

JOURNAL

AND

PROCEEDINGS

OF HER MAJESTY'S

LEGISLATIVE COUNCIL

OF THE

PROVINCE OF NOVA-SCOTIA.

1843.



PROCLAMATION.

BY HIS EXCELLENCY THE RIGHT HONORABLE

LUCIUS BENTINCK,
VISCOUNT FALKLAND,

Knight Grand Cross of the Guelphic Order, and Member of Her Majesty's Most Honorable Privy Council, Lieutenant-Governor and Commander in Chief in and over Her Majesty's Province of Nova Scotia, and its Dependencies, &c. &c. &c.

Falkland.

WHEREAS, the General Assembly of this Province stands prorogued until Thursday, the Ninth day of June next :

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

Given under my Hand and Seal at Arms, at Halifax, this 31st day of May, in the fifth year of Her Majesty's Reign, and in the year of our Lord 1842.

By His Excellency's Command,

JOHN WHIDDEN.

GOD SAVE THE QUEEN.

PROCLAMATION.

BY HIS EXCELLENCY THE RIGHT HONORABLE

LUCIUS BENTINCK,
VISCOUNT FALKLAND,

Knight Grand Cross of the Guelphic Order, and Member of Her Majesty's Most Honorable Privy Council, Lieutenant Governor and Commander in Chief in and over Her Majesty's Province of Nova Scotia, and its Dependencies, &c. &c. &c.

Falkland.

WHEREAS, the General Assembly of this Province stands prorogued until Thursday, the Eighth day of September next :

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

Given under my Hand and Seal at Arms, at Halifax, this 31st day of August, in the sixth year of Her Majesty's Reign, and in the year of our Lord 1842.

By His Excellency's Command,

JOHN WHIDDEN.

GOD SAVE THE QUEEN.



PROCLAMATION.

BY HIS EXCELLENCY THE RIGHT HONORABLE

LUCIUS BENTINCK,

VISCOUNT FALKLAND,

Knight Grand Cross of the Guelphic Order, and Member of Her Majesty's Most Honorable Privy Council, Lieutenant Governor and Commander in Chief in and over Her Majesty's Province of Nova Scotia, and its Dependencies, &c. &c. &c.

Falkland.

WHEREAS, the General Assembly of this Province stands prorogued until Thursday, the Tenth day of November next :

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

Given under my Hand and Seal at Arms, at Halifax, this 3rd day of November, in the sixth year of Her Majesty's Reign, and in the year of our Lord 1842.

By His Excellency's Command.

JOHN WHIDDEN.

GOD SAVE THE QUEEN.

PROCLAMATION.

BY HIS EXCELLENCY THE RIGHT HONORABLE

LUCIUS BENTINCK,

VISCOUNT FALKLAND,

Knight Grand Cross of the Guelphic Order, and Member of Her Majesty's Most Honorable Privy Council, Lieutenant Governor and Commander in Chief in and over Her Majesty's Province of Nova Scotia, and its Dependencies, &c. &c. &c.

Falkland.

WHEREAS, the General Assembly of this Province stands prorogued until Thursday, the Fifth day of January next :

I have thought fit further to prorogue the said General Assembly, until Thursday, the Twenty-sixth day of January next, *then to meet for the despatch of business*, of which all persons concerned are desired to take notice and govern themselves accordingly.

Given under my Hand and Seal at Arms, at Halifax, this 13th day of December, in the sixth year of Her Majesty's Reign, and in the year of our Lord 1842.

By His Excellency's Command,

JOHN WHIDDEN.

GOD SAVE THE QUEEN.

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

THIRD SESSION OF THE SEVENTEENTH GENERAL ASSEMBLY.

ANNO SEXTO VICTORIÆ REGINÆ.

AT HALIFAX, IN THE PROVINCE OF NOVA-SCOTIA.

LEGISLATIVE COUNCIL CHAMBER.

Thursday, 26th January, 1843.

The General Assembly having been prorogued to this day, the Council met:

PRESENT—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Peter McNab,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Alexander Campbell,

The Honorable Michael Tobin, Jr.
John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

At two of the clock in the afternoon, His Excellency the Right Honorable Lucius Bentinck, Viscount FALKLAND, G. C. H., and Member of Her Majesty's Most Honorable Privy Council, Lieutenant Governor and Commander in Chief in and over Her Majesty's Province of Nova Scotia, and its Dependencies, &c. &c. &c., came to the Council Chamber, attended as usual, and being seated, the Gentleman Usher of the Black Rod received His

H. E. comes to Council Chamber.

H. A. attend

His Excellency's command to let the House of Assembly know "It is His Excellency's will and pleasure they attend him immediately in this House"—who being come, with their Speaker, His Excellency was pleased to open the Session with the following Speech :

*Mr. President, and Honorable Gentlemen of the Legislative Council ;
Mr. Speaker, and Gentlemen of the House of Assembly ;*

Speech

I have called you together at the earliest period that the state of the Public Business has rendered it convenient for me to do so, or that (as I have reason to believe) the avocations of individual Members would admit of their attendance.

You will, I am sure, deem it a matter of congratulation, that since I last met you, a Treaty has been concluded by Her Majesty with the United States—by which the Boundary Line of the Queen's North American Possessions is definitively settled.

I am happy to be able to state to you that the Fisheries have been more than usually productive during the past season ; while we have abundant reason to be grateful to the Divine Giver of all Good for a plentiful and safely stored Harvest.

As might have been anticipated, from the general depression of Commercial Interests, (a depression, from which, however, Nova Scotia has suffered but little, comparatively with other Countries,) there has been a decrease in the Revenue, but it is gratifying to find, that while all claims on the Provincial Treasury have been punctually discharged hitherto, the resources of the Province are such as (if husbanded with a judicious economy) leave no doubt of our ability to meet such engagements with equal regularity in future.

The first Report of the Commissioner for Indian Affairs is ready for your inspection ; and I hope that an investigation of the facts therein set forth, will make it appear, that the money so generously appropriated to a benevolent purpose has been expended with due discretion ; and that a proportionate benefit is likely to accrue to the oppressed and suffering Race, for whose relief it was designed.

I trust you will, on examination, be convinced, that in every matter of public concern, the conduct of which has been confided to the Executive Government, the interests of the Colony have been vigilantly protected.

It has been my duty, during the recess, to maintain a correspondence with the Secretary of State for the Colonies on several subjects of deep importance. This correspondence, in which the views of Her Majesty's Government on the various topics it embraces are fully developed, shall be communicated to you without delay.

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

The Accounts for the past, as well as the Estimates for the current year, shall be forthwith laid on your Table. I fully rely on your disposition to provide liberally for the Public Service.

*Mr. President, and Honorable Gentleman of the Legislative Council ;
Mr. Speaker, and Gentlemen of the House of Assembly ;*

The attention of the Government has been directed to the revision of the Law of Debtor and Creditor ; and the co-operation of the Legislature will be invited, with a view to the establishment of a system adapted to ameliorate the condition of the one, and secure the rights of the other.

A plan for regulating, in future, the disposal of Crown Lands, based on the principles propounded in a Despatch from the Secretary of State, communicating the opinion of the Commissioners of Land and Emigration on this question, will be presented for your consideration.

A measure, conceived with a design to extend the privileges of the Constituency of Nova Scotia, and which is calculated to render available to the Province at large, the services of persons well qualified to comprehend its wants and advance its interests, but whom
local

local circumstances might, under the present Law, temporarily exclude from the Legislature, will be submitted to you, and will, I trust, meet with your concurrence.

It will be necessary for me, shortly, to ask your aid in maturing other measures of general interest, but which can be more conveniently brought under your notice by Message.

Of your sincere desire to assist me, and those who are my Constitutional Advisers, in our united efforts to promote the welfare of Nova Scotia, I entertain the most perfect conviction; and I therefore feel assured, that as you will enter on the discussion of all subjects it may be incumbent on me to bring before you, in a spirit of candour and devotion to the welfare of your country, I shall derive from your labours, during the present Session, the same advantage that I have heretofore reaped from your deliberations.

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

H. A. withdraw
H. E. retires

At three of the clock, P. M., His Excellency the Lieutenant Governor returned to the Council Chamber, attended as usual, and being seated, the Gentleman Usher of the Black Rod received His Excellency's command to let the House of Assembly know "It is His Excellency's will and pleasure they attend him immediately in this House"—who being come, the President of this House said,

H. E. returns

H. A. attend

Gentlemen of the House of Assembly;

The House of Assembly having communicated to His Excellency the Lieutenant Governor, that the Honorable Joseph Howe has resigned the office of Speaker, and that his resignation has been accepted by the House, and that the House is without a Speaker, It is therefore His Excellency's will and pleasure that the Gentlemen of the House of Assembly do repair to the place in which they usually sit, and there elect a Speaker, and present him here for His Excellency's approbation.

Directed to choose a Speaker.

The House of Assembly then withdrew, and after a short time having returned, Thomas Dickson, Esquire, member for the County of Colchester, addressed His Excellency as follows,

H. A. withdraw
Return, & Mr. Dickson presents Speaker

May it please your Excellency;

The House of Assembly, agreeably to your Excellency's command, have proceeded to the choice of a Speaker, and have elected the Honorable William Young, member for the County of Inverness, to that office, and by their direction I beg leave to present him for the approbation of your Excellency.

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

H. E. approves of Speaker

Then the Speaker of the Assembly said,

May it please your Excellency;

Her Majesty's faithful subjects, the Commons of Nova Scotia, having been pleased to make choice of me as their Speaker, I have to thank your Excellency for your approbation of that choice; and your Excellency having at the opening of the present House granted to the House all its usual rights and privileges, then demanded in the accustomed manner, it only remains for me to request from your Excellency the most favourable construction of my acts, and that I as the Speaker may have access to your Excellency at all times, when Her Majesty's service and the interests of the Province require it.

Speaker thanks H. E. and asks favourable construction of his acts, and access to H. E.

To which His Excellency replied, "All that the Speaker has asked I cheerfully grant."

H. E. grants Speaker's request

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

H. A. withdraw

A Bill for improving the Administration of Criminal Justice, was read a first time.

Bill pro formâ read

The President reported His Excellency's Speech, and the same was read by the Clerk. Staley

Speech reported

Mr Brown introduced
and takes oaths

Stayley Brown, Esquire, was introduced, and presented his Mandamus, the same was read; whereupon the usual State Oaths were administered to him by the Commissioners, and he having subscribed the same, after giving and receiving salutations to and from the members present, his seat was assigned to him next to Mr. Bell.

Mr. McDougall in-
troduced and takes
oaths

Alexander McDougall, Esquire, was introduced, and presented a letter from John Whidden, Esquire, Deputy Secretary of the Province, informing him that His Excellency the Lieutenant Governor had been pleased to appoint him a member of this House provisionally, until Her Majesty's pleasure should be known, the said letter was read; Whereupon the usual State Oaths were administered to him by the Commissioners, and he having subscribed the same, after giving and receiving salutations to and from the Members present, his seat was assigned to him next to Mr. Brown.

Address to H. E.
moved

Mr. Stewart moved that the following Address be presented to His Excellency in answer to His Speech:

TO HIS EXCELLENCY THE RIGHT HONORABLE

LUCIUS BENTINCK,

VISCOUNT FALKLAND,

Knight Grand Cross of the Guelphic Order, and Member of Her Majesty's Most Honorable Privy Council, Lieutenant-Governor and Commander in Chief in and over Her Majesty's Province of Nova Scotia, and its Dependencies, &c. &c. &c.

THE ADDRESS OF THE LEGISLATIVE COUNCIL.

May it please your Excellency;

Address

The Legislative Council humbly thank your Excellency for the Speech with which you have been pleased to open the present Session of the Provincial Parliament, and calling the Legislature together as early as the state of the public business, and the convenience of its members would permit.

The satisfactory adjustment of the differences which existed between Great Britain and the United States of America, upon a question of deep moment to Her Majesty's loyal subjects in this Hemisphere, is exceedingly gratifying to us; and we trust that the peaceful relations happily established may long continue, and be eminently beneficial to both Countries.

For an abundant harvest and the success of the fisheries we have reason to be thankful to the Divine Giver of all Good, and especially that while these Blessings have been bountifully bestowed upon us, this Province has been comparatively unaffected by the distress which still prevails throughout the commercial world.

We are rejoiced to learn that although the revenue has not been so productive as heretofore, all demands upon the Treasury have been faithfully discharged, and that our resources, if economically applied, are adequate to the wants of the public service.

The report of the Commissioner for Indian Affairs will receive our careful consideration, and it will afford us gratification to find that the sum granted at the last Session, has tended to ameliorate the condition of a race which had so many claims upon our sympathy and support.

We tender our grateful acknowledgements to your Excellency for proposing to communicate the correspondence that has taken place during the past year between the Secretary of State for the Colonies and your Excellency, upon important subjects; and in it, as well as in the conduct of the affairs entrusted to the Executive, we feel assured we shall find the proofs of your vigilant care of the public interests.

The law of debtor and creditor which your Excellency informs us has been under the consideration of the Executive Government; the measure for the future management of
the

the Crown Lands, and that which your Excellency proposes to submit for the extension of the privileges of the Constituency of the Province, as well as every other subject to which our attention may be directed, shall receive early and respectful deliberation; and, reposing perfect confidence in your Excellency's anxious desire to promote the welfare of the Colony, your Excellency may rely upon our ready aid in whatever may be conducive to that desirable object.

Which Address being read by the Clerk was agreed to by the House.

Ordered, That the said Address be presented to His Excellency by the whole House.

Ordered, That Mr. Morton, Mr. McNab, and Mr. Bell, be a Committee to wait upon His Excellency, and ascertain when His Excellency will be pleased to receive this House with their address.

Com. to know when H. E. will receive Address

On motion made and seconded—the House adjourned until To-morrow, at 2 o'clock.

Adjourn

Friday, 27th January, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Peter McNab,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Alexander Campbell,

The Honorable Michael Tobin, Jr.
John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

The minutes of yesterday were read.

Mr. Morton, the Chairman of the Committee appointed to wait upon His Excellency the Lieutenant Governor, and ascertain when His Excellency would receive this House with their Address, reported that the Committee had performed that duty, and that His Excellency had been pleased to state that he would receive this House to-day at three o'clock, p. m.

Rep. of Com. to wait on H. E. to know when he will receive Address

At three o'clock the House proceeded to the Government House with their Address, and being returned to the Council Chamber, the President reported that His Excellency had been pleased to receive the said Address, and to return the following reply thereto :

House wait on H. E. with Address.

Mr. President, and Honorable Gentlemen ;

I thank you very sincerely for your Address, and I confidently rely on your assistance to render perfect, and adapted to the circumstances of the Country, such measures as I may deem it my duty to prepare, for the consideration of the Legislature.

Reply

The President read a letter addressed to him by Mr. Cutler, stating that indisposition would prevent his attending in his place during the present Session, and requesting to be excused from such attendance.

Mr. Cutler's excuse

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

Ordered, That the Hon. Mr. Dewolf, the Hon. Mr. McNab, Mr. Taylor, Mr. Stairs, and Mr. Marshall, be a Committee of this House, for the purpose of examining the Public Accounts, jointly with a Committee of the Legislative Council.

Com. of Pub. Accts. of H. A.

On motion, *resolved*, that Mr. Tobin, Mr. Morton, and Mr. Bell, be a Committee of this

Com. of Pub. Accts. of Council.

this House, to join a Committee of the House of Assembly, to examine the Public Accounts, and that the Clerk do acquaint the House of Assembly therewith.

Adjourn

On motion made and seconded—the House adjourned until Monday, at 2 o'clock.

Monday, 30th January, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President,

The Honorable Peter McNab,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Campbell,

The Honorable Michael Tobin, Junr.
John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

The Minutes of Friday were read.

Mr. Bond's excuse

The President read a Letter addressed to him by Mr. Bond, stating that indisposition would prevent his attending in his place during the present Session, and requesting to be excused from such attendance.

Leave granted to him

On motion, *resolved*, that Mr. Bond have leave of absence during the present Session, on account of indisposition.

Rules of Probate Court

Mr. Johnston, by His Excellency the Lieutenant-Governor's command, laid before the House a copy of a Letter addressed to John Whidden, Esq. Deputy Secretary, by the Chief Justice, the Master of the Rolls, and Mr. Justice Haliburton, together with sundry Rules drawn up by them for the Probate Court pursuant to the provisions of an Act passed in the last Session of the General Assembly.

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

(*Vide Appendix No. 1.*)

Ref. to Sel. Com.

Ordered, That the said Letter and Rules be referred to a Select Committee to examine and report upon.

Committee

Ordered, That Mr. Stewart, Mr. Wilkins, Mr. Campbell, Mr. Morton, Mr. Bell, Mr. Brown, and Mr. McDougall, be a Committee for that purpose.

Ordinance Bill

Mr. Johnston presented 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.

Read 1st time

The said Bill was read a first time.

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

Pet. of G. Dimock, R. B. Dickie, and others

Mr. Johnston brought up the Petition of George Dimock and others, and R. B. Dickie and others, praying aid to Acadia College—which were ordered to lie on the Table.

Pet. of Union Marine Insurance Com.

Mr. Tobin brought up the Petition of the Union Marine Insurance Company, praying to be allowed to compensate their Directors and Auditors—which was ordered to lie on the Table.

Pet. of J. Wells and others

Mr. Morton brought up the petition of John Wells and others, praying aid to the Wesleyan College, at Sackville, New-Brunswick—which was ordered to lie on the Table.

A Message was brought from the House of Assembly, by Mr Gray, with the following Bill:

A Bill

A Bill, entitled, An Act to enable the Union Marine Insurance Company of Nova Scotia, to compensate their Directors and Auditors.

Union Marine Insurance Co. Bill

To which Bill they desired the concurrence of this House.

The said Bill was read a first time.

Read 1st time

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

On motion made and seconded—the House adjourned until Wednesday, at 2 o'clock.

Adjourn

Wednesday, 1st February, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable James W. Johnston,
William Lawson,
Alexander Stewart,
Alexander Campbell,
Michael Tobin, Jr.

The Honorable John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall,

PRAYERS.

The Minutes of Monday were read.

The President read a Letter addressed to him by Mr. McFarlane, stating that the state of the Roads prevented his attending in his place in this House.

Mr. McFarlane's excuse

The President read a letter addressed to him by Mr. Wilkins, stating that important private and professional business, prevented his attending in his place in this House, for the present.

Mr. Wilkins's excuse

A Bill entitled, 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, was read a second time.

Ordnance Bill

Read 2nd time

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

And ref. to Com.

A Bill, entitled, An Act to enable the Union Marine Insurance Company of Nova Scotia, to compensate their Directors and Auditors—was read a second time.

Union Marine Insurance Co. Bill read 2nd time

Ordered, That the said Bill be referred to a select Committee to examine and report whether the requisites of the standing orders of this House, relative to local and private Bills, have been complied with.

And ref. to Sel. Com.

Ordered, That Mr. Tobin, Mr. Bell, and Mr. Brown, be a Committee for that purpose.

Committee

Mr. Johnston, by the command of His Excellency the Lieutenant Governor, laid before the House copies of the following Despatches, and other papers, on the subject of the Coast Fisheries of Nova Scotia, and the encroachments of Foreigners thereon:—viz.

Message from H. E. with Despatches &c rel. to the Coast Fisheries, &c.

1.—Copy of a Despatch from Lord John Russell to Lord Falkland, dated 9th April, 1841, with Copies of a Letter from Lord Leveson of the Foreign Office, to James Stephens, Esquire, of the Colonial Office, dated 2d April, 1841, and of a note from Mr. Stevenson, Minister from the United States of America, to Lord Palmerston, dated 27th March, 1841.

(Vide Appendix No. 2.)

2.—Copy of a Despatch from Lord Falkland to Lord John Russell, dated 28th April, 1841, with Copy of a case stated, raising the necessary questions as to the right of Fishery, to be referred to the Crown Officers in England.

(Vide Appendix No. 3.)

3.—Copy

3.—Copy of a Despatch from Lord Falkland to Lord John Russell, dated 8th May, 1841, with Report on the allegation of the American Minister, complaining of certain proceedings of the Authorities of Nova Scotia, towards the vessels and citizens of the Republic engaged in fishing on the Coast of the Province.

(*Vide Appendix No. 4.*)

4.—Copy of a Despatch from Lord Falkland to Lord Stanley, dated 11th July 1842, transmitting Report of Committee of the House of Assembly.

(*Vide Appendix No. 5.*)

5.—Copy of a Despatch from Lord Stanley to Viscount Falkland, dated 28th November, 1842, with inclosures, including a Report of the Queen's Advocate and Attorney General.

(*Vide Appendix No. 6.*)

The said Despatches and papers were read, and ordered to lie on the Table.

Message from H. E. with report of Commissioner for Indian Affairs

Mr. Johnston, by command of His Excellency, also laid before the House, the Report of the Commissioner for Indian Affairs—which was read, and ordered to lie on the Table.

(*Vide Appendix No. 7.*)

Message from H. E. with Despatch notifying the Ratification of Treaty with the United States

Mr. Stewart, by command of His Excellency, laid before the House, a Copy of the following Despatch from His Excellency the Governor General :

Government House, Kingston, 26th November, 1842.

MY LORD,

I have the honour to inform your Lordship, that I have just received a Despatch from the Secretary of State for the Colonies, communicating the intelligence of the Treaty between Her Majesty and the United States, which was signed at Washington, on the 9th August last, having been ratified in London on the 13th ultimo.

I have the honor to be, &c.,

(Signed)

CHARLES BAGOT.

His Excellency Viscount FALKLAND.

The said Despatch was read, and ordered to lie on the Table.

Petition of Thos. H. Davies and others.

Mr. Stewart brought up the petition of Thomas H. Davies and others, praying aid to the Wesleyan College at Sackville, New Brunswick—which was ordered to lie on the Table.

Petition of Charlotte McPherson and others

Mr. Johnston brought up the petition of Charlotte McPherson and others, against continuing the licenced Sale of Spirituous Liquors, and for prohibiting their importation—which was read, and ordered to lie on the Table.

Tender of Richd. Nugent, for Printing

Mr. Morton brought up the tender of Richard Nugent, for printing the Journals of this House—which was ordered to lie on the Table.

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

Baptist Meeting House, Bridgetown Bill

A Bill, entitled, An Act to authorise the Congregation of the Baptist Meeting House at Bridgetown, to raise money from the Pews of the said Meeting House, for the repairing, ornamenting, altering or enlarging the same, and for ratifying the appointment, and defining the power of the Trustees of such Meeting House.

To which Bill they desired the concurrence of this House.

Read 1st time

The said Bill was read a first time.

Ref. to Sel. Com.

Ordered, That the said Bill be referred to a Select Committee, to examine and report whether the requisites of the standing orders of this House, relative to local and private Bills, have been complied with.

Ordered,

Ordered, That Mr. Bell, Mr. Brown, and Mr. McDougall, be a Committee for that purpose. Committee

Mr. Tobin brought up the petition of Stephen Binney and Edward Binney, Executors of the late Honorable Hibbert N. Binney, Collector of Impost and Excise at Halifax, praying that the accounts of the said Hibbert N. Binney, may be examined by a joint Committee of the Legislative Council and House of Assembly, and that a Commission of 3½ per cent. may be allowed the said Edward Binney, upon certain sums received, and paid by him into the Provincial Treasury, after the death of the said Hibbert N. Binney—which was read, and ordered to lie on the Table. Petition of Stephen Binney and others

Mr. Johnston brought up the petition of A. Campbell and others, and George Richardson and others, praying aid to Acadia College—which were ordered to lie on the Table. Petition of A. Campbell and others, and G. Richardson and others

Mr. McDougall brought up the petition of Murdoch Ross and others, praying aid to Acadia College—which was ordered to lie on the Table. Petition of M. Ross and others

Mr. Morton brought up the petition of Ambrose Poole and others, and William A. Chipman and others, praying aid to Acadia College—which were ordered to lie on the Table. Petition of A. Poole and others, and W. A. Chipman and others

On motion made and seconded—the House adjourned until To-morrow, at 2 o'clock. Adjourn

Thursday, 2nd February, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Alexander Campbell,

The Honorable Michael Tobin, Jr.
John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

The minutes of yesterday were read.

Mr. Bell brought up the petition of Stephen Bamford and others; also, of William Crosscombe and others; also, of William Webb and others; also, of W. E. Shenstone and others; also, of Joseph F. Bent and others; also, of James E. Hennigar and others, praying aid to the Wesleyan College at Sackville, New Brunswick. Petitions in favour of Wesleyan College

Mr. Johnston, by command of His Excellency the Lieutenant Governor, laid before the House Copies of Despatches and other papers, with a Copy of the Imperial Act, 5 & 6 Victoria, chapter 49, amending the Laws for the regulation of the Trade of the British Possessions abroad, viz: Message from H. E. with Despatches relative to Trade of British Possessions

1.—Copy of Despatch from Lord Stanley to Lord Falkland, dated 19th August, 1842, on the subject of the British Possessions Trade Act, with annexed Copy of a Despatch from Lord Stanley to the Governor General of Canada.

(Vide Appendix No. 8.)

2.—Imperial Act, 5 & 6 Victoria, c. 49, entitled, An Act to amend the Laws for the regulation of the Trade of the British Possessions Abroad.

(Vide Appendix No. 9.)

3.—Copy of a Circular Despatch from Lord Stanley to the Lieutenant Governor, dated 20th August, 1842, requiring exclusion of enactments affecting external Trade, from General Revenue Acts. 3 *(Vide*

(*Vide Appendix No. 10.*)

The said Despatches and papers were read, and ordered to lie on the Table.

Com. on Bills

On motion, the House was adjourned, during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. Morton reported that the Committee had made some progress.

Report Ordnance Bill
without am.

The Chairman also reported that the Committee had gone through a Bill, entitled, 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, and had agreed to the same without any amendment.

Ordered, That the said Bill be engrossed, and read a third time at a future day.

Petition of A. Stro-
nach and others

Mr. Morton brought up the petition of Abraham Stronach and others, praying aid to Acadia College—which was ordered to lie on the Table.

Petition of W. S.
Raymond & others

Mr. Brown brought up the petition of William S. Raymond and others, praying that part of the Township of Clare, may be annexed to the County of Yarmouth—which was ordered to lie on the Table.

Petition of C Church-
ill and others

Mr. Brown brought up the petition of Charles Churchill and others, praying aid to the Wesleyan College at Sackville, New Brunswick—which was ordered to lie on the Table.

Petition of James
Whitney

Mr. Brown brought up the petition of James Whitney, praying aid for running a steam-boat between Halifax, the Western Shore, and St. John, New Brunswick—which was read, and ordered to lie on the Table.

Petition of E. Hues-
tis and others

Mr. Brown brought up the petition of Edward Huestis and others, praying aid to Acadia College—which was ordered to lie on the Table.

Public Accounts laid
before House

Mr. Johnston, by the command of His Excellency the Lieutenant Governor, laid before the House the Provincial Treasurer's Accounts for the year 1842.

(*Vide Appendix No. 11.*)

Ref. to Com. of Pub-
lic Accounts

Ordered, That the said Accounts be referred to the Committee appointed to examine the Public Accounts.

Com. on Bap. Meet-
ing House, Bridge-
town Bill report

Mr. Bell, the Chairman of the Committee, to whom A Bill, entitled, An Act to authorise the Congregation of the Baptist Meeting House at Bridgetown, to raise money from the Pews of the said Meeting House, for the repairing, ornamenting, altering or enlarging the same, and for ratifying the appointment, and defying the power of the Trustees of such Meeting House was referred—reported that the Committee had examined the said Bill, and found that the requisites of the standing orders of this House had been complied with.

Read 2nd time

Whereupon, the said Bill was read a second time.

And ref. to Com.

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

Leave of absence to
Mr. Campbell

On motion of Mr. Stewart, *resolved*, that Mr. Campbell have leave of absence for ten days from Monday next, to return home on urgent private business.

Petition of B. Potter
and others.

Mr. Johnston brought up the petition of Benjamin Potter and others, praying aid to Acadia College—which was ordered to lie on the Table.

Message from H. E.
with Imp. Act, 5
& 6 V., c. 107.
Passenger Act

Mr. Johnston, by the command of His Excellency the Lieutenant Governor, laid before the House a copy of the Imperial Act, 5 & 6 Victoria, c. 107, entitled, An Act for regulating the carriage of Passengers in Merchant Vessels—which was read, and ordered to lie on the Table.

(*Vide Appendix No. 12.*)

Adjourn

On motion made and seconded—the House adjourned until To-morrow, at 2 o'clock.

Friday

Friday, 3rd February, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Alexander Campbell,

The Honorable John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, 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—was read a third time, and the question was put by the President, Ordnance Bill
Read 3rd time

Whether this Bill shall pass?

Agreed to

It was resolved in the affirmative.

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

And sent to H. A.

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

On motion, the House was adjourned, during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. Morton reported that the Committee had made some progress. Com. on Bills

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to authorise the Congregation of the Baptist Meeting House at Bridgetown, to raise money from the Pews of the said Meeting House, for the repairing, ornamenting, altering, or enlarging the same, and for ratifying the appointment, and defining the power of the Trustees of such Meeting House—and had agreed to the same without any amendment.

Report Baptist Meeting House Bridgetown Bill without am.

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

On motion made and seconded—the House adjourned until Monday, at 2 o'clock.

Adjourn

Monday, 6th February, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President,

The Right Reverend and Honorable the Lord Bishop.

The Honorable Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Michael Tobin, Jr.

The Honorable John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

The Minutes of Friday were read.

A Bill, entitled, An Act to authorise the Congregation of the Baptist Meeting House at Bridgetown, to raise money from the pews of the said Meeting House, for the repairing, ornamenting, altering, or enlarging the same, and for ratifying the appointment, and defining Bridgetown Baptist Meeting House Bill

- ning the power of the Trustees of such Meeting House—was read a third time, and the question was put by the President,
 Whether this Bill shall pass?
 It was resolved in the affirmative.
- Read 3rd time
 Agreed to
 And sent to H. A. A Message was sent to the House of Assembly, by the Clerk,
 To return the said Bill, and acquaint them that this House have agreed to the same without any amendment.
- Engagements in aid of Pub. Works Bill
 A Message was brought from the House of Assembly, by Mr. Gray, with the following Bill,
 A Bill, entitled, An Act for enforcing performance of engagements in aid of Public Works.
 To which Bill they desired the concurrence of this House.
- Read 1st time
 The said Bill was read a first time.
Ordered, That the said Bill be read a second time, at a future day.
- Com. on Union Marine Insurance Co. Bill report
 Mr. Tobin, the Chairman of the Committee to whom a Bill, entitled, An Act to enable the Union Marine Insurance Company of Nova Scotia to compensate their Directors and Auditors, was referred, reported that inquiry had been made, in regard to the wishes of the Company, and it had been found, that at the Annual Meeting of the Stockholders, at which 600 shares were represented, the Resolution authorising the application for the Act was passed unanimously, and the Committee therefore recommended that the Bill should be favourably considered by this House.
- Petition of R. Charten and others, and G. Garrison and others
 Mr. Johnston brought up the petition of Robert Charten and others, and George Garrison and others, praying aid to Acadia College—which were ordered to lie on the Table.
- Message from H. E. with Despatches relative to Crown Lands
 Mr. Stewart, by command of His Excellency the Lieutenant Governor, laid before the House,
 1.—A Copy of a Despatch from Lord Falkland to Lord Stanley, dated 21st December, 1841, relative to the disposal of Crown Lands in this Province.
(Vide Appendix No. 13.)
 2.—An extract of a Despatch from Lord Stanley to Lord Falkland, dated 15th March, 1842, with a Report of the Commissioners for Colonial Lands and Emigration, made in February 1842.
(Vide Appendix No. 14.)
 The said Despatches, &c., were read, and ordered to lie on the Table.
- Printing of Journals
 Mr Stewart moved the following Resolution :
Resolved, That the Journals of this House be printed by the Queen's Printer—which being seconded, and the question being put, there appeared, for the motion, seven—against the motion, three :

For the motion,	Against the motion,
Mr. McDougall, Brown, Morton, Tobin,	Mr. Bell, Lawson, Uniacke,
Mr. Stewart, Johnston, The Lord Bishop.	

 So it passed in the affirmative.
- Adjourn
 On motion made and seconded—the House adjourned until To-morrow, at 2 o'clock.

Tuesday,

Tuesday, 7th February, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President,

The Right Reverend and Honorable the Lord Bishop.

The Honorable Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Michael Tobin, Jr.

The Honorable John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act for enforcing performance of engagements in aid of Public Works—was read a second time.

Engagements in aid
of Pub. Works Bill
Read 2nd time
And ref. to Com.

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

Ordered, That a Bill, entitled, An Act to enable the Union Marine Insurance Company of Nova Scotia, to compensate their Directors and Auditors—be committed to a Committee of the whole House, at a future day.

Union Marine Insu-
rance Bill ordered
to Com.

Mr. Stewart brought up the petition of the Rev. Robert Willis, praying aid to the African School in Halifax—which was ordered to lie on the Table.

Petition of Dr. Willis

Mr. McDougall brought up the petitions of John Brown and others; also, of John Wier and others, relative to the Pictou Academy—which were ordered to lie on the Table.

Petition of J. Brown
and others, and J.
Wier and others

Mr. Johnston brought up the petitions of Nathaniel Marsters and others; also of Charles Randall and others; also, of John E. Cogswell and others; also of John Douglas and others; praying aid to Acadia College—which were ordered to lie on the Table.

Pet. of N. Marsters &
others, & C Randall
& others, & J. E.
Cogswell & others,
& J Douglas & oth.

Mr. Brown brought up the petition of the members of the Presbyterian Congregation at Truro, relative to the Pictou Academy—which was ordered to lie on the Table.

Presbyterian Congre-
gation, Truro

Mr. Brown brought up the the petition of Samuel Bancroft and others; also, of John Collidge and others—praying aid to Acadia College—which were ordered to lie on the Table.

Pet. of S. Bancroft &
others, & J Collidge
and others

Mr. McDougall brought up the petition of W. C. Rideout and others; also, of J. S. Thompson and others, praying aid to Acadia College—which were ordered to lie on the Table.

Pet. of W. C. Ride-
out and others, & J.
S. Thompson and
others

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

A Bill, entitled, An Act to extend to the Town of Sydney the provisions of the Act relating to Commissioners of Highways in Halifax, and certain other places, and to repeal a certain Act in relation thereto.

Highways, Sydney

A Bill, entitled, An Act for making regulations relative to the setting of snares for catching Moose.

Moose Snares

A Bill, entitled, An Act to authorise the Grand Jury and Court of General Sessions of the Peace for the County of Lunenburg, to make regulations for the gathering of Sea Manure in the Township of Chester.

Sea Manure, Chester

A Bill, entitled, An Act concerning the Registrars of Deeds throughout this Province. To which Bills they desired the concurrence of this House.

And Registrars of
Deeds Bills

Read 1st time The said Bills were read a first time.
Ordered, That the said Bills be read a second time, at a future day.

Pet. of T. H. Porter & others, W. Wethers & others, J. B. Cogswell & others Mr. Johnston brought up the petitions of T. H. Porter and others; also, of William Wethers and others; and also of Joshua B. Cogswell and others; praying aid to Acadia College—which were ordered to lie on the Table.

Adjourn On motion made and seconded—the House adjourned until To-morrow, at 2 o'clock.

Wednesday, 8th February, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Norman F. Uniacke,
 James W. Johnston,
 William Lawson,
 Alexander Stewart,
 Michael Tobin, Jr.,

The Honorable John Morton,
 Hugh Bell,
 Stayley Brown,
 Alexander McDougall.

PRAYERS.

The Minutes of yesterday were read.

Sea Manure, Chester A Bill, entitled, An Act to authorize the Grand Jury and Court of General Sessions of the Peace, for the County of Lunenburg, to make regulations for the gathering of Sea Manure in the Township of Chester. Also,

Moose Snares A Bill, entitled, An Act for making regulations relative to the setting of Snares for catching Moose. Also,

And Registrars of Deeds, Bills A Bill, entitled, An Act to extend to the Town of Sydney the provisions of the Act relating to Commissioners of Highways in Halifax, and certain other places, and to repeal a certain Act in relation thereto.

Read 2nd time Were read a second time.

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

Report of Com. on Pub. Accounts Mr Tobin, the Chairman of the Committee of this House, appointed to join a Committee of the House of Assembly, to examine the Public Accounts, made his Report, which he read in his place.
Ordered, That the said Report do lie on the Table.
 (Vide Appendix No. 15.)

Pet of C. Tupper & others, J. McLearn & others, D Harris & others, W. Dewolf & others Mr. Johnston brought up the petitions of Charles Tupper and others; also, of James McLearn and others; also, of David Harris and others; also, of William Dewolf and others; praying aid to Acadia College—which were ordered to lie on the Table.

Judiciary Bill Mr. Johnston presented a Bill, entitled, An Act to amend the Act passed in the fourth year of Her present Majesty's Reign, entitled, An Act to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein.

Read 1st time The said Bill was read a first time.
Ordered, That the said Bill be read a second time at a future day.

Adjourn On motion made and seconded—the House adjourned until To-morrow, at 2 o'clock.

Thursday

Thursday, 9th February, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable James W. Johnston,
William Lawson,
Alexander Stewart,
Michael Tobin, Jr.

The Honorable John Morton,
Hugh Bell,
Stayloy Brown,
Alexander McDougall.

PRAYERS.

The minutes of yesterday were read.

A Bill, entitled, An Act to amend the Act passed in the fourth year of Her present Majesty's Reign, entitled, An Act to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expenses of the Judiciary therein—was read a second time.

Judiciary Bill

Read 2nd time

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

And ord to Com.

Mr. Bell brought up the petition of William Crosscombe and others, praying aid to the Methodist School in Halifax—which was ordered to lie on the Table.

Pet. of W. Crosscombe and others

Mr. Bell brought up the petition of Joshua Newton and others, praying aid to the Wesleyan College at Sackville, New Brunswick—which was ordered to lie on the Table.

Pet. of J. Newton & others

Mr. Johnston brought up the petition of Charles W. Forbes, Principal of the Academy at Annapolis, praying that that Academy may have an equal allowance with other Academies—which was ordered to lie on the Table.

Pet. of C. W. Forbes

On motion, the House was adjourned, during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. Bell reported that the Committee had made some progress.

Com. on Bills

Report

The Chairman also reported that the Committee had gone through,

A Bill, entitled, An Act to enable the Union Marine Insurance Company of Nova Scotia, to compensate their Directors and Auditors. Also,

Union Marine Insurance Co.

A Bill, entitled, An Act to extend to the Town of Sydney the provisions of the Act relating to Commissioners of Highways in Halifax, and certain other places, and to repeal a certain Act in relation thereto.

And Highways, Sydney, Bills

And had agreed to the same without any amendment.

Without am.

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

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act for making regulations relative to the setting of snares for catching Moose—and recommended that the said Bill should be referred to a Select Committee to examine and report upon.

Recommend Moose Snares Bill, to be ref. to Sel. Com.

Ordered, That the said Report be received, and the said Bill be referred to a Select Committee to examine and report upon.

Report received and Bill ref.

Ordered, That Mr. Morton, Mr. Bell, and Mr. Brown, be a Committee for that purpose.

Committee

The Chairman also reported that the Committee had had under consideration A Bill, entitled, An Act to authorise the Grand Jury, and Court of General Sessions of the Peace, for the County of Lunenburg, to make regulations for the gathering of Sea Manure in the Township of Chester—and recommended that the said Bill should be referred to a Select Committee to examine and report upon.

Recommend Sea Manure, Chester, Bill, to be ref. to Sel. Com.

Ordered,

Report Received, and Bill ref.	<i>Ordered</i> , That the said Report be received, and the said Bill be referred to a Select Committee to examine and report upon.
Committee	<i>Ordered</i> , That Mr. Tobin, Mr. Bell, and Mr. Brown, be a Committee for that purpose.
Adjourn	On motion made and seconded—the House adjourned until To-morrow, at 2 o'clock.

Friday, 10th February, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Michael Tobin, Jr.

The Honorable John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

The minutes of yesterday were read.

Union Marine Insurance Co., and
Highways, Sydney Bills

A Bill, entitled, An Act to enable the Union Marine Insurance Company of Nova Scotia, to compensate their Directors and Auditors. Also,

A Bill, entitled, An Act to extend to the Town of Sydney the provisions of the Act relating to Commissioners of Highways in Halifax, and certain other places, and to repeal a certain Act in relation thereto.

Read 3rd time

Were read a third time, and the question was put by the President, on each Bill, Whether this Bill shall pass?

Agreed to

It was resolved in the affirmative.

And sent to H. A.

A Message was sent to the House of Assembly, by the Clerk, To return the said Bills, and acquaint them that this House have agreed to the same, without any amendment.

Com. on Bills

On motion, the House was adjourned, during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. Morton reported that the Committee had made some progress.

Report Judiciary Bill with am.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to amend the Act passed in the fourth year of Her present Majesty's Reign, entitled, An Act to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein—and had agreed to the same without any amendment.

Ord. to be engrossed

Ordered, That the said Bill be engrossed, and read a third time at a future day.

Message from H. A. agreeing to Ordnance Bill

A Message was brought from the House of Assembly, by Mr. Gray, To inform the House that the House of Assembly agreed to a Bill, entitled, 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—without any amendment.

Adjourn

On motion made and seconded—the House adjourned until Monday, at 2 o'clock.

Monday,

Monday, 13th February, 1843.

The House met pursuant to adjournment.

PRESENT—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Peter McNab,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Michael Tobin, Jr.

The Honorable Daniel McFarlane,
John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

The minutes of Friday were read.

A Bill, entitled, An Act to amend the Act passed in the fourth year of Her present Majesty's Reign, entitled, An Act to improve the administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein—was read a third time. Judiciary Bill

Then several amendments were made to the said Bill. Read 3rd time

Then the question was put by the President,
Whether this Bill shall pass?

It was resolved in the affirmative. Agreed to

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

Mr. Brown brought up the petition of Anthony V. Dimock and others, praying aid to Acadia College—which was ordered to lie on the Table. Petition of A. V. Dimock and others

Mr. Brown brought up the petition of George Christie and others, relative to the Picou Academy—which was ordered to lie on the Table. Petition of G. Christie and others

Mr. Johnston brought up the petition of Thomas McColl and others, praying aid to Acadia College—which was ordered to lie on the Table. Petition of T McColl and others

Mr. Johnston presented a Bill to enable creditors to recover interest on their Debts in certain cases—which was read a first time. Interest Bill

Ordered, That the said Bill be read a second time at a future day. Read 1st time

Mr. Johnston, by command of His Excellency the Lieutenant Governor, laid before the House, Message from H. E. with

1.—A Copy of a Despatch from Lord Stanley to Lord Falkland, (dated 21st February, 1842,) acknowledging the receipt of the Addresses of the Legislative Council and House of Assembly to Her Majesty, on the Birth of the Prince of Wales Despatch ack. rec. of Ad. on Birth of Prince of Wales

(*Vide Appendix No. 16.*)

2.—A Copy of a Despatch from Lord Stanley to Lord Falkland, dated 12th July, 1842, relative to the Act for the instruction and settlement of the Indians. Despatch relative to Indians

(*Vide Appendix No. 17.*)

3.—A Copy of a Circular Despatch from Lord Stanley, dated 23rd November, 1842, with an order of Her Majesty in Council, relating to the Trade with Portugal. Despatch relative to Portugal Trade

(*Vide Appendix No. 18.*)

The said Despatches and order were read, and ordered to lie on the Table.

Message from H. E.
with Report, &c.,
of Bridewell

Mr. Stewart, by His Excellency's command, laid before the House a Report and Account relative to the building of the Bridewell—which were read and ordered to lie on the Table.

(*Vide Appendix No. 19.*)

Adjourn

On motion made and seconded—the House adjourned until To-morrow, at 2 o'clock.

Tuesday, 14th February, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable, the Lord Bishop.

The Honorable Peter McNab,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Michael Tobin, Jr.

The Honorable Daniel McFarlane,
John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

The Minutes of yesterday were read.

Interest Bill

Read 2nd time

And ord. to Com.

A Bill, entitled, An Act to enable Creditors to recover Interest on their Debts in certain cases—was read a second time.

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

Com. on Moose
Snare Bill Report

Mr. Morton, the Chairman of the Committee to whom a Bill, entitled, An Act for making regulations relative to the setting of Snares for catching Moose, was referred, reported that the Bill seemed necessary, to prevent the cattle of the Inhabitants living in the neighbourhood from being destroyed. That the preservation of the Moose, during the summer season, when they are rearing their young, and when their flesh for food is of little value, is also desirable, and would be beneficial to the Indian, who depended on it for food, and who is not prevented by this Bill from killing it in the ordinary way, by shooting. That the destroying of Bears and other destructive animals would not be prevented thereby, as they are generally caught in Spring Traps. The Committee therefore recommend that the Bill should pass, especially, as the Court of General Sessions of the Peace were empowered to make such regulations as may be necessary.

Bill ord. to Com.

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

Com. on Bills

On motion, the House was adjourned during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. McNab reported that the Committee had made some progress.

Report Moose Snares
Bill with am.

The Chairman also reported that the Committee had had under consideration A Bill, entitled, An Act for making regulations relative to the setting of Snares for catching Moose, and had made several amendments thereto.

Am. Read

The said amendments were read by the Clerk as follows:

In the Preamble—8th line—Leave out the word "Principal."

At the end of the Bill add the following clause:

And be it enacted, That this Act shall continue and be in force for two years, and from thence to the end of the then next Session of the General Assembly.

And

And the said amendments being read a second time, were agreed to by the House.
Ordered, That the said Bill be read a third time, at a future day.

And agreed to

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act for enforcing performance of engagements in aid of Public Works, and had directed him to report, that it was the opinion of the Committee, that the further consideration of the said Bill should be deferred to this day three months.

Recommend Engagements in aid of Pub Works Bill to be def. 3 months

Ordered, That the said Report be received, and the further consideration of the said Bill, be deferred to this day three months.

Bill deferred

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

A Bill, entitled, An Act to Incorporate the Halifax Mechanics Whaling Association.

Whaling Association and Election Bills

A Bill, entitled, An Act to amend the Act for regulating Elections of members to serve in General Assembly.

To which Bills they desired the concurrence of this House.

The said Bills were read a first time.

Read 1st time

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

On motion made and seconded—the House adjourned until To-morrow at 2 o'clock.

Adjourn

Wednesday, 15th February, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter McNab,
 Norman F. Uniacke,
 James W. Johnston,
 William Lawson,
 Alexander Stewart,
 Michael Tobin, Jr.

The Honorable Daniel McFarlane,
 John Morton,
 Hugh Bell,
 Stayley Brown,
 Alexander McDougall.

PRAYERS.

The minutes of yesterday were read.

A Bill, entitled, An Act for making regulations relative to the setting of Snares for catching Moose—was read a third time, and the question was put by the President, Whether this Bill, with the amendments, shall pass?

Moose Snaring Bill
 Read 3rd time

It was resolved in the affirmative.

Agreed to

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

And sent to H. A.

To return the said Bill, and acquaint them that this House have agreed to the same with amendments, to which amendments their concurrence is desired.

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

Mechanics Whaling Association Bill
 Read 2nd time
 Ord. to Com.

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

A Bill, entitled, an Act to amend the Act for regulating Elections of members to serve in General Assembly—was read a second time.

Election of Members Bill read 2nd time

Whereupon it was moved that the said Bill be committed to a Committee of the whole House at a future day—which being seconded, and the question being put, there appeared, for the motion, nine, against the motion, two.

Motion to commit

For

	For the motion,	Against the motion,
	Mr. McDougall, Brown, Bell, McFarlane, Tobin,	Mr. Stewart, Johnston, Uniacke, McNab.
		Mr. Morton, Lawson.
Carried	So it passed in the affirmative.	
Message from H. A. agreeing to am. to Moose Snaring Bill	A Message was brought from the House of Assembly, by Mr. Gray, To inform the House that the House of Assembly agreed to the amendment proposed by this House to a Bill, entitled, An Act for making regulations relative to the setting of of Snares for catching Moose, The said Bill was then read, as amended, and the question was put by the President, Whether this Bill, as amended, shall pass? It was resolved in the affirmative.	
Finally agreed to	A message was sent to the House of Assembly by the Clerk, To return the said Bill and acquaint them therewith.	
And sent to H. A.		
Adjourn	On motion made and seconded—the House adjourned until To-morrow, at 2 o'clock.	

Thursday, 16th February, 1843.

The House met pursuant to adjournment.

P R E S E N T —

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Peter McNab,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Michael Tobin, Jr.

The Honorable Daniel McFarlane,
John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

The minutes of yesterday were read.

Mr. Wilkins' excuse The President informed the House that he had received a Letter from Mr. Wilkins, enclosing a certificate from his Surgeon, stating that a severe injury to his hand, prevented his attendance in his place in this House.

Com. on Bills On motion, the House was adjourned during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. McNab reported that the Committee had made some progress.

Report Interest Bill without am. The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to enable Creditors to recover interest on their Debts, in certain cases, and had agreed to the same without any amendment.

Ord. to be engrossed *Ordered,* That the said Bill be engrossed, and read a third time at a future day.

Recommend Mechanics Whaling Association Bill to be ref. to Sel. Com. The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act to Incorporate the Halifax Mechanics Whaling Association, and had directed him to report, it was the opinion of the Committee that the said Bill should be referred to a select Committee to examine and report upon.

Ordered,

<i>Ordered,</i> That the said Report be received, and the said Bill be referred to a Select Committee to examine and report upon.	Report received, and Bill ref.
<i>Ordered,</i> That Mr. Tobin, Mr. Bell, and Mr. Brown, be a Committee for that purpose.	Committee
The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to amend the Act for regulating Elections of members to serve in General Assembly, and had agreed to the same without any amendment.	Report Election of Members Bill without am.
<i>Ordered,</i> That the said Bill be read a third time at a future day.	
Mr. Stewart brought up the petition of the Ladies, Managers of the Infant School, praying aid—which was ordered to lie on the Table.	Petition of Infant School
Mr. Stewart brought up the petition of H. Mackenzie and others, relative to the Picou Academy—which was ordered to lie on the Table.	Petition of H. Mackenzie and others
Mr. McDougall brought up the petition of Hiram Blanchard and others, praying that a certain old Road at Port Hood may be sold, and the proceeds given to the school at that place, which was ordered to lie on the table.	Petition of H Blanchard and others
Mr. Johnston brought up the petition of Silas S. Rand and others, praying aid to Acadia College—which was ordered to lie on the Table.	Petition of S. S. Rand and others,
Mr. Tobin, the Chairman of the Committee to whom a Bill, entitled, An Act to authorise the Grand Jury and Court of General Sessions of the Peace for the County of Lunenburg, to make regulations for the gathering of Sea Manure in the Township of Chester, was referred, made his report.	Com. on Sea Manure, Chester, Bill rep.
Whereupon, on motion, it was ordered that the said Bill be re-committed to a Committee of the whole House at a future day.	Bill ord. to Com.
On motion made and seconded—the House adjourned until To-morrow at 2 o'clock.	Adjourn

Friday, 17th February, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Michael Tobin, Jr.

The Honorable Daniel McFarlane,
John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

The minutes of yesterday were read.

A Bill, entitled, An Act to enable Creditors to recover interest on their Debts, in certain cases—was read a third time, and the question was put by the President,

Whether this Bill shall pass?

It was resolved in the affirmative.

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

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

A Bill, entitled, An Act to amend the Act for regulating elections of members to serve in General Assembly—was read a third time.

Interest Bill
Read 3rd time
Agreed to
And sent to H. A.
Election of Members
Bill read 3rd time

Amendment made	Then the following amendment was made, At the end of the Bill add the following clause, <i>Provided always, and be it enacted,</i> That this Act shall not go into operation, or be of any force or effect, until Her Majesty's assent shall be given thereto.
Bill agreed to And sent to H. A.	Then the question was put by the President, Whether this Bill shall pass? It was resolved in the affirmative. A Message was sent to the House of Assembly, by the Clerk, To return the said Bill, and acquaint them that this House have agreed to the same with an amendment, to which amendment their concurrence is desired.
Registry of Deeds Bill presented	Mr. Stewart presented a Bill, entitled, An Act in addition to the Acts relating to the Public Registry of Deeds in this Province.
Read 1st time	The said Bill was read a first time. <i>Ordered,</i> That the said Bill be read a second time at a future day.
Com. on Bills	On motion, the House was adjourned, during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. Morton reported that the Committee had made some progress.
Report Sea Manure, Chester Bill, with am.	The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act to authorize the Grand Jury and Court of General Sessions of the Peace for the County of Lunenburg, to make regulations for the gathering of Sea Manure in the Township of Chester, and had made an amendment thereto.
Am. Read	The said amendment was read by the Clerk, as follows: <i>And be it enacted,</i> That this Act shall continue and be in force for three years, and from thence to the end of the then next Session of the General Assembly.
And agreed to	And the said amendment being read a second time, was agreed to by the House. <i>Ordered,</i> That the said Bill be read a third time at a future day.
Adjourn	On motion made and seconded—the House adjourned until Monday at 2 o'clock.

Monday, 20th February, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Peter McNab,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Michael Tobin, Jr.

The Honorable Daniel McFarlane,
John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

Mr Campbell's excuse	The minutes of Friday were read. Mr. Robie read a Letter addressed to him by Mr. Campbell, stating that sickness in his family would prevent his attendance in his place in this House for a week.
Leave granted	On motion, <i>resolved,</i> That Mr. Campbell have further leave of absence for a week.
Poor House Accts.	Mr. Bell laid before the House the Accounts of the Poor House at Halifax, for the year 1842—which were ordered to lie on the Table.

Mr.

<p>Mr. Bell brought up the petition of the Commissioners of the Poor at Halifax, praying aid for the erection of a Lunatic Asylum—which was ordered to lie on the Table.</p>	<p>Petition of Commissioners of Poor</p>
<p>A Bill, entitled, An Act to authorize the Grand Jury and Court of General Sessions of the Peace for the County of Lunenburg, to make regulations for the gathering of Sea Manure in the Township of Chester—was read a third time, and the question was put by the President,</p>	<p>Sea manure, Chester Bill, read 3rd time</p>
<p>Whether this Bill, with the amendment, shall pass?</p>	<p>Agreed to</p>
<p>It was resolved in the affirmative.</p>	<p>And sent to H. A.</p>
<p>A Message was sent to the House of Assembly by the Clerk, To return the said Bill, and acquaint them that this House have agreed to the same with an amendment, to which amendment their concurrence is desired.</p>	
<p>A Message was brought from the House of Assembly, by Mr. Gray, with the following Bills:</p>	
<p>A Bill, entitled, An Act to authorise the Proprietors of Meeting Houses or Churches to raise money from the Pews of the same, for the repairing and upholding thereof.</p>	<p>Meeting Houses</p>
<p>A Bill, entitled, An Act relating to the appointment of Sheriffs.</p>	<p>and Sheriffs Bills</p>
<p>To which Bills they desired the concurrence of this House.</p>	
<p>The said Bills were read a first time.</p>	<p>Read 1st time</p>
<p>Ordered, That the said Bills be read a second time at a future day.</p>	
<p>The Messenger also informed the House, that the House of Assembly agreed to the amendment proposed by this House to a Bill, entitled, An Act to amend the Act for regulating Elections of Members to serve in General Assembly.</p>	<p>Message from H. A. agreeing to am. to Election of Members Bill</p>
<p>The said Bill was then read, as amended, and the question was put by the President,</p>	
<p>Whether this Bill, as amended, shall pass?</p>	
<p>It was resolved in the affirmative.</p>	<p>Bill Finally agreed to</p>
<p>A message was sent to the House of Assembly by the Clerk,</p>	<p>And sent to H. A.</p>
<p>To return the said Bill and acquaint them therewith.</p>	
<p>A Bill, entitled, An Act in addition to the Acts relating to the Public Registry of Deeds in this Province—was read a second time.</p>	<p>Registry of Deeds bill Read 2nd time</p>
<p>Ordered, That the said Bill be committed to a Committee of the whole House at a future day.</p>	<p>And ord. to Com.</p>
<p>Mr. Stewart presented a Bill, entitled, An Act for the punishment of Fraudulent Debtors.</p>	<p>Fraudulent Debtors Bill</p>
<p>The said Bill was read a first time.</p>	<p>Read 1st time</p>
<p>Ordered, That the said Bill be read a second time at a future day.</p>	
<p>On motion, ordered, That a Bill, entitled, An Act to authorise the Proprietors of Meeting Houses or Churches, to raise money from the Pews of the same, for the repairing and upholding thereof, be referred to a select Committee to examine and report upon.</p>	<p>Meeting House Bill ref. to Sel. Com.</p>
<p>Ordered, That Mr. Johnston, Mr. McFarlane, Mr. Morton, Mr. Bell, and Mr. Brown, be a Committee for that purpose.</p>	<p>Committee</p>
<p>On motion made and seconded—the House adjourned until To-morrow, at 2 o'clock.</p>	<p>Adjourn</p>

Tuesday

Tuesday, 21st February, 1843

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable, the Lord Bishop.

The Honorable Peter McNab,
James W. Johnston,
William Lawson,
Michael Tobin, Jr.
Daniel McFarlane,

The Honorable John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

The Minutes of yesterday were read.

Fraudulent Debtors Bill read 2nd time A Bill, entitled, An Act for the punishment of Fraudulent Debtors—was read a second time.

And ord. to Com. Ordered, That the said Bill be committed to a Committee of the whole House at a future day.

Adjourn On motion made and seconded—the House adjourned until To-morrow, at 2 o'clock.

Wednesday, 22nd February, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Peter McNab,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Michael Tobin, Jr.

The Honorable Daniel McFarlane,
John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

The minutes of yesterday were read.

Mr. Rudolf's excuse The Clerk read a Letter addressed to him by Mr. Rudolf, stating that indisposition prevented his attendance in his place in this house.

Com. on Bills On motion, the House was adjourned during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. McNab reported that the Committee had made some progress.

Recommend Registry of Deeds Bill to be def. 3 months The Chairman also reported that the Committee had had under consideration A Bill, entitled, An Act in addition to the Acts relating to the Public Registry of Deeds in this Province, and had directed him to report, that it was the opinion of the Committee that the further consideration of the said Bill should be deferred to this day three months.

Bill deferred Ordered, That the said Report be received, and the further consideration of the said Bill, be deferred to this day three months.

A Message

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

A Bill, entitled, An Act to amend the Act to provide a Lock-up-House and Town House at Barrington, in the County of Shelburne.

Lock-up House, Barrington

A Bill, entitled, An Act to extend the privileges of the Fire Engine men of Halifax.

Fire Engine men, Halifax, and

A Bill, entitled, An Act to provide for an additional sitting of the General Sessions of the Peace in King's County.

Sessions King's Co. Bills

To which Bills they desired the concurrence of this House.

The said Bills were read a first time.

Read 1st time

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

The Messenger also informed the House, that the House of Assembly agreed to the amendment proposed by this House, to a Bill, entitled, An Act to authorise the Grand Jury and Court of General Sessions of the Peace for the County of Lunenburg, to make regulations for the gathering of Sea Manure in the Township of Chester.

H. A. agrees to am. to Sea Manure, Chester Bill

The said Bill was then read, as amended, and the question was put by the President, Whether this Bill, as amended, shall pass?

It was resolved in the affirmative.

Bill finally agreed to

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

And sent to H. A.

To return the said Bill, and acquaint them therewith.

Mr. Lawson brought up the petition of William Caldwell and others, relative to a Bill, entitled, An Act to extend the privileges of the Fire Engine men of Halifax—which was ordered to lie on the Table.

Petition of W. Caldwell and others

On motion made and seconded—the House adjourned until To-morrow at 2 o'clock.

Adjourn

Thursday, 23rd February, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable, the Lord Bishop.

The Honorable Peter McNab,
Norman F. Uniacke,
William Lawson,
Daniel McFarlane,

The Honorable John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act to amend the Act to provide a Lock-up House and Town House at Barrington, in the County of Shelburne. Also,

Lock-up House, Barrington, and—

A Bill, entitled, An Act to provide for an additional sitting of the General Sessions of the Peace in King's County.

Sessions King's Co. Bills

Were read a second time.

Read 2nd time

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

And ord. to Com.

A Bill, entitled, An Act to extend the privileges of the Fire Engine men of Halifax—was read a second time.

Fire Engine Men, Halifax Bill, read 2d time, and Ref. to Com.

Ordered, That the said bill be referred to a Select Committee to examine and report upon.

Committee	<i>Ordered</i> , That Mr. Lawson, Mr. Bell, and Mr. McFarlane, be a Committee for that purpose.
Report on Mechanics Whaling Ass. Bill	Mr. Bell, in the absence of Mr. Tobin, the Chairman of the Committee to whom a Bill, entitled, An Act to Incorporate the Halifax Mechanics Whaling Association, was referred, made his report in favour of the Bill. Whereupon,
Bill ord. to Com.	<i>Ordered</i> , That the said Bill be committed to a Committee of the whole House, at a future day.
Adjourn	On motion made and seconded—the House adjourned until To-morrow, at 2 o'clock.

Friday, 24th February, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Michael Tobin, Jr.

The Honorable Daniel McFarlane,
John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

The minutes of yesterday were read.

Com. on Fire Engine Men, Halifax Bill, report

Mr. Lawson, the Chairman of the Committee to whom a Bill, entitled, An Act to extend the privileges of the Fire Engine men of Halifax was referred, reported that the Committee had had the said Bill under consideration, and proposed several amendments to the said Bill, and recommended that the said Bill should be committed to a Committee of the whole House.

Bill ord to Com.

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

Certificate rel. to Lock-up House Barrington Bill

Mr. Bell presented the certificate of the Deputy Prothonotary for the County of Shelburne, that a Bill, entitled, An Act to amend the Act to provide a Lock-up House and Town House at Barrington, in the County of Shelburne, had been read in open Court on the 7th October, 1842—which was ordered to lie on the Table.

Com. on Bills

On motion, the House was adjourned, during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. Morton reported that the Committee had made some progress.

Report Whaling Ass. Bill, with am.

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act to Incorporate the Halifax Mechanics' Whaling Association, and had made an amendment thereto,

Am. Read

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

5th Clause—4th line—After the word "privilege" insert the following words, "to lend money by way of discount, or to enter into any Banking operation whatsoever."

And agreed to

And the said amendment being read a second time, was agreed to by the House.

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

Report Fire Engine Men Bill with am.

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act to extend the privileges of the Fire Engine men of Halifax—and had made several amendments thereto.

The

The said amendments were read by the Clerk as follows :

1st Clause—4th line—After the word “ who ” insert the words “ has performed or.”

7th line—Leave out the words “ passing of this Act,” and insert the words “ date of his enrolment.”

16th line—Leave out the word “ then,” and insert the words “ now retire, or after such period of service as aforesaid, shall hereafter.”

17th line—Leave out the word “ thereafter,” and insert the words “ any longer.”

And the said amendments being read a second time, were agreed to by the House.

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

Am. Read

And agreed to

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to provide a Lock-up House and Town House at Barrington, in the County of Shelburne, and had agreed to the same without any amendment.

Report Lock-up house
Barrington Bill
Without am.

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

The Chairman also reported that the Committee had had under consideration A Bill, entitled, An Act to provide for an additional sitting of the General Sessions of the Peace in King's County—and recommended that the said Bill should be referred to a Select Committee to examine and report upon.

Recommend Sessions
King's Co. Bill to
be ref. to Sel. Com.

Ordered, That the said Report be received, and the said Bill be referred to a Select Committee to examine and report upon.

Bill ref.

Ordered, That Mr. Morton, Mr. Brown, and Mr. McDougall, be a Committee for that purpose.

Committee

Mr. Stewart, by the command of His Excellency the Lieutenant-Governor, laid before the House an Account of Her Majesty's Casual and Territorial Revenue for the year 1842.

Acct. of Casual Rev.

The said Account was ordered to lie on the Table.

(Vide Appendix No. 20.)

Mr. Johnston brought up the Petition of Willard G. Parker and others, praying aid to Acadia College—which was ordered to lie on the Table.

Petition of W. G.
Parker and others

On motion made and seconded—the House adjourned until Monday, at 2 o'clock.

Adjourn

Monday, 27th February, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Peter McNab,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Campbell,
Michael Tobin, Jr.

The Honorable Daniel McFarlane,
John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

The minutes of Friday were read.

A Bill, entitled, An Act to Incorporate the Halifax Mechanics Whaling Association—

Whaling Association
and

Also, A Bill, entitled, An Act to extend the privileges of the Fire Engine Men of Halifax,

Fire Engine Men,
Halifax Bills

Were

Read 3rd time	Were read a third time, and the question was put by the President, on each Bill, Whether this Bill, with the amendments, shall pass ?
Agreed to	It was resolved in the affirmative.
And sent to H. A.	A Message was sent to the House of Assembly by the Clerk, To return the said Bill, and acquaint them that this House have agreed to the same with amendments, to which amendments their concurrence is desired.
Lock-up House, Barrington Bill Read 3rd time	A Bill, entitled, An Act to provide a Lock-up House and Town House at Barrington, in the County of Shelburne—was read a third time, and the question was put by the President,
Agreed to	Whether this Bill shall pass ?
And sent to H. A.	It was resolved in the affirmative. A Message was sent to the House of Assembly, by the Clerk, To return the said Bill, and acquaint them that this House have agreed to the same without any amendment.
Adjourn	On motion made and seconded—the House adjourned until To-morrow at 2 o'clock.

Tuesday, 28th February, 1843.

The House met pursuant to adjournment.

P R E S E N T —

The Honorable S. B. Robie, President.

The Honorable Peter McNab,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Alexander Campbell,

The Honorable Michael Tobin, Jr.
Daniel McFarlane,
John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

Report of Com. on Sessions Kings Co. Bill.	The minutes of yesterday were read. Mr. Morton, the Chairman of the Committee to whom a Bill, entitled, An Act to provide for an additional sitting of the General Sessions of the Peace in King's County, was referred, reported that the Committee had had the said Bill under consideration, and proposed several amendments to the said Bill, and recommended that the said Bill should be re-committed to a Committee of the whole House.
Bill ord. to Com.	<i>Ordered,</i> That the said Bill be re-committed to a Committee of the whole House at a future day.
Report of Com. on Meeting House Bill	Mr. Johnston, the Chairman of the Committee to whom a Bill, entitled, An Act to authorise the Proprietors of Meeting Houses or Churches, to raise money from the Pews of the same, for the repairing and upholding thereof, was referred, reported that the Committee had had the said Bill under consideration, and proposed several amendments thereto.
Bill read 2d time And ord. to Com.	Whereupon, the said Bill was read a second time. <i>Ordered,</i> That the said Bill be committed to a Committee of the whole House at a future day.
Pet. of J. B. Strong, and others	Mr. Morton brought up the petition of the Rev. John B. Strong and others, praying aid to the Wesleyan College at Sackville, New-Brunswick—which was ordered to lie on the Table.

