an Address to Her Majesty upon the subject of the Post Office Department in this Province, reported a Draft thereof, which he read in his place.

ORDERED, That the Report be received, and that the House be put into a Committee of the whole to-morrow to take the same into consideration.

The Honorable Mr. Johnston, by leave, presented a Petition from James Kirk, John Duncan, F. A. Wiggins, and thirty other inhabitants of the City of Saint John, praying an Act may pass to enable them and their associates to be incorporated, for the purpose of lighting the Public Streets, as well as private dwellings and places of business, with Gas.

ORDERED, That the said Petition be received and lie on the Table.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to protect the grounds and enclosures around the Province Buildings in Fredericton.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommend the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time to-morrow.

Adjourned until To-morrow at 11 o'clock.

FRIDAY, 11th April, 1845.

PRESENT :

THE HON.

Mr. Black, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Street,
Mr. Hatch,
Mr. Johnston,
Mr. Peters.*

*Mr. Cunard,
Mr. Botsford,
Mr. Chandler,
Mr. Robertson,
Mr. Kinnear,
Mr. Owen,*

PRAYERS.

Pursuant to the Order of the Day, the following Bills were severally read a third time and passed :—

A Bill to protect the grounds and enclosures around the Province Buildings in Fredericton : and

A

A Bill to prevent malicious injuries to Nets and Seines set for taking Fish in this Province.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to these Bills without any amendment.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill relating to the Election of Representatives to serve in the General Assembly.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, they had made certain amendments thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follow :—

At A in Section I. expunge the word “Freeholders,” and insert the word “Electors.”

At B insert the words “and in the other Districts for the said County in the said Act mentioned, the term ‘Freeholders’ shall extend and be applied to all persons entitled to vote within the said Districts.”

At C in Section V. insert the words “and for which default or offence no specific penalty is provided in the said recited Act.”

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill as amended read a third time this day.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Joint and Humble Address of this House and the House of Assembly to Her Majesty upon the subject of the Post Office Department in this Province.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Joint Address, and had agreed thereto, and recommended the same to the adoption of the House.

ORDERED, That the Report be received.

The said Address being read, was agreed to by the House, and is as follows :—

“To the Queen’s Most Excellent Majesty.

“The Joint and Humble Address of Her Majesty’s Legislative Council and House of Assembly of the Province of New Brunswick, in General Assembly convened.

“MAY IT PLEASE YOUR MAJESTY,

“We, the Legislative Council and Assembly of New Brunswick, in Provincial Parliament assembled, beg leave to approach Your Majesty with feelings of the most devoted attachment to Your Majesty’s Person and Government.

“The

“The object of this our Humble and Dutiful Address, is to bring under Your Majesty’s Most Gracious consideration, the present inefficient and unsatisfactory state of the Post Office Department in this Province, with a view to obtain such improvements as may be practicable in its future management.

“We regret to inform Your Majesty, that very general dissatisfaction exists throughout the Province, with regard to this Department, as well on account of the high rates of Postage established by the Treasury Warrant of October, 1843, as from the recent increase of the expenses of management, and the diminished accommodation latterly afforded to the People of the Province.

“By the Accounts of Income and Expenditure laid before the Assembly in 1844, it appears that the amount of Salaries for the two years ending fifth January, 1843, was as follows :—

For the year ending fifth January, 1842,.....	£1,211	15	7
For the year ending fifth January, 1843,.....	1,289	1	6

“And by the Return laid before the Assembly at the present Session, it is shewn that the amount of Salaries for the year ending fifth January last, was £2,580 13 8; from which it will manifestly appear to Your Majesty, that under the system introduced in July, 1843, the Salaries and Allowances to Officers have more than doubled; and when we inform Your Majesty that the number of Mails has, during the same time, been materially reduced, and the Postages in several instances increased, Your Majesty will, we humbly conceive, graciously admit that we have abundant cause to complain of the present management of the Department in this Province.

“By the recent abandonment of some of the Lines, many of the oldest and most cultivated Districts of the Province are now left without any Post Office accommodation; and for the purpose of affording partial relief to those and other Districts, we have, during the present Session, appropriated upwards of £600 towards the support of sixteen additional Couriers and Packets in various parts of the Province for the present year.

“Whether any Surplus Revenue has been collected since the half year ending the fifth July, 1843, we are not informed; but by the Returns laid before the Assembly at the last Session, it appeared that there was a Surplus on the two and a half years ending July, 1843, of £4,856, and we humbly submit to Your Majesty, that such Surplus as may from time to time accrue, should not be expended out of the Province, but applied towards the establishment of additional Lines of Post Communication.

“The present high rates of Letter Postage, and the tax upon Printed Papers, are considered so onerous, that not only is a large amount of correspondence altogether prevented, but every opportunity by private conveyance is resorted to, and thus is the Law habitually and generally violated, and that with impunity; and we are therefore unanimously of opinion, that if the Letter Postage were reduced one half, the income of the Department would, in a short time, be much larger than at present.

“The Provincial Legislature, during the last ten years, have expended over £145,000 on the Great Roads of Communication within the Province, which has contributed very materially to reduce the rates of Contract for Mail carriage, and it is therefore the more unsatisfactory to the Provincial Public, that less accommodation should be now afforded by the Department than in former years; and the general dissatisfaction

is much increased by the fact, that the reduction of Public accommodation has been accompanied by a concurrent increase of Salaries ; and we humbly represent to Your Majesty, that a much larger amount of Revenue is absorbed by the Salaries of the present Officers, than is required for the efficient management of the Department.

“ The Policy of Your Majesty’s Government in reducing the Rates of Postage in the Mother Country, has recently been adopted in the United States. By an enactment of Congress the Rates of Postage in that Country have been reduced on single Letters not exceeding half an ounce, to five and ten cents, as the distance may be under or over three hundred miles, to take effect from the first day of July next ; and as we are deeply impressed with the importance of extending the advantages of Post Communications throughout the remotest Settlements of this Province, we respectfully submit, that a very considerable reduction of Rates, and the establishment of additional Lines, are absolutely necessary for the beneficial attainment of this desirable end.

“ Admitting the absolute necessity of preserving the Metropolitan control of the Department, we do not venture to ask for a transfer of such control to the Provincial Government, but we humbly and earnestly submit the following propositions for Your Majesty’s Most Gracious consideration :—

“ 1st.—That the Rates of Provincial Postage be reduced on Letters not exceeding half an ounce to a maximum of six pence, and a minimum of two pence, according to the distance.

“ 2d.—That the Postage on Printed Votes and Newspapers be abolished.

“ 3d.—That the Deputy Post Master General of the Province shall, from time to time, under the direction of the Post Master General, establish such additional Lines of Communication as may be suggested by the Provincial Legislature.

“ 4th.—That a full and particular Account of Income and Expenditure be annually laid before the Legislature by the Deputy Post Master General.

“ 5th.—That any Surplus Revenue collected within the Province, after appropriating such sums as may be required to keep up those proportions of the great Lines of Communication between Nova Scotia and Canada, and between Nova Scotia and the United States, which lie within this Province, and to maintain an efficient Establishment here, may be applied in extending the facilities of inter Provincial Communication.

“ 6th.—That in consideration of the foregoing propositions being acceded to by Your Majesty, the Legislature of this Province should guarantee by Legislative Enactment for a term of years, such additional sum of money as may from time to time be required to defray the current charges of the Department.

“ We therefore, in behalf of Your Majesty’s Loyal Subjects, the Inhabitants of this Province, confidently submit this our Humble and Dutiful Address to Your Majesty’s Gracious consideration, and we earnestly and respectfully pray Your Majesty to grant such relief in the premises, as the exigency of the case may require, and as to Your Majesty may seem meet.

“ And as in duty bound will ever pray.”

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the said Address.

A Message was brought from the Assembly by Mr. Jordan, that the Assembly had agreed to the Bill sent down from this House, intituled "An Act to authorize the Sale of certain Lands in the County of York, commonly called the Hermitage, lately belonging to the Honorable William F. Odell, deceased, and to regulate the disposal of the proceeds thereof."

A Message was brought from the Assembly by Mr. Hill, with a Bill relating to the Collectors of Parish and County Rates, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the said Bill be read a second time.

The said Bill was read a second time.

ORDERED, That the Twenty third Rule of this House be further dispensed with, as regards this Bill, and that the House be put into a Committee of the whole presently, to take the said Bill into consideration.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same without amendment to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time presently.

The said Bill was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill without any amendment.

A Message was brought from the Assembly by Mr. Payne, with a Bill to incorporate the Saint John Gas Light Company, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the said Bill be read a second time.

The said Bill was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon Bills relating to Corporations.

A Message was brought from the Assembly by Mr. Brown, with a Bill to provide for opening and repairing Roads and erecting Bridges throughout the Province, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the same be read a second time.

The said Bill was read a second time.

ORDERED, That the Twenty third Rule of this House be further dispensed with, as regards this Bill, and that the House be put into a Committee of the whole presently, to take the said Bill into consideration.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The

The Chairman reported, that the Committee had gone through the Bill, and recommended the same to the adoption of the House.

ORDERED, That the Report be received, and that the said Bill be read a third time. The said Bill was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill.

On motion—

The Bill relating to the Election of Representatives to serve in the General Assembly, as amended, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to this Bill with amendments, to which they desire the concurrence of the Assembly.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

The same was then read by the Clerk, as follows :—

The Committee to whom were referred all Bills relating to Corporations, beg leave to report, that they have had under their consideration a “ Bill to incorporate the Saint John Gas Light Company ;” that they have prepared certain amendments to the same, which they recommend to the favorable consideration of the House.

Committee Room, 11th April, 1845.

A. E. BOTSFORD, *Chairman.*

ORDERED, That the Twenty third Rule of this House be dispensed with, as regards this Bill, and that the House be put into a Committee of the whole presently, to take the said Bill, and the Report of the Select Committee thereon, into consideration.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, they had made certain amendments thereto, and recommended the Bill as amended to the adoption of the House.

ORDERED, That the Report be received.

The said amendments were then read by the Clerk, as follow :—

At A in Section I. insert the words “ for the purpose of lighting the City of Saint John and its vicinity with Gas, and for all necessary works therewith connected.”

At B in Section XIII. insert the words “ provided that nothing in this Act contained shall be construed to authorize such Corporation to injure or interfere with the excavations or works of the Saint John Water Company, without the consent of such Company first had in writing.”

At C in Section XVI. insert the words “ for each and every offence.”

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House.

ORDERED, That they be engrossed, and the Bill as amended read a third time presently.

The said Bill, as amended, was read a third time and passed.

ORDERED,

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the said Bill with amendments, to which they desire the concurrence of the Assembly.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill relating to Mill Reserves.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended that the further consideration thereof be postponed for three months.

ORDERED, That the Report be received ; and it was thereupon

RESOLVED, That the further consideration of the said Bill be postponed for three months.

The Select Committee appointed to examine the Contingencies of this House, beg leave to report that they have attended to that duty, and find that they amount to the sum of six hundred and fourteen pounds thirteen shillings and three pence ; the several Accounts forming this aggregate are satisfactory, and they recommend the same to be allowed. Respectfully submitted.

JO. CUNARD, *Chairman.*

RESOLVED, That the Contingent Expenses of this House for the present Session amount to the sum of six hundred and fourteen pounds thirteen shillings and three pence.

On motion made and seconded—

RESOLVED, That in pursuance of the Report of the Select Committee of this House, to whom was referred the subject of reporting the Debates, made on the eleventh of April, 1843, it be referred to the Joint Committee of the Legislative Library to make the necessary arrangements for securing a competent Reporter for each House for the next Session of the General Assembly.

DISSENTIET—

To the Resolution of Appropriation granting to the Honorable Thomas Baillie, Surveyor General, the sum of one hundred and fifty pounds for extra services in preparing a Map of the Province, and his Report on the Boundary Line between Canada and New Brunswick :

Because the interference of either or both Branches of the Assembly with the patronage and pecuniary grants to the Servants of the Executive Branch of the Government, such interference not being authorized or approved by the Government, is calculated to seduce such Servants from a proper and immediate subordination to, and dependence on the Executive Government only, and thus to lead to confusion and disorder ; and such Servants being induced to look to other sources of profit and honor, to arise from a performance of their duties, than to the Government whose Servants they are, without the approbation and recommendation of the said Government, is calculated to bring the Executive Government into disregard, and to impair its influence, power and authority over its own Servants, and thus to diminish its ability to administer the Government with effect. W. F. W. OWEN.

Adjourned until To-morrow at 12 o'clock.

SATURDAY,

SATURDAY, 12th April, 1845.

PRESENT :

THE HON.

Mr. Bluck, President.

*Mr. Shore,
Mr. Saunders,
Mr. Attorney General,
Mr. Robertson,
Mr. Owen,*

*Mr. Cunard,
Mr. Botsford,
Mr. Street,
Mr. Hatch,
Mr. Peters.*

PRAYERS.

A Message was brought from the Assembly by Mr. Payne, that the Assembly had agreed to the amendments made by this House to the Bill to incorporate the Saint John Gas Light Company ; and with the following Resolution :—

“ House of Assembly, 11th April, 1845.

“ Resolved, That a Committee be appointed to acquaint the Legislative Council that this House have agreed to the Joint Address to Her Majesty upon the subject of the Post Office Department.

“ CHAS. P. WETMORE, Clerk.”

RESOLVED, That the Honorable Mr. Botsford be a Committee, with such Committee as the House of Assembly shall appoint, to wait upon His Excellency the Lieutenant Governor with the Joint Address to Her Majesty upon the subject of the Post Office Department, and request that he will be pleased to transmit the same to be laid at the Foot of the Throne.

ORDERED, That the Master in Chancery do go down to the Assembly, and communicate this Resolution.

A Message was brought from the Assembly by Mr. Fisher, that the Assembly had agreed to the amendments made by this House to the Bill relating to the Election of Representatives to serve in the General Assembly.

A Message was brought from the Assembly by Mr. Wark, with the following Resolution :—

“ House of Assembly, 12th April, 1845.

“ Resolved, That Mr. Wilmot and Mr. Wark be a Committee on the part of this House, to join the Committee appointed by the Legislative Council, to wait upon His Excellency the Lieutenant Governor with the Address to Her Most Gracious Majesty upon the subject of the Post Office Department in this Province.

“ CHAS. P. WETMORE, Clerk.”

A Message was brought from the Assembly by Mr. Payne, with the following Resolutions of Appropriation, dated the fifth day of April, to which they desire the concurrence of this House :—

“ Resolved, That there be granted

“ To the Postmaster at Fredericton, the sum of three hundred and thirty four pounds nineteen shillings and ten pence, being the amount of Postages of the Legislature during the present Session :

“To the Clerk of the House of Assembly the sum of two thousand two hundred and forty five pounds eleven shillings and seven pence, being the Contingencies of the present Session.”

The said Resolutions being read, were concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House thereof.

The Honorable Mr. Botsford, from the Joint Committee of the Legislative Council and Assembly, appointed to wait upon His Excellency the Lieutenant Governor with their Joint Address to Her Majesty on the subject of the Post Office Department, reported that the Committee had attended to that duty, and that His Excellency was pleased to say, that the wishes of the Houses should be forthwith complied with.

A Message was brought from the Assembly by Mr. Payne, with a Bill to appropriate a part of the Public Revenue for the Services therein mentioned, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the Twenty third Rule of this House be dispensed with. as regards this Bill, and that the said Bill be read a second time.

The said Bill was read a second time.

ORDERED, That the House be put into a Committee of the whole on Monday next, to take the said Bill into consideration.

Adjourned until Monday next at 11 o'clock.

MONDAY, 14th April, 1845.

PRESENT :

THE HON.

Mr. Black, President.

Mr. Shore,

Mr. Cunard,

Mr. Saunders,

Mr. Botsford,

Mr. Attorney General,

Mr. Street,

Mr. Owen,

Mr. Peters.

PRAYERS.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to appropriate a part of the Public Revenue for the Services therein mentioned.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same to the adoption of the House.

ORDERED, That the Report be received, and the Bill be read a third time.

The said Bill was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the said Bill.

The

The House adjourned during pleasure.

After some time the House resumed.

His Excellency the Lieutenant Governor came to the Council Chamber, and being seated in the Chair on the Throne, the Honorable the President commanded the Gentleman Usher of the Black Rod to let the Assembly know—"It is His Excellency's pleasure they attend him immediately in this House."

The House attended accordingly.

His Excellency then gave his assent to the following Bills, intituled—

An Act to appropriate a part of the Public Revenue for the payment of the Ordinary Services of the Province :

An Act to appropriate a part of the Public Revenue for the Services therein mentioned :

An Act to provide for opening and repairing Roads and erecting Bridges throughout the Province :

An Act to amend the Act to regulate Sales by Public Auction :

An Act to repeal an Act, intituled "An Act to amend an Act to provide for maintaining Light Houses in the Bay of Fundy," and to substitute other enactments in lieu thereof :

An Act to incorporate the Fredericton Society of Saint Andrew :

An Act to continue and amend the Act to incorporate the Arestook Boom Company :

An Act further to amend the Law relating to Bankruptcy :

An Act to amend the Act to incorporate the Fredericton Boom Company :

An Act to extend the provisions of an Act, intituled "An Act to repeal the Laws now in force for appointing Firewards and for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned," to the Town of Bathurst, in the County of Gloucester :

An Act to authorize the extension of the Gaol Limits in the County of Gloucester :

An Act to explain and amend the Act to afford relief to persons unfortunate in business in certain cases :

An Act to amend an Act to repeal an Act, intituled "An Act to provide for the greater safety of Passengers on board Steam Boats, and to make further provision in lieu thereof:"

An Act further to continue the Acts relating to Parish Schools :

An Act to make provision for the regulation of Seamen shipped on board of or belonging to all Ships or Vessels registered in or belonging to the Province of New Brunswick, while such Ships or Vessels shall be within the precincts thereof :

An Act to revive the Act relating to the inspection of Fish for Home Consumption and Exportation :

An Act to regulate the Survey and Exportation of Lumber :

An Act to protect the grounds and enclosures around the Province Buildings in Fredericton :

An Act to prevent malicious injuries to Nets and Seines set for taking Fish in this Province :

An

An Act relating to the Collectors of Parish and County Rates :

An Act to incorporate the Saint John Gas Light Company :

An Act to authorize a return of Duties in certain cases, (*with a suspending clause*) :

An Act to revive and continue an Act for the Naturalization of Aliens in this Province, (*with a suspending clause*) :

An Act to increase the Representation of the County of Northumberland, (*with a suspending clause*) :

An Act to authorize the Sale of certain Lands in the County of York, commonly called the Hermitage, lately belonging to the Honorable William F. Odell, deceased, and to regulate the disposal of the proceeds thereof, (*with a suspending clause*) : and

An Act relating to the Election of Representatives to serve in the General Assembly, (*with a suspending clause*.)

His Excellency was then pleased to deliver the following Speech :—

“ Mr. President, and Honorable Gentlemen of the Legislative Council,

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

“ The Public business having been brought to a termination, I am glad to be able to release you from your further attendance.

“ I congratulate you on the accomplishment of some measures of importance which I had recommended to you at the commencement of the Session.

“ The Acts to facilitate the opening, by Her Majesty’s Government, of a great Line of Communication through these Provinces, and the provision made for improving the Post Communications and the Navigation of the River Saint John, will stimulate, as I hope, the enterprise of the people, and prove an earnest to them that the Legislature has not overlooked their convenience, and the means by which the resources of the Province may most effectually be developed.

“ In accordance with the instructions I have received, no time will be lost in promoting the settlement of the Lands, contiguous to the new Line of Road which has been surveyed by direction of Her Majesty’s Government.

“ I regret that the measures so urgently required for the improvement of the Parish Schools, and to remedy the defects of the existing Laws relating to them, have not been accomplished in the present year. I comprehend the difficulties in legislating on this vitally important subject, and I anticipate from the publication of the Reports of the Inspectors, that the diffusion of accurate information regarding their condition, will dispose the Public mind for the reception of an improved system. It is unfortunate, however, that any delay should occur in forming a Model Establishment for the training of Teachers on those principles which are now so generally recognized in elementary Schools, and without which the application of an effectual remedy for acknowledged defects will, I apprehend, be found impracticable.

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

“ I thank you for the Supplies which you have granted. It will be my care to protect the Public Interests, in their due application to the services for which they are intended, and by proper regulations to ensure efficiency and integrity in the Public Departments and Officers who may be entrusted with the expenditure of Public Monies.

“ Mr.

*“ Mr. President, and Honorable Gentlemen of the Legislative Council,
“ Mr. Speaker, and Gentlemen of the House of Assembly,*

“ The discussions which have arisen in the course of the Session, and which have engrossed so much of your attention, will not have been unproductive of advantage, if they should lead to a just appreciation of the true principles of the Constitution, in their application to the Government of the Colonies.

“ To all who venerate that Constitution, and desire to preserve it in these distant parts of Her Majesty’s Dominions, the authority of the Crown cannot be a matter of indifference; and those who entertain the truest regard for the liberties of the People, would be the first to lament any departure from those settled rules and prescribed limitations within which it is constitutionally and responsibly exercised.

“ I am well aware that the people of this Province have ever been distinguished for that spirit of devoted Loyalty which springs from a cherished regard for the Institutions of our Common Country; and as it is our duty, in our several stations, to strengthen and confirm this feeling, I invite you, in returning to your homes, to lose no opportunity of impressing them with a just sense of Her Majesty’s benevolent desire for their welfare, and the advantage to themselves of continuing to cultivate that habitual respect for the Laws and constituted Authorities of the State, which characterize Men and Communities who respect their own rights, and who, appreciating the blessings which under Providence they have acquired, would transmit them unimpaired to their posterity.”

After which, the President of the Council, the Honorable Mr. Black, by His Excellency’s command, declared the General Assembly to be prorogued until the last Tuesday in June next.

WILL. TYNG PETERS, *Clerk.*



APPENDIX.

No. 1.

[See Journal 7th February, 1845.]

(Copy)

EIGHTH ANNUAL REPORT OF THE PHYSICIAN AND SUPERINTENDENT OF THE PROVINCIAL LUNATIC ASYLUM.

MAY IT PLEASE YOUR EXCELLENCY,

Agreeably to the course which I have followed since the establishment of the Lunatic Asylum, of giving a general view of the Institution and of its results annually, I beg leave respectfully to report for Your Excellency's information, that during the year just closed there have been under treatment in the Asylum 116 Patients—72 of which are males, and 44 females. Of this number, 56 were in the Asylum at the commencement of the year, and 60 were admitted during the year. There have been during the same period dismissed—

	Males.	Females.	Total.
Cured,	22	9	31
Much improved,	6	1	7
Died,	5	4	9
Remaining 31st Dec. 1844;	39	30	69
Total,	72	44	116

Daily average number of Patients, 59.

The following is a list of the persons who died in the Asylum, with the diseases which proved fatal :—

	Age.	
John Lyle,	60,	Apoplexy.
Dennis Carrol,	50,	Do.
Jane Thomas,	45,	Cancer of Womb.
Ann Clarke,	52,	Consumption.
Mary Kinnear,	51,	Chronic Dysentry.
Isaac Miller,	75,	Do.
Charles Henderson,	16,	Purpura after Measles.
James Mullen,	36,	Disease of Heart.
Mary Cunningham,	63,	Exhaustion.

The

The propensity to commit suicide existed in five cases, and two of them have required the most watchful care, day and night. Three had made unsuccessful attempts upon their lives previously to admission; and one patient, who is still in the Asylum, has exhibited the most determined perseverance and also the greatest ingenuity to accomplish the deed; but I am happy to say that not a single instance has yet occurred in the Establishment, owing to the vigilant measures taken to prevent it.

The number of Patients discharged cured, in proportion to the whole number in the Asylum, will bear a fair comparison with most institutions of the kind; and it must be borne in mind, that we at present labour under every disadvantage. In the first place, we have up to the present moment been the receptacle of all the old incurable cases in the Province; many admitted within a few months are of ten and fifteen years standing; such cases are of course incurable, and will remain on our list of Patients till discharged as dead; and it must further be remembered that we have none of the advantages of other more favored institutions; here we are confined within the limits of a few town lots, which do not permit but partially of either amusement or occupation for the treatment of a malady, which, of all others, requires these indispensable requisites for its proper treatment; it is true, we make work, as it may be called, to occupy the minds and bodies of our Patients, so as in some measure to direct their thoughts from their hallucinations; but no man will apply himself with energy to a task which, at first sight, he can observe is unprofitable, and no persons are more alive to every consideration of this kind than most Lunatics.

We have had for some months a Shoemaker on our list, who makes all the shoes required for the inmates, and also a Tinsmith, who has manufactured for us a great deal of tin ware; indeed, whenever we get a mechanic, we turn his services to account, for the benefit of the institution, and by so doing, we accelerate his recovery and discharge.

The building, at present occupied as a Lunatic Asylum, is now full, it can hold no more, and the time has arrived when, as a matter of necessity, accommodations must be furnished for the Lunatics by the Province; but as this subject will come before Your Excellency in another Report, it is unnecessary for me to say anything here about it, but remain

Your Excellency's most obedient servant,

(Signed)

GEORGE P. PETERS, M. D.

Saint John, 1st January, 1845.

To His Excellency Sir W. M. COLEBROOKE, Lieut. Governor.

(Copy)

To His Excellency Sir William M. G. Colebrooke, K. H. Lieutenant Governor, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

In compliance with a request conveyed to us through the Provincial Secretary's Office, by direction of Your Excellency in Council, to report upon such localities in the vicinity of Fredericton as would be eligible for the erection of a Lunatic Assylum, we have the honor to submit the following as the result of our enquiries for Your Excellency's consideration.

Out

Out of numerous places that might be made available, we have selected a few for the most desirable, viz:—

No. 1.—A lot of Land belonging to Bartlett Rainsford, Esquire, situate in the Parish of Kingsclear, about two and a half miles from the Town of Fredericton, on the southern side of the Great Road to Woodstock. It is bounded in front by the said Road, is forty four rods wide, and runs back to the old Kingsclear Road, which makes it accessible in two directions. It is estimated to contain about twenty two acres, eight of which are Meadow Land, and the remainder may easily be brought into cultivation. It is well watered, both by springs and a rivulet; and there are a number of trees of a good growth upon it, that would afford shade to the inmates of an Asylum when taking exercise. There are also good building stones upon it. This Lot may be purchased at the rate of twelve pounds per acre; the proprietor reserving to himself a strip four rods wide at the upper line, to enable him to have access to the Woodstock Road, and he will yield up a right of way from the said Road to the River, (a distance of twenty rods.)

The situation of this is good on many accounts. It possesses a genial aspect, is sufficiently elevated to give a free circulation of air in warm weather, and is quit near enough to the River Saint John to derive all the benefit from its cooling influence. The distance from Fredericton is such as to afford every facility in obtaining the necessary supplies, and to render it quiet and retired for the Patients.

No. 2.—Part of a lot of Land in the grant to John Day, situate in the Parish of Kingsclear, about two miles and a quarter above Fredericton, fronting on the River Saint John, with the Great Road to Canada passing through it; containing about thirty or forty acres, and extending from the River to the old Kingsclear Road. Nearly the whole of this is arable Land with two Cottages and a Barn upon it, (one of the Cottages have been recently built). The price is three hundred pounds. If required, a further portion of the said Lot may be obtained, lying immediately in the rear, fronting on the old Kingsclear Road, and extending back to the Hanwell or Saint Andrews Road, the front of which is arable, with a considerable portion of pasturing and wilderness in the rear, containing about sixty or seventy acres; the price of which is two hundred pounds. This Lot adjoins No. 1. on the South East side, and possesses all the advantages already enumerated, with this difference, that it commands the whole River front instead of merely a right of way thereto.

No. 3.—A lot of Land belonging to E. W. Miller, Esquire, situate in the Parish of Fredericton, at the top of the Maryland Hill. It contains twenty three acres, eighteen of which are in a high state of cultivation, and the remaining five are in pasture; which pasture has some young evergreen trees upon it. There are springs and likewise stone on the Land.

The situation is very elevated, which would increase the circulation of air about it very materially. It is accessible at all seasons by the Maryland Road, and the distance from the Town is about one mile. There are two buildings (or small House and Barn) upon the premises, and the whole may be purchased for six hundred and fifty pounds.

No. 4.—A lot of Land situated upon the southern side of the Great Road to Saint John, about two miles from Fredericton, occupied by Mr. George Bailey, containing about eighty nine acres, twenty of which are under cultivation. This is also well

watered by springs, and has a never failing brook running across it, and emptying into Mill Creek, which forms part of the lower boundary of the Lot. There is a piece of table Land on the rising ground well adapted for a building spot. There is also a small House and Barn upon the premises, and plenty of good building stone, likewise an extensive growth of wood fit for fuel. It is situated close to the Bank of the River Saint John, and is sufficiently retired for a Lunatic Asylum. It may be purchased for five hundred pounds.

With regard to the comparative advantage of these localities over other parts of the Province, we may state that Fredericton is in a very central position, being nearly equi-distant from Saint John, Saint Andrews and Woodstock, and is accessible at all seasons of the year ; which circumstances render it a very desirable situation for a Lunatic Asylum. It has also an advantage in being the Seat of Government, where such an Establishment could be inspected during the sitting of the Legislature, as well as at all other times.

The climate is exceedingly healthy, quite as much so as any part of the Country, and much more so than Saint John or its vicinity, not being subject to any of the depressing and unhealthy fogs to which that section of the Province is liable at many seasons, nor to the damp atmosphere so prevalent there in Winter. Moreover the general aspect of the surrounding Country is at all times much more cheerful, which is a point well worthy of consideration.