Resolved

Resolved unanimously, That the standing order of this House, number 72, relative to Bills not being read or proceeded in, twice in the same day, be suspended with regard to the Bills before the Committee.

Standing Order
suspended

On motion, the House was adjourned during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. McNab reported that the Committee had made some progress.

Com. on Bills

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act for the punishment of Fraudulent Debtors, and had made several amendments thereto,

Report Fraudulent
Debtors Bill
with am.

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

Am. Read
And agreed to
Ord. to be engrossed

Ordered, That the said Bill be engrossed, and read a third time at a future day.

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act to authorise the Proprietors of Meeting Houses or Churches, to raise money from the Pews of the same, for the repairing and upholding thereof, and had made several amendments thereto.

Report Meeting
House Bill with
am.

The said amendments were read by the Clerk as follows :

Am. Read

1st Clause—18th line—Leave out the words “to nominate and appoint.”

20th line—After the word “Meeting,” insert the following words, “to declare the amount of money necessary and proper to be raised for such purposes, and by a like vote to nominate and appoint.”

22nd line—After the word “the,” insert the word “said.”

23rd line—After the word “money,” insert the words “so found and declared to be.”

2d Clause—At the end of the Clause insert the following Proviso :

Provided, That it shall be lawful within the said term of ten years, to let the said Pews from year to year, until the said rate or assessment shall be fully paid off, after due notice previous to each letting shall have been given, in manner as herein before directed, in the case of the first letting.

5th Clause—3rd line—After the word “to,” insert the words “any Church or Chapel whose Congregation is or shall be in communion with the United Church of England and Ireland, as by Law established, or to.”

And the said amendments being read a second time, were agreed to by the House.

And agreed to

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

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act to provide for an additional sitting of the General Sessions of the Peace in King's County, and had made several amendments thereto.

Report Sessions
King's Co. Bill
with am.

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

Am. Read

1st Clause—8th line—After the word “sitting,” leave out all the words to the word “any,” in the 18th line, and insert instead thereof the following words, “it shall and may be lawful for such General Sessions of the Peace, to grant and order to or for any Person or Persons, Shop or Tavern Licences for the Sale of Spirituous Liquors, in case the person or persons applying for such License shall make it to appear to such general Sessions of the Peace, that he or they were unavoidably prevented from applying for such License, at the previous October Term or sitting ; *Provided*, That such License so granted, shall not continue in force, or extend beyond the next succeeding Term or Sitting of the said General Sessions of the Peace.”

2nd Clause—3rd line—After the word “whatsoever,” leave out the remainder of the Clause, and insert instead thereof the following words, “which are now made returnable at the next October Term or Sitting of the General Sessions of the Peace at Kentville, shall continue and remain returnable to that Term, notwithstanding the intermediate Term or first Sitting of the General Sessions of the Peace hereby appointed.

And the said Amendments being read a second time, were agreed to by the House.

And agreed to

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

Report of Com. on Probate Court Rules	Mr. Stewart, the Chairman of the Committee to whom the Rules for the Probate Court, laid before the House on the 30th January last, were referred, reported that the Committee had had the said Rules under consideration, and recommended that all of them should be agreed to, except the second, sixth, seventh, eighth, and twenty-third Rules, which they recommended should not be agreed to. <i>Ordered</i> , That the said Report do lie on the Table.
Message from H. E. with Despatch	Mr. Johnston, by the command of His Excellency the Lieutenant-Governor, laid before the House, 1.—A Copy of a Despatch from Lord Stanley to Lord Falkland, relating to the Provisions of certain Acts of the General Assembly, with the Copy of an Order of the Queen in Council, allowing Acts. <i>(Vide Appendix No. 21.)</i>
Costs of Appeal to Privy Council	2.—A Copy of an Order of the Queen in Council, regulating the Costs of Appeals to the Judicial Committee of the Privy Council. <i>(Vide Appendix No. 22.)</i>
Orders in Council allowing Acts	3.—Copies of various Orders of the Queen in Council, allowing and confirming Acts of the General Assembly. <i>(Vide Appendix No. 23.)</i>
Sheriffs, and— Registrars Bill: Order of Day	The said Despatches and Orders were ordered to lie on the Table. On motion, <i>Ordered</i> , That it be the Order of the Day for To-morrow, for A Bill, entitled, An Act relating to the appointment of Sheriffs. Also, A Bill, entitled, An Act concerning Registrars of Deeds throughout this Province. To be read a second time.
Adjourn	On motion made and seconded—the House adjourned until To-morrow, at 2 o'clock.

Wednesday, 1st March, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Peter McNab,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Alexander Campbell,

The Honorable Michael Tobin, Jr.
Daniel McFarlane,
John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

Bishop Absent	The minutes of yesterday were read. The Lord Bishop requested leave to be absent on particular business—which was granted.
Meeting House. and Sessions, King's Co Bills	A Bill, entitled, An Act to authorise the Proprietors of Meeting Houses or Churches to raise money from the Pews of the same, for the repairing and upholding thereof. Also, A Bill, entitled, An Act to provide for an additional Sitting of the General Sessions of the Peace in King's County,
Read 3rd time	Were read a third time, and the question was put by the President, on each Bill, Whether this Bill, with the amendments, shall pass?
Agreed to	It was resolved in the affirmative.

A Bill,

A Bill, entitled, An Act for the punishment of Fraudulent Debtors—was read a third time.

Fraudulent Debtors Bill read 3d time

Whereupon, on motion, *Ordered*, That the said Bill be re-committed to a Committee of the whole House.

And ord. to be re-committed

The Order of the Day being read, for the second reading of a Bill, entitled, An Act relating to the appointment of Sheriffs.

Sheriffs Bill

The said Bill was accordingly read a second time.

Read 2nd time

Whereupon, it was moved that the further consideration of the said Bill be deferred to this day three months, which being seconded, after long Debate, was agreed to.

And def. 3 months

For the motion,

Against the motion,

Mr. McNab,
Johnston,
Lawson,
Stewart,

Mr. Campbell,
Tobin,
McFarlane,
Morton.

Mr. Uniacke,
Bell,
Brown,
McDougall.

The Order of the Day being read, for the second reading of a Bill, entitled, An Act concerning the Registrars of Deeds throughout this Province.

Registrars Bill postponed till further order

Ordered, That the Order of the Day be postponed until further order.

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

A Bill, entitled, An Act to alter and amend the Act to incorporate the Town of Halifax. To which Bill they desired the concurrence of this House.

Hx. Incorporation Bill

The Messenger also informed the House, that the House of Assembly agreed to the amendment proposed by this House to a Bill, entitled, An Act to incorporate the Halifax Mechanics Whaling Association.

Message from H. A. agreeing to am. to Whaling Bill

On motion made and seconded—the House adjourned until To-morrow at 2 o'clock.

Adjourn

Thursday, 2nd March, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable, the Lord Bishop.

The Honorable Peter McNab,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Lewis M. Wilkins, Jr.
Alexander Campbell,

The Honorable Michael Tobin, Jr.
Daniel McFarlane,
John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act to Incorporate the Halifax Mechanics' Whaling Association, was read, as amended, and the question was put by the President,

Whaling Bill

Whether this Bill, as amended, shall pass?

It was resolved in the affirmative.

Finally agreed to

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

And sent to H. A.

A Bill,

- Halifax Incorporation Bill read 1st time
 And ref. to Sel. Com. Committee
 Com. on Bills
 Report Fraudulent Debtors Bill with am.
 Amendment read
 and agreed to
 Road vote
 Read 1st time
 Meeting House, and Sessions King's Co. Bills sent to H. A.
 Registrars Bill order of Day
 Standing Order suspended Fraudulent Debtors Bill
 Read 3rd time
 Agreed to
 And sent to H. A.
- A Bill, entitled, An Act to alter and amend the Act to incorporate the Town of Halifax—was read a first time.
- Ordered*, That the said bill be referred to a Select Committee to examine and report upon.
- Ordered*, That Mr. Tobin, Mr. Stewart, Mr. Bell, Mr. Lawson, and Mr. Brown, be a Committee for that purpose.
- On motion, the House was adjourned during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. McNab reported that the Committee had made some progress.
- The Chairman also reported that the Committee had had under consideration A Bill, entitled, An Act for the punishment of Fraudulent Debtors—and had made an amendment thereto.
- The said amendment was read by the Clerk as follows :
 At the end of the Bill insert the following clause :
And be it enacted, That any Person or Persons who being in insolvent circumstances, shall with the view of vesting his, her, or their whole Estate in Assignees or Trustees, for distribution among his, her, or their Creditors, assign, transfer, or charge his, her, or their said Estate, and in and by the assignment, tranference, or charge, shall provide that any one or more of his, her, or their Creditors, shall be paid in full, or preferred to the others, such Person or Persons shall not be entitled to relief under the Laws of this Province, passed as aforesaid, for the relief of Insolvent Debtors.
- And the said amendment being read a second time, was agreed to by the House. Mr. Wilkins dissenting.
- Ordered*, That the said Bill be engrossed, and read a third time, at a future day.
- A Message was brought from the House of Assembly, by Mr. Gray, with the following Resolution :
- Resolved*, That the sum of Fifteen Thousand Pounds be granted for the general Road Service for the present year.
- To which Resolution they desired the concurrence of this House.
- The said Resolution was read a first time.
- Ordered*, That the said Resolution be read a second time at a future day.
- A Message was sent to the House of Assembly by the Clerk,
 To return a Bill, entitled, An Act to authorise the Proprietors of Meeting Houses or Churches, to raise money from the Pews of the same, for the repairing and upholding thereof. Also,
- A Bill, entitled, An Act to provide for an additional Sitting of the General Sessions of the Peace in King's County.
- And acquaint them that this House have agreed to the same with amendments, to which amendments their concurrence is desired.
- Ordered*, That a Bill, entitled, An Act concerning the Registrars of Deeds throughout this Province—be read a second time To-morrow.
- On motion, *Resolved unanimously*, That the standing order of this House, No. 72, relative to Bills not being read or proceeded in, twice in the same day, be suspended, as respects a Bill, entitled, An Act for the punishment of Fraudulent Debtors.
- Whereupon, the said Bill was read a third time, and the question was put by the President,
- Whether this Bill shall pass ?
 It was resolved in the affirmative.
- A Message was sent to the House of Assembly, by the Clerk,
 To carry down the said Bill and desire their concurrence thereto.

Mr.

Mr. Johnston presented a Bill, entitled, An Act relative to the allotment of Parishes in this Province. Also, Parishes, and
 A Bill, entitled, An Act relative to the recovery of Debts due on Policies of Assurance. Debts on Policies
 The said Bills were read a first time. Bills
Ordered, That the said Bills be read a second time at a future day. Read 1st time
 On motion made and seconded—the House adjourned until To-morrow, at 2 o'clock. Adjourn

Friday, 3rd March, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Peter McNab,
 Norman F. Uniacke,
 James W. Johnston,
 William Lawson,
 Alexander Stewart,
 Lewis M. Wilkins, Jr.

The Honorable Michael Tobin, Jr.
 Daniel McFarlane,
 John Morton,
 Hugh Bell,
 Stayley Brown,
 Alexander Campbell.

PRAYERS.

The minutes of yesterday were read.
 The Resolution for granting the sum of Fifteen Thousand Pounds for the General Road Service—was read a second time, and the question was put by the President, Read vote
 Whether this Resolution be agreed to? Read 2nd time
 It was resolved in the affirmative. Agreed to
 A Message was sent to the House of Assembly, by the Clerk, And sent to H. A.
 To return the said Resolution and acquaint them therewith.
 A Bill, entitled, An Act relative to the allotment of Parishes in this Province. Also, Parishes, and—
 A Bill, entitled, An Act relative to the recovery of Debts due on Policies of Assurance. Debts on Policies
 Were read a second time. Bills
Ordered, That the said Bills be committed to a Committee of the whole House, at a future day. Read 2nd time
 And ord. to Com.
 The Lord Bishop requested leave to be absent on particular business—which was granted. Bishop absent
 The President presented a Bill, entitled, An Act relating to imprisonment for Debt— Imprisonment for
 which was read a first time. Debt Bill
Ordered, That the said Bill be read a second time, at a future day. Read 1st time
 The Order of the Day being read, for the second reading of a Bill, entitled, An Act Order of Day
 concerning the Registrars of Deeds throughout this Province. Registrars Bills
 The said Bill was accordingly read a second time. Read 2nd time
 Whereupon it was moved that the said Bill be referred to a Select Committee to ex- Ref. to Sel. Com.
 amine and report upon—and that the Committee have power to send for persons and papers—which being seconded, and the question being put, was agreed to.
Ordered, That Mr. Johnston, Mr. Uniacke, Mr. Morton, Mr. Bell, and Mr. McDougall, Committee
 be a Committee for that purpose.
 On motion made and seconded—the House adjourned until Monday, at 2 o'clock. Adjourn

Monday, 6th March, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter McNab,
Norman F. Uniacke,
William Lawson,
Alexander Stewart,
Lewis M. Wilkins, Jr.
Alexander Campbell,

The Honorable Michael Tobin, Jr.
Daniel McFarlane,
John Morton,
Hugh Bell,
Staley Brown,
Alexander McDougall.

PRAYERS.

The minutes of Friday were read.

A Bill, entitled, An Act relating to Imprisonment for Debt—was read a second time.
Ordered, That the said Bill be committed to a Committee of the whole House.

Resolved unanimously, That the Standing Order of this House, No. 72, relative to Bills not being read or proceeded in twice in the same day, be suspended, as respects the said Bill.

On motion, the House was adjourned during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. McNab reported that the Committee had made some progress.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act relative to the recovery of Debts due on Policies of Assurance. Also,

A Bill, entitled, An Act relative to imprisonment for Debts, and had agreed to the same without any amendment.

Ordered, That the said Bills be engrossed, and read a third time, at a future day.

A Message was brought from the House of Assembly, by Mr. Gray,
To inform the House that the House of Assembly agreed to the amendments proposed by this House to a Bill, entitled, An Act to extend the privileges of the Fire Engine Men of Halifax.

Also, to the amendments proposed by this House to a Bill, entitled, An Act to provide for an additional sitting of the General Sessions of the Peace in King's County.

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

Whether this Bill, as amended, shall pass ?

It was resolved in the affirmative.

A message was sent to the House of Assembly by the Clerk,

To return the said Bills and acquaint them therewith.

The Messenger also informed the House, that the House of Assembly agreed to the amendments proposed by this House to a Bill, entitled, An Act to authorise the Proprietors of Meeting Houses or Churches, to raise money from the Pews of the same, for the repairing and upholding thereof, with amendments, to which amendments they desired the concurrence of this House.

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

To 2nd amendment—Leave out all the words proposed to be inserted in the Bill by this amendment, from the word "declare," to the word "and," and in place of the words so left out insert the following words, "the necessity of such repairs, and that the expense shall not exceed such sum as shall then be named."

To 4th amendment—Leave out all the words proposed to be inserted in the Bill by this

Imprisonment for Debt Bill read 2nd time
And ord. to Com. Standing Order suspended

Com. on Bills

Report Debts on Policies, and—
Imprisonment for Debt Bills without am.
Ord. to be engrossed

H. A. agree to am. to Fire Engine Men, Halifax, and—

Sessions King's Co. Bills

Bills finally agreed to
And sent to H. A.

H. A. agree to am. to Meeting House Bill with am.

Am Read

this amendment, after the word "so," and in place of the words so left out, insert the word "named."

And the said amendments being read a second and third time, were agreed to by the House. Agreed to

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

On motion made and seconded—the House adjourned until To-morrow at 2 o'clock. Adjourn

Tuesday, 7th March, 1843.

The House met pursuant to adjournment.

P R E S E N T —

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Peter McNab,
James W. Johnston,
William Lawson,
Alexander Stewart,
Alexander Campbell,
Michael Tobin, Jr.

The Honorable Daniel McFarlane,
John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

The minutes of yesterday were read.

A Bill, entitled, An Act relative to the recovery of Debts due on Policies of Assurance. Also, Debts on Policies, and—

A Bill, entitled, An Act relative to the imprisonment for Debt. Imprisonment for Debt Bills
Were read a third time, and the question was put by the President, on each Bill, Read 3rd time
Whether this Bill shall pass?

It was resolved in the affirmative. Agreed to

A Message was sent to the House of Assembly, by the Clerk,
To carry down the said Bills and desire their concurrence thereto. And sent to H. A.

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

A Bill, entitled, An Act to repeal the Act for settling Titles in a certain Tract of Land in Cape Breton, called the Miré Grant, and to substitute other provisions in lieu thereof. Miré Grant

A Bill, entitled, An Act respecting the measuring of Grindstones in the County of Cumberland, Grindstones

A Bill, entitled, An Act to extend to the Town of New Glasgow certain Acts respecting Firewards and Fires. Firewards, New Glasgow

A Bill, entitled, An Act for disposing of Old Roads. Old Roads, and—

A Bill, entitled, An Act for dividing the Township of Digby into separate Districts for the support of the Poor. Division of Digby Bills

To which Bills they desired the concurrence of this House. Read 1st time

The said Bills were read a first time.

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

Ordered, That the fifth Bill be referred to a Select Committee to examine and report upon. Division of Digby Bill ref. to Sel. Com.

Ordered, That Mr. Morton, Mr. Brown, and Mr. McDougall, be a Committee for that purpose.

The

H. A. agree to
Meeting House Bill
at am.

The Messenger also informed the House, that the House of Assembly agreed to a Bill, entitled, An Act to authorise the Proprietors of Meeting Houses or Churches to raise money from the Pews of the same, for the repairing and upholding thereof, as amended,

The said Bill was then read, as amended, and the question was put by the President, Whether this Bill, as amended, shall pass?

Bill Finally agreed to
And sent to H. A.

It was resolved in the affirmative.

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

Adjourn

On motion made and seconded—the House adjourned until To-morrow, at 2 o'clock.

Wednesday, 8th March, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter McNab,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Alexander Campbell,

The Honorable Michael Tobin, Jr.
Daniel McFarlane,
John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

The Minutes of yesterday were read.

Miré Grant

A Bill, entitled, An Act to repeal the Act for settling Titles in a certain Tract of Land in Cape Breton, called the Miré Grant, and to substitute other provisions in lieu thereof. Also,

Grindstones, Cumber-
land

A Bill, entitled, An Act respecting the measuring of Grindstones in the County of Cumberland. Also,

Firewards, New
Glasgow, and

A Bill, entitled, An Act to extend to the Town of New Glasgow, certain Acts respecting Firewards and Fires. Also,

Old Road Bills

A Bill, entitled, An Act for disposing of Old Roads,

Read 2nd time

Were read a second time.

And ord. to Com.

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

Leave of absence to
Mr. McFarlane

On motion of Mr. Morton, *resolved*, That Mr. McFarlane have leave of absence from Tuesday next, to return home on urgent private business.

Com. on division of
Digby Bill report

Mr. Morton, the Chairman of the Committee to whom a Bill, entitled, An Act for dividing the Township of Digby into separate Districts for the support of the Poor, was referred, made his report,

Bill read 2d time

Whereupon the said Bill was read a second time.

And ord. to Com.

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

Standing Order
suspended

Resolved unanimously, That the standing order of this House, number 72, relative to Bills not being read or proceeded in, twice in the same day, be suspended as respects the Bills before the Committee.

Com. on Bills

On motion, the House was adjourned during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. McNab reported that the Committee had made some progress.

The

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act to repeal the Act for settling Titles in a certain Tract of Land in Cape Breton called the Miré Grant, and to substitute other provisions in lieu thereof—and had made an amendment thereto.

Report Miré Grant Bill with am.

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

Am. Read

After the Sixth Clause insert the following Clause :

Provided always, and be it enacted, That in case of any conflict of title to any part of the said Land, under the Provisions of this Act, it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief, by and with the advice of the Executive Council, to settle such conflicting claims upon equitable principles, and in such a manner as shall appear right, and such settlement so made shall be final between the parties.

And the said amendment being read a second time, was agreed to by the House.

and agreed to

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

The Chairman also reported that the Committee had had under consideration a Bill entitled, An Act for disposing of Old Roads, and had made several amendments thereto.

Report Old Roads Bill with am.

The said amendments were read by the Clerk as follows :

Am. Read

1st Clause—9th line—Leave out all the words after the word “ County,” to the word “ to,” in the 12th line.

26th line—Leave out the words “ or special.”

39th line—Leave out all the words after the word “ same,” to the word “ and,” in the 52nd line.

54th line—Leave out the words “ whether,” and “ or special.”

70th line—Leave out the words “ or special.”

And the said Amendments being read a second time, were agreed to by the House.

And agreed to

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

The Chairman also reported that the Committee had gone through, A Bill, entitled, An Act respecting the measuring of Grindstones in the County of Cumberland. Also,

Report Grindstones, Cumberland

A Bill, entitled, An Act to extend to the Town of New Glasgow, certain Acts respecting Firewards and Fires. Also,

Firewards, New Glasgow and—

A Bill, entitled, An Act for dividing the Township of Digby, into separate Districts for the support of the Poor.

Division of Digby Bills

And had agreed to the same without any amendment.

Without am.

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

A Bill, entitled, An Act to make perpetual the Act in addition to, and in amendment of, the Act to prevent Nuisances, by Hedges, Wears, and other Incumbrances, obstructing the passage of Fish in the Rivers of this Province.

Nuisances in Rivers

A Bill, entitled, An Act to continue the Acts now in force, to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape Breton.

Pilotage, Sydney,

A Bill, entitled, An Act to continue the Act for the regulation of the Fisheries in the County of Richmond.

Fisheries, Richmond

A Bill, entitled, An Act to continue the Act for regulating the Fishery in the River Shubenacadie.

Fishery Shubenacadie

A Bill, entitled, An Act to continue the Act to amend an Act for establishing a Public School in the Town of Halifax.

School, Halifax

A Bill, entitled, An Act to continue the Act to authorise the Sale of Coals by Weight.

Sale of Coal

A Bill, entitled, An Act to continue the Act to amend the Act to Incorporate sundry persons by the name of the President, Directors, and Company of the Bank of Nova-Scotia.

Bank of Nova Scotia

Sable Island	A Bill, entitled, An Act to continue the Act for the better regulation of Sable Island in this Province.
Harbour Master, Bridgeport,	A Bill, entitled, An Act to continue the Act for establishing a Harbour Master at Bridgeport, in the Island of Cape Breton.
Trespasses	A Bill, entitled, An Act to continue the Act in further amendment of, and additional to, the Acts relating to Trespasses.
Nuisances	A Bill, entitled, An Act to continue the Act additional concerning Nuisances.
Cord Wood, Halifax	A Bill, entitled, An Act to continue the Act to suspend the operation of the Acts to prevent Forestalling, Regrating and Monopolizing of Cord Wood in the Town of Halifax.
Roads and Bridges	A Bill, entitled, An Act to continue the Act to regulate the expenditure of monies hereafter to be appropriated for the service of Roads and Bridges, and the Acts in amendment thereof.
Landings, King's Co.	A Bill, entitled, An Act to continue the Act to regulate certain Landings in the County of King's County.
Trespasses	A Bill, entitled, An Act to continue the Acts now in force, relating to Trespasses.
Nets of Fishermen	A Bill, entitled, An Act to continue the Act to prevent damage to the Nets of Fishermen, by Coasting vessels.
Trespasses	A Bill, entitled, An Act to continue the Act further to amend the Act relating to Trespasses.
Fisheries, Lunenburg	A Bill, entitled, An Act to continue the Act to prevent injuries to the Fisheries within the County of Lunenburg, by Mill dams or other obstructions.
Lotteries	A Bill, entitled, An Act to continue the Act for the suppression of Lotteries.
Poor	A Bill, entitled, An Act to continue the Act in amendment of the Act for the settlement of the Poor in the several Townships within this Province.
Landing, Windsor	A Bill, entitled, An Act to continue the Act to repeal the Act to regulate the Public Landing at Windsor.
Disorderly Riding	A Bill, entitled, An Act to continue the Acts in force to prevent disorderly riding, and to regulate the driving of Carriages on the Streets of Halifax, or other Towns, or on the Public Roads of this Province.
Beef	A Bill, entitled, An Act to continue the Act to regulate the weighing of Beef, and the Acts in amendment thereof.
Pilotage, Halifax, and	A Bill, entitled, An Act to continue the Act to regulate the Pilotage of Vessels at the Port of Halifax, and the several Acts in amendment thereof, and additional thereto.
County Rates Bills	A Bill, entitled, An Act to continue the Acts to direct and ascertain the mode of Assessing County and District Rates, and for other purposes, and the Acts in amendment thereof.
Read 1st time	To which Bills they desired the concurrence of this House. The said Bills were read a first time. <i>Ordered</i> , That the first Bill be read a second time at a future day.
Continuing Bills ref. to Sel. Com. Committee	<i>Ordered</i> , That the twenty-four Bills, to continue various Acts about to expire, be referred to a Select Committee to examine and report upon. <i>Ordered</i> , That Mr. McDougall and Mr. McFarlane be a Committee for that purpose.

Report of Com. on Registrars Bill

Mr. Johnston, the Chairman of the Committee to whom a Bill, entitled, An Act concerning the Registrars of Deeds throughout this Province, was referred, made his report, which he read in his place, and afterwards delivered it in to the Clerk, who read the same as follows :

The Committee have had under its consideration the Bill, entitled, An Act concerning the Registrars of Deeds throughout this Province, referred to it by the House, and report that they have been attended by Mr. Thomas James, a Clerk in the office of Registrar of Deeds, at Halifax, who exhibited an account of the Fees of the Registrar, and his Deputies, throughout the Province, for the last three years. He also stated, that owing to the absence of the Registrar, Sir Rupert D. George, the patent under which he held the office, could not be found, but the Committee, from the evidence on the subject, have
no

no doubt that the office is now held under patent from the Crown, authorising the Incumbent to appoint Deputies.

It appears that the duties of the office, except in Halifax, are performed by Deputies, who agree to pay to the Principal, one half of the Fees received, after deducting the charge of Books, &c., and that on an average of the last three years, the share of the Fees so reserved by the Registrar, as payable to him from the Deputies, amounts to £500 per annum, and that the Fees at Halifax amount to about £257 per annum, from which latter sum a deduction of about £110 is to be made for Clerks and other expenses.

The object of the Bill is to destroy the office of Registrars of Deeds throughout the Province, and to substitute Principals, to be appointed by the Lieutenant Governor, in the place of Deputies, and it proposes to allow a pension of £200 to Sir Rupert D. George, during his residence in the Province, to be void on any absence of two years at one time.

The Committee, on consideration of the several matters connected with this subject, report its opinion, that the Bill should be so amended, as not to go into operation until the office of Registrar of Deeds throughout the Province, as now held by Sir Rupert D. George, under the grant of the Crown, shall become vacant, and that a suspending clause be added to the Bill so amended.

Halifax, 8th March, 1843.

J. W. JOHNSTON,
NORMAN FITZG. UNIACKE,
H. BELL,
JOHN MORTON,
ALEX. McDOUGALL.

Ordered, That the said Report be received and adopted.

Whereupon, a Bill, entitled, An Act concerning the Registrars of Deeds throughout this Province—was read a second time.

Registrars Bill
Read 2nd time

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

And ord. to Com.

On motion made and seconded—the House adjourned until To-morrow at 2 o'clock.

Adjourn

Thursday, 9th March, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter McNab,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Lewis M. Wilkins, Jr.
Alexander Campbell,

The Honorable Michael Tobin, Jr.
Daniel McFarlane,
John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act to repeal the Act for settling Titles in a certain Tract of Land in Cape Breton, called the Miré Grant, and to substitute other provisions in lieu thereof. Also,

Miré Grant, and—

A Bill, entitled, An Act for disposing of Old Roads,

Old Road Bills

Were

- Read 3rd time Were read a third time, and the question was put by the President on each Bill,
Whether this Bill, with the amendments, shall pass?
- Agreed to It was resolved in the affirmative.
- And sent to H. A. A Message was sent to the House of Assembly by the Clerk,
To return the said Bills, and acquaint them that this House have agreed to the same
with amendments, to which amendments their concurrence is desired.
- Grindstones, Cum- A Bill, entitled, An Act respecting the measurnig of Grindstones in the County of
berland, Cumberland. Also,
- Firewards, New A Bill, entitled, An Act to extend to the Town of New Glasgow, certain Acts respect-
Glasgow, and ing Firewards and Fires. Also,
- Division of Digby A Bill, entitled, An Act for dividing the Township of Digby into separate Districts
Bills for the support of the Poor.
- Read 3rd time Were read a third time, and the question was put by the President, on each Bill,
Whether this Bill shall pass?
- Agreed to It was resolved in the affirmative.
- And sent to H. A. A Message was sent to the House of Assembly, by the Clerk,
To return the said Bills, and acquaint them that this House have agreed to the same
without any amendment.
- Nuisances in Rivers A Bill, entitled, An Act to make perpetual the Act, in addition to, and in amendment
Bill read 2nd time of, the Act to prevent Nuisances, by Hedges, Wears, and other incumbrances, obstruct-
ing the passage of Fish in the Rivers of this Province—was read a second time.
- And ord. to Com. *Ordered*, That the said Bill be committed to a Committee of the whole House, at a
future day.
- Com. on Continuing Mr. McDougall, the Chairman of the Committee to whom the Twenty-four Bills, for
Bills report. continuing various Acts about to expire, received from the House of Assembly yesterday,
were referred, reported that the Committee had examined the said Bills, and found them
correct.
- Whereupon the following Bills, viz :
- Pilotage, Sydney A Bill, entitled, An Act to continue the Acts now in force, to regulate the Pilotage of
Vessels at the Port of Sydney, in the Island of Cape Breton.
- Fisheries, Richmond A Bill, entitled, An Act to continue the Act for the regulation of the Fisheries in the
County of Richmond.
- Fishery Shubenacadie A Bill, entitled, An Act to continue the Act for regulating the Fishery in the River
Shubenacadie.
- School, Halifax A Bill, entitled, An Act to continue the Act to amend an Act for establishing a Public
School in the Town of Halifax.
- Sale of Coal A Bill, entitled, An Act to continue the Act to authorise the Sale of Coals by Weight.
- Bank of Nova Scotia A Bill, entitled, An Act to continue the Act to amend an Act to Incorporate sundry
persons by the name of the President, Directors, and Company of the Bank of Nova-
Scotia.
- Sable Island A Bill, entitled, An Act to continue the Act for the better regulation of Sable Island
in this Province.
- Harbour Master, A Bill, entitled, An Act to continue the Act for establishing a Harbour Master at
Bridgport Bridgport, in the Island of Cape Breton.
- Trespases A Bill, entitled, An Act to continue the Act in further amendment of, and additional
to, the Acts relating to Trespases.
- Nuisances A Bill, entitled, An Act to continue the Act additional concerning Nuisances.
- Cord Wood, Halifax A Bill, entitled, An Act to continue the Act to suspend the operation of the Acts to
prevent Forestalling, Regrating, and Monopolizing of Cord Wood in the Town of
Halifax.
- Roads and Bridges A Bill, entitled, An Act to continue the Act to regulate the expenditure of monies
hereafter to be appropriated for the service of Roads and Bridges, and the Acts in a-
mendment thereof.

A Bill,

A Bill, entitled, An Act to continue the Act to regulate certain Landings in the County of King's County.	Landings, King's Co.
A Bill, entitled, An Act to continue the Acts now in force, relating to Trespasses.	Trespasses
A Bill, entitled, An Act to continue the Act to prevent damage to the Nets of Fishermen, by Coasting vessels.	Nets of Fishermen
A Bill, entitled, An Act to continue the Act further to amend the Act relating to Trespasses.	Trespasses
A Bill, entitled, An Act to continue the Act to prevent injuries to the Fisheries within the County of Lunenburg, by Mill dams or other obstructions.	Fisheries, Lunenburg
A Bill, entitled, An Act to continue the Act for the suppression of Lotteries.	Lotteries
A Bill, entitled, An Act to continue the Act in amendment of the Act for the settlement of the Poor in the several Townships within this Province.	Poor
A Bill, entitled, An Act to continue the Act to repeal the Act to regulate the Public Landing at Windsor.	Landing, Windsor
A Bill, entitled, An Act to continue the Acts in force to prevent disorderly riding, and to regulate the driving of Carriages on the Streets of Halifax, or other Towns, or on the Public Roads of this Province.	Disorderly Riding
A Bill, entitled, An Act to continue the Act to regulate the weighing of Beef, and the Acts in amendment thereof.	Beef
A Bill, entitled, An Act to continue the Act to regulate the Pilotage of Vessels at the Port of Halifax, and the several Acts in amendment thereof, and additional thereto.	Pilotage, Halifax, and
A Bill, entitled, An Act to continue the Acts to direct and ascertain the mode of Assessing County and District Rates, and for other purposes, and the Acts in amendment thereof.	County Rates Bills
Were read a second time.	Read 2nd time
<i>Ordered</i> , That the said Bills be committed to a Committee of the whole House.	And ord. to Com.
<i>Resolved unanimously</i> , That the standing order of this House, number 72, relative to Bills not being read or proceeded in, twice in the same day, be suspended as respects the said Bills.	Standing Order suspended
Whereupon, on motion, the House was adjourned during pleasure, and put into a Committee on the said Bills.—After some time the House was resumed, and Mr. McNab reported that the Committee had gone through the said Bills, and had agreed to the same without any amendment.	Com. on Continuing Bills report without am.
The said Bills were then read a third time, and the question was put by the President on each Bill,	Continuing Bills Read 3rd time
Whether this Bill shall pass?	
It was resolved in the affirmative.	Agreed to
A Message was sent to the House of Assembly by the Clerk,	And sent to H. A.
To return the said Bills, and acquaint them that this House have agreed to the same without any amendment.	
On motion, the House was adjourned during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. McNab reported that the Committee had made some progress.	Com. on Bills
The Chairman also reported that the Committee had had under consideration A Bill, entitled, An Act concerning the Registrars of Deeds throughout this Province, and had made several amendments thereto.	Report Registrars Bill with am.
The said amendments were read by the Clerk as follows:	Am. Read
In the Preamble—At the end of the Preamble insert the following words—"So soon as a vacancy shall occur in the office, as now held by the Honorable Sir Rupert Denis George, Baronet, under Letters patent from the Crown, and after Her Majesty's approval of such change shall have been graciously given.	
1st Clause—2nd and 3rd lines—Leave out the words "on, from, and after the first	day

day of July next, after the passing thereof," and insert instead thereof the following words, "when and so soon as the said incumbent of said office, shall cease to hold the same, and a vacancy shall thereby occur in the said office, and not before.

After the third clause insert the following clause:

And be it enacted, That no Registrar to be appointed under this Act, shall enter upon the duties of his office, until he shall have given Bond, with such Sureties, and to such amount, and in such form as shall be satisfactory to the Governor, Lieutenant Governor, or Commander in Chief for the time being, and the Executive Council, for the faithful performance of the duties of his office, and the indemnifying of all Persons who may be injured by any default or misconduct of such Registrar, in his said office, and until he shall have made it appear to the satisfaction of the Governor, Lieutenant Governor, and Commander in Chief for the time being, and the Executive Council, that he has provided a suitable place for the custody of all Deeds, and Papers, and Books of Registry which may come to his care, or be in his keeping as such Registrar.

4th Clause—Leave out this Clause.

5th Clause—Leave out this Clause.

6th Clause—Leave out this Clause.

8th Clause—1st line—Leave out the words "Provided always."

2nd line—After the word "as," leave out all the words to the word "the," in the 9th line—and insert instead thereof the following words, "this Act shall come into operation."

At the end of the Bill insert the following Clause:

Provided always, and be it enacted, That this Act shall not be of any force or effect until Her Majesty's assent shall be signified thereto,

And agreed to

And the said amendments being read a second time, were agreed to by the House.

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

Leave of absence to
Mr. McDougall

On motion of Mr. Stewart, *Resolved*, That Mr. McDougall have leave of absence after next week, to return home on account of ill-health.

Adjourn

On motion made and seconded—the House adjourned until To-morrow, at 2 o'clock.

Friday, 10th March, 1843.

The House met pursuant to adjournment.

PRESENT—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Peter McNab,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Lewis M. Wilkins, Jr.
Alexander Campbell.

The Honorable Michael Tobin, Jr.
Daniel McFarlane,
John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

The minutes of yesterday were read.

Registrars of Deeds
Bill read 3rd time

A Bill, entitled, An Act concerning the Registrars of Deeds throughout this Province, was read a third time, and the question was put by the President,

Whether this Bill, with the amendments, shall pass?

Agreed to

It was resolved in the affirmative. Mr. Wilkins dissenting.

And sent to H. A.

A message was sent to the House of Assembly by the Clerk,

To return the said Bill and acquaint them that this House have agreed to the same with amendments, to which amendments their concurrence is desired.

On

On motion, the House was adjourned during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. McNab reported that the Committee had made some progress.

Com. on Bills

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act relative to the allotment of Parishes in this Province, and had agreed to the same without any amendment.

Report Parishes Bill without am.

Ordered, That the said Bill be engrossed, and read a third time, at a future day.

Ord. to be engrossed

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to make perpetual the Act in addition to, and in amendment of, the Act to prevent Nuisances, by Hedges, Wears, and other incumbrances, obstructing the passage of Fish in the Rivers of this Province, and had agreed to the same without any amendment.

Report Nuisances in Rivers Bill without am.

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

A Message was brought from the House of Assembly, by Mr. Gray, To inform the House that the House of Assembly agreed to the amendment proposed by this House to a Bill, entitled, An Act to repeal the Act for settling Titles, in a certain Tract of Land in Cape Breton, called the Miré Grant, and to substitute other provisions in lieu thereof, with an amendment. to which amendment they desired the concurrence of this House.

Message from H. agreeing to am. to Miré Grant Bill with am.

The said amendment was read by the Clerk as follows :

Am. Read

After the word " Title," in the second line of the proposed Clause, insert the following words—" between persons holding under Titles derived from the Crown, or by virtue of a possession for Twenty years or upwards in and."

And the said amendment being read a second and third time, was agreed to.

And agreed to And sent to H. A.

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

The Messenger also informed the House, that the House of Assembly agreed to the amendments proposed by this House to a Bill, entitled, An Act for disposing of Old Roads.

H. A. agree to am; to Old Road Bill

The said Bill was then read, as amended, and the question was put by the President, Whether this Bill, as amended, shall pass ?

It was resolved in the affirmative.

Bill Finally agreed to And sent to H. A.

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

On motion made and seconded—the House adjourned until To-morrow at 2 o'clock.

Adjourn

Saturday, 11th March, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable William Lawson,
Alexander Stewart,
Lewis M. Wilkins, Jr.
Alexander Campbell,
Michael Tobin, Jr.

The Honorable Daniel McFarlane,
John Morton,
Hugh Bell,
Stayley Brown,

PRAYERS.

The minutes of yesterday were read.

A Bill, entitled, An Act relative to the allotment of Parishes in this Province—was read a third time, and the question was put by the President,

Parish Bill read 3rd time

Whether

	Whether this Bill shall pass ?
Agreed to	It was resolved in the affirmative.
And sent to H. A.	A Message was sent to the House of Assembly, by the Clerk, To carry down the said Bill and desire their concurrence thereto.
Nuisances in Rivers	A Bill, entitled, An Act to make perpetual the Act in addition to, and in amendment of
Bill read 3rd time	the Act to prevent Nuisances, by Hedges, Wears, and other Incumbrances, obstructing the passage of Fish in the Rivers of this Province—was read a third time, and the ques- tion was put by the President,
Agreed to	Whether this Bill shall pass ?
And sent to H. A.	It was resolved in the affirmative. A Message was sent to the House of Assembly by the Clerk, To return the said Bill, and acquaint them that this House have agreed to the same without any amendment.
Com. on Contingent	On motion, <i>Resolved</i> , That a Committee be appointed to take into consideration the
expenses	contingent expenses of this House for the present Session.
Committee	<i>Ordered</i> , That Mr. Wilkins, Mr. McFarlane, and Mr. Brown, be a Committee for that purpose.
	A Message was brought from the House of Assembly, by Mr. Gray, with the following Resolutions :
Overseers of the Poor	<i>Resolved</i> , That the following sums be granted and paid, pursuant to the Report of the
&c	Committee on the subject of expenses incurred for the support of Transient Paupers, &c.
	To the Overseers of the Poor for the Township of Clare, £5 16 6
	New Glasgow, 40 7 9
	Truro, 3 10 0
	Amherst, 21 15 3
	Horton, 10 9 6
	Digby, 7 9 0
	Wilmot, County } 17 7 9
	of Guysborough, }
	Pictou, 41 10 10
	Doctor Inglis VanBuskirk, for Vaccinating 80 Indians and Negroes, 6 12 6
	Doctor Edward L. Brown, Horton, 1 10 0
	John Thompson, for Boarding four Shipwrecked Seamen, 5 0 0
	To the Board of Health at Barrington, to pay the expenses of a case of
	Small Pox, at Port La Tour, 10 0 5
23l. 1s. 8d. Health	<i>Resolved</i> , That the sum of Twenty Three Pounds One Shilling and Eight Pence, be
Officer, Halifax	granted and paid to Doctor Hoffman, for his services as Health Officer of the Port of Halifax.
15l. 10s. Overseers of	<i>Resolved</i> , That the sum of Fifteen Pounds and Ten Shillings, be granted and paid to
Poor, Annapolis	the Overseers of the Poor for the Township of Annapolis, to reimburse expenses incur- red in the support of a Transient Pauper.
12l. 10s. Dr. Inglis	<i>Resolved</i> , That the sum of Twelve Pounds and Ten Shillings, be granted and paid to
VanBuskirk	Doctor Inglis VanBuskirk, for medicine and attendance upon John Miller, a Transient Pauper.
Read 1st time	To which Resolutions they desired the concurrence of this House. The said Resolutions were read a first time. <i>Ordered</i> , That the said Resolutions be read a second time at a future day.
11. A. disagree to	The Messenger also informed the House that the House of Assembly did not agree to
am. to Registrars	the amendments proposed by this House to a Bill, entitled, An Act concerning the Regis- trars of Deeds throughout this Province.
Bill	
Adjourn	On motion made and seconded—the House adjourned until Monday, at 2 o'clock.

Monday

Monday, 13th March, 1843.

The House met pursuant to adjournment.

PRESENT—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Peter McNab,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Lewis M. Wilkins, Jr.
Alexander Campbell,

The Honorable Michael Tobin, Jr.
Daniel McFarlane,
John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

The minutes of Saturday were read.

The following Resolutions for granting Money, viz :

£171 9 6 Overseers of the Poor, &c.
23 1 8 Dr. Hoffman, Health Officer.
15 10 0 Overseers of Poor, Annapolis.
12 10 0 Dr. Inglis VanBuskirk.

Money Votes

Were read a second time, and the question was put by the President on each Resolution,

Read 2nd time

Whether this Resolution be agreed to?

It was resolved in the affirmative.

Agreed to

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

And sent to H. A.

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

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

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

Duties of Impost

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

Continuing Duties of Impost

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

Importation of Goods

A Bill, entitled, An Act to continue the Act for the General Regulation of the Colonial Duties.

Regulation of Duties

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

Drawbacks

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

Smuggling

A Bill, entitled, An Act to continue and amend the Act for the Warehousing of Goods.

Warehousing, and--

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

Licenses Halifax Bills

Whereas the sum of Nineteen Pounds was granted by the Legislature in the Session of 1840, to be paid to such Person or Persons, as should within two years thereafter, erect and put into operation the first Oat Mill and Kiln, at or near Salmon River Bridge, in the County of Guysborough. And Whereas the said sum of money has not been drawn from the Treasury, no person having erected the said Mill; And Whereas the erection of an Oat Mill and Kiln, in some convenient and central situation within the Township

19l. change of appropriation, Oat Mill Guysborough

of Guysborough, would be beneficial to the inhabitants of said Township—*Resolved*, therefore, that the said sum of Nineteen Pounds, so remaining undrawn, be paid to such Person or Persons, as shall, within two years, erect and put into operation the first Oat Mill and Kiln, upon the Stream known as Sparks' Brook, and near to Godfrey's Saw Mill, within the said Township.

To which Bills and Resolution they desired the concurrence of this House.

Read 1st time

The said Bills and Resolution were read a first time.

Bills ref. to Sel. Com.

Ordered, That the said Bills be referred to a Select Committee to examine and report upon.

Committee

Ordered, That Mr. Tobin, Mr. Campbell, Mr. Morton, Mr. Bell, and Mr. Brown, be a Committee for that purpose.

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

H. A. agree to Miré Grant Bill as am.

The Messenger also informed the House that the House of Assembly agreed to a Bill, entitled, An Act to repeal the Act for settling Titles in a certain Tract of Land in Cape Breton, called the Miré Grant, and to substitute other provisions in lieu thereof—as now amended.

Com. on Contingent expenses Report

Mr. Wilkins, the Chairman of the Committee to whom the Contingent Expenses of this House for this Session were referred, reported as follows :

Report

The Committee appointed to consider of, and report to the House, the amount which will be required for its Contingent Expenses for the present Session, report that there is required,

For the Salary of the Clerk,	£200	0	0
Do. of the Law Clerk and Clerk of the Parliament,	150	0	0
Do. of the Gentleman Usher of the Black Rod, and Sergeant at Arms,	75	0	0
Do. of the Chaplain,	25	0	0
Do. of Messengers, viz :—First Messenger,	£40	0	0
Second do.	30	0	0
			70 0 0
Account for Stationary, binding Laws and Journals,	54	7	0
Anderson & Malcolm's Account,	20	7	10
Thompson & Esson's do.	0	8	0
Dechezeau & Crow's do.	0	10	0
Fuel, to be accounted for by the Clerk,	20	0	0
Contingencies, to be expended under the direction of a Committee of the House,	35	0	0
Account for binding the Journals of the House of Lords and House of Commons, presented by the House of Lords and House of Commons, to the Legislative Council,	185	4	6
			£835 17 4
Deduct Balance of last year's vote unexpended,			28 11 0
			£807 6 4

Committee Room, 13th March, 1843.

L. M. WILKINS, JR., Chairman.
STAYLEY BROWN,
D. MACFARLANE.

Ordered, That the said Report be received and adopted.

Conference on Gen. State of Province rel. to Contingent expenses

On motion, *Resolved*, That a Conference be desired with the House of Assembly by Committee, on the General State of the Province, and that the Committee of this House do

do communicate to the Committee of the House of Assembly, the amount required to defray the Contingent Expenses of this House for the present session.

A message was sent to the House of Assembly by the Clerk,
To desire the said Conference.

Conference asked

Mr. Johnston, by the command of His Excellency the Lieutenant Governor, laid before the House the following Despatch from the Right Honorable Lord Stanley, H. M. Principal Secretary of State for the Colonies—

Message from H. E. with Despatch announcing appointment of Sir. C. Metcalfe, as Gov. General

No. 98.

Downing Street, 30th January, 1843.

MY LORD,

I have the honor to inform you that Her Majesty has been pleased to appoint the Right Honorable Sir Charles Theophilus Metcalfe, Baronet, G. C. B. to be Captain General and Governor in Chief of the Provinces of Canada, New Brunswick, and Nova Scotia, and of the Island of Prince Edward, and Governor General of all Her Majesty's Provinces on the Continent of North America, and of the Island of Prince Edward.

Sir Charles Metcalfe will be invested with the same powers as were delegated to his Predecessor.

I have, &c.

(Signed)

STANLEY.

The Right Honorable Viscount Falkland, &c. &c. &c.

The Despatch was read, and ordered to lie on the Table.

Mr. Johnston presented a Bill, entitled, An Act to amend the Act for establishing a Public Burial Ground at Dartmouth.

Dartmouth Burial Ground Bill

The said Bill was read a first time.

Read 1st time

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

Mr. Tobin, the Chairman of the Committee to whom a Bill, entitled, An Act to alter and amend the Act to Incorporate the Town of Halifax, was referred, reported that the Committee had had the said Bill under consideration, but were unable to agree upon any report respecting the same.

Com. on Incorporation Bill unable to Report

Whereupon, on motion, Resolved, That the said Committee be discharged.

Com. discharged
Bill read 2d time

The said Bill was read a second time.

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

And ord. to Com.

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

To inform the House that the House of Assembly agreed to the Conference desired by this House.

H. A. agree to Conference

Ordered, That Mr. Wilkins, Mr. McFarlane, and Mr. Brown, be a Committee of this House to manage the said Conference.

Committee

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

Report

A Bill, entitled, An Act to repeal the Act for settling Titles in a certain Tract of Land in Cape Breton, called the Miré Grant, and to substitute other provisions in lieu thereof—was read, as amended, and the question was put by the President,

Miré Grant Bill

Whether this Bill, as amended, shall pass?

It was resolved in the affirmative.

Finally agreed to

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

To return the said Bill and acquaint them therewith.

And sent to H. A.

On motion made and seconded—the House adjourned until To-morrow at 2 o'clock.

Adjourns

Tuesday

Tuesday, 14th March, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Peter McNab,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Lewis M. Wilkins, Jr.

The Honorable Alexander Campbell,
Michael Tobin, Jr.
John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

The Minutes of yesterday were read.

Burial Ground,
Dartmouth Bill

A Bill, entitled, An Act to amend the Act for establishing a Public Burial Ground at Dartmouth.

Read 2nd time
And ord. to Com.

Was read a second time.

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

Standing Order
suspended

Resolved unanimously, That the Standing Order of this House, No. 72, relative to Bills not being read or proceeded in twice in the same day, be suspended, as respects the said Bill.

Bill committed, and
rep. without am.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill.—After some time the House was resumed, and Mr. McNab reported that the Committee had gone through the said Bill, and had agreed to the same without any amendment.

Ord. to be engrossed

Ordered, That the said Bill be engrossed, and read a third time, at a future day.

Consideration of am.
to Registrars Bill

The House proceeded to the consideration of the amendments proposed by this House to a Bill, entitled, An Act concerning the Registrars of Deeds throughout this Province, which amendments have not been agreed to by the House of Assembly.

Am. adhered to

The said amendment was read by the Clerk, and

On motion, *Resolved*, That the said amendments be adhered to.

Com. on Revenue
Bills report

Mr. Tobin, the Chairman of the Committee to whom the eight Revenue Bills, received from the House of Assembly yesterday, were referred, reported that the Committee had examined the said Bills, and recommended them to the favourable consideration of the House.

Duties of Impost

Whereupon the following Bills, viz :

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

Continuing Duties of
Impost

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

Importation of Goods

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

Regulation of Duties

A Bill, entitled, An Act to continue the Act for the General Regulation of the Colonial Duties.

Drawbacks

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

Smuggling

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

A Bill,

A Bill, entitled, An Act to continue and amend the Act for the Warehousing of Goods.	Warehousing, and--
A Bill, entitled, An Act to continue and amend the Act for granting Duties on Licences for the Sale of Spirituous Liquors, and for Sales by Auction in Halifax.	Licenses Halifax Bills
Were read a second time.	Read 2nd time
<i>Ordered</i> , That the said Bills be committed to a Committee of the whole House.	And ord. to Com.
<i>Resolved unanimously</i> , That the standing order of this House, number 72, relative to Bills not being read or proceeded in, twice in the same day, be suspended as respects the said Bills.	Standing Order suspended
On motion, the House was adjourned during pleasure, and put into a Committee on the said Bills.—After some time the House was resumed, and Mr. McNab reported that the Committee had gone through the said Bills, and had agreed to the same without any amendment.	Bills committed Rep. without am.
<i>Ordered</i> , That the said Bills be read a third time at a future day.	
On motion, <i>Ordered</i> , That it be the Order of the Day for Tomorrow, for the House to be put into a Committee upon a Bill, entitled, An Act to alter and amend the Act to Incorporate the Town of Halifax.	Halifax Incorporation Bill order of day
Mr. Morton presented a Bill, entitled, An Act to amend the Act to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein.	Judiciary Bill
The said Bill was read a first time,	Read 1st time
<i>Ordered</i> , That the said Bill be read a second time at a future day.	
A Message was sent to the House of Assembly by the Clerk, To return a Bill, entitled, An Act concerning the Registrars of Deeds throughout this Province, and acquaint them that this House adhere to their amendments to the said Bill.	Registrars Bill sent to H. A.
On motion made and seconded—the House adjourned until To-morrow at 2 o'clock.	Adjourn

Wednesday, 15th March, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Honorable Peter McNab,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Lewis M. Wilkins, Jr.

The Honorable Alexander Campbell.
Michael Tobin, Jr.
John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

The minutes of yesterday were read.

A Bill, entitled, An Act to amend the Act to improve the administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein—was read a second time.	Judiciary Bill
<i>Ordered</i> , That the said Bill be committed to a Committee of the whole House, at a future day.	Read 2d time And ord. to Com.

A Bill, entitled, An Act to amend the Act for establishing a Public Burial Ground at Dartmouth—was read a third time, and the question was put by the President, Whether this Bill shall pass?	Dartmouth Burial Ground Bill Read 3rd time
It was resolved in the affirmative.	Agreed to

- And sent to H. A. A Message was sent to the House of Assembly, by the Clerk,
To carry down the said Bill and desire their concurrence thereto.
- Duties of Impost A Bill, entitled, An Act for granting Colonial Duties of Impost for the support of Her Majesty's Government within this Province, and for promoting the Agriculture, Commerce, and Fisheries thereof.
- Continuing Duties of Impost A Bill, entitled, An Act to continue and amend the Act for granting Colonial Duties of Impost, for the support of Her Majesty's Government within this Province, and for promoting the Agriculture, Commerce, and Fisheries thereof.
- Importation of Goods A Bill, entitled, An Act to continue and amend the Act for regulating the Importation of Goods.
- Regulation of Duties A Bill, entitled, An Act to continue the Act for the General Regulation of the Colonial Duties.
- Drawbacks A Bill, entitled, An Act to continue and amend the Act concerning Goods exported, and for granting Drawbacks.
- Smuggling A Bill, entitled, An Act to continue the several Acts for the prevention of Smuggling.
- Warehousing, and Licences, Halifax Bills A Bill, entitled, An Act to continue and amend the Act for the Warehousing of Goods.
- A Bill, entitled, An Act to continue and amend the Act for granting Duties on Licences for the Sale of Spirituous Liquors, and for Sales by Auction in Halifax.
- Read 3rd time Were read a third time, and the question was put by the President on each Bill,
Whether this Bill shall pass?
- Agreed to It was resolved in the affirmative.
- And sent to H. A. A Message was sent to the House of Assembly by the Clerk,
To return the said Bills, and acquaint them that this House have agreed to the same without any amendment.
- Address to Sir C. T. Metcalfe ord. On motion, *Resolved*, That an Address be presented to His Excellency the Right Honorable Sir Charles T. Metcalfe, the Governor General of the North American Colonies, on his arrival, congratulating His Excellency upon his appointment, and on his safe arrival in this Province.
- Conference on Gen. State of Province moved *Resolved*, That a Conference be desired with the House of Assembly, by Committee on the General State of the Province, and that the Committee of this House appointed to manage the said Conference, do request the House of Assembly to join in the said Address.
- Conference asked A message was sent to the House of Assembly by the Clerk,
To desire the said Conference.
- Minutes of Meeting at Myra River The President laid before the House the minutes of a Public Meeting of the Inhabitants of Myra River, in Cape Breton, which had been sent to him, signed by the Secretary of the Meeting—the same was read, and ordered to lie on the Table.
- H. A. agree to Conference A Message was brought from the House of Assembly, by Mr. Gray,
To inform the House that the House of Assembly agreed to the Conference desired by this House.
- Committee *Ordered*, That Mr. Stewart, Mr. Wilkins, and Mr. Tobin, be a Committee to manage the said Conference.
- Report And the Managers went to the Conference, and being returned, the Chairman reported that the Committee had held the said Conference, and that he had communicated his instructions to the Committee of the House of Assembly.
- Halifax Incorporation Bill in Com. The House (according to order) was adjourned, during pleasure, and put into a Committee upon the Bill, entitled, An Act to alter and amend the Act to incorporate the Town of Halifax. After some time the House was resumed, and Mr. McNab reported that the Committee had made some progress in the said Bill, and had directed him to ask leave to sit again—which was granted.
- A Message was brought from the House of Assembly, by Mr. Gray,

To inform the House that the House of Assembly desired a further conference with this House, by Committee, on the subject of the last Conference.

H. A. desire Conference on Gen. State of Prov.

Ordered, That the said Conference be agreed to, and a Message was sent to the House of Assembly by the Clerk,

Agreed to

To acquaint them therewith.

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

Committee

And the Managers went to the Conference, and being returned, the Chairman reported that the Committee had held the said Conference, and that the Chairman of the Committee of the House of Assembly had informed the Committee of this House that it was the opinion of the House of Assembly, that it would be more complimentary to the Governor General, if the two Houses presented separate Addresses.

Report

Ordered, That Mr Stewart, Mr. Wilkins, and Mr. Tobin, be a Committee to prepare an Address to His Excellency the Right Honorable Sir Charles T. Metcalfe, Governor General of British North America, congratulating His Excellency upon his appointment, and on his safe arrival in this Province.

Com. to prepare Address to Sir C. T. Metcalfe

On motion made and seconded—the House adjourned until To-morrow, at 2 o'clock.

Adjourn

Thursday, 16th March, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Peter McNab,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Lewis M. Wilkins, Jr.

The Honorable Alexander Campbell,
Michael Tobin, Jr.
John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

The Minutes of yesterday were read.

Mr. Stewart, the Chairman of the Committee appointed to prepare an Address to His Excellency the Right Honorable Sir Charles T. Metcalfe, Baronet, Governor General of British North America, reported the draft of an Address, which he read in his place, and afterwards delivered it to the Clerk, who read the same as follows :

Address to Sir C. T. Metcalfe, rep.

To His Excellency the Right Honorable Sir CHARLES THEOPHILUS METCALFE, Baronet, Knight Grand Cross of the Most Honorable Order of the Bath, and one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General, and Governor in Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same, &c. &c. &c.

THE ADDRESS OF THE LEGISLATIVE COUNCIL OF THE PROVINCE OF NOVA-SCOTIA.

May it please Your Excellency ;

Her Majesty's loyal subjects, the Legislative Council of the Province of Nova Scotia, most respectfully beg to congratulate your Excellency upon your safe arrival in this part of Her Majesty's Dominions.

Address

Your Excellency's wise and successful Administration of the Government of Jamaica, has prepared the minds of all to hail the appointment of Your Excellency to the Chief command

command in North America, as an additional evidence of Her Majesty's regard for the welfare of Her People, and justifies the confidence that the Government now entrusted to your care, will be conducted upon the same wise and equitable principles, and procure for our Canadian Fellow Subjects the long desired blessing of tranquillity.

We wish your Excellency a pleasant continuation of your voyage, and a safe arrival at the more immediate seat of your Government, and most sincerely hope that when you shall resign your high office, you may return to your native Country, bearing with you the affection and gratitude of all Her Majesty's North American Subjects.

Address adopted

Ordered, That the said Address be received and adopted.

19l. change of appropriation, Oat Mill, Guysborough read 2nd time

The resolution for changing the appropriation of the sum of £19, for the building of an Oat Mill in the County of Guysborough—was read a second time, and the question was put by the President,

Agreed to

Whether this Resolution be agreed to?

It was resolved in the affirmative.

And sent to H. A.

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

Com. on Bills

On motion, the House was adjourned during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. McNab reported that the Committee had made some progress.

Report Judiciary Bill without an.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to amend the Act to improve the administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein—and had agreed to the same without any amendment.

Ord. to be engrossed

Ordered, That the said Bill be engrossed, and read a third time at a future day.

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

School Commissioners Digby, &c., and

A Bill, entitled, An Act for establishing separate Boards of School Commissioners in the Counties of Digby, Yarmouth, and Colchester, respectively.

Court House, Truro Bills

A Bill, entitled, An Act to authorise the sale of the Old Court House at Truro.

£12 17s Board of Health, Pictou

Resolved, That the sum of Twelve Pounds and Seventeen Shillings be granted and paid to the Board of Health at Pictou, to defray the following sums of money:

To Lawrence Roach's Account,	-	-	-	-	£6	0	0
To Ellen Carroll,	-	-	-	-	0	12	0
To Ellen Brown,	-	-	-	-	0	5	0
To Roderick McDonald,	-	-	-	-	6	0	0

£12 17 0

£104 5s 6d Jas. B. Hadley

Resolved, That the sum of One Hundred and Four Pounds Five Shillings and Six Pence be granted and paid to James B. Hadley, agreeably to his Petition, and the report of the Select Committee thereon, for disbursements and commissions as Collector of Light Duties at Canso.

£15 John Fuller

Resolved, That the sum of Fifteen Pounds be granted and paid to John Fuller, to compensate him for attendance before a Committee of the House of Assembly, agreeably to the report of the Committee on his Petition.

£10 H. McKinnon Oatmill

Resolved, That the sum of Ten Pounds be granted and paid to Hugh McKinnon, to aid him in the erection of an Oat Mill at Whycocomagh, in the County of Inverness, to be drawn under the usual conditions.

£10 J. P. Bickers Oatmill

Resolved, That the sum of Ten Pounds be granted and paid to Joseph Pearce Bickers, to aid him in the erection of an Oat Mill at Country Harbour, in the County of Guysborough, to be drawn under the usual conditions.

Resolved,

- Resolved*, That the sum of Four Pounds and Two Shillings be granted and paid to the Overseers of the Poor for Sydney, Cape Breton, for remunerating them, expenses incurred in aid to a Transient Pauper. £4 2s Overseers of Poor, Sydney, C. B.
- Resolved*, That the sum of Forty Pounds be granted and paid as the salary for the Female Teacher of the African School at Halifax, for the present year. £40 Female Teacher African School
- Resolved*, That the sum of One Hundred Pounds be granted and paid to the Reverend R. F. Uniacke, to enable him to defray the expenses incurred to support the School for Poor Children in the North Suburbs of the Town of Halifax. £100 Rev. R. F. Uniacke's School
- Resolved*, That the sum of Fifty Pounds be granted and paid to the Ladies, Managers of the Infant School at Halifax, in aid of that Institution for the present year. £50 Infant School
- Resolved*, That the sum of One Hundred Pounds be granted and paid to the Hon. Hugh Bell and others, to support a School in connection with the Methodist Church at Halifax. £100 Methodist School
- Resolved*, That the sum of Twenty Pounds be granted and paid to Edmund Crowell, to enable him to keep up his establishment at the Seal Islands, for the relief of Shipwrecked Mariners for the present year. £20 E. Crowell
- Resolved*, That the sum of Forty Pounds be granted and paid to Charles Boudrot and Bernard Trahan, to compensate them for damage created by the construction of an Aboiteau, pursuant to the Report of the Committee on Navigation Securities—to be drawn when it shall be made to appear to the satisfaction of His Excellency the Lieutenant-Governor that there are no other claims for damages in respect to such Aboiteau. £40 Chas. Boudrot and others
- Resolved*, That the sum of Ten Pounds be granted and paid to Dugald B. McNab, to reimburse expenses incurred by him in attending as a Witness in a Criminal Prosecution at Arichat, pursuant to the Report of the Committee on his Petition. £10 Dugald B. McNab
- Resolved*, That the sum of Three Hundred Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor, for the benefit of the Indians, for the present year, to be expended agreeably to the Act of the last Session; out of which Fifteen Pounds to be paid to George E. Jean, for taking the account of the Indians in the Island of Cape-Breton. £300 Indians
- Resolved*, That a Drawback of Seven Shillings and Six Pence sterling, per hundred weight, be granted on all Refined Sugar used in the manufacture of Confectionary made in, and exported from, this Province, direct to the United Kingdom—such amount to be drawn and paid by and under, and subject to, such rules, conditions, limitations, and regulations, as may be from time to time, fixed, established, directed, and ordered, by the Board of Revenue. Drawback on Refined Sugar
- Resolved*, That the sum of Two Hundred and Twenty-eight Pounds Five Shillings and Two Pence be granted and placed at the disposal of His Excellency the Lieutenant-Governor, to repay the respective parties named in a list or schedule, contained in the report of the Committee of the House of Assembly on Trade and Manufactures, the excess of certain Duties paid by such parties, at the rate in such report mentioned. £228 5s 2d Excess of Duties
- Resolved*, That the sum of Seven Pounds Seven Shillings and Eleven Pence be granted and paid to Edward Lawson & Co., return of duties paid by them, agreeably to the report of the Committee on Trade and Manufactures. £7 7s 11d Edward Lawson & Co.
- Resolved*, That the sum of Fifty Pounds Four Shillings and Six Pence sterling, to be reduced into currency, at and after the Custom House rates, be granted and paid to Stephen Binney & Co., amount of duties over-paid by them, agreeably to the report of the Committee on Trade and Manufactures. £50 4s 6d S. Binney & Co.