Saint John is likewise the most densely populated section of the Province, it is therefore but reasonable to suppose that the greatest number of Patients for the Asylum would come from that quarter ; and as it is the opinion of the Medical Profession in general, that it is positively necessary for persons afflicted with Lunacy to be removed not only from their associates, but also from their customary haunts and usual occupations, to such a distance and change of climate as would leave no trace of former scenes for the mind to dwell upon, we can recommend Fredericton as possessing a decided advantage in those particulars over any site in that neighbourhood. The utmost degree of heat to which Fredericton is subject in the Summer months, is not so great as to prove detrimental to the inmates of the Asylum ; it is likewise of very short duration ; and the atmosphere being perfectly dry, and constantly tempered with cooling breezes, deprive it of every thing of an unhealthy nature.

Besides being open to communications from all points for the reception of Patients, Fredericton is a Mercantile Town, with a good Market, where supplies of every description may be procured at a moderate price, and could be conveyed to any of the above named places at a trifling expense ; wood, also, as an article of fuel, could be obtained for the use of the Establishment more readily, and at a much cheaper rate than in most other Districts ;—all of which are advantages that few if any other localities in the Province possess.

We have the honor to be

Your Excellency's most obedient servants,

(Signed)

G. M. ODELL, M. D.
J. B. TOLDERVEY, M. D.
B. WOLHAUPTER.

(Copy)

(Copy)

Saint John, January, 1845.

SIR,—We have the honor to acknowledge the receipt of Letter of the 9th ultimo, from the late Mr. Secretary Odell, requesting us to Report for the information of the Government what eligible sites can be obtained in the neighbourhood of Saint John for a Lunatic Asylum, specifying the number of acres, whether improved or not, and the price, and also the advantages, if any, which such situation may possess over other parts of the Province; and in reply, we beg leave to submit that we have examined one site on the Kennebecasis River, about five miles from the City, which is so peculiarly well adapted for the location of a Lunatic Asylum that we have thought it unnecessary to extend our observations.

This spot has a most commanding view, and is not surpassed in the beauty of the scenery by any part of the Province; it is convenient to the High Road and yet inaccessible from it except at one point, in consequence of a barrier being formed by a high hill of Limestone on one side, and its being surrounded with the water on the other two, so that a great deal of expense would be saved in fencing; the water is so bold that the Patients might have the benefit of bathing, and Vessels could discharge on the ground any bulky articles required either for the building or future use of the Establishment.

The quantity of Land offered is about 250 acres, about 140 of which are cleared, and about half of it under cultivation, the remainder is covered with wood fit for fuel. There are on the ground a large House sufficiently good for the accommodation of the Lunatics who would be employed in digging the foundation and laying out and improving the grounds, and also two large Barns, one of them a little out of repair, there is besides a Lime Kiln and an inexhaustible supply of Lime and Coal.

The Land itself is of a description which is easily worked. The price asked for this Farm is £800, and we have no hesitation in adding that we think it well worth the money merely as a Farm; but when we consider it as a site for a Lunatic Asylum we think it a most desirable purchase, because it affords advantages which no other situation in the Province can offer, and these may be briefly stated under the following heads; firstly, the scenery; secondly, climate; third, bathing; fourth, accessibility at all seasons; fifth, convenience to a good market; sixth, facility of obtaining manure for all farming purposes without the necessity of keeping a large stock.

Firstly—the Scenery.—The varied and extensive view which presents itself to the eye on opening upon the Kennebecasis by the Road from Saint John, must be familiar to almost every person acquainted with the localities of this Province; and it is of immense importance in selecting a site for a Lunatic Asylum, to choose one which embraces, like that in contemplation, the advantages of a beautiful River scenery and proximity to the High Road. Here the unfortunate Lunatics, while free from the molestations of the curious and inquisitive, can enjoy all the liberty consistent with their safe keeping, while at the same time they have the benefit of extensive grounds to range over, and every amusement and occupation calculated to lighten their confinement, employ their minds, and promote their recovery.

Secondly—The Climate.—This site is sufficiently removed from the sea to make it rarely visited by the Bay of Fundy fogs, while at the same time it is also near enough the sea to escape the cold land or fresh water fogs, which make the nights and mornings

mornings of the Autumn in the neighbourhood of the Rivers in this Province so cold and unpleasant. It is besides free from the scorching heat which renders the interior of the Province so oppressive during a portion of the Summer months.

Thirdly—Bathing.—This healthful and delightful recreation is afforded here at any hour of the day, in consequence of the little flood and ebb of the tide, and during the bathing season the water is sufficiently cold and salt for that purpose.

Fourthly.—It need scarcely be added that it is accessible at all seasons of the year, and being in the neighbourhood of Saint John, where the large proportion of Lunatics have been and must always continue to be found, owing to the great influx of Emigrants, the large population, *and the existence of these causes which more immediately tend to the production of Insanity*, great saving would be effected in the transport of the Lunatics.

The following Table will shew the number of Lunatics in the Asylum during the present year, with the name of the County from which they were sent to the Asylum:—

Saint John,	60	Kent,	3
Charlotte,	16	Restigouche,	1
York,	10	Queen's,	1
Westmorland,	10	Sunbury,	1
Carleton,	6	Northumberland,	1
King's,	6	Gloucester,	1

Of the above number 37 only are natives of the Province.

Fifthly.—Convenience to a good market is absolutely necessary, both for obtaining the requisite supplies for the establishment, and for the disposal of the produce of the farm and gardens. There are at present confined in the Lunatic Asylum 70 patients, 40 men and 30 women. Of the men 25 are fit for any Agricultural work. This amount of labour would keep at least six acres of garden ground in perfect order, independently of all necessary labour upon the farm; and any person acquainted with the profits derived from merely half an acre of good market garden in the neighbourhood of a large Town, can form a tolerable estimate of what the value of six acres well cultivated would be.

Sixthly.—The advantages of having a farm in such a situation that it can be constantly enriched by manure without the necessity of keeping a large stock, which frequently eats up all the profits of the labour, are too evident to need any comment. In Saint John manure can be purchased for 7½d. per load, and a great deal can be got for merely carting it away, and as it would not be desirable for many reasons to have a large stock about a Lunatic Asylum, it is most important in selecting a site to pitch upon some place where this indispensable requisite for all farming purposes can be obtained.

There are other reasons equally as important as the foregoing, which would seem to point out this site as the most eligible in the Province, on the score of economy alone; for instance, the laying in of all the supplies both for the consumption of the house and the clothing of the patients; the greater facility with which Keepers can be obtained; and last, though not least, the advantages of a watchful supervision, which could not be obtained by competent persons except in the immediate vicinity of a large town.

Believing

Believing most fully that His Excellency and the Legislature will concur with us in the opinion as to the advantages of the site selected, and for the purpose of saving time, we have submitted to a competent Architect a sketch of such a Building as we think requisite for the accommodation of about 100 Lunatics, and he has furnished us with a Plan by reference to which it will be seen to consist of a centre or main building of three stories, and two wings of two stories each; the former 100 feet in front and 50 feet deep, and the latter 88 feet in front and 40 feet deep; and in the event of this Plan being concurred in, we would humbly suggest the expediency of erecting the wings in the first instance, leaving the centre building to be completed afterwards. Our reasons for recommending this course to be adopted are, that the wings would give immediate accommodation to all the poor Lunatics at present in the Province, and as the brick can be furnished by the convicts in the Penitentiary at a small expense to the Province, they could be erected at a moderate cost. The main building, which is contemplated for the reception of a better description of patients, or those who can afford to pay for their care and keep, might be put up afterwards, as there is no such urgent necessity for its completion.

We also send a sketch of the property, by reference to which, its situation, with regard to the High Road and the Kennebecasis, will appear; it is surrounded by pink line.

We have the honor, &c.

(Signed)

GEORGE P. PETERS, M. D.
W. JACK,
JOHN WARD, JUN.

ALFRED READE, Esquire, Provincial Secretary, Fredericton.

(Copy)

Gagetown, 1st January, 1845.

SIR,—In answer to a Communication from the late Secretary of the Province, of the 9th November, by directions of His Excellency the Lieutenant Governor, requesting us to report, for the information of the Government, what sites in the County were most eligible for the erection of a Lunatic Asylum; at what prices they could be obtained; what number of acres cleared; and also what advantages it possesses over other parts of the Province:—We beg leave to report, that having given the matter our most mature consideration, and having visited the different sites in its vicinity, and communicated with the different proprietors of the premises, we are of opinion that two different sites might be selected in the immediate vicinity of Gagetown, as most eligible for that purpose, viz:—

A tract of Land, at present belonging to the Rector, Churchwardens and Vestry of Gagetown, situated in a most convenient part, a short distance back from the Court House, and not far removed from the waters of Gagetown Creek, having a most extensive and beautiful view of the river, lakes, and surrounding country, and of easy access. It is well watered, both by running streams and springs, with a soil equal, if not superior, to any part of the country. It possesses a fine elevated building site, well sheltered from the cold, with a southern exposure, and surrounded by evergreens; and with small trouble and expense, might be made a most suitable and interesting spot for the relief and comfort of this most afflicted class of patients. This situation is at present occupied by a tenant who has leased it from the Rector of the Parish

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during

during the past year, for a space of 21 years, and has erected upon it an habitation, with out-buildings, &c.; but his right may be secured by advancing him the sum of £150 to procure him another situation. We are of opinion that 100 acres might be obtained for that purpose, by an arrangement being made with the Rector, Churchwardens and Vestry during the ensuing Session, so that they may be allowed to dispose of it for the benefit of the Church, and vest either in other lands, which could be procured, of more value to the Church, or otherwise, as they may think proper; and which arrangement, we understand, under all the circumstances, they are willing to accede to. There are about 5 acres under tillage, and 15 more, that having been once cleared, might be again brought in, at small expense; it may be had at £2 10s. per acre.

The other site is situated about a mile below Gagetown, on the bank of the River, where 100 acres of excellent land can be obtained for the sum of £250; it has about 60 rods front on the river, where there are 20 acres under good cultivation, and it is well wooded in the rear. It has also a fine elevated building site, with an extensive view.

There is a Public Wharf at the mouth of Gagetown Creek, in conjunction with a good Road, shortly to be completed, which would facilitate the landing of patients, &c., at either of these places. As to the comparative advantages which Gagetown possesses, we would mention, that it occupies a most central part of the Province, with good Roads leading from all quarters. An extensive water communication, with a climate equal, if not more salubrious, than any other portion of the Province; and more generally free from infectious disorders, and such diseases as are brought from foreign parts, than many other sections of the country.

Its position is elevated, and so far removed from the sea, as to escape so much of the damp, foggy atmosphere, which is so deleterious to patients suffering under mental derangement, but not so removed but that it derives from this source the beneficial effects of its cooling influence in moderating the extreme heat which is so much more sensibly felt at other parts, more inland, and occupying a less elevated situation.

It is essentially an agricultural district, where supplies may be had at all times, in addition to which, there are two good and commodious Inns in the Village where the friends of Lunatics can be comfortably accommodated at all seasons.

All of which is respectfully submitted.

(Signed)

HARRY PETERS, SEN.
N. H. DEVEBER.

To ALFRED READE, Esquire, Provincial Secretary.

(Copy)

Sussex Vale, November 25, 1844.

SIR,—We have the honor to acknowledge the receipt of your communication of the 9th instant, requiring us, by direction of the Lieutenant Governor in Council, to report what eligible sites can be obtained in the neighbourhood of Sussex Vale for a Lunatic Asylum, &c. &c. &c., and having attended to that duty, we have the honor to transmit the following Report:—

The advantages that Sussex Vale offers over other parts of the Province are obvious, its exceedingly salubrious and healthy situation not being subject to the prevalence of any epidemics, entirely free from fog, and some degrees warmer than more northerly parts

parts of the Province. Its contiguity to the City of Saint John, being only forty six miles, on the Post Road to Halifax, having two places of Worship, two Hotels, a Post Office, being only two to three miles from the celebrated Salt Springs, which are well known to possess medicinal qualities, and the benefit of a resident Clergyman and Physician. Many public Roads radiate from thence, affording easy communication with other parts of the Province. The River Kennebecasis is navigable for Steam Boats about thirty miles from the City, and for Durham Boats the Spring and Fall the remaining distance to the Vale.

The Lands are peculiarly fertile, and an abundance of firewood ; and according to Doctor Gesner's Report, being in the vicinity of very extensive coal fields, and has also many eligible sites for a Lunatic Asylum.

No. 1.—Is a lot of Land containing eighteen acres, within one mile westward of the Church at the Vale ; the Land forming an angle on the Halifax and Ward's Creek Roads. On this Lot was formerly established the Indian Academy ; part of the building is now standing and in good repair. There is also a large new Barn on the premises. The situation is elevated and commanding, and there are numerous Water Springs, which may be made available for the uses of a Public Establishment. The Land is all in cultivation. The sum of £400 is asked.

No. 2.—A Lot immediately opposite to the former, lying to the northward of the main Road, has an elevated and southern aspect, and a desirable building site. The Land is rich, and all in cultivation, except a few acres under firewood, containing in the whole about forty acres. The sum of £300 is asked.

No. 3.—Is a valuable Farm, containing two hundred acres of very fertile Land, the greater part in cultivation, cuts one hundred tons of hay ; situation not so commanding as any of the former. If a large number of acres be required, this would prove a great acquisition to the last mentioned Lot. Price asked, £2,200.

No. 4.—A Farm of three hundred acres, cuts about one hundred tons hay ; the situation is commanding, and on the aforesaid Road, within a mile of the Church. £2,000 is asked.

No. 5.—On the aforesaid Road, one quarter of a mile eastward of the last mentioned, contains seven acres of cultivated land, has a small comfortable dwelling and barn thereon. The site is also elevated. Price asked, £175.

No. 6.—A Lot one mile southeast the Church on the old Cumberland Road, the new Road from the Vale to the City, by way of Loch Lomond, running through it ; about 20 acres fit for the plough. The situation is elevated, and gradually inclining to the south ; has a quarry of excellent building stone. The timber is young hard wood, fit for fuel ; the quality of the land superior and easily cleared, and if not too remote, is an eligible site ; contains 400 acres ; any part of the front will be sold for £4 per acre, or from front to rear for £3.

All of which is respectfully submitted.

(Signed)

A. C. EVANSON,
E. D. A. VAIL.

The Honorable WILLIAM F. ODELL, &c. &c. &c.

No. 2.

[See Journal 14th February, 1845.]

(Copy)

Saint John, 24th January, 1845.

SIR,—Having felt it to be my duty to draw the attention of His Excellency to the burthens inflicted upon the community, and to the misery endured by many unfortunate persons, from the continuance of imprisonment for debt, particularly small ones, and His Excellency having requested me to state my views, I now do so accordingly.

It must be, and is unnecessary to press the general inhumanity of this system; the whole of the reflecting part of the world allow it. In England the limit is £20 sterling, (£25 currency): in many of the States of America it is done away entirely: and I believe, though do not affirm, that the same is the case now in Canada; always with a bar for fraud.

Here we lose the labor of the party; have, too generally, to feed the party so confined, as they cannot be allowed to starve; and we open a door by which fraud, injustice and extortion enter, as will be shewn.

His Excellency will observe, by a Return from the High Sheriff, that during 1844, 124 persons were imprisoned for sums under 100s., and 20 of that number for £12 0 6, or 12s. on an average; and further, that one half the number lay the debt out in prison, at the rate of 1s. per day!

City Executions are satisfied under this species of torture at the rate of only 1s. per day; County Executions at 2s.: but while this process is going on, the very part of the community who grieve at the continuance, have to support the unfortunate man, who becomes degraded, his family despised and made reckless, and furious with all around them.

It is too common for seamen to be imprisoned on attachment for £2 or £5, and at the end of the fourteen days to find no one appear against them; they are then put in again, (having no possible chance of bail,) and the poor fellow is under the necessity of making the best bargain and sale of himself which he can, and goes to sea in such ship and on such terms as may be allowed to him.

When we pass up the scale of debts, there ought to be an alteration in the Law, as by the 6th W. 4th, c. 41, tools, apparel and bedding only can be exempted, to the extent of £15, but a chair, a cradle, and knife, plate or spoon are not allowed. How strange, that the law should protect the tools, but take into durance the hands which could, but is not allowed, to use them.

Much may be, has been, and will be said against imprisonment for debt, when the debt is large, as fraud may cover property; but it is not required that I should go into the subject. If imprisonment for £10, or even £7 10s. was done away, (not to have any retrospective operation,) I think the measure would give much satisfaction to the whole population, or with very few exceptions indeed, and it would be a God send to those who have few to plead for them.

If His Excellency introduced the subject into his Speech, it would in this way be insured the consideration of both Houses, and so elicit their views.

I have the honor to remain, Sir, your most obedient servant,

(Signed)

L. DONALDSON.

Schedule of Persons confined in the Gaol of the City and County of Saint John for Debts under £5, from 1st day of January, 1844, to 1st day of January, 1845.

Prisoners' Names.	At what Court.	Amount.	By whom discharged.	Remarks.
William Burns,	City,	£0 15 0	Time laid out.	
Charles Thompson,	do.	2 0 7	Limits.	
Barnard Doherty,	do.	4 11 11	Limits.	
Henry Blake,	do.	3 0 0	Cepi Corpus.	
Thomas Gray,	do.	3 0 0	Bail for his appearance.	
James Stinack,	do.	3 0 0	Ditto.	
Charles Higgins,	do.	3 0 0	Ditto.	
Thomas O'Neil,	Magistrate,	0 15 0	Debt and Costs paid.	January 25, 1844.
John G. Ray,	City Court,	0 15 0	Not charged in Execution.	
Patrick Kelly,	do.	3 11 7	Debt and Costs paid.	Taxes, Wm. O. Smith.
Peter M'Kenna,	do.	5 12 3	Limits.	
John P. M'Kay,	do.	3 18 6	Limits.	
Wm. E. DeVeber,	do.	1 17 11	Limits.	
Thomas Gard,	Alderman,	3 1 4	Satisfied.	Taxes, Wm. O. Smith.
Edward Roche,	do.	8 14 5	Henry Porter.	Taxes.
James G. Lester,	City,	2 6 5	Limits.	
Daniel Young,	do.	4 0 3	Plaintiff's order.	
Ewen Cameron,	do.	1 13 9	Limits.	
James S. Knowles,	do.	5 12 11	Limits.	
Matthew Hampton,	do.	2 2 6	Cepi Corpus.	
Wm. Murphy,	do.	2 6 3	Limits.	
Patrick Farrarun,	do.	2 10 3	Time laid out.	
Wm. E. Twynam,	do.	2 7 10	Limits.	
Alexander Beckitt,	do.	3 18 3	Cepi Corpus.	
William Jones,	do.	3 5 5	Cepi Corpus.	
Alexander Driscoll,	do.	2 1 4	Plaintiff's order.	
John Holder,	City Court,	0 10 0	By Plaintiff's order.	
Thomas Jones,	do.	1 3 6	Limits.	
Rober Lane,	do.	3 15 2	Time laid out.	
Matthew Hennigar,	do.	4 11 9	Cepi Corpus.	
John M'Kay,	do.	4 2 0	Limits.	
William Seely,	do.	1 14 0	Ditto.	
John G. Campbell,	do.	1 15 0	Ditto.	
James Craig,	do.	2 5 0	Ditto.	
Chas. Frederick,	do.	0 12 6	Time laid out.	
Denis Coleman,	do.	4 10 0	By Plaintiff's order.	
Denis Doherty,	do.	2 5 0	Ditto.	
James M'Donald,	do.	3 2 6	Ditto.	
Luicen Smith,	do.	2 10 0	Ditto.	
Joseph T. Williams,	do.	2 12 7	Ditto.	
Augustus Whitmore,	do.	2 3 6½	Time laid out.	
Peter Kennedy,	do.	0 13 9	Time laid out.	
Alexander Williams,	do.	0 10 0	By Plaintiff's order.	
Samuel M'Gowan,	Magistrate,	3 16 2	Ditto.	R. Payne, Esquire.
James Smith,	do.	5 7 6	Time laid out.	James Gallagher.
William Leighton,	City,	1 0 0	Plaintiff's order.	
Henry Anderson,	do.	0 12 6	Ditto.	

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Schedule

Schedule of Persons confined in the Gaol at Saint John.—Continued.

Prisoners' Names.	At what Court.	Amount.	By whom discharged.	Remarks.
Joseph Corum,	City,	£5 16 6	Limits.	
Alexander Jones,	do.	3 15 0	Cepi Corpus.	
Andrew Verge,	do.	1 11 6	Time laid out.	
James Ryan,	Alderman,	0 8 3	Time laid out.	Taxes, H. Porter.
John Daley,	do.	8 4 11	Limits.	Taxes.
Michael M'Ginly,	do.	1 17 11	Ditto.	Taxes.
William Ruddick,	City Court,	5 0 0	Cepi Corpus.	
John M'Farlaine,	do.	0 4 3	Time laid out.	
Barney Doherty,	do.	4 11 11	Limits.	
John E. Ganong,	do.	1 3 1	Ditto.	
Isaac Haux,	Magistrate,	1 4 6	Time laid out.	
James M'Tavish,	City Court,	2 19 0	Not charged in Execution.	
Bernard Doherty,	do.	3 12 5	Limits.	
Joseph Dixon,	do.	3 7 5	Not charged in Execution.	
John M'Cart,	do.	2 12 9	By Plaintiff.	
Joseph Dixon,	do.	3 11 8	Satisfied.	
John Short,	do.	1 10 0	By Plaintiff.	
John Bunting,	do.	1 1 3	Cepi Corpus.	
W. Snow,	do.	1 3 0	Not charged in Execution.	
Stephen Hector,	Magistrate,	1 18 1	Time laid out.	Jacob Allan, Esquire.
Thomas Moore,	do.	4 0 0	Not charged in Execution.	
Charles Vail,	Alderman,	1 5 0	Satisfied.	Taxes.
Joseph Jones,	City,	1 0 0	H. Porter, Esquire.	
William Jones,	do.	0 13 9	Ditto.	
John Shook,	do.	0 10 0	Ditto.	
John Blackwell,	do.	0 10 0	Ditto.	
Robert Carson,	do.	1 10 0	M'Gachy.	
Edward Brian,	do.	0 12 0	By Plaintiff's order.	
John Healy,	Magistrate,	5 0 1	Ditto.	
William Rafe,	City,	2 3 8	Limits.	
Michael Glancey,	do.	1 5 7	By Plaintiff's order.	
Andrew Robertson,	do.	0 14 6	Cepi Corpus.	
Andrew Ferguson,	do.	2 13 5	Time laid out.	
Edmund Roch,	do.	2 1 9	Limits.	
John Humes,	do.	2 4 5	Limits.	
John Jones,	Magistrate,	4 15 6	By J. Gallagher.	
Robert Wiley,	Alderman,	0 13 2	Time laid out.	Taxes.
Jepsom Duke,	do.	1 6 5	Wm. O. Smith.	Taxes.
Thomas Williams,	City,	0 5 0	Geo. Stockford.	
James Kingston,	do.	2 12 6	Time laid out.	
Timothy Leonard,	do.	0 18 9	Ditto.	Taxes.
William Mechan,	Alderman,	3 9 0	By Plaintiff's order.	
Wm. Howes,	Magistrate,	1 4 0	Ditto.	
Wm. H. Williams,	City,	3 10 0	Cepi Corpus.	
John Foster,	Magistrate,	4 15 4½	Plaintiff's order.	
Alderman Sorley,	City,	2 10 3	Plaintiff's order.	
James F. Tilley,	do.	1 3 9	Limits.	
Alex. Till,	Alderman,	2 16 0	H. Porter.	Taxes.

Schedule of Persons confined in the Gaol at Saint John.—Continued.

Prisoners' Names.	At what Court.	Amount.	By whom discharged.	Remarks.
E. J. Mc'Mullin,	Alderman,	£3 2 6	James White, Esquire.	Taxes.
John Martin,	Magistrate,	2 5 9	Time laid out.	
Patrick O'Neil,	do.	2 12 6	Plaintiff's order.	
George Lahey,	City,	5 0 0	Ditto.	
Michael Fahey,	Magistrate,	0 14 6	Time laid out.	
John Gorman,	City,	5 11 3	Limits.	
John Burns,	do.	3 10 0	Plaintiff's order.	
John Smith,	do.	3 10 0	Not charged in Execution.	
John Feniler,	do.	3 10 0	Ditto.	
Robert Wilson,	do.	2 10 0	Plaintiff's order.	
Robert Bruce,	do.	5 0 0	Ditto.	
George Harn,	do.	1 16 0	Ditto.	
John Smith,	do.	4 0 3	Time laid out.	
John Feniler,	do.	4 0 3	Ditto.	
Wm. Brundage,	do.	1 13 1	Limits.	
Francis Wilson,	Magistrate,	4 8 0	Plaintiff's order.	
James Miller,	City,	4 2 7	Limits.	
Jacob Delue,	do.	2 2 11	Ditto.	
William Treen,	Magistrate,	3 6 0	G. Nowlan.	
Francis Ogle,	City,	4 12 11	Limits.	
John Allan,	do.	2 18 9	Plaintiff's order.	
Daniel Scribner,	Magistrate,	1 0 5	Ditto.	
A. Montgomery,	do.	4 15 0	Ditto.	
Francis Edwards,	City,	5 0 0	Ditto.	
Thos. M'Leod,	do.	3 12 8	Paid debt.	
Wm. Portmore,	do.	5 0 0	Time laid out.	
Wm. Magee,	do.	3 2 11	Limits.	
Geo. Fulmore,	do.	2 16 11	Not charged in Execution.	
O. Fleming,	do.	1 8 6		

(Signed)

JAMES WHITE, SHERIFF.

Per GEORGE V. NOWLIN, *Dep. Sheriff.**Saint John, January 23, 1845.***No. 3.**

[See Journal 14th February, 1845.]

*Extracts from the Reports of the Inspectors of Prisons in Great Britain.***JUVENILE DELINQUENTS.**

The Criminal Calendars attest that until within the last thirty years but two young persons were to be found in the Jails of this Country. In the year 1815 the extraordinary increase of Juvenile Prisoners strongly arrested the public attention, and an Association of Gentlemen was formed in the Metropolis for inquiring into the causes and

and extent of an evil so pregnant with danger to the best interests of Society. For the purposes of this investigation Committees were formed, who visited the several Prisons and examined the young persons confined therein. Information was thus obtained of the names of several hundreds of boys who were at large engaged in the commission of crime. These lads were also sought out and interrogated as to the circumstances which had contributed to the formation of their criminal habits.

The investigation of this Association disclosed many painful and appalling facts. It appeared that large numbers of boys were in the habit of associating with professed thieves of mature age, and prostitutes, and of frequenting houses of infamous resort, where they planned their robberies, divided their plunder, and indulged in nearly every species of depravity. Nothing however transpired in the course of these inquiries to prove that there were any new or extraordinary circumstances in the condition of Society to account for the increase which had taken place in the number of Juvenile commitments, the criminal habits of the boys being for the most part to be immediately traced to parental neglect, gross ignorance, and other causes which have ever been the fruitful sources of youthful demoralization.

Many difficulties concur to prevent any accurate estimate being formed of the extent of Juvenile delinquency. Admitting as we do that the evil is very widely spread, we believe that the increase has been nevertheless overrated. We are of opinion that the augmentation of the numbers of Juvenile Prisoners may be attributed partly to causes which do not necessarily imply an actual increase of crime. Hundreds are now sent to jail, who some years ago were not subjected to judicial punishment. The Vagrant Act alone has contributed to bring large numbers within the walls of a Prison, who before the existence of that law were suffered to wander at large; while other enactments, directed in a great measure against trivial offences, and therefore calculated to embrace those Acts to which youth is more particularly prone, have been instrumental in swelling the number of Juvenile commitments. The effect of these enactments in rendering committals to prisons more frequent, has been aggravated by allowing to parties in the cases of assaults and misdemeanors the right to recover the expense of prosecution, a privilege formerly confined to cases of felony. The improved system of Police has also brought to justice crowds of Juvenile offenders who formerly escaped detection. An Officer is now seldom far distant from the scene of robbery. The offender is immediately apprehended, and the injured party on the spur of the moment is induced to prosecute much more readily than formerly, when time was afforded for deliberation. If a boy too, be seen in the streets with property suspected to be stolen, he is detained by a Policeman to afford an opportunity of searching for the owner. In comparing the present number of Juvenile commitments with those which occurred several years ago, we should further bear in mind that the summary powers given to Magistrates by the Police Act, have also contributed to increase the number of young prisoners, and that cases are thus brought before the public which formerly passed unnoticed. These changes in the administration of Justice have unquestionably proved beneficial in regard to offenders in general, by diminishing the chances of escape from punishment; although there can be no doubt in respect to young offenders, that their operation has been highly injurious, inasmuch as absolute impunity would in many cases have been preferable to the ruinous effects of a commitment to gaol.

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In a former Report we expressed our conviction that in the cases of juvenile offenders, a summary mode of trial would be highly desirable. The plan which we would take the liberty of recommending for this purpose in the Rural Districts is, that all young persons not exceeding the age of sixteen, charged with crimes, (except those of the gravest nature, such as murder, arson, burglary and malicious injuries to property, which form a very small portion of the whole), should be tried before two Justices of the Peace, sitting in Petty Sessions, with a small Jury by whom the fact of guilt should be found. The Juries may be summoned from the list of Petty Jurymen made out for the Assizes and Quarter Sessions by the Clerk to the Justices or Constable, who should from time to time be furnished with copies of the Jury Lists for that purpose. It is further proposed that the Magistrates should be required to transmit immediately after the conviction, a copy of the same, setting forth the whole of the evidence, to the Clerk of the Peace, who should furnish a copy to any person on payment of a reasonable charge; that the Magistrates should have a discretionary power of whipping as well as of imprisonment, and that the right of appeal from the Petty Sessions to any higher tribunal should be limited to very narrow bounds. Your Lordship having been pleased to refer to the Commissioners on Criminal Law our remarks contained in a former report on this subject, we are induced to offer a few observations on the objections which the Commissioners have made to the propositions of trying juvenile offenders by a small Jury.

And first as to the Rural Districts. It has been said that a trial at Petty Sessions before a small Jury could but imperfectly remove the evils of the present practice, because it involves the necessity of imprisonment somewhere, until the Magistrates are assembled and the Jury summoned and appear. But we do not perceive how this objection, although it affects the question of imprisonment, applies to that of the Jury. The Petty Sessions are in general held weekly; where they are so held, a Jury might be regularly summoned every week. Where the Petty Sessions are held at uncertain intervals, it is necessary to give notice to the Magistrates, and there would be no difficulty in the space of time in summoning five Jurymen from the neighbourhood. A short intermediate imprisonment after arrest, (unless it occur while the Jury may be sitting), is unfortunately inevitable; and perhaps under all the circumstances, the most desirable plan in such cases would be, that the Constable should make arrangements for the confinement of the offender on the spot during the few days which may elapse previously to the holding of the Petty Sessions. But this point has really no connection with the practicability of obtaining the Jury.

It has been also urged that the expense and inconvenience of a Jury form an obstacle to its adoption, since there must be a summoning Officer, and a Summons in writing for the Jurors to attend. We submit however that the cost of summoning five persons residing in the immediate neighbourhood cannot be such as to form a serious objection. The services of the Parish Constable and of a Clerk to the Justices might be secured for the purpose for a trifling remuneration.

It is further contended that a great and unequal burthen would be thrown upon Jurymen in large Towns and in Rural Districts. But in a former Report we took the liberty to suggest that the Jurymen attending Petty Sessions should be proportionately relieved from their duties at the Assizes and Quarter Sessions, and there would be no difficulty in making out lists in rotation of each service. The proximity of the Petty

Sessions to their homes, would, we should imagine, render the attendance there more agreeable to Jurymen than travelling further; and the more cases that might be summarily disposed of, the less there would of course remain for the Quarter Sessions, so that the Jurymen would on the whole be gainers both in time and convenience.

In the Metropolis the case is very different from that of the Rural Districts. Here the object would we apprehend be most effectually accomplished by enlarging the summary jurisdiction of the Police Magistrates, so as to give them cognizance of the greater proportion of offences committed by juvenile delinquents. The necessity for this measure is strongly confirmed by the fact that it has become an habitual practice at the Police Offices to deal with many cases which ought according to the existing Law to be sent to the Sessions, by effecting a summary jurisdiction under a forced construction of some Statute. Boys are thus often committed summarily under the Vagrant Act, as reputed thieves, or as "frequenting a certain street with intent to steal," who ought strictly to have awaited their trial in the ordinary course. But the practical effect is found to be beneficial; and looking at the legal knowledge of the Police Magistrates, and the regularity and publicity with which their proceedings are uniformly conducted, there can scarcely be a tribunal better adapted for the trial of juvenile offenders, at least in all cases of larceny. In proportion to the superior efficiency of the tribunal the necessity for a Jury becomes of course less. Indeed the circumstances of a London Police Office and those of a Rural Petty Sessions are so materially different, that the reasons which we have urged in favor of a Jury in the Rural Districts are but little applicable to the case of the Metropolis.

But the adaptation of our judicial proceedings to the situation of criminal youth, will be but of little avail, unless it be followed up by an entire change in the nature of the punishments to which they are at present subjected. Our previous reports have shewn that nothing can be more fatal to the welfare of young persons than the prevailing modes of imprisonment. By recent Statutes, the Magistrates have been invested with large descretionary powers of taking bail for the appearance of prisoners at their trials. It is however to be regretted that this power has hitherto been exercised much less frequently than the benevolent spirit of those Statutes contemplates. To whatever degree of perfection the discipline of Prisons may ultimately be brought, it is obviously far more for the interest of the community that the offender should be at large previously to trial, upon proper security, than that he should become the inmate of a gaol. The moral atmosphere of a prison is replete with so much injury to the character of a youth, that independently of the corruption arising from the companionship of the hardened and depraved, his acquaintance with the interior of a prison produces impressions the most unfavorable to his reformation; while there attaches to the Boy who has once been in an ordinary gaol a disgrace which adheres to him through life. For these reasons we are of opinion that the commitment of a Boy to a common prison should always be avoided where it can with propriety be dispensed with.

But further steps may be taken in the Metropolis and in all large Towns to lessen the number of juvenile commitments. A large proportion of these Boys who are guilty of a first and trivial crime, and who have friends who are willing to protect them, would be more effectually restrained from pursuing their courses by a sharp and immediate correction than by any sentence of protracted severity. Upon most characters of this description,

description, a few days of separate confinement would be better calculated to produce a beneficial impression than a longer imprisonment. We are of opinion that this correction might be given and the Boy yet be spared the injury and disgrace of being sent to an ordinary gaol. With a view to provide the means of carrying this object into effect, we beg to suggest that a certain number of cells of proper dimensions, and fitted up with suitable arrangements, be attached to each of the Police Offices in the Metropolis for the separate confinement of boys for short periods, under such regulations as Your Lordship shall think proper to prescribe. The utility of such cells would be felt, not only in the cases just referred to, but whenever it was found necessary to remand a boy for further examination. The daily attendance of one or more of the Magistrates would afford the best security for the proper regulation of these cells. In cases where the period of detention extended beyond a day or two, the services of a Clergyman or other fit instructor might be beneficially employed in visiting the cells and availing himself of the seclusion of the offender to afford advice and admonition. We are induced earnestly to recommend this measure to Your Lordship's consideration, from a conviction that by a commitment to a Police Cell instead of an ordinary Prison, many of the better class of young offenders might be arrested in the first steps of criminal career. When it was known that the punishment of the boy would not be attended with the more public disgrace of a common Prison, parents on the first indication of vicious propensity would often gladly subject them to the correction of the Magistrate. Prosecutors who now abstain from proceeding against youth from the fear of sealing their ruin in a Prison, and consequently allow them to escape with impunity, would no longer shrink from a duty, the discharge of which would be attended with no less benefit to the offender than to society.

But although the establishment of separate cells at the Police Offices would provide the most appropriate places of detention and mode of punishment for certain classes of boys, further Prison accommodation of a more permanent nature is imperatively required for the great mass of Juvenile Convicts, whose committal after trial to some place of imprisonment is unavoidable.

In considering the kind of provision which should be made for this purpose, and the nature of the discipline which convict boys should be subjected, it is impossible to deny that the subject is one of considerable difficulty. The youth of the prisoner, his destitution and loss of character, and the lamentable disadvantages under which he has laboured from parental depravity and neglect, combine to render him an object of great commiseration. Nothing is more easy than to condemn these poor children, and to denounce them as incurably depraved; but the circumstances of their condition plead most powerfully in extenuation of their crimes, and give them the strongest claims upon the public forbearance and charity. In determining therefore on the treatment of a criminal boy, the utmost leniency should be extended that is consistent with his own moral welfare and happiness, the effect of example, and the protection of the interest of society at large.

But although we should never refrain from regarding a criminal boy as an object of humanity, we cannot concur with those who contend that he is not a legitimate subject for penal correction. This is in fact to make but little distinction in the treatment of youth between those who commit and those who abstain from crime. We humbly conceive that every violator of the law, whatever be the age of the offender, should

should be subjected to a public tribunal, and that the execution of the sentence belongs exclusively to the State. If from the extreme youth of some of these boys, and the ignorance in which they have been brought up, instances occur which call for a course of more than ordinary consideration and kindness, this indulgence can be extended in the case of such exceptions, as well in a Juvenile Prison as in any Charitable Asylum. An experience, however, of several years, during which we have been connected with a reformatory Institution for criminal Youth, enables us to assert that cases of this kind do not very frequently present themselves ; and that as regards the great mass of our juvenile offenders, but little can be accomplished for their reformation, unless kindness be blended with correction and restraint. It is not merely sufficient to transfer the juvenile depredator to a charitable Asylum, (even if he could be legally detained there,) the imperfect and relaxed discipline of which is not calculated to produce deep impressions or any permanent change in his habits and character. It is too often hastily assumed, that by relieving the mere bodily wants of a criminal boy, the work of reformation becomes short and easy. This, however, is far from being the case. Difficulties arising from stubbornness of temper, ignorance, and the strength of criminal propensities, require the most sedulous and unremitting attentions of the teacher, and can only be overcome by a systematic and often lengthened course of instruction and discipline.

That the treatment of the juvenile offender should be of a penal character, appears to us still more necessary, when we consider the effects which an opposite course is calculated to produce upon the conduct of many of their parents and connexions. An institution for criminal boys, which has no penal aspect, but in which they are comfortably fed and clothed, and subjected to but little if any corrective discipline, holds out the strongest inducement to indigent parents to abandon their children, and instigate them to commit crimes for the sake of placing them in such an establishment. It is said that if the subsequent banishment of the boy to a distant Colony be compulsory, this unnatural feeling on the part of parents will be in a great measure counteracted ; but it is obvious that unless the emigration be compulsory, this effect would be uncertain, while we are persuaded that even were emigration uniformly to follow, the check would be too remote to be generally efficacious. This tendency on the part of parents is only to be counteracted by the feeling that they are, by parting with their boy, subjecting them to certain and immediate correction, and at the same time cutting themselves off from all hope of ever seeing him again.

So marked is the distinction in the feelings and habits of manhood and youth, that it is quite impracticable to engraft any beneficial plan for the lengthened confinement of boys upon a system of discipline adapted to adults. We do not advocate the application of the separate system generally to young persons, although that system is in our opinion in all cases preferable to the mischievous association which prevails in ordinary Prisons, or to the defective and objectionable arrangements employed by the silent system to prevent it. Instances of extreme depravity will doubtless occur, where, to prevent the contamination of others, the individual separation of a youth is absolutely indispensable. For very short periods also, we know of no other kind of discipline that is calculated to produce any beneficial impression upon either young or old. A large proportion of boys who are committed under the Vagrant Act, and who are sentenced to periods of a few days or weeks, as idle and disorderly, are but slightly

slightly afflicted by any system of imprisonment which affords them the means of communicating with or seeing other prisoners. For these classes separation is absolutely necessary; but for more protracted periods, we consider a plan of individual separation to be wholly inapplicable to the feelings, habits and character of young persons.

It is highly gratifying to state, that a valuable example of the discipline best calculated for the correction and reform of juvenile offenders committed for long periods, will shortly be presented to the country. The Parkhurst Reformatory for criminal boys is now nearly ready for the reception of prisoners. This Prison is adapted to the confinement of 320 boys, viz. 200 boys of twelve years of age and upwards, and of 120 boys under that age. The nature of the discipline will consist in a vigilant system of personal superintendence, instruction in moral and religious duties, and industrious occupations of various descriptions. There are facilities for employing the boys as tailors, shoemakers, ropemakers, bookbinders and carpenters, as well as in agricultural labor. Attached to the Prison are eighty acres of land, in the cultivation of which the boys can be employed. As it is intended to encourage the boys to emigrate to a distant Colony at the expiration of their imprisonment, they will be especially instructed in those branches of industry which are most likely to render them useful as agricultural servants. While the prominent features of the establishment will be of a penal character, the utmost attention will be directed to the health, moral welfare and suitable comfort of the boys. It will be in the best meaning, but in no injurious sense of the word, a Prison, while the discipline will be so peculiarly adapted as to combine cheerful exercise and youthful recreation with the salutary restraints of penal correction.

The Parkhurst Reformatory has been constructed under the able superintendence of Sidney Smirke, Esquire. The Prison occupies a square area of about four acres in extent; the enclosure being 410 feet from north to south, and 420 feet from east to west; the boundary wall is at its lowest part 15 feet high; the surface of the ground inclines with a considerable slope towards the east, and there is also a fall towards both the north and south; the entrance is at the centre of the side by an arched gateway of stone. To the left of the entrance is the Gatekeeper's dwelling, consisting of three rooms. To the right is a corresponding building containing an examining room, with two small separate cells opening into it; adjoining this is the Surgery and Medicine room; beyond is the cleaning room and bath, attached to which is the fumigatory for purifying the prisoners' clothes.

Fronting the entrance is an esplanade of about 250 feet by 200 feet, on the opposite side of which, in the centre, is the Governor's House, two stories high, containing his dwelling apartments or office, and store rooms. To the right and left of the centre are the buildings containing the sleeping cells of the prisoners. The buildings adjoining the Governor's House on each side standing north and south, contain each on the two stories thirty six separate cells for prisoners; the cells are 10½ feet by 6, with access by external doors; a gallery of slate which rests on iron supports, giving the means of communication to the doors on the upper floor; connected with these two buildings by a Turnkey's room, are two other buildings standing east and west, similar in all respects to those before described. Still further to the east, and connected by the external galleries to the other buildings, are two detached buildings three

stories high, containing each 30 separate cells for prisoners, the cells 10 feet by 6. The access to these cells is by an internal central passage. On the upper story of each of the buildings is an infirmary for six beds. Each infirmary has a water closet and cistern for spring water, and is warmed by an open fire place. The ceiling is coved up to a central aperture for ventilation, communicating through the roof with the external air by a turn-cap. Adjoining each infirmary is a nurses room. Every separate sleeping cell has a fixed iron sash three feet long by four inches high, glazed with unpolished plate glass. The cells are ventilated by several small openings in the ceiling of each, communicating with a vertical shaft, one to each cell, worked in the brick division walls, communicating at top with the vacant space of the roof over the ceilings of the upper floor of cells. From hence the heated and foul air will escape by louvre-turrets, two to each building. The cell doors to the four buildings which have external access, are of slate, one inch thick, lined on the inside with wood, also one inch thick; these doors are shut into wrought iron rebated door frames. The cell doors to the two buildings which have an internal passage, are of wood in two thicknesses, braced and secured with hoop iron worked in between the two thicknesses; these doors shut into Portland stone rebated jambs.

Beyond the Governor's House to the west is a range of buildings one story high, containing at the east end a scullery and kitchen for the Prison use, the latter fitted up with a steam apparatus for boiling separately soup, gruel, meat and vegetables, with a supply of hot and cold water; next to the kitchen westward are two store rooms. In the centre of this range of building, and equi-distant from all the extremities of Prison buildings, is the Chapel, fitted up with moveable benches, and at the south end a Pulpit, Clerk's Desk, and Governor's Pew; behind the Pulpit is the Chaplain's private room; further northward are rooms adapted either to the purpose of containing stores or to be used as prisoners' workshops. Parallel with this range of building, and farther to the west, is the junior ward for the reception of one hundred and twenty children under twelve years of age.

On the ground floor in the centre is the entrance lobby and Schoolmaster's room, to the right is the school room, 30 feet by 20, and to the left the eating room of the same size; beyond these two rooms at each end is a dormitory, 30 feet by 20. The school room and eating room are lighted each by six large iron sashes turning on centres, and shutting into the iron frame let into stone work. They are ventilated by six apertures in the ceiling, communicating by horizontal tubes of zinc, with vertical air shafts worked in the external walls, which discharge themselves into the vacant space of the roof, from whence the foul air will escape by louvre-turrets as above described for the other Prison buildings. It is proposed to warm these two rooms by hot water. The upper floor of the whole of this junior ward is appropriated as dormitories for the children; in each wing is a turnkey's room, with windows commanding a view of every bed. The dormitories are lighted by narrow glazed iron sashes similar to those described for the separate sleeping cells, but turning on centres for the admission of air. In the ceiling are twenty six apertures for the removal into the roof of the foul heated air.

Further to the west and parallel to the junior ward, will be a Rope Walk three hundred feet long. On the north side of the area, 15 feet within the line of the boundary wall, is a laundry 40 feet by 18 feet; adjoining this to the east and west will

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be ranges of workshops two stories high, fitted up for the employment of the prisoners in the various trades in which they are to be instructed. Detached from these and further to the east will be a building for the employment of the boys, consisting of a bakehouse and smithshop. The large chimnies required for these two offices will be out of sight from the entrance and from every part of the front esplanade. On the opposite side of the precinct, and adjoining the south boundary wall, will be a large hall 100 feet long by 40 feet wide, and 21 feet high, lighted and ventilated by seven large windows. The hall will have two separate entrances, and will be capable of being temporarily separated into three divisions, which it is proposed to effect by two curtains of the strongest canvass across the hall, running on iron rods at top, and having the lower edges held down by hooks and eyes, the latter being let flush into the floor; on the withdrawal of these curtains the whole area will be available as one apartment. This hall, whether divided or otherwise, will be applicable to the purposes of an indoor recreation when the weather renders it necessary, and it will also be available on all those occasions when it may be required to address the children collectively. In the centre of the esplanade, but sunk below the surface of the ground, is the hydraulic engine, (which may be worked by eight boys), for lifting water from the well immediately beneath, and forcing water up to the slate cisterns at the infirmaries, the kitchen, the Governor's House, and at the three washing places. One of these latter places for the younger prisoners is at the south end of the junior ward, and for the remainder of the prisoners, there are two separate washing places at opposite ends of the main building; they are fitted up with long wooden troughs to receive moveable wooden bowls, one for each boy; water is laid on by a longitudinal pipe with three cocks to each trough, and at the bottom of the troughs are waste pipes for conveying the dirty water into the drains; these washing places are open to the air, but have a slated shed roof over them.

The Parkhurst Reformatory admits of being considerably enlarged; but to whatever extent further accommodation may be practicable, it must be obvious that this Prison cannot provide for all the Juvenile convicts confined in the Metropolitan Gaols, and still less for the boys committed to the Prisons in various parts of the Kingdom. It must not therefore be supposed that the establishment of this Prison will supersede the necessity of further measures being taken to arrest the progress of Juvenile delinquency. The Parkhurst Reformatory will we trust serve as a model for Juvenile Prisons in other parts of the Kingdom; and we cannot too earnestly dwell on the importance of establishing such places of confinement wherever the number of offenders for this class are sufficiently large to render such a measure necessary. But it is not only with reference to the limited numbers, but also to the description of prisoners who will probably be confined in the Parkhurst Prison, that the necessity for other Juvenile Prisons will be apparent. The discipline at Parkhurst will be peculiarly adapted to lengthened periods of confinement. It becomes therefore the more desirable not only that provision should be made for such young offenders as cannot be admitted into the Parkhurst Prison, but also for minor classes of offenders not sentenced for long periods whose habits are far from being hardened, and whose friends are ready to receive and to provide for them on their discharge. In the establishment of District Prisons for boys, the economical advantages of collecting a considerable number in one establishment should not be overlooked. The union

union of Counties with Boroughs, in order to attain this object, is highly desirable. The Acts 5 G. 4, c. 85, and 6 and 7 W. 4, c. 105, already enable the Magistrates of Counties and of Cities and Boroughs to contract with each other respectively for the maintenance of Borough prisoners in County Gaols, or that of County prisoners in Borough Gaols. The importance of extending establishments specially for the correction and reform of criminal youth will be evident by adverting to the numbers of young persons committed in the last year to the several gaols in England and Wales. On reference to the Statistical Tables annexed to this report, it will be found that the number of Juvenile delinquents was 1196 under twelve; 2465 twelve and under fourteen; and 8332 fourteen and under seventeen years of age.

That a Prison for Juvenile delinquents is urgently required for London and its vicinity, cannot be doubted if we refer to the large number at all times confined in the Metropolitan Prisons, (amounting as we have seen to upwards of 3000 in the course of the last year), and the baneful effects of that imprisonment.

Whether we advert to the Gaols of the City of London, viz. Newgate, Gittspur Street Compter, the Bridewell Hospital, and the Borough Compter; or to the Gaols of the County of Middlesex, viz. the Clerkenwell Prison, the Westminster Bridewell, or the Coldbath Fields House of Correction, it is a fact that no young person can be committed to any one of these places without being rendered the worse by the imprisonment, and the more dangerous to the community, nor without extending his acquaintanceship with the criminal and depraved.

But there is another measure of the highest importance which is quite essential to the success of the foregoing plans. We refer to the necessity of making some permanent provision by which those who are destitute may be placed in the way of obtaining an honest livelihood on their discharge from Prison. The situation of a friendless boy on quitting confinement is truly distressing. However satisfactory his conduct may have been during his imprisonment, he has frequently no resource on his liberation but to revert to crime for his support. Without character who will employ him? A true statement of his case creates almost insurmountable obstacles to his obtaining any creditable situation. And even if he succeed in procuring employment, he is liable to meet with those with whom he has formerly associated in Prison, and consequently becomes exposed to temptations which few young persons thus circumstanced possess sufficient firmness and strength of principle effectually to resist.

In again urging the necessity of the formation of District Prisons for Juvenile offenders, we are not unmindful of the objection which may be made to the measure on the ground of expense. We have no hesitation in at once declaring that unless a liberal outlay be incurred for this important object, the numbers of Juvenile depredators must continue to increase. We beg however to observe that the cost of establishing Boys Prisons should not be identified with the expense of erecting ordinary gaols, inasmuch as the same degree of attention is not necessary to peculiar principles of construction; and it may in many cases (as has been actually the case at Parkhurst) be quite practicable to adopt existing buildings for this purpose, without considerable cost. It should also be borne in mind that the withdrawal of so many young offenders from the ordinary gaols by the formation of Boys Prisons, will render it unnecessary to provide for the same number of Prisoners whenever a gaol for adults is about to be reconstructed or enlarged. But if even the expense of such Reformatories were

were greater than we are convinced it will prove, there are, we confidently suggest, higher grounds which render such Prisons of the utmost importance to the public welfare. There can be no real economy in any system which tends to the insecurity of property and the perpetuation of crime; nor can any expenditure be unprofitably directed which is incurred in the well-grounded expectation of reclaiming the vicious propensities, and advancing the moral and religious welfare of the rising generation. The evil however is too serious and widely spread to be removed or sensibly diminished by any single establishment. The Parkhurst Reformatory is calculated to prove a blessing to those who may be placed within its walls—but we earnestly repeat our hope that this useful institution may not be regarded as a final measure, nor as superseding the necessity for further exertions to establish other Prisons of a similar character in those districts in which they may be required. The urgency of the case requires the utmost promptitude. Efficient remedies have too long been disregarded to admit of further delay. For more than 20 years have the claims of the juvenile depredator been before the public. During this period we have seen some thousands of these poor boys pass through the Prisons of the Metropolis. When we recall to mind their pitiable condition, the haunts of infamy in which they have been cradled; when we think of their ignorance and depravity, and how greatly they have been the victims of circumstances over which they could have had no control; when we contrast the cheerful pursuits and innocent enjoyments which ordinarily mark this season of life, with that constant succession of crime and punishment which fills up the whole existence of the juvenile depredator; when we consider the rapidity with which these boys have hurried from the smaller to the greater crimes, the cruel effects of their imprisonment, by which their reformation has been not only neglected, but their vices have been the more deeply rooted and confirmed; when we reflect upon their destitution on leaving Prison, and the sharp stimulus with which want impels the distressed to the commission of crime, it is impossible too deeply to lament that evils so serious in their nature and fatal in their effects, should so long have been permitted to exist. Had Juvenile Reformatories been established when the necessity for such institutions was first demonstrated, how many whose brief span of life has been spent in degradation and crime, might have been rendered blessings to themselves, ornaments to religion, and valuable members to the state. Again and again has the importance of these Reformatories been urged upon the public attention, while the appeal has been met with an indifference on the part of the community which is quite irreconcilable with a just sense of what is due to the national welfare, and but little creditable to the character of an enlightened and christian land. And what have been the consequences of this neglect? The numbers of criminal youth have gone on increasing until they have attained a frightful magnitude. The inquiries which have at various times been instituted, and which have long since completely exhausted the whole subject, have terminated in the recommendation of Summary Tribunals; the establishment of Juvenile Reformatories; and a systematic plan of youthful Emigration. These measures we repeat cannot be carried into effect without an outlay of the public money; and it is for the public to decide on the alternative, either to incur the necessary expenditure, or by declining to do so, allow the crimes of our juvenile population to continue to increase. It is however consolatory to reflect that a beginning has been made in this great work of justice and

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humanity,

humanity, and we earnestly trust that the measures which have been adopted by Her Majesty's Government, will be vigorously followed up by the Magistracy and the Country at large. Blessed is the hand that layeth the first stone of this building,—more blessed that proceeds,—most of all that finisheth it to the glory of God and the honor of our King and Nation.

We have the honor, &c.

(Signed)

WM. CRAWFORD,
WHITWORTH RUSSELL,
Inspectors of Prisons for the Home District.

No. 4.

[See Journal 18th February, 1845.]

Report of the Commissioners of the Provincial Penitentiary for the year commencing 1st January and ending 31st December, 1844.

The Accounts of Expenditure having by order of the Lieutenant Governor, been transmitted quarterly to the Provincial Auditor, in detail, with vouchers, the Annual Account submitted herewith, exhibits an Abstract of total expenditure, amounting to £1,399 8 7½, of which about £200 is for unpaid Accounts remaining over from the preceding year. This expenditure has been provided to extent of £1100, by Warrants on the Provincial Treasurer; £112 diet allowance for Soldiers committed by Officers in command of Her Majesty's Troops in Saint John; and £187 8 7½ by sale of Bricks and other materials, as detailed in the Account, the produce of Prisoners' labor. In addition to which, the Commissioners have agreed with parties, intending to build in the Spring, to supply Bricks to extent of about £200 value, the which will not be available for six or nine months, but ultimately will be protective of a part of the expenditure of the year entered upon.

The demand for Bricks has recently increased, and the Commissioners retain to the opinion expressed in previous Annual Reports that the manufacture of them will continue the most profitable employment for Prisoners during the Summer months. The Commissioners esteem it superfluous to repeat the matter contained in the two preceding years' Reports, on the subject of insufficient enclosures and requisite additions to the Buildings, as it applies equally to the present as the then period, and the Prison must become increasingly deficient in its means of safe keeping of persons committed, and at no remote period either require some large expenditure or be rendered unfit for its intended object.

On the subject of rendering the Convict labor productive as a means of reducing the charge upon the Provincial Revenue, the Commissioners refer to the last years' Report, sustained in its purport by a succeeding year's experience.

By order of the Board.

W. H. STREET, *Chairman.*

Account of Expenditures and Receipts by the Commissioners of the Provincial Penitentiary for the period commencing 1st January 1844, and ending 31st December following.

1844.		Dr.	
March 31.	To Amount per Account No. 1, transmitted to His Excellency, with Vouchers Nos. 1 to 92,		£370 9 5
June 30.	“ Amount per Account No. 2, transmitted to ditto, with Vouchers 93 to 156,		386 3 10
Sept. 30.	“ Amount per Account No. 3, transmitted to ditto, with Vouchers 157 to 194,		233 0 1
Decem. 31.	“ Amount per Account No. 4, transmitted to ditto, with Vouchers 195 to 271,		409 15 3½
			£1,399 8 7½

1844.		Cr.	
Jan'y. 6.	By Balance on hand per Account to 31st Dec. 1843,		£0 0 8½
Feb'y. 3.	“ 354 Diets Soldiers 30th Regt. @ 6d. is Stg. £8 17s.		10 12 4
23.	“ 500 Bricks sold Bennett, @ 30s.		0 15 0
March 5.	“ 299 Diets Soldiers 33d Regiment, Stg. £7 9 6,		8 19 4
April 6.	“ 476 do. do. do. 11 18 0,		14 5 7
10.	“ 600 Bricks sold Gerow, @ 22s. 6d.		0 13 6
12.	“ 2 M. do. “ S. Potter, “		2 5 0
16.	“ 400 do. “ H. Chiswell, “		0 9 0
17.	“ 1250 do. “ Edm. Kaye, @ 27s. 6d.		1 14 4½
18.	“ 83 Diets Private Royal Artillery, Stg. 41s. 6d.		2 9 9
22.	“ 500 Bricks sold Potter, @ 27s. 6d.		0 13 9
27.	“ 6500 Bricks sold A. Avery, @ 22s. 6d.		7 6 3
“	“ 1100 do. ditto, “ 27s. 6d.		1 10 3
“	“ Cartage 5000 @ 2s. 6d.		0 12 6
“	“ 6000 Bricks sold Mr. Walker, @ 22s. 6d., Cartage [1M. 4s.		6 19 0
“	“ 1000 Bricks sold Christie & M'Brine,		1 2 6
May 4.	“ 541 Diets Soldiers 33d Regiment, £13 10 6,		16 4 7
“	“ 1 M. Bricks sold Potter,		1 2 6
8.	“ 400 do. do. @ 22s. 6d.,		0 11 0
9.	“ 300 do. sold I. Woodward, do.		0 6 9
13.	“ 300 do. do. S. Potter,		0 8 3
“	“ 1200 do. do. T. C. Everitt, 27s. 6d.,		1 13 0
“	“ 1000 do. do. V. Hanson, 22s. 6d.,		1 2 6
“	“ 500 do. do. H. Blakslee, do.		0 11 3
June 12.	“ 1775 do. do. H. P. Crosby, do.		2 0 0
14.	“ 541 Diets Soldiers 33d Regiment, £13 10 6,		16 4 7
25.	“ 5000 Bricks sold Mr. Oakes, @ 20s.		5 0 0
July 6.	“ 3500 do. do. J. H. Fairweather,		4 16 3
20.	“ 398 Diets Soldiers 33d Regiment, £9 19s.,		11 18 9
<i>Carried forward,</i>			£122 8 3

1844.		<i>Brought forward,</i>	£122	8	3
July	20.	By 200 Bricks sold Gerow, @ 22s. 6d.,	0	4	6
August	3.	" 300 do. " James Keator,	0	6	9
	7.	" 1050 do. " S. Smith, @ 27s. 6d.)	3	16	1½
	"	" 2100 do. " do. " 22s. 6d. }			
	14.	" 338 Diets Soldiers 33d, £8 9s. Stg.	10	2	9
Sept.	16.	" 232 do. do. 5 16s. "	6	19	2
	17.	" 500 Bricks sold S. Costley, @ 22s. 6d.,	0	11	3
	"	" 1000 do. " Eldridge,	1	2	5
	21.	" 500 do. @ 22s. 6d., Cartage, 2s., Lockhart,	0	13	3
	"	" Picking 24½ cwt. Oakum, @ 1s. 6d.,	1	16	9
	25.	" 2500 Bricks, 22s. 6d., Cartage, 5s., to D. Smith,	3	8	9
	"	" 1000 do. 27s. 6d., Cartage, 5s., Light House,	1	12	6
	21.	" 10 M. do. refuse, sold Nelson, 17s. 6d.,	8	15	0
	"	" 1300 do. sold J. D. Emery, 22s. 6d.	1	9	3
	"	" 1800 do. " Daley, do.	2	0	6
	"	" 900 do. " Crosby, do.	1	0	3
	"	" 500 do. " Emery, do.	0	11	3
	"	" 4600 do. " T. Wallace, do.	5	3	6
	"	" 6200 do. R. " Nelson, 17s. 6d.,	5	8	6
	"	" 2000 do. " T. Baker, 22s. 6d.,	2	5	0
	23.	" 750 do. " S. Sulter, do.	0	16	10½
	24.	" 78 Diets Private R. Artillery, 39s. Stg.	2	6	9½
Oct'r.	26.	" 195 do. Soldiers 33d Regt., £4 17 6 Stg.,	5	17	0
Nov'r.	2.	" 1 M. Bricks sold,	1	17	6
	7.	" 1100 do. " Seely,	2	1	3
	11.	" 1000 do. " Morris,	1	17	6
	"	" 8200 do. " J. Robertson, 36s. 3d.	14	17	3
	"	" 500 do. " do. 27s. 6d.	0	13	9
	16.	" 34,100 do. " H. B. Crosby, 20s.	34	2	0
	23.	" 29½ yards Cloth sold sundry persons, 2s.	2	19	0
Dec'r.	9.	" 1 M. Bricks,	1	17	6
	16.	" 199 Diets Soldiers 33d Regt. for months of October [and November, £4 19 6 Stg.]	5	19	5
	27.	" 20 yards Cloth sold sundry persons, 2s.	2	0	0
	"	" 500 Bricks sold J. Baker, 22s. 6d.	0	11	3
	"	" 6950 do. " W. Nelson,	9	18	0
	"	" 800 do. " J. D. Emery, 22s. 6d.	0	18	0
	"	" 500 do. @ 22s. 6d., Cartage, 2s. 6d., B. Perry,	0	13	9
	"	" 1500 do. " do. 7s. 6d., C. Swaine,	2	1	3
	"	" 300 do. sold T. Varner, 3s. 3d.	0	9	9
	"	" 500 do. " J. Hopkins, 22s. 6d.	0	11	3
	"	" 25 yards Homespun, I. Woodward,	1	5	0
	"	" 400 Bricks sold J. Wetmore,	0	12	0
	"	" 2 M. do. " Stevens, 22s. 6d.	2	5	0
	"	" 50 do. " Dr. Wetmore, 3s.	0	1	6
<i>Carried forward,</i>			£276	8	3½

1844.	<i>Brought forward,</i>	£276	8	3½
Dec'r. 31.	By 8900 Bricks sold R. F. Hazen, 22s. 6d.	10	0	3
"	" 1500 do. " N. M'Lardy, 30s.	2	5	0
"	" Repair of 520 Bags for H. Gilbert, @ 2d.	4	6	8
"	" 20 yards Cloth sold J. Quinton, 2s.	2	0	0
"	" 1 M. Brick sold J. Payne,	1	2	6
"	" 13 yards Cloth sold G. Smith, 2s.	1	6	0
"	" Amount of Warrant on Province Treasurer,	300	0	0
"	" Amount of Warrant on ditto,	500	0	0
"	" Amount of Warrant on ditto,	300	0	0
		£1,397	8	8½

Balance due Chairman, £1 19 11.