- £6 19s 3d James Wilkie
Resolved, That the sum of Six Pounds Nineteen Shillings and Three Pence be granted and paid to James Wilkie, amount of duties over-paid by him, agreeably to the report of the Committee on Trade and Manufactures.
- £4 Daniel Owen
Resolved, That the sum of Four Pounds be granted and paid to Daniel Owen, Esquire, for services performed by him in making a seizure, agreeably to the report of the Committee on Trade and Manufactures.
- £35 James Carline and £34 7s 6d Charles Dodd
Resolved, That the sum of Thirty-five Pounds be granted and paid to James Carline, as compensation for detention of his vessel illegally seized, and the further sum of Thirty-four Pounds Seven Shillings and Six Pence to Charles Dodd, for his services as ship-keeper of said vessel, agreeably to the report of the Committee on Trade and Manufactures.
- £3 15s Stephen Trenholm
Resolved, That the sum of Three Pounds and Fifteen Shillings be granted and paid to Stephen Trenholm, return of duties paid by him on Carding Machinery, agreeably to the report of the Committee on Trade and Manufactures.
- £4 7s 3d R. Bryden
Resolved, That the sum of Four Pounds Seven Shillings and Three Pence be granted and paid to Richard Bryden, return of duties paid by him on Carding Machinery, agreeably to the report of the Committee on Trade and Manufactures,
- £6 4s 11d J. Stiles
Resolved, That the sum of Six Pounds Four Shillings and Eleven Pence be granted and paid to John Stiles, return of duties on a Printing Press, agreeably to the report of the Committee on Trade and Manufactures.
- Seal Bounty, S. Gallant
Resolved, That such sum be granted and placed at the disposal of His Excellency the Lieutenant-Governor, as will suffice to pay to Simon Gallant, the amount of Bounty to which he would have been entitled, under the Act to encourage the Seal Fisheries of this Province, had his vessel been duly Registered, to be drawn when the amount thereof shall have been made appear to the satisfaction of His Excellency.
- £44 & £33 8s 2d sterling, expenses of Shipwrecked Seamen, N. S. vessels
Resolved, That such sum be granted and placed at the disposal of His Excellency the Lieutenant-Governor as will enable His Excellency to repay Forty-four Pounds sterling, advanced by the British Consul at Havanna, and Thirty-three Pounds Eight Shillings and Two Pence, sterling, advanced by the British Consul at Portland, U. S., for the relief and forwarding of shipwrecked Seamen belonging to this Province.
- Drawback on Officers' Wines
Resolved, That the Board of Revenue, for the time being, be authorised and empowered to allow a Drawback upon all Wines imported for, or consumed by, the Commissioned Officers of Her Majesty's Army, comprising the several Regimental Messes of the Garrison, at Halifax, or to relinquish the duties upon all such Wines upon proof being made to the satisfaction of the said Board that the Wines whereon a Drawback or relinquishment of duty is claimed were actually imported for or consumed by such Officers of the Army; provided the whole amount do not exceed the sum of Three Hundred Pounds in any one year.
- £6 18s Jas. Chandley
Resolved, That the sum of Six Pounds and Eighteen Shillings be granted and paid to James Chandley, expenses of putting up a Fence on the New Mount Denson Road.
- £20 Militia Store House Chester
Resolved, That a sum not exceeding Twenty Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor for the purpose of repairing the Store House for Militia Arms, Ammunition and Accoutrements, in the Town of Chester, or rebuilding the same, as may be deemed advisable.
- £7 Jas. Turnbull
Resolved, That the sum of Seven Pounds be granted and paid to James Turnbull, Esquire, expenses incurred by him as Collector of Light Duties at Arichat, as surcharged him by the Committee on Public Accounts, pursuant to the report of the Committee on his Petition.

Resolved,

Resolved, That there be granted and paid to the Trustees and Managers of the Wesleyan Methodist Academy at Sackville, in New Brunswick, Two Hundred Pounds annually for two years, in aid of the support of that Institution. £200 annually, 2 yrs. Sackville Academy

Resolved, That the sum of Five Hundred and Five Pounds Three Shillings and Eleven Pence be granted and placed at the disposal of His Excellency the Lieutenant-Governor to defray the over-expenditure for maintaining the Revenue Cutters last year. £505 3s 11d over expenditure, Revenue Cutters

Resolved, That the sum of Eight Hundred Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor to continue the service of one Revenue Cutter, in addition to the schooner Sisters, on the Coast of Nova Scotia, as heretofore; and that no further sum be expended for that purpose. £800 Revenue Cutters

Resolved, That the sum of Nineteen Pounds and Four Shillings be granted and placed at the disposal of His Excellency the Lieutenant-Governor, to defray expenses attending the conveyance of George Hiscock (a private soldier under sentence of death) from Halifax to England for transportation. £19 4s expenses of G. Hiscock

Resolved, That a sum not exceeding Nine Hundred and Eighty-two Pounds Four Shillings and Nine Pence be granted and paid to defray the probable deficiency in the Post Office Establishment in this Province up to the fifth of January last. £982 4s 9d Post Office deficiency

Resolved, That the sum of Five Pounds and Six Shillings be granted and paid to Doctor Bell for services performed by him as Health Officer for the County of Cumberland during the last year. £5 6s Dr. Bell

Resolved, That the sum of Sixty Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor to be drawn Thirty Pounds in each year for the next two years and paid towards defraying the expense of maintaining William Sandford, a deaf and dumb boy, at an Asylum in Hartford, Connecticut, pursuant to the report of the Committee. £60 Wm. Sandford

Resolved, That the sum of Forty-five Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor to be applied under such guards as he may deem necessary towards enabling John Campbell, of St. Paul's Island, to send three of his children to a deaf and dumb asylum. £45 sons of John Campbell

Resolved, That the sum of Fifty Pounds be granted and paid to the Owners of the Packet running between Windsor and Partridge Island, to encourage the running of the said Packet between the said places, under such regulations as may be made and ordered by the Justices in their Sessions for the County of Hants, for the present year. £50 Parrsboro Packet

Resolved, That the sum of Fifty Pounds be granted and paid to such person or persons as will run a proper Packet between Guysborough and Arichat, touching occasionally at Fox Island and Canso, under such regulations as shall be established by any Special Sessions of the Peace for the County of Guysborough, to be held for that purpose—to be paid upon the certificate of such Special Sessions, that such Packet has been properly kept and run during the present year: provided that the Judge or Judges of the Supreme Court shall be taken without charge, if required, from Guysborough to Arichat, and from Arichat to Guysborough, on their Circuit to Cape-Breton; and that the said Packet shall also carry the Mail, to be established between Guysborough and Arichat, if required. £50 Guysborough Packet

Resolved, That the sum of Twenty Pounds be granted and paid to aid the Inhabitants of Douglas, at the mouth of the River Shubenacadie, in supporting a suitable Boat or Scow to run between Londonderry and that place—the said Boat to be run under the regulations of the General Sessions for the County of Hants; to be paid by Warrant from His Excellency the Lieutenant-Governor, upon Certificate from said Sessions, that said Boat has been running at least twice a week for six months, to the satisfaction of said Sessions, under their regulations. £20 Londonderry Ferry

Resolved,

- £20 Ferry Gut of Canso *Resolved*, That the sum of Twenty Pounds be granted and paid to aid the Inhabitants of Cape-Breton in supporting a suitable Boat or Scow to run between McMillan's Point, in Cape-Breton, and Auld's Cove, in the County of Sydney—the said Boat or Scow to be placed under the regulation of the General Sessions for the County of Inverness.
- £10 each to Ferry-men Shubenacadie *Resolved*, That the sum of Ten Pounds be granted and paid to each of the two Licensed Ferry-men at the mouth of the Shubenacadie, in the Counties of Colchester and Hants, for the transportation of Horses and Carriages across that River—the same to be paid on the Certificate of the General or Special Sessions of each County respectively that such Ferry has been duly attended, and proper Boats procured and used.
- £15 LaHave Ferry *Resolved*, That the sum of Fifteen Pounds be granted and paid to John Pernette and Charles Pernette, for keeping up the Ferry over LaHave River.
- £10 C. Craig *Resolved*, that the sum of Ten Pounds be granted and paid to Cornelius Craig, to enable him to keep up the Ferry across the Narrows, at the entrance of Sable River, in the County of Shelburne.
- £10 R. Carter *Resolved*, That the sum of Ten Pounds be granted and paid to Richard Carter, to enable him to run a suitable Ferry Boat or Scow between his Landing, on the western side of the Gut of Canso, and David McPherson's, on the eastern side thereof—the said Ferry Boat or Scow to be run under the regulation of the General Sessions for the County of Guysborough.
- £10 Ferry-men east side Gut of Canso *Resolved*, That the sum of Ten Pounds be granted and paid to the Ferryman on the eastern side of the Gut of Canso, to enable him to run a suitable Boat or Scow between Richard Carter's Landing, on the western side of said Gut, and David McPherson's, on the eastern side thereof—the said Ferry Boat or Scow to be run under the regulation of the General Sessions for the County of Richmond.
- £10 each Ferry-men at Port L'Herbert *Resolved*, That the sum of Ten Pounds each be granted and paid to such persons as shall respectively keep up a Ferry at the mouth of the Harbour of Port L'Herbert, provided a Boat be kept to convey Horses and Cattle across said Harbour—said sum to be paid upon the Certificate of the Court of Sessions in the County of Shelburne.
- £20 Bay Verte Packet *Resolved*, That the sum of Twenty Pounds be granted and paid to W. Weeks, or any person who will run a Packet Boat between the Bay of Verte and Prince Edward Island, when it shall be made satisfactorily to appear to His Excellency the Lieutenant-Governor, or Commander in Chief for the time being, that such Packet Boat has been run agreeably to such regulations as may be established by the Justices in Sessions for the County of Cumberland.
- £40 Revenue Boat Sydney, C. B. *Resolved*, That the sum of Forty Pounds be granted and placed at the disposal of the Lieutenant-Governor, or Commander in Chief for the time being, to enable him to continue a suitable Revenue Boat at Sydney, Cape-Breton.
- £30 Revenue Boat Pictou *Resolved*, That the sum of Thirty Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor, for the purpose of employing a Revenue Boat and Tide Waiters, or Boat-men, at Pictou, to aid in the protection of the Revenue, to be under the direction of the Collector of Excise at that Port.
- £1519 13s 9d Comrs. Public Buildings *Resolved*, That the sum of One Thousand Five Hundred and Nineteen Pounds Eighteen Shillings and Nine Pence be granted and paid to the Commissioners of Public Buildings, to defray the expenses incurred by them during the last year.
- £807 6s 4d Expenses Legislative Council *Resolved*, That the sum of Eight Hundred and Seven Pounds Six Shillings and Four Pence be granted and paid to defray the balance of the expenses of the Legislative Council for the present year.

Resolved,

- Resolved*, That the sum of Eight Pounds Nineteen Shillings and Two Pence be granted and paid to John T. Chamberlain, being the amount of excess of duties paid by him, omitted in the report of the Committee on Trade. £8 19s 2d John T. Chamberlain
- Resolved*, That the sum of Fifteen Pounds be granted and paid to Margaret Nickerson to enable her to continue her establishment for the accommodation of Travellers on the road from Barrington to Shelburne. £15 M. Nickerson
- Resolved*, That the sum of Twenty-five Pounds be granted and paid to the Commissioners of the Poor in Halifax, to defray the expense of continuing the School in the Poor House for the present year, for the benefit of Orphans and Poor Children in that Establishment. £25 School in Poor House
- Resolved*, That the sum of Fifty Pounds be granted and paid to Doctors Grigor and Stirling, in aid of the Halifax Dispensary for the present year: provided they keep, during the year, a sufficient quantity of Vaccine Matter. £50 Hx. Dispensary
- Resolved*, That such sum be granted and paid to the Secretary of the Province as will enable him to pay Three Pounds and Ten Shillings to each of the Clerks of the Peace within this Province to whom His Excellency directed Road Commissions and Bonds in the year of our Lord One Thousand Eight Hundred and Forty-two. £3 10s Clerks of the Peace
- Resolved*, That the sum of Ten Pounds be granted and paid to John James Sawyer, Esquire, High Sheriff for the County of Halifax, for his expenses as such Sheriff at the opening and closing of the present Session of the General Assembly. £10 J. J. Sawyer
- Resolved*, That a sum not exceeding Sixty Pounds be granted and paid to the Clerk of the House of Assembly, to defray the expense of Stationary and Binding of the Journals and Laws for the House of Assembly during the present Session. £60 Stationary H. Assembly
- Resolved*, That the sum of Ten Pounds each be granted and paid to the Chairmen of the Committee on Bills and of Supply, for their services during the present Session. £10 each Chairmen of H. A.
- Resolved*, That the sum of One Hundred Pounds each be granted and paid to the Clerk and Clerk Assistant of the House of Assembly, for their extra services during the present Session. £100 each Clerks of H. A.
- Resolved*, That a sum, not exceeding Two Hundred and Twenty Pounds, be granted to defray the expense of extra Messengers, and other services and articles for the House of Assembly, and for Fuel, according to estimate—the said sum to be drawn and applied by the Clerk of the House of Assembly, under the sanction of the Speaker. £220 Contingencies of H. A.
- Resolved*, That a sum not exceeding Thirty Pounds be granted and paid to the Clerk of the House of Assembly to enable him to pay the several proprietors of newspapers in the Province, for publishing the Standing Orders of this House as to Private Petitions and Accounts of Steam Boats, Academies, &c. agreeably to the Resolution of this House last Session. £30 Advertising Standing Orders of H. A.
- Resolved*, That the sum of One Hundred and Twenty-five Pounds be granted and paid to John S. Thompson, and John H. Crosskill, Reporters of the Debates and Proceedings of the Legislature, for their services during the present Session. £125 Reporters
- Resolved*, That the sum of Fourteen Pounds be granted and paid to John McKay, Commissioner of the New Glasgow Bridge, to enable him to pay that sum incurred in his defence of a law-suit, brought against him as Commissioner of said Bridge. £14 John McKay
- Resolved*, That the sum of One Thousand Four Hundred and Fourteen Pounds One Shilling and Two Pence be granted and placed at the disposal of His Excellency the Lieutenant-Governor, to repay the over-expenditures on Roads and Bridges already advanced by order of His Excellency; and that out of the sum of Eleven Hundred Pounds appropriated

appropriated for the Roads in the County of Hants there be expended the sum of One Hundred Pounds on the New Mount Denson Road, from Falmouth to Horton line, and Two Hundred Pounds on the Main Post Road through Hants County, from Halifax County line to Kings County line.

£15 Publications
for H. A.

Resolved, That the sum of Fifteen Pounds be granted and placed at the disposal of the Honorable the Speaker, to procure various Works and Publications necessary for conducting the business of the House of Assembly.

£16 18s 6d George
McKenzie.

Resolved, That the sum of Sixteen Pounds Eighteen Shillings and Six Pence be granted and paid to George McKenzie, for expenses incurred by him in consequence of certain passengers in his vessel being seized with small Pox, agreeably to the report of the Select Committee on his Petition.

Read 1st time

To which Bills and Resolutions they desired the concurrence of this House.

The said Bills and Resolutions were read a first time.

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

Adjourn

On motion made and seconded—the House adjourned until To-morrow at 2 o'clock.

Friday, 17th March, 1843.

The House met pursuant to adjournment.

P R E S E N T —

The Honorable S. B. Robie, President.

The Honorable Peter McNab,
James W. Johnston,
William Lawson,
Lewis M. Wilkins, Jr.
Alexander Campbell,

The Honorable John Morton,
Hugh Bell,
Stayley Brown,
Alexander McDougall.

PRAYERS.

The minutes of yesterday were read.

Money Votes.

The following Resolutions for granting Money, viz :

£12	17	0	Board of Health, Pictou.
104	5	6	J. B. Hadley.
15	0	0	J. Fuller.
10	0	0	H. McKinnon, Oatmill.
10	0	0	J. B. Bickers, Oatmill.
4	2	0	Overseers of Poor, Sydney, C. B.
40	0	0	Female Teacher, African School.
100	0	0	Rev. R. F. Uniacke's School.
50	0	0	Infant School.
100	0	0	Methodist School.
20	0	0	E. Crowell.
40	0	0	C. Boudrot and others.
10	0	0	D. B. McNab.
300	0	0	Indians.
228	5	2	Excess of Duties.
7	7	11	E. Lawson & Co.
50	4	6	Stg. S. Binney & Co.
6	19	3	J. Wilkie,
4	0	0	D. Owen.
35	0	0	J. Carline,
34	7	6	C. Dodd,

£3

3	15	0	S. Trenholm.
4	7	3	R. Bryden.
6	4	11	J. Stiles.
44	0	0	Sterling, expenses of Shipwrecked
33	8	2	
6	18	0	J. Chandley.
20	0	0	Storing Militia Arms, Chester.
7	0	0	J. Turnbull.
200	0	0	annually, for 2 years, Sackville Academy.
505	3	11	Over expenditure, Revenue Cutters.
800	0	0	Revenue Cutters.
19	4	0	Expenses of G. Hiscock.
982	4	9	Post Office Deficiency.
5	6	0	Dr. Bell.
60	0	0	W. Sanford.
45	0	0	Sons of J. Campbell.
50	0	0	Parrsborough Packet.
50	0	0	Guysborough Packet.
20	0	0	Londonderry Ferry.
20	0	0	Ferry, Gut of Canso.
10	0	0	each Ferrymen Shubenacadie.
15	0	0	LaHave Ferry.
10	0	0	C. Craig.
10	0	0	R. Carter.
10	0	0	Ferrymen east side Gut of Canso.
10	0	0	each Ferrymen at Port L'Herbert.
20	0	0	Bay of Verte Packet.
40	0	0	Sydney Revenue Boat.
30	0	0	Pictou " "
1519	18	9	Commissioners of Public Buildings.
807	6	4	Expenses of Council.
8	19	2	J. T. Chamberlain.
15	0	0	M. Nickerson.
25	0	0	School in Poor House.
50	0	0	Halifax Dispensary.
3	10	0	each Clerks of the Peace.
10	0	0	J. J. Sawyer.
60	0	0	Stationary, House of Assembly.
10	0	0	each, Chairmen of H. A.
100	0	0	each, Clerks of H. A.
220	0	0	Contingencies of H. A.
30	0	0	Advertising Standing orders of H. A.
125	0	0	Reporters.
14	0	0	J. Mackay.
1414	1	2	Over expenditure on Roads.
15	0	0	Publications for H. A.
16	18	6	G. McKenzie.

Also, the Resolution granting a Drawback on Refined Sugar.

Also, the Resolution granting a Seal Fishery Bounty to S. Gallant.

Also, the Resolution granting a Drawback on the Wines consumed at the Military Messes.

Were read a second time, and the question was put by the President on each Resolution, Read 2nd time

Whether this Resolution be agreed to?

Agreed to

It was resolved in the affirmative.

A Message

- And sent to H. A. A Message was sent to the House of Assembly by the Clerk,
To return the said Resolutions, and acquaint them that this House have agreed to the same without any amendment.
- Judiciary Bill A Bill, entitled, An Act to amend the Act to improve the administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein—was read a third time, and the question was put by the President,
Read 3rd time Whether this Bill shall pass?
It was resolved in the affirmative.
- Agreed to A Message was sent to the House of Assembly, by the Clerk,
And sent to H. A. To carry down the said Bill and desire their concurrence thereto.
- School Commissioners Digby, &c., Bill read 2nd time A Bill, entitled, An Act for establishing separate Boards of School Commissioners in the Counties of Digby, Yarmouth, and Colchester, respectively—was read a second time.
- And ref. to Sel. Com. Ordered, That the said Bill be referred to a Select Committee to examine and report upon.
- Committee Ordered, That Mr. Morton, Mr. Campbell, Mr. Bell, and Mr. Brown, be a Committee for that purpose.
- Court House, Truro Bill read 2nd time A Bill, entitled, An Act to authorise the sale of the Old Court House at Truro—was read a second time.
- And ord. to Com. Ordered, That the said Bill be committed to a Committee of the whole House, at a future day.
- A Message was brought from the House of Assembly, by Mr. Gray, with the following Bills:
- Militia A Bill, entitled, An Act to continue and amend the Act for regulating the Militia.
- Poor, Egerton, and A Bill, entitled, An Act for setting off part of the Township of Egerton, as a separate District for the support of the poor.
- Survey of Timber Bills A Bill, entitled, An Act to continue and amend the Act to regulate the survey of Timber and Lumber, and to repeal certain Acts now in force.
- Read 1st time To which Bills they desired the concurrence of this House.
The said Bills were read a first time.
- Survey of Timber Bill ref. to Sel. Com. Ordered, That the two first Bills be read a second time at a future day.
Ordered, That the third Bill be referred to a Select Committee to examine and report upon.
- Committee Ordered, That Mr. Morton, Mr. Campbell, Mr. Bell, and Mr. Brown, be a Committee for that purpose.
- Adjourn On motion made and seconded—the House adjourned until To-morrow at 1 o'clock.

Saturday, 18th March, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Peter McNab,
James W. Johnston,
William Lawson,
Alexander Stewart,
Lewis M. Wilkins, Jr.

The Honorable Alexander Campbell.
Michael Tobin, Jr.
John Morton,
Hugh Bell,
Stayley Brown,

PRAYERS.

The minutes of yesterday were read.

A Bill, entitled, An Act for setting off a part of the Township of Egerton, as a separate District for the support of the poor. Also,

A Bill, entitled, An Act to continue and amend the Act for regulating the Militia.

Were read a second time.

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

Egerton Poor Rates and

Militia Bills

Read 2nd time

And ord. to Com.

At half past three o'clock, P. M., the House waited upon His Excellency the Right Honorable Sir Charles T. Metcalfe, Baronet, Governor General of British North America, with their Address, and being returned to the Council Chamber, the President reported that His Excellency had been pleased to receive the said Address, and to return an unwritten answer thereto, to the following purport and effect :

House wait upon Sir C. T. Metcalfe with Address

I thank you most sincerely for your very kind and cordial congratulations upon my safe arrival in Nova Scotia.

H. E.'s Reply

I shall be happy indeed, if the result of my Administration of the Government, with which Her Majesty has been graciously pleased to honor me, shall justify the high anticipations you have so obligingly expressed. Again permit me to offer my grateful thanks for your affectionate Address.

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

To inform the House that the House of Assembly agreed to a Bill, entitled, An Act relative to the recovery of Debts due on Policies of Assurance. Also,

H. A. agree to Debts on Policies, and—

A Bill, entitled, An Act to amend the Act for establishing a Public Burial Ground at Dartmouth—without any amendment.

Burial Ground Dartmouth Bill without am.

The Messenger also brought up the following Bills :

A Bill, entitled, An Act further to amend the Act for establishing the Times and Places of holding the Poll at Elections of Representatives.

Polls at Elections

A Bill, entitled, An Act to empower the Congregation of the Presbyterian Church in Cornwallis, to manage and transact their secular affairs.

Presbyterian Church Cornwallis

A Bill, entitled, An Act to enable the Trustees of the Sydney Academy, in the County of Cape Breton, to raise money for the completion of the same.

Sydney Academy

A Bill, entitled, An Act relative to the appropriation of the License Duties in the Town of Sydney.

License Duties, Sydney

A Bill, entitled, An Act to extend to the Town of Arichat the provisions of the Act relating to Commissioners of Highways in Halifax, and certain other places.

Highways, Arichat

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

Regulation of Duties

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

Supervisors Public Grounds

Summary Trials	A Bill, entitled, An Act to continue the Act for the summary trial of actions before Justices of the Peace.
Highways	A Bill, entitled, An Act to continue the Act in amendment of the Act relating to Highways, Roads, and Bridges.
Quarantine	A Bill, entitled, An Act to continue the Act to prevent the spreading of contagious diseases, and for the performance of Quarantine, and the Act in amendment thereof.
Infectious Diseases	A Bill, entitled, An Act to continue the Act more effectually to provide against the introduction of infectious or contagious diseases, and the spreading thereof in this Province, and the Act in amendment thereof.
Billeting Troops, and	A Bill, entitled, An Act to continue and amend the Act, entitled, An Act to provide for the accommodation and billeting of His Majesty's Troops, or of the Militia, when on their march from one part of the Province to another, and also the Acts in amendment thereof.
Light Houses Bills	A Bill, entitled, An Act to continue and amend the Acts for the support and regulation of Light Houses.
Read 1st time	To which Bills they desired the concurrence of this House. The said Bills were read a first time.
Continuing Bills ref. to Sel. Com.	<i>Ordered</i> , That the five first Bills be read a second time at a future day. <i>Ordered</i> , That the eight last Bills be referred to a Select Committee to examine and report upon.
Committee	<i>Ordered</i> , That Mr. Morton, Mr. Bell, and Mr. Brown, be a Committee for that purpose.
Adjourn	On motion made and seconded—the House adjourned until Monday, at 1 o'clock.

Monday, 20th March, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Peter McNab,
Norman F. Uniacke,
William Lawson,
Alexander Stewart,
Lewis M. Wilkins, Jr.

The Honorable Alexander Campbell,
Michael Tobin, Jr.
John Morton,
Hugh Bell,
Stayley Brown,

PRAYERS.

The minutes of Saturday were read.

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

Duties on Licences
Bill

A Bill, entitled, An Act to continue and amend the Act for granting Duties on Licences for the Sale of Spirituous Liquors, and the Act to alter the same.

Read 1st time

To which Bill they desired the concurrence of this House.

And ref. to Sel. Com.

The said Bill was read a first time,
Ordered, That the said Bill be referred to a Select Committee to examine and report upon.

Committee

Ordered, That Mr. Morton, Mr. Campbell, and Mr. Brown, be a Committee for that purpose.

Poll at Elections

A Bill, entitled, An Act further to amend the Act for establishing the times and places of holding the Poll at Elections of Representatives.

Presbyterian Church
Cornwallis

A Bill, entitled, An Act to empower the Presbyterian Church in Cornwallis to manage and transact their Secular Affairs.

A Bill,

A Bill, entitled, An Act to enable the Trustees of the Sydney Academy, in the County of Cape Breton, to raise money for the completion of the same.	Sydney Academy
A Bill, entitled, An Act relative to the appropriation of the License Duties in the Town of Sydney.	License Duties, Sydney, and
A Bill, entitled, An Act to extend to the Town of Arichat the provisions of the Act relating to Commissioners of Highways in Halifax, and certain other places.	Highways, Arichat Bills
Were read a second time.	Read 2nd time
<i>Ordered</i> , That the said Bills be committed to a Committee of the whole House.	And ord. to Com.
Mr. Morton, the Chairman of the Committee to whom the following Bills were referred, viz :	Report of Com. on
A Bill, entitled, An Act to continue the Act for the regulation of Juries, and the Act in amendment thereof.	Juries
A Bill, entitled, An Act to continue the Acts for appointing Supervisors to take charge of Public Grounds, and for other purposes.	Supervisors Public Grounds.
A Bill, entitled, An Act to continue the Act for the Summary Trial of Actions before Justices of the Peace.	Summary Trials
A Bill, entitled, An Act to continue the Act in amendment of the Act relating to Highways, Roads, and Bridges.	Highways
A Bill, entitled, An Act to continue the Act to prevent the spreading of contagious Diseases, and for the performance of Quarantine, and the Act in amendment thereof.	Quarantine
A Bill, entitled, An Act to continue the Act more effectually to provide against the introduction of Infectious or Contagious Diseases, and the spreading thereof in this Province.	Infectious Diseases
A Bill, entitled, An Act to continue and amend the Act, entitled, An Act to provide for the accommodation and billeting of His Majesty's Troops, or of the Militia, when on their march from one part of the Province to another, and also the Acts in amendment thereof.	Billeting Troops, and
A Bill, entitled, An Act to continue and amend the Acts for the support and regulation of Light Houses.	Light Houses Bills
Reported that the Committee had examined the said Bills, and recommended them to the favorable consideration of the House.	
The said Bills were then read a second time.	Read 2d time
<i>Ordered</i> , That the said Bills be committed to a Committee of the whole House.	Ord. to Com.
Mr. Morton, the Chairman of the Committee to whom a Bill, entitled, An Act for establishing separate Boards of School Commissioners in the Counties of Digby, Yarmouth, and Colchester, respectively, was referred, reported that the Committee had examined the said Bill, and recommended it to the favorable consideration of the House.	Com. on School Commissioners Digby &c. Bill, report
<i>Ordered</i> , That the said Bill be committed to a Committee of the whole House.	Bill ord. to Com.
Mr. Morton, the Chairman of the Committee to whom a Bill, entitled, An Act to continue and amend the Act to regulate the Survey of Timber and Lumber, and to repeal certain Acts now in force, was referred, reported that the Committee had examined the said Bill, and that the majority of the Committee recommended the said Bill to the favorable consideration of the House.	Com. on Survey of Timber Bill report
The said Bill was then read a second time.	Bill read 2d time
<i>Ordered</i> , That the said Bill be committed to a Committee of the whole House.	And ord. to Com.
<i>Resolved unanimously</i> , That the standing order of this House, number 72, relative to Bills not being read or proceeded in, twice in the same day, be suspended as respects the Bills before the Committee.	Standing Order suspended
On motion, the House was adjourned during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. McNab reported that the Committee had made some progress.	Com. on Bills

The

Report	The Chairman also reported that the Committee had gone through the following Bills, viz:
Militia	A Bill, entitled, An Act to continue and amend the Act for regulating the Militia.
Court House Truro	A Bill, entitled, An Act to authorise the sale of the Old Court House at Truro.
Poor Rates Egerton	A Bill, entitled, An Act for setting off a part of the Township of Egerton as a separate District for the support of the Poor.
School Commissioners Digby, &c.	A Bill, entitled, An Act for establishing separate Boards of School Commissioners in the Counties of Digby, Yarmouth, and Colchester, respectively.
Survey of Timber	A Bill, entitled, An Act to continue and amend the Act to regulate the survey of Timber and Lumber, and to repeal certain Acts now in force.
Sydney Academy	A Bill, entitled, An Act to enable the Trustees of the Sydney Academy, in the County of Cape Breton, to raise money for the completion of the same.
Licence Duties Sydney	A Bill, entitled, An Act relative to the appropriation of the License Duties in the Town of Sydney.
Highways Arichat	A Bill, entitled, An Act to extend to the Town of Arichat, the provisions of the Act relating to Commissioners of Highways in Halifax, and certain other places.
Juries	A Bill, entitled, An Act to continue the Act for the regulation of Juries, and the Act in amendment thereof.
Supervisors Public Grounds	A Bill, entitled, An Act to continue the Acts for appointing Supervisors to take charge of Public Grounds, and for other purposes.
Summary Trials	A Bill, entitled, An Act to continue the Act for the Summary Trial of Actions before Justices of the Peace.
Highways	A Bill, entitled, An Act to continue the Act in amendment of the Act relating to Highways, Roads and Bridges.
Quarantine	A Bill, entitled, An Act to continue the Act to prevent the spreading of contagious Diseases, and for the performance of Quarantine, and the Act in amendment thereof.
Infectious Diseases	A Bill, entitled, An Act to continue the Act more effectually to provide against the introduction of infectious or contagious Diseases, and the spreading thereof in this Province.
Billeting Troops and	A Bill, entitled, An Act to continue and amend the Act, entitled, An Act to provide for the accommodation and billeting of His Majesty's Troops, or of the Militia, when on their march from one part of the Province to another, and also the Acts in amendment thereof.
Light Houses Bills	A Bill, entitled, An Act to continue and amend the Acts for the support and regulation of Light Houses.
Without am.	And had agreed to the same without any amendment. <i>Ordered</i> , That the said Bills be read a third time at a future day.
Report Presbyterian Church Cornwallis Bill with am.	The Chairman also reported that the Committee had had under consideration A Bill, entitled, An Act to empower the Congregation of the Presbyterian Church in Cornwallis, to manage and transact their Secular Affairs, and had made an amendment thereto.
Am. Read	The said amendment was read by the Clerk as follows: Last Clause—at the end of the Clause insert the following words. “and to use all that part of the said Public Ground, now enclosed, as aforesaid, for all purposes connected with, or incidental to, the use of the said Public Burial Ground, but for no other purpose whatsoever.
And agreed to	And the said amendment being read a second time, was agreed to by the House. <i>Ordered</i> , That the said Bill be read a third time, at a future day.
Adjourn	On motion made and seconded—the House adjourned until To-morrow, at 1 o'clock.

Tuesday, 21st March, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Peter McNab,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Lewis M. Wilkins, Jr.

The Honorable Alexander Campbell,
Michael Tobin, Jr.
John Morton,
Hugh Bell,
Stayley Brown,

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act to continue and amend the Act for regulating the Militia.	Militia
A Bill, entitled, An Act to authorise the sale of the Old Court House at Truro.	Court House Truro
A Bill, entitled, An Act for setting off a part of the Township of Egerton as a separate District for the support of the Poor.	Poor Rates, Egerton
A Bill, entitled, An Act for establishing separate Boards of School Commissioners in the Counties of Digby, Yarmouth, and Colchester, respectively.	School Commissioners Digby, &c.
A Bill, entitled, An Act to continue and amend the Act to regulate the survey of Timber and Lumber, and to repeal certain Acts now in force.	Survey of Timber
A Bill, entitled, An Act to enable the Trustees of the Sydney Academy, in the County of Cape Breton, to raise money for the completion of the same.	Sydney Academy
A Bill, entitled, An Act relative to the appropriation of the License Duties in the Town of Sydney.	License Duties Sydney
A Bill, entitled, An Act to extend to the Town of Arichat, the provisions of the Act relating to Commissioners of Highways in Halifax, and certain other places.	Highways Arichat
A Bill, entitled, An Act to continue the Act for the regulation of Juries, and the Act in amendment thereof.	Juries
A Bill, entitled, An Act to continue the Acts for appointing Supervisors to take charge of Public Grounds, and for other purposes.	Supervisors Public Grounds
A Bill, entitled, An Act to continue the Act for the Summary Trial of Actions before Justices of the Peace.	Summary Trials
A Bill, entitled, An Act to continue the Act in amendment of the Act relating to Highways, Roads and Bridges.	Highways
A Bill, entitled, An Act to continue the Act to prevent the spreading of contagious Diseases, and for the performance of Quarantine, and the Act in amendment thereof.	Quarantine
A Bill, entitled, An Act to continue the Act more effectually to provide against the introduction of infectious or contagious Diseases, and the spreading thereof in this Province.	Infectious Diseases
A Bill, entitled, An Act to continue and amend the Act, entitled, An Act to provide for the accommodation and billeting of His Majesty's Troops, or of the Militia, when on their march from one part of the Province to another, and also the Acts in amendment thereof.	Billeting Troops and
A Bill, entitled, An Act to continue and amend the Acts for the support and regulation of Light Houses.	Light Houses Bills
Were read a third time, and the question was put by the President on each Bill, Whether this Bill shall pass?	Read 3rd time
It was resolved in the affirmative.	Agreed to
A Message was sent to the House of Assembly by the Clerk, To return the said Bills, and acquaint them that this House have agreed to the same without any amendment.	And sent to H. A. A Bill,

- Presbyterian Church
Cornwallis Bill
Read 3rd time
- A Bill, entitled, An Act to empower the Congregation of the Presbyterian Church in Cornwallis, to manage and transact their secular affairs—was read a third time, and the question was put by the President,
Whether this Bill, with the amendment, shall pass?
It was resolved in the affirmative.
- Agreed to
And sent to H. A.
- A Message was sent to the House of Assembly, by the Clerk,
To return the said Bill and acquaint them that this House have agreed to the same with an amendment, to which amendment their concurrence is desired.
- Com. on License
Bill report
- Mr. Morton, the Chairman of the Committee to whom a Bill, entitled, An Act to continue and amend the Act for granting duties on Licences for the sale of Spirituous Liquors, and the Act to alter the same, was referred, reported that the Committee had examined the said Bill, and recommended it to the favorable consideration of the House.
- Bill read 2nd time
And ord. to Com.
- The said Bill was then read a second time.
Ordered, That the said Bill be committed to a Committee of the whole House.
- Probate Court Prac-
tice Bill
Read 1st time
- Mr. Stewart presented a Bill, entitled, An Act to regulate the practice of the Courts of Probate within this Province.
The said Bill was read a first time,
Ordered, That the said Bill be read a second time.
- Standing Order sus-
pended
- Resolved unanimously,* That the Standing Order of this House, No. 72, relative to Bills not being read or proceeded in twice in the same day, be suspended, as respects the said Bill.
- Bill read 2nd time
And ord. to Com.
- The said Bill was then read a second time.
Ordered, That the said Bill be committed to a Committee of the whole House.
- Standing Order sus-
pended
- Resolved unanimously,* That the standing order of this House, number 72, relative to Bills not being read or proceeded in, twice in the same day, be suspended as respects the Bills before a Committee of the whole House.
- Com. on Bills
- On motion, the House was adjourned during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. McNab reported that the Committee had made some progress.
- Report Probate Court
Practice Bill
without am.
- The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to regulate the Practice of the Courts of Probate within this Province, and had agreed to the same without any amendment.
- Ord. to be engrossed
- Ordered,* That the said Bill be engrossed, and read a third time.
- Report License Du-
ties Bill with am.
- The Chairman also reported that the Committee had had under consideration A Bill, entitled, An Act to continue and amend the Act for granting duties on Licenses for the sale of Spirituous Liquors, and the Act to alter the the same—and had made an amendment thereto.
- Amendment read
- The said amendment was read by the Clerk as follows :
6th Clause—Leave out this Clause.
- And agreed to
- And the said amendment being read a second time, was agreed to by the House.
Ordered, That the said Bill be read a third time.
- Recommend Polls at
Elections Bill to be
ref. to Sel. Com.
- The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act further to amend the Act for establishing the Times and Places of holding the Poll at Elections of Representatives, and had directed him to report that the Committee recommended the said Bill should be referred to a Select Committee to examine and report upon.
- Bill ref. to Sel. Com.
Committee
- Ordered,* That the said Report be received, and the said Bill be referred to a Select Committee to examine and report upon.
Ordered, That Mr. Campbell, Mr. Morton, and Mr. Brown, be a Committee for that purpose.

Resolved

Resolved unanimously, That the Standing Order of this House, No. 72, relative to Bills not being read or proceeded in twice in the same day, be suspended as respects the Bills now before the House. Standing Order suspended

A Bill, entitled, An Act to regulate the Practice of the Courts of Probate within this Province—was read a third time, and the question was put by the President, Probate Court Practice Bill read 3rd time

Whether this Bill, as amended, shall pass?

It was resolved in the affirmative.

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

To carry down the said Bill and desire their concurrence thereto. Agreed to
And sent to H. A.

A Bill, entitled, An Act to continue and amend the Act for granting Duties on Licenses for the Sale of Spirituous Liquors, and the Act to alter the same, was read a third time, and the question was put by the President, License Duties Bill Read 3rd time

Whether this Bill, with the amendment, shall pass?

It was resolved in the affirmative.

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

To return the said Bill, and acquaint them that this House have agreed to the same with an amendment, to which amendment their concurrence is desired. Agreed to
And sent to H. A.

On motion made and seconded—the House adjourned until To-morrow at 1 o'clock. Adjourn

Wednesday, 22nd March, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Peter McNab,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Lewis M. Wilkins, Jr.

The Honorable Alexander Campbell.
Michael Tobin, Jr.
John Morton,
Hugh Bell,
Stayley Brown,

PRAYERS.

The minutes of yesterday were read.

Mr. Morton, the Chairman of the Committee to whom a Bill, entitled, An Act further to amend the Act for establishing the Times and Places of holding the Poll at Elections of Representatives, was referred, reported that the Committee had examined the said Bill, and recommended it to the favourable consideration of the House. Com. on Polls at Elections Bill rep.

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

On motion, the House was adjourned during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. McNab reported that the Committee had made some progress. Com. on Bills

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act further to amend the Act for establishing the Times and Places of holding the Poll at Elections of Representatives, and had made an amendment thereto. Report Polls at Elections Bill with am.

The said amendment was read by the Clerk as follows:

Am. read

1st Clause—Before the words “County of Digby,” insert the following words,
“Township of Liverpool—The Poll shall be opened at the Court House in Liverpool, and there be continued for the space of four days, and be thence adjourned to some fit and convenient place at Port Medway, and be there held for two days.”

And the said amendment being read a second time, was agreed to by the House. And agreed to

The

Report Halifax
Incorporation Bill
with am.

The Chairman also reported that the Committee had had under consideration A Bill, entitled, An Act to alter and amend the Act to Incorporate the Town of Halifax—and had made several amendments thereto.

Am. Read

The said amendments were read by the Clerk as follows :

4th Clause—6th line—Leave out the word “ thereof,” and insert instead thereof the following words, “ of the City assessment.”

7th line—After the word “ Clerk,” insert the following words, “ and of the County assesment to the office of the Clerk of the Peace of the County.”

6th Clause—3rd line—Leave out the word “ and.”

5th and 6th lines—Leave out all the words in these lines.

10th line—Leave out the words “ they conceive.”

11th line—Leave out the words “ is or are,” and insert instead the words “ shall be.”

9th Clause—4th line—After the word “ Company ” insert the following words, “ es-
tablished within the City of Halifax, or doing business therein, whether by the officers of
such Company, or some or one of them, or by any agent or agents.”

21st line—After the word “ association,” leave out the remainder of the Clause, and
insert instead thereof the following words, “ and all sums of money so assessed and due
after the time of appeal shall have expired, shall be recoverable in the name of the Cor-
poration or of the City Treasurer, against any of the said Banks, or Assurance Compa-
nies, or Associations, in the same manner that debts are now recoverable from any of the
said Banks, or Assurance Companies, or Associations, respectively, and such suit, whe-
ther at Law or in Equity, may be commenced and prosecuted against any such Compa-
ny or Association, whether incorporated or not incorporated, doing business in the said
City, by means of any Agent or Agents as aforesaid, in the manner provided in, and by a
certain Act passed in the fifth year of the Reign of King William the Fourth, entitled,
An Act concerning suits against Foreign Bodies, Politic or Corporate, and to repeal the
Acts now in force.”

23d Clause—Leave out this Clause and insert instead the following Clause,

And be it enacted, That all such sum or sums of money as may be necessary to estab-
lish and support the said Watch, shall be paid out of the General Funds of the City, and
the amount necessary therefor shall be included in the General Assessment, and levied
and collected as part thereof.

At the end of the Bill insert the following clause :

And be it enacted, That this Act shall continue and be in force for one year, and from
thence to the end of the then next Session of the General Assembly.

And agreed to

And the said amendments being read a second time, were agreed to by the House.

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

Message from H. A.
that they cannot
consider am. to Li-
cense Duties Bill

A Message was brought from the House of Assembly, by Mr. Gray,
To inform the House that the House of Assembly could not consider the amendment
proposed by this House to a Bill, entitled, An Act to continue and amend the Act for
granting Duties on Licenses for the Sale of Spirituous Liquors, as it affected the im-
position of a duty.

The Messenger also brought up the following Bills and Resolution :

Passengers

A Bill, entitled, An Act relating to Passengers arriving in this Province.

Commissioners of
Sewers

A Bill, entitled, An Act to continue the Acts in amendment of the Acts relating to
Commissioners of Sewers.

Town Officers

A Bill, entitled, An Act to continue the Acts in amendment of the Act for the choice
of Town Officers, and regulating of Townships, and the Acts to alter and amend the
same.

Assize of Bread

A Bill, entitled, An Act to continue the Act to revive the Act to amend the Act to re-
gulate the Assize of Bread.

Crown Lands

A Bill, entitled, An Act to continue and amend the Act to establish sundry regulations
for the future disposal of Crown Lands within the Province of Nova Scotia.

A Bill,

A Bill, entitled, An Act further concerning Firewards and Fires in Halifax.
 A Bill, entitled, An Act to extend to the Town of Dartmouth, the Act to amend the Act to regulate the Assize of Bread. Firewards, Halifax, and Assize of Bread Dartmouth Bills
Resolved, That the sum of Ten Pounds, granted in 1842, to open a New Road through the woods from Earl Burgess southerly, to the Road passing Little Lake, in the Township of Cornwallis, undrawn, be applied to the Road from Thomas White's to Canady Creek Wharf, in said Township. £10 change of appropriation Road in Cornwallis
 To which Bills and Resolution they desired the concurrence of this House.
 The said Bills and Resolution were read a first time. Read 1st time
Ordered, That the said Bills and Resolution be read a second time.
Resolved unanimously, That the Standing Order of this House, No. 72, relative to Bills not being read or proceeded in twice in the same day, be suspended, as respects the said Bills. Standing Order suspended
 Whereupon the said Bills were read a second time. Bills read 2nd time
Ordered, That the said Bills be referred to a Select Committee to examine and report upon. And ref. to Sel. Com.
Ordered, That Mr. Wilkins, Mr. Morton, and Mr. Campbell, be a Committee for that purpose. Committee
 The House proceeded to the consideration of the amendment proposed by this House to a Bill, entitled, An Act to continue and amend the Act for granting duties on Licenses for the Sale of Spirituous Liquors, and the Act to alter the same—which amendment has not been considered by the House of Assembly. Am to License Duties Bill considered
 The said amendment was read, and
 On motion, *Resolved*, That the said amendment be adhered to. And adhered to
 On motion made and seconded—the House adjourned until To-morrow at 1 o'clock. Adjourn

Thursday, 23rd March, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Peter McNab,

James W. Johnston,

William Lawson,

Alexander Stewart,

Lewis M. Wilkins, Jr.

The Honorable Alexander Campbell,

Michael Tobin, Jr.

John Morton,

Hugh Bell,

Stayley Brown,

PRAYERS.

The Minutes of yesterday were read.

A Bill, entitled, An Act further to amend the Act for establishing the Times and Places of holding the Poll at Elections of Representatives. Also, Polls at Elections and
 A Bill, entitled, An Act to alter and amend the Act to Incorporate the Town of Halifax. Halifax Incorporation Bills
 Were read a third time, and the question was put by the President on each Bill, Read 3rd time
 Whether this Bill, with the amendments, shall pass?
 It was resolved in the affirmative. Agreed to
 A Message was sent to the House of Assembly, by the Clerk,
 To return the said Bills and acquaint them that this House have agreed to the same with amendments, to which amendments their concurrence is desired. And sent to H. A.

Committee on	Mr. Morton, in the absence of Mr. Wilkins, the Chairman of the Committee to whom the following Bills were referred, viz.,
Passengers	A Bill, entitled, An Act relating to Passengers arriving in this Province.
Commissioners of Sewers	A Bill, entitled, An Act to continue the Acts in amendment of the Acts relating to Commissioners of Sewers.
Town Officers	A Bill, entitled, An Act to continue the Acts in amendment of the Act for the choice of Town Officers, and regulating of Townships, and the Acts to alter and amend the same.
Assize of Bread	A Bill, entitled, An Act to continue the Act to revive the Act to amend the Act to regulate the Assize of Bread.
Crown Lands	A Bill, entitled, An Act to continue and amend the Act to establish sundry regulations for the future disposal of Crown Lands within the Province of Nova Scotia.
Firewards, Halifax and Assize of Bread Dartmouth Bills	A Bill, entitled, An Act further concerning Firewards and Fires in Halifax. A Bill, entitled, An Act to extend to the Town of Dartmouth, the Act to amend the Act to regulate the Assize of Bread.
Report	Reported that the Committee had examined the said Bills, and recommended them to the favorable consideration of the House.
Bills ord. to Com.	<i>Ordered,</i> That the said Bills be committed to a Committee of the whole House.
Com. on Bills	On motion, the House was adjourned during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. McNab reported that the Committee had made some progress.
Report	The Chairman also reported that the Committee had gone through,
Passengers	A Bill, entitled, An Act relating to Passengers arriving in this Province. Also,
Commissioners of Sewers	A Bill, entitled, An Act to continue the Acts in amendment of the Acts relating to Commissioners of Sewers. Also,
Town Officers	A Bill, entitled, An Act to continue the Acts in amendment of the Act for the choice of Town Officers, and regulating of Townships, and the Acts to alter the same. Also,
Crown Lands, and	A Bill, entitled, An Act to continue and amend the Act, to establish sundry regulations for the future disposal of Crown Lands within the Province of Nova Scotia. Also,
Firewards Bills Without am.	A Bill, entitled, An Act further concerning Firewards and Fires in Halifax. And had agreed to the same without any amendment. <i>Ordered,</i> That the said Bills be read a third time at a future day.
Recommend	The Chairman also reported that the Committee had had under consideration,
Assize of Bread, and	A Bill, entitled, An Act to continue the Act, to revive the Act, to amend the Act, to regulate the Assize of Bread. Also,
Assize of Bread Dartmouth Bills, to be ref. to Sel. Com.	A Bill, entitled, An Act to extend to the Town of Dartmouth, the Act to amend the Act to regulate the Assize of Bread. And recommended that the said Bills should be again referred to a Select Committee to examine and report upon.
Bills referred	<i>Ordered,</i> That the said Report be received, and the said Bills be referred to a Select Committee to examine and report upon.
Committee	<i>Ordered,</i> That Mr. Lawson, Mr. Tobin, and Mr. Bell, be a Committee for that purpose
	A Message was brought from the House of Assembly, by Mr. Gray, with the following Bills:
Insolvent Debtors Cemeteries Halifax	A Bill, entitled, An Act for the relief of Insolvent Debtors. A Bill, entitled, An Act in further addition to and amendment of the several Acts now in force, concerning Cemeteries or Burial Grounds, in the Town of Halifax.
Poor House Burying Ground Halifax and Cole Harbour Dike Co. Bills Read 1st time	A Bill, entitled, An Act for the regulation of the Poor House Burying Ground for the City of Halifax. A Bill, entitled, An Act to Incorporate the Cole Harbor Dike Company. To which Bills they desired the concurrence of this House. The said Bills were read a first time.

Ordered,

Ordered, That the first Bill be read a second time at a future day.
Ordered, That the second and third Bills be referred to a Select Committee to examine and report upon.
Ordered, That the Lord Bishop, Mr. Johnston, Mr. Tobin, and Mr. Bell, be a Committee for that purpose.
Ordered, That the fourth Bill be referred to a Select Committee to examine and report upon.
Ordered, That Mr. Morton, Mr. Bell, and Mr. Brown, be a Committee for that purpose.

Insolvent Debtors bill to be read 2d time
 Cemeteries Halifax, & Poor House Burying Ground Bills ref. to Sel. Com. Committee

Cole Harbor Dike Bill ref. to Sel Com. Committee

The Resolution changing the appropriation of the sum of £10, for a Road in Cornwallis, was read a second time, and the question was put by the President, Whether this Resolution be agreed to?
 It was resolved in the affirmative.
 A Message was sent to the House of Assembly by the Clerk, To return the said Resolution, and acquaint them that this House have agreed to the same without any amendment.

£10 change of appropriation, Road in Cornwallis read 2d time
 Agreed to
 And sent to H. A.

A Message was sent to the House of Assembly by the Clerk, To return a Bill, entitled, An Act to continue and amend the Act for granting Duties on Licences for the Sale of Spirituous Liquors, and the Act to alter the same, and acquaint them that this House adhere to their amendment to the said Bill.

License Bill sent to H. A. am. adhered to

On motion made and seconded—the House adjourned until To-morrow at 1 o'clock.

Adjourn

Friday, 24th March, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Peter McNab,
 Norman F. Uniacke,
 James W. Johnston,
 William Lawson,
 Alexander Stewart,
 Lewis M. Wilkins, Jr.

The Honorable Alexander Campbell.
 Michael Tobin, Jr.
 John Morton,
 Hugh Bell,
 Stayley Brown,

PRAYERS.

The minutes of yesterday were read.
 A Bill, entitled, An Act relating to Passengers arriving in this Province. Also,
 A Bill, entitled, An Act to continue the Acts in amendment of the Acts relating to Commissioners of Sewers. Also,
 A Bill, entitled, An Act to continue the Acts in amendment of the Act for the choice of Town Officers, and regulating of Townships, and the Acts to alter the same. Also,
 A Bill, entitled, An Act to continue and amend the Act to establish sundry regulations for the future disposal of Crown Lands within the Province of Nova Scotia. Also,
 A Bill, entitled, An Act further concerning Firewards and Fires in Halifax.
 Were read a third time, and the question was put by the President on each Bill, Whether this Bill shall pass?
 It was resolved in the affirmative.
 A Message was sent to the House of Assembly by the Clerk, To return the said Bills, and acquaint them that this House have agreed to the same without any amendment.

Passengers
 Commissioners of Sewers
 Town Officers
 Crown Lands, and
 Firewards Halifax
 Bills read 3rd time

Agreed to
 And sent to H. A.

Mr.

Report of Com. on Assize of Bread, and	Mr. Lawson, the Chairman of the Committee to whom, A Bill, entitled, An Act to continue the Act to revive the Act to amend the Act, to regulate the Assize of Bread. Also,																								
Assize of Bread Dartmouth Bills	A Bill, entitled, An Act to extend to the Town of Dartmouth the Act to amend the Act to regulate the Assize of Bread, Were referred, reported that the Committee had examined the said Bills, and recommended them to the favourable consideration of the House.																								
Bills ord. to be re-committed	<i>Ordered</i> , That the said Bills be re-committed to a Committee of the whole House.																								
Bills committed	On motion, the House was adjourned during pleasure, and put into a Committee for the further consideration of the said Bills.—After some time the House was resumed, and Mr. McNab reported that the Committee had gone through the said Bills, and had agreed to the same without any amendment.																								
Rep. without am.	<i>Ordered</i> , That the said Bills be read a third time.																								
Standing Order suspended	<i>Resolved unanimously</i> , That the Standing Order of this House, No. 72, relative to Bills not being read or proceeded in twice in the same day, be suspended as respects the said Bills.																								
Bills read 3rd time	Whereupon the said Bills were read a third time, and the question was put by the President on each Bill, Whether this Bill shall pass? It was resolved in the affirmative.																								
Agreed to And sent to H. A.	A Message was sent to the House of Assembly by the Clerk, To return the said Bills, and acquaint them that this House have agreed to the same without any amendment.																								
Insolvent Debtors Bill read 2nd time Motion to defer till next Session	A Bill, entitled, An Act for the relief of Insolvent Debtors—was read a second time. Whereupon, Mr. Wilkins moved that the further consideration of the said Bill be deferred till the next Session, which being seconded, and the question being put, there appeared for the motion six, against the motion six.																								
	<table border="0" style="width: 100%;"> <tr> <td colspan="2" style="text-align: center;">For the motion,</td> <td colspan="2" style="text-align: center;">Against the motion,</td> </tr> <tr> <td style="text-align: center;">Mr. McNab,</td> <td style="text-align: center;">Mr. Tobin,</td> <td style="text-align: center;">Mr. Uniacke,</td> <td style="text-align: center;">Mr. Campbell.</td> </tr> <tr> <td style="text-align: center;">Stewart,</td> <td style="text-align: center;">Lawson,</td> <td style="text-align: center;">The Lord Bishop,</td> <td style="text-align: center;">Brown,</td> </tr> <tr> <td style="text-align: center;">Wilkins,</td> <td style="text-align: center;">Morton.</td> <td style="text-align: center;">Mr. Johnston,</td> <td style="text-align: center;">Bell.</td> </tr> </table>	For the motion,		Against the motion,		Mr. McNab,	Mr. Tobin,	Mr. Uniacke,	Mr. Campbell.	Stewart,	Lawson,	The Lord Bishop,	Brown,	Wilkins,	Morton.	Mr. Johnston,	Bell.								
For the motion,		Against the motion,																							
Mr. McNab,	Mr. Tobin,	Mr. Uniacke,	Mr. Campbell.																						
Stewart,	Lawson,	The Lord Bishop,	Brown,																						
Wilkins,	Morton.	Mr. Johnston,	Bell.																						
Negatived Motion to ref. to Com. of whole	Whereupon the President gave his vote against the motion—so it passed in the negative. It was then moved that the said Bill be committed to a Committee of the whole House.																								
Amdt. to ref. to Sel. Com.	Whereupon, Mr. Wilkins moved that the said Bill be referred to a Select Committee to examine and report upon—which being seconded, and the question being put, there appeared, for the motion nine, against the motion three.																								
	<table border="0" style="width: 100%;"> <tr> <td colspan="2" style="text-align: center;">For the motion,</td> <td colspan="2" style="text-align: center;">Against the motion,</td> </tr> <tr> <td style="text-align: center;">Mr. McNab,</td> <td style="text-align: center;">Mr. Campbell,</td> <td style="text-align: center;">Mr. Uniacke,</td> <td></td> </tr> <tr> <td style="text-align: center;">Lawson,</td> <td style="text-align: center;">Tobin,</td> <td style="text-align: center;">Johnston,</td> <td></td> </tr> <tr> <td style="text-align: center;">Stewart,</td> <td style="text-align: center;">Morton,</td> <td style="text-align: center;">Bell.</td> <td></td> </tr> <tr> <td style="text-align: center;">Wilkins,</td> <td style="text-align: center;">Brown,</td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">The Lord Bishop,</td> <td></td> <td></td> <td></td> </tr> </table>	For the motion,		Against the motion,		Mr. McNab,	Mr. Campbell,	Mr. Uniacke,		Lawson,	Tobin,	Johnston,		Stewart,	Morton,	Bell.		Wilkins,	Brown,			The Lord Bishop,			
For the motion,		Against the motion,																							
Mr. McNab,	Mr. Campbell,	Mr. Uniacke,																							
Lawson,	Tobin,	Johnston,																							
Stewart,	Morton,	Bell.																							
Wilkins,	Brown,																								
The Lord Bishop,																									
Carried Committee	So it passed in the affirmative. <i>Ordered</i> , That Mr. Wilkins, Mr. Brown, Mr. Bell, Mr. Morton, and Mr. Campbell, be a Committee for that purpose.																								
Province Loan, and Chezetcook Dike Co. Bills	A Message was brought from the House of Assembly, by Mr. Gray, with the following Bills and Resolutions : A Bill, entitled, An Act to authorise a Loan for the use of the Province. A Bill, entitled, An Act to Incorporate the Chezetcook Dike Company.																								

Whereas,

Whereas, in the two last Sessions of the Legislature, the sum of £10,000 has been granted and placed at the disposal of His Excellency the Lieutenant Governor, and expended principally on the Roads in the Midland Counties of the Province, together with a large sum over-expended, *resolved*, That this House deems it just towards the people of this Province generally, who have alike contributed, according to their means, towards the Revenue, that the sum of £15,000, granted for the Road Service in the present Session, shall be applied as follows, the several sums expended by direction of His Excellency, being first deducted from the sums allotted to the respective Counties in which the same have been expended, and applied to the payment of such expenditure.

Division of Road
Money

On the Roads in the County of Shelburne,	£850
Yarmouth,	850
Digby,	850
Queen's,	800
Annapolis,	850
Sydney,	850
Richmond,	850
Guysborough,	850
Halifax,	1130
Hants,	1100
Inverness,	865
Cape Breton,	865
King's,	860
Pictou,	860
Colchester,	860
Cumberland,	850
Lunenburg,	860
	<hr/>
	£15,000

Resolved, That the following sums, appropriated for the Roads and Bridges in the several Counties hereinafter mentioned, that is to say, Subdivision in Halifax, &c.

County of Halifax,	£1130
Inverness,	865
Cape Breton,	865
Richmond,	850
Sydney,	850
Guysborough,	850

be placed at the disposal of His Excellency the Lieutenant Governor, to be expended in the said service.

Also, a Resolution specifically applying the sum of £850, appropriated for the service of Roads and Bridges in the County of Shelburne, Shelburne

Also, a Resolution specifically applying the sum of £850, appropriated for the service of Roads and Bridges in the County of Yarmouth, Yarmouth

Also, a Resolution, specifically applying the sum of £850, appropriated for the service of Roads and Bridges in the County of Digby, Digby

Also, a Resolution specifically applying the sum of £800, appropriated for the service of Roads and Bridges in Queen's County, Queen's

Also, a Resolution specifically applying the sum of £850, appropriated for the service of Roads and Bridges in the County of Annapolis, Annapolis

Also, a Resolution specifically applying the sum of £1100, appropriated for the service of Roads and Bridges in the County of Hants, Hants

Also, a Resolution specifically applying the sum of £860, appropriated for the service of Roads and Bridges in King's County, King's

Also, a Resolution specifically applying the sum of £860, appropriated for the service of Roads and Bridges in the County of Pictou, Pictou

- Colchester Also, a Resolution specifically applying the sum of £860, appropriated for the service of Roads and Bridges in the County of Colchester.
- Cumberland Also, a Resolution specifically applying the sum of £850, appropriated for the service of Roads and Bridges in the County of Cumberland.
- Lunenburg Also, a Resolution specifically applying the sum of £860, appropriated for the service of Roads and Bridges in the County of Lunenburg.
- £6 change of appropriation Road in Cumberland *Resolved*, That the sum of Six Pounds, granted by the Legislature in 1842, to repair the Road from Daniel Casey's to the Post Road near John Bent's, in the County of Cumberland, and not yet expended, be applied to the repair of the Road from George Cruikshanks' to the Post Road near John Bent's.
- Read 1st time To which Bills and Resolutions they desired the concurrence of this House.
The said Bills and Resolutions were read a first time.
Ordered, That the Bill, entitled, An Act to authorise a Loan for the use of the Province, and also the said Resolutions, be read a second time at a future day.
- Chezetcook Dike Co. Bill ref. to Sel. Committee *Ordered*, That the Bill, entitled, An Act to Incorporate the Chezetcook Dike Company, be referred to a Select Committee to examine and Report upon.
Ordered, That Mr. Morton, Mr. Bell, and Mr. Brown, be a Committee for that purpose.
- H. A. agree to am. to Polls at Elections Bill The Messenger also informed the House, that the House of Assembly agreed to the amendment proposed by this House, to a Bill, entitled, An Act further to amend the Act for establishing the Times and Places of holding the Poll at Elections of Representatives. The said Bill was then read, as amended, and the question was put by the President, Whether this Bill, as amended, shall pass?
It was resolved in the affirmative.
- Bill finally agreed to
- Message that H. A. cannot consider am. to Halifax Incorporation Bill A Message was brought from the House of Assembly, by Mr. Gray, To inform the House, that the House of Assembly could not consider the amendments proposed by this House to a Bill, entitled, An Act to alter and amend the Act to Incorporate the Town of Halifax, as the same affect the imposition, recovery, and collection of Rates and Taxes.
- Am. considered The House proceeded to the consideration of their amendments to the said Bill.
- And adhered to The same were read, and, on motion, *Resolved*, That the said amendments be adhered to.
- Bill sent to H. A. A Message was sent to the House of Assembly, by the Clerk, To return the said Bill, and acquaint them that this House adhere to their amendments to the said Bill.
- Polls at Elections Bill sent to H. A. A Message was sent to the House of Assembly, by the Clerk, To return a Bill, entitled, An Act further to amend the Act, for establishing the Times and Places of holding the Poll at Elections of Representatives, and acquaint them that this House agree to the said Bill, as amended.
- Message that H. A. do not agree to am. to Presbyterian Church Cornwallis Bill A Message was brought from the House of Assembly, by Mr. Gray, To inform the House that the House of Assembly did not agree to the amendment proposed by this House, to a Bill, entitled, An Act to empower the Congregation of the Presbyterian Church in Cornwallis, to manage and transact their Secular affairs.
- Message from H. E. with Treaty between Her Majesty and United States Mr. Johnston, by the command of His Excellency the Lieutenant Governor, laid before the House, a Copy of the Treaty concluded between Her Majesty and the United States of America.
The said Treaty was ordered to lie on the Table.
(*Vide Appendix No. 24.*)
- Adjourn On motion made and seconded—the House adjourned until To-morrow, at 1 o'clock.

Saturday, 25th March, 1843.

The House met pursuant to adjournment.

PRESENT—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Peter McNab,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Lewis M. Wilkins, Jr.

The Honorable Alexander Campbell,
Michael Tobin, Jr.
John Morton,
Hugh Bell,
Stayley Brown,

PRAYERS.

The minutes of yesterday were read.

A Bill, entitled, An Act to authorise a Loan for the use of the Province—was read a second time. Province Loan Bill
Read 2nd time

Ordered, That the said Bill be committed to a Committee of the whole House at a future day. And ord. to Com.

Mr. Morton, the Chairman of the Committee to whom,
A Bill, entitled, An Act to Incorporate the Cole Harbor Dike Company. Also,
A Bill, entitled, An Act to Incorporate the Chezetcook Dike Company.
Were referred, made his report. Committee on
Cole Harbor and
Chezetcook Dike Co.
Bills
Report

On motion, *Resolved,* That the further consideration of the said Bills be deferred to this day three months, it not appearing by the said Report, that the requisites of the Standing Orders of this House, Numbers 60 and 71, relative to private and local Bills, had been complied with. Bills def. 3 months

Mr. Wilkins, the Chairman of the Committee to whom a Bill, entitled, An Act for the relief of Insolvent Debtors, was referred, made his Report, which he read in his place, and afterwards delivered it to the Clerk, who read the same, as follows: Cons. on Insolvent
Debtors Bill Rep.

The Committee to whom was referred a Bill, entitled, An Act for the relief of Insolvent Debtors, have agreed to report, and do unanimously report, that having had the same under consideration, they are of opinion, that in regard to its importance, the extent to which the interests of the People would be affected by it, in the event of its becoming a Law, and to the consequent necessity of bestowing that deep and patient deliberation upon its principle and details, which the advanced period of the Session forbids, without causing it to be protracted beyond the time when it would probably otherwise terminate, that the further consideration of it should be deferred until the next Session. Report

The Committee recommend that the House do order One Hundred Copies of the Bill referred to, to be printed for the information of members, and that one Copy be sent to the Clerk of the Peace, in each and every of the Counties and Districts of the Province, in order that the same may be read at the different Courts of Sessions of the Peace during the recess.

Committee Room, 25th March, 1843.

LEWIS M. WILKINS, JR., Chairman,
A. CAMPBELL,
JOHN MORTON,
H. BELL,
S. BROWN.

Ordered, That the said Report be received and adopted.

Adopted

Ordered,

Bill def. and ord. to
be printed and sent
to Clerks of Peace

Ordered, That the further consideration of the said Bill, be deferred till the next Session, and that One Hundred Copies be printed for the information of members, and that one copy be sent to the Clerks of the Peace for each of the Counties and Districts in the Province, to be read at the Courts of Sessions of the Peace.

Petition of P. E. I.
Steam Boat Co.

Mr. Johnston brought up the Petition of the Prince Edward Island Steam Boat Company, praying aid, which was ordered to lie on the Table.

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

£25 17s 6d expenses
of Judges of Sup.
Court

Resolved, That the sum of Twenty-five Pounds Seventeen Shillings and Six Pence, be granted and placed at the disposal of His Excellency the Lieutenant Governor, to defray certain expenses incurred by the Judges of the Supreme Court, on their Circuit to Cape Breton during the last year—but that this House will not provide for any such expense in future, the same being already amply provided for, in the Travelling Fees allowed by Law.

£52 15s 6d balance of
Printing to J.
Howe and Son

Resolved, That there be granted and placed at the disposal of His Excellency the Lieutenant Governor, Fifty-two Pounds Fifteen Shillings and Sixpence, the amount required to pay the balance of J. Howe & Son's account, for printing the past year, agreeably to the Report of the Committee appointed to examine the same.

£5 E. Leonard

Resolved, That the sum of Five Pounds be granted and paid to Edward Leonard, for his services as Signal-man at Digby, for the last year, agreeably to the Report of the Post Office Committee.

£10 L. Morehouse

Resolved, That the sum of Ten Pounds be granted and paid to Lemuel Morehouse, to enable him to pay his Ferriages at Petit and Grand Passage, for the last year, agreeably to the Report of the Committee on the Post Office Department.