Saint John, December 31, 1844.

I, William H. Street, do make oath that I am a Commissioner for the Provincial Penitentiary, and that the within Account for Expenditure and Receipts by the Commissioners of the Provincial Penitentiary is just and true to the best of my knowledge and belief.

W. H. STREET.

Sworn before me at Saint John this 18th day of January, 1845.
L. H. DEVEBER, J. P.

Statement shewing the number of Prisoners admitted into and discharged from the Provincial Penitentiary from 1st January 1844, to 31st December following, the Rations required, and the employment of Prisoners for each month.

Month.	Male Prisoners.				Female.				Employment of Male Prisoners for each month.	Employment of Female Prisoners for each month.	
	In Prison on 1st each month.	Admitted within the month.	Discharged within the month.	Remain'g at end each month.	In Prison on 1st each month.	Admitted within the month.	Discharged within the month.	Remain'g at end each month.			
January,	14	16	4	26	12	7	3	16	476	266 days general labor, 26 days Weaving, 51 days Carpenter work, 90 days Chopping, 62 days Tailoring.	125 days general labor, 52 days Knitting, 110 days Wooldressing, 24 days Sewing, 34 days Spinning, 6 days Weaving.
February,	26	6	7	25	16	7	8	15	491	218 days general labor, 30 days Carpenter work, 67 days Tailoring, 189 days Chopping, 24 days Weaving.	100 days general labor, 29 days Knitting, 136 days Wooldressing, 6 days Sewing, 70 days Spinning, 13 days Weaving.
March,	25	12	3	34	15	7	8	14	452	239 days general labor, 74 days Tailoring, 86 days Carpenter work, 26 days Weaving, 7 days Shoemaking, 282 days picking Oakum.	109 days general labor, 35 days Knitting, 86 days Wooldressing, 10 days Sewing, 61 days Spinning, 5 days Weaving.
April,	34	9	7	36	14	6	6	14	483	303 days general labor, 44 days Tailoring, 243 days Carpenter work, 25 days Weaving, 27 days Shoemaking, 11 days Blacksmith work.	107 days Cooking and general labor, 57 days Wooldressing, 46 days Knitting, 51 days Spinning, 16 days Sewing, 1 day Weaving.
May,	36	5	7	34	14	14	9	19	492	509 days general labor, 27 days Shoemaking, 162 days Carpenter work, 27 days Tailoring, 54 days Blacksmith work, 24 days Weaving.	88 days general labor, 27 days Knitting, 124 days Wooldressing, 22 days Sewing, 57 days Spinning, 13 days Weaving.
June,	34	3	4	23	19	4	12	11	508	517 days general labor, 132 days Carpenter work, 52 days Brickmaking, 7 days Weaving.	115 days general labor, 114 days Wooldressing, 25 days Knitting, 60 days Spinning, 1 day Weaving.
July,	23	13	8	28	10	6	7	9	313	141 days general labor, 25 days Shoemaking, 90 days Carpenter work, 338 days Brickmaking, 40 days Blacksmith work.	139 days general labor, 29 days Knitting, 24 days Wooldressing, 2 days Sewing, 14 days Spinning, 32 days Weaving.
August,	28	9	10	27	8	14	6	19	492	82 days general labor, 13 Blacksmith work, 404 Brickmaking, Tailoring, 6 Weaving, 36 Carpenter work, 17 Shoemaking.	147 days general labor, 27 days Knitting, 67 days Wooldressing, 37 days Sewing, 29 days Spinning, 13 days Weaving.
September,	27	5	13	19	7	23	10	14	478	70 days general labor, 23 days Shoemaking, 6 days Carpenter work, 25 days Weaving, 25 days Tailoring.	193 days general labor, 29 days Knitting, 35 days Wooldressing, 24 days Sewing, 12 days Spinning, 3 days Weaving.
October,	19	6	7	18	5	8	7	11	445	206 days general labor, 22 days Shoemaking, 162 days Brickmaking, 9 days general labor, 9 days Shoemaking, 52 days Carpenter work.	155 days general labor, 36 days Knitting, 17 days Wooldressing, 68 days Sewing, 17 days Spinning.
November,	18	5	4	19	18	12	10	20	475	298 days general labor, 9 days Shoemaking, 52 days Carpenter work, 26 days Tailoring, 14 days Blacksmith work, 20 days Weaving.	118 days general labor, 57 days Knitting, 77 days Wooldressing, 8 days Sewing, 51 days Spinning.
December,	19	4	6	17	20	5	14	11	477	246 days general labor, 14 days Shoemaking, 50 days Carpenter work, 25 days Tailoring, 28 days Blacksmith work, 12 days Weaving.	127 days general labor, 60 days Knitting, 77 days Wooldressing, 28 days Sewing, 29 days Spinning.

By Order of the Board.

W. H. STREET, Chairman of Board of Commissioners.

William H. Street maketh oath that the foregoing statement is made up from the monthly returns of the Keeper, and is true to the best of his knowledge and belief.

W. H. STREET.

Sworn before me at Saint John, the 18th day of January, 1845.
L. H. DEVEEBER, J. P.

No. 5.

[See Journal 26th February, 1845.]

To His Excellency Sir William Macbean George Colebrooke, K. H. Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

Having been directed to offer such joint observations as we might deem proper, with regard to the present condition and future improvement of the Parish Schools, in addition to the separate Returns and Reports which have been given in, under our Instructions as Inspectors of Schools, we beg leave respectfully to submit the following for Your Excellency's consideration :—

The Parish Schools in this Province are supported by voluntary contributions and by grants of money from the Treasury, the latter amounting to the large sum of £12,000 per annum. In the Sister Colonies and the United States, the amount allowed for the encouragement of the Common Schools is very small compared with the liberal sums annually granted in New Brunswick; still if we can believe the Reports, and other Official Documents published and circulated, the youth of the Province are far behind theirs in the elementary and useful knowledge upon which the well being of a free people so materially depends.

From the returns of the late Inspection it will appear that although a considerable number of the Schools are in as prosperous a condition as could reasonably be expected under all the circumstances, a large majority of them are inefficient and do not afford the beneficial results of which they are fully capable. The causes are complicated and numerous, and it is far easier to point out their origin and pernicious tendency, than to prescribe simple and effectual means for their removal.

In the first place—There appears to be much apathy among the people of the Country with regard to the education of their children, its object and advantages being little understood and slightly appreciated. Many of them, in consequence, contribute very sparingly to the support of the Teacher under any circumstances, while others entirely withdraw their countenance, from unenlightened differences of opinion and a confidence that a School, suited to their views, will be established in their neighbourhood whenever it may be convenient for them to send their children. The result is, that the attendance is very irregular and extremely limited, scarcely extending to one fifth of the juvenile population between four and sixteen years. This is an evil of great magnitude. It breaks up the classes, deranges the plans of the Instructors, destroys that emulation and desire to improve so essential to advancement in learning, and has a direct tendency to discourage and dishearten both Teachers and Scholars.

Secondly—Many of the Teachers are incompetent from the want of the necessary literary attainments; others seem to have little or no knowledge of the human character, and to be wholly destitute of the faculty or energy which would enable them to enforce obedience, and at the same time to retain the good will of their Scholars. But the greatest evil, under this head, even where Teachers seem to possess in a fit degree the other necessary qualifications, is the want of the faculty and zeal or will to communicate instruction in a manner suited to the capacities and conditions of their pupils.

Thirdly

Thirdly—The limited amount of the incomes of the Teachers derived directly from the people, and the unsatisfactory nature of the payment in many cases, must be regarded as discouraging, and present serious obstacles to the introduction of much intelligence into the profession. That no misapprehension may exist on this point, we have compiled the following scale of the incomes of four hundred and eighty two Teachers, exclusive of the Government allowance, and transcribe the average for each Country from our separate Abstracts. The local cash value is attached in those cases in which board and lodging, or provisions and labor, are given in lieu of money, but we believe the statements to be as near an approximation to the truth as could be elicited under similar circumstances.

Sixty Teachers receive, exclusive of the Government allowance, less than £20.

137 receive £20 and less than £25.				1 receive £65 and less than £70.					
82	"	25	"	30.	4	"	70	"	75.
86	"	30	"	35.	2	"	75	"	80.
40	"	35	"	40.	1	"	80	"	85.
30	"	40	"	45.	2	"	85	"	90.
11	"	45	"	50.	2	"	90	"	95.
11	"	50	"	55.	0	"	95	"	100.
4	"	55	"	60.	1	"	100	"	105.
7	"	60	"	65.	1	"	150	"	—

Average for the Counties,—

Saint John,	£38	0	0	Carleton,	£34	15	0
Charlotte,	34	0	0	York,	29	10	0
Northumberland,	28	10	0	Sunbury,	26	2	5
King's,	26	0	0	Westmorland,	25	10	0
Kent,	25	0	0	Gloucester,	22	0	0
Restigouche,	21	0	0	Queen's,	18	2	9

These facts speak for themselves ; they are however affected in various ways which will be more conveniently alluded to elsewhere, and in connection with our opinion of the immediate appropriate remedies for existing evils.

Fourthly—The Books and apparatus are generally defective. With the exception of the New Testament, which is almost invariably used as a reading book, the text books for the same branches of learning are so various that very few of the pupils can be classed, although their capacities and attainments be nearly equal. This, together with the want of books, is productive of great inconvenience and loss of time, especially in large Schools. We also regard the want of black boards and other means for the visible illustration of Arithmetic, Geometry, Geography, &c. as prominent sources of the prevalent inefficiency ; none of these are to be found except in the City of Saint John, and a very few other places.

Fifthly—Though many of the School Houses are comfortable and convenient, a very considerable number of them are in these respects extremely deficient. Some are small and have little room or accommodation for class recitations. In many such places the hot close air in the Summer is almost insufferable, causing languor and drowsiness, injuring the health of the occupants, and rendering them incapable of successful

successful application. In others the pupils are in Winter exposed to the contrary extreme with all its painful and injurious consequences. The cold enters through fissures in the floor and walls, and through openings in and about the door and windows. The children are therefore uncomfortable, their bodies chilled, and their minds and faculties benumbed. The benches too are frequently so high, that the feet of the children cannot reach the floor, and being without backs and often too narrow, the pain of the suffering occupants prevents them from attending to their studies. The desks also are often inconvenient and ill adapted to the process of writing; and not a few of them are so mutilated that a smooth place on their surface, of extent equal to a sheet of paper, can scarcely be found.

Sixthly—The last cause of inefficiency which we deem necessary to be especially alluded to, is, imperfect supervision and control. The duties of the Trustees are onerous, but on their able and faithful performance the full benefits of the Schools principally depend. We cannot doubt that the selection by the Justices in Sessions is the best that circumstances will permit, but we also know that many gentlemen decline the office on account of the limited powers with which it is invested. The establishment of the Boards of Education has unquestionably done much good; but the same Act which called them into existence, unfortunately vested the people with the right of hiring Teachers and organizing Schools without the previous consent of the Trustees. This has led to the apparently unnecessary and temporary establishment of Schools and sub-divisions of Districts, by which the emoluments of some deserving Teachers have been greatly lessened, and in many cases the Districts have been finally abandoned by them. Under the same Law, some of the Teachers have gone so far as to question the authority of the Trustees to make minute inquiries relative to the instruction imparted. These discouragements, together with positive expenses, loss of time, and the short and uncertain tenure of office, have operated so powerfully that the form of visitation has been frequently omitted, and indifference and remissness on the part of Parents, Children, Teachers, and Trustees, have, as natural consequences, invaded the system to a pernicious extent.

These, so far as our observations have extended, are some of the most prominent evils connected with the Provincial Parish Schools: and we now proceed with much deference to point out the remedies which have occurred to us as desirable and practicable at the present time.

It is our opinion that the most effectual remedy for the evils arising from the apathy and backwardness of the people, and the scanty and irregular attendance of the children, will be the diffusion of information on the object and power of Education. To effect this, we look for no express Legislative enactments, but to the increase of professional intelligence in the Teachers, and the benevolent co-operation of the Ministers of Religion, and the Press.

To obtain properly qualified Teachers, it appears to be essentially necessary to establish a School in some central part of the Province, say at Fredericton, for the express purpose of training School Instructors in the art of Teaching: and here it should not be so much the object to extend the knowledge of the Students in the higher branches of learning, as to instruct them thoroughly in all matters pertaining to the ordering, conducting and managing of a School, and especially in the art of teaching the rudiments and elementary branches of Common School Education. We

are of opinion that there should be attached to the establishment a Common School, with a competent number of pupils from five to sixteen years of age, as a model for the practical illustration of the art. A few of the most competent Instructors, after receiving such training as they might be found to require, could then be established in other parts of the Province, with authority to receive and train other Teachers or Candidates, and thus in a short time all the Public Schools might be supplied with a class of professional individuals to whom the stigma of incompetency would not attach. The establishment might also be made useful in various other ways which it is unnecessary to particularize, but which would redound to the advantage of the Public and Teachers.

As has been before observed, the present limited income of the Teachers, and the unsatisfactory manner in which it is frequently paid, preclude the hope of the introduction and permanent retention of much intelligence in the profession. On this ground the emoluments of the Teachers become important in a public point of view.

To improve these, and remove other unpromising features in the School System, our attention has been directed to the principle of assessment. We know that it has advocates and opposers in all parts of the Province; but we confidently look forward to its cordial adoption, at no distant period, after other matters are matured. In the mean time we would record our opinion, that direct taxation is not an indispensable preliminary to many solid improvements, while at the same time we entertain no doubt, that the number and efficiency of the elementary Schools would be greatly promoted through its means.

We do not think it necessary to enter minutely into an explanation of all the reasons which influence our opinion as now expressed. We find the subject encompassed with difficulties which render it almost impossible at present to mete out justice to the public and individual Teachers; and we therefore desire simply to draw attention to the higher parts of the scale of incomes, the prevalence of indifference as to education, the small number of children receiving satisfactory instruction in any branch of education not absolutely necessary for all, the incompetency or meagre attainments of Teachers in thriving settlements, where a better remuneration is and can be afforded, the want of a circulating medium in many parts of the Province, and the fact that that mode of payment which appears objectionable to us is not disagreeable to a large class of the Teachers. In addition, we conceive that there is, under our recommendation, a fair prospect of improved incomes to meritorious Teachers; and that the present time is peculiarly unfavourable to the agitation of those vexed questions which would inevitably arise in connection with assessments for educational purposes.

The inconvenience and loss of time caused by the want of suitable uniform books, and appropriate apparatus, will in our opinion be most efficiently provided for after the Training or Model School shall have been established. The selection is intimately connected with it, and is of more difficult accomplishment than the introduction of the books into the Schools. Two years hence the first cost of the books now in use, and which will then be in the hands of the children, with the exception of the Testaments, will not exceed £250, and at the distance of four years they will have disappeared. Within that period, therefore, a new set might be fully adopted without additional cost to any family. We are however, of opinion, that it would be advantageous to encourage

encourage their early introduction by a bounty, on their being published in the Province or imported. This appears preferable to gratuitous distributions, which has been ascertained to involve a new issue every fifth year of the more expensive works, and of the minor at much shorter periods.

The evils which arise from the occupation of inconvenient and ill furnished School Houses, the unnecessary sub-division of Districts, and imperfect supervision, will, in our opinion, be most satisfactorily remedied, at the present time, by an extension of the powers of the Trustees and provision for an Inspection to aid them in their duties, and furnish the Government with such Reports as may lead to the abatement of abuses, the gradual introduction of improvements, maintenance of uniformity, faithful and zealous discharge of duty, and encouragement of good Teachers.

Finally. In order to establish such an unequivocal supreme power as our Provincial Constitution will permit, we would recommend that the Governor in Council be, by Law, constituted a Board of Education, with plenary powers to form the Training or Model School before adverted to; order or recommend particular Class Books; appoint Inspectors, and direct them and the Trustees in the discharge of their duties; prescribe all forms of School Registers, Returns, and other necessary Documents; and in general to take that charge of the School establishments of the Province, through the subordinate Officers, which may, on mature deliberation, be found most likely to put them in an efficient and satisfactory working condition.

All which is most respectfully and humbly submitted by

Your Excellency's

Most obedient, humble servants,

JAMES BROWN,
S. Z. EARLE,
JOHN GREGORY.

Fredericton, February, 1845.

No. 6.

[See Journal 26th February, 1845.]

Report on the Wesleyan Academy at Sackville, in the County of Westmorland.

The Academy stands on a rising ground, (which in honour of the noble hearted founder is called Mount Allison,) in a most delightful situation, between the Tintramar Marsh and the Great Road from Saint John to the Nova Scotia Line. The building is of wood, one hundred and fifty feet long, forty feet wide, and three stories high. The exterior has a substantial and pleasing appearance, and the inside arrangements are comfortable, convenient, and complete.

The branches of Education taught are Reading, Writing, English Grammar, Geography, English History, Arithmetic, Algebra, Geometry, Navigation, Chemistry, French, Latin, Greek, Declamation and English Composition.

There

There are 84 Students in attendance—31 Readers, 74 Writers, 48 in English Grammar, 36 in Geography, 13 in English History, 53 in Arithmetic, 5 in Algebra, 17 in Geometry, 2 in Navigation, 31 in Chemistry, 28 in French, 45 in Latin, 12 in Greek, and 80 in Declamation and English Composition.

Of the number in attendance, six are under 10 years of age, eleven are over 10 and under 12, thirteen over 12 and under 14, twenty four over 14 and under 16, fifteen over 16 and under 18, seven over 18 and under 20, and eight 20 years old and upwards; one of these is from England, one from Canada, four are from Prince Edward's Island, seventeen from Nova Scotia, and the rest from almost all parts of New Brunswick.

The conductors consist of a Governor, a Principal, a French Tutor, an English Master, and two Ushers.

So far as I can judge, the mode of instruction is calculated to give the pupils the most thorough knowledge of the several branches of study, a great portion of it being communicated by way of question and answer, and by oral and visible demonstration by means of Maps, Black Boards, &c.

The class in Chemistry was taught by question, answer and explanation. Geometry, Algebra, and the higher branches of Arithmetic, were all orally taught and demonstrated; the Students by turns, under the eye of the instructor, and in presence of the class, drawing their own Geometrical Figures, or working out the Algebraic and Arithmetical examples, with chalk on the Black Board, and then severally subjecting the same to audible and ocular demonstration. Many useful portions of Arithmetic were performed mentally in answer to questions put by the Tutor, and much was also done with slate and pencil. Geography was taught chiefly by means of Maps and Black Boards; in the latter case, the most prominent features and outlines of certain portions of the earth were drawn out and represented with chalk by the Students, and afterwards minutely pointed out and described. Reading and English Grammar were taught carefully and thoroughly. Writing was taught in the usual manner, and the specimens were generally very good.

The supply of Books is quite sufficient for all the immediate purposes of study and instruction, but the Library is yet small. There are also, for the present, a sufficiency of Philosophical and Chemical apparatus, Globes, Maps, Black Boards, &c.

The Students were dressed in plain clean and comfortable clothing, and appeared to be cheerful, healthy, and happy.

The interior arrangements of the building are excellent, not only for the purposes of instruction, but also for the comfort and accommodation of the Students as a home or place of residence during the continuance of their studies.

It so happened that the time of my visit was immediately after the commencement of one of the terms, and therefore somewhat unfavourable; it also fell on a Saturday, when according to custom, the labours of the week were closed at noon. The bell soon after rang for dinner, at which, by invitation, I also attended. It was a good substantial meal, consisting chiefly of bread, meat, and vegetables, and pure water to drink. The Governor, Principal, Tutors, Ushers, and Students, all sat down together in the same apartment; the repast was received thankfully and cheerfully, and every thing was conducted decently and in order.

The

The greater part of the afternoon was spent in examining the building. It contains, besides all the Class Rooms, Library, &c. a large Lecture Room, or place for Public Worship, with seats for an ordinary Congregation; convenient apartments for the use of the Governor and his family, similar apartments for the Principal, and excellent Bed Rooms for all the Students.

I am unable to describe the numerous apartments, with the several purposes to which they are adapted; but taken altogether, with its pleasant, healthy, and retired situation, the comfortable and commodious condition of the building, the Religious, Parental, and Moral character of its Government, and the moderate price of Board and Tuition, the Wesleyan Academy is, perhaps, the very best Educational Establishment in the Province.

JAMES BROWN, *School Inspector.*

26th November, 1844.

No. 7.

[See Journal 6th March, 1845.]

(Copy)

To His Excellency Sir William Macbean George Colebrooke, K. H., Lieutenant Governor of the Province of New Brunswick.

MAY IT PLEASE YOUR EXCELLENCY,

The Lazaretto on Sheldrake Island, appropriated for those afflicted with Leprosy, contains at present eleven males, seven females, and two unaffected infants. Two males have lately eloped; making a total number of twenty cases that have been received.

My principal object at present is, to state, agreeably to Your Excellency's request, a few of the reasons for considering this disease contagious. I will endeavour to shew to what extent it had spread, and what opinions were held of it in remote ages, what in more modern times, and what at the present period.

"This malady," says Dr. Simpson, "from the tenth to the sixteenth century, prevailed in nearly every district of Europe. Laws were enacted by Princes and Courts to arrest its diffusion; the Pope issued Bulls with regard to the Ecclesiastical separation and rights of the infected." *a* A particular Order of Knighthood was instituted to watch over the sick; and Leper Hospitals or Lazar Houses were every where instituted to receive the victims of the disease.

Louis VIII. promulgated a code of Laws in 1226 for the regulation of the French Leper Hospitals, and these Hospitals were at that date computed to amount, in the then limited Kingdom of France, to not less than two thousand in number, (*deux mille le proseries*.) *b* They afterwards, as is alleged by Velley, were increased in number, so much so, that there was scarcely a Town or Burgh in the Country that was not provided with a Leper Hospital. In

a See particularly the Canon de Leprosis of Pope Alexander III. in the *Monasticum Anglicanum*, Tom. ii. p. 365; and Sember's *Historiæ Ecclesiæ Selecta Capita*, Tom. iii. p. 170.

b Velley *Histoire de France*, Tom. ii. p. 291-2.

In his History of the Reign of Philip II. Mezeray uses the same language in regard to the prevalency of leprosy and leprous patients in France during the twelfth century.^a

Muritori gives a nearly similar account of the extent of the disease during the middle ages in Italy,^b and the inhabitants of the Kingdoms of Northern Europe equally became its unfortunate victims.

Professor Simpson further remarks—"If we deferred to the mere opinion of the older medical and historical authors, the contagious character of the disease at that era would appear to be undoubted. These authors express an unanimous opinion on its contagious propagation, and it is not till we come down to the professional writers of the seventeenth century, as Fernelius,^c and Forestus,^d that we find this doctrine ventured to be called in question." Again—The subjects of this "fœdissimus omnium morborum" were as a body regarded alike by the church and by the people as objects of disgust. The Council of Ancyus decreed that lepers were only to be allowed to worship amongst the Hyemantes, or those public penitents, who on account of the enormity and turpitude of some of their sins, were obliged to stand in the open air, and not even allowed to come under the porch of the church. The Council of Worms granted to lepers a liberty of receiving the Sacrament of the Body and Blood of Christ, but not with those in perfect health.^e Guido de Monte Rocher, in his Manuel for Curates, states, that to some lepers the Sacrament cannot be given, because "non possunt corpus Dominicum sic recipere et tractare in ore suo, quin rejicerent ipsum, sic multi quibus reciderunt labia et dentes et sunt totaliter corrosi usque ad guttur."^f

Cælius Aurelianus insists on the contagiousness of Elephantiasis, and recommends the isolation of those afflicted with it as a measure necessary to the public health.^g

Herodotus and Galen state Elephantiasis to be contagious.

After describing the horrors and course of Elephantiasis or Tubercular Leprosy, the old Roman Physician, Aretæus, adds—"Seeing the afflicted with this disease are such, who would not fly them, or who would not turn aside from a leper, even although he were a son, or a father, or a brother, since there is fear lest the disease should be communicated? (quam metus est ne morbus communicaretur.) Hence many have banished those that were dearest to them into solitudes and mountains."^h

It is almost unnecessary to add, that in Great Britain, as upon the Continent, *i* lepers were obliged either by law or usage to seclude themselves from society when once the disease was discovered upon their persons.

The Chancery Warrant of Edward IV. speaks of the retirement of a leper from society as a matter of custom and duty, and empowers the Sheriff of the County to remove the suspected person to a secluded place, as is the usage, ("prout moris est.")

There exists in the old Records of Scotland, both local and general enactments, enforcing the retirement and seclusion of lepers. The

^a Mezeray Histoire de France, Tom. ii. 1645, p. 168, "Il n'y avoit nyville, ny bour-gade, qui ne fust obligée de bâtir un Hospital pour les (lepres) retirer."

^b Antiquitates Italicæ mediæ ævi, Tom. iii. p. 53, "In Italia vix ulla erat civitas quæ non aliquem locum Leproses destinatum haberet."

^c De morbis occultis, lib. i. c. 12.

^d Observationes Chirurgicæ, lib. iv. obs. 7.

^e Dupin's History of Ecclesiastical Writers, London Ed. 1695, vol. vii. p. 131.

^f Manipulus Curatorum Bremen, 1577, p. iv. c. 9.

^g De morbis acutis et chronicis de Elephantiasi.

^h De causis et signis morborum.

ⁱ See various enactments of the French Province on this head given at length in Delamarre's Traite de la Police, Paris, 1722, vol. i. p. 636.

The Canons of the Church of Scotland, as drawn up or authorized by the Provincial Ecclesiastical Councils held at Perth in the year 1242 and 1269, speak of those attacked by leprosy in Scotland as being separated from society in accordance with general custom—(de consuetudine generali a communione hominum seperantur)—and retired to secluded situations.

According to the tenor of various old civil codes and local enactments, when a person became afflicted with leprosy, he was looked upon as legally and politically dead, and lost the privileges belonging to his right of citizenship.

By the Laws of England, lepers were classed with idiots, madmen, outlaws, &c. as incapable of being heirs; and a leper removed by a Writ de leproso amovendo, could not be a guardian in socage.^a

Rotharis, King of Lombardy, as early as the eleventh century, decreed, that when any one became affected with leprosy, and the fact was known to the judge or people, so that the leper was expelled from society, and dwelt in seclusion, he had no power to alienate his effects or dispose of them to any one. For it is added, from the very day on which he is expelled from his home, he is to be regarded as dead—(tanquam mortuus habetur.)^b The same was the law of Normandy according to Dufresne ^c and Delamarre.^d And Labineau, in his History of Brittany,^e speaks of it being formerly in accordant with the rituals of various churches. The leper was not looked upon in the eye of the law alone as defunct, for the church also took the same view, and performed the solemn ceremonies of the burial of the dead over him on the day on which he was separated from his fellow creatures and consigned to a Lazar House. He was from that moment regarded as a dead man, amongst the living, and legally buried though still breathing and alive. The ritual of the French church retained till a late period the various forms and ceremonies to which the leper was subjected on this day of his living funeral, Ogeef and Pluguet^g have both described them.

A Priest robed with surplice and stole went with the Cross to the house of the doomed leper. The Minister of the Church began the necessary ceremonies by exhorting him to suffer with a penitent and patient spirit the incurable plague with which God had stricken him. He then sprinkled the unfortunate leper with holy water, and afterwards conducted him to the church, the usual burial verses being sung during their march thither. In the church the ordinary habiliments of the leper were removed; he was clothed in a funeral pall; and while placed before the altar between two trestles, the libera was sung, and the Mass for the dead celebrated over him. After the service he was again sprinkled with holy water and led from the church to the house or hospital destined for his future abode. A pair of clappers, a barell, a stick, a cowl, and dress, &c. &c. were given to him. Before leaving the leper the Priest solemnly interdicted him from appearing in public without the leper's garb, from entering inns, churches, mills, and bake houses;—from touching children, or giving them aught he had touched;—from washing his hands or any thing pertaining

^a Ld. Cooke's first instit. of the Law of England, (Thomas' Ed.) vol. ii. p. 193, vol. i. p. 162.

^b Lindenberg's Coderlequum Antiquarum, 1613, p. 609.

^c Observations Sur l'Histoire de Slongs, in Ed. of Joinville's Life of Louis for 1668, append. page 34.

^d Traite de la Police, (Paris, 1722,) vol. ii. p. 636.

^e Historie de Bretagne, vol. i. p. 204: likewise see Mezeray's Historie de France, Tom. iii. p. 168-69.

^f Dictionarie Historique et Geographique de la Bretagne, (1778,) p. 176.

^g Essai Historique sur la ville de Bay, (1829,) p. 254, seq. 9.

pertaining to him in the common fountains and streams;—from touching in the market the goods he wished to buy with anything except his stick;—from eating or drinking with any others than lepers;—and he especially forbade him from walking in narrow paths; or from answering those who spoke to him in the roads and streets, unless in a whisper, that they might not be annoyed with his pestilent breath, and with the infectious odour which exhaled from his body;—and last of all, before taking his departure, and leaving the leper for ever to the seclusion of the Lazar House, the official of the church terminated the ceremony of his separation from his living fellow creatures by throwing upon the body of the poor outcast a shovelful of earth in imitation of the closure of the grave.

But, says Simpson—"The chance of contagion was provided against by other means, besides the mere separation of the infected from the community and their banishment to the Lazar Hospitals. In many instances, the regulations and statutes to which the lepers were subjected, as inmates of these Hospitals, were strongly restrictive, and framed with a view of preventing them spreading the disease to others by any dangerous degree of personal communication with the healthy. The rules of the Greenside Hospital, Edinburgh, present in themselves a striking proof of this, and the occupants of the Hospital were bound to observe these rules under the penalty of death."—"That this," observes Arnott,^a "might not be deemed an empty threatening, a gallows was erected at the gavel of the Hospital for the immediate execution of the offenders."

A proof of its extent and character in Scotland is afforded by the single fact, that as late as the Reign of James I. the victims of this disease were made the subject of a direct and special Legislative enactment, in the Scottish Parliament held at Perth in the year 1427. "I shall quote," says Simpson, "one short clause from this Act, 'anent Lipper Folke,' (as it is termed) to illustrate both the apparent prevalence of the malady at that time, and this circumstance, that the Burghs of the Kingdom are then spoken of, as possessing, or obliged to possess, Lazar Houses of their own. The second clause is to the following effect, shewing their opinion of its contagiousness: 'Item—That na Lipper Folke sit to thig (beg) neither in Kirk, nor in Kirk yaird, nor other place within the burrows, but at their own Hospital, and at the port of the Towne, and other places outwith the burrowes.'"^b

In these early times the very words employed to designate the disease show its extent and severity. Somner, Lye, and Botsworth, in their several Dictionaries of the old Anglo Saxon Language, all quote the remarkable expression, "seo mycle adl," "the mickle ail," or great disease, as signifying "Elephantiasis," or "Leprosie;" and it is worthy of observation, in reference to the same point, that the old French Chronicler, Sir John Froissart, who visited Scotland in the time of Robert II., applies the analogous term of "la grosse maladie" to one noted case in Scotland.

In searching through the works of these authors, Leland, Dugdale, and Tanner, and more particularly through the late splendid edition of the *Monasticon Anglicanum*, I (Simpson) have found references to between eighty and ninety English Lazar Houses, and gives the following copy of a Chancery Warrant issued in 1468 by the reigning

^a History of Edinburgh, p. 258.

^b Sir Thomas Murray's Edition of the Acts of Parliament made by James I. &c., Edinburgh, 1681, p. 18; or Sir Thomas' Edition of the Acts of the Parliament of Scotland, (1814) vol. ii. p. 16.

reigning Monarch, Edward IV.—“ Edward, by the grace of God, King of England and France, and Lord of Ireland—To the Sheriff of Essex, Greeting : Whereas we have heard that Johanna Nightingale is a leper, and is commonly holding intercourse with the people of the aforesaid County, and mixes with them both in public and private places, and refuses to retire to a solitary place, as is customary and befitting her, (et se ad locum solitarium prout moris est, et ad ipsam pertinere transferre recusat), to the grievous injury, and, on account of the contagion of the aforesaid disease, the manifest perils of the aforesaid inhabitants, We willing to guard against such dangers as far as in us lies, and as is just and customary in such cases, do charge you, that having taken with you certain loyal and discreet men of the County of the aforesaid Johanna, in order to obtain a better knowledge of this disease, you go to the aforesaid Johanna, and cause her to be diligently viewed and examined in the presence of the aforesaid men, and if you find her to be leprous, as reported of her, then that you cause her to be removed in as decent a manner as possible, from all intercourse with other persons, and have her betake herself immediately (indilaté) to a secluded place, as is the custom, lest by common intercourse of this kind, injury or danger should in any wise happen to the aforesaid inhabitants.—Witness my hand at Westminster, this day of July, in the eighth year of our Reign.”

Dr. Copland, no mean authority on any subject connected with Medicine, and acquainted with the disease by observation in Africa, as well as from other observations, says, “ The exciting causes of this malady, once the most generally diffused, the most surely and slowly fatal, and the most permanent, of all those which have prevailed at any time in the human species, are veiled in obscurity. It appears to have been prevalent for many centuries ; and although it may not have been, for a considerable portion of that time, so common as syphilis and scurvy, which followed it in succession, yet it was more certainly fatal and dangerous than they to the posterity of those who became the subjects of it. That it was believed to have been contagious is proved by the strenuous efforts made to seclude the diseased and prevent their communication with the healthy.”^a

Niebuhr states that three different varieties of leprosy are known in Arabia in modern times, viz : the Bohak, Barras, and Juddam. “ There is,” he states, “ a quarter in Bagdad surrounded with walls, and full of Barracks, to which lepers are carried by force, if they retire not thither voluntarily.”^b

Ulloa states that at the time of his visit to Carthage, all the lepers of the place were confined in the Hospital of San Lazaro, and if any refused to go they were forcibly carried thither. The Hospital consisted of a number of cottages, and the ground on which it stood was “ surrounded by a high wall, and had only one gate, and that always carefully guarded.”^c

Maundrell, one of our early English travellers in Palestine, alludes to some cases of leprosy in terms portraying simply but strongly the fearful effects and character of the disease. After speaking of some cases of leprosy that he met with in his journey,

^a Dic. of Pract. Med. vol. ii. on Leprosy. (part viii. pub. Nov. 1842.)

^b Pinkerton's collection of Voyages, vol. xviii. p. 170.

^c Ulloa's voy. to Sou. America, (London Ed. of 1762,) vol. i. p. 45, &c.

journey, he states, (to quote his own words) "At Sichern, near Naplosn, there were not less than ten lepers, the same number that was cleansed by our Saviour not far from the same place, that came a-begging to us at one time. Their manner is to come with small buckets in their hands to receive the alms of the charitable, their touch being still held infectious, or at least unclean. Their whole distemper was so noisome, that it might well pass for the utmost corruption of the human body on this side the grave."^a

"In Tonquin, leprosy is so common," says Richard, in his History of that Country, "that there are pieces of land assigned, where those attacked by it must reside. They are shut out from Society; and it is even lawful to kill them if they enter cities or towns." In a country like Tonquin it is difficult to conceive how laws and usages of this kind could have originated in anything except a belief in the contagious nature of the disease, as derived from observation of its mode of diffusion. At all events, the old institutions and customs of the different Kingdoms of Europe, in regard to lepers, seem all to have been originally founded on such a belief in the possibility of the contagious communication of this dreadful and dreaded disease from the sick to the healthy.^b

Brand, (the honest Missionary, as Hibbert terms him), states, that in Shetland the scurvy sometimes degenerates into leprosy, and is discerned by the hair falling from the eyebrows, the nose falling in, &c., "which," he adds, "when the people come to know, they separate and set them apart for fear of infection, building huts or little houses for them in the field."^c

"Formerly," says Doctor Edmonstone, "when leprosy was very prevalent, the unfortunate individuals who were seized with it were removed to small huts erected for the purpose, and they received a scanty allowance of provisions daily until the disease put a period to their miserable existence."^d

In a minute description of the symptoms in the lepers of Shetland, drawn up for Sir John Pringle, by the Reverend Andrew Fiskin, Minister of Delting, Walls and Sandness, about the year 1736 or 1737, he states that "this disease is found by experiment to be very infectious. The persons that fall into this direful case are, as soon as it is observed, obliged to retire to a solitary little hut, built on purpose for them at a distance from all houses, and are not allowed any converse with their husbands, wives, or nearest relations, but have their necessaries of life furnished them by a contribution from all the inhabitants of the Isle, and brought to their hut, which they take in when the person who brought it has retired to the windward of their house at some distance."

In the case of a woman, which is recorded in the Session Records of Walls, and furnished by Mr. Rannie, Session Clerk, it is stated, "She was ordered to be provided, at the expense of the Session, with back and bed clothes, a house fit for her to lodge in, and maintenance to be brought her daily at the house." Mr. Rannie further states—"I have been informed by old persons, that she lived but a short time after she was put into the house built for her in the common at a distance from other houses."

^a Journey from Aleppo to Jerusalem at Easter, A. D. 1697.

^b Edin. Med. and Surg. Jour. (1842,) vol. 57, p. 412 and Seq.

^c A brief description of Orkney, &c. 1791, p. 72.

^d View of the ancient and present state of the Zetland Islands, vol. ii. p. 103, Edinburgh, 1809.

houses." He adds—"It has been reported to me, that in Papa, about the year 1778, a leprous woman was put out and died in the fields before a house could be built; and that about the same time there were leprous persons in the district of Watness, and that the son and daughter of a man, Henry Sinclair, were infected, and sent to the Hospital at Edinburgh."

Doctor Hillary states that it is not originally endemic in any part of the New World, and that it was first imported into and spread through the West Indies, &c. by subjects brought from Africa. Hillary professes himself certain upon this point.^a

Doctor Thomas says—"The disease (leprosy) is very readily propagated from one person to another by contact or cohabitation, as I have often witnessed during my residence in the West Indies." He adds—"The disease arises from an hereditary taint or predisposition sometimes, but it more commonly proceeds from infection communicated either by cohabitation, or otherwise coming in contact with them who labour under it in a high degree."^b

Magendie, the celebrated French Physician, says—"The dread of contagion is still very general."^c

Doctor Edmondstone remarks—"Nor does it seem to propagate itself by infection, unless in those cases where a matter is generated and discharged from the sores. *There is the certain medium of communication*, and an inattention to this circumstance has given rise to contradictory views of its nature;"^d and

Doctor Copland remarks—"I believe there is much truth in the latter part of this quotation. I quite agree with this opinion of my late friend. We have seen that it prevailed very generally in the Shetland Isles about sixty five years ago, and all the inhabitants were deeply impressed with a conviction of its contagious nature; and the history of the disease but too well confirms the accuracy of the opinion."^e

Doctor Edmondstone adds in another place^f—"That it was propagated by contagion, cannot admit of a doubt."

Doctor Holland, who accompanies Sir G. M'Kenzie in his expedition to Iceland, in speaking of Elephantiasis, says—"The disease of which we have been speaking, when once introduced, will readily be kept up, partly by its contagious character, principally by the food and habits of the people."^g

Doctor Jackson, in his account of the Empire of Morocco, says—"Those who are afflicted with leprosy are obliged to wear a badge of distinction, whenever they leave their habitation; so that a straw hat with a wide brim, tied on in a particular manner, is the signal for persons not to approach the wearer."

Doctor Henderson, in his Tour to Iceland, states that Leprosy in that part seems to be both infectious and hereditary.

Doctor Good states that the disease (leprosy) is contagious as well as hereditary in India and Arabia. We have the concurrent testimony of all the Medical writers of both

^a See his observations on the diseases of Barbadoes, (1766,) p. 322; and also for the same opinion, Schilling's *Com-mentationes de Lepra*, (1776,) p. 20.

^b *Pract. of Physic*, (1821,) 7 Ed. p. 664.

^c *Med. Chir. Rev.* (1838,) vol. xxviii. p. 525.

^d *Edin. Med. and Surg. Journ.* (1810,) vol. vi. p. 164.

^e *Dict. of Pract. Med.* vol. ii. p. 706, (part viii. published 1842.)

^f *Edin. Med. and Surg. Journ.* (1810,) vol. vi. p. 165.

^g *Edin. Med. and Surg. Journ.* (1812,) vol. viii. p. 204.

both countries, native as well as foreign; so that there can be no doubt upon the subject.^a Good, as well as Cullin, make contagion a part of their definition of this disease; and Darwin entertains no doubt of its contagious properties.

Doctor Gourlay says that thirty years antecedent to the period at which he wrote, (about sixty five years ago), "It raged at Pouta do Sol with all the violence of an infectious malady, passing from one family to another, and threatening to extend its ravages into the neighbouring country, till the Governor took the prudent and wise steps of separating the healthy from the diseased, and preventing their interference with each other."^b

"From an official report on this subject, (Leprosy in Sardinia), recently published by order of the Sardinian Government, we learn that there are at the present time upwards of one hundred cases of genuine leprosy in the different Provinces of the Kingdom. The disease is said to be *decidedly contagious*, at least in its advanced or suppurative stage, when it seems to be communicated not only by contact with a diseased individual, but also by his wearing apparel. Doctor Trompeo, who was employed by his government to report upon the subject, states it as his opinion, that it is essentially the ancient disease of the Egyptians and Greeks, modified indeed somewhat by lapse of time and the influence of modern civilization. In a few cases they exhibited each and every one the symptoms and character of the genuine Leprosy, such as we read of in the authors of antiquity."^c

"Sig. Trompeo is clearly of opinion, that the affection (leprosy) is perpetuated in Europe, simply because effectual means are not taken to isolate the affected individuals, and prevent them from communicating the contagion to others. The old Leper Hospitals were undoubtedly imperfect, but under proper management he thinks they might have gradually eradicated the disease."^d

Many more authorities might be produced, but I trust these are sufficient to shew that this disease has been known in every quarter of the globe; that when most prevalent and best known, it was universally considered contagious; that this opinion has been held by the most eminent Historians and Medical writers, from the days of Herodotus to the present time, a period of upwards of 2,200 years; that this opinion was never doubted until the seventeenth century, when the disease had become less frequent, and as a consequence less known; that in many Countries this opinion had been formed from no other apparent cause, than observing its mode of propagation; that separation was considered necessary, and laws for its enforcement enacted by every Nation in Europe; that where such laws did not exist, the same measures were enforced by the general consent of the people; and that very lately, a commission has been issued by the Sardinian Government, who have given the same opinion, and recommended the same measures, as the Commission Your Excellency appointed in March 1844.^e

We have strong presumptive proof that the disease in this district does not proceed from location, diet, or habits, in its absence from the other French Settlements along the

^a Study of Med. (1829,) vol. iii. p. 427.

^b Edin. Med. and Surg. Jour. (1826,) vol. xxvi. p. 24.

^c Johnson's Journ. (1844,) vol. 40, p. 509.

^d Edin. Med. and Surg. Jour. (1844,) vol. lxi. p. 483.

^e The same opinion was given and measures recommended to the Northd. Board of Health, in March, 1842, by Doctor Thomson of this place, and the writer.

the coast, and those more inland cases occurring in individuals of different nations, and modes of life: a hereditary cause is not more applicable, as none of the lepers' parents or progenitors (that they know) have had the disease, with the exception of Francis Robicheaux, (Tertius) and Barnaby Savoy; and it is more probable that Francis took it from his mother, or the Robicheaux, who have it, and with whom he ate and slept; and that Barnaby caught it by immediate contact with his mother, who likewise has the disease, than that it came by hereditary transmission; at least such would be the inference in other contagious diseases.

It will remove many difficulties and apparent inconsistencies by bearing in mind that the suppurative stage is the most contagious, or that it is the matter generated by the sores that is the principal medium of communication;—that this stage is in many cases years in arriving, and in some never occurs; for instance, it has been stated that “Mrs. J. Benoit’s having been affected ten (7 or 8) years before her husband, makes it absurd to suppose that he could have contracted the disease from her;” while it only tends to prove that he did not get it from the same source as his wife, or it more than probable would have appeared about the same time; and clearly proves that until matter was formed, it was innocuous; and that when this took place, he caught the virus, sickened and died. It has likewise been stated, that Peter Savoy, &c. have lived with their families, without communicating the disease. Peter Savoy, Mrs. Basque, Fabian Gôtreaux, &c. have no sores, and to this is the safety of their families to be attributed. On putting the question to several of the lepers last Wednesday,—if they considered it catching when there were no sores, they replied—“We will not say that you will not catch it, but it is hard to catch.” To shew the opinion of the lepers and their friends as to the cause of this disease, I will make a few extracts from my Case Book on the question being put to them or their friends:—Do you know any cause for this disease? “All concur in the opinion that Joseph Benoit caught it from his wife.”—“Mrs. F. Benoit, in her friendly services to her sister, (Mrs. J. Benoit) caught the disease.”—“Francis Soney was often at the Benoit’s where the disease was, thinks he got the disease by matter discharged on his shoulder from the coffin of Mrs. J. Benoit.”—“Mrs. Francis Robicheaux, Junior, (Edith Soney) got it from her brother Francis Soney.”—“Cyril Austin got it from Francis Soney, with whom he stopped the two last years of his (Soney’s) life.”—“John Robicheaux caught it from Mrs. F. Robicheaux, Junior, who lived the last six or seven years of her life in his brother’s (Francis Robicheaux, Junior,) house, where he lived.”—“Mrs. Basque has been often where it was, has stopped with them, more especially with Mrs. F. Benoit,—did not nurse her child for fear she would give it the disease.”—“Tranquil and Israel Robicheaux got it from their brother’s wife, (Mrs. F. R. Junior,) who lived in their father’s house.”—“Francis Robicheaux, (Tertius) got it from his mother or Tranquil and Israel Robicheaux, with whom he eats and sleeps.”—“Mrs. John Soney got it from Mrs. Francis Robicheaux, Junior, who stayed with her a few months previous to her death.”—“Oliver Robicheaux got it from his brothers Israel and Tranquil.”—What is the reason, Oliver, that although older than your brothers, you have been last in catching it? “Because I was least at home.”—Then you consider it contagious? “I consider if I had never been there, I would not have the disease.”—Thomas Comeaux “thinks he got it from John Robicheaux, who lived twelve months in his house—the disease appeared on him

three months after J. R. came to his house!"—Louis Doivon (or Gould) "used often to assist Thomas Comeaux; and considers he caught it from him; sleeps in a bed by himself; has not touched any of his children since he had the disease, for fear of giving it to them."—Charlotte Benoit "has been often where it was; lived with Mrs. F. Benoit during the last year of her life; the disease appeared on her about the time of Mrs. F. Benoit's death; thinks she got it from her."—Fabian Gotreaux "was not afraid of it, and therefore used to go every place where it was."—Julian Ferguson "has been in many places where she might have caught it; did not nurse her child for fear of injuring it; believes it is taking."—Barnaby Savoy's father thinks "he (Barnaby) took it from his mother; thinks it taking."—Mary Rose Robicheaux, her mother, said, "that individuals labouring under the disease, had been in her house, and had slept there; that she was very particular in washing the bed clothes; this was previous to its breaking out on her daughter, &c."—Mrs. Vict. Savoy, (Frances) "has been often where it was; visited Mrs. F. Benoit twice after she was very bad, and stayed a short time with her."—Peter Savoy "stopped a winter in Tracadie four years ago; has been often there since, where the disease was, previous to its appearing on him."—William Brown "has no doubt that he got it from Mrs. Gardiner, who died in his father's house of the same disease; knows it is the same disease; he cannot be mistaken; it looks so like it."—John Brown sleeps with his brother William, and caught it from him."—Their mother says "she has no doubt that William and John got the disease in manner stated; and that Mary Swezey was living in her house, and took the disease from her sons; none of her or Brown's people ever had this disease.

With two or three exceptions, we can trace the contagion to every source from whence it emanated, and these exceptions are less wonderful than that such a clear and connected history of its course should have been obtained from those whose feelings would naturally incline them to a contrary line of conduct.

I have made particular inquiries of the inhabitants of Tracadie, and the other Settlements along the Gulf shore, and all are confident that Mrs. J. Benoit's was the first case; true, a number of cases of a disease similar to Sibbens, has occurred in Caraquet, &c., and several of the most severe were under my care, but they were very different in appearance, course and termination, to the disease-under consideration; none died, all recovered, and many of them without any, or at all events any adequate remedy; and for some time past they have altogether disappeared.

I intended making a few remarks on the causes that have tended to retard or accelerate its dissemination, on the Lazaretto discipline, and on the treatment of the disease; but as this communication has extended to an unexpected length, I will only say, that the patients generally have improved, that many of their sores have healed, and all have assumed a more healthy aspect; but whether this improvement is to terminate in recovery or relapse, I am at present unable to decide. The principal remedies used have been alterative doses of the Bi-Chloride of Mercury, and Iodine.

I have, &c.

(Signed)

A. KEY.

Miramichi, 22d February, 1845.

No. 8.

[See Journal 10th March, 1845.]

(Copy)

Saint John, 1st March, 1845.

MAY IT PLEASE YOUR EXCELLENCY,

The undersigned Commissioners of the Provincial Lunatic Asylum beg leave to represent to Your Excellency, that since the first day of January last, thirteen have been added to the number of Patients in the Asylum, the whole number of Patients at present being seventy five, and that the building is now occupied by a greater number than can be suitably accommodated.

That part of the buildings have become much decayed, and will require repairs to the value of at least one hundred and fifty pounds, to render them habitable for a longer period than during the ensuing Summer.

The Commissioners respectfully request that Your Excellency will call the attention of the Legislature to the necessity of making suitable provision for the extra expense which will thereby be incurred.

The Commissioners beg leave to suggest to Your Excellency, that in case a site for the proposed Provincial Lunatic Asylum should be procured in the neighborhood of the City of Saint John, a number of the Patients, perhaps twenty, might be conveniently employed during a great part of the Summer in making excavations and other preparations for building.

They have, &c.

(Signed)

GEORGE P. PETERS,
W. JACK,
JOHN WARD, Junior, } Commissioners.

His Excellency Sir William Colebrooke, &c. &c. &c.



INDEX.

8^o Victoria Third Session of the Thirteenth General Assembly.

	PAGE.
ACCOUNTS,	
Treasurer's, laid before the House,	205
Finances of the Province, laid before the House,	206
Contingent—Committee appointed to investigate and report thereon, 331; Members composing the same, 331; their report,	364
King's College, laid before the House,	236
Provincial Auditor's, with Documents, Civil List, &c.; Abstracts of the receipt and expenditure of the Casual and Territorial Revenue for the year ending 31st December, 1844,	206
Commissioners of Provincial Penitentiary, dated 31st December, 1844, laid before the House, [See Appendix No. 4.]	252
Commissioners of Light Houses, laid before the House,	260
B	
BANKS,	
Of New Brunswick,	
Abstract shewing its state on the 6th day of January, 1845,	200
Commercial,	
Abstract shewing its state the 23th day of September, 1844,	260
Central, of New Brunswick,	
Abstracts shewing its state on the 3d day of June, 1844, and the 2d day of December, 1844, 200; 3d March, 1845,	298
Saint Stephen,	
Abstracts shewing its state on the first Monday in July, 1844, and the first Monday in January, 1845,	200
Charlotte County,	
Abstract shewing its state on the first Monday in May, 1844,	200
BLUE BOOK,	
Laid before the House,	358
BYE ROADS,	
Resolution respecting, 328; <i>House divide</i> , 328; passed,	328
BILLS originating in the Legislative Council.	
<i>Charlotte County Bank amendment Bill.</i> —Presented by the Honorable Mr. Hatch, 260; read first time, 260; read second time, 266; referred to Committee on Corporations, 266; their report, 278; committed, reported, 282; read third time and passed, 283; title ordered, 283; sent down for concurrence, 283; returned concurred in, 291; assent given,	327
<i>Injuries on Lands in the vicinity of the River Saint John prevention Bill.</i> —Presented by the Honorable Mr. Johnston, 284; read first time, 284; read second time, 285; committed, <i>the House divide</i> , reported, 288; read third time and passed, 289; title ordered, 289; sent down for concurrence, 289; <i>not returned.</i>	—
<i>Real Estate, regulating the sale of, under Execution, additional Bill.</i> —Presented by the Honorable Mr. Johnston, 291; read first time, 291; read second time, 293; committed, progress reported 303; further committed, reported, 311; postponed for three months, 311.	—
<i>Bastardy Laws amendment Bill.</i> —Presented by the Honorable Mr. Kinnear, 292; read first time, 292; read second time, 293; committed, reported, 294; read third time and passed, 297; title ordered, 297; sent down for concurrence, 297; returned concurred in, 312; assent given,	328

BILLS originating in the Legislative Council—Continued.

PAGE.

- Church Wardens, &c. Woodstock Bill, to sell Lands.*—Presented by the Honorable Mr. Johnston, 318; read first time, 318; read second time, 321; committed, reported, 323; postponed for three months, 323. —
- Hermilage Bill.*—Presented by the Honorable Mr. Street, 319; read first time, 319; Rule dispensed with, read second time, 319; referred to Committee of two Members, 319; their report, 341; committed, 344; progress reported, 344; further committed, amended, reported, 349; read third time and passed, 350; title ordered, 350; sent down for concurrence, 350; concurred in, 362; assent given, (with a suspending clause,) 368

BILLS from the House of Assembly.

- Interest on Warrants continuing Bill, intituled,* A Bill to continue the Act to provide for the payment of Interest on Warrants.—Brought up, 200; read first time, 200; read second time, 201; committed, 202; reported, 202; read third time and passed, 211; Assembly acquainted, 211; assent given, 324
- Pedlars' Licence continuing Bill, intituled,* A Bill to continue an Act, intituled "An Act to prevent Pedlars travelling and selling within this Province without Licence."—Brought up, 200; read first time, 200; read second time, 201; committed, reported, 202; read third time and passed, 211; Assembly acquainted, 211; assent given, 324
- Globe Assurance Company Bill, intituled,* A Bill to incorporate sundry persons by the name of the Globe Assurance Company.—Brought up, 200; read first time, 200; read second time, 201; referred to Committee on Corporations, 201; their report, 218; committed, reported 239; read third time and passed, 240; Assembly acquainted, 240; assent given, 325
- Lotteries prohibiting continuing Bill, intituled,* A Bill to continue the Act for prohibiting and suppressing of Lotteries in this Province.—Brought up, 201; read first time, 201; read second time, 202; committed, reported, 211; read third time and passed, 213; Assembly acquainted, 213; assent given, 324
- Newcastle River Navigation continuing Bill, intituled,* A Bill to continue an Act intituled "An Act for the better and more effectual securing the navigation of the Newcastle River, in Queen's County."—Brought up, 209; read first time, 209; read second time, 211; committed, reported, 215; read third time and passed, Assembly acquainted, 219; assent given, 324
- County of York Treasurer further continuing Bill, intituled,* A Bill further to continue an Act, intituled "An Act to authorize the Justices of the Peace in the County of York to make further provision for the payment of the Treasurer of that County."—Brought up, 209; read first time, 210; read second time, 211; committed, reported, 215; read third time and passed, 219; Assembly acquainted, 219; assent given, 324
- Trespasses upon Square Timber and other Lumber further continuing Bill, intituled,* A Bill further to continue an Act, intituled "An Act to provide for the summary punishment of persons committing trespasses upon Square Timber and other Lumber."—Brought up, 210; read first time, 210; read second time, 211; committed, reported, 232; read third time and passed, 233; Assembly acquainted, 233; assent given, 327
- Solemnizing Marriage Bill, intituled,* A Bill relating to the privilege of Solemnizing Marriage.—Brought up, 210; read first time, 210; read second time, 211; committed, progress reported, 215; further committed, amended, reported, 242; as amended, read third time and passed, 243; sent down for concurrence, 243; concurred in, 260; assent given, 327
- Certain Fees Bill, intituled,* A Bill relating to certain Fees.—Brought up, 210; read first time, 210; read second time, 211; committed, progress reported, 242; further committed, reported, 301; amended at third reading, 301; read a third time as amended, and passed, sent down for concurrence, 301; concurred in, 305; assent given, (with a suspending clause,) 328
- Provincial Distillery continuing Bill, intituled,* A Bill to continue the Act imposing a Duty on Rum and other Spirituous Liquors distilled within the Province.—Brought up, 210; read first time, 210; read second time, 211; committed, reported, 215; read third time and passed, 219; Assembly acquainted, 219; assent given, 325
- Clerk of the Circuit Court continuing Bill, intituled,* A Bill to continue the Act to provide for the services of the Clerk of the Circuit Courts in this Province.—Brought up, 210; read first time, 210; read second time, 211; committed, reported, 216; read third time and passed, 219; Assembly acquainted, 219; assent given, 325
- French Inhabitants Poor Rate Exemption continuing Bill, intituled,* A Bill to continue an Act, intituled "An Act to authorize the Justices of the Peace in certain Counties in this Pro-

I N D E X .

iii.