£500 Printing

Resolved, That a sum not exceeding Five Hundred Pounds, be granted and placed at the disposal of His Excellency the Lieutenant Governor, to pay the expense of Printing for the Legislature and for the Government, during the present year, the accounts for such Printing, having been first properly certified as correct.

£7 10s J. Seaman

Resolved, That the sum of Seven Pounds and Ten Shillings, be granted and paid to James Seaman, for his services in carrying the Mail between Amherst and Minudie, pursuant to the Report of the Post Office Committee.

£30 Distressed
Negroes

Resolved, That the sum of Thirty Pounds be granted and placed at the disposal of His Excellency the Lieutenant Governor, to relieve distressed Negroes at Hammonds Plains.

£200 Steam Boat
St. George

Resolved, That there be granted to the Proprietors of the Steamer St. George, the sum of Two Hundred Pounds, to encourage the running of the said Boat during the ensuing year, between Pictou, Charlotte Town, and Miramichie; Provided the said Boat shall once a week, at least, carry the Mails between the said places, the said sum to be drawn on its being certified, to the satisfaction of His Excellency the Lieutenant Governor, that the said duties have been faithfully performed.

£1000 Casualty Vote

Resolved, That if any of the Bridges on the Main Post Roads in this Province shall give way during the recess, or any of such Roads shall be unexpectedly obstructed by any unforeseen obstacle or accident, it shall and may be lawful for His Excellency the Lieutenant Governor, or Commander in Chief for the time being, to order a Commissioner or Commissioners, to repair or rebuild such Bridges, or to remove such obstructions, and it shall and may be lawful, further, for the Lieutenant Governor or Commander in Chief for the time being, to draw Warrants on account, and in favor of such Commissioner or Commissioners, provided the same shall not exceed the sum of One Thousand Pounds.

£10 H. Huntington
to repay advance to
M. Killam

Resolved, That the sum of Ten Pounds be granted and paid to Herbert Huntington, Esquire,

Esquire, to repay him the difference between the sum advanced by him to Mark Killam, and the sum voted for the said Killam in the last year, which sum so voted last year, was Ten Pounds instead of Twenty Pounds, as intended to be voted.

To which Resolutions they desired the concurrence of this House.

The said Resolutions were read a first time.

Read 1st time

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

The Thirteen Resolutions received from the House of Assembly yesterday, dividing and specifically appropriating the sum of £15,000, voted for the service of Roads and Bridges for the present year—were read a second time, and the question was put by the President on each Resolution,

Division and Subdivision of Road Money read 2nd time

Whether this Resolution be agreed to?

It was resolved in the affirmative.

Agreed to

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

And sent to H. A.

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

The Resolution for changing the appropriation of the sum of £6, for a Road in Cumberland, was read a second time, and the question was put by the President,

£6 change of appropriation Road in Cumberland read 2nd time

Whether this Resolution be agreed to?

It was resolved in the affirmative.

Agreed to

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

And sent to H. A.

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

Mr. Johnston, from the Committee to whom a Bill, entitled, An Act for the regulation of the Poor House Burying Ground for the City of Halifax, was referred, made a Report from the majority of the Committee, which he read in his place, and afterwards delivered it to the Clerk, who read the same as follows :

Com. on Poor House Burial Ground Bill Report

The Committee to whom a Bill, entitled, An Act for the regulation of the Poor House Burying Ground for the City of Halifax, was referred, have considered the Bill, and performed the duty referred to them, and report their opinion, that the Bill is entitled to the favourable consideration of the House.

Report

25th March, 1843.

J. W. JOHNSTON,
MICHL. TOBIN, JR.
H. BELL.

Whereupon, Mr. Stewart moved, that the Report be not received, but that the Bill be again referred to a Select Committee, to report whether the requisites of the Standing Orders of this House relative to private and local Bills, have been complied with, respecting the said Bill, which being seconded, and the question being put, was agreed to.

Motion not to receive Report, and to ref. Bill to Sel. Com. agreed to

Ordered, That Mr. Wilkins, Mr. Stewart, and Mr. McNab, be a Committee for that purpose.

Committee

The following Resolutions for granting Money, viz :

Money Votes

£25	17	6	Expenses of conveying Judges of Supreme Court to Cape Breton.
52	15	6	Balance of J. Howe & Son's Account for Printing.
5	0	0	Edward Leonard.
10	0	0	Lemuel Morehouse.
500	0	0	Printing.
7	10	0	James Seaman
30	0	0	Distressed Negroes, Hammonds Plains.
200	0	0	Steamboat St. George.
1000	0	0	Casualty Vote.
10	0	0	H. Huntington, to repay advance to M. Killam.

- Read 2d time Were by unanimous consent read a second time, and the question was put by the President on each Resolution,
Whether this Resolution be agreed to?
- Agreed to It was resolved in the affirmative.
- And sent to H. A. A Message was sent to the House of Assembly by the Clerk,
To return the said Resolutions, and acquaint them that this House have agreed to the same without any amendment.
- Petition of Church Wardens & Vestry of St. Paul's rel. to Poor House Burying Ground Bill The Lord Bishop brought up the Petition of the Churchwardens and Vestry of the Parish of St. Pauls, Halifax, praying this House not to assent to a Bill, entitled, An Act for the regulation of the Poor House Burying Ground for the City of Halifax—which was read, and ordered to lie on the Table.
- A Message was brought from the House of Assembly, by Mr. Gray, with the following Resolution:
Resolved, That the sum of Three Thousand Two Hundred and Sixty One Pounds, Nine Shillings and Two Pence, be granted and paid to the Commissioners for building the New Bridewell, at Halifax, to pay the amount now due the said Commissioners, and to enable them to proceed in the erection of such Building, agreeably to the Report of the Committee.
- £3261 9s 2d Bridewell To which Resolution they desired the concurrence of this House.
The said Resolution was read a first time.
Ordered, That the said Resolution be read a second time.
- Read 1st time The House proceeded to the consideration of their amendment to a Bill, entitled, An Act to empower the Congregation of the Presbyterian Church in Cornwallis, to manage and transact their secular affairs, which amendment has not been agreed to by the House of Assembly.
The said amendment was read, and
On motion, *Resolved*, That the said amendment be adhered to.
- Am. to Presbyterian Church Cornwallis Bill A Message was sent to the House of Assembly, by the Clerk,
To return the said Bill, and acquaint them that this House adhere to their amendment to the said Bill.
- Adhered to On motion, *Resolved*, That the said amendment be adhered to.
- & Bill sent to H. A. A Message was sent to the House of Assembly, by the Clerk,
To return the said Bill, and acquaint them that this House adhere to their amendment to the said Bill.
- £3261 9s 2d Comrs. Bridewell read 2d time The Resolution for granting the sum of £3261 9s 2d to the Commissioners of the Bridewell, was by unanimous consent read a second time, and the question was put by the President,
Whether this Resolution be agreed to?
It was resolved in the affirmative.
- Agreed to A Message was sent to the House of Assembly, by the Clerk,
To return the said Resolution, and acquaint them that this House have agreed to the same without any amendment.
- And sent to H. A. Mr. Morton presented a Bill, entitled, An Act to vest certain Lands belonging to the Congregation of the Presbyterian Church in Cornwallis in Trustees, and to enable them to dispose of the same, and to purchase others in their stead.
- Trustees Presbyterian Church Cornwallis Bill The said Bill was read a first time.
Ordered, That the said Bill be read a second time at a future day.
- Read 1st time On motion made and seconded—the House adjourned until Monday at 1 o'clock.
- Adjourn

Monday, 27th March, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Peter McNab,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Lewis M. Wilkins, Jr.

The Honorable Alexander Campbell,
Michael Tobin, Jr.
John Morton,
Hugh Bell,
Stayley Brown,

PRAYERS.

The minutes of Saturday were read.

Mr. Wilkins, the Chairman of the Committee to whom a Bill, entitled, An Act for the regulation of the Poor House Burying Ground for the City of Halifax, was referred, made his report, which he read in his place, and afterwards delivered it to the Clerk, who read the same as follows :

Com. on Poor House
Burial Ground Bill
Report

The Committee to whom was referred the Bill, entitled, An Act for the regulation of the Poor House Burying Ground for the City of Halifax, in order to report whether the requisites of the Standing Orders of this House, relative to private and local Bills, have been complied with, have agreed to report, and do report, that the Standing Orders referred to, do not appear to the Committee to have been complied with, in reference to the Bill in question.

Report

Committee Room of the Legislative Council, 27th March, 1843.

LEWIS M. WILKINS, JR, Chairman,
PETER McNAB,
A. STEWART.

A Bill, entitled, An Act to vest certain Lands belonging to the Congregation of the Presbyterian Church in Cornwallis in Trustees, and to enable them to dispose of the same and to purchase others in their stead, was read a second time.

Cornwallis Presbyte-
rian Church Land
Bill read 2d time

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

And ord. to Com.

Resolved unanimously, That the Standing Order of this House, No. 72, relative to Bills not being read or proceeded in twice in the same day, be suspended as respects the said Bill.

Standing Order
suspended

On motion, the House was adjourned during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. McNab reported that the Committee had made some progress.

Com. on Bills

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to vest certain Lands belonging to the Congregation of the Presbyterian Church in Cornwallis in Trustees, and to enable them to dispose of the same, and to purchase others in their stead, and had agreed to the same without any amendment.

Report Presbyterian
Church Cornwallis
Land Bill without
am.

Ordered, That the said Bill be engrossed, and read a third time at a future day.

The Chairman also reported that the Committee had gone through a Bill, entitled, An Act to authorise a Loan for the use of the Province, and had agreed to the same without any amendment.

Report Province
Loan Bill without
am.

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

A Message

- H. A. agree to Probate Court Practice Bill with am.
- A Message was brought from the House of Assembly, by Mr. Gray, To inform the House that the House of Assembly agreed to a Bill, entitled, An Act to regulate the Practice of the Courts of Probate within this Province, with amendments, to which amendments they desired the concurrence of this House.
- The Messenger also brought up the following Bills :
- Courts of Probate and Settlement of Estates
A Bill, entitled, An Act in addition to and in amendment of the Act relating to the Courts of Probate, and to the settlement and distribution of the Estates of deceased Persons.
- Halifax Assessment and Incorporation
A Bill, entitled, An Act relating to the Halifax Assessments, and further to amend the Act to Incorporate the Town of Halifax.
- Licensed Houses Duties
A Bill, entitled, An Act continuing and amending the Acts for granting duties on Licensed Houses.
- Yarmouth Parade
A Bill, entitled, An Act relative to the Parade at Yarmouth.
- Pictou Harbor, and
A Bill, entitled, An Act further to amend the Act to preserve and regulate the navigation of the Harbour of Pictou.
- Appropriation Bills
A Bill, entitled, An Act for applying certain monies therein mentioned, for the service of the year of Our Lord One Thousand Eight Hundred and Forty-three, and for other purposes.
- Read 1st time
To which Bills they desired the concurrence of this House.
The said Bills were read a first time.
- Probate & Settlement of Estates ref. to Sel. Com.
Ordered, That the Bill, entitled, An Act in addition to and in amendment of the Act relating to the Courts of Probate, and to the settlement and distribution of the Estates of deceased persons, be referred to a Select Committee to examine and report upon.
- Committee
Ordered, That Mr. Stewart, Mr. Wilkins, Mr. Campbell, Mr. Morton, Mr. Bell, and Mr. Brown, be a Committee for that purpose.
- Hx. Assessment and Incorporation Bill ref. to Sel. Com.
Ordered, That a Bill, entitled, An Act relating to the Halifax Assessments, and further to amend the Act to Incorporate the Town of Halifax, be referred to a Select Committee to examine and report upon.
- Committee
Ordered, That Mr. Tobin, Mr. Bell, Mr. Brown, Mr. Stewart, and Mr. Lawson, be a Committee for that purpose.
- Licensed Houses Duties Bill ord. to be read 2d time
Ordered, That a Bill, entitled, An Act continuing and amending the Acts for granting Duties on Licensed Houses, be read a second time.
- Standing Order suspended
Resolved unanimously, That the Standing Order of this House, No. 72, relative to Bills not being read or proceeded in twice in the same day, be suspended, as respects the said Bill.
- Bill read 2d time
Whereupon the said Bill was read a second time.
- And ord. to Com.
Ordered, That the said Bill be committed to a Committee of the whole House at a future day.
- Yarmouth Parade bill ref. to Sel. Com.
Ordered, That a Bill, entitled, An Act relative to the Parade at Yarmouth, be referred to a Select Committee to examine and report upon.
- Committee
Ordered, That Mr. Wilkins, Mr. Morton, and Mr. Brown, be a Committee for that purpose.
- Pictou Harbour Bill ord. to be read 2d time
Ordered, That a Bill, entitled, An Act further to amend the Act to preserve and regulate the Navigation of the Harbour of Pictou, be read a second time at a future day.
- Appropriation Bill ord. to be read 2d time
Ordered, That a Bill, entitled, An Act for applying certain monies therein mentioned, for the service of the year of Our Lord One Thousand Eight Hundred and Forty-three, and for other purposes, be read a second time at a future day.
- Probate Court Practice Bill ref. to Sel. Com.
Ordered, That a Bill, entitled, An Act to regulate the practice of the Courts of Probate within this Province, together with the amendments proposed by the House of Assembly to the said Bill, be referred to a Select Committee to examine and report upon.
- Committee.
Ordered, That Mr. Stewart, Mr. Wilkins, Mr. Campbell, Mr. Morton, Mr. Bell, and Mr. Brown, be a Committee for that purpose.
- A Message

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

To inform the House that the House of Assembly did not adhere to their Resolution not to agree to the amendment proposed by this House to a Bill, entitled, An Act to empower the Congregation of the Presbyterian Church in Cornwallis, to manage and transact their Secular affairs—but agreed to the said amendment, with an amendment, to which amendment they desired the concurrence of this House.

Message from H. A. relative to Presbyterian Church Cornwallis Bill

On motion of Mr. Stewart, *Resolved*, That Mr. Wilkins have leave of absence from Thursday next, to return home on urgent private business.

Leave of absence to Mr. Wilkins

The Lord Bishop, the Chairman of the Committee to whom a Bill, entitled, An Act in further addition to and amendment of the several Acts now in force, concerning Cemeteries or Burial Grounds, in the Town of Halifax, was referred, reported that the Committee had examined the said Bill, and proposed several amendments thereto.

Committee on Cemetery Bill Report

Ordered, That the said Report be received.

Whereupon the said Bill was read second time.

Bill read 2d time

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

Ord. to Com.

Resolved unanimously, That the standing order of this House, number 72, relative to Bills not being read or proceeded in, twice in the same day, be suspended as respects the Bills now before the Committee.

Standing Order suspended

On motion, the House was adjourned during pleasure, and put into a Committee on Bills.—After some time the House was resumed, and Mr. Morton reported that the Committee had made some progress.

Com. on Bills

The Chairman also reported that the Committee had had under consideration a Bill, entitled, An Act in further addition to and amendment of the several Acts now in force, concerning Cemeteries or Burial Grounds in the Town of Halifax, and had made several amendments thereto.

Report Cemetery Bill with am.

The said amendments were read by the Clerk as follows :

Am. read

In the Preamble—10th line—Leave out the word “the,” and insert instead thereof the words “a certain.”

17th line—Leave out the word “to,” and insert instead the following words, “and the respective Officers of Her Majesty’s Ordnance Department have taken possession of the same, by virtue thereof, to the use of.”

18th line—Leave out the words “the spirit of.”

19th line—After the word “is,” leave out all the words to the word “the,” in the 22d line, and insert instead, the words “proper for perfecting.”

24th line—Leave out the words “should be completed,” and insert the words “and the object of this Act that the said piece of land should be conveyed to, and vested in, the City of Halifax.

1st Clause—7th and 8th lines—Leave out the words “and duly recommended as legally sufficient.

11th and 12th lines—Leave out the words “or so much Land as shall be equal in quantity to that,” and insert instead, the words “near Fort Massey in fee simple, in consideration of the land so.”

13th line—After the word “same,” insert the words, “land near Fort Massey.”

Preamble to second Clause—2d line—After the word “Cemeteries,” insert the word “appointed.”

4th line—After the word “Land,” insert the words “near Fort Massey.”

5th line—After the word “not,” insert the words “adequate to.”

5th and 6th lines—Leave out the words, “Cemeteries to all the Congregations of,” and insert instead the words “a general Cemetery for.”

6th line—Leave out all the words after the word “City,” to the word “and” in the 8th line.

Before the Preamble, commencing in the 8th line, insert the following Preamble—

And whereas, the Respective Officers of Her Majesty's Ordnance Department, are willing to accept an absolute conveyance of that part of the said land, which includes the present Military Burial Ground, with an addition equal to the contents of a Road to be taken off the North side thereof, of thirty feet wide, and to erect and sustain the fences around the same, in lieu of a portion of the Public Cemetery, which, by the Acts in force relating to Cemeteries, was directed to be appropriated for the purposes of a Burial Place for the Military."

9th line—Instead of the word "Parish," insert the word "Congregation."

12th line—After the word "Halifax," insert the words "and have also agreed to erect and sustain the fences around the same in lieu of the portion to which they would be entitled in the general Cemetery."

Before the second Clause insert the following Clause—

Be it therefore enacted, That when, and so soon as such Deed or Conveyance of the said land, near Fort Massey, shall have been executed by the respective Officers of Her Majesty's Ordnance Department, at Halifax, to the City of Halifax, as aforesaid, it shall and may be lawful for the said City of Halifax, by Deed, signed by the Mayor, under the seal of the said City, to convey and assure to the principal Officers of Her Majesty's Ordnance Department, in fee simple, the said Military Burial Ground, part of the said Land, except such Road, and with such addition as aforesaid, for the purpose of a place of Interment or Burial for the Military—and which Deed shall effectually in law convey and assure to the said principal Officers, for such use forever, the land hereby directed to be conveyed thereby, when and so soon as such Deed shall be accepted and received by the respective officers of the said Department, at Halifax, or some or one of them for such purpose. *Provided always, and be it enacted*, That such conveyance, when accepted and perfected, shall be and be taken, and held to be, a full performance of all the directions contained in the said Acts relating to Cemeteries, and each of them, for the laying off a portion of the Public Cemetery for the purpose of a place of Burial for the Military, or, as and for a just and satisfactory equivalent for such right. *And Provided also*, That the City of Halifax, or any Commissioners of Cemetery heretofore in office, or the present or any future Committee of Cemeteries, or other persons who may have the charge or care of the Public Cemeteries of the said City, shall not be bound or liable to erect or sustain the fences around the land so to be conveyed for a Military Burial Ground, or to contribute to the expense or charge thereof.

2nd Clause—2nd line—After the word "of," insert the word "the."

7th line—Leave out the words "City Council," and insert instead, the words "said City of Halifax, by Deed signed."

8th and 9th lines—Leave out the words "the said Parish of Saint Mary's," and insert instead, the words "Trustees on behalf of the Roman Catholic population of the said City."

10th line—Leave out the words "a portion," and insert instead, "so much as shall be adequate and satisfactory."

11th and 12th lines—Leave out the words "adjoining, and next to the Fort Massey or Military Burying Ground," and insert the words "lying between the said Military Burying Ground and a certain Brook to the Westward, running through the said land."

13th line—After the word "from," insert the words "and a half"—leave out the word "and," and insert instead, the words "so as."

14th and 15th lines—Leave out the words "cross, or even come up to," and insert instead, the words "reach within thirty feet of."

17th line—Leave out the words "Saint Mary's Parish," and insert the word "Trustees."

22nd line—Leave out the word "Parish," and insert instead, the word "Congregation"—after the word "or," insert the words "the Roman."

At the end of this 2nd Clause insert the following Proviso and Enacting Clause :

Provided also, That a certain drain, watercourse, or sewer, passing through the said piece

piece of ground, and necessary for draining the land and building grounds lying to the Northward thereof, or otherwise contiguous thereto, shall at all times be kept free, open, and unobstructed by the said Trustees, and their successors, at their expense, or the expense of the Roman Catholic Congregation of the said City.

And provided always, and be it enacted, That such Conveyance, when accepted and perfected, shall be, and be taken and held to be, a full performance of all the directions contained in the said Acts relating to Cemeteries, and each of them for the laying off of a portion of the Public Cemetery for the purpose of a place of burial for the Roman Catholic Congregation of the said City, or as and for a just and satisfactory equivalent for such right.

And Provided also, That the City of Halifax, or any Commissioner of Cemeteries heretofore in office, or the present or any future Committee of Cemeteries, or other persons who may have the charge or care of the Public Cemeteries of the said City, shall not be bound or liable to erect or sustain the fences around the land so to be conveyed for a Roman Catholic Burial Ground, or to contribute to the expense or charge thereof.

“3rd Clause—2nd line—After the word “Land,” insert the words “near Fort Massey.”

4th line—Leave out the word “from,” and insert the words “by the said Officers of”—after the word “Department,” insert the words “to the City of Halifax.”

8th line—After the word “City,” leave out the rest of the Clause, and insert instead, the words “as part of the Real Estate thereof.”

In the Preamble to the 4th Clause—2nd line—After the word “Halifax,” insert the words “hereinafter next,” after the word “described,” leave out all the words to the word “has” in the 10th line.

At the end of the preamble insert the following words, that is to say, “all that piece of Land bounded as follows, that is to say, beginning at the North-west corner of a piece of Land formerly taken from the Common, and laid out into Lots, known by the name of the Spring Garden Lots, and bounded on the West side by a line running from thence Northwardly along the East side of a Highway, which, at the said place of beginning, lies between the said Common and land of the late Chief Justice Blowers, to a point immediately opposite the North-east corner of the Land of the said late Chief Justice Blowers, where the said Highway is intersected by a Highway leading thence to the North-west Arm, and bounded on the North side by a line running Easterly from the last mentioned point, on a course parallel with the rear line of the said Spring Garden Lots, until it shall meet or intersect the East side line hereinafter mentioned, of the Land hereby now being described, and bounded on the South side by the rear line of the said Spring Garden Lots, running from the first mentioned place of beginning to the Eastward, across one of the Spring Garden Roads, and thence along the said rear line to another of the said Spring Garden Roads, or the North-east corner of the Spring Garden Lot formerly held by one James Smith, now occupied by one Robert Smith, and bounded on the East side by a line on a course in continuation of the East side line of the last mentioned Spring Garden Lot, and parallel with the West side line herein before mentioned of the land now under description, until it shall meet or intersect the North side line herein before described.”

4th Clause—4th line—After the word “said,” insert the words “last described.” At the end of this Clause insert the following words :

Except as the same shall or may be altered or affected by this Act; *Provided,* that no part of the Land herein last described, and hereby intended to be set off, appropriated, and used, as and for a Public Cemetery, shall be subject or liable to be appropriated, set apart, or used, as or for a Military Burial Ground, or as or for a Roman Catholic Burial Ground or place of Interment—the said respective Officers of Her Majesty’s Ordnance, and the Roman Catholic portion of the Citizens of Halifax, having respectively chosen to have and use the separate allotments for Cemeteries herein before provided, in preference to receiving any appropriation or distinct portion of the said Public Cemetery, for the use of the Military, or the Roman Catholics, respectively.

At the end of the Bill insert the following Clauses :

And be it enacted, That there shall be taken from the said Common, and laid off, a
Public

Public Road or Highway adjoining and along the East side of the said Public Cemetery, or last described piece of Land, being of the same width, and in continuation of the Spring Garden Road, which runs between the said Lot formerly occupied by James Smith, and now occupied by one Robert Smith, and the Spring Garden Lot formerly owned by Thomas Wallace, and now used as a Vegetable Garden; and also, a Public Road or Highway adjoining and along the North side of the said Public Cemetery, or last described piece of Land, of the same width—and which said Roads or Highways shall be forever hereafter kept free, open, and common, for the use of all Her Majesty's subjects, and subject to all such management, supervision, and care, as other Highways, in or through the said City, or the suburbs thereof.

And whereas, It is believed that a part of the said Highway, to be laid out on the North side of the said Public Cemetery, will encroach upon that part of the said Common which was heretofore conveyed to the use of Her Majesty in exchange for the said Land near Fort Massey; and the respective Officers of Her Majesty's Ordnance, at Halifax, have agreed that so much thereof, as may be required for such Highway, may be taken for the purpose of such Highway, in consideration that an equal quantity of Land shall be taken from the Common, and added to the said Land of Her Majesty, on the North side thereof.

Be it therefore enacted, That it shall and may be lawful for the respective Officers of Her Majesty's Ordnance, at Halifax, for the time being, or some or one of them, by any deed or deeds, under their or his hand and seals, to convey and assure to the City of Halifax, for the purpose of such Highway, so much of the said Land of Her Majesty, off the South side thereof, as may be necessary for such Highway, and for the said City of Halifax, by Deed, under the hand of the Mayor, and seal of the said City, to convey and assure to Her Majesty, or to Her Majesty's principal Officers of Ordnance, in Great Britain, so much of the Common of Halifax, lying to the North of the said Land of Her Majesty, as shall in size and quantity be similar and equal to such part thereof as shall be so conveyed in exchange as aforesaid, and the said Deeds shall respectively be and enure in Law as and for a full and absolute conveyance, in fee simple, for the respective purposes aforesaid.

And agreed to And the said amendments being read a second time, were agreed to by the House.
Ordered, That the said Bill be read a third time at a future day.

Report Licensed Houses Duties Bill without am. The Chairman also reported that the Committee had gone through a Bill, entitled, An Act continuing and amending the Acts for granting Duties on Licensed Houses, and had agreed to the same without any amendment.

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

Com. on Halifax Assessment and Incorporation Bill Report Mr. Tobin, the Chairman of the Committee to whom a Bill, entitled, An Act relating to the Halifax Assessments, and further to amend the Act to Incorporate the Town of Halifax, was referred, reported that the Committee had had the said Bill under consideration, and recommended it to the favourable consideration of the House.

Ordered, That the said Report be received.

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

Adjourn On motion made and seconded—the House adjourned until To-morrow at 1 o'clock.

Tuesday, 28th March, 1843.

The House met pursuant to adjournment.

PRESENT—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Peter McNab,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Lewis M. Wilkins, Jr.

The Honorable Alexander Campbell,
Michael Tobin, Jr.
John Morton,
Hugh Bell,
Stayley Brown,

PRAYERS.

The minutes of yesterday were read.

A Bill, entitled, An Act to authorise a Loan for the use of the Province, was read a third time, and the question was put by the President,

Province Loan Bill
Read 3rd time

Whether this Bill shall pass ?

It was resolved in the affirmative.

Agreed to
And sent to H. A.

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

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

Mr. Stewart, the Chairman of the Committee to whom a Bill, entitled, An Act in addition to and in amendment of the Act relating to the Courts of Probate, and to the settlement and distribution of the Estates of deceased persons, was referred, reported that the Committee had examined the said Bill, and recommended several amendments being made thereto.

Com. on Probate
Court and Settlement of Estates
Bill Report

The said Bill was read a second time.

Bill read 2d time
And ord. to Com.

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

Mr. Stewart, the Chairman of the Committee to whom a Bill, entitled, An Act to regulate the Practice of the Courts of Probate within this Province, with the amendments proposed thereto by the House of Assembly, was referred, reported that the Committee had examined the said Bill and amendments, and recommended that the first amendment should not be agreed to, and that the other amendments should be agreed to.

Com. on Probate
Court Practice
Bill Report

Ordered, That the said Report be received,

The House proceeded to the consideration of the said amendments to the said Bill.

Am. considered
1st am. read

The first amendment was read by the Clerk as follows :

" In the Preamble—6th recited Rule or Order—Leave out this Rule or Order."

The said Rule or Order was read as follows :

" 6th—All applications for the Probate of Wills, or letters of Administration, or other official Act, and all orders therein, to be made in writing."

On motion, Resolved, That the said amendment be not agreed to.

Not agreed to
2nd am. read

The second amendment was read by the Clerk as follows :

" 16th recited Rule or Order—After the word " the," in the sixth line of this recited Rule or Order, leave out all the words to the word " such," in the seventh line, and in place of the words so left out insert the words " Royal Gazette Newspaper at Halifax."

On motion, Resolved, That the said amendment be agreed to.

Agreed to
3rd am. read

The third amendment was read by the Clerk as follows :

" 18th and 19th recited Rules or Orders—Leave out these Rules or Orders."

The said Rules or Orders were read as follows :

“18th—In all Intestate Estates, the Judge of Probate shall appoint Guardians, and take the requisite security from them, before the final accounts of Administration shall be allowed, or the Estate distributed.

“19th—When the attendance of Appraisers to be sworn into office, appears to be inconvenient or expensive, the Judge shall empower a Justice of the Peace to administer the Oath, which Oath shall be written upon or annexed to the Warrant of Appraisement.”

Agreed to

On motion, *Resolved*, That the said amendment be agreed to.

Message to H. A.
with Bill

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

To carry down the said Bill, and acquaint them that this House do not agree to the first amendment proposed by them to the said Bill, but agree to all the other amendments.

Appropriation Bill

A Bill, entitled, An Act for applying certain monies therein mentioned, for the service of the year of Our Lord One Thousand Eight Hundred and Forty-three, and for other purposes.

Read 2nd time

Was read a second time.

And ref. to Sel. Com.

Ordered, That the said Bill be referred to a Select Committee to examine and report upon.

Committee

Ordered, That Mr. Bell, Mr. Campbell, and Mr. Brown, be a Committee for that purpose.

Licensed Houses
Duties and

A Bill, entitled, An Act continuing and amending the Acts for granting duties on Licensed Houses. Also,

Halifax Assessment
and Incorporation
Bills

A Bill, entitled, An Act relating to the Halifax Assessments, and further to amend the Act to incorporate the Town of Halifax.

Read 3rd time

Were read a third time, and the question was put by the President on each Bill,

Whether this Bill shall pass?

Agreed to

It was resolved in the affirmative.

And sent to H. A.

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

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

Pictou Harbor Bill

A Bill, entitled; An Act further to amend the Act to preserve and regulate the navigation of the Harbour of Pictou.

Read 2d time

Was read a second time.

Ord. to Com.

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

Com. on Appropriation
Bill report

Mr. Bell, the Chairman of the Committee to whom a Bill, entitled, An Act for applying certain monies therein mentioned, for the service of the year of Our Lord One Thousand Eight Hundred and Forty-three, and for other purposes, was referred, reported that the Committee had examined the said Bill, and found it correct.

Bill ord. to Com.

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

Standing Order
suspended

Resolved unanimously, That the Standing Order of this House, No. 72, relative to Bills not being read or proceeded in twice in the same day, be suspended as respects the said Bill.

Bill Committed

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill.—After some time the House was resumed, and Mr. McNab reported that the Committee had gone through the said Bill, and had agreed to the same without any amendment.

Rep. without am.

Read 3rd time

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

And agreed to

It was resolved in the affirmative.

Com. on Yarmouth
Parade Bill
Report

Mr. Wilkins, the Chairman of the Committee to whom a Bill, entitled, An Act relative to

to the Parade at Yarmouth, was referred, made a report signed by the majority of the said Committee, which he read in his place, and afterwards delivered it to the Clerk, who read the same as follows:

Committee Room of the Legislative Council.

The Committee to whom was referred a Bill, entitled, An Act relative to the Parade at Yarmouth, with instructions to report whether the Standing Orders of this House, which relate to Private and Local Bills, had been complied with, have agreed to report, and do report, that the Standing Orders referred to have not been complied with in reference to the said Bill.

28th March, 1843.

LEWIS M. WILKINS, JR., Chairman.
JOHN MORTON.

A Bill, entitled, An Act in further addition and amendment of the several Acts now in force concerning Cemeteries or Burial Grounds in the Town of Halifax, was read a third time, and the question was put by the President,

Whether this Bill, with the amendment, shall pass?

It was resolved in the affirmative.

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

To return the said Bill, and acquaint them that this House have agreed to the same with amendments, to which amendments their concurrence is desired.

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

A Bill, entitled, An Act to encourage the running of a Steamboat between Halifax and the Western Ports of this Province.

To which Bill they desired the concurrence of this House.

The said Bill was read a first time.

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

Resolved unanimously, That the Standing Order of this House, No. 72, relative to Bills not being read or proceeded in twice in the same day, be suspended, as respects a Bill, entitled, An Act further to amend the Act to preserve and regulate the Navigation of the Harbor of Pictou.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill.—After some time the House was resumed, and Mr. McNab reported that the Committee had gone through the said Bill, and had agreed to the same without any amendment.

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

A Bill, entitled, An Act to vest certain Lands belonging to the Congrégation of the Presbyterian Church in Cornwallis in Trustees, and to enable them to dispose of the same and to purchase others in their stead, was read a third time, and the question was put by the President,

Whether this Bill shall pass?

It was resolved in the affirmative.

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

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

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

To inform the House that the House of Assembly did not adhere to the first amendment proposed by them to a Bill, entitled, An Act to regulate the practice of the Courts of Probate within this Province,

Whereupon the said Bill was read, as amended, and the question was put by the President.

Whether

Report

Cemeteries Halifax
Bill read 3rd time

Agreed to
And sent to H. A.

Steam Boat to Wes-
tern Ports Bill

Read 1st time

Standing Order
suspended on Pic-
tou Harbor Bill

Bill committed

Rep. without am.

Presbyterian Church
Cornwallis Land
Bill read 3rd time

Agreed to
And sent to H. A.

Message from H. A.
not adhering to 1st
am. to Probate
Court Practice
Bill

- Whether this Bill, as now amended, shall pass ?
 It was resolved in the affirmative.
 A Message was sent to the House of Assembly by the Clerk,
 To carry down the said Bill, and acquaint them therewith.
- Bill sent to H. A. agreed to as am.
- Standing Order suspended on Probate Court and Settlement of Estates Bill
Resolved unanimously, That the standing order of this House, number 72, relative to Bills not being read or proceeded in, twice in the same day, be suspended as respects a Bill, entitled, An Act in addition to and in amendment of the Act relating to the Courts of Probate, and to the settlement and distribution of the Estates of deceased Persons.
- Bill committed
 On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill.—After some time the House was resumed, and Mr. Morton reported that the Committee had had the said Bill under consideration, and had made several amendments thereto.
- Reported with am.
 Am. read
 The said amendments were read by the Clerk as follows :
 First Preamble—Leave out this Preamble.
 First Clause—Leave out all this Clause after the word “ Assembly,” in the second line.
 Second Preamble—Leave out this Preamble.
 Second Clause—Leave out this Clause.
 Third Clause—Leave out the words “ And be it enacted,” in the first line.
 Seventh Clause—Leave out all after the word “ granted,” in the seventh line, and insert instead thereof, “ unless the Judge shall otherwise order.”
 Last Proviso—Leave out the word “ herein,” in the first line, and insert instead thereof, the words “ in this Act.”
- And agreed to
 Bill read 3rd time
 And the said amendments being read a second time, were agreed to by the House.
 The said Bill was then read a third time, and the question was put by the President, Whether this Bill, with the amendments, shall pass ?
- Agreed to
 And sent to H. A.
 It was resolved in the affirmative.
 A Message was sent to the House of Assembly by the Clerk,
 To return the said Bill, and acquaint them that this House have agreed to the same with amendments, to which amendments their concurrence is desired.
- Message from H. A. finally agreeing to Probate Court Practice Bill
 A Message was brought from the House of Assembly, by Mr. Gray,
 To return a Bill, entitled, An Act to regulate the practice of the Courts of Probate within this Province, and to inform the House, that the House of Assembly agreed to the said Bill as now amended.
- Appropriation Bill sent to H. A.
 A Message was sent to the House of Assembly by the Clerk,
 To return a Bill, entitled, An Act for applying certain monies therein mentioned, for the service of the year of Our Lord One Thousand Eight Hundred and Forty-three, and for other purposes, and to acquaint them that this House have agreed to the said Bill without any amendment.
- Message from H. A. agreeing to Cornwallis Presbyterian Church Land Bill
 A Message was brought from the House of Assembly, by Mr. Gray,
 To return a Bill, entitled, An Act to vest certain Lands belonging to the Congregation of the Presbyterian Church in Cornwallis, in Trustees, and to enable them to dispose of the same, and to purchase others in their stead, and to acquaint the House that the House of Assembly agreed to the said Bill without any amendment.
- To Judiciary Bill with am.
 Also, to return a Bill, entitled, An Act to amend the Act passed in the fourth year of Her present Majesty’s Reign, entitled, An Act to improve the administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein—and to acquaint the House that the House of Assembly agreed to the said Bill, with several amendments, to which amendments they desired the concurrence of this House.
- Not agreeing to 6, & agreeing to last am. to Probate Court
 The Messenger also informed the House that the House of Assembly did not agree to the first, second, third, fourth, fifth, and sixth amendments proposed by this House to a Bill,

Bill, entitled, An Act in addition to and in amendment of the Act relating to the Courts of Probate, and to the settlement and distribution of the Estates of deceased Persons, but agreed to the last amendment proposed by this House to the said Bill.

and Settlement of Estates Bill

The House proceeded to the consideration of those amendments to the said Bill, which have not been agreed to by the House of Assembly,

Am. considered

The same were read by the Clerk, and

On motion, *Resolved*, That the said amendments be not adhered to.

And not adhered to

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

And Message sent to H. A. with Bill

To return the said Bill, and acquaint them that this House do not adhere to those amendments to the said Bill, which have not been concurred in by the House of Assembly.

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

To inform the House that the House of Assembly agreed to the said Bill, as now amended.

Message from H. A. agreeing to Bill as am.

The said Bill was then read, as amended, and the question was put by the President, Whether this Bill, as amended, shall pass?

It was resolved in the affirmative.

Bill finally agreed to

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

And sent to H. A.

To return the said Bill, and acquaint them therewith.

On motion made and seconded—the House adjourned until To-morrow at 12 o'clock.

Adjourn

Wednesday, 29th March, 1843.

The House met pursuant to adjournment.

P R E S E N T—

The Honorable S. B. Robie, President.

The Right Reverend and Honorable the Lord Bishop.

The Honorable Peter McNab,
Norman F. Uniacke,
James W. Johnston,
William Lawson,
Alexander Stewart,
Lewis M. Wilkins, Jr.

The Honorable Alexander Campbell,
Michael Tobin, Jr.
John Morton,
Hugh Bell,
Stayley Brown,

PRAYERS.

The minutes of yesterday were read.

A Bill, entitled, An Act to encourage the running of a Steamboat between Halifax and the Western Ports of this Province.

Steam Boat to Western Ports Bill

Was read a second time.

Read 2d time

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

Ord. to Com.

The House proceeded to the consideration of the amendments proposed by the House of Assembly, to a Bill, entitled, An Act to amend the Act passed in the fourth year of Her Majesty's Reign, entitled, An Act to improve the administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein.

Am. to Judiciary Bill considered

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

Am. read

In the Preamble—1. After the word "same" in the fourth line, leave out all the remaining words.

First Clause—2. Leave out the words "the expiration of the present year" in the third line, and in place thereof, insert the words "passing of this Act."

3. After the word "say," in the 6th line, leave out all the words to the word "at" in the 43rd line.

4. Leave out the word "first," in the 44th line, and in place thereof, insert the word "third,"

5. Leave out all the words after the word "June," in the 44th line, to the word "and" in the 45th line, and in place thereof, insert the words "as heretofore."

6. Leave out the word "third," in the 45th line, and insert the word "first" in place thereof.

7. Leave out the words "as heretofore," in the 46th line, and in place thereof, insert the words "instead of the third Tuesday of October,"

8. Leave out the word "third," in the 51st line, and in place thereof, insert the word "first."

9. Leave out all the words after the word "June," in the 51st line, to the word "and" in the 52d line, and in place thereof, insert the words "as heretofore."

10. Leave out the word "first" in the 52d line, and in place thereof, insert the word "third."

11. Leave out the words "as heretofore" in the 53rd line, and in place of the words so left out, insert the words, "instead of the first Tuesday of October."

Then the first amendment being read a third time, was agreed to.

The two next amendments being read a third time, were severally agreed to.

The fourth amendment being read a third time,

It was *resolved*, That the said amendment be not agreed to.

The 5th, 6th, 7th, 8th, 9th, 10th, and 11th amendments being then severally read a third time,

It was *resolved*, That the said amendments be not agreed to.

Then the following amendment was made to the said amendments.

At the end of the Bill add the following Clause.

And be it enacted, That all Writs, Process, Recognizances, Complaints, or other proceedings whatsoever, which are now or shall be made returnable to the Supreme Court, in the several respective Counties of the Province, at the next Term or Sitting of any of the said respective Courts, shall be returned, and held and deemed to be returnable on the respective days herein and hereby appointed, for the next Terms or Sittings of the said Supreme Court, in the said several Counties respectively, and all Parties, Witnesses, Officers, or Persons, who are summoned or bound to appear, or who ought to appear, at the said several Courts, or any of them respectively, at the next Term or sitting thereof, respectively, in any of the said Counties, shall be held and obliged to appear at such Courts, at the days and times in which such Terms or Sittings are hereby directed to be held.

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

To carry down the said Bill, and inform them that this House agree to the first, second, and third amendments proposed by them to the said Bill, and do not agree to all the other amendments proposed to the said Bill—and that this House have made an amendment to the said amendments, to which amendment their concurrence is desired.

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

To inform the House that the House of Assembly agreed to the amendments proposed by this House to a Bill, entitled, An Act in further addition to and amendment of the several Acts now in force, concerning Cemeteries or Burial Grounds in the Town of Halifax.

Also, with the following Resolution:

Resolved, That His Excellency the Lieutenant Governor, be respectfully requested to advance the sum of Fourteen Pounds Four Shillings and Eight Pence, to Obadiah Wilson, Obadiah Wilson, Junior, and Israel Lovett Wilson, being return of Duties on articles used on a Whaling Voyage, agreeably to the Report of the Committee on Trade, and this House will provide for the same at its next Session.

To

1st am. agreed to

2d & 3d am. agreed to

4th am. not agreed to

other am. not agreed to

Am. to am. made

Message to H. A. with Bill

H. A. agree to am. to Cemetery Bill

£14 4s 8d. vote of credit to Obadiah Wilson and others

To which Resolution they desired the concurrence of this House.
 The said Resolution was read a first time—and by unanimous consent the said Resolution was read a second time, and the question was put by the President,
 Whether this Resolution be agreed to?
 It was resolved in the affirmative.
 A Message was sent to the House of Assembly by the Clerk,
 To return the said Resolution, and acquaint them that this House have agreed to the same without any amendment.

A Bill, entitled, An Act in further addition to and amendment of the several Acts now in force, concerning Cemeteries or Burial Grounds in the Town of Halifax—was read as amended, and the question was put by the President,
 Whether this Bill, as amended, shall pass?
 It was resolved in the affirmative.
 A Message was sent to the House of Assembly by the Clerk,
 To return the said Bill, and acquaint them therewith.

Mr. Stewart presented a Bill, entitled, An Act to alter the Act, entitled, An Act to improve the administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein.
 The said Bill was read a first time,
Ordered, That the said Bill be read a second time.

Resolved unanimously, That the Standing Order of this House, No. 72, relative to Bills not being read or proceeded in twice in the same day, be suspended as respects the said Bill.
 Whereupon the said Bill was read second time.
Ordered, That the said Bill be committed to a Committee of the whole House.

On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill.—After some time the House was resumed, and Mr. McNab reported that the Committee had gone through the said Bill, and had agreed to the same without any amendment.
Ordered, That the said Bill be engrossed, and read a third time.

The said Bill was then read a third time, and the question was put by the President,
 Whether this Bill shall pass?
 It was resolved in the affirmative.
 A Message was sent to the House of Assembly by the Clerk,
 To carry down the said Bill, and desire their concurrence thereto.

A Message was brought from the House of Assembly, by Mr. Gray,
 To return the said Bill and acquaint this House that the House of Assembly had agreed to the same without any amendment.

A Message was brought from the House of Assembly, by Mr. Gray, with the following Resolution:
 Whereas James Whitney has, during the past year, run a Steam Boat between Yarmouth and Halifax, touching at the intermediate Ports of Lunenburg and Liverpool, for the period of seven months only: *Resolved therefore*, that His Excellency the Lieutenant Governor be respectfully requested to pay to the said James Whitney the sum of Five Hundred Pounds, being the grant for a Steam Boat, to be run between Halifax and the Western Ports, and to which the said James Whitney would have been entitled, if it had been practicable to have complied with the conditions of the Grant of 1841.
 To which Resolution they desired the concurrence of this House.
 The said Resolution was read a first time.
Ordered, That the said Resolution be read a second time.

Read 1st and 2d time

Agreed to
 And sent to H. A.

Cemetery Bill

Finally agreed to
 And sent to H. A.

Judiciary Bill

Read 1st time

Standing Order
 suspended

Bill read 2d time
 And ord. to Com.

Bill committed

Rep. without am.

Read 3rd time

Agreed to
 And sent to H. A.

H. A. agree to Bill
 without am.

£300 vote of credit to
 James Whitney

Read 1st time

Resolved

Standing Order suspended on Steam Boat to Western Shore Bill	<i>Resolved unanimously,</i> That the Standing Order of this House, No. 72, relative to Bills not being read or proceeded in twice in the same day, be suspended, as respects a Bill, entitled, An Act to encourage the running of a Steam Boat between Halifax and the Western Ports of this Province.
Bill committed	On motion, the House was adjourned during pleasure, and put into a Committee on the said Bill.—After some time the House was resumed, and Mr. McNab reported that the Committee had gone through the said Bill, and had agreed to the same without any amendment.
Rep. without am.	<i>Ordered,</i> That the said Bill be read a third time.
Read 3rd time	The said Bill was then read a third time, and the question was put by the President, Whether this Bill shall pass?
Agreed to	It was resolved in the affirmative.
Aud sent to H. A.	A Message was sent to the House of Assembly by the Clerk, To return the said Bill, and acquaint them that this House have agreed to the same without any amendment.
H. E. comes to Council Chamber	At half-past four o'clock, P. M., His Excellency the Right Honorable Lucius Bentinck Viscount Falkland, Knight Grand Cross of the Guelphic Order, and Member of Her Majesty's Most Honorable Privy Council, Lieutenant-Governor and Commander in Chief in and over the Province of Nova Scotia, and its Dependencies, &c. &c. &c., came to the Council Chamber, attended as usual, and being seated, the Gentleman Usher of the Black Rod received His Excellency's commands, to let the House of Assembly know, "It is His Excellency's will and pleasure, they attend him immediately in this House,"—who being come with their Speaker, His Excellency was pleased to give his assent to eighty-six Bills, entitled as follows:
H. A. attend H. E. assents to 86 Bills, viz Colonial Impost Duties	An Act to continue and amend the Act for granting Colonial Duties of Impost for the support of Her Majesty's Government within this Province, and for promoting the Agriculture, Commerce, and Fisheries thereof.
Regulation of Duties	An Act to continue the Act for the general regulation of the Colonial Duties.
Drawbacks	An Act to continue and amend the Act concerning Goods exported, and for granting Drawbacks.
Importation of Goods	An Act to continue and amend the Act for regulating the importation of Goods.
Smuggling	An Act to continue the several Acts for the prevention of Smuggling.
Warehousing of Goods	An Act to continue and amend the Act for the Warehousing of Goods.
Colonial Impost Duties	An Act for granting Colonial Duties of Impost for the support of Her Majesty's Government within this Province, and for promoting the Agriculture, Commerce, and Fisheries thereof.
Licenses Halifax	An Act to continue and amend the Act for granting Duties on Licenses for the sale of Spirituous Liquors, and for Sales by Auction, in Halifax.
Licensed Houses	An Act continuing and amending the Acts for granting Duties on Licensed Houses.
Elections	An Act to amend the Act to regulate Elections of Members to serve in General Assembly.
Crown Lands	An Act to continue and amend the Act to establish sundry regulations for the future disposal of Crown Lands within the Province of Nova-Scotia.
Province Loan	An Act to authorise a Loan for the use of the Province.
Ordnance Lands	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.
Probate Court Practice	An Act to regulate the Practice of the Courts of Probate within this Province.
Probate amdt.	An Act in addition to, and in amendment of the Act relating to the Courts of Probate, and to the settlement and distribution of the Estates of deceased persons.
Passengers	An Act relating to Passengers arriving in this Province.
License Duties Sydney	An Act relative to the appropriation of the License Duties in the Town of Sydney.
Sydney Academy	An Act to enable the Trustees of the Sydney Academy, in the County of Cape Breton, to raise money for the completion of the same.

An Act for establishing separate Boards of School Commissioners in the Counties of Digby, Yarmouth, and Colchester, respectively.	School Commissioners Digby, &c.
An Act for setting off a part of the Township of Egerton as a separate District for the support of the Poor.	Egerton Poor
An Act to amend the Act to provide a Lock-up House and Town House at Barrington, in the County of Shelburne.	Lock-up-House Barrington
An Act to authorize the Grand Jury and Court of General Sessions of the Peace, for the County of Lunenburg, to make regulations for the gathering of Sea Manure in the Township of Chester.	Sea Manure, Chester
An Act to authorize the Proprietors of Meeting Houses or Churches, to raise money from the pews of the same, for the repairing and upholding thereof.	Meeting Houses, &c.
An Act to vest certain Lands belonging to the Congregation of the Presbyterian Church in Cornwallis in Trustees, and to enable them to dispose of the same and to purchase others in their stead.	Presbyterian Church, Cornwallis
An Act to amend the Act for establishing a Public Burial Ground at Dartmouth.	Burial Ground, Dartmouth
An Act relative to the recovery of Debts due on Policies of Assurance.	Recovery of Debts on Assurance
An Act to extend to the Town of Dartmouth the Act to amend the Act to regulate the Assize of Bread.	Assize of Bread, Dartmouth
An Act further concerning Firewards and Fires in Halifax.	Halifax Firewards
An Act to extend the privileges of the Fire Engine Men of Halifax.	Halifax Fire Engine Men
An Act for disposing of Old Roads.	Old Roads
An Act to repeal the Act for settling Titles in a certain Tract of Land in Cape Breton, called the Miré Grant, and to substitute other provisions in lieu thereof.	Mire Grant
An Act to provide for an additional Sitting of the General Sessions of the Peace in King's County.	Sessions King's Cy.
An Act to authorize the Congregation of the Baptist Meeting House at Bridgetown, to raise money from the Pews of the said Meeting House, for the repairing, ornamenting, altering, or enlarging the same, and for ratifying the appointment and defining the power of the Trustees of such Meeting House.	Baptist Meeting House Bridgetown
An Act to incorporate the Halifax Mechanics' Whaling Association.	Mechanics' Whaling Association
An Act for making Regulations relative to the setting of snares for catching Moose.	Moose Snares
An Act to extend to the Town of Sydney the provisions of the Act relating to Commissioners of Highways in Halifax, and certain other places, and to repeal a certain Act in relation thereto.	Sydney Highways
An Act to enable the Union Marine Insurance Company of Nova-Scotia to compensate their Directors and Auditors.	Union Marine Insu- rance Company
An Act respecting the measuring of Grindstones in the County of Cumberland.	Grindstones
An Act to extend to the Town of New Glasgow, certain Acts respecting Firewards and Fires.	New Glasgow Fire- wards
An Act further to amend the Act for establishing the times and places of holding the Poll at Elections of Representatives.	Holding Polls
An Act to extend to the Town of Arichat, the provisions of the Act relating to Commissioners of Highways in Halifax, and certain other places.	Arichat Highways
An Act for dividing the Township of Digby into separate Districts for the support of the Poor.	Digby Poor
An Act relating to the Halifax Assessments, and further to amend the Act to Incorporate the Town of Halifax.	Halifax Assessment
An Act to authorise the Sale of the Old Court House at Truro.	Sale of Court House, Truro
An Act to continue and amend the Act for regulating the Militia.	Militia
An Act to continue and amend the Act to regulate the Survey of Timber and Lumber, and to repeal certain Acts now in force.	Survey of Lumber
An Act to continue and amend the Acts for the support and regulation of Light Houses.	Light Houses
An Act to continue and amend the Act, entitled, An Act to provide for the accommodation and Billetting of His Majesty's Troops or of the Militia, when on their march from one part of the Province to another: and also the Act in amendment thereof.	Billetting Troops

River Nuisances	An Act to make perpetual the Act in addition to, and amendment of, the Act to prevent Nuisances, by Hedges, Wears, and other Incumbrances, obstructing the passage of fish in the Rivers of this Province.
Coals	An Act to continue the Act to authorise the sale of Coals by weight.
Public School, Halifax.	An Act to continue the Act to amend an Act for establishing a Public School in the Town of Halifax.
Shubenacadie Fishery	An Act to continue the Act for regulating the Fishery in the River Shubenacadie.
Bridgeport Harbor Master	An Act to continue the Act for establishing a Harbor Master at Bridgeport, in the Island of Cape Breton.
Richmond Fisheries	An Act to continue the Act for the regulation of the Fisheries in the County of Richmond.
Sydney Pilotage	An Act to continue the Acts now in force to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape Breton.
Trespases Amdt.	An Act to continue the Act in further amendment of, and additional to, the Acts relating to Trespases.
Cordwood Forestalling	An Act to continue the Act to suspend the operation of the Acts to prevent Forestalling, Regrating, and Monopolizing of Cord Wood, in the Town of Halifax.
Nuisances	An Act to continue the Act additional, concerning Nuisances.
Road Expenditure	An Act to continue the Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges, and the Acts in amendment thereof.
King's Cy. Landings	An Act to continue the Act to regulate certain Landings in the County of King's County.
Trespases	An Act to continue the Acts now in force relating to Trespases.
Fishermens Nets	An Act to continue the Act to prevent damage to the Nets of Fishermen, by Coasting Vessels.
Trespases Amdt.	An Act to continue the Act further to amend the Act relating to Trespases.
Lunenburg Fisheries	An Act to continue the Act to prevent Injuries to the Fisheries within the County of Lunenburg, by Mill Dams, or any other obstructions.
County and District Rates	An Act to continue the Act to direct and ascertain the mode of assessing County and District Rates, and for other purposes, and the Acts in amendment thereof.
Halifax Pilotage	An Act to continue the Act to regulate the Pilotage of Vessels at the Port of Halifax, and the several Acts in amendment thereof and additional thereto.
Beef Weighing	An Act to continue the Act to regulate the weighing of Beef, and the Acts in amendment thereof.
Disorderly Riding	An Act to continue the Acts in force to prevent Disorderly Riding, and to regulate the driving of Carriages on the Streets of Halifax, or other Towns, or on the Public Roads of this Province.
Windsor Landing	An Act to continue the Act to repeal the Act to regulate the Public Landing at Windsor, and to substitute other provisions in lieu thereof.
Settlement of Poor	An Act to continue the Act in amendment of the Act for the settlement of the Poor, in the several Townships within this Province.
Assize of Bread	An Act to continue the Act to revive the Act to amend the Act to regulate the Assize of Bread.
Town Officers	An Act to continue the Act in amondment of the Acts for the choice of Town Officers, and regulating of Townships, and the Acts to alter and amend the same.
Commrs of Sewers	An Act to continue the Acts in amendment of the Acts relating to Commissioners of Sewers.
Sable Island	An Act to continue the Act for the better regulation of Sable Island, in this Province.
Nova Scotia Bank	An Act to continue the Act to amend the Act to Incorporate sundry persons by the name of the President, Directors, and Company of the Bank of Nova-Scotia.
Lotteries	An Act to continue the Act for the suppression of Lotteries.
Juries	An Act to continue the Act for the regulation of Juries, and the Act in amendment thereof.
Public Grounds	An Act to continue the Acts for appointing Supervisors to take charge of Public Grounds, and for other purposes.

An Act to continue the Act for the summary Trial of Actions before Justices of the Peace.	Summary Trials
An Act to continue the Act in amendment of the Act relating to Highways, Road and Bridges.	Highways Amdt.
An Act to continue the Act more effectually to provide against the introduction of Infectious or Contagious Diseases, and the spreading thereof in this Province, and the Act in amendment thereof.	Infectious Diseases
An Act to continue the Act to prevent the spreading of Contagious Diseases and for the performance of Quarantine, and the Act in amendment thereof.	Quarantine
An Act to alter the Act, entitled, An Act to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary thereof.	Judiciary
An Act to encourage the running of a Steamboat between Halifax and the Western Ports of this Province.	Steam Boat to Western Ports
An Act in further addition to, and amendment of the several Acts now in force concerning Cemeteries or Burial Grounds in the Town of Halifax.	Cemeteries
An Act for applying certain monies therein mentioned, for the service of the year of Our Lord One Thousand Eight Hundred and Forty-three, and for other purposes.	Appropriation

After which His Excellency was pleased to close the Session with the following Speech:

*Mr. President, and Honorable Gentlemen of the Legislative Council ;
Mr. Speaker, and Gentlemen of the House of Assembly ;*

The business of the Session having been brought, by your joint labours, to a satisfactory conclusion, I am enabled to release you from further attendance in Parliament. Speech

Although the measures matured in the course of your recent sittings are few in number, some of them are of great importance, and I have much gratification in observing amongst them, one having for its object the regulation of the mode in which the Waste Lands of the Crown shall in future be disposed of, and another, of yet greater consequence, affecting the Qualification of Members of the Elective Branch of the Legislature, both Bills emanating from the Executive, and calculated, I sincerely believe, to work beneficially for the Country.

I regret that it has been found impossible, during your deliberations, to devise such a Law for the enforcement of the relative obligations of Debtor and Creditor, as would be considered adapted to the present condition of Nova-Scotia; and, feeling as I do, that some enactment of this nature is highly essential to the maintenance of the commercial credit of the Colony, I cannot but hope that when next I meet you, some Law may be framed by which the desired object may be attained. In the meantime I am well content, that the settlement and discussion of a question of so much moment, and involving such various interests, has been approached and conducted with all due caution.

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

I thank you for the supplies granted for the current year, as also for the contingent provision you have made to meet any casual emergency. You may be assured that the funds placed at the discretion of the Government shall be carefully husbanded.

*Mr. President, and Honorable Gentlemen of the Legislative Council ;
Mr. Speaker, and Gentlemen of the House of Assembly ;*

I now dismiss you to your several Counties, confident that you will use the influence you there possess, for the promotion of good order, and the peace of society; and that when the period shall arrive, at which it will be again necessary for me to have recourse to your assistance, it will be afforded, as it has always hitherto been, with a hearty desire on your parts to co-operate with me in all plans likely to be conducive to the welfare of the Province.

Then

Then the President of the Council, by His Excellency's command, said—

GENTLEMEN—

Prorogation:

It is His Excellency the Lieutenant Governor's pleasure, that this General Assembly be prorogued to Thursday the first day of June next. And this General Assembly is accordingly prorogued to Thursday the first day of June next, to be then here held.

H. A. withdraw
H. E. retires

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

JOHN C. HALLIBURTON, }
Clerk of the Legislative Council. }

A P P E N D I C E S
TO THE
JOURNALS OF THE
LEGISLATIVE COUNCIL.

APPENDIX No. 1.

(See Page 10.)

Halifax, January 27th, 1843.

SIR,—

By an Act passed in the fifth year of our Lady the Queen, ch. 22, sec. 64, the Judges of the Supreme Court, and Master of the Rolls, are empowered to make rules and orders for regulating the practice of the Probate Courts throughout the Province.

The undersigned Judges, and Master of the Rolls, having taken the subject into consideration, beg leave to report to His Excellency the Lieutenant Governor, for the purposes expressed in said Act, as follows.

They find upon enquiry, that a tolerably uniform system of practice has been observed in the several Courts, compounded partly of that established in the Ecclesiastical Courts in England, and partly from the practice of the Probate Courts in Massachusetts, and that this system is well adapted to the exigencies of the Country, being compendious, cheap, and expeditious. After mature consideration they are of opinion that it is inexpedient to substitute any new or theoretical system, and equally inexpedient to enter too much into detail as to rules of practice, for the following reasons:

1st.—Because any entire change of system, would for many years to come, lead to much litigation, and many appeals, as no new code can be so framed, as to preclude questions for judicial decision, and would probably increase the expense, as well as the prolixity of pleading.

2dly.—Because a sufficient remedy is now provided by appeal, as cases may arise calling for the interposition of the higher Courts.

3rdly.—Because rules are best established and more accurately framed, when called for by the growth of the country, by the necessity or convenience of the case. And

4thly.—Because any rules to be framed under the Act, if approved of, will receive a legislative sanction under the clause above referred to, and may embarrass a Judge of Probate, who will perhaps feel himself bound by a rule, which when it comes to be applied to practice, may be found too stringent, or too general to attain the object contemplated by it. Under these circumstances the undersigned have confined themselves to framing a few rules of a general nature, which it appears to them ought to be uniform and obligatory on all the Courts.

They therefore beg leave respectfully to submit the following Rules:

1st.—Every Judge of Probate shall provide a Seal of office with the name of the County or district over which his jurisdiction extends, and the words "Court of Probate" engraved upon it, to be used as a Seal of the Court, in all cases where a seal is requisite.

2nd.—That the Judge shall follow the rules of evidence, as far as practicable, which govern

govern Courts of Common Law, and that the mode of procedure in all cases litigated before him, shall, as far as practicable, be assimilated to that of the Supreme Court.

3rd.—That it shall be the duty of the Judge, at least twice in each year, to inspect the books hereinafter ordered to be kept by the Registrar, and see that they are properly kept.

4th.—The Registrar shall keep the following books: 1—A book for the registration of Wills; 2—A book for the registration of decrees, orders of sale of Real Estate; 3—A book of Acts, or a book containing a short abstract of the proceedings of the Court, properly indexed.

5th.—All compulsory process shall be directed to the Sheriff, or his Deputy, or to the Coroner.

6th.—All service of process shall be personal, unless under circumstances to be approved of by the Judge, whose discretion in this particular is to be regulated by the practice of the Supreme Court.

7th.—In all cases of service of process, otherwise than by the Sheriff, the service to be proved by affidavit, to be endorsed upon, or annexed to, the original process, and sworn to, either before the Judge, or a Justice of the Peace, which affidavit shall specify the date, place, and manner of service.

8th.—Time for service of process on persons within, and on those without the County, to be the same as is established in the Supreme Court.

9th.—No Judge of Probate shall permit an original Will to be removed from the office, but for the purpose of being produced in evidence in the Court of Chancery, or the Supreme Court, and then only on security being taken for its safe keeping and return; but no Will to be permitted to be sent out of the Province.

10th.—All applications for the Probate of Wills, or Letters of Administration, or other Official Act, and all orders therein, to be made in writing.

11th.—No Letters ad Colligendum to be granted, without due security being first taken.

12th.—In all cases of division of Real Estate, when there appears to be a necessity for a plan, the Judge shall order a Surveyor to prepare one, to be filed with the Registrar.

13th.—All decrees to be regularly filed and registered.

14th.—All Letters of Guardianship, and all Letters ad Collegindum, to be registered.

15th.—All original Wills to be registered; and all interlineations, alterations, or apparent erasures, not noticed in the attestation, to be noticed at the foot of the record, so as to be as nearly as possible an exact and literal transcript of the original.

16th.—In all cases of application for Letters of Administration, or Probate, &c., when the sole, or some one of the parties entitled to Administration or Probate, be without the Province, the Judge shall reserve the right of such absent person, but proceed notwithstanding.

17th.—The value of an Estate in reference to the fees payable thereon, to be ascertained in the first instance by oath of the Administrator or Executor, to his belief of the value thereof, to be regulated however, eventually, by the actual state of the real amount.

18th.—Every oath administered to an Executor or Administrator, on entering into office, shall be either formally taken and subscribed in writing, or a memorandum thereof made in the book of Acts by the Registrar.

19th.—Every appraisement of effects of deceased persons, hereafter to be filed in the office of the Registrar, shall contain a certificate thereon, signed by the Executor or Administrator, that such appraisement is filed by him as part of his proceedings in reference to the Estate.

20th.—Whenever application shall be made to a Judge of Probate for filing and recording a copy of a Will proved without the Province, the Testator having real or personal property within his jurisdiction, said Judge shall order the Registrar to give public notice in the official Newspapers of the Province of such application, and of the time and place at which such application will be heard.

21st.—In all cases of appeal, the party seeking such appeal shall deliver in to the Registrar a written statement of the grounds on which such appeal is sought, and the appeal bond shall be filed within ten days, or such appeal shall be no stay of proceedings.

22nd.—

22d.—In all intestate estates the Judge of Probate shall appoint Guardians and take the requisite security from them, before the final Accounts of Administration shall be allowed, or the estate distributed.

23d.—No Judge of Probate shall grant original Letters of Administration, after twenty years from the death of the Intestate.

24th.—When the attendance of Appraisers to be sworn into office, appears to be inconvenient or expensive, the Judge shall empower a Justice of the Peace to administer the oath, which oath shall be written upon or annexed to the Warrant of Appraisement.

The foregoing rules are such as the undersigned conceive will be beneficial as general rules, a more minute application of rules they fear would be rather inconvenient than useful, to the several Judges, to whom much discretion must necessarily be left, and to whom, as most of them are now professional men, that discretion may be safely confided, even this code they feel is not so well digested as they could have wished. The unremitting attention which the Judges of common Law Courts have, from the great pressure of business, been compelled to give to the ordinary duties of their situation, has not afforded sufficient time to classify and arrange them as they would desire, and they present them now rather as an evidence of their desire to comply with the wishes of the Government, and the expectation of the Legislature, than as a system which they can strongly recommend to be adopted.

All which is humbly submitted,

BRENTON HALLIBURTON,
S. G. W. ARCHIBALD,
THOMAS C. HALIBURTON.

John Whidden, Esq., Deputy Secretary, &c. &c. &c.

APPENDIX No. 2.

(See Page 11.)

COPY.

No. 45.

Downing Street, 9th April, 1841.

MY LORD,—

I have the honor to transmit, herewith, to your Lordship, the Copy of a Letter from the Under Secretary of State for Foreign Affairs, enclosing the copy of a note from the Minister at this Court from the United States of America, complaining of the proceedings of the Provincial Authorities in Nova Scotia towards the vessels and citizens of that Republic, engaged in fishing on the Coasts of the Province.

I have to request that you will make immediate enquiry into the allegations contained in Mr. Stevenson's note, and that you will furnish me with a detailed report on the subject, for the information of Her Majesty's Government.

I have. &c.

(Signed)

J. RUSSELL.

The Right Honorable Viscount Falkland, &c. &c. &c.

COPY.

Foreign Office, 2nd April, 1841.