BILLS from the House of Assembly—Continued.

PAGE.

- vince to exempt the French Inhabitants from the assessment of Poor Rates."—Brought up, 210; read first time, 210; read second time, 211; committed, reported, 216; read third time and passed, 219; Assembly acquainted, 219; assent given, 352
- Woodstock Firewards continuing Bill, intituled*, A Bill to continue an Act, intituled "An Act for the appointment of Firewards in the Parish of Woodstock."—Brought up, 212; read first time, 212; read second time, 214; committed, reported, 221; read third time and passed, 225; Assembly acquainted, 225; assent given, 325
- Church Wardens and Vestrymen in Saint Andrews continuing Bill, intituled*, A Bill to continue an Act, intituled "An Act to continue an Act relating to Church Wardens and Vestrymen, and to persons having voices in their Election, so far as relates to the Parish Church of Saint Andrews."—Brought up, 212; read first time, 212; read second time, 214; committed, 222; amended, reported, 223; as amended, read third time and passed, sent down for concurrence, 225; concurred in, 247; assent given, 326
- Saint Croix River Navigation continuing Bill, intituled*, A Bill to continue an Act, intituled "An Act for the better and more effectually securing the navigation of the River Saint Croix, in the County of Charlotte, and also further to continue an Act, intituled 'An Act to empower the Justices of the County of Charlotte to make regulations for driving Timber and Logs down the Rivers Saint Croix, Magaguadavic, Digdeguash and their Branches.'"—Brought up, 212; read first time, 212; read second time, 214; committed, reported, 223; read third time and passed, 225; Assembly acquainted, 225; assent given, 326
- Town of Saint Andrews Water continuing Bill, intituled*, A Bill to continue an Act for supplying the Town of Saint Andrews with Water by Pipes.—Brought up, 212; read first time, 212; read second time, 214; committed, reported, 223; read third time and passed, 225; Assembly acquainted, 225; assent given, 325
- Tavern Keepers and Retailers continuing Bill, intituled*, A Bill to continue the several Acts now in force relating to Tavern Keepers and Retailers.—Brought up, 212; read first time, 212; read second time, 214; committed, reported, 223; read third time and passed, 225; Assembly acquainted, 225; assent given, 326
- Saint Stephen Firewards continuing Bill, intituled*, A Bill to continue several Acts relating to the appointment of Firewards and the better extinguishment of Fires in a part of the Parish of Saint Stephen, in the County of Charlotte.—Brought up, 212; read first time, 212; read second time, 214; committed, 223; amended, 224; reported, 224; as amended, read third time and passed, sent down for concurrence, 225; concurred in, 244; assent given, 326
- Saint Croix River Navigation repealing and improving Bill, intituled*, A Bill to repeal an Act, intituled "An Act for the better and more effectual securing the navigation of the River Saint Croix, in the County of Charlotte, and to make other and more effectual provision relating to the same."—Brought up, 213; read first time, 213; read second time, 214; committed, reported, 231; read third time and passed, 240; Assembly acquainted, 240; assent given, 325
- Ordnance Department Land Bill, intituled*, A Bill relating to certain Lands belonging to Her Majesty, and for vesting the Title to the same in the Principal Officers of Her Majesty's Ordnance Department.—Brought up, 213; read first time, 213; twenty third Rule dispensed with, read second time, 213; committed, reported, 214; Rule dispensed with, read third time and passed, 214; Assembly acquainted, 214; assent given, 220
- Collection of County and Parish Rates continuing Bill, intituled*, A Bill to continue the Act to provide for the collection of County and Parish Rates.—Brought up, 214; read first time, 215; read second time, 220; committed, reported, 221; read third time and passed, 225; Assembly acquainted, 225; assent given, 326
- Cartmen, Waggoners and Truckmen regulating continuing Bill, intituled*, A Bill to continue the several Acts now in force for the regulation of Cartmen, Waggoners and Truckmen, and for regulating the truckage of Goods and the measurement of Coals and Salt.—Brought up, 215; read first time, 215; read second time, 220; committed, reported, 221; read third time and passed, 225; Assembly acquainted, 225; assent given, 326
- Dockage, Wharfage and Cranage in the City of Saint John continuing Bill, intituled*, A Bill to continue an Act to regulate Dockage, Wharfage and Cranage in the City of Saint John and in the Parish of Portland.—Brought up, 221; read first time, 221; read second time, 226; committed, reported, 228; read third time and passed, 240; Assembly acquainted, 240; assent given, 325

BILLS from the House of Assembly—Continued.

PAGE.

- Timber driving, &c. on the Magaguadavic River continuing Bill, intituled, A Bill to continue an Act to revive and continue an Act to regulate the driving of Timber and Saw Logs down the River Magaguadavic and its Branches.*—Brought up, 221; read first time, 221; read second time, 226; committed, 228; reported, 229; read third time and passed, 240; Assembly acquainted, 240; assent given, 325
- Fairs in Northumberland Bill, intituled, A Bill to establish periodical Fairs in the Town of Newcastle, in the County of Northumberland.*—Brought up, 222; read first time, 222; read second time, 226; committed, reported, 229; read third time and passed, 240; Assembly acquainted, 240; assent given, 325
- Firewards in Fredericton, Newcastle and Chatham continuing Bill, intituled, A Bill to continue an Act to extend the provisions of an Act, intituled "An Act to repeal the Laws now in force for appointing Firewards and the better extinguishing of fires so far as the same relate to the Town of Fredericton, and to make regulations more suitable to the said Town, to the Towns of Newcastle and Chatham, and their vicinities, in the County of Northumberland."*—Brought up, 222; read first time, 222; read second time, 226; committed, 229; reported, 230; read third time and passed, 240; Assembly acquainted, 240; assent given, 325
- Fisheries in the County of Northumberland continuing Bill, intituled, A Bill to continue certain Acts relating to the Fisheries in the County of Northumberland that are now expiring.*—Brought up, 222; read first time, 222; read second time, 226; committed, reported, 230; read third time and passed, 240; Assembly acquainted, 240; assent given, 325
- Rooms and Lumber Regulation in Northumberland continuing Bill, intituled, A Bill to continue an Act for the regulation of Booms for securing Masts, Logs and Lumber in certain parts of the County of Northumberland.*—Brought up, 222; read first time, 222; read second time, 226; committed, reported, 230; read third time and passed, 240; Assembly acquainted, 240; assent given, 325
- Dog Tax in Chatham continuing Bill, intituled, A Bill to continue an Act to lay a tax on Dogs in a certain part of the Parish of Chatham, in the County of Northumberland.*—Brought up, 222; read first time, 222; read second time, 226; committed, reported, 230; read third time and passed, 240; Assembly acquainted, 240; assent given, 325
- Miramichi River Navigation continuing Bill, intituled, A Bill to continue an Act for the better and more effectual securing the Navigation of the River Miramichi, in the County of Northumberland, and to protect the Fisheries on the said River.*—Brought up, 222; read first time, 222; read second time, 226; committed, reported, 230; read third time and passed, 241; Assembly acquainted, 241; assent given, 325
- Dog Tax in Newcastle Bill, intituled, A Bill to lay a tax on Dogs in a certain part of the Parish of Newcastle, in the County of Northumberland.*—Brought up, 222; read first time, 222; read second time, 226; committed, 230; progress reported, 231; further committed, reported, 236; read third time and passed, 297; Assembly acquainted, 297; assent given, 328
- Assize of Bread in Newcastle and Chatham continuing Bill, intituled, A Bill to continue an Act to regulate the Assize of Bread in the Towns of Newcastle and Chatham, in the County of Northumberland.*—Brought up, 222; read first time, 222; read second time, 226; committed, reported, 231; read third time and passed, 241; Assembly acquainted, 241; assent given, 325
- Navigation of certain Harbours in the Counties of Northumberland, Kent and Gloucester, repealing and amending continuing Bill, intituled, A Bill to continue an Act, intituled "An Act to repeal an Act, intituled 'An Act for the better security of the Navigation of certain Harbours in the County of Northumberland,' and to make more effectual provision for the better security of the Harbours in the Counties of Northumberland, Kent and Gloucester."*—Brought up, 222; read first time, 222; read second time, 226; committed, reported, 231; read third time and passed, 241; Assembly acquainted, 241; assent given, 325
- County of Kent contingent expenses Bill, intituled, A Bill to authorize the Justices of the Peace for the County of Kent to levy an assessment to defray the contingent expenses of the said County.*—Brought up, 224; read first time, 224; read second time, 226; committed, reported, 231; read third time and passed, 241; Assembly acquainted, 241; assent given, 325
- Fences and Gates across Highways through Intervale Land in King's County continuing Bill, intituled, A Bill to continue an Act, intituled "An Act to provide for the erection of Fences with Gates across Highways leading through Intervale Land in Queen's County and the County of Sunbury, where the same may be found necessary, and to extend the provisions of the same to King's County."*—Brought up, 226; read first time, 226; read second time, 228; committed, reported, 241; read third time and passed, 243; Assembly acquainted, 243; assent given, 326

INDEX.

V.

BILLS from the House of Assembly—Continued.

PAGE.

- Office of Sheriff regulation of continuing Bill, intituled, A Bill to continue an Act for the better regulation of the Office of Sheriff in this Province.—Brought up, 229; read first time, 229; read second time, 241; committed, reported, 244; read third time and passed, 249; Assembly acquainted, 250; assent given,* 326
- King's County assessment Bill, intituled, A Bill to authorize the Justices of the Peace in King's County to levy an assessment to pay off the County Debts.—Brought up, 229; read first time, 229; read second time, 241; committed, reported, 244; read third time and passed, 250; Assembly acquainted, 250; assent given,* 326
- Assessment of County Rates continuing Bill, intituled, A Bill to continue the Act to provide for the better assessment of County and Parish Rates.—Brought up, 229; read first time, 229; read second time, 241; committed, reported, 244; read third time and passed, 250; Assembly acquainted, 250; assent given,* 326
- Disorderly Riding continuing Bill, intituled, A Bill further to continue an Act to prevent disorderly riding on Streets and Highways in this Province.—Brought up, 229; read first time, 229; read second time, 241; committed, reported, 246; read third time and passed, 250; Assembly acquainted, 250; assent given,* 326
- Seamen regulation of continuing Bill, intituled, A Bill to continue an Act to make more effectual provisions for the regulation of Seamen in this Province.—Brought up, 229; read first time, 229; read second time, 241; committed, reported, 294; postponed for three months, 294.* —
- Landlord and Tenant continuing Bill, intituled, A Bill to continue the Act relating to Landlord and Tenant.—Brought up, 229; read first time, 229; read second time, 241; committed, reported, 246; read third time and passed, 250; Assembly acquainted, 250; assent given,* 326
- Pawn Brokers' regulating continuing Bill, intituled, A Bill to continue the Act to regulate Pawn Brokers within this Province.—Brought up, 231; read first time, 231; read second time, 241; committed, reported, 246; read third time and passed, 250; Assembly acquainted, 250; assent given,* 326
- Disorderly Houses punishment of continuing Bill, intituled, A Bill to continue the Act for the more speedy and effectual punishment of persons keeping Disorderly Houses.—Brought up, 239; read first time, 239; read second time, 241; committed, reported, amended, 247; as amended, read third time and passed, sent down for concurrence, 249; concurred in, 270; assent given.* 327
- Assize of Bread regulating in the Town of Saint Andrews continuing Bill, intituled, A Bill to continue an Act, intituled, "An Act to regulate the Assize of Bread in the Towns of Saint Andrews and Saint Stephen, in the County of Charlotte, and to repeal the Acts now in force relating to the Town of Saint Andrews."—Brought up, 242; read second time, 243; committed, reported, 250; read third time and passed, 254; Assembly acquainted, 254; assent given,* 326
- Inspection by Grand Jurors of Public Accounts continuing Bill, intituled, A Bill to continue an Act to authorize the Grand Jurors of the several Counties within this Province to inspect the Public Accounts.—Brought up, 242; read first time, 242; read second time 243; committed, reported, 250; read third time and passed, 254; Assembly acquainted, 254; assent given.* 326
- Firewards in the Town of Saint Andrews regulating continuing Bill, intituled, A Bill to continue an Act, intituled "An Act to repeal the Laws now in force for appointing Firewards and for the better extinguishing Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned."—Brought up, 242; read first time, 242; read second time, 243; committed, reported, 251; read third time and passed, 254; Assembly acquainted, 254; assent given,* 326
- Passamaquoddy Bay Navigation continuing Bill, intituled, A Bill to continue an Act relating to the Navigation of the Inner Bay of Passamaquoddy.—Brought up, 242; read first time, 242; read second time, 244; committed, reported, 251; read third time and passed, 254; Assembly acquainted, 254; assent given,* 326
- Herring Fisheries in the County of Charlotte continuing Bill, intituled, A Bill to continue an Act intituled, "An Act to continue an Act relating to the Herring Fisheries in the County of Charlotte."—Brought up, 242; read first time, 242; read second time, 244; committed, progress reported, 251; further committed, amended, reported, 255; as amended, read third time and passed, sent down for concurrence, 257; concurred in, 315; assent given,* 328

BILLS from the House of Assembly—Continued.

PAGE.

- Sick and Disabled Seamen in Charlotte County suspending Bill, intituled*, A Bill to suspend the operation of certain Acts to provide for Sick and Disabled Seamen so far as they relate to the County of Charlotte.—Brought up, 242; read first time, 242; read second time, 244; committed, reported, postponed for three months, 250. —
- Light Houses in the Bay of Fundy in Charlotte County suspending Bill, intituled*, A Bill to suspend the operation of the Act for maintaining Light Houses in the Bay of Fundy, so far as regards Vessels arriving in the County of Charlotte for a limited period.—Brought up, 242; read first time, 242; read second time, 244; committed, reported, postponed for three months, 252. —
- Maduxnikik Boom Company incorporating Bill, intituled*, A Bill to incorporate the Maduxnikik Boom Company.—Brought up, 247; read first time, 247; Rule dispensed with, read second time, referred to Committee on Corporations, 247; their report, 267; committed, 269; amended, 270; reported, 270; as amended, read third time and passed, sent down for concurrence, 272; concurred in, 284; assent given, 327
- Saint Andrews Steam Mill and Manufacturing Company Bill, intituled*, A Bill to incorporate the Saint Andrews Steam Mill and Manufacturing Company.—Brought up, 247; read first time, 247; Rule dispensed with, read second time, referred to Committee on Corporations, 247; their report, 267; committed, 269; amended, reported, 269; as amended, read third time and passed, sent down for concurrence, 272; concurred in, 298; assent given, 327
- Saint Andrews Whale Fishing Company Bill, intituled*, A Bill to incorporate the Saint Andrews Whale Fishing Company.—Brought up, 247; read first time, Rule dispensed with, referred to Committee on Corporations, 247; their report, 267; committed, amended, reported, 274; Order of Day for third reading being read, objected to, carried, 277; as amended, read third time and passed, sent down for concurrence, 277; concurred in, 298; assent given, 327
- Saint John to Quaco Great Road establishing Bill, intituled*, A Bill to establish the Road leading from the City of Saint John to Quaco, in the Parish of Saint Martins, in the County of Saint John, as one of the Great Roads.—Brought up, 248; read first time, 248; read second time, 250; committed, 254; reported, 255; read third time and passed, 257; Assembly acquainted, 257; assent given, 326
- Wolves and Bear Bounty amendment Bill, intituled*, A Bill to amend an Act, intituled "An Act to amend an Act, intituled 'An Act to repeal an Act to encourage the destroying of Wolves, and an Act to grant a Bounty on the destruction of Bears in this Province,' and to make other provisions in lieu thereof."—Brought up, 248; read first time, 248; read second time, 250; committed, reported, 255; read third time and passed, 257; Assembly acquainted, 257; assent given, 326
- Fisheries in Northumberland amendment Bill, intituled*, A Bill in addition to and in amendment of the Acts now in force for regulating the Fisheries in the County of Northumberland.—Brought up, 251; read first time, 251; read second time, 254; committed, progress reported, 279; further committed, reported, 294; read third time and passed, 296; Assembly acquainted, 296; assent given, 327
- Fisheries in Northumberland continuing Bill, intituled*, A Bill to continue an Act in addition to the Laws now in force for the protection of the Fisheries in the Counties of Northumberland, Kent, and Gloucester.—Brought up, 251; read first time, 251; read second time, 254; committed, reported, 267; read third time and passed, 269; Assembly acquainted, 269; assent given, 327
- Nashwaak Boom Company Bill, intituled*, A Bill to incorporate the Nashwaak Boom Company.—Brought up, 254; read first time, 254; read second time, referred to Committee on Corporations, 257; their report, 278; committed, progress reported, 282; further committed, further progress reported, 285; further committed, amended, reported, 292; as amended, read third time and passed, sent down for concurrence, 293; concurred in, 298; assent given, 327
- Insolvent Confined Debtors continuing Bill, intituled*, A Bill to continue the several Acts, now in force relating to insolvent confined Debtors.—Brought up, 254; read first time, 254; read second time, 258; committed, reported, 266; read third time and passed, 269; Assembly acquainted, 269; assent given, 327
- Reporting the Decisions of the Supreme Court continuing Bill, intituled*, A Bill to continue an Act, intituled "An Act to provide for reporting and publishing the Decisions of the Supreme Court."—Brought up, 254; read first time, 254; read second time, 258; committed, reported, 259; read third time and passed, 266; Assembly acquainted, 266; assent given, 327

BILLS from the House of Assembly—Continued.

PAGE.

- John R. Partelow, late County Treasurer, Saint John, Settlement of Accounts Bill, intituled*, A Bill to facilitate the settlement of Accounts between the Justices of the Peace for the City and County of Saint John and John R. Partelow, Esquire, late County Treasurer.—Brought up, 254; read first time, 254; read second time, 258; committed, progress reported, 259; further committed, amended, reported, 273; as amended, read third time and passed, 285; sent down for concurrence, 285; concurred in, 297; assent given, 327
- Gaol Limits of Saint John extension continuing Bill, intituled*, A Bill to continue an Act, intituled "An Act to authorize the extension of the Gaol Limits in the City and County of Saint John."—Brought up, 255; read first time, 255; read second time, 258; committed, reported, 259; read third time and passed, 266; Assembly acquainted, 266; assent given, 327
- Saint John Fire Le additional Bill, intituled*, A Bill in addition to an Act, intituled "An Act for the better extinguishing of fires which may happen in the City of Saint John, and to continue a certain Act relating to the same matter therein mentioned."—Brought up, 255; read first time, 255; read second time, 258; committed, 259; reported, 260; read third time and passed, 266; Assembly acquainted, 266; assent given, 327
- Bathurst Great Road Bill, intituled* A Bill to establish the Road leading from Bathurst, in the County of Gloucester, to the southern termination of the Great Bathurst Road, via Pokemouche, as one of the Great Roads of this Province.—Brought up, 260; read first time, 260; read second time, 266; committed, reported, 279; read third time and passed, 280; Assembly acquainted, 280; assent given, 327
- Dumfries Parish division Bill, intituled*, A Bill to erect a part of the Parish of Dumfries, in the County of York, into a separate Town or Parish, and to alter the name of the said Parish.—Brought up, 260; read first time, 260; read second time, 266; committed, reported, postponed for three months, 279. —
- King's County increase of Representation Bill, intituled*, A Bill to increase the Representation of King's County.—Brought up, 260; read first time, 260; read second time, 266; committed, 273; reported, 274; read third time and passed, 277; Assembly acquainted, 277; assent given, (with a suspending clause.) 328
- Provincial Penitentiary Bill, intituled*, A Bill to provide for the expenses incurred by the Commissioners of the Provincial Penitentiary.—Brought up, 264; read first time, 264; read second time, 266; committed, reported, 278; read third time and passed, 280; Assembly acquainted, 280; assent given, 324
- Salmon Fisheries in Restigouche regulating Bill, intituled*, A Bill regulating the Salmon Fisheries in the County of Restigouche.—Brought up, 267; read first time, 267; read second time, 269; committed, reported, 272; read third time and passed, 277; Assembly acquainted, 277; assent given, 327
- Gloucester Inferior Court alteration of Terms Bill, intituled*, A Bill to alter the time of holding the Terms of the Inferior Court of Common Pleas and General Sessions of the Peace for the County of Gloucester.—Brought up, 267; read first time, 267; read second time, 269; committed, 272; reported, 273; read third time and passed, 277; Assembly acquainted, 277; assent given, 327
- King's County Mechanics' Institute Bill, intituled*. A Bill to incorporate the King's County Mechanics' Institute.—Brought up, 270; read first time, 270; rule dispensed with, read second time, referred to Committee on Corporations, their report, 286; committed, reported, 287; read third time and passed, 289; Assembly acquainted, 289; assent given, 327
- Madam Keswick Island annexation Bill, intituled*, A Bill to annex the Madam Keswick Island to the Parish of Douglas, in the County of York.—Brought up, 279; read first time, 272; read second time, 278; committed, reported, 281; read third time and passed, 283; Assembly acquainted, 284; assent given, 327
- British Coins and Legal Tender Acts amendment Bill, intituled*, A Bill to amend an Act to establish the value of certain British Coins in this Province, and to amend the Acts relating to the establishment of a Legal Tender.—Brought up, 273; read first time, 273; read second time, 278; committed, amended, reported, 280; *Messieurs Botsford and Robertson enter protest*, 281; as amended, read third time and passed, 283; sent down for concurrence, 283; concurred in, 288; assent given, 327
- Saint Croix Bridge Company Bill, intituled*, A Bill to incorporate the Saint Croix Bridge Company.—Brought up, 274; read first time, 274; rule dispensed with, read second time, referred to Committee on Corporations, 274; their report, 286; committed, reported, 292; read third time and passed, 293; Assembly acquainted, 293; assent given, 327

BILLS from the House of Assembly—Continued.

	PAGE.
<i>Gloucester County Assessment Bill, intituled, A Bill to authorize Her Majesty's Justices of the Peace for the County of Gloucester to assess the said County to pay off the County Debts.—Brought up, 278; read first time, 278; read second time, 280; committed, reported, 284; read third time and passed, 285; Assembly acquainted, 285; assent given,</i>	327
<i>Real Estate taken in Execution additional Bill, intituled, A Bill in further addition to the Acts regulating the sale of Real Estate seized and taken in Execution.—Brought up, 279; read first time, 279; read second time, 280; committed, progress reported, 286; further committed, 310; amended, reported, 310; as amended, read third time and passed, sent down for concurrence, 312; concurred in, 318; assent given,</i>	328
<i>Charter of King's College amendment Bill, intituled, A Bill to amend the Charter of King's College.—Brought up, 284; read first time, 284; read second time, 285; committed, 302; progress reported, 302; further committed, reported, 303; on motion for third reading the House divide, 304; read third time and passed, 304; Assembly acquainted, 305; protest entered, 306; assent given, (with a suspending clause,)</i>	328
<i>Charlotte County Trade relief Bill, intituled, A Bill for the relief of the Trade of the County of Charlotte.—Brought up, 285; read third time, 285; read second time, 287; committed, progress reported, 289; further committed, reported, 295; postponed for three months, 295.</i>	—
<i>County of Westmorland division Bill, intituled, A Bill to divide the County of Westmorland into two Counties, and to provide for the government and representation of the new County.—Brought up, 287; read first time, 287; read second time, 289; committed, progress reported, 292; further committed, reported, 295; read third time and passed, 296; Assembly acquainted, 296; assent given, (with a suspending clause,)</i>	328
<i>Loan Negotiation amendment Bill, intituled, A Bill to amend an Act to facilitate the negotiation of a Loan to pay off the Public Debt.—Brought up, 287; read first time, 287; read second time, 289; committed, progress reported, 291; further committed, reported, 303; read third time and passed, 304; Assembly acquainted, 304; assent given, (with a suspending clause,)</i>	328
<i>Vacating Seats of Members of Assembly in certain cases Bill, intituled, A Bill to vacate the seats of Members of the Assembly in certain cases.—Brought up, 288; read first time, 288; read second time, 289; committed, progress reported, 294; further committed, further progress reported, 299; further committed, several divisions, postponed for three months, 300.</i>	—
<i>Great Road from Dixon's, near Hampton Ferry, to Kingston, establishing Bill, intituled, A Bill to establish the line of Road leading from Charles Dixon's, near Hampton Ferry, intersecting the old Post Road from Bellisle to Kingston, as one of the Great Roads of Communication in this Province.—Brought up, 288; read first time, 288; read second time, 289; committed, reported, 291; read third time and passed, 293; Assembly acquainted, 293; assent given,</i>	327
<i>City and County of Saint John Loan Bill, intituled, A Bill to enable the Justices of the Peace of the City and County of Saint John to raise by Loan a further sum of money towards paying off the County Debt.—Brought up, 290; read first time, 290; read second time, 291; committed, reported, 294; read third time and passed, 296; Assembly acquainted, 296; assent given,</i>	327
<i>Fredericton Streets and Highways amendment and continuing Bill, intituled, A Bill to amend and continue the Act to provide for the repair of the Streets and Highways in Fredericton.—Brought up, 291; read first time, 291; read second time, 293; committed, 306; progress reported, 306; further committed, reported, 313; read third time and passed, 313; Assembly acquainted, 313; assent given,</i>	328
<i>Settlement of Crown Lands on Military Road from Nova Scotia to Canada Bill, intituled, A Bill to facilitate the settlement of the Crown Lands on the Military Road from Nova Scotia to the Canada Line.—Brought up, 293; read first time, 293; read second time, 293; committed, progress reported, 298; further committed, reported, 303; read third time and passed, 304; Assembly acquainted, 304; assent given, (with a suspending clause,)</i>	328
<i>Militia Law repealing Bill, intituled, A Bill to repeal an Act in amendment of the Act for the regulation of the Militia, so far as respects the City of Saint John.—Brought up, 294; read first time, 294; read second time, 296; committed, reported, 298; postponed for three months, 298.</i>	—
<i>Grand Jurors of Charlotte County Auditing Public Accounts Bill, intituled, A Bill to authorize the Grand Jurors of the County of Charlotte to examine and audit the Public Accounts.—Brought up, 298; read first time, 298; read second time, 299; committed, reported, 306; postponed for three months, 306.</i>	—

INDEX.

ix.

BILLS from the House of Assembly—Continued.

	PAGE.
<i>Bankruptcy Law further amendment of Bill, intituled, A Bill further to amend the Law relating to Bankruptcy.—Brought up, 300; read first time, 300; read second time, 301; committed, amended, reported, 323; as amended, read third time and passed, 329; sent down for concurrence, 329; concurred in, 332; assent given,</i>	367
<i>Fredericton Society of Saint Andrew Corporation Bill, intituled, A Bill to incorporate the Fredericton Society of Saint Andrew.—Brought up, 305; read first time, 305; read second time, 305; referred to Committee on Corporations, 305; their Report, 317; committed, reported, 318; read third time and passed, 320; Assembly acquainted, 320; assent given,</i>	367
<i>Flour and Meal Inspection Bill, intituled, A Bill to provide for the more efficient Inspection of Flour and Meal.—Brought up, 305; read first time, 305; read second time, 309; committed, reported, 312; read third time and passed, 313; Assembly acquainted, 313; assent given,</i>	328
<i>Gloucester Gaol Limits Bill, intituled, A Bill to authorize the extension of the Gaol Limits in the County of Gloucester.—Brought up, 308; read first time, 308; read second time, 309; committed, progress reported, 322; further committed, reported, 333; read third time and passed, 334; Assembly acquainted, 334; assent given,</i>	367
<i>Firewards in Fredericton extension of provision of Bill, intituled, A Bill to extend the provisions of an Act, intituled "An Act to repeal the Laws now in force for appointing Firewards and for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned." to the Town of Bathurst, in the County of Gloucester.—Brought up, 308; read first time, 309; read second time, 309; committed, progress reported, 322; further committed, reported, 333; read third time and passed, 334; Assembly acquainted, 334; assent given,</i>	367
<i>Ordinary Service Bill, intituled, A Bill to appropriate a part of the Public Revenue for the payment of the Ordinary Services of the Province.—Brought up, 309; read first time, 309; read second time, 312; committed, reported, 314; read third time and passed, 315; Assembly acquainted, 315; assent given,</i>	367
<i>Nightly Watch in Saint John continuing Bill, intituled, A Bill to continue an Act, intituled "An Act to provide for the support of a Nightly Watch in, and for Lighting the City of Saint John, and for other purposes.—Brought up, 311; read first time, 311; read second time, 312; committed, reported, 314; read third time and passed, 315; assent given,</i>	328
<i>Arestook Boom Company continuing and amending Bill, intituled, A Bill to continue and amend the Act to incorporate the Arestook Boom Company.—Brought up, 311; read first time, 311; read second time, referred to Committee on Corporations, 312; their report, 317; committed, progress reported, 319; further committed, amended, reported, 321; as amended, read third time and passed, 322; sent down for concurrence, 322; concurred in, 332; assent given,</i>	367
<i>Fredericton Boom Company continuing and amending Bill, intituled, A Bill to continue and amend the Act to incorporate the Fredericton Boom Company.—Brought up, 311; read first time, 311; read second time, referred to Committee on Corporations, 312; their report, 317; committed, progress reported, 318; further committed, amended, reported, 320; as amended, read third time and passed, 322; sent down for concurrence, 322; concurred in, 332; assent given,</i>	367
<i>Northumberland and Kent Division Line Bill, intituled, A Bill to extend the Division Line between the Counties of Northumberland and Kent, to the rear Line of the Counties of Queen's County and Sunbury.—Brought up, 309; read first time, 309; read second time, 312; committed, 314; read third time and passed, 315; assent given,</i>	328
<i>Saint John County Contingencies assessment Bill, intituled, A Bill to enable the Justices of the Peace for the City and County of Saint John to make an assessment for the payment of the County Contingencies.—Brought up, 313; read first time, 313; read second time, 313; committed, reported, 316; read third time and passed, 317; Assembly acquainted, 317; assent given,</i>	328
<i>Return of Duties in certain cases Bill, intituled, A Bill to authorize a return of Duties in certain cases.—Brought up, 315; read first time, 315; read second time, 316; committed, reported, 319; read third time and passed, 320; Assembly acquainted, 320; assent given, (with a suspending clause,)</i>	368
<i>Revenue Bill, intituled, A Bill imposing Duties for raising a Revenue.—Brought up, 316; read first time, 316; Rule dispensed with, read second time, 317; committed, reported, 319; read third time and passed, 320; Assembly acquainted, 320; assent given,</i>	325

BILLS from the House of Assembly—Continued.