SIR—

I am directed by Viscount Palmerston to transmit to you, herewith, for the consideration of Lord John Russell, a copy of a note from Mr. Stevenson, Minister from the United States of America, relative to certain proceedings of the Colonial Authorities of Nova Scotia,

Scotia, towards the vessels and citizens of the United States, engaged in fishing on the neighbouring Coasts of Nova Scotia.

I have, &c.

(Signed)

LEVESON.

James Stephen, Esq., &c. &c.

COPY.

The undersigned, Envoy Extraordinary and Minister Plenipotentiary from the United States, has the honour to acquaint Lord Viscount Palmerston, Her Majesty's Principal Secretary of State for Foreign Affairs, that he has been instructed to bring to the notice of Her Majesty's Government, without delay, certain proceedings of the Colonial authorities of Nova Scotia, in relation to the seizure and interruption of the vessels and citizens of the United States, engaged in intercourse with the Ports of Nova Scotia, and the prosecution of the Fisheries on its neighbouring Coasts, and which, in the opinion of the American Government, demand the prompt interposition of Her Majesty's Government. For this purpose the undersigned takes leave to submit to Lord Palmerston the following representation :

By the 1st article of the Convention between Great Britain and the United States, signed at London, on the 20th October, 1818, it is provided—

1st. That the inhabitants of the United States shall have for ever, in common with the subjects of Great Britain, the liberty to take fish of every kind on that part of the Southern Coast of Newfoundland, which extends from Cape Ray to the Rameau Islands, on the Western and Northern Coast of Newfoundland, from the said Cape Ray to the Quiron Islands, on the shores of the Magdalen Islands; and also, on the Coasts, Bays, Harbours, and Creeks, from Mount Joly, on the Southern Coast of Labrador, to and through the Straits of Belleisle, and thence northwardly, indefinitely along the Coast, without prejudice, however, to the exclusive rights of the Hudson Bay Company.

2nd. That the American Fishermen shall also have liberty, forever, to dry and cure Fish in any part of the unsettled Bays, Harbours, and Creeks, of the Southern portion of the Coast of Newfoundland, before described, and of the Coast of Labrador; the United States renouncing any liberty before enjoyed by their citizens to take the Fish within three marine miles of any Coasts, Bays, Creeks, or Harbours of the British Dominions in America, not included within the above limits, i. e. Newfoundland and Labrador.

3rd. That American Fishermen shall also be admitted to enter such Bays or Harbours for the purpose of shelter, and of repairing damages therein, and also, of purchasing wood, and obtaining water, under such restrictions only *as might be necessary, to prevent their taking, drying, or curing Fish therein, or abusing the privileges reserved to them.* Such are the stipulations of the Treaty, and they are believed to be too plain and explicit to leave room for doubt or misapprehension, or render the discussion of the respective rights of the two countries at this time necessary. Indeed it does not appear that any conflicting questions of right between them have as yet arisen out of the differences of opinion regarding the true intent and meaning of the Treaty. It appears, however, that in the actual application of the provisions of the Convention (committed on the part of Great Britain to the hands of subordinate Agents, subject to and controuled by Local Legislation) difficulties growing out of individual acts have unfortunately sprung up from time to time, amongst the most important of which have been recent seizures of American vessels for supposed violations of the Treaty. These have been made, it is believed, under colour of a Provincial Law of the 6th Wm. 4, chap. 8, 1836, passed doubtless with a view to restrict rigorously, if not intended to aim a fatal blow at the Fisheries of the United States on the Coast of Newfoundland. It also appears, from information recently received by the Government of the United States, that the Provincial authorities assume a right to exclude the vessels of the United States from all their Bays (even including those of Fundy and Chaleurs) and likewise to prohibit their approach within three miles of a line *drawn from headland to headland, instead of from the indents of the shores of the Provinces!*

Provinces! They also assert the right of excluding them from British Ports, unless in actual distress, warning them to depart or get under weigh and leave harbour whenever the Provincial Custom House or British Naval Officer shall suppose that they have remained a reasonable time, and this without a full examination of the circumstances under which they may have entered the Port. Now the Fishermen of the United States believe (and it would seem they are right in their opinion, if uniform practice is any evidence of correct construction) that they can with propriety take fish any where on the Coasts of the British Provinces, *if not nearer than three marine miles to land*, and have the right to resort to their Ports for shelter, wood and water, nor has this claim, it is believed, ever been seriously disputed, based, as it is, on the plain and obvious terms of the Convention. Indeed the main object of the Treaty was not only to secure to American Fishermen in the pursuit of their employment the right of fishing, but likewise to insure to him as large a proportion of the conveniences afforded by the neighbouring Coasts of British Settlements, as might be reconcileable with the just rights and interests of British subjects, and the due administration of Her Majesty's Dominions. The construction therefore which has been attempted to be put upon the stipulations of the Treaty by the Authorities of Nova Scotia, is directly in conflict with their object, and entirely subversive of the rights and interests of the citizens of the United States. It is one, moreover, which would lead to the abandonment to a great extent of a highly important branch of American industry, which could not for a moment be admitted by the Government of the United States. The undersigned has also been instructed to acquaint Lord Palmerston that the American Government has received information, that in the House of Assembly of Nova Scotia, during the Session of 1839—40, an Address to Her Majesty was voted, suggesting the extension to adjoining British Colonies of rules and regulations relating to the Fisheries, similar to those in actual operation in that Province, and which have proved so onerous to the Fishermen of the United States; and that efforts, it is understood, are still making to induce the other Colonies to unite with Nova Scotia in this restrictive system. Some of the provisions of her code are of the most extraordinary character. Amongst these is one which declares that any Foreign vessel *preparing* to fish within three miles of the Coast of any of Her Majesty's Dominions in America, shall, together with the cargo, be forfeited; that, in all cases of seizure, the owner or claimant of the vessel, &c., shall be held to prove his innocence, or pay treble costs; that he shall be forced to try his action within three months, and give one month's notice at least to the Seizing Officer, containing every thing intended to be proved against him, before any suit can be instituted; and also, prove that the notice has been given. The Seizing Officer, moreover, is almost wholly irresponsible, inasmuch as he is liable to no prosecution, if the Judge certifies that there was probable cause; and the Plaintiff, if successful in his suit, is only to be entitled to *two-pence damages, without costs, and the Defendant fined not more than one shilling*. In short, some of these rules and regulations are violations of well established principles of the Common Law of England, and of the principles of the just Laws of all civilized Nations, and would seem to have been designed to enable Her Majesty's Authorities to seize and confiscate, with impunity, American vessels, and embezzle, indiscriminately, the property of American citizens, employed in the Fisheries on the Coasts of the British provinces. It may be proper also, on this occasion, to bring to the notice of Her Majesty's Government the assertion of the Provincial Legislature, "*that the Gut or Strait of Canso is a narrow strip of water, completely within, and dividing several counties of the Province,*" and that the use of it by the vessels and citizens of the United States is in violation of the Treaty of 1818. This strait separates Nova Scotia from the Island of Cape Breton, which was not annexed to the Province until the year 1820. Prior to that, in 1818, Cape Breton was enjoying a government of its own, entirely distinct from Nova Scotia, the strait forming the line of demarkation between them, and being then, as now, a thoroughfare for vessels passing into and out of the Gulf of St. Lawrence. The union of the two Colonies cannot therefore be admitted as vesting in the Province the right to close a passage which has been freely and indisputably used by the citizens of the United States since the year 1783. It is impossible,

moreover, to conceive, how the use, on the part of the United States, of the right of passage, common, it is believed, to all other Nations, can, in any manner, conflict with the letter or spirit of the existing Treaty stipulations. The undersigned would therefore fain hope that Her Majesty's Government will be disposed to meet, as far as practicable, the wishes of the American Government in the accomplishing, in the fullest and most liberal manner, the objects which both governments had in view in entering into the conventional arrangement of 1818. He has accordingly been instructed to bring the whole subject under the consideration of Her Majesty's Government, and to remonstrate on the part of this Government against the illegal and vexatious proceedings of the authorities of Nova Scotia against the citizens of the United States engaged in the Fisheries, and to request that measures may be forthwith adopted by Her Majesty's Government to remedy the evils arising out of the misconstruction, on the part of the Provincial Authorities, of their conventional engagements, and prevent the possibility of the recurrence of similar acts.

The undersigned renews to Lord Palmerson, &c. &c.

(Signed) A. STEVENSON.

32, Upper Grovesnor Street, 27th March, 1841.

APPENDIX No. 3.

(See Page 11.)

No. 69.

Government House, Halifax, 28th April, 1841.

MY LORD,—

I transmit a copy of a Report of a Committee on the Fisheries of Nova Scotia, which Report has been adopted by the House of Assembly, and to which I have been requested to call your Lordship's attention.

The greatest anxiety is felt by the inhabitants of this Province that the Convention with the Americans, signed at London on the 20th of October, 1818, should be strictly enforced; and it is hoped that the consideration of the Report may induce your Lordship to exert your influence in such a manner as to lead to the augmentation of the force (a single vessel) now engaged in protecting the Fisheries on the Banks of Newfoundland, and the South shore of Labrador, and the employment in addition of one or two steamers for that purpose.

The people of this Colony have not been wanting in efforts to repress the incursions of the natives of the United States upon their fishing grounds, but have fitted out with good effect some small armed vessels, adapted to follow the trespassers into shoal water, or chase them on the seas (and the expediency of this measure has been corroborated by the testimony of Capt. Milne, R. N., in his Report of the Fisheries of Newfoundland,) but finding their own means inadequate to the suppression of this evil, the Nova Scotians earnestly entreat the further intervention and protection of the Mother Country.

I have the honor to forward, herewith, in accordance with the request made to me in the same Resolutions, a case stated (raising the necessary questions as to the right of Fishery which the people of these Colonies possess) for the purpose of being referred to the Crown Officers in England, in order that the existing Treaties, and the rights of these North American Provinces under them, may be more strictly defined.

I shall feel obliged by your Lordships allowing the opinion of the Crown Officers to be taken

taken on the said case ; and I am authorized by the House of Assembly here, to defray any expense that may be incurred in obtaining such opinion.

I have, &c.

(Signed)

FALKLAND.

The Lord John Russel, &c. &c. &c.

Case stated by direction of The Right Honorable Lord Viscount Falkland, Lieutenant-Governor of Nova-Scotia, at the request of the House of Assembly of that Province, for the purpose of obtaining the opinions of the Law Officers of the Crown in England.

At the Peace of 1783, a Treaty was entered into between the United States of America and Great Britain, by which the people of the former, obtained the right "To take fish on the Grand Bank, and all other Banks of Newfoundland, in the Gulf of St. Lawrence, and all other places in the sea, where the inhabitants of both Countries had been used to fish before, and the liberty to fish on such part of the Coast of Newfoundland as British Fishermen used, but not to dry or cure fish there, and on the Coasts, Bays, and Creeks of all other British Dominions in America." They also obtained liberty to dry and cure fish in any unsettled Bays, Harbours and Creeks of Nova Scotia, Magdalen Islands, and Labrador, but as soon as any of them were settled, this liberty was to cease, unless continued by agreement with the inhabitants.

The United States declared War against Great Britain in 1812, peace was subsequently proclaimed, and a Convention was entered into between Great Britain and the United States, and signed at London, October 20th, 1818, the first article of which is as follows:

"Whereas, differences have arisen respecting the liberty claimed by the United States for the inhabitants thereof, to take, dry and cure fish on certain Coasts, Bays, Harbours, and Creeks, of His Majesty's Dominions in America, it is agreed between the high contracting parties that the inhabitants of the said United States shall have for ever, in common with the subjects of His Britannic Majesty, the liberty to take fish of every kind on that part of the Southern Coast of Newfoundland which extends from Cape Ray to the Rameau Islands on the Western and Northern Coast of Newfoundland, from the said Cape Ray to the Quirpon Islands, on the shores of the Magdalen Islands, and also on the Coasts, Bays, Harbours and Creeks, from Mount Joly on the Southern Coasts of Labrador, to and through the Straights of Belleisle, and thence northwardly indefinitely along the Coast, without any prejudice, however, to any of the exclusive rights of the Hudson's Bay Company, and that the American Fishermen shall also have liberty for ever to dry and cure fish in any of the unsettled Bays, Harbours and Creeks of the Southern part of the Coasts of Newfoundland hereabove described, and of the Coast of Labrador; but so soon as the same or any portion thereof shall be settled, it shall not be lawful for the said Fishermen to dry or cure fish on or within at such portion so settled, without previous agreement for such purpose, with the Inhabitants, Proprietors, or Possessors of the ground. And the United States hereby renounce for ever any liberty heretofore enjoyed or claimed by the inhabitants thereof, to take, dry, or cure fish, on or within three marine miles of any of the Coasts, Bays, Creeks or Harbours of His Britannic Majesty's Dominions in America, not included within the above mentioned limits—provided, however, that the American Fishermen shall be admitted to enter such Bays or Harbours, for the purpose of shelter, and of repairing damages therein, of purchasing wood, and of obtaining water, and for no other purpose whatever. But they should be under such restrictions as may be necessary to prevent their taking, drying, or curing fish therein, or in any other manner whatever abusing the privileges hereby reserved to them."

An Act passed in the 59th year of the Reign of His late Majesty George 3, chap. 38, entitled, An Act to enable His Majesty to make regulations with respect to the taking and curing Fish on certain parts of the Coasts of Newfoundland and Labrador, and His Majesty's other possessions in North America, according to a Convention made between His

His Majesty and the United States of America. And in the year 1836, His late Majesty William 4th, in the 6th year of His Reign, by an order in Council, assented to, and made the clauses of, a certain Act of the Assembly of Nova Scotia, the Rules, Regulations, and restrictions, respecting the Fisheries, on the Coasts, Bays, Creeks, or Harbours, of the Province of Nova Scotia, by the first section of which, it is enacted, that any ship, vessel, or boat, which shall be Foreign, and not navigated according to the Laws of Great Britain and Ireland, which shall have been found fishing, or preparing to fish, or to have been fishing, within three marine miles of the Coasts, Bays, Creeks, or harbours of this Province, such ship, vessel, or boat, and their respective cargoes, shall be forfeited. Nova Scotia is indented with Bays, many of which reach from 60 to 100 miles into the interior, such as the Bay of Fundy, Saint Mary's Bay, the Bras d'Or Lake, and Manchester Bay; the land on the shores is entirely British Territory, and Nova Scotia proper, is separated from the Island of Cape Breton by a narrow strait called the Gut of Canso, in some parts not wider than three quarters of a mile. In the Bay of Fundy, St. Mary's Bay, and the Straits of Canso, Americans conduct the Fishery, and their fishing vessels pass also through the Straits of Canso, or anchor there, and not only fish, but by using bait, toll the Mackerel into deep waters, thereby injuring the profitable Seine Fisheries of Fox Island and Crow Harbour, Arichat, St. Peter's Bay, and other stations in the neighbourhood of Canso, which formerly were the most productive Fisheries of Nova Scotia. They also land on the Magdalen Islands, set nets, and sweep seines in the Spring of the year, at a time when the Herrings resort to those waters to spawn, thereby destroying the spawn and young fish, and consequently ruining the Fishery.

The opinion of the Law Officers of the Crown in England, is requested on the following points :

First.—Whether the Treaty of 1783 was annulled by the war of 1812, and whether citizens of the United States possess any right of fishery in the waters of the Lower Provinces, other than ceded to them by the Convention of 1818, and if so, what right.

Second.—Have American Citizens the right, under that Convention, to enter any of the Bays of Nova Scotia to take fish; if, after they have so entered, they prosecute the Fishery more than three marine miles from the shores of such Bays; or should the prescribed distance of three marine miles be measured from the headlands, at the entrance of such Bays, so as to exclude them.

Third.—Is the distance of three marine miles to be computed from the indents of the Coasts of British America, or from the extreme headlands, and what is to be considered a headland.

Fourth.—Have vessels of the United States of America, fitted out for a Fishery, a right to pass through the Gut or Straits of Canso, which they cannot do, without coming within the prescribed limits, or to anchor there, or to fish there; and is casting bait, to lure fish in the tract of the vessel fishing, within the meaning of the Convention.

Fifth.—Have citizens of the United States of America a right to land on the Magdalen Islands, and conduct the Fishery from the shores thereof, by using nets or seines; or what right of Fishery do they possess on the shores of those Islands, and what is meant by the term shore.

Sixth.—Have Fishermen of the United States the right of entering the Bays or Harbours of the Province of Nova Scotia, for the purpose of purchasing wood, and obtaining water, having provided neither of these articles at the commencement of their voyages, in their own Country; or have they the right only of entering such Bays and Harbours in cases of distress, or to purchase wood and obtain water, after the usual stock of those articles, for the voyage of such fishing craft, has been exhausted or destroyed.

Seventh.—Under existing Treaties, what rights of Fishery are ceded to the citizens of the United States of America, and what reserved for the exclusive enjoyment of British subjects.

APPENDIX No. 4.

(See Page 12.)

No. 75.

Government House, Halifax, 8th May, 1841.

MY LORD,—

I have had the honor to receive your Despatch, No. 45, dated 9th April, 1841, transmitting a copy of a letter from the Under Secretary of State for Foreign Affairs, inclosing a copy of a note from the American Minister at the Court of St. James', complaining of certain proceedings of the Colonial Authorities of Nova Scotia, towards the vessels and citizens of the Republic engaged in fishing on the Coasts of the Province, and desiring that I will make immediate enquiry into the allegations made by Mr. Stevenson, and forward to you a detailed report on the subject. I have lost no time in obeying your instructions, and beg to submit the following observations, for your consideration :

Mr. Stevenson commences his representation by citing the first article of the Convention, entered into between Great Britain and the United States, on the 20th October, 1818, and signed at London ; and having done so, says :

“ Such are the stipulations of the Treaty, and they are believed to be too plain and explicit to leave room for misapprehension, or render the discussion of the respective rights of the two Countries at this time necessary ; indeed, it does not appear, that any conflicting questions of right between them, have as yet arisen out of the differences of opinion regarding the true intent and meaning of the Treaty ; it appears, however, that in the actual application of the provisions of the Convention, (committed on the part of Great Britain to the hands of subordinate Agents, subject to, and controlled by, local Legislation) difficulties growing out of individual acts, have unfortunately sprung up from time to time, among the most important of which, have been recent seizures of American vessels, for supposed violations of the Treaty. These have been made, it is believed, under colour of a Provincial Law, of 6, William 4, cap. 8, passed, doubtless, with a view to restrict rigorously, if not intended to aim a fatal blow at the Fisheries of the United States, on the Coast of Newfoundland. It also appears, from information recently received by the Government of the United States, that the Provincial Authorities assume a right to exclude the vessels of the United States from all their Bays, including those of Fundy and Chaleurs, and likewise to prohibit their approach within three miles of a line from headland to headland, instead of from the indents of the Province.”

The difficulties which exist, and of which Mr. Stevenson complains, as growing out of individual acts, are created by the difference of the interpretation put by the Nova Scotians and the Americans, upon the true intent and meaning of the Treaty referred to by His Excellency, and the Act of the Imperial Parliament, 59, Geo. 3, cap. 38, founded on that Treaty, and more fully referred to hereafter ; and until formal adjudication, resulting from the seizure and prosecution of American vessels for abuse of the privilege ceded to them, shall take place, and consecutive precedents for future guidance, be thereby established, it appears probable that doubts may and will arise as to the interpretation to be borne by the said Treaty.

It is true that some seizures have been made of American Fishing vessels under the Provincial Act 6, Wm. 4, referred to by Mr. Stevenson, but His Excellency has fallen into much misapprehension as regards the character of this law, the extent of its operation, and the nature of the seizures made under it. The Act recites the Convention and the Imperial Statute 59, Geo. 3, cap. 38, before mentioned, and, in describing the encroachments on the Coasts of the Province, which it was its object to prevent, it will be found to be framed in perfect conformity with the letter and spirit of that Statute, while the provisions by which it seeks to effect the object in view are borrowed from Imperial Enactments relating to Trade and Navigation. Its operation is limited, as of necessity it must be, to Nova Scotia, and therefore it could not have been passed, as assumed by Mr.

Stevenson, with a view to restrict or destroy the Fisheries of the United States on the Coast of Newfoundland, and for the same reason this Act does not affect the Bay of Chaleurs also mentioned by His Excellency.

In point of fact I have not been able to learn that any seizures have been made when the vessels have not been within the distance prescribed by the Statute, or considered so to be: although it is true the Bay of Fundy, as well as smaller Bays on the Coast of Nova Scotia, is thought by the Law Officers in the Province to form part of the exclusive territory of the Crown, under the authority of a principle of the Law of Nations laid down by Grotius, and adopted by English Jurists, vide Chitty's Commercial law, vol. 1, page 90—extracts from which are contained in the paper marked No. 1, herewith transmitted.

The complaint that the Provincial Authorities assume the right to prohibit "the approach of American fishing vessels within three miles of a line drawn from headland to headland, instead of from the indents of the shores of the Provinces," is another exemplification of the difference I have stated to exist in the interpretation put upon the Treaty by the subjects of the two Governments; the following words of the Convention of 1818, cited by Mr. Stevenson, "the United States renouncing any liberty before enjoyed by their citizens to take fish within three marine miles of any Coasts, Bays, Creeks, or Harbors of the British Dominions in America, not included within the above limits, i. e. Newfoundland and Labrador," appearing to the Authorities here to bear them out in the assumption of such right, whereas the citizens of the United States maintain the direct contrary.

On this point the Law Officers of the Crown in the Colony express themselves very strongly, both on the general principle of international law, and the letter and direct spirit of the Convention. They deem it to be a settled rule that the shore of a state lying on the sea is determined by a line drawn from the projecting headlands, not by following the indentations of the coast, vide 1st Chitty 99 and 100, an extract from which is contained in paper marked No. 2, herewith transmitted, and therefore think it a necessary consequence that the three miles fixed upon by the Convention should always be measured from such a line. But they also say the words of the Convention would put an end to the question, could any be raised on the general rule.

The language used in the Convention (1st Article) is "three marine miles of any of the Coasts, Bays, Creeks, or Harbors of His Britannic Majesty's Dominions in America"—and it is considered that three miles from a Bay, Creek, or Harbor, must mean three miles from any part of it, and consequently from its entrance or mouth, or in other words from a line drawn from its projecting headlands. The Convention however does not stop here. It provides "that American fishermen may enter such Bays or Harbors for the purpose of shelter, repairing damages, and obtaining wood and water, and for no other purpose whatever. *But they shall be under such restrictions as may be necessary to prevent their taking, drying, or curing fish therein, or in any other manner whatever abusing the privileges hereby reserved to them.*" This language is considered conclusive against any pretense that American fishermen should have the right to enter any Bays or Harbors in Her Majesty's North American Colonies, excepting only for shelter, repairing damages, or providing wood and water. Indeed the claim now set up, there is reason to believe, is new, as in point of practice, the American fishermen, when questioned for being within the waters of this Province, have uniformly resorted to the pretext afforded by the Convention, viz. the want of shelter, repairs, or wood and water, and never, it is believed, have asserted the right to fish within the Bays or Harbors of the Coasts.

This question is of extreme importance to Nova Scotia, as from the indented nature of its Coasts, the claim set up by the American Minister, would lead to results most injurious to the Province.

The right to resort to the Ports of Nova Scotia for shelter, wood, and water, which Mr. Stevenson conceives has never been seriously disputed, has always been frankly conceded in cases of real distress and unaffected calamity, but never when such right was supposed to be exercised for the purpose of evading the British Commercial regulations.

Thus,

Thus, in the case of the Nabby, seized in 1818, by Her Majesty's Ship Saracen, and prosecuted in the Admiralty Courts of Nova Scotia, it was decided, that vessels are bound to have a sufficient quantity of wood, water, and provisions, on board for the voyage which they are engaged in,—a scarcity of either of these articles arising from design or neglect, not necessarily opening British Ports to any adventurer seeking to contravene the Law.

The American Minister states in his Despatch, that "the Fishermen of the United States believe (and it would seem they are right in their opinion, if uniform practice be evidence of correct construction) that they can, with propriety, take fish any where on the Coasts of the British Provinces, if not nearer than three marine miles to land."—This, from the general context of Mr. Stevenson's note, evidently means within three miles of the indent of the shore: the uniform practice alluded to by that gentleman, is a practice which has always been resisted by the Authorities of this Colony, although it is difficult, with an extended Coast, and inadequate means of protection, entirely to suppress it.

Mr. Stevenson goes on to say, that "the construction which has been attempted to be put upon the stipulations of the Treaty by the Authorities of Nova Scotia, is directly in conflict with their object, and entirely subversive of the rights and interests of the citizens of the United States"; again, "that some of the provisions of her code are of the most extraordinary character"; and towards the conclusion of his Despatch, that "some of these rules and regulations are violations of the well established principles of the Common Law of England, and of the principles of the just Laws of all civilized Nations, and would seem to have been designed to enable Her Majesty's Authorities to seize and confiscate, with impunity, American vessels, and embezzle, indiscriminately, the property of American citizens, employed in the Fisheries on the Coasts of the British Provinces."—This is very strong language, and if justly applicable at all, is applicable to the Statute 59, Geo. 3d., passed by the Imperial Parliament one year after the signing of the Convention, and with the express design of carrying out its provisions. The words of the above Imperial Statute 59, Geo. 3, c. 38, are—"and that it shall not be lawful for any person or persons, not being natural born subjects of His Majesty, in any Foreign ship, vessel, or boat, nor any person in any ship, vessel, or boat, other than such as shall be navigated according to the Law of the United Kingdom of Great Britain and Ireland, to fish for, or to take, dry, or cure any fish of any kind whatever, within three marine miles of any Coasts, Bays, Creeks, or Harbours whatever, in any part of His Majesty's Dominions in America, not included within the limits specified, and described in the first article of the said Convention; and that if any Foreign ship, vessel, or boat, or any persons on board thereof, shall be found fishing, or to have been fishing, or preparing to fish, within such distance of such Coasts, Bays, Creeks, or Harbours, within such parts of His Majesty's Dominions in America, as are out of the said limits as aforesaid, all such ships, vessels, and boats, together with their cargoes, and guns, ammunition, tackle, apparel, furniture, and stores, shall be forfeited, and shall and may be seized, taken, sued for, prosecuted, recovered, and condemned, by such and the like ways, means, and methods, and in the same Courts, as ships, vessels, or boats, may be forfeited, seized, prosecuted, and condemned, for any offence against any Laws relating to the Revenue of Customs, or the Laws of Trade and Navigation, under any Act or Acts of the Parliament of Great Britain, or of the United Kingdom of Great Britain and Ireland, provided that nothing in said Act contained shall apply, or be construed to apply, to the ships or subjects of any Prince, Power, or State, in amity with His Majesty, who are entitled by Treaty with His Majesty to any privilege of taking, drying, or curing fish on the Coasts, Bays, Creeks, or Harbours, or within the limits in that Act described."

Thus, the very words "*preparing to fish*," so strongly animadverted on by Mr. Stevenson, are copied from an Imperial Act which has been *twenty three years* in force, and which, inasmuch as it has relation to American interests of the greatest importance, and sprung out of a Convention concluded with a view to the establishment of those interests, could not but be well known to the United States Government.

The

The 8th section of the 6th, Wm. 4, which provides that the owner of the vessel seized shall be held to prove his innocence, does not involve the payment of treble costs in case of failure; and Mr. Stevenson is, I am assured by the Crown Officers, here in error, with respect to the interpretation he has given to it.

Mr. Stevenson objects to the Seizing Officer being "liable to no prosecution, if the Judge certifies that there is probable cause of seizure"; and complains that the Plaintiff, if successful in his suit, is only entitled to two-pence damages, without costs, and the Defendant can be fined no more than one shilling."

This is an imperfect statement of the clause, inasmuch as the Plaintiff is entitled to recover the value of his goods; but in case probable cause is certified, he can only, in addition, recover two-pence damages.

The Province has, however, transcribed from the Imperial Statute of 6th, Geo. 4, cap. 114, entitled, An Act to regulate the Trade of the British Possessions abroad; and therefore, if it be in reality a violation of the well established principles of the Common Law of England, and of the principles of the just Laws of all civilized Nations, has been long submitted to by British subjects, and could not have been designed by the Assembly of Nova Scotia "to enable Her Majesty's Authorities to seize and confiscate, with impunity, American vessels, and embezzle, indiscriminately, the property of American citizens."

Her Majesty's exclusive property and dominion in the Strait of Canso is deemed maintainable upon the principles of international Law, already referred to, and which, it is considered, will apply equally, whether the shores on each side form parts of the same Province, or of different Provinces belonging to Her Majesty.—This Strait is very narrow, not exceeding, in some parts, one mile in breadth, as may be seen on the Admiralty Chart: and its navigation is not necessary for communication with the space beyond, which may be reached by going round the Island of Cape Breton.

Having noticed successively the allegations of the American Minister, I may be permitted to make one or two remarks on the general tenor of His Excellency's communication, which goes to charge the Legislature of Nova Scotia with a design to subvert the rights and interests of the citizens of the United States, in controvention of the Treaty of 1818.

It appears to me that the Provincial Legislature cannot fairly be accused of any such intention. It is manifest that neither the Statute of the Imperial Parliament nor that of the Colonial Legislature can extend the Terms of the Treaty itself, or render them more comprehensive. Its true construction, according to the Law of Nations, must govern those to be affected by it, and the Colonists, aware of this, and conceiving themselves wronged by the interpretation given to the Treaty by their neighbours of the United States, have long been, and now are, as my Despatch No. 69, date 28th April, 1841, will have informed your Lordship, anxious to obtain the opinion of the most eminent Jurists on the subject, not seeking for any forced construction of the Treaty to give them privileges not contemplated at its execution, but merely to protect themselves from that which, be they right or wrong, they now deem an infringement of their rights. The whole course of their Legislation, in regard to this matter, appears to prove this. In the Laws they have made for the protection of their Fisheries, which are in no case more extensive than the Imperial Statute 59, Geo. 3, there is not only nothing new, but they have endeavoured, as I have shewn, to adopt on all occasions the principles of Imperial Legislation, and have copied even the words of Imperial Acts.

I have now, I trust, established, that if the interpretation put on the Treaty by the inhabitants of Nova Scotia is an incorrect one, they are sincere in their belief of the justice and truth of their interpretation, and most anxious to have it tested by capable authorities; and further, that if the Laws passed by the Provincial Legislature are really of the oppressive nature they are asserted to be by Mr. Stevenson, they were enacted in the belief that the framers of them were doing nothing more than carrying out the views of the Home Government, as to the mode in which the Colonists should protect their own dearest interests. I inclose a copy of a Proclamation containing the Act of the 6th Wm. 4, of which Mr. Stevenson complains, and any alteration in its provisions, should such be deemed necessary, may be made early in the next Session of the Provincial Legislature.

With

With regard to the Convention of 1818, it is I think apparent (from the history of the transaction as given by Mr. Rush in his memoirs, chap. 19, page 400) that at the time it was concluded the American Plenipotentiaries, *acting on wrong information derived from their own fishermen*, believed that in renouncing for ever the liberty of fishing within three miles of any part of the coasts of British America, where the right of fishing is not guaranteed to them by the terms of the said Convention, they did *not* in reality relinquish the advantages to be derived from these fisheries, *for they supposed the whole fishing ground on the coast of Nova Scotia to extend to a greater distance than three miles from the land*. The Plenipotentiaries, however, acted on bad information, and were mistaken; beyond three miles from the land, very few, if any, herring or mackerel, the chief objects of pursuit, are to be caught, and the natives of the United States are now consequently disappointed, and discontented, at not continuing to enjoy that which they had, as they conceived, only apparently covenanted to give up. Mr. Rush, in his memoirs, page 400, chap. 19, claims credit for his astuteness in regard to this arrangement, and the introduction into the Treaty of a clause not found in the British contre-projet in the following words:—"It was by our act that the United States renounced the right to the fisheries not guaranteed to them by the Convention. That clause did not find a place in the British contre-projet, *we* deemed it proper, under a three-fold view, first to exclude the implication of the Fisheries secured to us being a new grant: secondly, to place the rights secured and renounced on the same footing of permanence: thirdly, that it might expressly appear that our renunciation was limited to three miles from the coasts. This last point we deemed of the more consequence from our fishermen having informed us that the whole fishing ground on the coasts of Nova Scotia, extended to a greater distance than three miles from the land, whereas along the Coasts of Labrador it was almost universally close in with the coasts."

Whatever the true construction of the Treaty may be, and I cannot but conceive that that construction must be ascertained, not by negotiation, but in the Courts of Law, Her Majesty's subjects in this Province will willingly abide by it, and in like manner I cannot doubt but that any course Her Majesty's Government may deem it expedient to follow with regard to the above Treaty, will be cheerfully acquiesced in by the People of Nova Scotia, who feel assured that in a matter of such vital importance to their future prosperity, the conduct of the Mother Country will be guided by principles of equity and a due regard to the interests of her offspring, whenever those interests ought in justice to be upheld.

I have the honor to be, &c.,

(Signed)

FALKLAND.

The Lord John Russell, &c. &c. &c.

APPENDIX No. 5.

(See Page 12.)

No. 90.

Government House, Halifax, 11th July, 1842,

MY LORD—

At the request of the Chairman of the Committee of the House of Assembly of Nova Scotia on the Fisheries, a copy of the Report of which Committee I enclose, I have the honor to call your attention to the subject of my Despatch No 69, date April 28th, 1841, addressed to your Lordship's predecessor. I also send a copy of the case stated, raising certain

certain questions as to the rights of Fishery, which the people of these Colonies possess, which accompanied my former communication on this matter.

I have, &c.

(Signed)

FALKLAND.

The Lord Stanley, &c. &c. &c.

APPENDIX, No. 6.

(See Page 12.)

COPY.

No. 86.

Downing Street, 28th November, 1842.

MY LORD,—

I have the honor to acknowledge the receipt of your Lordship's Despatch No. 90, of the 11th of July last, enclosing copies of two Reports made by Committees of the House of Assembly of Nova Scotia, complaining of the encroachments of American Citizens on the Fisheries of British North America, and praying the establishment of a general code of Regulations for their protection—together with a copy of a case prepared by you in April, 1841, to be submitted to Her Majesty's Law Officers, raising certain questions, as to the rights of Fishery conferred by the Treaties on the subject, on British and American Fishermen respectively.

I enclose for your information a copy of the Report, which on the 30th of August, 1841, was received from the Queen's Advocate and Her Majesty's Attorney General, on the case drawn up by your Lordship. Since that date the subject has frequently engaged the attention of myself and my colleagues, with the view of adopting further measures, if necessary, for the protection of British Interest in accordance with the Law as laid down in the enclosed Report. We have, however, on full consideration come to the conclusion as regards the Fisheries of Nova Scotia, that the precautions taken by the Provincial Legislature appear adequate to the purpose, and that being now practically acquiesced in by the Americans, no further measures are required—while with respect to the proposed establishment of a general code of regulations to apply to all the North American Provinces, the very satisfactory Reports lately received from Vice Admiral Sir Charles Adam, of which copies are enclosed for your information, regarding the Fisheries in the Bay of Fundy and Gulf of St. Lawrence, appear to us to render it inexpedient to moot the question.

I have, &c.

(Signed)

STANLEY.

The Right Honorable Viscount Falkland, &c. &c. &c.

COPY.

Doctors Commons, 30th August, 1841.

MY LORD—

We are honored with your Lordship's commands, signified in Mr. Backhouse's Letter of the 26th of May, stating that he was directed to transmit to us the accompanying Letter from the Colonial Office, enclosing the copy of a Despatch from the Lieutenant-Governor of Nova Scotia, enclosing an Address to Her Majesty from the House of Assembly of that Province, complaining of the continued encroachments of American Fishermen on the

the fishing ground of Nova Scotia and the adjoining Colonies, and praying that Her Majesty would establish, by an Order in Council, general regulations for the protection of the Fisheries, according to the code annexed to the address.

Mr. Backhouse is pleased to request that we would take these papers into consideration and report to your Lordship our opinion, whether there is anything in the proposed regulations which would be inconsistent with the stipulations of the Convention of the 28th October, 1818, between Great Britain and the United States of America.

We are also honored with Mr. Backhouse's letter of 19th of April, stating that he was directed to transmit to us a further Letter from the Colonial Office, dated the 16th instant, enclosing the copy of a Despatch from the Lieutenant-Governor of Nova Scotia, covering a copy of an address from the Legislative Council of that Province, objecting to one of the above-mentioned regulations, proposed by the House of Assembly in the Session of 1840, and to request that we would take these papers into consideration, in addition to those referred to in his letter of the 26th March last, and that we would Report to your Lordship at our early convenience our opinion thereupon.

We are also honored with Mr. Backhouse's letter of the 8th June, stating that he was directed to transmit to us the accompanying copy of a letter from the Colonial Office, together with a copy of a Despatch from the Lieutenant-Governor of Nova-Scotia, enclosing a copy of the Report of the House of Assembly, on the subject of the Fisheries of that Province, and also enclosing a case for opinion as to what rights have been ceded to the citizens of the United States of America, and as to what rights have been exclusively reserved to Her Majesty's subjects, and to request that we would take these papers into consideration, and report to your Lordship our opinion upon the several questions stated in the case above mentioned.

We are also honored with Mr. Backhouse's letter of the 5th ultimo, stating that he was directed to transmit to us a correspondence, as marked in the margin, which passed between the Foreign Office and Mr. Stevenson, the American Minister at this Court, and the Colonial Department, on the subject of a remonstrance addressed by Mr. Stevenson against the proceedings of the Authorities of Nova Scotia, towards American fishing vessels encroaching on the Fisheries of that Coast, and to request that we would take these papers into consideration, and report to your Lordship our opinion thereupon.

1st Query.—In obedience to your Lordship's commands, we have taken these papers into consideration, and have the honor to report, that we are of opinion, that the Treaty of 1783 was annulled by the war of 1812; and we are also of opinion, that the rights of Fishery of the citizens of the United States must now be considered as defined and regulated by the Convention of 1818; and with respect to the general question, "*if so, what right,*" we can only refer to the terms of the Convention, as explained and elucidated by the observations which will occur in answering the other specific queries.

2d & 3d Queries.—Except within certain defined limits to which the query put to us does not apply, we are of opinion, that by the terms of the Convention, American citizens are excluded from any right of fishing within three miles of the Coast of British America, and that the prescribed distance of three miles is to be measured from the headlands or extreme points of land next the sea of the Coast, or of the entrance of the Bays, and not from the interior of such Bays or Indents of the Coast, and consequently, that no right exists on the part of American citizens to enter the Bays of Nova Scotia, there to take fish, although the fishing being within the Bay may be at a greater distance than three miles from the shore of the Bay, as we are of opinion that the term 'headland' is used in the Treaty to express the part of the land we have before mentioned, excluding the interior of the Bays and the indents of the Coast.

4th Query.—By the Convention of 1818, it is agreed that American citizens should have the liberty of fishing in the Gulf of St. Lawrence, and within certain defined limits, in common with British subjects; and such Convention does not contain any words negating the right to navigate the passage or Gut of Canso, and therefore it may be conceded that such right of navigation is not taken away by that Convention; but we have now attentively considered the course of navigation to the Gulf, by Cape Breton, and likewise

likewise the capacity and situation of the passage of Canso, and of the British Dominions on either side; and we are of opinion, that independently of Treaty, no Foreign Country has the right to use or navigate the passage of Canso; and attending to the terms of the Convention relating to the liberty of Fishery to be enjoyed by the American citizens, we are also of opinion that that Convention did not either expressly, or by necessary implication, concede any such right of using or navigating the passage in question. We are also of opinion, that casting bait to lure fish in the track of any American vessels navigating the passage, would constitute a fishing within the negative terms of the Convention.

5th Query.—With reference to the claim of a right to land on the Magdalen Islands, and to fish from the shores thereof, it must be observed, that by the Convention, the liberty of drying and curing fish (purposes which could only be accomplished by landing) in any of the unsettled Bays, &c. of the Southern part of Newfoundland, and of the Coast of Labrador, is specifically provided for; but such liberty is distinctly negatived in any settled Bays, &c., and it must therefore be inferred, that if the liberty of landing on the shores of the Magdalen Islands had been intended to be conceded, such an important concession would have been the subject of express stipulation, and would necessarily have been accompanied with a description of the inland extent of the shore over which such liberty was to be exercised, and whether in settled or unsettled parts, but neither of these important particulars are provided for, even by implication, and that, among other considerations, leads us to the conclusion that American citizens have no right to land, or conduct the Fishery from the shores of the Magdalen Islands. The word ‘shore,’ does not appear to have been used in the Convention in any other than the general or ordinary sense of the word, and must be construed with reference to the liberty to be exercised upon it, and would therefore comprise the land covered with water, as far as could be available, for the due enjoyment of the liberty granted.

6th Query.—By the Convention, the liberty of entering the Bays and Harbours of Nova Scotia for the purpose of purchasing wood and obtaining water, is conceded in general terms, unrestricted by any condition expressed or implied, limiting the enjoyment to vessels duly provided with those articles at the commencement of their voyage; and we are of opinion that no such condition can be attached to the enjoyment of the liberty.

7th Query.—The rights of Fishery ceded to the citizens of the United States, and those reserved for the exclusive enjoyment of British subjects, depend altogether upon the Convention of 1818, the only existing Treaty on this subject between the two Countries, and the material points arising thereon have been specifically answered in our replies to the preceding Queries.

We have, &c.

(Signed)

J. DODSON,
THOS. WILDE.

Viscount Palmerston, K. B., &c. &c. &c.

Extract of a Letter from Vice Admiral Sir Charles Adam, dated at Halifax, 17th October, 1842.

“I inclose, to be laid before the Lords Commissioners of the Admiralty, a Report from Commander Parrey, of the Sappho, and one from Commander Peel, of the Racehorse, who relieved the first mentioned officer in the protection of the Fisheries in the Gulf of St. Lawrence.

“I have signified to both these officers my approbation of the manner in which they conducted the service entrusted to them, and of the report they have made.

“It does not appear that there has been any serious cause of complaint of the fishery vessels, either of the French or of those from the United States of America, and I believe the protection which is afforded by Her Majesty’s Ships usually employed in the Gulf of St. Lawrence has been sufficient.

“There can be no doubt however that fishermen from the United States frequently occupy

occupy the best ground for the Mackerel fishery on the North shore of Prince Edward Island, and I believe it could only be entirely prevented by small vessels under the Revenue Department being employed there, as is the case on the shores of Nova Scotia, but that would involve an expense which I believe the Colony would not readily bear, and even if the fishermen from the United States were entirely prevented from resorting to it, I doubt if the ground would be occupied by Fishermen belonging to the Island or the other Colonies."

Extract from Vice Admiral Sir Charles Adam's letter, No. 363, dated the 17th October, 1842, at Halifax.

"I request you will acquaint the Lords Commissioners of the Admiralty, that the Pickle Schooner returned from the Bay of Fundy on the 5th instant, where Lieutenant Montessor was employed for a short time for the protection of the Fisheries.

"I have received a very detailed report of his proceedings and observations, but it is unnecessary to trouble their Lordship's further than to say, that it does not appear that the Fisheries have been molested in any way during the season, which has just closed, and which like the last has been very favorable."

APPENDIX, No. 7.

(See Page 12.)

REPORT ON INDIAN AFFAIRS.

Halifax, January 25, 1843.

MY LORD—

In conformity with the 9th clause of the "Act to provide for the Instruction and Permanent Settlement of the Indians," and in obedience to your Lordship's Instructions, founded upon that Law, it becomes my duty to submit to your Lordship, for the information of the Legislature, a report of my proceedings as Commissioner for Indian Affairs, with an account of the mode in which the grant for that service has been applied.

In accepting the Commission, with which your Lordship was pleased to honour me, I was aware that the task I was about to assume, was one beset with peculiar difficulties. A given amount of money, skilfully and honestly applied, will make a road or a bridge, which every passenger may recognize as a valuable improvement; but the civilization of barbarous tribes—the eradication of habits and prejudices, the growth of centuries—the substitution of one kind of knowledge, absolutely indispensable to success, or even existence, in a new state of society, for another kind, equally important in the old, is a work of time, that may be entered upon in a season, but which cannot be completed, or yet much advanced, even under the most favorable circumstances, but by perseverance in a series of enlightened experiments running over a period of years. The French and Germans, who inhabit portions of this Province, are still French and Germans in most of the essential characteristics, though surrounded by a British Population for nearly a hundred years—it was not to be expected, therefore, that any striking impression could be made among the Micmacs in a few months, or that much more could be done than to collect and arrange facts, and lay a foundation for future operations. Your Lordship, who is quite aware that the energies of the finest minds, aided by the most lavish expenditure, have been employed to little purpose in similar designs; though you may find no inducement, in the history of these experiments, to shrink from the prosecution of a work of justice and philanthropy, will, I am quite assured, be disposed to turn from them with considerate discrimination to the little that may have resulted from my labours.

My first care was to collect and arrange all the information which I could gather from the Public Departments, bearing upon the subject embraced in my commission, and these

documents, together with rough Notes of my tours of inspection, and the correspondence which has been conducted throughout the year, will be found in a volume which I transmit with this report, and which will be useful to my successor, should your Lordship's pleasure, or the pressure of other avocations, render it necessary, at any future time, to place the management of Indian Affairs in other hands.

The Indian Statistics collected in 1838, exhibit the number of the Micmacs then in the Province, as follows:

County of Halifax,	-	-	-	-	-	-	-	265 souls.
Island of Cape Breton,	-	-	-	-	-	-	-	520
Western District, including Annapolis, Digby, Yarmouth, Shelburne, Queen's, and Lunenburg,	-	-	-	-	-	-	-	415
Pictou,	-	-	-	-	-	-	-	100
King's,	-	-	-	-	-	-	-	35
County of Sydney,	-	-	-	-	-	-	-	90
								1425

Assuming this table to have been tolerably accurate in 1838, the rapidity with which these people had decreased, up to that time, may be judged from the fact, that in 1798, forty years before, there were 800 in the County of Pictou alone. Mr. Campbell, in his report to the Government in 1838, says, that "two years ago there were 60 or 70 souls in King's County, but that now there is not more than half that number," while I could not hear of but two or three families there, in the autumn of last year. It is impossible, however, to estimate the ratio of decrease by the numbers in any particular County or locality, because almost every family which has not a framed House moves two or three times in a year; and such Counties as King's and Pictou, where the population is rapidly increasing, the forest disappearing before the axe, and mills either damming, or in course of erection upon, every stream, are very likely to be deserted for others, where, from the indifference of the soil, the march of improvement is not so rapid. Of the eastern section of the Province I cannot speak from actual observation, but think the decrease in the West must have been equal to 10 per cent. on the whole number since 1838. The decrease in the County of Halifax has probably been less, for, although the deaths in proportion to the numbers may have been equal, there is an immigration towards the capital, particularly in the summer season, partly for religious objects, and partly for the sale of small wares manufactured by the Squaws. At this rate, the whole race would be extinct in 40 years, and half a century hence the very existence of the tribe would be as a dream and a tradition to our grandchildren, who would find it as difficult to imagine the features or dwelling of a Micmac, as we do to realize those of an ancient Briton. The Temperance Pledge has probably arrested the progress of this mortality, and it is to be hoped that, henceforward, particularly in those places where permanent settlements are or may be formed, the numbers will begin to increase. Assuming the statistics of 1838 as the basis of a calculation, and deducting 10 per cent., your Lordship will perceive that there must be at least 1300 souls still in this Province—appealing to the sympathies of every honorable mind by the contrast of their misfortunes with our prosperity—their fading numbers with our numerical advancement—their ignorance and destitution, with the wealth and civilization which surrounds and presses upon them from every side.

In approaching the Indians, with a sincere desire to faithfully represent in my intercourse with them the benevolent yet judicious intentions of the Government and the Legislature, I found myself in some degree embarrassed by the exaggerated ideas and expectations with which many, from various motives, had thoughtlessly misled the poor people committed to my care. For many weeks in the spring my dwelling was besieged, at all hours, by Indians, who had been taught to believe that unbounded wealth was at my disposal, and that they were to be fed and clothed hereafter at the expense of the Government. Had I yielded to the clamorous demands, and even reproaches of these visitors, the sum voted would barely have sufficed to supply the wants of the Halifax Indians

dians alone for a single month—but I resolutely resisted those importunities, and although a great deal of time was necessarily consumed, in explaining the objects of the Act to numbers, and reasoning with them upon the evil consequences, even to themselves, of indiscriminate eleemosynary relief, still I felt that good humoured perseverance in this course was the only way to disabuse their minds, and secure their confidence and co-operation. The rule I adopted was, to give relief only to the old and infirm, the sick or maimed, or to those who had met with some calamity, which, for the time, gave them a claim to consideration. A list of trifling sums given to these, appears in the account under the head of “Miscellaneous Charities,” and which including a sum of £8 paid to redeem a very industrious man’s whaleboat and lines from the hands of the Constable, has been kept within £28 4s. 11d. For these sums, except the latter, of course, from the very nature of the expenditure, no vouchers could be produced.

For many years past the Legislature has granted £100 per annum for the use of the Indians, which has usually been laid out in Great Coats and Blankets, to be distributed in various parts of the Province. I knew that many would calculate on this resource, and that, at least for several years, a portion of the funds would have to be thus applied, until the practical value of assistance in other modes began to be realized, and until they were taught that they must provide clothing for themselves. As I had anticipated, on the approach of winter, requisitions came from various parts of the Province, and urgent and hourly applications were made by those families residing near the capital. To those with whom I had personal communication, I endeavoured to explain that this species of relief, like that given in money throughout the summer, must be hereafter confined as much as possible to the indigent and infirm—to old persons confined to their camps—to widows, orphans, or women at childbirth during the winter months. With few exceptions coats or blankets have only been distributed in Halifax to this class of cases, and gentlemen to whose care small parcels have been sent in Cape Breton, Pictou, and Hants, where no other expenditures for the benefit of the Indians had been authorized, have been requested to distribute them with the same care and discrimination. The expenditure under this head has been £46 19s. 2d., and the vouchers accompany the general account.

As the Lands reserved for the Indians must form the basis of all the operations of the Government, I endeavoured to ascertain, as early as possible, their extent, and, by personal inspection of their position, condition, and capabilities, at such times as my other avocations afforded me leisure, to collect information that might eventually lead to their permanent occupation and improvement. The Surveyor General politely furnished me with plans of all the reserves in Nova-Scotia, and, for more easy access, I had these copied into the volume to which reference has been already made. These consist of :

COUNTY OF HALIFAX.	
Western side of Shubenacadie Grand Lake,	1000 acres.
On Ingraham’s River, at the head of Margaret’s Bay,	300*
COUNTY OF HANTS.	
On two Brooks, falling into the Shubenacadie, about 5 miles from the new Bridge, at Parker’s,	1750
COUNTY OF CUMBERLAND.	
On the Chinemecas River,	1000
COUNTY OF LUNENBURG.	
On both sides of Gold River,	1000
QUEEN’S COUNTY.	
On the Pleasant and Port Medway Rivers,	1000

* Another tract on the Indian River, Margaret’s Bay, granted to Indians, has been alienated, and cannot be recovered—the sale appearing to have been bona fide, and the descendants of those who made it being content.

COUNTY OF DIGBY.	
At Bear River,	1000
KING'S COUNTY.	
In the rear of the Township of Horton,	1000
COUNTY OF SYDNEY.	
At Pomket,	1000*
COUNTY OF ANNAPOLIS.	
Several Lots on the Liverpool Road, about	1000
In Nova Scotia proper,	10,050
In Cape Breton,	12,000
	22,050

The present condition and capabilities of such of these Lands as I have been enabled to visit, may be gathered from the Journal which accompanies this report. It is to be regretted that so little judgment has been exercised in the selection of them—the same quantity, if reserved in spots where the soil was good, on navigable streams, or in places where fish was abundant, and game within reach, would now be a valuable resource. All the land reserved in this County is sterile and comparatively valueless. In Yarmouth, Hants, Colchester, Pictou, and Guysborough, there are no reserves, and in some other places, as at Pomket, and in parts of Cape Breton, it is to be feared that the quantity has been somewhat diminished by the encroachments of the whites. In the neighbourhood of Dartmouth and Halifax, where the Indians from all parts of the Province resort, at all seasons, particularly in the summer, they have no lands, and are consequently compelled to build their camps on private property, and are tempted to destroy the wood, and commit depredations which are becoming every year more annoying and vexatious.

Your Lordship will perceive, from my Journal, that directions have been given to the local Surveyors to lay off a few other tracts, in favourable situations, amounting in the whole to perhaps 1000 or 1500 acres. Should your Lordship give an order for the reservation or grant of these, it is probable that an equal quantity may, upon further examination be relinquished as an equivalent.

The present value of the Reserves, which I have visited, may be thus stated:

Reserve at Margaret's Bay,	£100 0 0
“ at Shubenacadie Lake,	150 0 0
“ in Hant's,	432 0 0
“ at Gold River,	350 0 0
“ in Queen's,	250 0 0
“ at Bear River,	350 0 0
	£1632 0 0

The tract of 1000 acres, in King's County, I did not see— this, with Lands held at Roseway, Tusket, Sabim Lake, &c., may be worth	368 0 0
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Making the total value of the Western and Halifax Reserves, about £2000 0 0

Besides the public lands, a few tracts are held by individuals, either under grant or by possession: whenever my attention has been called to these, I have endeavoured to ascertain the nature of the title, and to protect the Indians. As an illustration of the mode in

*It appears, by Mr. Thompson's survey and letter, that considerable encroachments have been made on this tract.

which

which the aborigines have been deprived of the property, to which they were often entitled by grant or by uninterrupted possession, a case may be mentioned, the investigation of which has cost some labor during the past season. A tract at Indian Point, in the Township of Chester, on which there is an excellent lime-stone quarry, and which is now valued at £500, was purchased 20 years ago, by a person named Cook, who took a Deed from one of three Brothers to whom it was granted, giving a Note of Hand for £10 in exchange. The Note was deposited in the hands of a third party, claimed by the purchaser after the Indian's death, but there is no satisfactory proof that it was ever discharged. Meanwhile the white man has almost secured a title by possession, and has certainly established a claim to the consideration of the Government by extensive improvements; but the children of the Indians, who are attached to the spot, still mourn over the loss of what they regard as their rightful inheritance. This dispute I have endeavoured, and hope to compromise, by obtaining for the Indians a payment equal to the value of the land in its original state.

The only reserve, in the management of which any system appears to have been followed, is that at Bear River. Under the direction of the late Judge Wiswall, whose memory is fondly cherished by the Annapolis Indians, a portion of the 1000 acres was laid off in 30 acre lots, and heads of families put in possession of each. If they retained possession and improved, their title was respected, if they deserted the land for three years, it was given to others of more industrious habits. The introduction of something like this system being contemplated by the Act of last session, and by my instructions, I have employed Surveyors to divide the Reserves in those Counties which I have visited, and shall proceed to put well disposed Indians in possession of lots, as soon as the plans are forwarded, and in sufficient time, I trust, to admit of commencing operations next Spring. These Plans and Surveys will probably cost about £30, although but £9 4s. 6d. has yet been paid under this head of expenditure.

The outlay for "Seed, Implements, Cattle," amounts to £42 8s. 7d. I would have gladly increased this item, but I found it would be of little use to make extensive distributions, until, by the completion of preliminary arrangements, the Government could have some assurance that the Bounty granted would be well applied. I could have given away hundreds of bushels of Potatoes in the Spring, but they would have been eaten and not planted—I therefore refrained, often under very pressing importunities, and in no instances assisted those who had not some cleared land in occupation, and who showed a disposition to help themselves. The aid given to these, has, I have reason to believe, been seasonable and serviceable, and in most cases has been gratefully acknowledged. The heaviest item in this portion of the Account has been incurred for the purchase of working Oxen for the settlement at Bear River, but these were imperatively required, and as they were purchased in a season of depression, and belong to the Government, if not found useful, and well used, may be disposed of without much loss.

Some permanent expenditures, contemplated by the Act, have been authorized at Gold River, the Hants Reserve, and at the Fairy Lake. They will cost about £80, but have not yet been completed. The reasons for those will be found at large in the rough notes. It seemed to me, that one of the first steps was to lure the Micmac from his wigwam to a more comfortable habitation whenever this could be done, and that, to permit the few houses already possessed by those who cultivated the soil to go to decay and be abandoned, when a small expenditure in each case might keep them in repair, would be exceedingly bad policy. It also struck me, that, as there was likely to be a large settlement at the Fairy Lake, the sooner a good example was set, by placing in its midst one family enjoying a degree of comfort which, by moderate exertion, all might emulate, the more probability was there of advancing civilization. As the opening and improvement of cheap roads, in two or three places, is in some degree connected with the ultimate success of these experiments, it will be very desirable that a small sum should be placed at the disposal of your Excellency, to connect the Reserves with adjoining settlements.

The Education of the Indians was one of the most important topics to which my attention

tion was called, by the enactments of the Legislature, and by your Excellency's instructions. With few exceptions, I at first found nearly the whole tribe strongly prejudiced against learning to read or write any other language than their own. Their books, which contain prayers and portions of their religious services, are more numerous than I at first supposed, and if not found in every wigwam, are carefully preserved and constantly referred to in every encampment. By visiting the camps, conversing cheerfully with the Indians—giving them familiar illustrations of the value of our rudimental branches, to themselves, and showing how much they had lost from not knowing how to secure lands as the whites had done, or to protect those which they had, an impression was gradually made upon some—while, by explaining the character and utility of different Books in my Library, and reading passages to them, others were interested. By writing letters about their own business, and receiving answers, I endeavoured to convince them of the superiority of the Post Office over the Courier de Bois. Having secured the aid of the Rev. Mr. Geary, to whose kind co-operation I am much indebted, a Sunday School was opened for the Instruction of the Indians in the Chapel at Dartmouth, and, for several weeks, the attendance was very good, and our pupils of both sexes, and all ages, making fair progress; but as Mr. Geary was often necessarily absent, visiting different portions of a widely extended mission, it was found impossible to ensure that certainty and regularity which were essential to the success of the design, and the Sunday school was subsequently abandoned. In the autumn a day school was opened at Dartmouth, but as most of the Indians had either moved to the interior or retired to the woods, to prepare for winter, the attendance was very slight, and the room was closed at the end of the first Quarter. By combining both plans, in the ensuing Spring, I am in hopes that more good may be done. By having a School room, distinct from the Chapel, and open every Sunday, when the Indians have leisure to attend, and usually resort to Dartmouth, I trust that more progress will be made. Enough has been done, to conquer much prejudice, and to prove the capacity of the Micmac for receiving instruction. Some of the young people at Dartmouth learnt to spell quite as fast as any white children would have done, and required only the steady and assiduous attention of regular teachers to bring them rapidly forward; and one man, with scarcely any instruction, wrote, in a few weeks, a copy book very much better than persons often do who have been twelve months at School.

Whenever I could find Indians near a School House, as at Gold and Bear Rivers, Port Medway, Liverpool, Macan, &c., I have endeavoured, by making arrangements for the gratuitous instruction of such children as chose to attend, to pave the way for a more general interest in the cultivation of the intellect. Some of the more intelligent heads of families, are fully sensible of the necessity which must soon force upon the rising generation other pursuits than those which have been exclusively followed, and in which new information and ideas are absolutely essential to success. Meuse, of Bear River, to whom reference is more particularly made in the notes, has had five of his children taught to read and write—two of them are now at School, and some of the Copy Books of his youngest girl are handed in with this report.

The two Boys placed in St. Mary's Seminary, after the few first weeks of restless chafing, at the restraints necessarily imposed upon them in such an institution, were over, conducted themselves well, and made as much progress as could be expected. The eldest can read, and writes a fair large hand; the youngest, who was almost too young to derive the full benefit of the instruction imparted, is less advanced, but evinces a lively intelligence, and a due appreciation of the advantages which a house has over a camp, and a comfortable bed over a litter of fir boughs. I should be exceedingly glad to continue these Boys at the Seminary until the experiment was fully tried, and they were much further advanced, but as the cost of boarding, (education being gratuitous,) amounts to £66 per annum, for the two, it is for the Government and the Legislature to determine whether they shall be withdrawn, or continued after the close of the current quarter.

The expenses of executing this Commission have amounted to £59 11s. 3d. I would willingly

willingly have made them less, but could not, even with the most rigid economy. They have been charged against the grant, as that seemed to be the intention of the Legislature, and as no salary, commission, or other profit upon the expenditure, was offered or expected when I entered upon the service. Should the cost of management seem extravagant, I shall not object to being surcharged with any part, or even the whole of the amount, rather than that the expense should be any bar to the carrying on of a work, which, however feebly executed, has been, in the design, but just to the Aborigines and highly honorable to the country.

Should the Legislature make a further grant, and your Excellency honor me by employing me in this work of humanity for another season, I propose to visit Cumberland, and the Eastern Counties, including Cape Breton, and shall endeavour to place within the reach of my successor, such information as will enable him to conduct the business chiefly by correspondence, with the aid of an occasional tour of inspection every third or fourth year. In concluding this Report, I have again to solicit your Excellency's favorable consideration of the difficulties of the task—difficulties scarcely to be overcome in a single year, by the sedulous devotion of one person's entire time. I have been able to give to such preliminary measures, as seemed requisite for their ultimate mastery, only the leisure hours which could be borrowed from other and various duties, both of a public and private nature. Although deeply concerned in the fate of the large and interesting portion of Her Majesty's Subjects, whose future destiny was in some measure interwoven with my labours, I am conscious that more might have been done by others, having fewer claims upon them; but that nothing has been neglected which it was in my power to execute in so short a time. I trust, however, that should your Excellency not be satisfied with the results of these first experiments, the blame may be laid upon the Commissioner, rather than be charged upon the capacity, or urged against the claims of a people, for whose many good qualities a more extended intercourse has only increased my respect, and who have, if not by treaty, at least by all the ties of humanity, a claim upon the Government of the Country, which nothing but their extinction, or their elevation to a more permanent and happy position in the scale of society, can ever entirely discharge.

I have the honor to be,

With high respect,

Your Lordship's obedient,

Very humble servant,

JOSEPH HOWE.

ACCOUNT CURRENT.

MISCELLANEOUS CHARITIES.

<i>March and April.</i> —Poor Indians, 2s 6d; Assam Paul, 2s 6d; Susan Charles, (broken arm) 5s 3d; Joe Cope, (sick wife) 5s 3d; F. Paul and others, (searching for lost children) 5s; Sundry Poor, 3s 9d; Bay Chaleur Indian, (wounded) 5s 3d; Old Chief, Sam Paul, (blind and bed ridden) 5s 3d; Sundry Poor, 3s 9d,	£1 18 6
<i>May, June and July.</i> —Jos. Stevens, (burnt camp) 2s 6d; Mrs. Morris, 5s 3d; Old Nancy, 2s 6d; Aged, 1s 3d; Lame, 3s 9d; Supplies to old Paul's Squaw, 10s; Cope, 5s 3d; Burnt Camp, 2s 6d; Old Cope, (lost gun) 2s 6d; Peter Toney, 3s 9d; Mrs. Cope, 5s 3d; Poor Squaws, 2s 6d,	2 7 0
<i>August and September.</i> —Malti Paul, (lame) 7s 6d; Sundry Poor, 3s 9d; Mary Charles, 2s 6d; Pictou Chief, (Lapier) 10s 6d; Morris, 1s 3d; Mrs. Morris, 1s 3d; Poor, 2s 6d; Christopher Paul, 3s 1d; Pomket Squaw,	

Squaw, 2s; Stewiacke do., 2s 6d; F. Paul, 2s 6d; Peter Geneesh, (disabled, from Miramichi) 10s; Halifax Chief, (powder) 20s; Squaw, 1s 3d; Liverpool Indians, 6s 3d; Andrew Meuse, 20s,	4	17	1
<i>October, November, and December.</i> —Peter Toney, 5s; Squaw at Ingraham's River, 3s 9d; Penalls, Gold River, 20s 4d; Malti, Liverpool, 2s 8d; Indians, Fairy Lake, 10s; Poor Squaws, Sable River Road, 5s; Labrador do., 1s 3d; Sick Squaw, Jordan River, 5s 3d; Barrington Indians, 5s 3d; Old Squaw, Bear River, 2s 6d; Charles Glode's children, 4s 4d; Jack Glode, 20s; Newille Paul, of Kentville, 5s 3d; Peter Tom, (lost boat) 3s 6d; T. Hammond, 5s; Poor Squaw, 1s 3d; Lame and Sick, 6s 3d; Sundry Poor, 7s 6d; do., 5s,	5	19	1
Debt paid for Christopher Paul,	8	3	3
Deposited with Abbe Segoigne,	5	0	0
	<u>£28</u>	4	11

SEED.—IMPLEMENTS.—CATTLE.

30 bushels of Potatoes, three families at Ingraham's River, see Voucher No. 1.	£3	0	0
76 do. do. 4 Hoes and 4 Spades, seven families at Annapolis,	"	2	9 14 3
Oxen and Implements for Bear River Settlement	"	3	25 0 0
Supplies to Pictou Indians,	"	4	4 14 4
		<u>42</u>	8 7

EDUCATION.

Joe Cope's two boys, boarded and taught at Seminary, see, Voucher No. 1	£49	10	0
School at Dartmouth,	"	2	12 10 0
Books for Sunday School, &c.	"	3	2 1 9
William Nicholl's Bill	"	4	1 0 0
		<u>£65</u>	1 9

PLANS AND SURVEYS.

Alexander Thompson—Surveys at Pomket, Voucher No. 1	£6	4	6
John Chamberlain—drawing Plans,	"	2	2 0 0
William Faulkner, account not rendered.			
Whitman Freeman, ditto.			
Samuel Kimble, ditto.			
Donald McKay, ditto.			
Cableal Glode's Land, (see Notes, p. 87.)		1	0 0
		<u>9</u>	4 6

CLOTHING.

Mrs. McDonald's Bill, for Cope's Boys, Voucher No. 1	£3	5	0
Mignowitz Bill, for Blankets and Coats, for Cape Breton, Pictou, Hants, &c. &c.	"	2	40 4 2
Bolton's Bill, for Blankets,	"	3	2 16 0
C. H. Rhand's do.	"	4	0 14 0
		<u>46</u>	19 2

EXPENSES.

EXPENSES.

Letter Book, 8s ; Postage, and other Stationary, 40s.	£2 8 0	
Indian Guides to Reserves, &c.	6 5 3	
Visiting Indian Point, Halifax, and Hants Reserves,	12 19 0	
Western Tour, five weeks,	37 19 0	
		59 11 3
Total paid		£251 10 2
Cash in hand		48 9 10
		£300 0 0
EXPENDITURES AUTHORIZED, BUT NOT PAID FOR.		
Improvements at Gold River,	£12 0 0	
“ at Fairy Lake,	25 0 0	
“ in Hants County,	15 0 0	
“ at Bear River, about	10 0 0	
Surveys, probably	20 0 0	
		£82 0 0
Balance of Grant,		48 9 10
		£33 10 2

APPENDIX, No. 8.

(See Page 13.)

No. 64.

Downing Street, 19th August, 1842.

MY LORD—

I transmit to you, herewith, an Act of Parliament, which received the Royal assent on the 16th ultimo, entitled, ‘An Act to amend the Laws for the regulation of the Trade of the British Possessions abroad,’ and I have to request that you would take the first opportunity of communicating copies of this Act to the Legislature of the Province under your Government. I also inclose, for your information, the copy of a Despatch, which I have addressed to the Governor of Canada, explaining the policy by which Her Majesty’s Government has been governed, in recommending to Parliament the adoption of the important changes in the Laws, affecting the trade of the Colonies, which are sanctioned by this Act.

I have, &c.,

(Signed)

STANLEY.

The Right Hon. the Viscount Falkland, &c. &c. &c.

COPY.

No. 227

Downing Street, 17th August, 1842.

SIR—

I transmit to you, herewith, An Act of Parliament, 5 & 6 Victoria, c. 49, which received the assent of the Crown on the 16th ultimo, entitled, ‘An Act to amend the Laws for the regulation of the Trade of the British Possessions abroad,’ and I have to request that you will take the first opportunity of communicating copies of this Act to the Provincial Legislature of Canada.

Her Majesty's Government having undertaken, soon after their accession to office, the revision of the Laws by which the Commerce of the United Kingdom is governed, felt it to be their duty to consider with equal care the regulations bearing upon the Trade of the Colonies; and having in view the experience which has now been obtained of the Legislation promoted by the late Mr. Huskisson, and some of his successors in office, and being satisfied with its results, their object has been to give fuller effect to the spirit in which that Legislation was conceived. They have applied themselves, therefore, to remove restrictions upon Colonial Industry, to bring the provisions of the Imperial Law more and more into accordance with the spirit of the declaratory Act of 1778—and to afford new practical recognitions of the principle of equality and impartiality in the dealings of the Imperial Legislature, with the Colonial Possessions of the Crown. The Act now sent to you is the fruit of these endeavours, and I trust that the Legislature and the inhabitants of Canada will find in it, enactments calculated to be of essential advantage to their commerce, and to afford them relief as consumers of imported goods.

I do not propose to recapitulate the substance of the Act in all its provisions, but I wish to call your attention, in the first place, to the repeal of the duties under the Acts 1, Geo. 3, c. 15, 6, Geo. 3, c. 42, 14, Geo. 3, c. 88, on Pimento, Molasses, Wines, and Spirits, respectively.

I trust, that in the repeal of these duties, the Legislature will perceive and appreciate the desire of Her Majesty's Government to maintain the principle of the declaratory Act already alluded to, and confine the enactments of the Imperial Legislature, even as respects the imposition of Impost duties, within the narrowest limits which are compatible with the due regulation of the Commercial interests of the Empire at large. I am desirous, also, to bring under your notice, a comparison of the table of Prohibitions, Duties, and exemptions, in the 4th and 7th sections, with those of the Possessions Act, applying to the like articles.

You will perceive that the advalorem duties on Foreign Glass and Silk, manufactured, are reduced from 20 and 30 per cent., respectively, to 15 per cent.; those on Foreign Linen, Leather, and Paper, Manufactures, and on Clocks and Watches, from 30 to 7 per cent.; those on Foreign Cotton Manufactures, Tobacco and Soap, from 20 to 7 per cent.; and those on unenumerated articles, from 15 to 4 per cent.; while Salt Fish of Foreign taking or curing, instead of being prohibited, is admitted at a duty of 2s. per cwt.; Foreign Oil, Blubber, Fins and Skins, also prohibited under the previous Act, are admitted on a duty of 15 per cent. advalorem; Cocoa, that was charged 5s. per cwt., is admitted at 1s.; and the prohibitions and restrictions, which were applied to the importation of Tea, otherwise than from the United Kingdom, or from British Possessions, or under certain specified conditions, are exchanged for a duty of 1d. per lb.

Her Majesty's Government are sensible that objections may be raised in Canada and New Brunswick, to the provisions of this Act, in reference to the important article of Foreign Lumber, as tending to injure them in supplying the West Indies with one of their staple exports. Her Majesty's Government earnestly trust that such may not be the unfavorable result of the recent Legislation. Having regard to the fact, that the United States are themselves compelled to resort largely to the British Provinces for a supply of wood, it is not hazarding too much to state, that the exemption of Foreign Lumber from duty, does not appear likely to injure the British North American Trade in this article, with the West Indies. The duty of 5s per barrel upon Foreign Wheat Flour, and 12s. per cwt. on Foreign salted and cured meat, which were imposed by the Possessions Act, were attended with this peculiarity, that they did not extend to Canada, where Wheat Flour and Salted provisions were altogether exempted from duty. The object of granting this exemption to Canada was to draw this species of produce from the North Western States of the Union down the River St. Lawrence to the Atlantic. But these articles being imported into Canada, not for her own consumption, but for re-exportation to the West Indian and other Colonial Markets, the effect was to give Canada the benefit of a transit trade at the expense of those Colonies. These duties are now reduced to 2s. per barrel in the case of Wheat Flour, and to 3s. per cwt. in the case of Meat; and to correct

correct the unfair operation of the Law which I have described, the reduced duties are extended to Canada equally with other Colonies; whilst, at the same time, in the new measures for the regulation of the Trade of the United Kingdom, important advantages have been given to the salted provisions of Canada, in the markets at home, which, it is hoped, will fully counterbalance any supposed disadvantages arising from the other change. Her Majesty's Government desire to observe, that under the 37th and 38th clauses of the British Possessions Act, 3 & 4 William 4, c. 59, which are unrepealed by the Act of this Session, any articles may be entered at any Frontier Port of Canada without payment of duty, and may be delivered, to be passed on to one of the Warehousing Ports, under bond, for the due arrival and warehousing of such Goods at such Port. The existing exemptions would relieve parties from the observance of these regulations, and from any charges attending their fulfilment, in respect to the articles to which they apply. Her Majesty's Government, however, question whether these exemptions ought not to be extended to other articles, besides Flour and Salt Meat; and they think that if the St. Lawrence is really to compete with the Erie Canal, the freedom which it offers should extend to all articles embraced by the Export Trade of the Agricultural States of the West, and not only to a selection from any one of them. If, therefore, it should appear of more importance to the inhabitants of Canada to retain, or to receive and extend the power of transmitting the produce of the United States, without the restrictions of the bond now required, down the St. Lawrence, than to enjoy the privilege of exporting their own produce to the other British Colonies, with such advantage as the differential duties, imposed under the new Act, may afford them, Her Majesty's Government have no desire to place the Commerce of Canada, by Imperial Legislation, under restrictions, further than as they are required, by a due regard to the equal rights of the inhabitants of the other possessions of the Crown; and therefore they would readily consider the expediency of proposing to Parliament to remove the duties now laid on the importation of Flour, Salted Meat, and any other article of Agricultural produce into Canada; at the same time, however, placing the same articles, when exported from Canada to other Colonies, upon the footing, with respect to the duty, of Foreign Produce, at the Custom Houses of those Colonies, and requiring proof of their Canadian origin, as a condition of their privileged admission into this Country.

Her Majesty's Government are most willing, independently of the suggestion which has been just made, to entertain any plan for giving further facilities to the transit of the produce of the United States, by way of the St. Lawrence, in case it should be considered that a system of branding packages, or any other mode, would be more simple and satisfactory for the purposes of Commerce, than a compliance with the provisions of the present Law.

It is necessary that I should here advert, on the part of Her Majesty's Government, to the state of the duties on the importation of Refined Sugar into Canada, as they will stand under the new Law, and the Act passed by the Provincial Legislature in its last Session, for consolidating the duties on Customs.

This latter Act imposes a duty of 2d. per lb. on all refined Sugar, imported into the Province, the effect of which will be to absorb altogether the Impost laid by the Possessions Act of the 3d & 4th, Wm. 4, upon Foreign Refined Sugar; and to place it upon an equal footing with Sugar refined in England.

The present Law imposes a duty of ten per cent. advalorem, which would probably be rated at $\frac{1}{2}$ d per lb. on Sugar refined, in bond, in England, when exported to the Colonies, and a duty of 20 per cent. advalorem, on all Foreign Refined Sugar; and these duties are to be charged over and above any duty which may be leviable on the article by Colonial Act, irrespective of its origin.

The effect therefore of the enactments will be to give to the English refiner in bond, a *bona fide* advantage in the Canadian market of $\frac{1}{2}$ d. per lb. over his foreign competitor, by the mode of addition to the Colonial duty, which would probably raise it to the amount of $2\frac{1}{2}$ d. and 3d. per lb. in the two cases respectively. Under these circumstances it appears to Her Majesty's Government to be a question for the Provincial Legislature to consider

consider whether these duties may not be greater than it may be desirable to place on the article, and if that should be their view they may probably be disposed to reduce the Colonial duty on all refined Sugar from 2d. to a smaller sum.

Her Majesty's Government further wish that the attention of the Legislature should be directed at its approaching meeting, to the law respecting the importation of Tea, as they are under the impression that it will be found advisable, with a view to the prevention of contraband trade, to make a reduction of the duty of 3d. per lb. now payable under the Provincial Act. An additional duty of 1d. on Teas not imported from China into the United Kingdom is chargeable under the new law, but Her Majesty's Government are apprehensive that a charge so high as 4d per lb. upon an article so portable, will prevent the advantage which among others it is hoped to realize by the change now proposed, in putting a stop to the illicit introduction of Tea along the Canadian frontier from the United States.

From a general review of the provisions of the Act which I am considering, it will be seen that the attention of Her Majesty's Government and Parliament has been directed not only to the relaxation of restrictions, but also to the removal of such indulgences and exemptions in favour of some Colonies as rendered the law unjust in its bearing upon others. But whilst Her Majesty's Government have been anxious to correct every thing that was unequal in the operation of the law, and to do what in them lay to relieve the Colonists from burthensome imposts, they are aware that considerations, apart from any obligations imposed by Act of Parliament, may make it in some instances impossible for the Colonies to profit by the relief proposed for them. In particular Colonies the Revenue derived from some of the duties imposed by the Possessions Act, or from duties of similar amount otherwise imposed, may be indispensable as ways and means for carrying on the public service. The degree to which the Colonial Revenues may or may not be affected by the changes of the imperial Law in particular cases, must be matter of much uncertainty until determined by experience, and it may be requisite in some instances to provide before hand for a contingent deficiency, and perhaps to reimpose, by local Acts, a part or even the whole of the duties now repealed, but if this should be necessary, the abolition of the duties repealed by the present Act, and the substitution of the simple Tariff which it establishes, will enable the Colonial Legislature to frame a scale of Colonial Impost Duties of a convenient character, and will relieve the commerce of the Colony from the inconvenience which necessarily resulted to importers, from the complex provisions and doubtful construction of the previous Imperial Acts. I have therefore to request that you will invite the attention of the Legislature of Canada to the fiscal bearings of the present Act, and acquaint them that in thus confining the operation of the Imperial Law, to a narrower range, and enlarging the sphere of Colonial Legislation in matters of Commerce, Her Majesty's Government are assured that the local authorities will bring to that Legislation a judgment at once enlightened by local knowledge, and guided by a just sense of what is due to public credit, and to the maintenance of a proper provision for the wants of the public service. In inviting the attention of the Colonial Legislature to this important subject, you will bring under their especial notice, the principle involved in the 10th section of the present Act, by which you will observe that the duties thereby imposed are differential duties in favour of the produce and manufactures of the United Kingdom and its possessions; and that while the Colonial Legislature are left at liberty to fix, subject to Her Majesty's approval, such rates of duty on all Imports as they may think necessary for purposes of Revenue, the effect of the section above referred to, is to maintain discriminating duties in all cases equal to the duties imposed by this Act.

With a view to give time to the Local Legislatures to make any arrangements which shall appear to them to be expedient, previously to the commencement of the new Act, its operation is postponed by the 1st section, so far as the British Possessions in North America are concerned, to the 5th July, 1843.

I have, &c.

(Signed)

STANLEY.

Sir C. Bagot, &c. &c. &c.

APPENDIX, No. 9.

(See Page 13.)

An Act to amend the Laws for the Regulation of the Trade of the British Possessions Abroad.

WHEREAS, an Act was passed in the Third and Fourth Years of the Reign of His late Majesty King William the Fourth, intituled, An Act to regulate the Trade of the British Possessions abroad, hereinafter designated as "The Possessions Act:" And whereas it is expedient to make certain Alterations and Amendments therein: *Be it therefore enacted*, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, except as hereinafter is provided, from and after the Fifth day of July, One Thousand Eight Hundred and Forty-three, so far as relates to the British Possessions in North America, and from and after the Fifth day of April, One Thousand Eight Hundred and Forty-three, so far as relates to the British Possessions in South America and the West Indies, and from and after the Fifth day of July, One Thousand Eight Hundred and Forty-three, so far as relates to the Mauritius, this Act shall come into, and be and continue in full force and operation, for all the purposes mentioned herein.

II. *And whereas*, under or by virtue of an Act passed in the Fourth Year of His late Majesty King George the Third, intituled, An Act for granting certain Duties in the British Colonies and Plantations in America; for continuing, amending, and making perpetual, an Act passed in the Sixth Year of the Reign of His late Majesty King George the Second, intituled, "An Act for the better securing and encouraging the Trade of His Majesty's Sugar Colonies in America;" for applying the produce of such Duties, and of the Duties to arise by virtue of the said Act, towards defraying the expenses of defending, protecting, and securing the said Colonies and Plantations; for explaining an Act made in the Twenty-fifth Year of the Reign of King Charles the Second, intituled, "An Act for the encouragement of the Greenland and Eastern Trades, and for the better securing the Plantation Trade;" and for altering and disallowing several Drawbacks on Exports from this Kingdom, and more effectually preventing the clandestine conveyance of Goods to and from the said Colonies and Plantations, and improving and securing the Trade between the same and the United Kingdom, the following Duties are chargeable upon Wines imported into the British Possessions in America; (that is to say,)

For every Ton of Wine, of the growth of the Madeiras, or of any other Island or place, from whence such wine may be lawfully imported, and which shall be so imported from such Islands or Places, the sum of Seven Pounds:

For every Ton of Portugal, Spanish, or any other Wine (except French Wine,) imported from the United Kingdom, the sum of Ten Shillings:

And whereas, under or by virtue of an Act passed in the Sixth Year of the Reign of His late Majesty King George the Third, intituled, An Act for repealing certain Duties in the British Colonies and Plantations granted by several Acts of Parliament, and also the Duties imposed by an Act made in the last Session of Parliament upon certain East India Goods exported from the United Kingdom, and for granting other Duties instead thereof, and for further encouraging, regulating, and securing, several branches of the Trade of this Kingdom and the British Dominions in America, the following Duties are chargeable upon Molasses and Syrups, and British Pimento, imported into the British Possessions in America; (that is to say,)

For every Gallon of Molasses and Syrups (except as in the same Act is mentioned) One Penny:

For every Pound Weight Avoirdupois, of British Pimento, (except as in the same Act is mentioned,) One Halfpenny:

And whereas, under or by virtue of an Act passed in the Fourteenth Year of the Reign

of His late Majesty King George the Third, intituled, An Act to establish a Fund towards further defraying the charges of the Administration of Justice, and support of the Civil Government within the Province of Quebec in America, the following duties are chargeable on Brandy, Rum, and Spirits, imported into any Port of Canada; (that is to say,)

For every Gallon of Brandy or other Spirits, of the manufacture of the United Kingdom, Three-pence:

For every Gallon of Rum or other Spirits which should be imported or brought from any of His Majesty's Sugar Colonies in the West Indies, Six-pence:

For every Gallon of Rum or other Spirits, which should be imported or brought from any other of His Majesty's Colonies or Dominions in America, Nine-pence:

For every Gallon of Foreign Brandy, or other Spirits of Foreign Manufacture, imported or brought from the United Kingdom, One Shilling:

For every Gallon of Rum or Spirits, of the produce or manufacture of any of the Colonies or Plantations in America, not in the possession or under the Dominion of His Majesty, imported from any other place except the United Kingdom, One Shilling.

And whereas it is expedient that the several hereinbefore mentioned Duties imposed by the said Acts respectively, should be repealed; *Be it therefore enacted*, That so much of each of the said Three several Acts of His late Majesty King George the Third, as imposes or authorises the charge of the hereinbefore mentioned duties upon Wine, Molasses, Pimento, and Spirits, respectively, shall be, and the same is hereby repealed.

III. *And whereas*, by the said Possessions Act it was enacted, that the several sorts of Goods enumerated and described in the Table therein mentioned, denominated "A Table of Prohibitions and Restrictions," should be prohibited to be imported or brought either by Sea or Inland navigation into the British Possessions in America, or should be so imported or brought only under the Restrictions mentioned in such Table, accordingly as the several sorts of Goods are set forth therein, and that if any Goods should be imported or brought into any of the British Possessions in America, contrary to any of the Restrictions mentioned in such Table, in respect of such Goods, the same should be forfeited; and that if the Ship or Vessel in which such Goods should be imported, should be of less burden than Seventy Tons, such Ship or Vessel should also be forfeited: *And whereas* it is expedient that the Prohibitions established by the lastly hereinbefore recited enactment, should be materially modified, and that for this purpose the said enactment should be repealed, and such Prohibitions should be enacted as hereinafter are mentioned; *Be it therefore enacted*, That so much of the said Possessions Act as prohibits the importation of the Goods enumerated and described in the Table in the said Act contained, and hereinbefore mentioned, and as declares the Forfeiture of such Goods, and of certain Vessels importing the same, as hereinbefore is mentioned, shall be repealed.

IV. *And be it enacted*, That the several sorts of Goods enumerated or described in the Table following, denominated "A Table of Prohibitions and Restrictions," are hereby prohibited to be imported or brought, either by Sea or by inland carriage or navigation, into the British Possessions in America or the Mauritius, or shall be so imported or brought only under the restrictions mentioned in such Table, according as the several sorts of such Goods are set forth therein; (that is to say,)

A TABLE OF PROHIBITIONS AND RESTRICTIONS.

Gunpowder,

Ammunitions, Arms, or Utensils of War,—prohibited to be imported except from the United Kingdom, or from some other British Possession.

Coffee,

Sugar, not being refined, in Bond in the United Kingdom,

Molasses,

Rum,—being the produce or manufacture of any British Possession within the limits of the East India Company's Charter, except and subject as hereinafter is provided, or being

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ing of Foreign produce or manufacture, prohibited to be imported into any of the British Possessions on the Continent of South America or in the West Indies (the Bahama and Bermuda Islands not included) or into the Mauritius, except to be Warehoused for Exportation only, and may also be prohibited to be imported into the Bahama or Bermuda Islands, by Her Majesty's Order in Council.

Base or Counterfeit Coin.

Books, such as are prohibited to be imported into the United Kingdom—prohibited to be imported.

And if any Goods shall be imported or brought into any of the British Possessions in America or the Mauritius, contrary to any of the Prohibitions or Restrictions mentioned in such Table in respect of such Goods, the same shall be forfeited; and if the ship or vessels in which such Goods shall be imported, be of less burden than Seventy Tons, such ship or vessel shall also be forfeited.

V. *Provided always, and be it enacted*, That it shall be lawful to import into any British Possessions in the West Indies and South America, and into the Mauritius, any Coffee the produce of any British Possession within the limits of the East India Company's Charter, and also any Sugar the produce of any British Possession within the limits of the East India Company's Charter, into which the importation of Sugar the Produce of any Foreign Country, or of any British Possession into which Foreign Sugar may be legally imported, has been prohibited, and also any Rum, the produce of any British Possession within the limits of the East India Company's Charter, into which the Importation of Rum, the produce of any Foreign Country, or of any British Possession into which Foreign Sugar or Rum may be legally imported has been prohibited: *Provided nevertheless*, that no such Coffee, Sugar, or Rum, shall be entered in any British Possession in the West Indies or South America, or in the Island of Mauritius, as being the produce of any British Possession within the limits of the East India Company's Charter, from which the same may be legally imported under the Proviso last aforesaid, unless the master of the Ship importing the same shall have delivered to the Collector or principal officer of the Customs at the Port of importation, such certificate of origin as hereinafter is mentioned, under the Hand and Seal of the proper officer, at the place where the same shall have been taken on board; and such Master shall also make and subscribe a Declaration before the proper officer of the Customs, that such certificate was received by him at the place where such Coffee, Sugar, or Rum, was taken on board, and that the Coffee, Sugar, or Rum, so imported, is the same as is mentioned therein; and such certificate of origin shall, as regards Coffee, certify that a Declaration in Writing had been made and signed before the officer giving such certificate, the contents of which he believed to be true, by the shipper of such Coffee, that the same was really and *bona fide* the produce of some British Possession; and such certificate of origin shall, as respects Sugar, state the name of the District in which such Sugar was produced; the quantity and quality thereof, the number and denomination of the packages containing the same, and the name of the ship in which they were laden, and the master thereof, to the officer giving the same, by the shipper of such Sugar, and shall likewise certify that there had been produced a certificate under the Hand and Seal of the Collector or Assistant Collector of the Land or Customs Revenue of the District within which such Sugar was produced, that such Sugar was the produce of the District, and that the importation into such District of Foreign Sugar, or Sugar the growth of any British Possession into which Foreign Sugar can be legally imported is prohibited; and such certificate of origin shall, as respects Rum, state the name of the District in which such Rum was produced, the quantity and strength thereof, the number and denomination of the packages containing the same, the name of the ship in which they were laden, and of the Master thereof, and shall also testify that there had been produced to the party giving such certificates, by the shipper of such Rum, a certificate under the Hand and Seal of the Collector or Assistant Collector of the Land or Customs Revenue of the District within which such Rum was produced, that the same was the production of such District.

VI. *And whereas*, by the Possessions Act it is enacted, that there shall be raised, levied, collected

collected, and paid unto Her Majesty, the several duties of Customs, as the same are respectively set forth in figures in the Table of Duties hereinafter contained, upon Goods, Wares, and Merchandize, imported or brought into any of Her Majesty's Possessions in America, and in and by the said Table certain Articles are therein declared to be exempted from or free of such Duties; and it is by the said Possessions Act provided, that no greater proportion of the duties imposed thereby, except as therein excepted, shall be charged upon any article which is subject also to duty, under any of the Acts therein referred to, or subject also to duty under any Colonial Law, than the amount, if any, by which the Duty charged by the said Possessions Act, should exceed such other Duty or Duties; and it is thereby further provided, that the full amount of the duties mentioned therein, whether on account of such former Acts, or on account of such Colonial Law, or on account of the said Possessions Act, shall be levied, and recovered, and received, under the Regulations, and by the means and powers of the said Possessions Act: *And whereas* it is expedient that the said Duties should be repealed, and other Duties substituted in lieu thereof; *Be it therefore enacted*, That the hereinbefore recited enactment, imposing Duties upon Goods, Wares, and Merchandise, imported or brought into any of Her Majesty's Possessions in America, and so much of the said Possessions Act as extends any of such Duties to the Mauritius, and the said Duties and exemptions so imposed and established, by the said Possessions Act, and the said several enactments in relation thereto, which are hereinbefore recited, shall be repealed.

VII. *And be it enacted*, That there shall be raised, levied, collected, and paid, unto Her Majesty, the several Duties of Customs, as the same are respectively set forth in figures, in the Table of Duties hereinafter contained, upon Goods, Wares, and Merchandize, not being the Growth, Production, or Manufacture of the United Kingdom, or of any of the British Possessions in America, or of the Mauritius, or of any of the British Possessions within the limits of the East India Company's Charter, or the produce of any of the British Fisheries imported or brought into any of the British Possessions in America, or the Mauritius, by Sea, or inland carriage, or navigation:

TABLE OF DUTIES.

	<i>s.</i>	<i>d.</i>
Wheat Flour, the Barrel of 196 lbs.,	2	0
Fish, of Foreign taking } dried or salted, the Cwt.,	2	0
} or curing, } pickled, the Bbl.	4	0
Meat, salted or cured, the Cwt.,	3	0
Butter,	8	0
Cheese.	5	0
Coffee,	5	0
Cocoa,	1	0
Molasses,	3	0
Sugar, unrefined,	5	0
Refined Sugar, the produce of and refined in Foreign Countries—20 <i>per centum ad valorem</i> ,		
Tea, unless imported direct from China, or unless imported from the United Kingdom, or from any of the British Possessions, per pound,	0	1
Spirits:		
Rum, per Gallon,	0	6
Other Spirits and Cordials,	1	0
Glass Manufactures, } Silk Manufactures, } 15 <i>per centum ad valorem</i> . Spermaceti,		
Wine, Whether bottled or not		
Cotton Manufactures		
Linen Ditto.		
Woolen Ditto.		
Leather Ditto.		
Paper Ditto.		
		Hardware,

Hardware,
 Clocks and Watches,
 Manufactured Tobacco,
 Soap,
 Candles, other than Spermaceti,
 Corks, Cordage, and Oakum—7 *per Centum ad valorem*.
 Oil, Blubber, Fins, and Skins, the produce of Fish and creatures living in the Sea, of
 Foreign Fishing—15 *per Centum ad valorem*.
 Articles not enumerated, except such as are comprised or referred to in the subjoined
 Table of Exemptions—4 *per Centum ad valorem*.
 And if any of the Goods hereinbefore proposed to be charged with Duty, except Sugar
 and Tea, shall be imported through the United Kingdom (having been warehoused
 therein, and being exported from the Warehouse), or the Duties thereon, if there
 paid, having been drawn back—(Such Goods shall only be charged with Three
 Fourths of the Duties hereinbefore proposed.)

TABLE OF EXEMPTIONS.

Coin, Bullion, and Diamonds.
 Horses, Mules, Asses, Neat Cattle, and all other Live Stock.
 Hay and Straw,
 Tallow and Raw Hides.
 Salt.
 Rice.
 Corn and Grain, unground.
 Biscuit or Bread.
 Meal or Flour, except Wheat Flour.
 Fresh Meat.
 Fresh Fish.
 Fruit and Vegetables, fresh.
 Carriages of Travellers.
 Wood and Lumber.
 Cotton Wool.
 Hemp, Flax, and Tow.
 Drugs.
 Gums and Resins.
 Tortoise-shell.
 Manures of all Kinds.
 Herrings, taken and cured by the inhabitants of the Isle of Man, and imported from thence.
 Provisions and Stores of every Description, imported or supplied for the Use of Her Ma-
 jesty's Land and Sea Forces.
 All Goods imported from the United Kingdom, after having there paid the Duties of Con-
 sumption, and imported from thence without Drawbacks.
 VIII. *And be it enacted*, That the articles enumerated or mentioned in the Table of
 Exemptions hereinbefore contained, shall be imported without payment of any duty, un-
 der this Act, and also such of the following Articles; (namely,)
 Salted or Cured Meat,
 Flour,
 Butter,
 Cheese,
 Molasses,
 Cork-wood,
 Cordage,
 Oakum,
 Pitch,
 Tar,

Turpentine,
Leather and Leather-ware,
Fishermen's Clothing and Hosiery,
Fishing Craft, Utensils, Instruments, and Bait,

as shall be imported for the use of the British Fisheries in America, into any place at or from whence any such Fishery is carried on, subject to such Regulations as the Commissioners of Customs, or the Principal Officer of Customs at such Place, shall make, and which they and he are hereby empowered to establish, for the purpose of ascertaining that such articles are *bona fide* intened to be applied to the use of such Fisheries, or that such Provisions and Stores as aforesaid, are *bona fide* imported or supplied for the use of Her Majesty's Land and Sea Forces.

IX. *And be it enacted*, That there shall be raised, levied, collected, and paid unto Her Majesty, a duty of Ten Pounds for every One Hundred Pounds of the value, upon Sugar refined in bond in the United Kingdom, not being of the growth of any of the British Possessions in America, or of the Mauritius, or of any of the British Possessions within the limits of the East India Company's Charter, imported or brought into any of the British Possessions in America, or into the Mauritius, by sea, or by inland carriage, or navigation.

X. *And be it enacted*, That if in any of the British Possessions in America or the Mauritius, any duty be chargeable by any Colonial Law, upon any articles being the growth, produce, or manufacture of the United Kingdom, or of the British Possessions in America, or of the British Possessions within the limits of the East India Company's Charter, or the produce of the British Fisheries, beyond the duty (if any) chargeable by such Colonial Law upon similar Foreign Articles, the Imperial duty hereby imposed upon such Foreign Articles, shall be increased by such excess or amount (as the case may be) of the duties so chargeable by such Colonial Law, upon similar British articles; and that if in any of the British Possessions in America or the Mauritius, any duty be chargeable by any Colonial Law upon Tea imported direct from China, or imported from the United Kingdom, or any of the British Possessions, beyond the duty (if any) chargeable by such Colonial Law upon Tea not so imported, the Imperial duty hereby imposed upon Tea not so imported, shall be increased by such excess or amount (as the case may be) of the duties so chargeable by such Colonial Law upon Tea imported direct from China, or imported from the United Kingdom, or from any of the British Possessions.

XI. *And be it enacted*, That it shall and may be lawful for Her Majesty, by and with the advice of Her Privy Council, by an Order or Orders in Council, to be issued from time to time, to direct that any articles described in such Order, being an article chargeable under this Act as an unenumerated article, with a duty of four *per centum ad valorem*, shall be added to the List of Exemptions hereinbefore set forth, and shall be free from such duty; and from and after the time mentioned in such Order for the commencement of such exemptions, not less than six months from the date hereof, such exemptions shall take effect; and such article shall thenceforth, whilst such Order shall continue in force, be free from such duty accordingly; and any such Order may at any time be suspended or revoked by Her Majesty, with the advice of Her Privy Council, by any other Order in Council.

XII. *And be it enacted*, That the duties imposed by this Act shall be levied, and recovered, and received, under the regulations, and by the means and powers of the Possessions Act, except such of the said regulations as are repealed or altered by this Act.

XIII. *And be it enacted*, That all sums of money granted or payable under this Act, or under the Possessions Act, as duties, penalties, or forfeitures, in the British Possessions in America, or the Mauritius, shall be deemed, and are hereby declared to be sterling money of Great Britain, and shall be collected, recovered, and paid to the amount of the value which such nominal sums bear in Great Britain; and that such monies may be received and taken in sterling money of Great Britain, or in Foreign coins, at such rates as shall be equivalent to sterling money of Great Britain, and which shall have been fixed by any Proclamation issued by Her Majesty; and that all duties under this Act shall be paid and received

received in every part of the British Possessions in America, and in the Mauritius, according to the Imperial weights and measures now by Law established; and that, in all cases where such duties are imposed, according to any specific quantity, or any specific value; the same shall be held to apply, in the same proportion, to any greater or less quantity or value; and that all such duties shall be under the management of the Commissioners of the Customs.

XIV. *And be it enacted*, That the net produce of the duties so received by the means and powers of this Act, shall be paid by the Collector of the Customs into the hands of the Treasurer or Receiver General of the Colony, or other proper Officer authorized to receive the same in the Colony in which the same shall be levied, to be applied to such uses as shall be directed by the local Legislatures of such Colonies respectively; and that the produce of such duties so received as aforesaid in the Colonies which have no local Legislature, shall and may be applied in such manner as shall be directed by the Commissioner of Her Majesty's Treasury.

XV. *And be it enacted*, That Goods the produce or manufacture of the Islands of Guernsey, Jersey, Alderney, or Sark, when imported from such Islands into the British Possessions in America or the Mauritius, shall be admitted to entry upon payment of the same duties as are payable upon the like Goods, the produce or manufacture of the United Kingdom, or of any of the said Possessions, upon production to the principal Officer of Customs at the Port of Importation, of the proofs now required by Law, that such Goods are the production or manufacture of the Islands aforesaid.

XVI. *And whereas*, the hereinbefore recited Provisoos contained in the said Possessions Act, which provide that no greater proportion of the Duties imposed by that Act shall be charged upon any Article which is subject also to duty, under any of the Acts therein referred to, and subject also to duty under any Colonial Law, than the amount, if any, by which the duty charged by the said Possessions Act, shall exceed such other duties, and that the full amount of the duties mentioned in the said Possessions Act, whether on account of such former Acts, or on account of such Colonial Law, or on account of the said Possessions Act, should be levied, and recovered, and received, under the regulations, and by the means and powers of the said Possessions Act, have been understood and acted on in divers different senses in the several British Possessions in America and the Mauritius, and in some of the aforesaid Possessions certain duties have been imposed by the Colonial Legislatures or other authorities, having the power to impose duties, which duties have been expressly directed by the Colonial Acts, or Ordinances imposing the same, to be in addition to, or over and above the duties imposed by the said Possessions Act, and in these and others of the aforesaid Possessions, the duties respectively imposed upon articles by the said Possessions Act, and by the Colonial Acts and Ordinances in such Possessions, have, notwithstanding the aforesaid Provisoos, been collected in full, without any such abatement as in the said Provisoos is contemplated: *And whereas* it is expedient that such collection in full, of the said Imperial and Colonial Duties, should be held to be good in Law, notwithstanding the aforesaid Provisoos: *And whereas* doubts have been entertained whether the duties imposed upon the importation of Goods, Wares, or Merchandize, into the West Indies by the said Possessions Act, are, under the provisions of that Act, leviable upon the like Goods, Wares, and Merchandize, imported into the Mauritius from the United Kingdom: *And whereas* notwithstanding such doubts, the aforesaid duties have been levied upon Goods, Wares, and Merchandize, so imported into the Mauritius from the United Kingdom, and it is expedient that the levying of the same should be held good in Law; *Be it therefore enacted*, That from and after the passing of this Act, no personal Action, Suit, or other Proceeding, shall be prosecuted or commenced against any Officer of Her Majesty's Customs, or any officer or other person authorized by the Legislature, or other proper Authorities of any of the aforesaid British Possessions, for or in respect of such Officer or Person having levied duties, imposed by the said Possessions Act upon the Importation of any article, in full, without making any deduction therefrom, in respect of duties imposed by any Colonial Law or Ordinance upon the same Article, or for or in respect of such Officer or other person, having levied duties imposed upon

upon the importation of any article by any Colonial Law or Ordinance, in full, without making any abatement or deduction therefrom, in respect of the duty imposed by the Possessions Act upon the same article; and that no personal Action, Suit, or other proceeding shall be prosecuted or commenced against any officer of Her Majesty's Customs, or any other Officer, or other Person empowered by the proper Authorities to collect duties in the Mauritius, for or in respect of such Officer or other Person having levied the like duties upon the importation of any Goods, Wares, or Merchandize, into the Mauritius from the United Kingdom, as are imposed by the said Possessions Act upon the Importation of Goods, Wares, or Merchandize, into the West Indies; and if any Action or Suit, or other Proceeding whatsoever, shall be prosecuted or commenced against any Officer of Customs, or other Officer, or Person as aforesaid, by reason of any thing done as aforesaid, it shall be lawful for the defendant in any such Action or Suit, or other Proceeding, as aforesaid, to apply to the Court in which such Action shall be brought, during the sitting of such Court, or to any Judge of such Court during vacation, for stay of proceedings, and such Court and such Judge respectively, shall stay such proceedings accordingly, and all payments which may have been made in respect of the duties so levied in full, or without abatement or deduction as aforesaid, or in respect of such duties so levied upon the importation of Goods, Wares, and Merchandize, into the Mauritius, as aforesaid, shall be held to have been good, and shall not be recoverable at Law, from any person or persons who may have received the same.

XVII. *And be it enacted*, That in any British Possessions in America, in which the Imperial Duties imposed by the said Possessions Act, and the Colonial Duties imposed by the Laws of such Possession, have both been customarily levied in full, without making any Deduction from the Imperial Duties in respect of the Colonial Duties, or from the Colonial Duties in respect of the Imperial Duties, it shall be lawful, from and after the passing of this Act, for the Officers of the Customs, and other Officers duly authorized, to continue so to levy in full, such Imperial and Colonial duties, respectively, during the continuance of said Possessions Act, any thing in the said Possessions Act contained, in anywise notwithstanding.

XVIII. *And be it enacted*, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

APPENDIX, No. 10.

(See Page 14.)

COPY.

Circular.

Downing Street, 20th August, 1842.

SIR—

With reference to my Despatch of the 19th instant, enclosing the 5 & 6 Victoria, cap. 49, amending the Possessions Act, I have to instruct you to procure, whenever it may be in your power, the exclusion from General Revenue Acts, and the enactment by distinct and separate Statutes, of all such Laws as the Colonial Legislature may desire to pass, affecting external Trade.

I have, &c.,

(Signed)

STANLEY.

The Lieutenant Governor of Nova-Scotia.

APPENDIX, No. 11.

(See Page 14.)

THE PROVINCE OF NOVA-SCOTIA, Dr.*For Payments made by the Treasurer, between 1st January and 31st December, 1842.***MARCH QUARTER.**

March 31.—To paid the Salaries of Officers of Government, Puisne Judges, &c. &c. per Abstract and Warrant,	1	£1423	15	0
Secretary of King's College, Windsor,	2	111	2	2½
Master of the Halifax Grammar School,	3	37	10	0
Collector of Excise, for pay of Waiters,	4	187	0	0
Respective Stockholders, for one year's interest on Funded Debt,	5	146	5	0
Stockholders of the Funded Debt, for the quarter ending this day,	6	250	0	0
The Commissioner and Treasurer of Savings Bank, for interest,	7	300	0	0
The Collector of Her Majesty's Customs, to pay Salaries of Officers of Customs,	8	1786	4	8½
The Commissioners of the Poor,	9	150	0	0
The Trustees of Pictou Academy,	10	50	0	0
The Trustees of Dalhousie College,	11	50	0	0
The Trustees of the Horton Academy,	12	111	0	0
The High Sheriff of Sydney, returning Members	13	3	0	0
The High Sheriff of Liverpool, for ditto.	14	4	10	0
James Brown, for keeping a Ferry,	15	10	0	0
Clerk to Central Board of Education,	16	37	10	0
The Commissioners of Bridewell,	17	1000	0	0
James Whitney, for running Steamboat,	18	25	0	0
Richard Carter, for running Ferry Boat,	19	10	0	0
Cornelius White, for returning members to Assembly,	20	4	10	0
Robert Atkinson, Drawback of Duties,	21	4	15	11
John Henderson, ditto.	22	8	15	0
William and R. Fraser, ditto.	23	8	11	8
Beamish Murdoch, Printing School Regulations,	24	27	8	8
Honorable George Smith, as granted to him,	25	46	10	0
Hon. George Smith, repairs to Ammunition House,	26	15	0	2
Henry G. Hill, for Plans of Province Building,	27	12	10	0
Mrs. Fairbanks, as granted to her,	28	200	0	0
The Commissioners, over-expenditure on Revenue Cutters,	29	264	0	9
A. W. Godfrey, Return of Duty on Printing Press,	30	6	10	0
John Stiles, Return Duty on Printing Press,	31	18	5	0
John McKay, Expences attending House of Assembly,	32	10	0	0
John G. Nelson, being a Return of Duty,	33	9	0	0
Commissioners of Public Buildings,	34	661	18	5
Mark Terfry, for assisting a Traveller,	35	20	0	0
John W. Freeman, Expenses in making a Seizure,	36	5	0	0
Jonathan Borden, services in Vaccinating Indians,	37	4	10	0
Joey Metzler, amount of Notes destroyed by Fire,	38	25	0	0

March 31.—To paid Doctor Hoffman, for services as Health Officer,	39	15	15	4
Timothy O'Brien, as granted to him,	40	52	10	0
The Honorable The Speaker, to procure Publications for the use of the Assembly,	41	30	0	0
Doctor Johnson, and others, for Services in Vaccinating Poor Persons,	42	743	5	0
Commissioners of Central Board of Education,	43	500	0	0
Overseers of the Poor, for support of Transient Paupers,	44	205	17	8
Members of the House of Assembly,	45	2617	10	0
Clerk of the House of Assembly,	46	100	0	0
Clerk Assistant ditto.	47	200	0	0
Clerk of Assembly, to pay Messengers, Fuel, &c.	48	220	9	0
Clerk of Assembly, Expense of Stationary,	49	60	0	0
Chaplains of the House of Assembly, 1841,	50	25	0	0
Chaplains of Ditto, 1842,	51	25	0	0
Matthew Forrester, Sergeant at Arms to Assembly,	52	50	0	0
John Jennings, Assistant Ditto	53	30	0	0
John Gibbs, Messenger to Ditto	54	30	0	0
The Reporters of the House of Assembly,	55	100	0	0
J. J. Sawyer, opening and closing Assembly in 1841,	56	10	0	0
J. J. Sawyer. ditto ditto ditto 1842,	57	10	0	0
The Clerk of Legislative Council, 1841 and 1842,	58	1491	11	1
James C. Betts, as granted to him,	59	2	5	10
William Ayre, as granted to him,	60	45	0	0
John Howe & Son, Printing for the Legislature,	61	794	9	7
William Flynn and others, in lieu of Province Notes destroyed,	62	26	0	0
The Treasurer and others, attending Criminal Prosecution,	63	63	0	0
James B. Hadley, as granted to him,	64	217	17	4
William Weeks, for running a Packet, 1841,	65	20	0	0
William Weeks, for running a Packet, 1842,	66	20	0	0
Trustees of the Yarmouth Academy,	67	70	0	0
Trustees of the Liverpool Academy,	68	50	0	0
Trustees of the Cape Breton Academy,	69	50	0	0
Trustees of the Annapolis Academy,	70	18	15	0
Trustees of the Digby Academy,	71	100	0	0
Trustees of the Cape Breton Academy,	72	25	0	0
Trustees of the Annapolis Academy,	73	18	15	0
Deputy Post Master General, Post Communication,	74	475	0	0
Postages of Legislature,	75	550	0	0
The Trustees of St. Mary's College,	76	111	0	0
		£16218 14 11		

JUNE QUARTER.

June 30.—To paid the Salaries of Officers of Government, Puisne Judges, &c. &c. per Abstract and Warrant,	1	£1423	15	0
Secretary of King's College, Windsor,	2	111	2	2½
Master of the Halifax Grammar School,	3	37	10	0
Collector of Excise, to pay Waiters,	4	277	10	0
		June		

June 30.—To paid the respective Stockholders, for one year's Interest on Funded Debt,	5	96	11	3
Ditto, for half year, ending this day	6	200	0	0
Ditto, for quarter, ditto,	7	250	0	0
The Commissioner and Treasurer of Saving's Bank, for Interest,	8	255	0	0
The Collector of H. M. Customs, to pay Salaries to Officers of Customs,	9	1786	4	8½
Commissioners of the Poor,	10	150	0	0
The Trustees of the Acadian School,	11	50	0	0
The Trustees of the National School,	12	50	0	0
The Trustees of the Catholic School,	13	50	0	0
The Commissioner for Indian Affairs,	14	300	0	0
Francis Hooper, as granted to him,	15	20	0	0
Commissioners for encouragement of Agricultural and Rural Economy,	16	1092	10	0
James Smith and others, for excess of Duties,	17	406	17	9
The Rev. O. Weeks, as granted to him,	18	50	0	0
The Honorable S. Cunard, encouragement for carrying Mails,	19	500	0	0
Commissioners for the erection of a Bridewell,	20	1000	0	0
Commissioners of the Poor, City of Halifax,	21	72	9	8
Daniel Durland, keeping Public House,	22	15	0	0
William P. Moffat, as granted to him,	23	2	5	0
Clerk to Central Board of Education,	24	37	10	0
Peter Hume, compensation for loss by Fire,	25	50	0	0
G. W. McLellan; expences in case of Small Pox,	26	22	15	6
Mark Killum, as granted to him,	27	10	0	0
Henry Palmer, for purchase of a Horse from the U. States,	28	299	0	0
The Commissioners of Public Buildings,	29	500	0	0
Reuben Nickerson, for keeping an Establishment for Travellers,	30	15	0	0
Samuel Morehouse, to repay for keeping Ferries,	31	20	0	0
Nathaniel Morgan, for erecting Oat Mill at Lunenburg,	32	15	0	0
William Ayres, as granted to him,	33	45	0	0
Michael Graham, over-expenditure on a Bridge,	34	63	13	5½
John Pernette, keeping a Ferry at LaHave,	35	7	10	0
Smith McDonald, over-expenditure at Arisaig Pier,	36	53	11	8
Judge Bliss, for Travelling Expenses,	37	37	6	8
Judge Haliburton, for ditto,	38	45	10	0
William Gardiner, being a Return of Duties,	39	12	0	0
Charles Pernette, keeping a Ferry at LaHave,	40	7	10	0
The Commissioners of Light Houses,	41	500	0	0
The Overseers of the Poor at Argyle,	42	27	15	0
Doctors Gregor and Stirling, in aid of Halifax Dispensary,	43	50	0	0
The Overseers of the Poor at Parrsboro',	44	6	10	0
Henry S. Jost, for repairing Block House at Lunenburg,	45	25	0	0
High Sheriff of Hants, for returning a Member,	46	1	10	0
Cornelius Craig, keeping a Ferry at Sable River,	47	10	0	0
Samuel Archibald, over-expenditure at Salmon River Bridge,	48	121	4	6
				June

June 30.—To paid Samuel Beckwith, Breakwater at Canady's Creek, Balance,	49	25	0	0
Commissioners of Light Houses,	50	1062	14	5
Edward Wallace, Adjutant General of Militia,	51	40	0	0
The Trustees of St. Mary's College,	52	111	0	0
The Trustees of the Acadia College,	53	111	0	0
Edmund Crowell, for keeping an Establishment at Seal Island,	54	40	0	0
Honorable J. Uniacke, to assist Indians to build a Chapel at Cape Breton,	55	30	0	0
The Managers of the Infant School at Pictou,	56	25	0	0
James Whitney, for running Steam Boat,	57	25	0	0
The Trustees of the Shelburne Academy,	58	50	0	0
The Trustees of the Sydney Academy,	59	200	0	0
The Trustees of the Guysboro' Academy,	60	50	0	0
The Trustees of the Colchester Academy,	61	50	0	0
The Trustees of the Lunenburg Academy,	62	50	0	0
Commissioners of Poor, for support of School House,	63	12	10	0
Trustees of Dalhousie College,	64	50	0	0
		£12112	6	9

SEPTEMBER QUARTER.

Sept. 30.—To paid the Salaries of Officers of Government, Puisne Judges, &c. &c. per Abstract and Warrant,	1	£1323	15	0
Secretary of King's College,	2	111	2	2½
Master of the Halifax Grammar School,	3	37	10	0
Collector of Excise, for pay of Waiters,	4	259	0	0
The respective Stockholders, for one year's interest on Funded Debt,	5	72	10	0
Stockholders of the Funded Debt, for the quarter ending this day,	6	250	0	0
The Commissioner and Treasurer of Savings Bank, for interest,	7	327	10	0
The Collector of H. M. Customs, to pay the Salaries to Officers of Customs.	8	1786	4	8½
The Commissioners of the Poor,	9	150	0	0
Clerk to Central Board of Education,	10	37	10	0
Quarter Master General of Militia,	11	40	0	0
The Honorable the Chief Justice, for Travelling expenses,	12	39	13	4
James Whitney, for running Steam Boat,	13	25	0	0
Judge Hill, for Travelling Expences,	14	47	16	8
The Commissioners of Light Houses,	15	500	0	0
The Trustees of the Antigonish Academy,	16	50	0	0
The Master of the Grammar School, Sydney, C. B.	17	25	0	0
The Trustees of the Lunenburg Academy,	18	50	0	0
The Commissioners of Light Houses,	19	601	13	4
The President and Directors of Agricultural Society	20	112	10	0
S. Conard & Co., balance of Whale Fishery Bounty,	21	75	0	0
The Trustees of the Liverpool Academy,	22	25	0	0
				September

Sept. 30.—To paid Cyrus Parry, Breakwater at Given's Cove, Yarmouth,	23	£100	0	0
Magistrates of Digby, as granted to them in 1841,	24	7	10	0
Commissioners of Light Houses, for building Light House at Gut of Canso,	25	109	18	11
Sundry persons, for expenses to Shipwrecked Mariners,	26	585	16	0
Trustees of the Annapolis Academy,	27	18	15	0
Anselm Trahan, completing Pier at Clare,	28	166	0	0
The Board of Health at Pictou, as granted to them,	29	197	15	5
Augustus LeBlanc, building Bridge at Metaghan River,	30	50	0	0
The Ladies, Managers of the Infant School,	31	50	0	0
The owners of the Steam Boat Pocahontas,	32	75	0	0
The Trustees of the Pictou Academy,	33	50	0	0
The Trustees of Dalhousie College,	34	50	0	0
The President and Directors of St. Mary's College,	35	111	0	0
The President and Directors of Acadia College,	36	111	0	0
The Trustees of the Albion Academy, Annapolis,	37	12	10	0
The President and Directors of the Pictou Academy	38	50	0	0
Rev. Mr. Uniacke, School in North Suburbs,	39	50	0	0
The Trustees of the Methodist Chapel,	40	50	0	0
The Teachers of the African School,	41	50	0	0
The Commissioners of Bridewell,	42	1000	0	0
		£8842	0	7

DECEMBER QUARTER.

Decr. 30.—To paid the Salaries of Officers of Government, Puisne Judges, &c. &c. per Abstract and Warrant,	1	£1423	15	0
Secretary of King's College, Windsor,	2	111	2	2½
Master of the Halifax Grammar School,	3	37	10	0
Collector of Excise, for pay of Waiters,	4	226	5	0
The respective Stockholders, for one year's Interest on Funded Debt,	5	72	10	0
Ditto, for half year, ending this day	6	200	0	0
Ditto, for quarter, ditto,	7	250	0	0
The Commissioner and Treasurer of Saving's Bank, for Interest,	8	252	10	0
The Collector of H. M. Customs, to pay the Salaries of Officers of Customs,	9	1786	4	8½
The Commissioners of the Poor,	10	150	0	0
Clerk to Central Board of Education,	11	37	10	0
The President and Directors of Acadia College,	12	111	0	0
The President and Directors of St. Mary's College,	13	111	0	0
Trustees of the Acadian School,	14	50	0	0
Trustees of the National School,	15	50	0	0
Trustees of the Catholic School,	16	50	0	0
Secretary of Dalhousie College,	17	50	0	0
Trustees of Pictou Academy,	18	50	0	0
Trustees of the Methodist School,	19	50	0	0
Rev. Mr. Uniacke, School in North Suburbs,	20	50	0	0
Trustees of the Shelburne Academy,	21	50	0	0

Decr. 31.—To paid Trustees of Guysboro' Academy,	22	50	0	0
Rev. Dr. Willis, in support of African School,	23	50	0	0
Trustees of Liverpool Academy,	24	25	0	0
Trustees of the Academy at Port Hood,	25	25	0	0
Trustees of the Sydney Academy,	26	25	0	0
Trustees of the Annapolis Academy,	27	18	15	0
Trustees of the Colchester Academy,	28	12	10	0
Commissioners of Poor, for support of a School,	29	12	10	0
Hon. the Chief Justice, for Travelling Expences,	30	10	10	0
Judge Haliburton, ditto,	31	56	0	0
Judge Hill, ditto,	32	37	6	8
Judge Wilkins, ditto,	33	30	6	8
Judge Bliss ditto,	34	30	6	8
Commissioners of Light Houses,	35	200	0	0
James Everett, for completing Pier at Digby,	36	25	0	0
Alfred Skinner, Breakwater at Given's Cove,	37	100	0	0
James Thomson and others, for Seal Bounty,	38	373	15	0
James Kent, for surveying Road at Sheet Harbor,	39	15	0	0
Middlemas & Trite, building Pier at Wilmot,	40	60	0	0
Antonia Sonea, Breakwater at Clare,	41	100	0	0
Alexius Boudrot, Breakwater at Clare,	42	50	0	0
Hunter & Chambers, for Drawback of Duties,	43	17	8	5
Dy. Postmaster General, balance due to Couriers,	44	550	0	0
Collector at Digby, for Revenue Boat, 1841	45	60	0	0
Allan McMillan, for Ferry at Gut of Canso,	46	10	0	0
Commissioners of Light Houses,	47	500	0	0
Isaiah Smith, Ferry at Shubenacadie,	48	30	0	0
Nisbet & Power, Breakwater at Cornwallis,	49	190	0	0
T. & E. Lydiard, Drawback of Duties,	50	14	19	0
David Rugg, ditto,	51	5	7	9
Commissioners for the protection of the Fisheries,	52	1800	0	0
The Salary of the Lieutenant-Governor,	53	2500	0	0
Adjutant General of Militia,	54	40	0	0
For payment of a Revenue Boat at Pictou,	55	30	0	0
Trustees of the Academy at the Albion Vale,	56	12	10	0
Trustees of the Sydney Academy,	57	25	0	0
James Whitney, for running a Steam Boat,	58	25	0	0
Owners of Parrsboro' Packet,	59	50	0	0
Commissioners of Light Houses,	60	500	0	0
Trustees of the Sydney Academy,	61	50	0	0
Charles E. Leonard, Revenue Boat at Sydney,	62	60	0	0
Asa Torrey, ditto, Windsor,	63	60	0	0
William McDougal, keeping a Ferry Boat,	64	7	10	0
Alexander Auld, ditto,	65	10	0	0
The Collector at Digby, Revenue Boat, 1842,	66	60	0	0
The Commissioners of Light Houses, for the erection of a Light House at Louisburg,	67	1000	0	0
The Commissioners of Sable Island,	68	400	0	0
Paid for Rations to Troops en route,	69	575	4	6
John Ferguson, Bounty on Chocolate,	70	110	1	6
Trustees of the Yarmouth Academy,	71	101	5	0
Deputy Secretary, to pay Clerks of Peace,	72	59	10	0
Commissioners of Light Houses,—balance,	73	944	1	3
Owners of Guysboro Packet,	74	50	0	0
Richard Carter, keeping a Ferry,	75	10	0	0

Decr.

Decr. 31.—To paid Post Communication,	76	102	3	9
For printing Province Notes,	77	31	12	6
Board of Health at Pictou,	78	197	15	5
Trustees of Annapolis Academy,	79	18	15	0
Adjutants of Militia, per Abstract and Warrants,		609	0	0
Militia Arms,		172	6	7
Coroners,		205	0	0
Criminal Prosecutions,		251	15	4
Schools,		7444	9	7
Road Alteration,		880	9	6
Old Road, and Balances,		1216	4	4
For making and repairing Roads and Bridges throughout the Province, per Warrants and Abstracts,		32932	3	7½
This sum paid off with money received into the Savings Bank,		1500	0	0
		£98979	2	2½
Balance,		2534	6	6½
		£101513	8	9
To Balance brought down,		£2534	6	6½
Add error in Account for 1841, as reported,		35	0	0
Add overcharge Road Account, Warrant No. 799,		20	0	0
		£2589	6	6½
Balance in Treasurer's hand,				

In Account Current with Charles W. Wallace, Treasurer. Cr.

Decr. 31, 1841.—By Balance of Account rendered at this date,		£17252	19	4
1842. Received from the Collectors at Halifax.				
Received from the late Collector to 20th August, 1842,	£20000	0	0	
Received from the Acting Collector from 20th Aug. to 7th Sept. 1842,	8346	7	8	
Received from the present Collector from 8th Sept. to 31st Decr.	10000	0	0	
		38346	7	8
Received from the Collectors at the Out-ports, between 1st Jany. and 31st Decr. 1842.				
Liverpool,	£655	17	0	
Pictou,	552	10	0	
Lunenburg,	696	0	5	
Yarmouth,	767	12	9	
Digby,	121	12	6	
Shelburne,	324	10	8	
Barrington,	7	11	10	
Colchester,	7	16	6½	
Cumberland,	200	0	0	
Windsor,	115	0	0	
Argyle,	2	8	8	
Sydney,	17	10	0	
King's County,	60	0	0	

Annapolis,

Annapolis,	44	12	6	
Weymouth,	8	0	0	
Sydney, C. B.	693	15	0	
Arichat,	658	16	8	
Port Hood, 1841 and 1842,	57	9	0	
Pugwash,	83	12	1	
Brier Island,		Nil		
Antigonish,	47	2	5	
Chester,		Nil		
Tatamagouche,	309	10	3	
				5431 8 3½

Decr. 31, 1842.—By received from the Collector of H. M.				
Customs on account of Duties, be-				
tween 1st Jan. and 31st Dec. 1842,	£33153	3	7	
Premium received on Dollars,	1881	7	6	
				£34534 11 1

LIGHT DUTY.

By received from the Collector of Halifax.				
March Quarter,	£121	17	10	
June Quarter,	404	18	8	
September Quarter,	436	8	8	
December Quarter,	408	12	6	
By received from the Collectors at the				
Out-ports, between 1st. Jany. and 31st Decr. 1842.				
Liverpool,	157	10	0	
Shelburne, 1841 & 1842,	101	17	5	
Yarmouth, 1841 & 1842,	439	3	7	
Annapolis,	11	5	8	
Pictou.	396	0	10	
Argyle.	62	11	8	
Weymouth,	34	15	9	
Digby, 1841	108	5	6	
Sydney,	11	2	0	
Arichat,	42	6	4	
Hants County, 1841 & 1842, and on ac. of Balance,	300	0	0	
Colchester,	0	0	0	
Amherst,	17	19	4	
Barrington,	46	13	0	
Lunenburg,	58	10	6	
Chester,		Nil		
Brier Island, on account,	28	1	3	
Pugwash. Balance of 1841 & 1842,	46	10	2	
Sydney, C. B.,	445	0	0	
Antigonish, for 1841,	7	8	0	
King's County,	6	0	3	
Gut of Canso, (Hadley)	168	3	6	
Ditto, (Bigelow) Balance of 1841,	66	8	5	
Tatamagouche, 1840,	23	5	3	
J. P. Miller, (Afloat)	3	6	6	
				3954 2 7

By

By received from the Commissioner and Treasurer of the Halifax Savings Bank,	1500 0 0
Received from the Attorney General, on account of Messrs. Munro, Wallace & Co., Bonds taken at Sydney, C. B.	350 0 0
Received from John Romans, late Collector at Col- chester, in full for Balance,	129 17 2
Received from J. Crews, Collector at Barrington, on account of a Seizure,	1 17 1½
Received from Jacob Roop, Sheriff at Digby, on account of Ditto,	12 5 7
	£101513 8 9

[Errors excepted.]

Treasurer's Office, Halifax, 31st December, 1842.

CHARLES W. WALLACE, Treasurer.

APPENDIX, No. 12.

(See Page 14.)

An Act for regulating the Carriage of Passengers in Merchant Vessels.

WHEREAS it is expedient to make provision respecting the Carriage of Passengers by Sea in certain cases, and for that purpose to repeal, except as hereinafter mentioned, an Act passed in the Session of Parliament, held in the Fifth and Sixth Years of His late Majesty King William the Fourth, intituled, An Act to repeal an Act of the Ninth Year of His late Majesty, for regulating the Carriage of Passengers in Merchant Vessels, from the United Kingdom to the British Possessions on the Continent and Islands of North America; and to make further Provision for regulating the Carriage of Passengers from the United Kingdom; and also an Act passed in the Session of Parliament, held in the Third and Fourth Years of Her present Majesty, intituled, An Act to extend to the British Colonies in the West Indies, an Act passed in the Fifth and Sixth Year of His late Majesty King William the Fourth, for regulating the Carriage of Passengers in Merchant Vessels; and also so much of an Act passed in the Session of Parliament held in the First and Second Years of Her present Majesty, intituled, An Act to amend the Laws relating to the Customs, as extends the Provisions of the Act first before mentioned, to Foreign Vessels, under certain circumstances: Be it therefore enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That the said recited Acts, and Portion of an Act, shall be and the same are hereby repealed, save and except so far as the first before mentioned Act repeals an Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intituled, An Act to regulate the Carriage of Passengers in Merchant Vessels from the United Kingdom to the continent and Islands of North America, which shall remain and continue repealed; Provided nevertheless, that all Fines, Forfeitures and Penalties, to which any Person or Persons may have become liable under the said Acts, or either of them, shall and may be sued for, prosecuted, and recovered, and that any Right of Action which may have accrued to any Person or Persons, by virtue of the said Acts, or either of them, shall and may be enforced hereafter, in such and the same manner, in all respects, as if this present Act had not been made.

II. And be it enacted, That no Ship carrying Passengers on any Voyage from any Port or Place in the United Kingdom, or in the Islands of Guernsey, Jersey, Alderney, Sark,

Sark, or Man, hereinafter designated as the hereinbefore mentioned Islands, to or for any Port or Place out of Europe, and not being within the Mediterranean Sea, shall proceed on her Voyage with, or shall carry more persons on board, than in the proportion of Three Persons to every Five Tons of the Registered Burden of such Ship, the Master and Crew being included in and forming part of such prescribed number, and that no such Ship shall, whatever be the Tonnage thereof, proceed on her Voyage with or carry more Passengers on board, than in the following proportion to the space occupied by them and appropriated for their use, and unoccupied by Stores, not being the personal Luggage of Passengers; (that is to say) on the Lower Deck or Platform, One Passenger for every ten such clear superficial feet, if such Ship is not to pass within the Tropics during such voyage, but if such Ship is to pass within the Tropics during such Voyage, then one Passenger for every Twelve such clear superficial Feet, if such Voyage is computed in manner hereinafter mentioned, not to exceed Twelve Weeks; and one Passenger for every Fifteen such clear superficial Feet, if such Voyage is so computed to exceed Twelve Weeks; and under the Poop or on the Orlop Deck, if any, One Passenger for every Thirty such superficial Feet, in all cases; and that if any Ship carrying Passengers upon any such Voyage as aforesaid, shall carry any Passengers beyond the Proportions hereinbefore respectively mentioned, or any of them, the Master of such Ship shall, for or in respect of every passenger constituting such Excess, be liable on such conviction as hereinafter is mentioned, to the payment of a Penalty not exceeding Five Pounds, to be sued for and recovered as hereinafter is mentioned.

III. And be it enacted, That no Ship shall carry Passengers on any such Voyage as aforesaid, unless she have Lower or Hold Beams, forming part of the permanent Structure of the Vessel, and also a Lower Deck or Platform, of which the under surface shall be not lower than Three Inches above the bottom of the Lower Beams, and properly and substantially secured to the same, nor unless such lower Deck or Platform shall be of not less than one and a half inch in thickness.

IV. And be it enacted, That no Ship shall carry any Passengers upon any such Voyage as aforesaid, unless such Ship shall be of the height of Six Feet at the least between the Upper Deck, and the Lower Deck or Platform hereinbefore mentioned, nor carry Passengers on the Orlop Deck, if any, unless the Height between such Orlop Deck and the Deck immediately above the same, be Six Feet at the least.

V. And be it enacted, That no Ship carrying Passengers on any such Voyage as aforesaid, shall have more than two Tiers of Berths, and that in no such Ship shall the Interval between the Floor of the Berths and the Deck or Platform beneath them, be less than Six Inches, and further, that the Berths shall be securely constructed, and that their Dimensions shall not be less than after the rate of Six Feet in Length, and Eighteen Inches in Width, for each Passenger.

VI. And be it enacted, That on board every Ship carrying Passengers on any such Voyage as aforesaid, there shall be issued to the Passengers daily, a supply of Water at the rate of at least three Quarts for each Passenger per Day, and that there shall also be issued at convenient times, not less often than twice a Week, a Supply of Provisions, after the rate of Seven Pounds of Bread, Biscuit, Flour, Oatmeal, or Rice, per Week, provided that One Half at least of the Supply shall consist of Bread or Biscuit, and that Potatoes may be employed to the extent of the remaining half of the Supply, Five Pounds, however, of Potatoes, being computed as equal to One Pound of the other Articles above enumerated; and that such issues as aforesaid, shall be made throughout the whole Voyage, including the time of detention, if any, at any Port or Place before the end of such Voyage; and further, that no Ship proceeding on any such Voyage as aforesaid, shall be cleared out until there shall be laden, and on board, such Quantity of pure Water, and of good and wholesome Provisions of the requisite kind, as shall be sufficient to allow of the issues aforesaid, during the period assigned to such Voyage, under the Provisions of this Act.

VII. And be it enacted, That in any such Ship, the Water to be laden on board as hereinbefore required, shall be carried in Tanks or sweet Casks, and that none of such

Casks

Casks shall exceed Three Hundred Gallons in capacity; and further, that when any Ship shall be destined to call at a Port or Place in the course of her Voyage, for the purpose of filling up her Water, a supply of Water at the rate before mentioned for every week of the computed Voyage to such Port or Place of calling, shall be deemed to be a compliance with the Provisions of this Act, subject to the following Conditions: (that is to say,)

FIRST.—That the Government Emigration Agent, at Ports where there is one, and the Collector or Comptroller of Customs at Ports where there is no such Agent, signify his Approval in Writing, and that the same be carried amongst the Papers of the Ship, to be delivered to the Collector of Customs, or Her Majesty's Consul, as the case may be, on reaching her final Destination.

SECONDLY.—That an Engagement to call at such Port or Place be inserted in the Bond, which is hereinafter required to be given to the Crown, by the Owner or Charterer, and Master.

THIRDLY.—That if the computed length of the Voyage to such Port or Place, be not declared in this Act, it shall be competent to the Government Emigration Agent, or the Collector or Comptroller of Customs, as aforesaid, as the case may be, to fix the same in each case; and,

FOURTHLY.—That the Ship shall have on board, at the time of clearing out, Tanks or Water Casks, sufficient for stowing the Quantity of Water required for the longest portion of the whole Voyage.