- Government Military Road Bill, intituled, A Bill to facilitate the making of the Military Road through this Province by Her Majesty's Government.*—Brought up, 317; read first time, 317; read second time, 318; Rule dispensed with, committed, reported, 318; read third time and passed, 320; Assembly acquainted, 320; assent given, 328
- Lumber Survey Bill, intituled, A Bill to regulate the survey and exportation of Lumber.*—Brought up, 320; read first time, 320; read second time, 322; committed, progress reported, 346; further committed, amended, reported, 351; on motion for third reading, *the House divide*, 352; passed, 352; sent down for concurrence, 352, concurred in, 357; assent given, 367
- Seaman's Bill, intituled, A Bill to make provisions for the regulation of Seamen shipped on board of or belonging to all Ships or Vessels registered in or belonging to the Province of New Brunswick, while such Ships or Vessels shall be within the precincts thereof.*—Brought up, 323; read first time, 323; read second time, 331; committed, progress reported, 332; further committed, amended, *House divide*, 340; reported, 340; read third time and passed, 342; sent down for concurrence, 342; concurred in, 353; assent given, 367
- Naturalization of Aliens reviving and continuing Bill, intituled, A Bill to revive and continue an Act for the Naturalization of Aliens in this Province.*—Brought up, 323; read first time, 323; read second time, 329; Rule dispensed with, committed, reported, 329; read third time and passed, 332; Assembly acquainted, 332; assent given, (*with a suspending clause*), 368
- Persons unfortunate in business explanatory Bill, intituled, A Bill to explain and amend the Act to afford relief to persons unfortunate in business in certain cases.*—Brought up, 328; read first time, 328; read second time, 330; Rule dispensed with, committed, amended, reported, 330; as amended, read third time and passed, 331; sent down for concurrence, 332; concurred in, 334; assent given, 367
- Passengers on board Steam Boats Act amendment Bill, intituled, A Bill to amend an Act to repeal an Act, intituled "An Act to provide for the greater safety of Passengers on board Steam Boats, and to make further provision in lieu thereof."*—Brought up, 328; read first time, 328; read second time, 329; Rule dispensed with, committed, amended, reported, 330; as amended, read third time and passed, 332; sent down for concurrence, 332; concurred in, 334; assent given, 367
- Sales at Public Auction amendment Bill, intituled, A Bill to amend the Act to regulate Sales by Public Auction.*—Brought up, 332; read first time, 332; read second time, 334; committed, reported, 338; read third time and passed, 339; Assembly acquainted, 339; assent given, 367
- Criminal Law further amendment of Bill, intituled, A Bill in further amendment of the Criminal Law.*—Brought up, 338; read first time, 338; read second time, 339; committed, progress reported, 343; further committed, amended, reported, 345; as amended, read third time and passed, 347; sent down for concurrence, 347; *not returned*. —
- Fish Inspection Bill, intituled, A Bill to provide for the inspection of Fish and other articles.*—Brought up, 339; read first time, 339; read second time, 343; Rule dispensed with, committed, progress reported, 343; further committed, amended, reported, 346; as amended, read third time and passed, 347; sent down for concurrence, 347; *not returned*. —
- Smuggling relating to Bill, intituled, A Bill relating to Smuggling.*—Brought up, 341; read first time, 341; read second time, 343; committed, reported, 346; postponed for three months, 346. —
- Parish Schools further continuing Bill, intituled, A Bill further to continue the Acts relating to Parish Schools.*—Brought up, 341; read first time, 341; read second time, 343; committed, progress reported, 345; further committed, reported, 347; read third time and passed, 348; Assembly acquainted, 348; assent given, 367
- Roman Catholic Bishop of New Brunswick incorporating Bill, intituled, A Bill to incorporate the Roman Catholic Bishop of New Brunswick.*—Brought up, 343; read first time, 343; read second time, 348; Rule dispensed with, committed, 348; further committed, 357; *the House divide*, 357; postponed until the next Session of the Legislature, 357; ordered to be published in the Royal Gazette, 357. —
- Charter of Saint John amendment Bill, intituled, A Bill to explain an Act for the amendment of the Charter of the City of Saint John.*—Brought up, 344; read first time, 345; read second time, 347; Rule dispensed with, committed, progress reported, 347; further committed, 350; reported, postponed for three months, 350. —
- Increase of Representation in Northumberland Bill, intituled, A Bill to increase the Representation of the County of Northumberland.*—Brought up, 346; read first time, 346; read second time, 348; committed, reported, 349; read third time and passed, 350; Assembly acquainted, 350; assent given, (*with a suspending clause*), 368

BILLS from the House of Assembly—Continued.

PAGE.

<i>Mill Reserves Bill, intituled, A Bill relating to Mill Reserves.—Brought up, 351 ; read first time, 351 ; Rule dispensed with, read second time, 351 ; committed, progress reported, 354 ; further committed, reported, 364 ; postponed for three months, 364.</i>	—
<i>Foreign Rum and other Spirits illegal importation restricting Bill, intituled, A Bill to restrict the illegal importation of Foreign Rum and other Spirits, and to provide for the better protection of the Revenue of this Province.—Brought up, 351 ; read first time, 351 ; Rule dispensed with, read second time, 351 ; committed, reported, 354 ; postponed for three months, 354.</i>	—
<i>Inspection of Fish for home consumption reviving Bill, intituled, A Bill to revive the Act relating to the inspection of Fish for home consumption and exportation.—Brought up, 352 ; read first time, 352 ; Rule dispensed with, read second time, 352 ; committed, reported, 353 ; read third time and passed, 355 ; Assembly acquainted, 355 ; assent given,</i>	367
<i>Province Buildings in Fredericton protection Bill, intituled, A Bill to protect the grounds and enclosures around the Province Buildings in Fredericton.—Brought up, 353 ; read first time, 353 ; Rule dispensed with, read second time, 353 ; committed, reported, 358 ; read third time and passed, 358 ; Assembly acquainted, 359 ; assent given,</i>	367
<i>Election of Representatives to serve in Assembly Bill, intituled, A Bill relating to the Election of Representatives to serve in General Assembly.—Brought up, 353 ; read first time, Rule twice dispensed with, read second time and committed, progress reported, 353 ; further committed, amended, reported, 359 ; as amended, read third time and passed, sent down for concurrence, 363 ; concurred in, 365 ; assent given, (with a suspending clause,)</i>	368
<i>Light Houses in the Bay of Fundy repealing and amending Bill, intituled, A Bill to repeal the Act, intituled " An Act to amend an Act to provide for maintaining Light Houses within the Bay of Fundy, and to substitute other enactments in lieu thereof."—Brought up, 354 ; read first time, 354 ; Rule dispensed with, read second time, 354 ; committed, reported, 354 ; read third time and passed, 355 ; Assembly acquainted, 355 ; assent given,</i>	367
<i>Malicious injuries to Nets and Lines preventing Bill, intituled, A Bill to prevent malicious injuries to Nets and Lines set for taking Fish in this Province.—Brought up, 357 ; read first time, 357 ; Rule twice dispensed with, read second time, committed, reported, 357 ; read third time and passed, 359 ; Assembly acquainted, 359 ; assent given,</i>	367
<i>Collectors of Parish and County Rates Bill, intituled, A Bill relating to the collection of Parish and County Rates.—Brought up, 362 ; read first time, 362 ; Rule twice dispensed with, read second time, committed, reported, 362 ; read third time and passed, 362 ; Assembly acquainted, 362 ; assent given,</i>	368
<i>Saint John Gas Light Company Bill, intituled, A Bill to incorporate the Saint John Gas Light Company.—Brought up, 362 ; read first time, 362 ; Rule dispensed with, read second time, referred to Committee on Corporations, 362 ; their report, 363 ; Rule dispensed with, committed, amended, reported, 363 ; read third time and passed, 364 ; sent down for concurrence, 364 ; concurred in, 365 ; assent given,</i>	368
<i>Roads and Bridges Bill, intituled, A Bill to provide for opening and repairing Roads and erecting Bridges throughout this Province.—Brought up, 362 ; read first time, 362 ; Rule twice dispensed with, read second time, committed, reported, 363 ; read third time and passed, 363 ; Assembly acquainted, 363 ; assent given,</i>	367
<i>Revenue Bill, intituled, A Bill to appropriate a part of the Public Revenue for the services therein mentioned.—Brought up, 366 ; read first time, 366 ; Rule dispensed with, read second time, 366 ; committed, reported, 366 ; read third time and passed, 366 ; Assembly acquainted, 366 ; assent given,</i>	367

BILLS assented to by the Lieutenant Governor, 220, 324,

367

C

COMMITTEE—Select,

Appointed to report upon Bills relating to Corporations during the Session, 201 ; Members composing the same,

201

CALL OF THE HOUSE,

Ordered, 299 ; Members called over,
Ordered, 348 ; Members called over,

302

356

D

E

	PAGE.
F	
FIRE INSURANCE COMPANY, CENTRAL,	
Abstract shewing its state, laid before the House,	303
G	
GOVERNOR, the Lieutenant,	
Comes to the House and commands the attendance of the Assembly, 193, 220,	324
His Excellency opens the Session by a gracious Speech to both Houses, 194; the President reports a copy of the same, 195; a Committee appointed to draft an Address in answer thereto, 195; a draft reported, 196; committed, 196; reported, 196; passed, 196; the Address, 197; Committee appointed to ascertain when the House would be received with the same, 198; report, 198; Address presented, 198; His Excellency's answer thereto,	198
Bills assented to by the, 220, 324,	367
His Speech at the Prorogation,	368
Messages from the.—[<i>See Messages and Resolutions.</i>]	
H	
J	
JOURNALS OF THE HOUSE,	
Ordered to be printed daily, 195; number of copies,	195
K	
L	
LUNATIC ASYLUM,	
Report from George P. Peters, M. D.—[<i>See Appendix No. 1.</i>]	212
Reports sent down by Message from His Excellency the Lieutenant Governor,—[<i>Appendix No. 1.</i>]	212
Further Report from Commissioners,—[<i>See Appendix No. 8.</i>]	298
LIGHT HOUSES,	
Commissioners Accounts and Report,	260
M	
MARINE ASSURANCE COMPANY,	
Abstracts shewing its state on the 29th day of June, 1844, and 2d day of January, 1845,	200
MESSAGES from the Lieutenant Governor,	
With copies of Despatches on the <i>Legal Tender Act</i> ,	199
On the subject of the <i>Military Road from Halifax to Quebec</i> ,	199
With Despatches from the Secretary of State, respecting the Address of the House, relative to the <i>Tenure of Office of its Members</i> ,	203
Respecting the Act passed in 1843, to improve the Laws relating to the Elections of Representatives to serve in General Assembly,	203
With copies of Reports made to him respecting the Provincial Lunatic Asylum,—[<i>Appendix No. 1.</i>]	212
With copies of Reports and Correspondence with the Mayor, &c. of Saint John, on the subject of the preservation of the Peace in the City and County,	232
With Report of the Mayor of Saint John on the subject of Imprisonment for Small Debts,—[<i>See Appendix No. 2.</i>]	235
With extracts from the Reports of the Inspectors of Prisons in Great Britain, on the subject of Juvenile Delinquents,—[<i>See Appendix No. 3.</i>]	235
With Communication from Doctor Harding, Health Officer at Patridge Island, on the subject of Emigration; also a Communication from Moses H. Perley, Emigrant Agent at Saint John,	237
With Communication from the Honorable Captain Owen, on the subject of an Observatory in the City of Saint John,	245
With Communication from the Lieutenant Governor of Prince Edward Island, and Memorial from Steam Navigation Company,	275
With copies of Reports of the Inspectors of Parish and Provincial Schools,—[<i>Appendix Nos. 5 & 6.</i>]	275
With Doctor Key's Report of Lazaretto in Northumberland,—[<i>See Appendix No. 7.</i>]	290
With a Report made by Surveyor General on the Boundary Line between this Province and Canada,	332

INDEX

xiii

PAGE.

MESSAGES from the Assembly,
 With Resolution on Post Office Department.—Brought up, 349; concurred in, 349; Committee appointed to prepare Address, 349; Assembly acquainted, 349; Assembly appoint Committee, 349; draft reported, 358; committed, agreed to, 359; Assembly acquainted, 361; Assembly agree to Address, 365; Committee appointed to wait on the Lieutenant Governor, 365; Assembly acquainted, 365; Assembly appoint a Committee, 365; Committee report, 366

N

O

OBSERVATORY in Saint John,
 Documents relating thereto, 245

ORDERS, STANDING,
 Annulled, 295; new one entered, 296

P

PROVINCIAL PENITENTIARY,
 Accounts laid before the House,—[See *Appendix No. 4.*] 252

PROTEST,
 Messieurs Botsford and Robertson, to British Coin Bill, 281
 Messieurs Black, Shore, Robinson, Saunders, Street, and Wyer, to King's College Bill, 306
 The Honorable W. F. W. Owen, to Rescission granting the Honorable Thomas Baillie, Surveyor General, £150 for services in preparing a Map, &c. 364

POST OFFICE,
 Message from Assembly respecting Address to Her Majesty, 349; Assembly appoint Committee, 349; Draft reported, 358; committed, agreed to, 359; Assembly acquainted, 361; Assembly agree to Address, 365; Committee appointed to wait on Lieutenant Governor, 365; Assembly acquainted, 365; Assembly appoint Committee, 365; Committee report Lieutenant Governor's answer, 366

PETERS, Thomas Horsfield,
 President acquaints the House, that by a Mandamus, under the Royal Sign Manual, dated the 13th December, 1843, Mr. Peters was appointed a Member of the House, 339; Committee appointed to see him qualified, 339; their report, 339; introduced and takes his seat, 339

PETITIONS presented and ordered to lie on the Table,

1. From Stephen Wiggins, Charles C. Stewart, John Duncan, and fourteen other persons, Merchants, Ship Owners and Inhabitants of the City of Saint John, praying a Marine Assurance Company may be incorporated in the City of Saint John, 195
2. From Thomas M'Gaghey, of the City of Saint John, praying the sum of nineteen pounds five shillings may be granted to him for services performed under the orders of Government, while attending a Commission directed to investigate into the circumstances of the burning of a Church on the Island of Grand Manan, 196
3. From John Porter and George Porter, of Saint Stephen, in the County of Charlotte, praying for protection in their Mill operations in the said Parish and County, 196
4. From Alexander Davidson, of the Parish of Nelson, in the County of Northumberland, praying an Act may be allowed to pass, authorizing the Governor of the Province for the time being to grant a Lease to him of certain Lands, covered with water, in Neguac Bay, in the County of Northumberland, for the purpose of planting and forming beds of Oysters, 201
5. From William Pitts, John Long, Robert Dowling, and sixty seven other persons, praying aid for a Road passing through the Mechanics' Settlement in Westmorland and King's Counties, 202
6. From the Justices of the Peace of King's County, praying an Act may pass to authorize an assessment to pay County Debts, 202
7. From Robert L. Saunders, praying compensation for teaching a School in the County of Saint John, 202
8. From James Moran, Jacob Bradshaw, David Vaughan, and ninety other inhabitants of the Parish of Saint Martins, praying a Road leading from the Marsh Road at Creighton's to Lake Lomond and Quaco, may be made one of the Great Roads of the Province, 202
9. From Ezekiel C. Wilson, of King's County, praying an allowance for teaching a School in the Parish of Upham, 202

N

PETITIONS presented and ordered to lie on the Table—Continued.

No.	Description	PAGE.
10.	From Samuel Scovil, Harry Peters, Charles Harrison, and one hundred and two other persons, inhabitants of the Parishes of Gagetown, Waterborough, Chipman, and Canning, in Queen's County, praying Legislative aid to support a Courier to run between Gagetown and Salmon River, and to pass through the said Parishes,	210
11.	From Peter Shuttleworth, of the City of Saint John, Tallow Chandler, praying a return of Duties may be allowed him on Tallow imported from the United States of America in the year 1843,	210
12.	From John Wilson, of the Parish of Nelson, in the County of Northumberland, praying a grant of money may pass to him for losses sustained in running a Team Boat across the North and South West Branches of the River Miramichi, and also for an allowance from the Provincial Funds to enable him to continue the Boat at the Ferry,	210
13.	From Henry Ghubb and Company, of the City of Saint John, praying compensation for Printing the Report of the Geological Survey of this Province in the year 1842,	213
14.	From Henry Whiteside, Treasury Clerk and Deputy Treasurer at the Port of Saint John, praying that an additional allowance may be granted to him for services performed in the year 1844,	213
15.	From William Lock, of the County of Northumberland, praying a return of ninety three pounds fifteen shillings, Duties paid to the Crown Land Office between the first day of May, 1843, and the first day of May, 1844, for reasons set forth in the Petition,	213
16.	From Solomon Hersey, of the City of Saint John, praying a return of Duties paid on Foreign Wheat manufactured into Flour, and exported to England in the brig Peter I. Nevius, in June last,	216
17.	From James Kirk, of the City of Saint John, praying a return of Duties paid on Rum consumed by fire in a Bonded Warehouse in Saint John in the year 1841,	216
18.	From Messieurs Thomas Leavitt and Company, of the City of Saint John, praying a return of an excess of Duties paid on Teas at the Treasurer's Office,	216
19.	From Harris Hatch, John Wilson, Gideon Knight, and thirty other persons, inhabitants of the Town of Saint Andrews, praying an Act may pass incorporating a Company under the name of the Saint Andrews Whale Fishing Company,	216
20.	From Joseph T. Pomeroy, of Charlotte County, praying that a sum of money paid as Stumpage on Timber cut on Crown Lands may be repaid to him,	216
21.	From Joel Ingersoll, Isaac Meigs, Jonathan Kent, and forty one other persons, inhabitants of Grand Manan, West Isles, and Campo Bello, praying an Act may pass prohibiting the erection of Weirs in those Parishes, and that an Armed Boat or Vessel may be stationed in the vicinity of the Fishing Grounds to protect the Fisheries, and enforce due regulations among the Fishermen,	216
22.	From John Magill, of the Parish of Saint Patrick, in Charlotte County, praying a grant of money to aid him in perfecting an establishment for the manufacture of Cloth,	216
23.	From Charles Byrne, a Schoolmaster, praying an allowance for teaching a School in Saint Andrews six months ending in June 1843,	217
24.	From John Pendleberry, Keeper of a Light House at Saint Andrews, praying an increased Salary for services,	217
25.	From Hugh Morrison, a Commissioner for building a Bridge over the Waweig River, praying an over expenditure in attending to this duty may be returned to him,	217
26.	From George Fitzgerald, of Saint Stéphen, in Charlotte County, praying for remuneration for services in teaching a School,	217
27.	From John Connelly, Keeper of Machias Seal Island Light House, praying an allowance for extra Services,	217
28.	From William Kerr, Thomas Turner, and John M'Keen, Trustees for all Creditors of James Rait, late of Charlotte County, praying such order as may be considered just may be made in regard to a sum of money paid by the deceased into the Crown Land Office, and for which no credit has in their opinion been obtained,	217
29.	From the Overseers of Poor of the Parish of Saint Stephen, in Charlotte County, praying a return of money expended for sick and indigent Emigrants,	217
30.	From Martin Poor, praying a Pension due to Susan Boiles, the Widow of an old Soldier, may be paid to him,	217

PETITIONS presented and ordered to lie on the Table— <i>Continued.</i>	PAGE.
31. From John C. Wood, of Queen's County, praying an allowance for teaching a School,	217
32. From the Justices of the Peace in Saint John, in Sessions, praying an Act may pass giving to the Petitioners in full Court authority to assess a fine on Magistrates for non-attendance,	217
33. From the same Justices, praying authority to order an assessment to be made in such Parishes as may require the employment of paid Police Officers,	217
34. From the same Justices, praying authority by Law to make, enter into, receive, and deliver contracts and obligations, refer to arbitration, and sue and be sued, by the name of the Justices of the Peace for the City and County of Saint John,	217
35. From the Mayor, Aldermen and Commonalty of the City of Saint John, praying a Legislative enactment to aid them in protecting the City from the losses caused by Fire,	217
36. From the same Corporation, praying a grant of money to enable them to make necessary repairs on the Line of the Great Road at its connection with the Ferry at Carleton,	217
37. From Harris Hatch, Thomas Wyer, Richard M. Andrews, Robert Walton, and other inhabitants of Charlotte County, praying for the incorporation of a Company under the style of the Saint Andrews Steam Mill and Manufacturing Company,	218
38. From John Gibson Macgregor, praying compensation for teaching a School in the City of Saint John,	218
39. From John Walker, of the City of Saint John, Merchant, praying a return of Duty paid by him on Bricks imported from the United States in 1841,	218
40. From George J. Harding, M. D., praying that a Grant may pass to remunerate him for services as Health Officer at Partridge Island in the year 1844,	218
41. From Josephus Moore, of Saint David, in Charlotte County, praying to be relieved from certain Bonds for Tonnage Duties on Saw Logs cut on Crown Lands on the Musquash River,	218
42. From Flora M'Kenzie, of Saint James, in Charlotte County, praying remuneration for teaching a School in Saint Stephen in the year 1842,	218
43. From Joseph Walton, of Saint Andrews, in the said County, praying remuneration for losses sustained by a portion of his land previously paid for having been surveyed and set off to another person by the orders of the Government,	219
44. From Henry Coulter, of Saint Andrews, a licenced Teacher, praying remuneration for teaching a School in that Parish for one year ending November 1843,	219
45. From Robert Watson, Deputy Treasurer at Saint Stephen, praying remuneration for services as Tide Surveyor at Saint Stephen,	219
46. From Robert Spence, of the Parish of Saint James, in Charlotte County, praying a return of Stumpage Money paid on Lumber cut on Crown Lands under Licencce before the first day of May last,	219
47. From John Spence, with a similar prayer,	219
48. From James Spence, with a like prayer,	219
49. From James Kirk, John Kerr, Samuel Strange, Henry Nice, James Olive the third, Robert Salter, and one hundred and sixty five other persons, Merchants, Traders, Fishermen and Inhabitants of Saint John, praying that some efficient measures may be adopted to protect the interests of the numerous Fishermen resorting to the Island of Grand Manan and its neighbourhood,	220
50. From John Duncan, Solomon Hersey, John Owens, and twenty five other persons, residents of the Parish of Portland, in the County of Saint John, praying an alteration may be made in the Law in force regarding the Labour to be performed on the Highways by the inhabitants of the Parish,	220
51. From Asa A. Barker, Shadrack Holly, Andrew Stephenson, and twenty nine other Freeholders and Inhabitants of the County of Sunbury, praying a grant of money to improve a Road near the property of Mr. Street, in the Parish of Berton,	220
52. From George Kay, Alfred Armstrong, and others, praying no alterations may be made in the Laws in existence for the regulation of the Fisheries,	220
53. From James Agnew, of the City of Saint John, Watchmaker, praying a grant of money may be made to erect an Observatory at the City of Saint John,	220
54. From William J. Bedell, Charles M'Pherson, John F. Taylor, and twenty other persons, praying an Act may pass to incorporate a Company under the name of the Nashwaak Boom Company,	224

PETITIONS received and ordered to lie on the Table— <i>Continued.</i>		PAGE.
55.	From John Love, of Charlotte County, praying an allowance for teaching a School,	224
56.	From James Taylor, of Fredericton, praying a return of Duties paid for Licences to cut Timber and other Lumber,	224
57.	From Messieurs B. Beveridge and Company, of Andover, praying a return of Duties paid for Licence to cut Timber and Lumber, for reasons set forth in their Petition,	224
58.	From Donald M'Kay, John M'Tavish, Malcolm M'Neil, James Atchison, and thirty eight other inhabitants of the County of Northumberland, praying that certain Reserves for the use of Mills in that County may be broken up, and the same thrown open to general competition, for reasons set out in the Petition,	224
59.	From the Trustees of the Grammar School in Newcastle, and other persons, praying an allowance may be made to John Sivewright, the Teacher of the said School,	224
60.	From James Stockford, High Constable of the City of Saint John, praying compensation for his services and expenses incurred in the arrest of Stephen Munson and William M'Gowan, in the year 1842, charged with Arson,	227
61.	From Andrew S. Phair, praying payment of the sum of fifteen pounds due to him for services rendered the Province in 1838,	227
62.	From Messieurs James Taylor and Company, of Fredericton, praying remission of the Export Duty on Lumber cut on Land on the first day of May last,	227
63.	From John Lister, a Lieutenant of the Royal Marines, praying a renewal of the Act which authorized the remission of the purchase money of Land to Officers of the Army and Navy settling in this Province,	227
64.	From John Hagarty, James Crawford, John Smith, and twenty six other inhabitants of the Londonderry Settlement, praying a grant of money to form a Road from Theobald Settlement to the Road leading from the Shepody Road to the Great Salmon River,	227
65.	From the Ministers and Elders of the Synod of New Brunswick, in connection with the Established Church of Scotland, praying for the abolishment of restrictive clauses in the Charter of King's College,	227
66.	From Samuel Buhot, a Schoolmaster, praying an allowance for teaching a School in the Island of Campo Bello for six months,	227
67.	From John Sinclair, Ebenezer Gaskill, William Gubtill, and sixty other inhabitants of Grand Manan, praying the Fisheries near the Island may be protected by Legislative enactment,	227
68.	From the Mayor, Aldermen and Commonalty of the City of Saint John, praying that the Act for an assessment on the City of Saint John for the benefit of the Water Company, may be repealed,	227
69.	From Hugh A. Caie, John Doran, Valentine Gibbs, and three hundred and six other inhabitants of Gloucester, praying that the Road from Bathurst to Miramichi, through New Bandon, Caraque, Shippegan, Pokemouche, Tabisintac, Oak Point, &c. may be established as a Post Road,	227
70.	From Alexander Davidson, John Fraser, William Salter, and one hundred and eight other inhabitants of Northumberland, praying an Act may be allowed to pass, establishing Fairs in Newcastle,	228
71.	From Charles Doucett, Benjamin Adams, and John T. Carter, Overseers of the Poor in Bathurst, praying that the said Parish may be remunerated expenses for the care of and removal to the Asylum, of a transient Lunatic Pauper,	228
72.	From the Ministers, Elders and Trustees of Saint Luke's Church, Bathurst, praying Legislative aid to enable them to establish a School,	228
73.	From John Miller, Deputy Treasurer at Bathurst, praying an increased allowance for past services, and a retired allowance in the event of the Consolidation of the Customs and Treasury Departments,	239
74.	From Alexander Donald, and John M'Beath, of Northumberland, in reference to certain Post Office Contracts for the conveyance of the Mails in the Northern part of the Province,	239
75-6.	From Hugh Flaherty, Hugh M'Callum, Dominicus Milliken, and fifty four other inhabitants of Charlotte County, praying aid to build a Bridge in the Town of Magaguadavic,	239
77.	From Robert Hay, John Bedell, James Robertson, and sixty two other persons of the County of Carleton, praying an Act may pass to incorporate the Maduxnikik Boom Company,	239

PETITIONS presented and ordered to lie on the Table—Continued.	PAGE.
78. From Mary C. Foster, of Charlotte County, praying an allowance for teaching a School in Charlotte County,	239
79. From Peter M'Ewen, with a similar prayer,	239
80. From Christian Walker, with a similar prayer,	239
81. From Edward Jago, with a like prayer,	239
82. From David Brown, of Sunbury, praying remuneration for losses sustained in the erection of the Bridge at the Oromocto River, on the Great Road,	240
83. From Robert Ash, of the Parish of Saint George, in Charlotte County, praying remuneration for services performed in repairing the Pomeroy Bridge, over the Magaguadavic River,	240
84. From Grizilla Sherwood, of Charlotte County, praying the usual Pension to the Widows of old Soldiers may be allowed to her,	240
85. From Mercy M'Nichol, of Charlotte County, praying the usual Pension for Widows of Old Soldiers may be allowed her,	243
86. From Thomas Taylor, of Fredericton, praying a return of Duties paid on Watches imported from England, for reasons stated in his Petition,	243
87. From Thomas Wallace, of the City of Saint John, praying to be reimbursed the amount of Duties paid on Machinery imported for the manufacture of Cordage,	248
88. From David A. Rose, James Frink, and one hundred and eighty four others, inhabitants of Charlotte County, praying measures may be adopted to prevent the sale of large tracts of Crown Land,	248
89. From Robert A. Hay, of the County of Carleton, praying a return of money paid into the Treasury on Timber and other Lumber in the year 1843,	248
90. From Abigail Davenport, Widow of an old Soldier, praying the Pension allowed to her late Husband may be continued to her,	248
91. From Jennet Turner, Widow of an old Soldier, praying the amount due to her late Husband may be granted to her, he having died shortly before the sitting of the York General Sessions,	248
92. From Francis Beverly, of Fredericton, praying a return of Duty paid by him on Calf Skins imported for Book Binding,	248
93. From Margaret Grant, of Charlotte County, praying an allowance for teaching School in that County,	248
94. From John Boultenhouse, owner of the brig Abigail, praying a return of Double Head-Money paid on Passengers,	248
95. From C. Boultenhouse, C. Dixon, and forty four other persons, engaged in Lumbering and Ship Building in Westmorland, praying that such part of the Export Bill relating to Duties on Timber cut from private property may be repealed,	248
96. From Jonathan Lunn, praying compensation for completing a contract for work on the Road from Fredericton to North River,	248
97. From William F. Bent and Blair Botsford, of Westmorland, praying a return of Duties paid by them,	249
98. From John Leonard, Plato Lloyd, Archibald Haney, and three hundred and eighty four others, Fishermen and Merchants, in the Parishes of Saint George, Pennfield, West Isles, and Campo Bello, in Charlotte County, praying that an Act may pass to prevent the taking of Fish in Wiers, and also for the protection of the Spawning Grounds near the Island of Grand Manan,	249
99. From Malcolm M'Naughton, of Charlotte County, praying an allowance for teaching a School in Brockway Settlement,	249
100. From Amos Dickinson, of Wakefield, in the County of Carleton, praying a remission of Duties paid by him on Timber in the year 1843,	249
101. From Hugh Harrison and George Jouett, of the same County, praying a return of Stampage Money paid on Timber, for reasons set forth in the Petition,	249
102. From the Venerable Archdeacon Coster, on behalf of the Executive Committee of the Church Society of the Archdeaconry of New Brunswick, praying a return of Duty on Books imported for the Society,	252
103. From Thomas S. Magee, of the City of Saint John, praying a return of Duty paid by him on Sugar imported in November last,	262