VIII. And be it enacted, That the number of Weeks deemed to be necessary for the Voyage of any such Ship, according to her Destination, shall be determined by the following Rule of Computation: (that is to say,)

For a Voyage to North America, except the West Coast thereof, Ten Weeks:

For a Voyage to the West Indies, including under that term the Bahama Islands, and British Guiana, Ten Weeks:

For a Voyage to any part of the Continent of Central or South America, except the West Coast thereof, and except British Guiana, Twelve Weeks:

For a Voyage to the West Coast of Africa, Twelve Weeks:

For a Voyage to the Cape of Good Hope or the Falkland Islands, Fifteen Weeks:

For a Voyage to the Mauritius, Eighteen Weeks:

For a Voyage to Western Australia, Twenty Weeks:

For a Voyage to any other of the Australian Colonies, Twenty-two Weeks:

For a Voyage to New Zealand, Twenty-four Weeks:

IX. Provided always, and be it enacted, That for the Purposes, and within the Meaning of this Act, it shall in all cases be computed that Two Children, each being under the Age of Fourteen Years, shall be equal to One Passenger, and that Children under the Age of One Year shall not be included within the computation of the number of Passengers.

X. And be it enacted, That before any such Ship shall be cleared out for the Voyage, the Government Emigration Agent, at Ports where there is such an Officer, or in the absence of such Agent, and in Ports where there is no such Agents, the Collector or Comptroller of Customs, shall survey or cause to be surveyed by some Competent Person, the Provisions and Water hereinbefore required for the Consumption of the Passengers, and shall ascertain that the same are in a sweet and good condition, and shall also ascertain that over and above the same, there is on board an ample Supply of Water and Stores for the victualling of the Crew of the Ship, and other Persons (if any) on board.

XI. And be it enacted, That such Officers shall see that the other Directions contained in this Act be complied with, so far as the same can be complied with, before the Departure of such Ship from any Port or Place in the United Kingdom, or in the hereinbefore mentioned Islands.

XII. And be it enacted, That if Doubts shall arise whether any Ship about to proceed with Passengers as aforesaid, is seaworthy, so as to be fit for her intended Voyage, and such Doubts shall not be removed to the satisfaction of the Collector and Comptroller of the

the Customs, at the Port from which such Vessel is to be cleared out, or in case there shall be a Government Emigration Agent at such Port, then to the satisfaction of such Emigration Agent, it shall be lawful for such Collector and Comptroller, or for such Government Emigration Agent, (as the case may be) at any time to cause such Ship to be surveyed by two competent Persons, and if it shall be reported by those Persons that such Ship is not in their opinion seaworthy, with reference to such Voyage, such Ship shall not be cleared out, unless the contents of such Report be disproved to the satisfaction of the Commissioners of the Customs, or of the Colonial Land and Emigration Commissioners, in those cases in which the Report shall have been made at the instance of a Government Emigration Agent, or until such Ship shall have been rendered seaworthy.

XIII. And be it enacted, That no Ship shall carry any Passengers on any such Voyage as aforesaid, unless such Ship shall be provided with good sound Boats of suitable size, and properly supplied with all requisites for their use, in the following proportion to the registered Tonnage of such Ship as aforesaid ; (that is to say,)

Two Boats, if the Tonnage of such Ship be One hundred and fifty Tons and upwards, but under Two hundred and fifty Tons :

Three Boats, if the Tonnage of such Ship be Two hundred and Fifty Tons and upwards :

Four Boats, if the Tonnage of such Ship be Five hundred Tons and upwards, and the Number of Passengers exceed Two hundred :

Nor unless one of such Boats be a Long Boat of a Size duly proportioned to the Tonnage of the Ship.

XIV. And be it enacted, That two Copies of this Act shall be kept on board every Ship carrying Passengers on any such voyage as aforesaid, and that for this purpose Two Copies of the same, provided and issued by the Authority of the Commissioners of the Customs, shall be delivered to the Master, on demand, by the Collector or Comptroller of the Customs at the Port and time of Clearance of the Ship ; and One of such Copies shall, upon request made at seasonable times to the Master of the Ship, be produced to any Passenger for his perusal.

XV. And be it enacted, That no Ship carrying Passengers on any such Voyage as aforesaid, to any such Port or Place as aforesaid, except any Port or Place in North America, shall, in case the Number of such Passengers shall amount to or exceed One hundred, or in case the estimated length of the Voyage, computed as hereinbefore is mentioned, shall exceed Twelve Weeks, and the Number of such Passengers shall amount to or exceed Fifty, clear out for such Voyage from any Port in the United Kingdom, or in the hereinbefore mentioned Islands, unless there shall be rated upon the Ship's Company, and shall be actually serving on board such Ship, some person duly authorized by Law to practice in this Kingdom as a Physician, or Surgeon, or Apothecary, and that no such Ship shall actually put to Sea or proceed on such Voyage, unless such Medical Practitioner shall be therein, and shall *bona fide* proceed on such Voyage, taking with him a Medicine Chest, and a proper Supply of Medicines, Instruments, and other things suitable to the intended Voyage ; and no Ship carrying Passengers on any Voyage, from any Port or Place in the United Kingdom, or in the hereinbefore mentioned Islands, to or for any Port or Place out of Europe, and not being within the Mediterranean Sea, shall clear out for any such Voyage, unless and until there shall be actually laden and on board such Ship, Medicines, and printed or written Directions for the use of the same, and other things, necessary for the Medical Treatment of the Passengers on board during such intended Voyage, and available for that purpose, nor unless such Medicines and other things, shall be adequate in amount and kind to the probable Exigencies of any such Voyage, and, together with such Medicines and other things, shall also be put on board every such Ship, previously to her clearing out for any such Voyage as aforesaid, a Certificate under the Hands of any One or more such Medical Practitioner, qualified as aforesaid, who shall not have been the seller of the Medicines and other things, or any part of them, to the effect that the same have been inspected by him, and are in his Judgment adequate to meet any such probable Exigencies as aforesaid, and further, that he has no pecuniary Interest in the supply of the same.

XVI.

XVI. And be it enacted, That in any Ship carrying Passengers upon any such Voyage as aforesaid, no Spirits or Strong Waters shall be sold to any Passenger during the Voyage; and that if the Master of the Ship shall, directly or indirectly, sell or cause to be sold, any Spirits or Strong Waters, to any Passenger during the Voyage, he shall be liable to a Penalty not exceeding One Hundred Pounds, to be sued for and recovered in manner hereinafter mentioned.

XVII. And be it enacted, That the Master of every Ship carrying Passengers on any such Voyage as aforesaid, shall, before clearing out his said Ship for such Voyage, from any Port or Place in the United Kingdom, or in the hereinbefore mentioned Islands, sign and deliver, in Duplicate, to the Collector, or to such Officer of Her Majesty's Customs at such Port or Place as may clear the Ship, a List, made out according to the Form contained in Schedule (A.) hereto annexed, of all and every the Passenger on board of such Ship, specifying, as accurately as may be, all the Particulars in the said Form required, and such Collector or other Officer shall thereupon countersign and return to the said Master one of such Duplicate Lists; and the said Master shall exhibit such Duplicate List, with the additions, if any, to be made thereto, as hereinafter directed, to the Collector or other Chief Officer of Her Majesty's Customs at any Port or Place in Her Majesty's Possessions, or to Her Majesty's Consul at any Foreign Port at which the said Passengers or any of them shall be landed, and shall deposit the same with such Collector or Chief Officer of Customs, or such Consul, as the case may be, at his final port of discharge.

XVIII. And be it enacted, That in case any such Vessel shall have cleared out as aforesaid, with a number of Passengers less than the number she could lawfully carry, under the Provisions of this Act, or in case any Passenger or Passengers named in the List aforesaid, shall not proceed on the Voyage, and there shall afterwards be taken on board any additional Passenger or Passengers, the Master shall, in every such case, add to the first List so countersigned, and returned to him as aforesaid, and in the same manner as is required in such first List, the names and particulars of such additional Passenger or Passengers; and shall moreover prepare, in the Form aforesaid, a separate List of such additional Passenger or Passengers, and deliver the same, together with the said first List so added to, as aforesaid, both being duly signed by him, to the Collector or other Officer of Customs as aforesaid, at the Port or Place where any such additional Passenger or Passengers may have embarked, and thereupon such Collector or other Officer of Customs shall countersign the additions so made to such first List as aforesaid, and shall return the same to the said Master, and retain the separate additional List, and so on in like manner whenever any additional Passenger or Passengers may be taken on board: Provided always, that in the event of there being no Collector or other Officer of Customs stationed at any Port or Place where such additional Passenger or Passengers may be taken on board, then such separate List, and also the said first List, with the additions so to be made to it as aforesaid, shall, in case the vessel shall subsequently touch at any Port or Place at which there shall be stationed any Officer of Her Majesty's Customs, be delivered by the said Master to such Officer of Customs, and the same respectively shall be dealt with in all respects by such Officer of Customs, as it would have been dealt with by the Collector or other Officer of Customs as aforesaid, had there been one at the Port or Place where such additional Passenger or Passengers embarked.

XIX. And be it enacted, That if any Owner, Charterer, or Master of a Ship, or any Passage Broker, Agent, or other Person, shall receive any Money from any Person, for or in respect of the Conveyance of any Person as a Passenger on any such voyage as aforesaid to any Port or Place in North America, the Person so receiving such Money shall give a written acknowledgement for the same to the Party from whom the same shall have been received, in the Form contained in the Schedule (B) hereto annexed, and in default thereof, shall be liable to a Penalty not exceeding Ten Pounds, in respect of each such Passenger, to be sued for and recovered as hereinafter is mentioned, and if he shall be so licensed as hereinafter is mentioned, his Licence shall be forfeited, in case the Justices before whom the Penalty shall be sued for, shall declare the Forfeiture thereof.

XX. And be it enacted, That from and after the commencement of this Act, no Person, not being the Owner or Master of the Ship in which such Passages as are hereinafter mentioned shall be taken, shall carry on the Business of a Passage Broker or Passage Dealer, in respect of Passages from the United Kingdom, or the hereinbefore mentioned Islands, to any Port or Place in North America, or shall sell or let, or agree to sell or let, to any Person, any such Passage, unless he shall have previously taken out a Licence to carry on the Business of a Passage Broker or Passage Dealer, as hereinafter is mentioned, and unless such Licence shall continue in force; and if any Person shall carry on such Business, or sell or let, or agree to sell or let; any such Passage, contrary to this Enactment, every Person so offending shall be liable to a Penalty not exceeding Ten Pounds, in respect of each and every such offence, to be sued for and recovered as hereinafter is mentioned, and shall further be subject to all the same Penalties and Liabilities to which Licensed Passage Brokers and Passagé Dealers are subject, under this Act; and that it shall be lawful for any Person desiring to carry on the Business of a Passage Broker or Passage Dealer, in respect of such Passages to North America, as aforesaid, to make application to the Justices assembled in Petty or Quarter Sessions, held for the District or Place in which such Person shall reside, for a Licence to carry on such Business, and such Justices so assembled, are hereby authorized to grant such Licence to the party making application for the same, such Licence to be made out according to the form contained in the Schedule (C.) hereunto annexed, and to continue in force for the period named in such form, unless sooner forfeited, in manner hereinafter mentioned; and where any such Licence shall be granted, such Justices shall cause notice thereof, to be forthwith transmitted by the Post, to the Colonial Land and Emigration Commissioners, at their office in London; Provided nevertheless, that no such Licence shall be granted, unless the party applying for the same shall show, to the satisfaction of the Justices, that he has given notice to the Colonial Land and Emigration Commissioners, of his intention to apply for the same, twenty-one clear days at least, before such application, such notice to be transmitted by the Post, to the Office of the said Colonial Land and Emigration Commissioner, and to be in the form contained in the Schedule (D.) hereunto annexed.

XXI. And be it enacted, That if any Licensed Broker or Dealer, as aforesaid, shall receive Money for, or on account of, the passage of any Passenger for any such Voyage, as aforesaid, to any Port or Place in North America, without having a written authority to act as Agent for the party on whose behalf the Contract for such Passage purports to be made, or shall by any fraud or false pretence whatsoever, induce any person to purchase, hire, or engage, a passage in any ship for any such voyage, as aforesaid, every such Broker or Dealer shall be liable, upon conviction, as hereinafter is mentioned, in respect of every such offence, to a penalty not exceeding Ten Pounds, to be sued for and recovered in manner hereinafter mentioned; and it shall be lawful for the Justices before whom the Penalty shall be sued for, to declare, if they shall think fit, the Licence of such Broker or Dealer to be forfeited, and the same shall upon such Declaration be forfeited accordingly; Provided always, that in any case in which, under the Provisions of this Act, any Justices shall declare the Licence of any Passage Broker or Passage Dealer to be forfeited, such Justices shall cause notice of such forfeiture, in the form contained in the Schedule (E.) hereunto annexed, to be forthwith transmitted by the Post to the Colonial Land and Emigration Commissioners, at their office in London.

XXII. And be it enacted, That if any Passenger, or person on his behalf, shall have entered into a Contract for a Passage or Passages for such Passenger, or for him and his Family, in any Ship, for any such Voyage, as aforesaid, from any Port in the United Kingdom, or in the hereinbefore mentioned Islands, to or for any Port or Place out of Europe, and not being in the Mediterranean Sea, and if such Passenger, or such Passenger and his Family, (as the case may be,) shall be at the place of embarkation at the time appointed for that purpose, in and by such Contract, and such Passenger shall apply for such Passage or Passages, and shall, on demand, pay or tender such part of the Passage Money not already paid, as shall be payable under such contract previously to embarkation,

tion, and if, owing to the previous departure of the ship in which such Passage or Passages shall have been engaged, or the neglect, refusal, or other default of the Owner, Charterer, or Master thereof, or of the party with whom such Passage or Passages shall have been contracted for, such Passenger shall not obtain such Passage or Passages, or shall not within a reasonable time obtain a Passage or Passages, by some other equally eligible vessel, to the same Port or Place, and in the mean time be paid Subsistence Money, or be provided with lodging and maintenance, as hereinafter mentioned; such Passenger shall be entitled to recover, in manner hereinafter provided, all monies which he shall have paid for such Passage or Passages, from the party to whom he shall have paid the same, or from the Owner or Charterer of the Ship, for whom such party shall be the Agent, and also such further sum, not exceeding Ten Pounds, in respect of each such Passage as shall, in the opinion of the Justices who shall adjudicate on the complaint, be a reasonable compensation for the loss or inconvenience occasioned to such Passenger, or his Family, by the loss of such Passage or Passages.

XXIII. And be it enacted, That if any Ship shall not actually put to Sea, and proceed upon any such intended Voyage, as aforesaid, on the day for that purpose appointed in and by any Contract made by the Owner, Master, or Charterer of such Ship, or by their Agent, with any Passenger who shall on that day be on board the same, or ready to proceed on such intended Voyage, then and in every such case, the Master of such Ship shall victual each and every such Passenger in like manner as if the Voyage had commenced, and if the Ship does not put to Sea after the interval of two clear working days from the day appointed for sailing, shall be liable to pay to each and every such Passenger, instead of victualling him, Subsistence Money, after the rate of One Shilling in respect of each day of delay, until the actual clearing out and final departure of such Ship on such Voyage, and the same may be recovered in the manner hereinafter mentioned; Provided, however, that such Subsistence Money shall not be payable in lieu of victualling in respect of any unavoidable detention by Wind or Weather, and also, shall not be payable to any Passenger who shall, with his own consent, be suitably lodged and maintained on shore, at the expence of the Parties who are bound to provide him with a Passage.

XXIV. And be it enacted, That the Master of any Ship carrying Passengers under the Provisions of this Act, shall not land or put on shore, or cause to be landed or put on shore, any Passenger, without his previous consent, at any Port or Place other than the Port or Place at which he may have contracted to land or put such Passenger on shore.

XXV. And be it enacted, That at the close of any such Voyage, as aforesaid, every Person arriving as a Passenger at any Port or Place shall, during the space of forty-eight hours next after such arrival, be entitled to continue on board such Ship, and to be provided for and maintained on board the same, in such and the same manner as during such Voyage, unless in the ulterior prosecution of her Voyage, any such Ship shall quit any such Port or Place within the said period of forty-eight hours.

XXVI. And be it enacted, That the Master of every Ship carrying Passengers on any such Voyage, as aforesaid, shall afford to the Government Agent for Emigration, or to the proper Officer of Customs, at any Port or Place in Her Majesty's Dominions, from which such Ship shall sail, or at which such Ship shall touch, during the voyage, or at which such Ship shall arrive at the end of such voyage, and to Her Majesty's Consul at any Port or Place at which such Ship shall arrive, being in a Foreign Country, every facility for the inspection of the Ship, and for communication with the Passengers, and for ascertaining that this Act has been duly observed.

XXVII. And be it enacted, That if in any Ship, carrying Passengers on any such Voyage, as aforesaid, such Lower Deck or Platform of such thickness, as hereinbefore directed, shall not be laid, and continued throughout the whole duration of any such Voyage, in such manner as is hereinbefore required; or if the height between such Lower Deck or Platform, and the Upper Deck, shall be less than six feet; or if there shall be more than two tiers of Berths, or if such Berths shall not be securely constructed, or shall

shall not be of the dimensions hereinbefore required; or if there shall not be throughout the whole duration of any such Voyage, such an interval as is hereinbefore prescribed, between the Deck and the floor of the Berths; or if any such Ship shall clear out, and put to Sea, not having on board Tanks or sweet Casks of such size and number, as aforesaid, and such Water and Provisions, as aforesaid, for the use and consumption of the said Passengers, of the kind, and to the amount, and in the proportion hereinbefore required; or if such Water and Provisions shall not be issued in manner hereinbefore required; or if such Ship shall not be provided with good Boats, according to the rates aforesaid; or if copies of this Act shall not have been kept on board, and produced on demand, as hereinbefore required; or if there shall not be on board any such Vessel such Medical Practitioner, as aforesaid, or such Medicines and other things necessary to the Medical Treatment of the Passengers, as is hereinbefore required; or if any such Ship shall be cleared out before such List of Passengers, as hereinbefore mentioned, shall have been delivered in manner and form aforesaid, to such Officer as aforesaid; or if the additions to such List, and such additional separate List or Lists, as aforesaid, be not made in the cases aforesaid, and delivered in the cases in which they are hereinbefore required to be delivered; or if any such List, or the additions to the same, shall be wilfully false; or if any such List, including the additions, if any, to the same, shall not be exhibited to, or deposited with, the proper Officer, at any Port or Place at which it is hereinbefore required to be exhibited or deposited; or if any Passenger shall, without his previous consent, be put on shore at any Place, other than the Place at which the Master had contracted to land such Passenger; or if any Passenger shall not be allowed to continue on board such Ship, in manner hereinbefore provided; or if every such facility for inspection shall not be afforded, as is hereinbefore required, the Master of any such Ship shall, for and in respect of each and every such offence, be liable, on such summary conviction as hereinafter mentioned, to the payment of a Fine not exceeding Fifty Pounds, Sterling, British Money.

XXVII. Provided nevertheless, and be it enacted, That nothing herein contained shall take away or abridge any right of Suit or Action, which may accrue to any Passenger in any such Ship, or to any other person, in respect of the breach or non-performance of any Contract made or entered into between or on behalf of any such Passenger, or other Person, and the Master, Owner or Owners of any such Ship.

XXIX. And be it enacted, That all Penalties imposed by this Act, for any offence against the same, may be sued for, and recovered, to the use of Her Majesty, as hereinafter is mentioned: (that is to say) in the United Kingdom, by any Government Emigration Agent, or any Collector or Comptroller of Her Majesty's Customs, or by any other Officer of Her Majesty's Customs, authorized, in writing, by the Commissioners of Her Majesty's Customs, to sue for Penalties under this Act; and in any of Her Majesty's Possessions abroad, by any such Government Agent, Collector, or Comptroller, or other Officer so authorized, as aforesaid, and also, by any Officer authorized to sue for Penalties under this Act, by writing, under the Hand and Seal of the Governor, or Officer administering the Government of any such Possession—which respective Authorities the Commissioners of Her Majesty's Customs, and such Governors or other Officers, are hereby empowered to grant; and all sums of money made recoverable by this Act, as return of Passage Money, Subsistence Money, or Compensation, may be sued for and recovered, as hereinafter is mentioned, by or to the use of any Passenger entitled thereto under this Act, or by any of such Officer, as aforesaid, on behalf and to the use of any such Passenger, or on behalf, and to the respective use of any number of such Passengers, and either by one or several complaints; and all such Penalties and Sums of Money may be sued for, and recovered, before any two or more Justices of the Peace, acting in any part of Her Majesty's Dominions in which the offence shall have been committed, or the cause of complaint shall have arisen, or in which the offender or party complained against shall happen to be; and upon complaint being made before any one Justice of the Peace, as aforesaid, he shall issue a Summons, requiring the party offending or complained against, to appear on a day, and at an hour or place, to be named in such Summons; and every such

such Summons shall be served on the party offending or complained against, or shall be left at his last house, place of residence, or of business, or on board any Ship to which he may belong; and either upon the appearance, or default to appear by the party offending or complained against, it shall be lawful for any two or more Justices to proceed summarily upon the case, and either with or without any written information; and upon proof of the offence, or of the Complainant's claim, (as the case may be,) either by confession of the Party offending or complained against, or upon the Oath of one or more credible Witness or Witnesses (which Oath such Justices are hereby authorized to administer), it shall be lawful for such Justice to convict the Offender or adjudicate the Complaint, and upon such conviction or adjudication, to order the Offender or Party complained against, to pay such penalty; within the limits hereinbefore expressed, as the Justices may declare to have been incurred, or (as the case may be) to pay to the Party suing for the same the sum of Money sued for, or so much thereof as such Justices shall think the Complainant justly entitled to, and also to pay the costs attending the Information or Complaint, Summons, Conviction, or Adjudication; and if forthwith upon any such Order, the Monies thereby ordered to be paid be not paid, the same may be levied, together with the Costs of the Distress and Sale, by Distress and Sale of the Goods and Chattels of the party ordered to pay such Monies, the surplus, if any, to be returned to him, upon demand; and any such Justices may issue their Warrant accordingly, and may also order such party to be detained and kept in safe custody until return can conveniently be made to such Warrant of Distress, unless such Party give sufficient security, to the satisfaction of such Justices, for his appearance before them on the day appointed for such return, such day or days not being more than eight days from the time of taking such security; but if it shall appear to such Justices, by the admission of such Party or otherwise, that no sufficient Distress can be had whereon to levy the money so adjudged to be paid, they may, if they think fit, refrain from issuing such Warrant of Distress; and in such case, or if such Warrant shall have been issued, and upon the return thereof, such insufficiency as aforesaid; shall be made to appear to the Justices, or any two or more such Justices, as aforesaid, then such Justices shall, by Warrant, cause the Party ordered to pay such Monies and Costs as aforesaid, to be committed to Gaol, there to remain without Bail for any Term not exceeding Three Months, unless such Monies and Costs ordered to be paid, and such Costs of Distress and Sale as aforesaid, be sooner paid and satisfied.

XXX. And be it enacted, That if in any Proceeding before any Justice or Justices under this Act, or upon any Action, Suit, or other Proceeding whatsoever, against any Person or Persons, for any thing done either contrary to, or in pursuance of this Act, a question should arise whether any Person is a Government Emigration Agent, or an Officer of the Customs, *viva voce* evidence may be given of such fact, and shall be deemed legal and sufficient evidence.

XXXI. And be it enacted, That any Passenger suing, as hereinbefore is mentioned, for any Sum of Money made recoverable by this Act, as return of Passage Money, Subsistence Money, or Compensation, shall not be deemed an incompetent Witness in any Proceeding for the recovery thereof, notwithstanding the same, if recovered, shall be applicable to his own use and benefit.

XXXII. And be it enacted, That where any Distress shall be made for any Penalty, Monies, or Costs, to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful; nor the Party making the same be deemed a Trespasser, on account of any defect or want of Form in the Information, Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto, nor shall the Party distraining be deemed a Trespasser *ab initio* on account of any irregularity which shall be afterwards committed by the Party so distraining, but the Person aggrieved by such irregularity may recover full satisfaction for the special damage in an Action upon the Case.

XXXIII. And be it enacted, That no Plaintiff shall recover in any action against any Person, for any thing done in pursuance of this Act, if tender of sufficient amends shall have been made before such action brought, or if, after action brought, a sufficient sum of Money shall have been paid into Court, with Costs, by or on behalf of the Defendant.

XXXIV. And be it enacted, That no action or suit shall be commenced against any Person, for any thing done in pursuance of or under the authority of this Act, until Twenty-one days notice has been given thereof, in writing, to the party or person against whom such action or suit is intended to be brought, nor after three Calendar Months next, after the act committed, for which such action or suit shall be so brought; and every such action shall be brought, laid, and tried, where the cause of action shall have arisen, and not in any other place; and the Defendant in such action or suit may plead the general issue, and give this Act and any special matter in evidence, at any trial which shall be had thereupon; and if the matter or thing shall appear to have been done under or by virtue of this Act, or if it shall appear that such action or suit was brought, before Twenty-one days notice thereof, given as aforesaid, or if any action or suit shall not be commenced within the time hereinbefore limited, or shall be brought or laid in any other place, as aforesaid, then the Jury shall find a Verdict for the Defendant therein; and if a Verdict shall be found for such Defendant, or if the Plaintiff in such Action or Suit shall become nonsuit, or suffer a discontinuance of such action, or if upon a demurrer in such action, Judgment shall be given for the Defendant thereon, then and in any of the cases aforesaid, such Defendant shall and may recover Treble Costs, and shall have such remedy for recovering the same, as any Defendant may have for his Costs in any other case by Law.

XXXV. And for the more effectually securing the observance of the aforesaid Rules, and the payment of the penalties, be it enacted, That before any Ship carrying Passengers, if the number of such Passengers shall exceed Fifty, shall clear out for any such Voyage as aforesaid, from any Port or Place in the United Kingdom, or in the hereinbefore mentioned Islands, the Owner or Charterer, or, in the event of the absence of such Owner or Charterer, one good and sufficient person on his behalf, to be approved by the Collector or Chief Officer of Customs at such Port, and the Master of said Ship, shall enter into a joint and several Bond to Her Majesty, Her Heirs and Successors, in the sum of One Thousand Pounds, the condition of which Bond shall be, that the said ship is seaworthy, and that all and every the Rules and Regulations made and prescribed by this Act, for the Carriage of Passengers, shall be well and truly performed, before and during such intended Voyage, and that all Penalties, Fines and Forfeitures, which the Master of such Ship may be sentenced or adjudged to pay, for or in respect of the breach or non-performance, before or during such Voyage, of any such Rules and Regulations, shall be well and truly paid: Provided always, that such Bonds shall be without Stamps, and that no such Bond shall be put in suit, and that no prosecution, suit, action, information, or complaint, shall be brought under or by virtue of this Act, or upon or by reason of the breach of any of the Provisions thereof, in any of Her Majesty's Possessions abroad, after the expiration of Twelve Calendar Months, next succeeding the commencement of any such Voyage, as aforesaid, nor in the United Kingdom, or any of the Islands before mentioned, after the expiration of Twelve Calendar Months, next after the return of said Ship, or of the said Master, to the United Kingdom, or the hereinbefore mentioned Islands.

XXXVI. And be it enacted, That nothing in this Act contained, shall extend, or be construed to extend, to Ships carrying Passengers on such Voyage, as aforesaid, if the number of such Passengers shall not amount to or exceed Thirty, nor shall any thing in this Act contained extend to any of Her Majesty's Ship's of War, or to any Ship in the service of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom, or to Ships of War or Transports in the service of the East India Company.

XXXVII. And whereas it is expedient to provide in certain cases, for the regulation of voyages from the Colonies; be it therefore enacted, That this Act shall, except as hereinafter excepted, extend and apply to the Carriage of Passengers by sea, from any of the British West Indies, in which term are included the British West India Islands, the Bahamas, and British Guiana, and from Malta, and from the British Possessions in Africa, and from the Mauritius, to any other place whatsoever.

XXXVIII.

XXXVIII. And be it enacted, That it shall be lawful for the Governor, or Officer administering the Government of any British Colony; not enumerated in the enactment lastly hereinbefore contained, to declare by Proclamation to be issued for that purpose, that this Act, except as hereinafter is excepted, shall be extended, and shall apply to the Carriage of Passengers by Sea, from such Colony to such places as may by him be named, for the purpose in such Proclamation, and thereupon this Act shall be thenceforth so extended, and shall so apply accordingly.

XXXIX. And be it enacted, That it shall be lawful for the Governor, or Officer administering the Government of any of the British Colonies, to which this Act, as respects the Carriage of Passengers by sea therefrom, has been hereby extended, or shall have been extended by Proclamation; as hereinbefore is mentioned, by any Proclamation or Proclamations to be by him from time to time issued for that purpose, to declare the rule of computation by which the length of the voyage of any ship carrying Passengers from such Colony to any other place, shall be estimated, for the purposes of this Act: Provided nevertheless, that this Act shall not, except as respects the West Indies, and except as hereinafter is mentioned, extend or apply to any such voyage, if the length thereof so computed shall not be Three Weeks or upwards.

XL. And be it enacted, That it shall be lawful for the Governor, or Officer administering the Government of any of the British Colonies to which this Act has, as respects the Carriage of Passengers by Sea therefrom, been hereby extended, or shall have been so extended by Proclamation as hereinbefore is mentioned, by any Proclamation or Proclamations to be by him from time to time issued for that purpose, to substitute for the articles of food and provisions specified in this Act, such other articles of food and provisions as shall be a full equivalent for the same.

XLI. Provided always and be it enacted, That every such Proclamation as aforesaid, or as hereinafter is mentioned, shall be transmitted by the Governor or Officer by whom the same may have been issued, to Her Majesty, through one of Her Majesty's Principal Secretaries of State, for Her Majesty's confirmation or disallowance; and in case the same shall be disallowed by any Order to be made by Her Majesty for that purpose, with the advice of Her Privy Council, then, from and after the promulgation of any such Order in Council, within any such Colony, any such Proclamation shall cease to be of any force or authority, but until so disallowed, the same shall be duly observed and obeyed: Provided also, that on the production at any one of the Colonies aforesaid, of an attested copy of any such Proclamation as aforesaid, or as hereinafter is mentioned, under the Hand of the Governor, or the Officer administering the Government of the Colony wherein the same may have been issued, and under the public Seal of such Colony, such attested copy shall, in the Colony wherein the same shall be so produced, be received as good and sufficient evidence of the issuing and of the contents of any such Proclamation.

XLII. And be it enacted, That all the Powers and Authorities which are hereinbefore vested in the Collector and Comptroller of the Customs, for determining the seaworthiness of any ship carrying Passengers from any Port in the United Kingdom, shall, in respect of any ship carrying Passengers from any Port in any of the Colonies aforesaid, be and the same are hereby vested in the respective Governors, or Officers administering the Government of the said Colonies, respectively.

XLIII. Provided always, and be it enacted, That as respects voyages from the Colonies, it shall not be necessary for the Master, Owner, or Charterer of any Ship carrying Passengers on any such voyage, to enter into any such Bond as is hereinbefore required to be entered into by the Master, and Owner, or Charterer of any Ship carrying Passengers on any such voyage as hereinbefore is mentioned.

XLIV. Provided also, and be it enacted, That the provisions of this Act shall not extend or apply to voyages from the Colonies, so far as relates to the following subjects: (namely,)

- The keeping copies of the Act on board;
- The use of the form of receipt hereinbefore required to be given for Passage Money:
- The licensing of Passage Brokers:

The

The return of Passage Money and compensation, in case the party cannot be forwarded by the appointed ship, or by some other eligible vessel, and victualling, or the payment of Subsistence Money, in case of detention.

XLV. Provided always, and be it enacted, That, except as hereinbefore is excepted, with respect to voyages from the Colonies, the provisions and regulations of this Act shall extend and apply to voyages from the West Indies of less duration, so computed as aforesaid, than Three Weeks, but being of not less duration, so computed as aforesaid, than Three Days, save and except so far as relates to the following subjects; (namely)

The construction or thickness of the Lower Deck or Platform:

The Berths:

The Height between Decks:

The Surgeon and Medicine Chest:

The Maintenance of Passengers for Forty-eight Hours after arrival:

Provided also, that as respects such Voyages from the West Indies, of less computed duration than Three Weeks, the owner or charterer of a ship may, if he think fit, contract with the Passengers engaging Passages therein, that they shall respectively provide themselves with necessary food, (not including Water) for the voyage; and in such case the regulations of this Act, respecting the issue of provisions by the Master, shall not be applicable to such Passengers on such voyage.

XLVI. Provided also, and be it enacted, That it shall be lawful for the Governor, or Officer administering the Government of any British Colony (other than the West Indies) to which this Act, as respects the carriage of Passengers by sea therefrom, has been hereby extended, or shall hereafter be extended by Proclamation, as hereinbefore is mentioned by the same, or by any subsequent Proclamation, to be by him issued for that purpose, to declare that the enactment hereinbefore contained, respecting voyages from the West Indies, of shorter duration than Three Weeks, shall extend and apply to voyages from the Colony, in respect of which such Proclamation shall be issued, such voyage being of less duration, so computed as aforesaid, than Three Weeks, but not of less duration, so computed as aforesaid, than Three Days; and thereupon such enactment shall extend and apply to such voyage accordingly.

XLVII. And be it enacted, That nothing in this Act contained, extends, or shall be construed to extend, to prevent the enactment by the respective Governors, Councils, and Assemblies, or other local Legislatures, in the British West Indies and South America, and in the Bahama Islands, and in Bermuda, or by Her Majesty, with the advice of Her Privy Council, of any such Acts of General Assembly, or Ordinances, or Orders in Council, as may be requisite for making and establishing such several Rules and Regulations, as are required by this Act, or any of them, or for carrying the same into full and complete effect: Provided nevertheless, that it shall not be lawful for any such Governor, Council, and Assembly, or for any such local Legislature, or for Her Majesty in Council, by any such Acts of Assembly, Ordinances, or Orders in Councils, as aforesaid, to make or establish any Enactment, Provision, Rule, or Order, which shall be in anywise repugnant or contradictory to this Act, or any part thereof, but that every such Enactment, Regulation, Provision, Rule, or Order, shall be and is hereby declared to be absolutely null and void; and of no effect.

XLVIII. Provided always, and be it enacted, That nothing hereinbefore contained, shall be constructed to apply to any of the Territories or Places under the Government of the East India Company, or to any of the Governors appointed by the said Company; nor shall anything hereinbefore contained, affect or be construed to affect the Powers now vested in the Governor General of India, in Council, to make Laws and Regulations whereby the Provisions of this Act, or such of them as to the said Governor General of India, in Council, shall seem expedient, shall or may be extended to the Territories and Places under the Government of the said Company, or for or in respect of which the said Governor General, in Council, has now by Law a power of Legislation; but it is hereby enacted, that it shall be lawful for the Governor General of India, in Council, from time to time, by any Act or Acts to be passed for that purpose, to declare that this Act, with such

such exceptions as are hereinbefore mentioned, shall extend and apply to the Carriage of Passengers upon any voyage, from any Ports or Places within the Territories of the East India Company, to be specified or described in such Act or Acts, to any other Places whatsoever, to be also specified or described in such Act or Acts, and also in like manner to authorise the substitution, as respects such voyages, of other equivalent articles of Food and Provisions, for those hereinbefore enumerated, and to declare the rule of computation by which the length of any such voyage shall be estimated, and to confer the powers hereinbefore conferred upon Government Emigration Agents, and Collectors, and Comptrollers of the Customs, with respect to ascertaining and deciding on the seaworthiness of a Ship, upon such officers of the East India Company, as the said Governor General in Council may think proper; and from and after the passing of such Act or Acts, and whilst the same shall remain in force, this Act shall, with such exceptions as are hereinbefore made as respects voyages from the Colonies, apply to and extend to the carriage of Passengers upon such voyages, as in the said Act or Acts shall be specified; which Acts shall nevertheless be subject to disallowance and repeal, and shall in the same manner be transmitted to England, and be laid before both Houses of Parliament, as in case of any other Laws or Regulations which the said Governor General, in Council, is now by Law empowered to make.

XLIX. And be it enacted, That it shall be lawful for the Governor General of India, in Council, from time to time, by any Act or Acts to be passed for that purpose, to declare in what manner, and before what Authorities, and by what form of Proceedings, the Penalties imposed, and the sums of money made recoverable by this Act, shall be sued for and recovered within any Places or Territories under the Government of the East India Company, and to what uses such Penalties shall be applied.

L. And be it enacted; That the Provisions, Regulations, Penalties, and Forfeitures, set forth in this Act, shall extend, and be deemed to extend, to Foreign Vessels, carrying Passengers upon any Voyage from any Port or Place in the United Kingdom, or in the hereinbefore mentioned Islands, to or for any Port or Place out of Europe, and not being within the Mediterranean Sea, or upon any other Voyage, to which the provisions of this Act shall, for the time being, extend.

LI. And be it enacted, That wherever the term "Passage" or "Passenger" is used in this Act, it shall be held not to include or extend to the class of Passages or Passengers commonly known and understood by the name of Cabin Passages and Cabin Passengers.

LII. And be it enacted, That in the construction of this Act, unless there be something in the subject or context repugnant to such construction, every word importing the Singular Number, or the Masculine Gender only, shall be understood to include, and shall be applied to several persons, matters or things, as well as one person, matter, or thing, and females as well as males, respectively.

LIII. And be it enacted, That in all proceedings, it shall be sufficient to cite this Act by the title of "The Passengers Act."

LIV. And be it enacted, That this Act shall commence on the First day of October, One Thousand Eight Hundred and Forty-two, and not sooner.

Schedules referred to by the foregoing Act.

Schedule (A.) referred to in the 17th Section of the Passengers Act.

Ship's Name	Master's Name.	Tons per Register.	Aggregate Number of superficial feet in the several compartments set apart for Steerage and Intermediate Passengers.	Total Number of Statute Adults the Ship can legally carry.	Where bound.

I hereby certify, That the Provisions actually laden on board this Ship, according to the Section of the Passengers Act, are sufficient for Passengers, computed according to the Act.

(Signed)

Master.

Date.

NOMINAL LIST OF PASSENGERS.*

Ports of Embarkation.	Name of Passengers.	Adults.			Children under 14 years.			Profession, Occupation, or Calling of Passenger	Port at which Passengers have contracted to be landed
		M.	F.	Total	M.	F.	Total		
Total number of Souls equal to Statute Adults									

*We hereby certify the above is a correct List of all the Passengers who embarked at the Port of

(Signed)

Master.

(Countersigned)

Officer of Customs.

N. B.—Lines should be ruled in the same Form, for any Additions to the List after the Ship first clears out; and similar Certificates be subjoined to such Additions, according to the Requirements of the Act.

Schedule

Schedule (B.) referred to in the 19th Section of this Act.

PASSENGERS CONTRACT TICKET.

N. B.—Any one receiving Money from or in respect of any Passenger about leaving the United Kingdom for any place in North America, without using this Form, and correctly filling up the Blanks therein, and signing it with his Name in full, will be liable to a penalty not exceeding £10 for each such Passenger.

Ship _____ of _____ Tons Register Burthen, to sail from _____
for _____ on the _____ day of _____ 18____

Names.	Ages.	Equal to Statute Adults.

I engage that the parties herein named, shall be provided with a Steerage Passage to _____ in the Ship _____ with not less than ten cubic feet for Luggage for each Statute Adult, for the sum of £ _____ including Head Money, if any, at the place of landing, and every other charge, and I hereby acknowledge to have received the sum of £ _____ full

in—payment.

part

Water and Provision according to the annexed Scale will be supplied by the Ship, as required by Law, and also Fires and suitable Hearths for Cooking.

Utensils for eating and drinking will be provided by _____

Bedding will be provided by _____

Signature } N. B.—If signed by a Broker or Agent, state on whose behalf.

Date _____

[At end of this Contract insert the Victualing Scale, which must in no case be less than required under the provisions of the Passengers Act.]

Deposit £ _____

Balance £ _____

Total £ _____

to be paid at _____

Schedule (C.) referred to in the 20th Section of this Act.

FORM OF PASSENGER BROKER'S LICENSE.

A. B. of _____ in the _____ having shown to the satisfaction of us, the undersigned Justices of the Peace, in _____ Quarter _____ Sessions assembled, that he hath duly given Notice to Her Majesty's Colonial Land and Emigration Commissioners, of his intention to make application for a License to carry on the business of a Passage Broker or Passage Déaler, in respect to Passages to North America: We, the undersigned Justices, so assembled, as aforesaid, and having had no sufficient cause shown to us why the said _____

APPENDIX, No. 13.

(See Page 16.)

No. 20.

Government House, Halifax, December 21, 1841.

MY LORD—

Lord John Russell having desired in his Despatch, numbered 61, dated July 19th, 1841, that I will give my opinion as to how far it might be expedient to give effect to the wishes of the House of Assembly here, (as expressed in the resolutions of that House, transmitted by me on the 3rd of May last, with my Despatch No. 72,) in regard to the sale of Crown Lands, I have given the subject my best attention, and beg to offer the following observations for your Lordship's consideration.

The attempt to decide in what mode the disposal of Crown Lands should be regulated, is attended, in as far as relates to Nova Scotia, with difficulties which are not felt, or at any rate not felt in an equal degree, in the other North American Colonies. These difficulties arise from the inferior quality of the disposable land, and from the poverty of the greater number of settlers who come to this country, they being generally of a different class from those who emigrate to New Brunswick or to Canada, and possessing frequently no wealth but their own labor. Emigrants of this description squat, as a matter of course, nor has the government in general the means of preventing their doing so, even on Government lands, as they proceed at once to the wilderness, where it would be difficult to track, and whence it is next to impossible to dislodge them, for if traced and driven from one spot, by means of an expensive and tedious legal process, they would immediately occupy a lot of land a few yards distant, and the same measures would have to be again resorted to, until far more than the value of the land has been expended in its protection, which, after all, would not be secured against the very next intruder. But the settler who wishes to establish himself without paying for the ground he occupies, can do so unembarrassed by any fear of opposition on the part of the Government, enormous grants of wild land having been made to absentees who have no representatives in Nova Scotia, he has only to fix his habitation on one of these tracts, and reside in security, undisturbed either by the Crown or the legal owner of the soil.

The foregoing remarks are more particularly applicable to the Island of Cape Breton, and an illustration of the statement I have made with regard to the poverty of the Emigrants who visit that part of this Colony, and their disposition to settle illegally, is afforded by what has lately taken place there. Having received intelligence from the Member for the County of Cape Breton, that a body of strangers amounting to upwards of a thousand had landed, and that it was probable they would, if not located according to law, spread themselves over the Island and take possession of unoccupied Lands without authority, I consulted the Executive Council, and with their concurrence directed notice to be sent to the Deputy Surveyor General resident at Sydney, that the usual regulations with respect to Sales by Auction should be dispensed with, and, as will be seen by a copy of a letter of the Provincial Secretary, which I now enclose, (vide paper No. 1,) instructed that officer to establish the new comers without delay on Crown Lands, charging the usual upset price of 2s. 6d. sterling per acre. Mr. Crawley, in his answer (vide paper No. 2,) states, and his statement is corroborated by the letter of Mr. Dodd, a member of the Executive Council, resident at Sydney, a copy of which I enclose (vide paper No. 3) that the number of Emigrants who have arrived is about 1500; that they are chiefly natives of the Hebrides, of the poorest class, that they have neither power nor inclination to purchase Lands, and that the greater number of them are already settled on one of those large grants held by absentees to which I have before alluded. But too many of the Emigrants who resort to Cape Breton, are of the class of these poor people, the evils of whose condition Mr. Dodd truly describes, nor am I able to point out any regulations in respect of Crown Lands, which could either beneficially affect them, or promote in their instance the interests of the Province.

The reason of the difference between the circumstances of those who come as settlers to this Colony, and the circumstances of those who go to the other North American Provinces, is not very apparent, but this difference appears to me to spring from several causes, such as the Fisheries that are established all round the Coasts of Cape Breton, and on the Western Shore of Nova Scotia, which at once afford a subsistence to those accustomed to similar pursuits in Europe. The inferiority of the disposable Land in this Province, as compared with that to be obtained either in Canada or New Brunswick, and lastly the greater obstacles which are here opposed to the speedy settlement of the Agricultural Emigration, by the want of General Surveys, and the system of Sales by Auction. The regulations I am about to propose would remove some of these obstacles, although they could, of course, neither improve the character of the soil, nor mitigate the inconvenience arising from the want of sufficient Surveys, which inconvenience is felt here infinitely more than either in Canada or New Brunswick, the Local Legislatures and Land Companies having caused extensive surveys to be made in each of those Governments. The evils existing here, and arising from a deficiency in this respect cannot be remedied (unless indeed the Imperial Government should interfere) without the action of the House of Assembly, and of this there is but little hope, for although what is stated of the Canadas in Appendix B to Lord Durham's Report on the affairs of British North America, page 30, may, with equal truth, be asserted of the greater part of Nova Scotia, viz: "that with very few exceptions no man can be said to possess a secure title to his land, or even to know whether the spot upon which he is settled belongs to himself, his neighbor, or the Crown;"—the evils which must arise from this cause will be perpetuated on account of the expense to be incurred in their removal, a strong disinclination existing in the House of Assembly here, to grant money for Surveys, which disinclination arises from the fact that little or no Revenue is derived from the Sale of Crown Lands, only £2720 11s. 6d. currency, or £2176 9s. 3d. sterling, having been paid to the Casual Revenue from this source during ten years, as the produce of Sales in Nova Scotia Proper, the expenses of the Surveyor General's Department absorbing the remainder, while nothing whatever has been derived from Cape Breton during the same period; added to this the feeling is very general throughout the community that the settler, however poor, is a benefit to the Province, and that settle in what manner he may, he ought to be encouraged, and not molested: further, it is thought that the Land is in general not of sufficient value to pay, by its additional expenses, for accurate General Surveys, as, surveyed or not, Nova Scotia would probably be visited only by the same description of settlers as at present, the better soil and climate of Canada and the United States still continuing to attract the more opulent. These conclusions may be just or not, but it is certain that so long as such sentiments influence the public mind, no Grants for Surveys are to be expected from the Local Legislature.

It may be a matter of doubt, whether it is desirable to encourage emigrants who have not the means to buy lands, to come to a country where it is to be obtained legally only by purchase, when such strong temptations to illegal occupation subsist, and in which, unless they do by some means or other establish themselves as cultivators, destitution must inevitably be their portion, fishermen only being exempted from the general calamity. Independent, however, of its being uncertain that any Laws or regulations could prevent their coming in times where a succession of bad seasons and failing crops at home, has left them no alternatives but emigration or starvation, the medium through which the question is viewed by the Provincial Politician, would render it most difficult to carry through the Legislature any provisions having such a tendency. The feeling is almost universal, that vast portions of the best land in the Province, which would be most likely to tempt the Emigrant in easy circumstances to fix himself permanently, and the improvement of which would conduce to the general advantage, are held by individuals who contribute in no way to the prosperity of the Colony, with which in many instances they are totally unconnected, except in so far as their legal rights interfere with the public interests, while the squatter brings with him, if he brings nothing else, at least the ability to support the privations incidental to the settlement of a new country, and that although he may probably

probably lead a life of poverty and hardship himself, the children of such an individual will form a valuable addition to the population, and therefore if not absolutely fostered and protected, he should at all events not be severely dealt with. The Nova-Scotian is thus naturally inclined to look with indulgence on the unlawful appropriation of land unprofitably kept out of cultivation, and the public sympathy is enlisted in favour of the offender: what the ultimate consequences will be to the squatter himself, or to the public, does not seem ever to be thought of: the endless Law suits, and the numerous acts of oppression which must take place, when the owner of the land long unlawfully occupied, but cleared and improved by the occupier, shall claim his own, and take advantage of the years of toil bestowed upon it; the odium which must attend the enforcement of the Law, and ultimately rest on the Government, being all lost sight of by the native of the Colony, in his desire to see his country advance with rapidity.

Having found my inability to cope with the difficulties arising from the want of sufficient general Surveys, or from the sudden influx of emigrants of the description of those who have lately come to Cape Breton, (and it will be presently seen that few with greater means come to Nova Scotia Proper,) I have applied myself to remedy such obstacles as I could hope to remove by new regulations, in the case of Emigrants arriving with the intention of becoming settlers by purchase, or of natives wishing to become proprietors.—Returns which I now enclose, (see papers marked No. 4,) show that these latter form a very great majority of the purchasers of Crown Land in Nova Scotia Proper, during the years 1839, 1840, and 1841—224 persons having become purchasers of Crown Lands to the extent of 26,165 acres, during those three years, while of this the number of emigrants or strangers among the buyers is but 18, or only about eight per cent., the number of acres sold to Nova Scotians being 24,569, and to strangers 1596, or in the proportion of more than 15 to 1. Returns of a like nature relative to Cape Breton, (see papers marked 5) shew a dissimilarity in this respect, the number of purchasers of Crown Lands in the Island during the years 1838, 1839 and 1840, (it having been found impossible to get an accurate return for the present year in time to forward it by the next Packet) having been 164, of whom 116 were strangers, and only 49 natives, while the total number of acres sold is 16,188, the quantity bought by strangers is 11,831 acres, and by natives 4357, but it will be seen by Mr. Crawley's letter attached to these returns, that the majority of those reckoned as strangers, have been from 12 to 18 years in the country, and many had arrived while children with their parents, and may therefore be considered as Nova Scotians, the immediate descendants of settlers; a class to which I have already referred as constituting a most valuable portion of the population of a new Country. The purchasers alluded to by Mr. Crawley, were, it appears, though illegally occupiers of Crown Lands, which they have now bought, and are therefore contradistinguished from the 3000 stated to have arrived within the last three years, of whom not a single individual has purchased land, and I learn from the very best authority that they never can buy the land on which they are located, unless at an exorbitant price, as they have fixed themselves not on Crown Land, but on tracts already granted to others, who, in the price they may hereafter demand, will add to the original cost of the land, the value which the Squatter will himself have given to it by his labor. Mr. Crawley has received information that 3000 more pauper Emigrants may be expected in Cape Breton next summer, and if, as will doubtless be the case, there being no means of preventing their so doing, they settle on land already granted to absentees, there will be in that Island a population of 6000 so settled, whom the enforcement of the rights of the original grantees, or of their representatives, would consign to the most abject misery, after (perhaps) many years of toilsome industry, and who would in consequence be rendered discontented subjects.

Taking the facts as set forth in the above returns, in conjunction with what I have before said as to the quality of the land, and adverting to the amount actually received from the Department of the Surveyor General, it seems impossible to regard the question as one of any material importance as connected with the revenue, and I have therefore looked at it with a view to determine by what mode of disposing of Crown Lands, the greatest benefit may be derived to the Province in other respects. There can be little doubt that the

the more immediate the settlement of these Lands, the greater will be the advantages resulting from them; provided always that the settlement is conducted on principles sound in themselves, and adapted to the local peculiarities of the Colony. I have endeavoured by every means in my power to arrive at a just conclusion as to what those principles should be, and I am of opinion that, considering the comparative sterility of the soil, and the impediments offered by the climate to agricultural pursuits, and having regard to the better climate of a great part of Canada and the United States, that in the regulations to be established here, three things should be especially kept in view, and, these attained, that the emigrant should receive every possible encouragement, being allowed to obtain the land of Nova Scotia at the lowest price which the expenses attendant on the local surveys necessary to his own security will admit of. The first thing to be aimed at, is the maintainance of the relative proportionate value which the soil bears to that of the neighbouring Provinces and States. This value is, I have every reason to believe, so low, that the mere expenses of the local surveys nearly equal it, and therefore I need dilate no further on this point; the next point to be looked to, is the prevention of large purchases of land by speculators; and the third to which attention should be directed, after having removed every vexatious impediment to the acquisition of land by the settler, is the discouragement of a desire on his part to become possessed of more than he can occupy and cultivate profitably to himself.

I think these objects may all be compassed, and I am prepared to recommend, for reasons which I shall presently state:

First.—The Sales of Crown Lands, by Auction, should be discontinued, as is already the case in Canada.

Secondly.—That one fixed and uniform price of 1s. 9d. sterling, should be adopted as a general rule in respect of all Agricultural Lots, the Crown reserving the right, to be, however, cautiously exercised, of selling by Auction, or by Private Sale, at an enhanced price, Quarries, Mill Seats; or such portions of Land as circumstances have endowed with an adventitious value—care being taken, that when the superior value of a Lot is discovered by an individual, but for whose enterprise or exertions it would have remained unknown, that he should, in such case, have the full benefit of his discovery.

Thirdly.—That the price should, in all instances, be paid at once, the title to the Land being perfected, and delivered at the time of Sale. I conceive that Sales by Auction should be discontinued here, for the reasons given by Mr. Baldwin Sullivan, in his evidence, published at page 108, Appendix B, to Lord Durham's Report on the affairs of British North America, viz: "That the Sale by Auction, is in as far as relates to the raising the value of the Land, in reality a cumbrous dead letter, from which the public derives no advantage, while the settlers are seriously delayed in their locations, the minimum price being in this country, in fact, the maximum—competition rarely, if ever, taking place—the bidders at these Sales considering it a duty they owe to each other, not to bid up these Lands where there is so much choice."

That these reasons apply to Nova Scotia, experience has fully proved. It has been found, likewise, that the difficulty in obtaining Land at once, encountered by the settlers, causes them often to expend their means before they have an opportunity of purchasing, when, being destitute, they squat, the facilities for doing which, that are afforded by the vast grants of unoccupied Land, I have already described. I think 1s. 9d. sterling, per acre, is a fair price. High enough, because experience has proved it to be sufficiently so, to prevent extensive Tracts being bought up by speculators, or to deter the Emigrant from seeking to acquire Land in greater quantities than his means will allow him to cultivate with profit, (if, however, it were hereafter found to be necessary, regulations that would insure this latter effect, might easily be framed,) while I believe it to be the full value of the Land, in proportion to the price paid for the better soil of Canada and the United States—the value of the Land in which Countries, more especially the latter, must always have an influence on the price here: not too high, because it has not prevented the purchase of Land by the most valuable class of Agricultural Settlers, born Nova Scotians, and because a less amount than that produced by the sale of Land, at this rate, would scarcely

scarcely defray the expenses of the Surveyor General's Department—Surveys of isolated Lots being rendered expensive, by the distance it is sometimes necessary to travel, in order to make them.

Whether or not the purchase money should be payable at the time of sale, is a question which cannot be determined here, on the same grounds that appear to have led to its decision in Canada; the Land in this Province being never "purchased for the mere sake of the Timber, and then abandoned," a practice to which Mr. Buller alludes, page 34, Appendix B. to Lord Durham's Report, as having prevailed to a considerable extent in other Colonies, there being no Timber in Nova Scotia of sufficient value to induce such a custom, neither is there any danger of converting by the indulgence of instalments, a number of people into "indigent and useless Farmers, who, without such indulgence, would become useful Laborers," (page 25, Appendix B.) as this Country would not absorb Laborers, the Laboring Emigrant (except in the case of Fishermen) being, as I have before stated, unable to procure money by his labor, which is only productive to him in case he obtains Land. The advantages or disadvantages likely to result from the system of prompt payment, must therefore be weighed apart from these considerations; and I have had no difficulty in arriving at the conclusion, that prompt payment should always be insisted on, were it only because it has been found next to impossible to obtain payment by instalments, in the great majority of instances, not only here, but in Canada; and that while a class of National Debtors is thus created, and the Emigrant is induced to acquire Land in too great quantities, the uncertainty of ultimately enjoying the reward of the labor he has expended upon it, has a disheartening effect, and renders him less strenuous in his exertions.

By what I have said, it will be evident that while I agree with the House of Assembly, as to the propriety of abolishing Sales by Auction of Crown Lands, except in very peculiar cases, I would advise that the price of Crown Lands in Nova Scotia should be reduced from 2s. 6d. to 1s. 9d. sterling, per acre, (being the price at which Land was, until lately, sold here,) and that I do not concur in opinion with the House, that it would be a great public advantage, were the Lieutenant-Governor and Executive Council authorized, as heretofore, to permit the sale of Crown Lands under certain circumstances, at the minimum price of 1s. per acre, because the cases are very few in which it would be right to grant such an indulgence, and when they do occur, may easily be referred by the Lieutenant-Governor to the Secretary of State; and because I am apprehensive that such a practice, once introduced, augmenting by degrees, would tend to lower the price of Land, generally, to 1s. per acre, and thus produce many of the evils to be dreaded from too low a price, while a sufficient sum would not be afforded, by the price paid for the Lots, to defray the expenses of such Surveys as are absolutely necessary, even for the partial security of the purchaser.

I have, &c.

(Signed)

FALKLAND.

The Lord Stanley, &c. &c. &c.

APPENDIX, No. 14.

(See Page 16.)

Extract of a Despatch from the Right Honourable Lord Stanley, to His Excellency Viscount Falkland, dated 15th March, 1842.

"I have received your Lordship's Despatch, No. 20, of the 21st December last, with its enclosures, reporting the result of your enquiry into the present mode of disposing of the waste Lands of the Crown in Nova Scotia, and pointing out the modifications which you are prepared to recommend, with a view to meet the wishes expressed by the House of Assembly on the subject.

“Having referred your Despatch to the Commissioners for Colonial Lands and Emigration, I have received from them a Report, of which a copy is inclosed.

“In recommending to your attentive consideration the important observations and suggestions contained in that report, I beg to state, that I am disposed generally to concur in the views expressed by the Commissioners.”

*Colonial Land and Emigration Office,
9, Park Street, Westminster, Feb. 1842.*

SIR—

In obedience to the instructions contained in your letter of the 31st ultimo, we have perused and considered the Despatch from the Lieutenant-Governor of Nova Scotia, therewith transmitted to us, relative to the settlement of the Waste Lands of the Province.

From this full and able Despatch, much valuable information may be derived on the subject to which it relates. It appears that the amount of Crown Land which has been sold during the last few years, has not been considerable, and that it has been purchased chiefly by the resident inhabitants; that the emigration which annually takes place into the Colony, consists almost exclusively of persons in a completely destitute condition, that the means do not exist of affording employment to these persons, nor indeed does it appear that they seek it, for the facilities for unauthorized occupation of Land are so great, or rather the means of preventing it so inadequate, that they immediately spread themselves over the waste portions of the Colony, which belong for the most part to Absentee Proprietors, or in some instances congregate on particular spots, but in either case are exposed to the risk of want and misery. It further appears that the boundaries of all Land, whether belonging to the Crown, or to individuals, have been so imperfectly ascertained, that the account which was given by Lord Durham's Commissioner of the state of Canada in this respect, may be considered applicable to Nova Scotia, viz. that “with a very few exceptions no man can be said to possess a secure title to his land, or even to know whether the spot upon which he is settled belongs to himself, his neighbor, or the Crown.”

Upon a review of these circumstances, it has appeared desirable to Lord Falkland as the first step to improvement, to render the acquisition of the Crown Lands as free from difficulties and impediments as the means at his disposal, and the nature of the case, will admit. For this purpose, he proposes, that subject to the reservation of such portions as the Governor might think proper to reserve, all Crown Land should be sold at a fixed price, that this price should for the present be 1s. 9d. per acre, that the payment should be prompt, but that the proper title to the land should be immediately granted.

With reference to the chief feature of this plan, we may remark, that it will be in entire accordance with the wish of the House of Assembly of Nova Scotia, that the Public Lands of the Colony should be sold at a fixed price: and this consideration, joined to the arguments by which the plan is supported in Lord Falkland's Despatch, renders it desirable, we think, that it should now be adopted. It may be right to mention, that an Act, to be in force for three years, regulating the disposal of the Public Lands in Nova Scotia, passed the Local Legislature in the autumn of 1840, and that in that Act it is provided that the Waste Land shall be put up to Auction in lots as applied for, and at an upset price to be fixed by the Governor in Council. We presume that before Lord Falkland's plan can be carried into operation, this Act must be amended.

With regard to the actual price which it is proposed to put upon all Public Land, although it certainly appears to be very low, when it is considered that a fixed price is a maximum as well as a minimum, and should therefore always be higher than an upset price, we are not insensible to the deference that is due to the local knowledge of the Governor, and to the reasons connected with the inferior soil and climate of Nova Scotia, as compared with the neighbouring settlements, which have led to its being fixed at that sum. There are, however, some considerations connected with the subject, to which we should wish to be sure that the Governor had fully directed his attention.

By the evidence of the Surveyor General, given before Lord Durham's Commissioner
of

of Enquiry, it appears that the price at which Lands belonging to private individuals were sold, was generally from 3s. to 3s. 6d. per acre. It also appears, from the evidence of the same gentleman, and from Official returns, that from the year 1827 to the present time, a large amount of Crown Land has been sold at a price varying from 2s. to 3s. per acre.—The effect, therefore, of offering all the remaining Crown Lands for sale at a fixed price of 1s. 9d. per acre, might, we fear, perhaps be to lower the value of Landed Property in the Colony, and be considered as unjust by those who have so recently been required to pay a higher price for the Lands which they obtained from the Crown.

In the next place, we are not sure whether it is intended that the fixed price now proposed should cover the expense of the Grant and the cost of the Survey. The Surveyor General has stated that those expenses are about £12 for a Grant of 100 acres, and from £22 to £25 for one of 200 acres. We think that it would advance the object which Lord Falkland has in view of promoting the sale of Crown Lands, if all charges connected with the Survey and Grant of the Land, were to be included in the price per acre at which the Land was offered to the public. The purchaser would then at once know the whole extent of the charges which he would have to meet. The cost of Survey for this Colony is estimated, we observe, at from 3d to 5d per acre, and it might be sufficient, perhaps, that the former sum should be added to the proposed price of the Land, thus raising the fixed price to 2s. per acre. We have no doubt that to these considerations on matters of detail, should Lord Stanley think they ought to be forwarded to the Colony, the Lieutenant-Governor will give the proper weight, and it is far from our wish to urge them as objections to the general character of the measures which he has recommended. But although it may be hoped by thus facilitating the sale of the Crown Lands, to render the Colony attractive to a less poor description of Emigrants than at present resort to it, and to improve its general condition by the introduction of capital, there are evils existing of which the nature and magnitude are forcibly delineated in Lord Falkland's Despatch, and to which it is urgently requisite that a direct remedy should, if possible, be applied. We shall proceed therefore, to submit any views that have occurred to ourselves for this purpose.

1. We would allude first to the state, described to be one of utter destitution, in which Emigrants find themselves upon their first arrival in the Colony. 1500 persons, chiefly from the Hebrides, arrived last year in Cape Breton alone, all of them of the poorest class, who had parted with every thing they possessed, in order to find the means of paying their passage. Mr. Dodd, a Member of Council residing in Cape Breton, informs the Lieutenant Governor, that on their arrival these Emigrants were thrown on the bounty of others, for the expense of transporting their families and baggage to the interior of the Country. A remedy for this evil, though we admit in such an extreme case possibly an inadequate one, may be effected by requiring the Master of every vessel bringing Emigrants, to pay a certain sum per head, on all the Emigrants before they are allowed to land. Up to the year 1841, there appears to have been a local enactment authorising the levy of this duty, and we think it most desirable that it should be renewed. As Lord Stanley is aware, the payment is made by the Emigrant himself before he leaves this Country, the amount of the duty or head money being included in the money he pays for his passage, to which, however, it makes but a very slight addition. The expediency of requiring this payment on account of all Emigrants on their arrival, was strongly urged by the late Governor General of Canada, and for that Colony the tax has been lately renewed, by one of the first Acts of the Legislature of the United Province.

2. We would next advert to the system, which is perhaps more prevalent in Nova-Scotia than in any other of the North American Colonies, of the unauthorised occupation of land. Whatever may be thought of its present operation, the evil which is likely to result from it in future can hardly be exaggerated. As appears from Lord Falkland's statements, all the Emigrants who arrive during the year become squatters, as a matter of course. Even if they selected Crown Lands for this purpose, the Government could never undertake to track them through the wilderness, nor bear the expense of ejecting them by any formal process; but in point of fact, nearly all the good land in the Province
having

having been alienated from the Crown, it is upon the grants belonging to absentee proprietors, who have no representatives in Nova Scotia; that these Emigrants settle themselves. Of 1500 persons who arrived last year at Cape Breton, the greater number are reported to have at once taken possession of private land in this manner. It appears from the Report of the Commissioner of Crown Lands, that few of these Emigrants ever made enquiry about Crown Land at his office, and those who did, confessed that their intention was not to purchase, but to ascertain where vacant land was to be obtained, in order that they might immediately settle on it without purchase or permission. Lord Falkland states that from recent information, there is reason to expect the arrival during this summer of 3000 more pauper emigrants, who will immediately become unauthorised occupiers of land, and that there would then be in that Island alone, 6000 newly arrived persons so settled, whom at some future period "the enforcement of the rights of the original grantees would consign to the most abject misery, after, perhaps, many years of toilsome industry, and who would in consequence be rendered discontented subjects."

In the evidence taken under Lord Durham's Commission of Enquiry, it appears that the Secretary of the Province estimated that the whole number of persons in Cape Breton, who were seated on land to which they had no title, or merely a license to occupy them, amounted to not less than 20,000, or one-half of the population of the Island.—Throughout the whole of the Province indeed, the same feature is remarkable. Vast tracts of the best land which alone is available for settlement, are the property of individuals, who, as Lord Falkland observes, "contribute in no way to the prosperity of the Colony, with which in many instances they are totally unconnected, except in so far as their legal rights interfere with the public interests." If the proprietors should eventually allow persons who have squatted on portions of these lands to purchase them, it may be expected that in the price which they demand, they will add to the original cost of the land, the value given to it by the labor of the individuals, or it is possible they may avail themselves of the improvements effected, by representing them to the local Government as a compliance with the original conditions of their grants, and then eject the persons by whom those improvements had been made." Lord Falkland most justly calls attention "to the endless Lawsuits, to the unnecessary acts of oppression, which must take place, when the owner of the land long unlawfully occupied, but cleared and improved by the occupier, shall claim his own, and take advantage of the years of toil bestowed upon it, and to the odium which must attend the enforcement of the Law, and ultimately rest upon the Government." It is impossible to dwell upon all the evils which have resulted, and which will still further and to a greater extent result, from this mode of settling the waste lands of a Colony, without arriving at the conviction that they are of such magnitude and importance, as urgently to require the application of any remedy which it may be in the power of the Government or the Legislature to afford.