PETITIONS presented and ordered to lie on the Table—*Continued.*

	PAGE.
104. From John M'Curt, a Schoolmaster, praying an allowance for teaching a School in King's County in the years 1843 and 1844,	252
105. From William Davidson, of the City of Saint John, praying to be reimbursed an Export Duty paid by him upon a cargo of Timber and Deals shipped on board the barque Olga, at Dorchester, in July last,	252
106. From Roderick M'Leod, James Davidson, and one hundred and eight other persons, Freeholders and Inhabitants of Northumberland, praying the Road leading from Bathurst to Goodfellow's, round the Coast, may be established as a Great Road,	253
107. From Roderick M'Leod, Donald Campbell, Robert Loggie, and thirty seven other persons in Northumberland, praying a Law may pass prohibiting the hauling of Gaspereaux with Seines, or any other description of Nets, in the River Tabusintac,	253
108. From John Dickson, a Ferryman in Chatham, praying an allowance for Ferrying Mails for nine years past,	253
109. From John T. Williston, praying a return of Duty paid in 1843 on Timber cut on Crown Lands,	253
110. From Daniel Keith, William Johnston, and seventeen Firemen in Chatham, praying additional exemptions from Public Duties,	253
111. From James Peters, Junior, of Saint John, praying that no Act may pass which will place the emoluments of his Office as Clerk of the Peace and Clerk of the Inferior Court of Common Pleas, under the control of the Common Council of Saint John,	253
112. From William Davidson, of the City of Saint John, praying that Duties paid by him upon Timber and other Lumber on hand at the Port of Saint John on the first of May last, may be returned to him, for reasons set forth in the said Petition,	253
113. From Mary C. Albee, of Charlotte County, praying an allowance for teaching a School in the Parish of Saint Stephen,	253
114. From Lieutenant Colonel Whannel, commanding Her Majesty's Thirty Third Regiment, praying for a return of the Duties paid on Wine and other Liquors consumed by the Officers of the Mess of that Regiment during the past year,	255
115. From Thomas Parks, of the City of Saint John, praying a return of Duty over paid by him at the Province Treasury in October, 1843,	255
116. From Thomas Lamb, Keeper of the Light House at Quaco, praying an additional allowance to enable him to employ an Assistant Keeper,	256
117. From the Mayor, Aldermen and Commonalty of Saint John, praying the continuance of the Act for the support of a Nightly Watch in the said City,	256
118. From John Herrington, praying an allowance for teaching a School in the City of Saint John for two years,	256
119. From John Brittain, E. B. Smith, Samuel Graham, and ninety one others, inhabitants of King's County, praying an increase of Representation for the said County,	256
120. From Asa Coy and Zebedee G. Gable, Trustees of the Baptist Meeting House in Fredericton, praying a return of Duties paid on an Organ imported for Public Worship,	256
121. From Seymour Pickett, of Kingston, in King's County, praying Legislative protection for a Cloth Manufactory established by him, and aid towards its encouragement,	256
122. From Messieurs I. and J. G. Woodward, of Saint John, praying Legislative aid to relieve them from the provisions of the Act 7th Victoria, chapter 42, and from the payment of Duties on Machinery for a Steam Ship to be constructed upon the most improved principle, to ply between the Ports of Saint John and Boston; and for pecuniary aid to assist them in the undertaking,	256
123. From the Commissioners of the Alms House and Overseers of the Poor at Saint Andrews, praying the sum of two hundred and forty pounds ten shillings and one penny may be repaid them for expenses incurred in the support of the Emigrant Poor,	256
124. From Alexander M'Laggan, praying a return of Licence money paid on Lumber previous to the first May 1844, and subject to Export Duty,	256
125. From Richmond Burbridge, of Chatham, praying a Grant of the sum of sixteen pounds fifteen shillings, deducted from his Account as Superintendent of the Hospital in Chatham,	256

PETITIONS presented and ordered to lie on the Table—*Continued.*

		PAGE.
126.	From Patrick McLeod, James Davidson, Louis Robicheau, and one hundred and eleven others, inhabitants of Northumberland and Gloucester, praying that the Road from Bathurst to Good-fellow's, round the Coast, may be established as one of the Great Roads,	256
127.	From Alexander Davidson, John Frazer, Henry B. Allison, and one hundred and five inhabitants of Northumberland and Gloucester, with a similar prayer,	256
128.	From Alexander Rankin, on behalf of himself and partners, praying a grant to remunerate them for Duties paid on Timber and Lumber coming to market too late to come within the exception of the Act 7 Victoria, c. 18,	256
129.	From the Prince Edward Island Steam Navigation Company, praying some compensation for keeping up a communication between Miramichi, Charlotte Town, and Pictou,	257
130.	From Alexander Davidson, John Knight, Donald M'Kay, and sixty four inhabitants of Miramichi, praying aid for the said Steam Navigation Company,	257
131.	From Messieurs E. and J. Wilson, Merchants, of Saint Andrews, praying they may have credit for the Duty paid on certain quantities of Lumber, for reasons set forth in their Petition,	257
132.	From William Hammond, of the City of Saint John, Merchant, praying the return of Duties paid by him on a puncheon of Geneva exported by him to Nova Scotia in May, 1844,	258
133.	From Thomas M. Sime, of the City of Saint John, praying that protection may be afforded to his Establishment for the manufacture of Brooms in the said City,	258
134.	From Letty Bell, the Widow of an old Soldier, praying for pecuniary aid,	258
135.	From David Brown, of the Parish of Burton, in Sunbury County, praying an allowance for teaching a School in the said Parish,	258
136.	From Messieurs Jardine and Company, of Saint John, praying a return of Duty paid on Bastard Sugar imported by them in the years 1843 and 1844,	258
137.	From Henry B. Allison, of Miramichi, praying a return of Tonnage Duty on Licences to cut Timber and Lumber paid by him,	258
138.	From Thomas Watt, of Saint Andrews, praying a grant of money may be made to him to reimburse him for money exacted from him on Bonds to the Crown not due,	258
139.	From Lieutenant Charles Hare, R. N., praying for a grant of two hundred pounds, according to a Scale arranged in an Act passed in the eighth year of His late Majesty King William the Fourth,	258
140.	From Robert Keltie, James Peters, Leveret H. DeVeber, and forty four others, of Saint John, praying a Legislative Grant to improve and repair the Great Marsh Road, in the vicinity of Saint John,	264
141.	From the Justices of the Peace of York County, praying Legislative aid to assist them in paying a debt due for erecting a new Gaol,	264
142.	From James Thompson, a Schoolmaster in the County of Sunbury, praying an allowance for teaching a School,	264
143.	From David Vaughan, and twenty other persons, of the Parish of Saint Martin's, in Saint John, praying a grant to provide for the services of James Newcomb, a teacher of Youth,	264
144.	From James Kirk, John Wishart, and thirty nine others, of Saint John, praying an amendment may be made in the Law regulating Sales at Auction.	264
145.	From Thomas Pickard, of Fredericton, praying a grant of money to aid him in constructing a low Wharf on the Shoals at the Steam Ferry Landing, in Saint Mary's,	264
146.	From Robert V. Hanson, of the City of Saint John, praying a return of Export Duty on Lumber shipped since May last,	264
147.	From the same person, praying that the Bridge over the Little Lepreaux River, on the Great Road from Saint John to Saint Andrews, may be raised, to enable him to pass his Lumber down the said River,	264
148.	From the Saint John Water Company, praying the Company may be released from the payment of a Bond given by the Company to the Province,	264
149.	From William McIntosh, of the Parish of Dumfries, in York County, a Schoolmaster, praying the usual Provincial allowance, and an additional one in consequence of the superiority of his to the common Schools,	264

PETITIONS presented and ordered to lie on the Table— <i>Continued.</i>		PAGE.
150.	From the Reverend Enoch Wood, Chairman of the New Brunswick Wesleyan District, on behalf of the Trustees of the Wesleyan Academy, praying aid in behalf of the Institution,	264
151.	From Henry E. Dibblee, Sub-Collector and Deputy Treasurer at Woodstock, praying a return of Office Rent paid by him since the year 1838,	264
152.	From Robert Fulton, and others, praying an Act may pass to incorporate the "Fredericton Society of Saint Andrew,"	264
153.	From David B. Wetmore, Charles Keith, Thomas Beer, and one hundred and fifty seven other inhabitants of King's County, praying that the Representation of the said County may be increased,	264
154.	From Stephen Binney, of Westmorland, praying for a return of Duty paid on Timber cut on Crown Land and shipped in the Summer of 1844,	264
155.	From John Wilson, William T. Ross, Edward Seely, and ninety five other inhabitants of the County of Charlotte, praying relief from the operation of certain Laws injurious to the West India Trade,	265
156.	From Tristram Moore, Andrew Hay, and sixty inhabitants of Charlotte County, praying that a free grant of Land may pass to Reuben Norton, Millwright, to encourage him to build a Grist Mill on Jones' Brook, in the said County,	265
157.	From John Wilson, of Saint Andrews, praying a return of Tonnage Duties paid on Timber and Deals exported by him after the first day of May last,	265
158.	From William Ker, Joseph Wilson, and fifty other inhabitants of Charlotte County, praying a grant of money to make an alteration in the Road from Saint Andrews to Saint Stephen,	265
159.	From Messieurs Dimock and Wilson, of Saint Andrews, praying a return of Duties on Deals exported, as appears by statements and certificates annexed to their Petition,	265
160.	From John Wilson, of Saint Andrews, praying a grant of money, in addition to individual subscription, to defray the expense of opening a passage into Dark Harbour, in the Island of Grand Manan,	265
161.	From the Justices of the Peace for the County of Gloucester, praying that an Act may pass authorizing the assessment of the said County to pay off the County Debt,	265
162.	From John Moore, Courtney Kinnear, William Dickey, and seventy eight inhabitants of Westmorland, praying for the repeal of the Export Duty imposed upon Timber and Lumber cut on private property,	265
163.	From William Carman, Junior, of Chatham, in Northumberland, praying an alteration may be made in the Law "regulating Juries and declaring the qualifications of Jurors,	265
164.	From Leonard R. Coombes, of the Parish of Madawaska, in Carleton, praying remuneration for monies paid to a Deputy Surveyor of the Crown Land Office,	267
165.	From Samuel C. Trew, a Schoolmaster, praying compensation for teaching a School in Charlotte County in the year 1837,	267
166.	From Jacob M'Keen, of York County, praying that the sum of forty eight pounds fifteen shillings paid as Stumpage on Timber, may be returned,	267
167.	From George Morrow, of the County of Sunbury, praying the sum of sixty four pounds ten shillings, paid by him for Stumpage on Timber, may also be returned to him,	268
168.	From Wilford Fisher, of the Island of Grand Manan, praying that his property in certain Fishing Grounds purchased by him from Government, may not be interfered with by the Legislature to his injury, or that the Government will resume their Grants and remunerate him,	268
169.	From the Commissioners of the York County Alms House, praying for expenses incurred in supporting Emigrants and transient Poor,	268
170.	From Charles M'Pherson, of York County, praying the amount of sixty six pounds five shillings, paid for Stumpage on Timber, may be returned to him,	268
171.	From John Phelon, a Schoolmaster in King's County, praying an allowance for teaching a School,	268
172.	From Thomas Philps and Son, of Saint John, Rope and Twine Makers, praying a return of Duties, and other encouragement to aid them in their undertakings,	268
173.	From J. E. Carmichael, Provincial Tide Surveyor at the Port of Saint John, praying an allowance for services performed,	268

INDEX.

xxi.

PETITIONS presented and ordered to lie on the Table—*Continued.*

		PAGE.
174.	From Thomas M. Sime, of Saint John, Grocer and Broom Manufacturer at that place, praying for a return of Duties paid by him,	268
175.	From Samuel Strange, William Olive, and seventy other persons, praying that an Act may pass to prevent the setting of Lines for catching Fish on the Banks from Point Lepreaux to Cape Spencer,	268
176.	From Thomas Harding, Daniel Ansley, Charles J. Melick, and other Manufacturers of Leather in the City of Saint John, praying further Legislative protection,	268
177.	From George Powell, of the County of Kent, praying an allowance for teaching a School in King's County for six months ending June 1842,	268
178.	From Adam D. Allan, Daniel Dow, Hugh Jamieson, and sixty inhabitants of the Parish of Dumfries, in York County, praying for a division of the said Parish,	268
179.	From Gideon Vernon, of Saint John, praying that Duties paid by him on Timber shipped during the year 1844, may be refunded to him,	268
180.	From Patrick M'Ginnis, of Northumberland, a confined debtor, praying to be relieved from a Judgment obtained against him by Donald Morrison,	268
181.	From Solomon Buckingham, of the County of Sunbury, praying the Pension due to his late mother may be paid to him,	268
182.	From Sarah Crichmore, of the said County, praying the usual allowance to Widows of old Soldiers may be granted to her,	268
183.	From William J. Bedell, George Morrow, Spafford Barker, and eleven other persons, praying an Act may pass authorizing persons holding Licences on Crown Lands to maintain actions in their own names against trespassers,	268
184.	From William J. Bedell, of Fredericton, Merchant, in the name of himself and others, praying a remission of Duties paid on Timber,	269
185-6-7.	From Alexander M'Curdy, Alexander Greenlaw, William Cookson, and one hundred and nine others, inhabitants of Charlotte County, praying that the Grand Jury may be authorized by Law to examine, audit and allow the Public Accounts of the County,	269
188.	From R. Hayne, Edward L. Wigan, James Anderson, and two hundred inhabitants of the Counties of York and Northumberland, praying a grant of money for a Road to pass through the tract of Land purchased by the New Brunswick and Nova Scotia Land Company,	271
189.	From R. Hayne, Commissioner for the New Brunswick and Nova Scotia Land Company, praying the Company may be exempted from a Tax imposed by the Export Duty on Lumber Act,	271
190.	From Leonard R. Coombes, A. B. Hammond, Isaac Kilburn, and four other persons, praying alterations may be made in the Fredericton Boom Company Act,	271
191.	From John L. Marsh, of York County, praying to be reimbursed money paid as a Duty on Timber,	271
192.	From the Mayor, Aldermen and Commonalty of the City of Saint John, praying for an explanatory Act to the Act in amendment of the City Charter,	271
193.	From the same Corporation, praying aid towards the erection of a Public Wharf or Pier in the City of Saint John, for sea-going Steamers,	271
194.	From the College Council of King's College, praying no alteration may be made in the College Charter by the Provincial Legislature,	271
195-6.	From John Robinson, Joseph Pickard, Jacob M'Keen, and twelve proprietors of Madam Keswick Island, in the County of York, praying the Island may be annexed to the Parish of Douglas,	271
197.	From Arthur Ritchie and Company, John Duncan, Allan Andrews, and other inhabitants of Campbelltown and its vicinity, in the County of Restigouche, praying the privilege of a Ware House may be extended to that Town,	271
198.	From James Doak and Thomas Hill, praying for a Legislative grant to enable them to publish an Agricultural Journal,	271
199.	From William H. Hardie, of the County of Westmorland, praying compensation for teaching a School in that County,	271
200.	From Joseph Read, Henry W. Baldwin, John Doran, and two hundred inhabitants of the County of Gloucester, praying the times of holding the Courts of Common Pleas in Gloucester, may be altered to the first Tuesday in January and July respectively,	272

PETITIONS presented and ordered to lie on the Table— <i>Continued.</i>		PAGE.
201.	From Sarah West, of York County, the Widow of an old Soldier of the Revolutionary War in America, praying the usual Provincial Pension,	276
202.	From the Mayor, Aldermen and Commonalty of Saint John, praying that the three Bonds for certain sums borrowed for distressed Emigrants and others, in the year 1841, may be cancelled,	277
203.	From the same Corporation, praying that the Building established by an Act of the Assembly as an Infirmary, in the City of Saint John, may be devoted to other purposes,	277
204.	From Andrew Barron, Missionary, Joseph Read, John Ritchie, and thirty inhabitants of Bathurst, praying a School taught by William Gilmore may receive the aid of a Provincial Grant,	277
205.	From Alleyn C. Evanson, of King's County, praying a return of Duties paid on valuable animals imported by him from Ireland,	279
206.	From Francis Ferguson, of Bathurst, by his Agent William J. Bedell, praying a return of Duties paid on Timber and Lumber in 1844,	279
207.	From Sarah H. Davidson and S. Bates Davidson, of the City of Saint John, praying the aid of the Legislature to enable them to make good a Title to Land conveyed by Asa Davidson, late Sheriff of King's County, for reasons in the Petition set forth,	279
208.	From Samuel Boon, of the County of Sunbury, praying an allowance for a School taught by Ebenezer Boon, of the same place, deceased,	280
209.	From Alleyn C. Evanson, of King's County, praying the expense of publishing a Pamphlet, entitled "An Address on the subject of Emigration,"	282
210.	From Matthew Barrett, of the County of Sunbury, praying an allowance for teaching a School,	282
211.	From Henry Seelye, of Charlotte County, praying a return of certain Duties paid by him on Lumber cut on private property previous to the first day of May last,	282
212.	From Daniel Gilmour, of the same County, praying that the Provincial Treasurer may be directed to permit him to ship free of Export Duty, a quantity of Lumber cut previous to the first day of May on Crown Lands, and on which he paid Stumpage Duty,	282
213.	From Joseph Messinett, of Charlotte County, praying to be remunerated for extra materials and labour provided in making repairs on the Great Road between Saint John and Saint Andrews, under a Contract with the Supervisor,	283
214.	From the Rector, Church Wardens and Vestry of the Parish of Saint George, in Charlotte County, praying the return of Duties paid on a Bell imported for the Corporation,	283
215.	From Abraham Gesner, Geologist, praying for remuneration for services performed by order of the Government,	284
216.	From Henry A. Scovil, Josiah Marvin, James Hughson, and seventy eight inhabitants of the Parish of Springfield, in King's County, praying a grant of money for the purpose of opening a new Line of Road between Hampton and Springfield, in King's County,	284
217.	From John Kerr, of the City of Saint John, praying relief in the cause of which he was surety for James Campbell, late a Deputy Treasurer of the Province, in the County of Charlotte,	286
218.	From John Davidson, a Seizing Officer of the Crown Land Department, praying remuneration for services performed by him,	286
219.	From John Stevens, of the Parish of Lancaster, in the County of Saint John, praying to be indemnified for expenses incurred by him as a Surveyor of Highways,	286
220.	From the Justices of the Peace of the City and County of Saint John, praying that an Act may pass to enable them to make an annual assessment for the payment of the County Contingencies,	286
221.	From the same Justices, praying an Act may pass to enable them to obtain a Loan of Money to discharge certain Debts against the City and County,	286
222.	From Thomas Coneys, of the City of Saint John, praying a return of Duty paid on Tallow imported into Saint John in the year 1843,	286
223.	From Isaac Woodward, Henry Gilbert, James Kirk, and eight other persons, of the City of Saint John, praying they, with their associates, may be incorporated under the style and name of the "Saint John Gas Company,"	286
224.	From John Christie, formerly a Mail Carrier between Bathurst and Restigouche, praying Legislative assistance under his present circumstances,	287

PETITIONS presented and ordered to lie on the Table— <i>Continued.</i>	PAGE.
225. From the Saint John Mechanics' Institute, praying such pecuniary aid as may enable the Corporation to render the Institution more extensively useful in all its departments,	290
226. From George Woods, of the City of Saint John, praying for indemnification for loss sustained in consequence of Thomas Stinson being located on a lot of Land on the Nashwaak River, by a Minute of Council, in the year 1826, which Land was afterwards included in a Grant to the New Brunswick and Nova Scotia Land Company,	295
227. From James Kirk, John V. Thurgar, Thomas E. Millidge, and thirty others, Merchants of the City of Saint John, praying that an Act may pass protecting the importation of Spirits in Casks containing less than one hundred gallons, except from the United Kingdom and British Possessions, and in Vessels less than thirty tons; and also for a reduction of the present Duty on Spirits; and that in case of a seizure, a bounty to the full amount of the Duty be paid to the Seizing Officer,	297
228. From Louison Albert, of the Parish of Madawaska, praying to be repaid expenses incurred in consequence of the introduction of the Small Pox into his neighbourhood,	302
229. From the President, Officers and Committee of the Saint John Total Abstinence Society, in the City of Saint John, praying for Legislative aid to enable them to extend the benefits and promote the objects of Temperance,	305
230. From Ruth M'Farlane, the Widow of an old Soldier, praying the Pension allowed to her husband may be continued to her,	309
231. From John M'Carthy, a Schoolmaster, praying an allowance for teaching a School in Queen's County,	314
232. From John Connor, a Schoolmaster, praying an allowance for teaching a School in the Parish of Westfield, in King's County,	314
233. From William J. Bedell, of Fredericton, one of the Corporation of the Arestook Boom Company, praying an Act may pass to amend and continue the Act of Incorporation,	316
234. From the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Woodstock, in the County of Carleton, praying authority to sell and dispose of a tract of Land,	318
235. From Thomas Baillie and Elizabeth Baillie, praying a Bill may be allowed to pass, authorizing the sale of Lands under the direction of the Master of the Rolls, subject to the provisions contained in the Will of the late William F. Odell, of Fredericton,	318
236. From the Reverend Samuel D. L. Street, Charles Ketchum, John Dibblee, and other inhabitants of Carleton, praying certain grants of money for Bye Roads may not be sustained by this House,	331
237. From John Nesmith, Henry B. Allison, John T. Williston, John Frazer, and three hundred and twenty six other inhabitants of the County of Northumberland, praying for an increase of Representation for that County,	338
238. From James Kirk, John Duncan, F. A. Wiggins, and thirty other inhabitants of the City of Saint John, praying an Act may pass to enable them and their associates to be incorporated, for the purpose of lighting the Public Streets, as well as private dwellings and places of business, with Gas,	358

Q

R

RESOLUTIONS,

That an Address be presented to the Lieutenant Governor, asking him to direct to be laid before the House, a list of Officers appointed to take account of Timber and Lumber at Shipping Ports, under 7 V. c. 18.—Copies of instructions to Officers.—Copies of orders to Treasurer and Deputy Treasurers on the subject, 252; Committee appointed to wait upon His Excellency, 252; their Report, 259; Documents laid before the House,	262
On the subject of the Appropriation for Bye Roads, moved, 338; <i>the House divide</i> , 338; <i>the division</i> , 338; carried,	338
On the subject of Reporting the Debates of the House,	264

RESOLUTIONS of Appropriation,

<i>Dated the 6th day of February.</i> —Brought up, 226; read first time, 227; referred to Committee, 227; committed, 290; sent down concurred in,	290
---	-----

RESOLUTIONS of Appropriation— <i>Continued.</i>	PAGE.
<i>Dated the 1st day of March.</i> —Brought up, 288; read first time, 288; referred to Committee, 288; sent down concurred in,	304
<i>Dated the 8th day of March.</i> —Brought up, 297; read first time, 297; referred to Committee, 297; committed, 304; sent down concurred in, with the exception of— £14 10s. to Asa Coy and Zebedee G. Gabel, Trustees of the Baptist Meeting House in Fredericton, being the return of Duties paid on an Organ imported for Public Worship,	304
<i>Dated the 10th day of March.</i> —Brought up, 305; read first time, 305; referred to Committee, 305; committed, 306; sent down concurred in, with the exception of— £350 to Prince Edward Island Steam Navigation Company,	306
<i>Dated the 12th day of March.</i> —Brought up, 305; read first time, 305; referred to Committee, 305; committed, 306; sent down concurred in,	306
<i>Dated the 17th day of March.</i> —Brought up, 312; read first time, 312; referred to Committee, 312; committed, 315; concurred in, with the exception of— £3 6 8 to David O. Gorman, a Schoolmaster in Portland; 4 3 4 to George W. Steeves, a Schoolmaster in Westmorland,	316
<i>Dated the 24th day of March.</i> —Brought up, 321; read first time, 321; referred to Committee, 321; committed, progress reported, 329; progress reported, 333; further committed, concurred in, with the exception of— £50 to Seymour Pickett, of King's County, for a Cloth and Woolen Manufacture; 30 to John Magill, of Charlotte County, for a like purpose,	337
<i>Dated the 25th day of March.</i> —Brought up, 323; read first time, 323; referred to Committee, 323; sent down concurred in,	337
<i>Dated the 26th day of March.</i> —Brought up, 328; read first time, 328; referred to Committee, 328; committed, 337; concurred in, with the exception of— £35 to open a Road on Division Line between Lands of George A. Bedell and R. Griffiths,	337
<i>Dated the 27th day of March.</i> —Brought up, 331; read first time, 331; referred to Committee, 331; sent down concurred in,	337
<i>Dated the 28th day of March.</i> —Brought up, 332; read first time, 332; referred to Committee, 332; concurred in, with the exception of— £5 to James Wands for having taught a School in the Parish of Addington, Gloucester, three months in 1838,	337
<i>Dated the 29th day of March.</i> —Brought up, 334; read first time, 334; referred to Committee, 334; committed, 342; concurred in, with the exception of— £50 to Doak and Hill, Reporting the Debates of the House of Assembly; 50 to James Hogg, same service; 50 to J. P. A. Phillips, like service,	342
<i>Dated the 31st day of March.</i> —Brought up, 335; read first time, 335; referred to Committee, 335; concurred in, with exceptions hereafter stated.	
<i>Dated the 1st day of April.</i> —Brought up, 339; read first time, 339; referred to Committee, 339; concurred in, with exceptions hereafter stated.	
<i>Dated the 2d day of April.</i> —Brought up, 343; read first time, 343; referred to Committee, 343; committed, sent down concurred in,	344
<i>Dated the 3d day of April.</i> —Brought up, 347; read first time, 347; referred to Committee, 347; committed, progress reported, 348; sent down concurred in,	355
<i>Dated the 4th day of April.</i> —Brought up, 347; read first time, 347; referred to Committee, 347; committed, progress reported, 348; concurred in, except— £25 to Abraham Fayerweather, in lieu of any bounty under Legislative enactment for the erection of an Oat Mill and Kiln in Springfield in King's County; £25 to Walter Seely, same purpose, Dutch Valley, King's County,	355
<i>Dated the 5th day of April.</i> —Brought up, 349; read first time, 349; referred to Committee, 349; committed, 355; concurred in, except— £20 0 0 to James Hogg, to remunerate him for reporting Debates of Legislative Council; 12 15 0 to Overseers of Poor, Addington, County of Restigouche, to reimburse them for expenses incurred in support of William Quinton, a transient pauper, in the year 1844; 50 0 0 to Doak and Hill, for reporting the Debates of the Legislative Council,	355

RESOLUTIONS of Appropriation— <i>Continued.</i>	PAGE.
<i>Dated 5th day of April.—(Postages and Contingent Bills.)—</i> Brought up, 365; agreed to, 365; Assembly acquainted,	366
On the question, whether the Resolution granting to the Rev. John G. M'Gregor the sum of £40, towards remunerating him for his services for conducting a School in the City of Saint John, should be concurred in, <i>the Committee divide,</i>	335
On the question, whether the Resolution granting to John Paddock and Thomas Harding, President and Vice President of the Saint John Total Abstinence Society, the sum of £25, to aid their exertions in the Total Abstinence cause, should be concurred in, <i>two divisions take place</i> in the Committee,	336
On the question, whether the Resolution granting to the Speaker of the Assembly £300, towards remunerating any expenses he may incur in vindicating the Privileges of the Assembly, should be concurred in, <i>the Committee divide,</i>	336
On the question, whether the Resolution granting £214 13 6 to Alexander Goodfellow, to reimburse the following sums over expended by him, should pass, <i>the Committee divide,—</i>	
£93 3 7 on the Road from Bartibog to Fredericton;	
0 13 6 " from Moorfield's to Russell's Mills;	
2 12 6 " from Neguac to Stymest's Mill;	
0 13 4 " from Moodie's Point to Head of the Tide;	
2 10 0 " from Patrick Hall's to Bartibog;	
0 15 6 " from Bathurst Road to M'Carthy's;	
0 12 0 Commissions;	
6 8 0 Exploring the Line of Road from Porter's Brook to Settlement on the South West Branch;	
107 13 6 Balance due on Taxes River Bridges;	337
On the question, whether the Resolution granting to the Honorable Mr. Baillie, Surveyor General, £150 for extra services in preparing a Map of the Province, and his Report on the Boundary Line between Canada and New Brunswick, should pass, <i>the Committee divide,</i>	356
S	
STANDING ORDERS,	
Certain, annulled,	295
New one entered,	296
T	
U	
V	
W	
WHALE FISHING COMPANY,	
Abstract shewing its state on the 2d day of September, 1844, with a List of Stockholders,	200
X	
Y	
Z	