The Surveyor General of the Province stated in his evidence, to which we have before referred, before Lord Durham's Commissioner, that of lands more immediately known to himself, there were upwards of one million acres liable to escheat, from neglect and non-fulfilment of the terms of the grants. The first remedy, therefore, to which it would be natural to have recourse, would be the recovery by the Crown of the Lands thus liable to forfeiture. There does exist a Law of Escheat in the Colony, and from the evidence of the Surveyor General before Lord Durham's Commissioner, it appears that by means of it more than two million acres have been recovered, though chiefly at a very distant date; much of it so far back as 1783, and the greater part of the remainder between 1816 and 1820. The form of proceeding under the law is expensive, and the Government do not appear to have the means or to be disposed to put the law in force, nor are individuals apparently willing to undertake the task, even though the land should be offered to them on easy terms, if they succeed in obtaining its forfeiture from the original proprietors.—We are unable, therefore, to suggest that any further steps should be taken in this direction, but we doubt not that the question will receive due consideration from the Governor, in what manner it may be possible, and to what extent advisable, to enforce the rights of the public under the present law, or under any modification of it.

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With reference, in the next place, to the hardship which it is feared might be inflicted upon occupants of the soil, by the assertion, at a late period, of the proprietary rights of absent Grantees, we are not aware whether there is in force in Nova Scotia the Statute of Limitations, or some analogous Law, which would protect parties after a long possession, but if not, some Legislative Enactment may very possibly be deemed desirable. It would appear to be so in all new Countries; where the public welfare is so deeply involved in the proper settlement of Waste Lands, and where the appropriation of large Tracts by non-resident and non-improving proprietors, places an insurmountable obstacle to the progress of cultivation, and the general prosperity of the Country. We, therefore, would beg to draw attention to the question, whether the undisturbed and unquestioned occupation, during a definite number of years, of Land which was waste at the time of occupation, should not be declared by Law to confer a valid title on the occupant. Again, whenever the proprietor should exercise his rights in the ejection of an unauthorized occupant of the Land, after he had been for some moderate period in undisturbed possession of the same, the Law ought, perhaps, to secure to such occupant payment from the proprietor, of the value of any improvement which he may have effected on the Land. In those cases, on the other hand, in which the intrusion has taken place upon the Crown Lands, the intruders, should, we think, always have the preference shewn to them of purchasing, before any other parties, the Land they have occupied, and to any extent to which they have bona fide occupied and improved it, at the fixed price of ordinary Waste Land of their District. By the Law at present in force, we observe that such parties are merely allowed to purchase the Land when they have proved a certain amount of expenditure upon it and then only to the extent of 200 acres.

Lord Falkland observes, that sympathy for the squatters is, in Nova Scotia, the prevailing feeling throughout the community; and it appears, therefore, probable, that the Legislature would be disposed to sanction any measures, such as we have above suggested, which were calculated to afford them due protection, and encourage them to continue their labors in effecting improvement on the Land they occupy.

3. Thirdly—we cannot but think, looking to the very peculiar circumstances of this Colony as regards the settlement of its land, and to the very great social evils which threaten to result from them, that it would be right to submit to the Legislature, the expediency of imposing a tax, however small, upon all the appropriated Land in the Colony, whether waste or cultivated. To make distinction between those two classes of Land, would be difficult and invidious in practice, and unnecessary, if the amount of the tax were so small as to be scarcely felt by the bona fide cultivators of the Land. The unanimity in favour of such a measure, on the part of all the witnesses connected with the Province, who were examined by Lord Durham's Commissioner, was most remarkable. The Surveyor General, with reference to the extent to which large Grants had obstructed the settlement of the Country, said, "that a general tax on all Wild Lands, would seem to be the only remedy" for the evil complained of. Mr. Titus Smith, a resident of the Province for above 50 years, considered that the large blocks in the hands of proprietors, and not under any improvement, were a decided check to the advancement of the Country, but "that a tax would cause those Lands to be settled and disposed of." Mr. Brown, a settler and Engineer, intimately acquainted with the state of the Colony, considered, that for the great drawback to improvement, caused by the large Grants to absentees, a tax on Land "would be the best remedy." Mr. McKenzie, a cultivator of Land for nearly 20 years, and a Surveyor, considered that a remedy for the evils which he described, as having resulted from the vast amount of private Land kept in a wild state, would be "to require parties holding Wild Lands, to pay a tax towards general improvement."—Mr. Fairbanks, a native of Nova Scotia, thought a tax on Wild Land to be "absolutely called for." Mr. Hartshorne, also a native of the Province, considered that a tax on Wild Lands "would, no doubt, have a most beneficial effect." And Mr. Cunard, a gentleman of whom we need not say how intimately he is acquainted with the Province, and interested in its welfare, expressed his opinion in favour of a tax; and when asked, as a large proprietor, to state what the amount of the tax should be, he replied, "I do not feel myself competent to say what the tax should be, but I should think large proprietors should be compelled to contribute towards the general improvement of the Country."

The sum named by these different witnesses, as that which it would be proper thus to levy annually from land, varied from 2s. 6d. to 15s. per 100 acres, but they all agreed that the tax should only be imposed upon unimproved lands. We think, as we have before said, that it would be better to impose a very low amount and require all lands to pay it. A payment for instance of 2s. per 100 acres, which is less than a farthing per acre, would scarcely be felt by persons who are raising a crop from the ground, while it would still be sufficient, being repeated each year, to induce absentee proprietors either to commence clearing their lands, or to abandon a portion of them in the redemption of the rest from the tax. It may be remarked as diminishing any hardship which might be supposed to attach to the imposition of such a tax, that a large proportion of the lands of the Colony, are subject, by the terms of the grants under which they are held, to the payment of Quit Rents, and though the House of Assembly has agreed to pay to the Government an annual sum in lieu of these rents, yet it appears to be understood that it has reserved to itself the right of imposing upon all granted lands, the charges to which they from the first were liable, whether in the form of Quit Rents, or in any other form which may be thought most expedient,

All monies derived from this tax should, we think, be applied, first, to completing the surveys of Land, and next to local improvements of a public nature. All the witnesses under Lord Durham's enquiry, spoke of the great evils which had resulted, and which were likely to result, from the total want of accurate surveys in the Colony. Lord Falkland also considers that the inconvenience from this cause is felt infinitely more in Nova Scotia than in Canada or New Brunswick. He enumerates it among the chief sources of discouragement to settlers with Capital to resort to the Colony, and he apparently contemplates the possibility of assistance from the Imperial Government in the matter, seeing that decided indisposition prevails from a variety of causes, in the House of Assembly, to make any effectual provision against the evil. It is probable, however, that if a new fund were raised by the proposed Land tax, the same objection would no longer be felt, in making appropriation to the purposes of a general survey.

4. If it should prove that the Legislature of Nova Scotia are unwilling to impose the tax in question, we would then suggest whether it might not be expedient that land should be made liable to assessments for local purposes. One of the greatest obstacles to the improvement of the Colony is the want of roads. At present, each person is required to contribute towards their construction three days' statute labour, or money in lieu of it. This system the Surveyor General, in common with other witnesses, condemns. It produces no satisfactory results, while from the principle upon which it rests, the absentee proprietors, who in so many ways inflict injury upon the Colony, and effectually bar its progress, are relieved from all payments on account of it, in the same way as they escape from every other form of contribution to the exigencies of the community to which they belong. It is competent to the Governor under the Land Act at present in force, to appoint Local Land Boards in each County of the Province, and to these, in concert with the Commissioners, who we find by the evidence of the Surveyor General, are appointed annually by the Governor to attend to roads, might be intrusted the regulation of these assessments, and the application of the money derived from them. They should be payable we think, in land, in the same manner as was proposed for the tax.

In conclusion, we have the honor to state, first, that we have no objection to offer to the measures proposed by Lord Falkland, respecting the mode of disposing of Crown Lands in Nova Scotia, but would merely request attention to some points of detail that we have noticed in the part of our report which relates to that subject, and secondly, that in bringing before Lord Stanley, in the remainder of this Report, some additional measures, which a review of the evils so clearly described in the Governor's Despatch, suggested to our minds, our object has been, should His Lordship deem them deserving of further enquiry, to obtain an opportunity of their being considered and reported upon by Lord Falkland.

We have, &c.

(Signed)

J. FREDK. ELLIOT,
EDWARD E. VILLIERS.

Appendix,

APPENDIX, No. 15.

(See Page 18.)

The Joint Committee of the Legislative Council and House of Assembly, appointed to examine the Public Accounts, report as follows:

TREASURER OF THE PROVINCE.

His Accounts to the 31st December last, have been received. Balance in hands to that date, £2589 6 6

COLLECTORS OF IMPOST AND EXCISE.

HALIFAX.

His accounts received to 31st December last. Balance Bonds in hand, 24943 13 1

LIVERPOOL.

His Accounts received. Balance Bonds in hand, per statement furnished, 646 7 6½

LUNENBURG.

His Accounts received. Balance Bonds in hand, per statement furnished, 1441 1 1

SHELBURNE.

His Accounts received. Balance Bonds in hand, 177 6 2

BARRINGTON.

His Accounts received—amount paid in full.

ARGYLE.

His Accounts received—amount paid in full.

YARMOUTH.

His Accounts received. Balance Bonds in hand, per statement furnished, 553 14 0

WEYMOUTH.

His Account received, but no statement of Bonds. Balance due 44 6 3

DIGBY.

His Account received, but no statement of Bonds. Balance due 308 15 11

BRIAR ISLAND.

His Account received. Amount paid in full.

ANNAPOLIS.

His Account received. Amount paid in full.

CORNWALLIS.

His Account received, but no statement of Bonds. Balance due, 94 4 6

WINDSOR.

His Account received. Bonds in hand, per statement, £291 6 7
Whole Balance per account, 873 8 2

NOTE—He has exhibited a Statement of Expenses incurred in the purchase of a Revenue Vessel, sailing her, &c., amounting to £472 8s. 3d., which he appears to think should be an offset towards the above balance, but the Committee do not conceive him to have been warranted in so large an expenditure, as the amount granted for that purpose was £60 per annum, which has been paid for the last three years, but does not appear to be credited.

COLCHESTER.				
His Account received.	Balance due		1	3 11
AMHERST.				
His Account received.	No statement of Bonds—Balance		35	9 6
WALLACE AND PUGWASH.				
His Account received.	Balance,		2	9 8
PICTOU.				
His Account received.	Bonds in hand per statement,	£534	6	8
	Whole Balance, per account,		2324	9 7
TATAMAGOUCHE.				
His Account received.	Balance Bonds in hand,		143	8 11½
ANTIGONISHE.				
His Account received.	Balance,		3	1 10
GUYSBOROUGH.				
His Account received—no statement of Bonds.	Balance, per his Account corrected.		37	3 7
ARICHAT.				
His Account received—no statement of Bonds.	Balance		546	3 2
PORT HOOD.				
His Account received.	Balance		1	19 1
SYDNEY, C. B.				
His Account received—no statement of Bonds.	Balance		373	19 3
CHESTER.				
Nothing collected.				

LIGHT DUTY COLLECTORS.

HALIFAX:					
Collected, per his Account		£1371	17	8	
Error in casting			2	5	7
		<hr/>			
		£1374	3	3	
Paid		1371	17	8	due 2 5 7
LUNENBURG.					
Collected £58 10 6—Paid		£58	10	6	
LIVERPOOL.					
Collected £157 10 0—Paid		157	10	0	
SHELBURNE.					
Collected 1841 & 42 £101 17 5—Paid		101	17	5	
BARRINGTON.					
Collected 1842 £46 13 0—Paid		46	13	0	
No Account or remittance for 1841.					
ARGYLE.					
Collected 1841 £17 17 2					
“ 1842 44 14 6—£62 11 8—Paid		62	11	8	
YARMOUTH.					
Collected 1841 & 42 £437 7 2—Paid		439	3	7	
Error against himself in casting 36s. 5d., overpaid that amount.					

WEYMOUTH.

WEYMOUTH.				
Collected 1841 & 42	£34 15 9—Paid		£34 15 9	
BRIER ISLAND.				
Collected 1841 & 42	£43 1 1—Paid		28 1 1	due 15 0 0
DIGBY.				
Collected 1841 & 42	£108 5 6—Paid		108 5 6	
ANNAPOLIS.				
Collected	£11 5 8—Paid		11 5 8	
CORNWALLIS.				
Collected	£6 0 3—Paid		6 0 3	
WINDSOR.				
Balance 1840	£122 19 4			
Collected 1841 & 42	230 2 9—£353 1 1—Paid		390 0 0	due 53 1 1
COLCHESTER.				
No Account, and no remittance.				
AMHERST.				
Collected	£17 19 4—Paid		17 19 4	
PUGWASH & WALLACE.				
Balance 1841	£12 3 6			
Collected 1842	34 6 8—£46 10 2—Paid		46 10 2	
TATAMAGOUCHE.				
Collected 1840, per Account	£23 5 3		23 5 3	
No Account or remittance for 1841 & 42.				
PICTOU.				
Balance 1841	£ 72 14 7			
Collected 1842	323 6 3—£396 0 10—Paid		396 0 10	
ANTIGONISH.				
Collected 1841	£7 8 0—Paid		7 8 0	
No Account, 1842, nor remittance.				
GUYSBOROUGH.				
Balance 1841	£11 2 0—Paid		11 2 0	
No Account 1842.				
ARICHAT.				
Collected	£42 6 4—Paid		42 6 4	
He charges £7 for two Boatmen employed, the Committee think improperly.				
PORT HOOD.				
No Account, nor remittance.				
SYDNEY, C. B.				
Collected	£534 12 0—Paid £485 5 9—Due, since paid		49 6 3	
GUT CANSO.				
Collected	£190 8 4—Paid		168 3 6	due 24 4 10
LITTLE CANSO.				
Balance 1841	£20 1 1			
Collected 1842	46 7 4—£66 8 5—Paid		66 8 5	

THE COMMISSIONERS OF LIGHT HOUSES.

Their Accounts to 31st December last, received, amount to	£5075	11	1
They received from the Treasury of the Province,	£4820	15	6
“ from New Brunswick, ½ expenses Seal Island for 1841,	152	5	2
“ from ditto, for Brier Island, 1841,	100	0	0
“ Premium for draft for the two last sums,	2	10	5
	5075	11	1

The whole expense of supporting the Lights, exclusive of Buildings, the past year has been	4803	9	11
Receipts of Light Duty, from ordinary sources	3954	2	7
Contribution of Canada, New Brunswick, and Prince Edward Island, for 1842,	1091	17	0

5045 19 7

Making Balance of Receipts over Expences, £242 9 8

The Committee notice a charge of £76, in the Commissioners Account for the hire of a vessel to visit Light Houses, &c. &c., which they think might be obviated by employing either the Sable Island vessel, or one of the Revenue Schooners, for that purpose.

There is due from Canada, towards support of St. Paul's, and Scatterie Lights.

Balance as reported last year	£793	5	1
Annual contribution, 1842, per agreement,	500	0	0
Proportion of Surplus Expense, per do.,	87	14	6
	1380	19	7

New Brunswick, for ditto.

Balance as reported last year,	£396	12	6
Annual contribution, 1842, per agreement,	250	0	0
Proportion Surplus Expense, per do.	43	17	3
Half Expense Seal Island, 1842,	75	2	0
Proportion of Brier Island,	100	0	0
	865	11	9

Prince Edward's Island, for ditto.

Balance as reported last year,	£77	11	11
Annual contribution, per agreement, 1842,	30	0	0
Proportion Surplus Expense,	5	5	3
	112	17	2

£2352 8 6

There is due from Collectors of Light Duty, per their accts. 141 18 6

2501 7 0

The Committee recommend that the House make an early application to His Excellency the Lieutenant Governor, to order Correspondence to be had immediately with the Governments of Canada, New Brunswick, and Prince Edward Island, calling upon them for payment of their respective balances, as above.

CUSTOM HOUSE.

There has been paid in from this Department to 31st December, 1842,	£33,133	3	7
Premium on Dollars,	1,381	7	6

34,534 11 1
ANNAPOLIS.

ANNAPOLIS LOAN OFFICE.

Balance as reported last year, still due.

The Committee conceive that this balance ought to be paid up without further delay, and recommend the House to pursue the most direct course of calling in the same.

SABLE ISLAND.

The Commissioners Accounts to 31st December last, have been received. Balance in Treasurer's hands.

£2258 0 11

PUBLIC BUILDINGS.

By the Commissioners Account, submitted, it appears there has been expended the past year,

On Government House,	£1217	5	10½	
On Province House,	230	5	4	
Commissions,	72	7	6½	
				1519 18 9

FUNDED DEBT.

Balance of amounts funded in 1834, 35, and 36, at 5 pr. ct.	22,526	0	0	
“ Funded in 1836, at 4 per cent.	10,000	0	0	
“ Funded in Savings Bank, at 5 per cent.	20,000	0	0	
“ Funded in ditto. at 4½ per cent.	4,500	0	0	
				57,026 0 0

PROVINCE NOTES.

Amount in circulation, 31st December, 1842, 59,968 10 0

LOAN TO POOR SETTLERS.

Balance due, as reported last year, 2190 5 2
 Net Proceeds of Grain sold in 1837, yet unpaid, 26 5 3

There has been paid into the Treasurer £88 18 10½, in part of proceeds of the Book entitled “Marshall's Justice”—which sum will appear in his account the next year. A further balance is still due on this acct.

PROVINCE OF NOVA-SCOTIA.

Dr.

To this sum undrawn on account of Roads and Bridges, and other Services, per Abstract.	£4851	1	10
To Loan Certificates due sundry persons, including the amount funded in Savings' Bank,	57026	0	0
To Province Notes in Circulation,	59968	10	0
To Due to Commissioners of Public Buildings,	1519	18	9
To Annual Vote to Sable Island,	400	0	0
	£123765	10	7

CONTRA.

Cr.

By Balance in the hands of the Treasurer,	£2589	6	6
Ditto ditto on account of Sable Island,	2258	0	11
Ditto ditto Passengers Act Fund,	106	15	5
Due by Collectors of Light Duty,	141	18	6
			Securities

Securities in the hands of the Collector of Excise, Halifax,	£24943 13 1			
Deduct probable Drawbacks,	943 13 1			
	<hr/>	£24000	0	0
Securities in the hands of Out Port Collectors,	7603 15 9			
Deduct probable Drawbacks,	303 15 9			
	<hr/>	7300	0	0
Due from New Brunswick in aid of Lights,	865 11 9			
“ from Canada for do. including balance of last year,	1380 19 7			
“ from Prince Edward’s Island, including balance of previous years,	112 17 2			
	<hr/>	2359	8	6
Balance due on Loan to Poor Settlers,		2190	5	2
“ due for Seed Grain, sold 1839,		26	5	3
“ Loan to Dalhousie College,		5000	0	0
“ Loan to Annapolis County,		35	5	2
		<hr/>		
		£46007	5	5
Balance,		77758	5	2

In reporting more particularly upon the Excise and Impost Department, the Committee have to remark, first, in reference to the Office at Halifax, that the expenses of collecting very far exceeds what was probably contemplated by the Law. There having been deducted from the amounts received there, for the salary of the late Collector, who it appears died in August last, £700, which, with the Commissions of the present Collector, £350, and the charge made by Mr. Edward Binney, £302 14 4, makes the whole expense for the past year to be £1353 14 4. As to the propriety of the latter charge, the Committee abstain from making any remarks, as the subject is already before the House. They, however, feel it to be incumbent upon them to recommend, that the Law should be so amended as to prevent the recurrence of a similar expense. The Out Port Collectors have all forwarded their Accounts, with greater punctuality than usual, and many of them have made more timely and proper remittances. The Committee, notwithstanding, notice with regret, that in some places, as at Pictou and Windsor, (and others of less amount,) large balances stand over from year to year, for a comparative small part of which, Bonds are exhibited; and they think these Collectors should be called upon to pay up their respective balances, without delay. They also, in many cases, viz. from Weymouth, Digby, Cornwallis, Amherst, Guysborough, Arichat, and Sydney, C. B. find that no statement of Bonds has been furnished, whereby the Committee are prevented from ascertaining, whether the balances reported by them (some of which are large) are actually for Bonds in hands, or are due from the Collectors personally. The Committee feel it to be their duty to recommend, that the requisition of a return of Bonds, with their dates, parties names, &c., annually, from each officer, with a full remittance of all monies received be insisted on and enforced, as the condition of holding office; this they consider as well due to the parties themselves, as to their respective sureties, and will, as they conceive, alike tend to their advantage, as the interests of the Revenue, and to the satisfaction of the Legislature.

The Collectors of Light Duty have more generally than usual forwarded their Accounts, and remitted their balances; yet some have failed to send either their Accounts or remittances for 1841 or 1842, others for 1842, as will appear by the remarks under the heads of their several offices. The Committee can conceive of no excuse that can be offered by these officers for withholding either their Accounts, or the monies collected by them, as especially, at the Out Ports generally, the navigation closes at or before the end of the year, and the remittances should be made in time to appear in the Treasurer’s annual Account.

The Committee recommend, that the balance in the hands of the Sable Island Commissioners, as appears by their Accounts, and the balance of monies received from the Passengers Act, should be transferred to the Treasury; and the balance in hand from these sources,

sources, from year to year, should appear at the credit of the Province, in the Treasurer's annual Account.

The Committee perceive that £210 has been paid annually, for the last three years, for the support of small Revenue Boats at the Out Ports; and as they are induced to think the advantage of these is not commensurate with the expense, they recommend that the grants for this object should be discontinued.

The Committee, in closing their Report, have to ask, that the House will take early means to bring the same to the notice of His Excellency the Lieutenant-Governor, and respectfully request that he will direct the proper officer to call the attention of parties interested in the several recommendations, wherein His Excellency's interference may be required.

Committee Room, 7th February, 1843.

MICHAEL TOBIN, Jr. }
JOHN MORTON, } Committee of
HUGH BELL, } Legislative
Council.

THOS. A. S. DEWOLF, }
WM. STAIRS, } Committee
JAMES McNAB, } of the
W. B. TAYLOR, } House of
JOHN J. MARSHALL, } Assembly.

Abstract of Monies appropriated for Roads and Bridges, and other services, during the Session 1842, and which are yet undrawn. 31st December, 1842.

		HALIFAX COUNTY.		
No.	41.	Christopher Dillman,		£10 0 0
		CUMBERLAND COUNTY.		
No.	85.	Philip Cotter,	£5 0 0	
	130.	Jesse Lewis,	22 0 0	
	134.	Henry Smith,	33 6 8	
	138.	John Cooper,	7 10 0	
	159.	Jonathan Lowther,	6 10 0	
	165.	William Sharp,	20 0 0	
	169.	James Costen,	12 0 0	
	171.	Shipley,	5 0 0	
				110 16 8
		KING'S COUNTY.		
No.	218.	Earl Burgess,	£10 0 0	
	272.	Elijah Forsyth,	10 0 0	
				20 0 0
		QUEEN'S COUNTY.		
No.	351.	Stephen Kempton,		£5 0 0
		HANT'S COUNTY.		
No.	366.	Harvie and Lawrence,	£26 13 4	
	368.	John Smith,	7 10 0	
	430.	Card and Sandford,	40 0 0	
	438.	John McKenzie,	4 10 0	
				78 13 4
		PICTOU COUNTY.		
No.	543.	John McKay,	£5 0 0	
	581.	Neil Gunn,	7 10 0	
				12 10 0
				ANNAPOLIS.

ANNAPOLIS COUNTY.		
No. 648.	Abner Chute,	£7 10 0
COLCHESTER COUNTY.		
No. 780.	William Fletcher,	£4 0 0
788.	S. McCully,	5 0 0
		<hr/> 9 0 0
YARMOUTH COUNTY.		
No. 795.	John Hatfield,	20 0 0
DIGBY COUNTY.		
No. 874.	Israel Outhouse,	40 0 0
SHELBURNE COUNTY.		
No. 999.	William Chevers.	5 0 0
SYDNEY, NOVA SCOTIA.		
No. 1061.	Mathew McNair,	£12 0 0
1081.	Allan Cameron,	10 0 0
		<hr/> 22 0 0
SYDNEY, CAPE BRETON.		
No. 1191.	John Ferguson,	£15 0 0
1204.	William Crier,	15 0 0
1224.	James Drummond,	20 0 0
1230.	John Fraser,	20 0 0
1208.	John Forrest,	5 0 0
		<hr/> 75 0 0
		<hr/> £415 10 0

Of £26,000 granted by the Act of 1840, for the Main Post Roads, there has been expended £24,144 1 9, leaving to be expended in 1843,	1855 18 3
Of £6,000 granted in the Session of 1841, for the Main Post Roads, there has been expended £5,958 6 5, leaving, of the original sum, to be expended,	41 13 7
Of £6,000 granted for Bridewell, there has been expended £5,000, leaving to be expended in 1843,	1000 0 0
For Grant to George Eastwood, per vote, 1842,	300 0 0
For Breakwater at Clare,	60 0 0
Of £2,000 granted in 1838, as Bounty for the encouragement of the Whale Fishery, there has been drawn out £842, leaving, subject to be called for,	1158 0 0
For opening a passage between Little Arichat Harbour, and Lenox Passage, per vote, 1842,	20 0 0
	<hr/> £4851 1 10

Committee Room, 7th February, 1843.

MICHAEL TOBIN, Jr.	} Committee of Legislative Council.	THOS. A. S. DEWOLF,	} Committee of the House of Assembly.
JOHN MORTON,		WM. STAIRS,	
HUGH BELL,		JAMES McNAB,	
		W. B. TAYLOR, JOHN J. MARSHALL,	

APPENDIX, No. 16.

(See Page 21.)

COPY.

No. 26.

Downing Street, 21st February, 1842.

MY LORD—

I have received your Lordship's Despatch, No. 35, of the 3d instant, enclosing Addresses to the Queen, on the occasion of the Birth of His Royal Highness the Prince of Wales, from the Legislative Council, and from the House of Assembly of Nova Scotia.

Having laid before the Queen the Address from the Legislative Council, I have received Her Majesty's commands to instruct your Lordship to inform that House, that Her Majesty accepts with lively satisfaction their assurances of the interest they take in an event, which, as Her Majesty trusts, may, by the blessing of Divine Providence, be conducive to the general welfare of every part of the widely extended Dominions of the British Crown, and to the stability of those institutions which, at some future day, it may devolve on the Heir apparent of that Crown to cherish and protect.

I am further commanded by Her Majesty to instruct your Lordship to assure the House of Assembly, that Her Majesty has received with the liveliest satisfaction their loyal and affectionate Address of Congratulation upon the Birth of the Prince of Wales. That Her Majesty cordially thanks the House of Assembly for the expression which this occasion has called forth of their attachment to Her person, and to the Constitution of these Realms, and that it will be Her Majesty's constant endeavour, so to train up the Prince, Her son, that under the blessing of Divine Providence, His future life may realise the hopes and anticipations which have been formed by the House of Assembly, on behalf of Her Majesty's loyal subjects in Nova Scotia.

(Signed)

I have, &c.

STANLEY.

APPENDIX No. 17.

(See Page 21.)

COPY.

No. 56.

Downing Street, 12th July, 1842.

MY LORD—

I have the honor to acknowledge the receipt of your Lordship's Despatch, No. 58, of the 28th April, enclosing the copy of an Act passed in the last Session of the Legislature of Nova Scotia, making provision for the instruction and settlement of the Indians in that Province.

Her Majesty has commanded me to instruct your Lordship, to signify to the Legislature, Her gracious approval of the efforts to ameliorate the condition of this interesting portion of Her subjects; and Her Majesty hopes that the Law which has been passed on the subject, will produce real and essential benefits to the Indians of Nova Scotia.

I should wish to receive regularly from your Lordship a copy of the Report, which I observe the Act requires the Commissioner to make at the close of every year, of his proceedings on this subject.

(Signed)

I have, &c.

STANLEY.

Viscount Falkland, &c. &c. &c.

APPENDIX, No. 18.

(See Page 21.)

COPY.

CIRCULAR.

Downing Street, 23d November, 1842.

MY LORD—

I have the honor to transmit to you, for publication in the Colony under your Government, an Order made on the 2nd instant, by Her Majesty in Council, authorising "Portuguese Ships to import into any of the British Possessions abroad, from the Portuguese Dominions, goods the produce of the Portuguese Dominions, and to export Goods from such Possessions, to be carried to any Foreign Country whatever."

I have, &c.,

(Signed)

STANLEY.

The Right Honorable Viscount Falkland, &c. &c. &c.

At the Court at Windsor, 2nd November, 1842.

PRESENT.

THE QUEEN'S MOST EXCELLENT MAJESTY, IN COUNCIL.

&c.

&c.

&c.

Whereas, by an Act passed in the Session of Parliament, held in the 3rd and 4th years of the reign of His late Majesty King William the Fourth, intituled, "An Act to regulate the Trade of the British Possessions abroad," after reciting that by the Law of Navigation, Foreign ships are permitted to import into any of the British Possessions abroad, from the Countries to which they belong, Goods the produce of those Countries, and to export Goods from such possessions, to be carried to any Foreign country whatever, and that it is expedient that such permission should be subject to certain conditions, it is enacted that the privileges thereby granted to Foreign Ships, shall be limited to the ships of those Countries, which having Colonial Possessions, shall grant the like privileges of trading with those possessions to British Ships, or which not having Colonial Possessions, shall place the Commerce and Navigation of this Country, and of its Possessions abroad, upon the footing of the most favoured nation, unless His Majesty, by His Order in Council, shall in any case deem it expedient to grant the whole or any of such privileges to the ships of any Foreign Country, although the conditions aforesaid, shall not in all respects be fulfilled by such Foreign Country. And it is thereby provided, that no Foreign Country shall be deemed to have fulfilled the before mentioned conditions, or to be entitled to the privileges aforesaid, unless and until His Majesty shall, by some Order or Orders to be by him made, by the advice of His Privy Council, have declared that such Foreign Country hath so fulfilled the said conditions, and is entitled to the said privileges.

And whereas it hath been made to appear, to the satisfaction of Her Majesty in Council, that the Government of Portugal hath fulfilled the conditions hereinbefore mentioned.

Now, therefore, in pursuance and exercise of the powers of Her Majesty in Council, by the said recited Act of Parliament in that behalf vested, Her Majesty, by and with the advice of Her Privy Council, doth declare, and it is hereby declared accordingly, that the Government of Portugal hath fulfilled the conditions hereinbefore mentioned, and that Portuguese ships may import into any of the British Possessions abroad, from the Portuguese Dominions, Goods the produce of the Portuguese Dominions, and may export Goods from such Possessions, to be carried to any Foreign Country whatever: Provided always, that nothing herein contained, shall be construed to prevent Portuguese ships from trading with any of the British Possessions in Europe, to such extent, and in such manner as they lawfully may under the Law of Navigation now in force.

And

And the Right Honorable the Lords Commissioners of Her Majesty's Treasury, and the Right Honorable Lord Stanley, one of Her Majesty's Principal Secretaries of State, are to give the necessary directions herein, accordingly as to them may respectively appertain.

(Signed)

C. GREVILLE.

APPENDIX, No. 19.

(See Page 21.)

To His Excellency the Right Honorable Lord Viscount Falkland, Lieutenant-Governor of Nova Scotia, &c.

Report of the Commissioners for erecting a Provincial Bridewell, for the year 1842.

MAY IT PLEASE YOUR EXCELLENCY:

We, the Commissioners appointed by an Act of the Legislature to superintend the erection of a Penitentiary or Bridewell at Halifax, Report for the information of your Excellency and the Legislature, that so soon as the season permitted they resumed the work intrusted to them, and have, during the past summer, urged it forward as diligently as a due regard to economy rendered practicable, and had the satisfaction of seeing the exterior of the building completely finished previous to the commencement of Winter.

To accomplish so desirable an object your Commissioners have ventured to exceed the amount placed at their disposal, feeling that it was necessary to do so, to secure the advanced state of the work from exposure to the storms of winter, and they trust such expenditure will meet with approbation.

Your Commissioners now respectfully submit a statement of accounts showing an expenditure of £7976 1 7, being an excess above the sum voted of £1976 1 7. Your Commissioners also herewith exhibit a plan and estimate, shewing that a further sum of £1800 will completely finish the Keeper's Apartments, Ward for Females, Infirmary, Guard Room, Chapel, and the basement floor of Cells, which will give accommodation to thirty Male Convicts, and an equal number of Females, this will probably be sufficient for the present wants of the Province, and the remaining Cells can hereafter be completed at a much less comparative expense, as the preparation of the Granite for this purpose may be made by the Prisoners.

Previous to the Prisoners being placed in the new Bridewell, an enclosure will be required for their safe keeping. Your Excellency's Commissioners therefore submit an estimate for an enclosing Wall, in conformity with the original design, the Court Yard thus formed will afford ample convenience for Workshops, and every other requisite connected with the out-door management of this establishment, but should the Legislature not approve of so large an expenditure as will be thus required, a temporary enclosure of Wood may answer the present purpose, and the cost of the Wall necessary to be erected hereafter may be materially reduced by applying the labor of the Prisoners thereto.

In conclusion your Commissioners ask the Legislature to appoint Committees to inspect the work, and such further instructions given to your Commissioners shall command their strict attention.

We have the honor to be,
Your Lordship's
Very obedient servants,

EDWARD ALLISON,
MICHAEL TOBIN, JUNR.
JAMES B. UNIACKE,
JOHN E. FAIRBANKS,
WILLIAM GRIGOR.

Halifax, 8th February, 1843.

Expenditure to 31st January, 1843,		£7976	1	7
By cash received at Treasury,	£5000	0	0	
“ Grant for 1843, to be received,	1000	0	0	6000 0 0
				£1976 1 7
Estimate for finishing one tier of Cells, and completing Building, as recommended in Report,		1800	0	0
“ for a temporary enclosure of Wood, and Workshop,		125	0	0
				£3901 1 7
Additional, if the enclosure is of Stone in conformity with design,	£1700	0	0	
Less,	125	0	0	1575 0 0
				£5476 1 7

An Estimate of the amount required to build the basement Story of 30 Cells, 7 ft. 6 in. by 3 ft. 6 in., 8 ft. 6 in. high—the Front and End Walls 2 ft. thick of Granite—the Party Walls 2 ft. thick, to be built of good rubble Iron Stone—28 Party Walls dividing the Cells, 1 ft. thick, of Granite, and the Roof to be worked on both sides—and for completely finishing the Chapel, Keeper's Apartment, Guard Room, Female Ward, Hospital, &c.

120 tons Granite, for Cell Walls, at 12s 6d.,	£75	0	0
For cutting the above, say 1588 feet, at 1s. 4d.,	105	17	4
124 tons Granite, for Party Walls, 12s. 6d.,	77	10	0
For cutting and dressing the above, 1792 feet, at 1s. 2d.,	108	5	4
Floors for 30 Cells, 2 stones each, 4 feet square, 6 inches thick, to be of Granite 45 tons, at 12s. 6d.	28	2	6
Cutting and dressing Floors, 960 feet, at 1s. 8d.,	80	0	0
30 stones 8 feet by 4 feet, for Ceiling for the first story, and Floors for the second story Cells, of Freestone, at 55s. each,	82	10	0
Cutting and dressing 1820 feet, at 8d.,	60	13	4
240 perches Rubble Work, at 11s.,	122	10	0
4 Masons, 48 days each, building 30 Cells, at 7s. 6d. per day,	72	0	0
6 Laborers, 48 days, at 3s. per day,	43	4	0
30 Cast Iron Door Frames, 50s.	75	0	0
30 two inch Oak Doors, studded with Iron, lined with Sheet Iron, Iron Grating in Doors, for air to Cells, at 40s.,	60	0	0
8 cwt. Iron to make Screw Bolts to support the for Gallery, at 14s.,	5	12	0
Blacksmith 36 days, at 6s., Laborer to assist 36 days, at 3s.,	16	4	0
Truckage of Materials from Wharf and Town,	20	0	0
10 Hogsheads Lime, 15s., £7 10s.—4 Barrels Roman Cement, at 30s., £6,	13	10	0
700 Bushels Sand, 2½d., £7 5s. 10d.—3 strong Oak Doors, £24,	31	5	10
Iron work for doors, 130s.,	6	10	0
1285 feet Freestone for floor Chapel, Passages, and Cells, 10d.,	53	10	10
For cutting and laying do., £50,—2 Barrels Cement, 30s.—60s.	63	0	0
Laborers to assist in laying Floors, 30 days, at 3s.,	4	10	0
44 Cast Iron 16 Light Sashes, at 45s.,	99	0	0
Glass, and glazing the above,	35	4	0
3 Chaldrons Coal for Blacksmith, and Truckage,	4	10	0
To complete Keepers Apartment, Hospital, Female Ward, Guard Room, &c.	325	0	0
Add for Contingencies,	131	10	10
	£1800	0	0
			<i>Estimate</i>

Estimate for an enclosing Wall, inner Wall, and Workshop. Wall to be 20 feet high, 200 feet long, 2 feet 6 inches thick, to be built of good rubble Iron Stone, with Granite Quoins.

Two inside Walls, marked A in plan, 200 feet long, 20 feet high, 2 feet 6 inches thick, containing 1260 perches, at 12s.	£756	0	0
Two outer Walls, marked B, 200 feet long, 10 feet high, 2 feet 6 inches thick, containing 630 perches, at 12s.	378	0	0
Wall on Western side, 148 feet, containing 462 perches, at 12s.	277	4	0
A pair strong Oak Doors, studded with Iron, 10 feet wide, 8 feet,	30	0	0
6000 feet 1 inch Merchantable Boards, for Roofs of Sheds,	19	10	0
3 cwt. Nails, 96s. 50 lbs. Spikes, 16s. 8d.	5	12	8
Scantling for shed Roofs,	38	0	0
80,000 good Pine Shingles, at 12s.	48	0	0
5 cwt. Nails, for Shingling,	10	0	0
4 Carpenters, 36 days in putting on Roofs, &c., 6s.	44	4	0
2000 good Bricks, for Cook House, Chimney, and Oven,	5	0	0
Add for Contingencies,	88	9	4
	£1700	0	0

An enclosure of same size, 10 feet high, Posts, Rails, and covered with Boards, with temporary Work Shops, may be put up for about £125.

APPENDIX, No. 20.

(See Page 31.)

Account of Receipts and Payments of Her Majesty's Casual Revenue in Nova Scotia, for year ending 31st December, 1842.

DR. 1842.	Sterling.	Currency.
Decr. 31.—Paid Deputy Post Master General postage on Commission of His Excellency the Lieutenant-Governor, sent per Mail from Kingston, Canada,	£25 2 8	£31 8 4
Paid His Excellency Viscount Falkland, Lieutenant Governor, $\frac{3}{4}$ of that portion of his Salary chargeable on this fund, for the year ending this day,	1125 0 0	1406 5 0
Paid $\frac{3}{4}$ of His Excellency's allowance for contingencies, same period	150 0 0	187 10 0
Paid Hon. Capt. Grey's pay and allowances, as Aide-de-Camp to the Lieutenant-Governor, to 4th March, in this year,	52 14 6	65 18 1 $\frac{1}{2}$
Paid $\frac{3}{4}$ of His Excellency's Private Secretary's Salary, from 4th March to 31st December, 1842, at the rate of £250 sterling per annum,	154 17 6	193 11 10 $\frac{1}{2}$
Paid Chief Justice $\frac{3}{4}$ his Salary for the year 1842	750 0 0	937 10 0
Secretary and Dy. Secretary $\frac{3}{4}$ ditto.	750 0 0	937 10 0
Judges Wilkins, Hill, Bliss, $\frac{3}{4}$ allowances for ditto,	382 10 0	478 2 6
Master of the Rolls ditto. ditto.	127 10 0	159 7 6
Attorney General, $\frac{3}{4}$ Salary, ditto.	450 0 0	562 10 0
		Decr.

	Sterling.	Currency.
Decr. 31. —Paid Solicitor General, $\frac{3}{4}$ his Salary for the year,	£75 0 0	£93 15 0
Clerk of the Crown, ditto.	75 0 0	93 15 0
Surveyor General of N. S. Proper $\frac{3}{4}$ ditto.	112 0 0	140 12 6
Ditto. Cape Breton, $\frac{3}{4}$ ditto.	75 0 0	93 15 0
Ditto. $\frac{3}{4}$ Office Rent, ditto.	12 0 0	15 0 0
Superintendent of Mines, Sydney, C. B.		
$\frac{3}{4}$ Salary for ditto,	75 0 0	93 15 0
Harbor Master, Sydney, C. B., $\frac{3}{4}$ Salary for ditto,	75 0 0	93 15
Miss Cox, her Pension, with premium of Exchange,	101 10 0	126 17 6
Mr. James, 1st Clerk Secretary's Office Salary for the year,	250 0 0	312 10 0
Mr. Keating, Clerk, ditto, ditto,	160 0 0	200 0 0
Mr. Pyke, Clerk, ditto, ditto,	100 0 0	125 0 0
Master of the Rolls and Judge of Vice Admiralty, to defray expenses of Fuel, and Crier of those Courts, $\frac{3}{4}$ allowance, Stationary, Printing, Fuel, Messenger, and other Contingent expenses,	22 10 0	28 2 6
George R. Young, Esquire, Deputy Receiver General of H. M. Droits of Admiralty, by direction of Lord Stanley—amount received from Registrar of Vice Admiralty, Halifax,	93 6 0	116 12 6
	114 10 1	143 2 7 $\frac{1}{4}$
	£5309 0 9	6636 5 11 $\frac{1}{4}$
Balance,	1 9 8	1 17 1
	£5310 10 5	6638 3 0 $\frac{1}{4}$

CR.

	Sterling.	Currency.
1842.		
Jany. 1. —Balance in hand,	£35 0 7	£43 15 8 $\frac{3}{4}$
Dec. 31. —Received from His Excellency the Lieutenant-Governor, being amount paid him by the Rev. Dr. Fraser, Catholic Bishop, who received the same from some person unknown, as due to Government,	28 16 0	36 0 0
Received from Commissioner of Crown Lands, in Cape Breton, on account of Sales of Crown Lands.	95 5 0	119 1 3
Received from Commissioner of Crown Lands in Nova Scotia Proper, being net proceeds of Sale of Crown Timber seized and sold,	6 17 8	8 12 1
Received from the Registrar of the Court of Vice Admiralty at Halifax, being Droits of Admiralty paid into this Revenue, under a decree of the Judge,	114 10 1	143 2 7 $\frac{1}{4}$
Received from the General Mining Association, Rent of H. M. Mines in Nova Scotia Proper, and Cape Breton, for the year ending 31st December, 1842,	2666 13 4	3333 6 8

Dec.

	Sterling.	Currency,
Dec. 31.—Received from the General Mining Association, duty on 19,333 Chaldrons Coals, Newcastle Measure, raised and sold over 20,000 Chaldrons in 1842, at 2s. currency per Chaldron,	£1546 12 10	£1933 6 0½
Received premium on the two last preceding sums payable by the Lease in Dollars, but actually paid in Paper Money, at 2½d the Dollar,	175 11 1	219 8 10
Received from General Mining Association, Rent of Mines under the late Duke of York's Lease, for year ending 24th June, 1842,	1 0 0	1 5 0
Received Fees taken at Secretary's Office for 1842,	599 3 3	748 19 0¾
Received from Commissioner of Crown Lands in Cape Breton, as balance of monies received in 1842, on account of Sales of Crown Lands,	20 16 9	26 0 11½
Received from Commissioner of Crown Lands in Nova Scotia Proper, on account of Sales of Lands in 1841,	20 3 10	25 4 9½
	£5310 10 5	£6638 3 0¼

JOHN WHIDDEN,

Deputy Treasurer of the Casual Revenue.

Halifax, 2d January, 1843.

APPENDIX No. 21.

(See Page 34.)

COPY.

No. 100.

Downing Street, 3d February, 1843.

MY LORD—

I have had under consideration the Acts mentioned in the accompanying Schedule, which were passed by the Legislature of Nova Scotia in the months of March 1841, and March 1842.

Many of these Acts have expired, and some indeed have been renewed, but the same objection applies to most of them, viz., that they either in express terms or by implication, extend to the punishment of offences committed more than one league from the shore of the Province.

As I have fully entered into the nature of this objection, in my Circular Despatch of the 16th December. it is unnecessary that I should do so again. There are, however, one or two other enactments, to which I desire to call your attention.

The Smuggling Act, No. 2269, contains the following clause: "And be it further enacted, that every Collector in his respective District, shall once in every three months, or oftener if he shall think proper, and at any time between sun rising and sun setting, and with or without the other Officers of the Revenue, enter into any Houses, Shop, Storehouse or Cellar, possessed by any person trading or dealing in any Goods subject to or charged with Colonial Impost Duties, and take an account of all such Goods composing the stock, or in the possession of such Trader or Dealer; and if such Trader or Dealer shall refuse to open the door of such House, Shop, Storehouse or Cellar, or prevent the Collector, or his Officers, from entering into the same for the purpose, or obstruct and

prevent the taking of any such account of Stock, every such person shall forfeit the sum of One Hundred Pounds."

This clause, which must render almost every Trader and Shop keeper throughout the Colony, liable to domiciliary visitations, and to the examination of his Stock, has, I presume, been considered necessary as a check against smuggling, though probably it has never been practically called into operation. On this view of the case, I have advised Her Majesty to leave this Act to its operation, but I should nevertheless wish to be informed of the motive for so stringent a clause.

The Impost Duty Act, No. 2270, continues with slight modifications, the Colonial Impost Duties, which for several successive years have been acquiesced in by the Home Government, and which being imposed with special reference to the scale of Imperial Duties, under the Possessions Act, previous to its recent amendment, will of necessity require to be remodelled by the Nova Scotia Legislature, before the 5th July next, when the new scale of Duties, established by the Colonial Customs Act of last Session, takes effect, and when the Act now under consideration will expire.

I deem it right, however, to notice a new differential duty, proposed by the Act now under consideration, on Salted Pork, as between that which comes from New Brunswick and Prince Edward Island, and that which comes from the other British Possessions in America.

This differential Duty is objectionable, upon the ground of its having been imposed by a Colonial Legislature, in favour of one Colony at the expense of another.

As, however, my Despatch No. 64, of the 19th August last, transmitting a copy of the British Possessions Act of Parliament, will have fully explained the views of Her Majesty's Government upon this subject, I have no doubt that the Legislature of Nova Scotia, will during their present Session, avoid the imposition of those differential Duties, and therefore I have advised Her Majesty to leave the present Act to its operation.

The Act, No. 2273, amends the Act No. 1571, for regulating the importation of Goods. The original Act (No. 1571) besides being objectionable on account of its 7th and 9th clauses, which extends its operation to three leagues from the shore, enacts as follows :

"That if any Goods which are charged with Colonial Duties, according to the number, measure, weight or tale thereof, (except upon certain Goods hereinafter mentioned) shall receive damage during the voyage, an abatement of such Duties shall be allowed in proportion to the damage so received."

The 31st clause directs how the abatement is to be determined, and

The 32d clause enacts, that no abatement of Duties shall be made on account of any damage received by any sorts of Goods, charged with duty according to the weight, measure, guage, or tale thereof, respectively,

It is doubtful whether there is an omission of a negative in this latter clause, or whether it was intended to enumerate at the end of it, certain particular sorts of Goods, charged with the Duty, by weight or measure, from which the privilege of abatement should be withheld; which is the case in the corresponding clause of the Imperial Act.

Not doubting, however, that this ambiguity will be rectified by the Provincial Legislature upon the renewal of this Act, Her Majesty in Council has been pleased to leave this Act to its operation.

The Sydney Pilotage Act, No. 2281, enacts in the 3d clause, that on every vessel entering the Port of Sydney, in the Island of Cape Breton, spoken by a Licensed Pilot, outside of Low Point and Cranberry Head, when his services are not accepted, the Licensed Pilot who has first hailed her, shall be entitled to one third of the Pilotage fixed in the Table, if the vessel be owned in the Province, and one half on other vessels. This clause, which gives a preference as respects Pilotage dues, under certain circumstances, to vessels owned in the Province, appears to be at variance with the spirit and letter of the 14th clause of the Possessions Act, which enacts that there shall be levied and paid at the several British possessions abroad, upon all vessels built in any such possessions, or owned by any persons or persons there resident, other than Coasting or Droguering vessels, employed in Coasting or Droguing, all such and the like Duties of Tonnage and *Ship-*
ping

ping dues, as are or shall be payable, in any such possessions upon the like British vessels built in other parts of Her Majesty's Dominions, or owned by persons non-resident in such possessions.

The like objection also exists to a proviso in this clause, which exempts from Pilotage vessels owned within the Province, and employed in the Fisheries.

These differential charges moreover, which are made in favour of a particular class of British vessels, are open to a further objection in reference to vessels of those Countries, which have Reciprocity Treaties with this Country, extending to the Colonies.

Under these circumstances, although the Act will be allowed to expire, you will not fail to call the attention of the Legislature to these discrepancies, when the renewal of the Act is again under consideration.

I enclose an order, passed by Her Majesty in Council, on the 1st instant, leaving these Acts to their operation.

I have, &c.,

(Signed)

STANLEY.

Viscount Falkland, &c. &c. &c.

At the Court at Windsor, the 1st of February, 1843.

PRESENT.

THE QUEEN'S MOST EXCELLENT MAJESTY, IN COUNCIL.

&c.

&c.

&c.

WHEREAS, the Lieutenant-Governor of Her Majesty's Province of Nova Scotia, with the Council and Assembly of the said Province, did, in the month of March, 1842, pass seven Acts, which have been transmitted, entitled as follows, viz. :

No. 2268. An Act to continue and amend an Act concerning Goods exported, and for granting Drawbacks.

No. 2269. An Act to continue the several Acts for the prevention of Smuggling.

No. 2270. An Act to continue and amend the Act for granting Colonial Duties of Impost for the support of Her Majesty's Government within this Province, and for promoting the Agriculture, Commerce, and Fisheries thereof.

No. 2271. An Act to continue the Act for the general regulation of the Colonial Duties.

No. 2272. An Act to continue and amend an Act for the Warehousing of Goods.

No. 2273. An Act to continue and amend the Act for regulating the Importation of Goods.

No. 2281. An Act to continue and amend the Act to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape Breton, and to repeal certain Acts relative thereto.

And Whereas the said Acts have been referred to the Committee of the Lords of Her Majesty's Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations, and the said Committee have reported as their opinion to Her Majesty, that the said Acts should be left to their operation. Her Majesty was thereupon, this day pleased, by and with the advice of Her Privy Council, to approve the said Report. Whereof the Governor, Lieutenant-Governor, or Commander-in-Chief for the time being, of Her Majesty's Province of Nova Scotia, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed)

WM. L. BATHURST.

APPENDIX, No. 22.

(See Page 34.)

COPY.

At the Court at Buckingham Palace, the 11th day of August, 1842.

PRESENT.

THE QUEEN'S MOST EXCELLENT MAJESTY, IN COUNCIL.

&c.

&c.

&c.

WHEREAS, there was this day read at the Board, a Representation from the Judicial Committee of the Privy Council, dated the tenth August, instant, and in the words following, viz:

"The Lords of the Judicial Committee having taken into consideration the Scale on which the Costs of Appeals, and other matters, referred by your Majesty to this Committee, are usually taxed by the Masters of the Court of Queen's Bench, or other persons, to whom their Lordship's have, from time to time, referred the same, their Lordships agree humbly to represent to your Majesty, that it is expedient that the Scale of Costs, hitherto allowed in the said proceedings before this Committee, should be reduced—and their Lordships recommend that provisionally, and until further consideration, such Costs in all Appeals, or matters not being Appeals, from the Courts of Ecclesiastical or Admiralty Jurisdiction, should be taxed and allowed by all such Taxing Officers, as shall hereafter be directed to ascertain and report the same to the Board, according to the Schedule hereunto annexed; and that this rate of charges should be observed by Solicitors conducting business before the Committee."

Her Majesty having taken these Representations into consideration, was pleased, by and with the advice of Her Privy Council, to approve thereof, and of what is therein recommended, and to order, and it is hereby ordered, that the same be duly and punctually observed, complied with, and carried into execution. Whereof all persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed)

C. GREVILLE.

The Schedule of Fees above referred to:

Retaining Fee,	£0 13 4
Perusing official copy of proceedings (this fee to be raised at the discretion of the Clerk of Appeals),	2 2 0
Attendance at the Council Office or elsewhere; on ordinary business, such as to enter an Appeal or Appearance, to make a Search, to lodge a Petition or Affidavit, or to retain Counsel,	0 10 0
Instructions for Petition of Appeal,	0 10 0
Drawing Petition or Case, per folio,	0 2 0
Drawing Appendix, per folio,	0 1 0
Copying, per folio,	0 0 6
Attendance on Order of Reference,	nil.
Drawing small Petitions for orders,	0 10 0
Instructions for Case,	1 0 0
Attending Consultation,	1 0 0
Correcting Proof Sheets, per printed sheets,	0 10 6
Correcting Foreign or Indian Proof Sheets, per printed sheets,	1 1 0
Attending, on setting down for hearing,	nil.
Attending Clerk of Council, per order,	nil.
Attending at Council Chamber on Petition,	1 6 8
Attending	

Attending Council Chamber all day on a Petition not called on,	2	6	8
Attending a Hearing,	3	6	8
Attending a Judgment,	1	6	8
Sessions fee (for the legal year) equal to four term fees,	3	3	0

APPENDIX, No. 23.

(See Page 34.)

COPY.

At the Court at Buckingham Palace, the 27th April, 1842.

PRESENT.

THE QUEEN'S MOST EXCELLENT MAJESTY, IN COUNCIL.

&c. &c. &c.

WHEREAS, the Lieutenant-Governor of Her Majesty's Province of Nova-Scotia, with the Council and Assembly of the said Province, did, in the months of March and April, 1841, pass three Acts, which have been transmitted, entitled as follows:

No. 2179. An Act in addition to and in amendment of an Act, entitled, An Act to Incorporate the Petite Plaisier and Mills Company, and the Acts passed in amendment thereof.

No. 2194. An Act to authorize the appointment of a new Board of Governors of the Dalhousie College, at Halifax.

No. 2215. An Act to continue the Act for regulating the exportation of Red or Smoked Herrings.

And whereas the said Acts have been referred to the Committee of the Lords of Her Majesty's Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations, and the said Committee have reported as their opinion, to Her Majesty, that the said Acts should be left to their operation. Her Majesty was thereupon this day pleased, by and with the advice of Her Privy Council, to approve the said Report. Whereof the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, of Her Majesty's Province of Nova Scotia, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed)

WM. L. BATHURST.

COPY.

At the Court at Buckingham Palace, the 27th April, 1842.

PRESENT—

THE QUEEN'S MOST EXCELLENT MAJESTY, IN COUNCIL.

&c. &c. &c.

WHEREAS, the Lieutenant-Governor of Her Majesty's Province of Nova Scotia, with the Council and Assembly of the said Province, did in the month of March 1841, pass an Act, which has been transmitted, entitled as follows, viz:

No. 2172. An Act to Incorporate the General Mining Association.

And whereas, the said Act has been referred to the Committee of the Lords of Her Majesty's Most Honourable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations; and the said Committee have reported as their opinion to Her Majesty, that the said Act shall receive Her Majesty's special confirmation. Her Majesty was therefore this day pleased, by and with the advice of Her Privy Council,

cil, to declare Her special confirmation of the said Act, and the same is hereby specially confirmed, ratified, and finally enacted accordingly. Whereof the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, of Her Majesty's Province of Nova Scotia, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed)

WM. L. BATHURST.

At the Court at Buckingham Palace, the 3rd June, 1842.

PRESENT—

THE QUEEN'S MOST EXCELLENT MAJESTY, IN COUNCIL.

&c.

&c.

&c.

WHEREAS, the Lieutenant Governor of Her Majesty's Province of Nova-Scotia, with the Council and Assembly of the said Province, did, in the month of March 1841, pass an Act which has been transmitted, entitled as follows, viz :

No, 2197. An Act for Incorporating the Trustees of the St. Mary's College, at Halifax.

And whereas, the said Act has been referred to the Committee of the Lords of Her Majesty's most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations, and the said Committee have reported, as their opinion to Her Majesty, that the said Act should receive Her Majesty's special confirmation. Her Majesty was thereupon this day pleased, by and with the advice of Her Privy Council, to declare Her special confirmation of the said Act, and the same is hereby specially confirmed, ratified, and finally enacted accordingly. Whereof the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, of Her Majesty's Province of Nova Scotia, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed)

WM. L. BATHURST.

At the Court at Buckingham Palace, the 11th August, 1842.

PRESENT—

THE QUEEN'S MOST EXCELLENT MAJESTY.

&c.

&c.

&c.

WHEREAS, the Governor of Her Majesty's Province of Nova Scotia, with the Council and Assembly of the said Province, did in the month of March, 1842, pass eighty-two Acts, which have been transmitted, entitled as follows, viz :

No. 2267. An Act for applying certain Monies therein mentioned for the service of the year of our Lord One Thousand Eight Hundred and Forty-two, and for other purposes.

No. 2275. An Act to continue and amend the Act for granting Duties on Licenses for the sale of Spirituous Liquors, and the Act to alter the same.

No. 2276. An Act to alter the sittings of the General Sessions of the Peace for the several Counties therein mentioned.

No. 2277. An Act to revive the Act to amend the Act to regulate the Assize of Bread.

No. 2278. An Act for establishing a Public Cemetery in the Town of Yarmouth, and for other purposes.

No. 2270. An Act to Incorporate the Aylesford Pier Company.

No. 2280. An Act to continue the Act for granting Duties on Licenses for the sale of Spirituous Liquors, and for Sales by Auction, in Halifax, and the Act to alter the same.

No. 2282. An Act to provide for the instruction and permanent settlement of the Indians.

No.

- No. 2283. An Act for more effectually preventing Embezzlement by persons employed in the Public Service of Her Majesty.
- No. 2284. An Act to prevent delay in the Administration of Justice, in cases of Misdemeanor.
- No. 2285. An Act additional to the Act for amending the Law relative to Offences against the Person.
- No. 2289. An Act to authorise the the Congregation of the Baptist Meeting House at Argyle, to raise money from the Pews of the said Meeting House for the repairing and ornamenting thereof.
- No. 2290. An Act to amend the Acts for the encouragement of Schools.
- No. 2291. An Act for establishing a Public Burial Ground at Dartmouth.
- No. 2292. An Act respecting Teachers of Schools.
- No. 2293. An Act to extend to the Meeting House, at Folly Village, the provisions of an Act relating to the Meeting House at Mass Town, and to amend the said Act.
- No. 2294. An Act to extend to the Town of Sydney the provisions of the Act relating to Commissioners of Highways in Halifax, and certain other places.
- No. 2295. An Act to provide a Lock-up House and Town House at Chester.
- No. 2296. An Act in addition to, and amendment of, the Act relating to Highways, Roads, and Bridges.
- No. 2297. An Act to enable the Inhabitants of Upper Musquodoboit to inclose and ornament the Public Burial Ground there.
- No. 2298. An Act to authorise the Congregation of the Presbyterian Meeting House, at Chebogue, to raise money from the Pews of the said Meeting House for the repairing and upholding thereof.
- No. 2299. An Act for the Summary Trial of Actions before Justices of the Peace.
- No. 2300. An Act to amend the Acts respecting the collection of Poores Rates of Pictou and Egerton.
- No. 2301. An Act to continue and amend the Act to prevent Disorderly Driving, and to regulate the Driving of Carriages on the Streets of Halifax, or other Towns, or on the Public Roads of this Province, and for repealing a certain Act therein mentioned.
- No. 2302. An Act to establish a Sessions House and Lock-up House at Bridgetown, and to repeal a certain Act therein mentioned.
- No. 2303. An Act to enable the Inhabitants of the Township of Lunenburg to inclose the Public Ground there.
- No. 2304. An Act to prevent the taking of Oysters from Tracadie, in the County of Sydney.
- No. 2305. An Act to revive and continue the Acts for the support and regulation of Light Houses.
- No. 2306. An Act relative to Public Exhibitions.
- No. 2307. An Act to make perpetual the Act to restrain the issuing Writs of Attachment, in certain cases.
- No. 2308. An Act to make perpetual the Act to make the stealing of Dogs, Beasts, and Birds, Larceny.
- No. 2309. An Act to continue the Act to regulate the Pilotage of Vessels at the Port of Halifax, and the several Acts in amendment thereof, and additional thereto.
- No. 2310. An Act to make perpetual the Act in amendment of an Act made and passed in the first and second years of His late Majesty's Reign, entitled, An Act to extend the Laws and Ordinances of the Province of Nova Scotia to the Island of Cape Breton.
- No. 2311. An Act to continue the Act to regulate certain Landings in the County of King's County.
- No. 2312. An Act to continue the Act to regulate the Weighing of Beef, and the Acts in amendment thereof.
- No. 2313. An Act to continue the Act concerning malicious injuries to Property.
- No. 2314. An Act to continue an Act to prevent injuries to the Fisheries, within the County of Lunenburg, by Mill Dams or any other obstructions.

- No. 2315. An Act to continue the Act to prevent damage to the Nets of Fishermen, by Coasting Vessels.
- No. 2316. An Act to continue the Act relative to Marriage Licenses.
- No. 2317. An Act to continue the several Acts now in force, for the Inspection of Flour and Meal.
- No. 2318. An Act to continue an Act to enable the Nova Scotia and Halifax Marine Insurance Companies to compensate their Directors and Auditors.
- No. 2319. An Act to continue the Act for the regulation of the Fisheries, at Chedabucto Bay.
- No. 2320. An Act to continue the Act for regulating the Militia.
- No. 2321. An Act to continue the Act relating to Passengers from Great Britain and Ireland, and the Acts in amendment thereof.
- No. 2322. An Act to continue the Acts in amendment of the Act for the choice of Town Officers, and regulating of Townships, and the Act to alter and amend the same.
- No. 2323. An Act to continue the Acts in amendment of the Acts relating to Commissioners of Sewers.
- No. 2324. An Act to continue the Act to provide against the occurrence of Diseases from the bite of Animals.
- No. 2325. An Act to continue the Act further to amend the Act relating to Trespasses.
- No. 2326. An Act to continue the Acts now in force relating to Trespasses.
- No. 2327. An Act to continue the Act to authorize the congregation of the Presbyterian Meeting House at Cornwallis, to raise money from the Pews of the said Meeting House, for the repairing and ornamenting thereof, and the Act to amend the same.
- No. 2328. An Act to continue the Act to authorize the congregation of the Meeting House at Onslow, to raise money from the Pews of the said Meeting House, for the repairing and ornamenting the same.
- No. 2329. An Act to continue the Act for making regulations to prevent Dogs going at large in certain cases.
- No. 2330. An Act to continue the Act for the regulation of the Fisheries in the County of Richmond.
- No. 2331. An Act to continue the Act to extend to the Township of Egerton, the Act respecting the Collection of Poor Rates of Pictou, and to amend the said Act.
- No. 2332. An Act to continue the Act to authorise the Sessions of the Peace for the County of Queen's County, to make regulations for the gathering of Sea Manure in the said County.
- No. 2333. An Act to continue the Act for regulating the exportation of Red or Smoked Herrings.
- No. 2334. An Act to continue the Act for regulating the Fishery in the River Shubenacadie.
- No. 2335. An Act to continue the Act to encourage the killing of Bears, Loup Cerviers, and Wild Cats.
- No. 2336. An Act to continue the Act to amend an Act for establishing a Public School in the Town of Halifax.
- No. 2337. An Act to continue the Acts in force, relative to the Inspection of Pickled Fish.
- No. 2338. An Act to continue the Act to enable the inhabitants of the Town of Lunenburg to procure a Fire Engine, with other utensils and materials necessary for extinguishing Fires.
- No. 2339. An Act to continue the Act to authorise the sale of Coals by weight.
- No. 2340. An Act to continue the Act to amend the Act to Incorporate sundry Persons by the name of the President, Directors and Company of the Bank of Nova Scotia.
- No. 2341. An Act to continue an Act relative to the Assessment of Dyke Rates for the New or Wickwire Dyke, in Horton.
- No. 2342. An Act to continue the Act for the better regulation of Sable Island, in this Province.

No. 2343. An Act to continue the Acts for appointing supervisors to take charge of Public Grounds, and for other purposes.

No. 2344. An Act to continue the Act for establishing a Harbour Master at Bridgeport, in the Island of Bape Breton.

No. 2345. An Act to continue the Act respecting the collection of Poores Rates at Pictou.

No. 2346. An Act to continue the Act to direct and ascertain the mode of Assessing County and District Rates, and for other purposes, and the Acts in amendment thereof.

No. 2347. An Act to continue the Act, entitled, An Act to provide for the accommodation and billeting of His Majesty's Troops, or of the Militia, when on their march from one part of the Province to another, and also the Acts in amendment thereof.

No. 2348. An Act to continue the Act to regulate the expenditure of monies hereafter to be appropriated for the service of Roads and Bridges, and the Acts in amendment thereof.

No. 2349. An Act to continue the Act in amendment of the Act for the settlement of the Poor in the several Townships within this Province.

No. 2350. An Act to continue the Act to preserve and regulate the navigation of the Harbor of Pugwash.

No. 2351. An Act to continue the Act in addition to and in amendment of the Act to prevent Nuisances, by Hedges, Wears, and other Incumbrances, obstructing the passage of Fish in the Rivers of this Province.

No. 2352. An Act to continue the Act more effectually to provide against the introduction of Infectious or Contagious Diseases, and the spreading thereof in this Province, and the Act in amendment thereof.

No. 2353. An Act to continue the Act to enable the Proprietors of Lands, in the rear Blocks or Divisions of Land in the Township of Guysborough, to open Roads through the same.

No. 2354. An Act to continue the Act additional, concerning Nuisances.

No. 2355. An Act to continue the Act to prevent the spreading of Contagious Diseases, and for the performance of Quarantine, and the Act in amendment thereof.

No. 2356. An Act to continue the Act to suspend the operation of the Acts to prevent Forestalling, Re-grating and Monopolizing of Cordwood, in the Town of Halifax.

No. 2357. An Act to continue the Act to repeal the Act to regulate the Public Landing at Windsor, and to substitute other provisions in lieu thereof.

No. 2358. An Act to continue the Act in further amendment of and additional to the Act relating to Trespasses.

No. 2359. An Act to continue the Act to regulate the Survey of Timber and Lumber, and to repeal certain Acts now in force.

And Whereas the said Acts have been referred to the Committee of the Lords of Her Majesty's Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations, and the said Committee have reported as their opinion to Her Majesty, that the said Acts should be left to their operation. Her Majesty was thereupon, this day pleased, by and with the advice of Her Privy Council, to approve the said Report. Whereof the Governor, Lieutenant-Governor, or Commander-in-Chief for the time being, of Her Majesty's Province of Nova Scotia, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed)

C. GREVILLE.

At the Court of Windsor, the 27th August, 1842.

PRESENT.

THE QUEEN'S MOST EXCELLENT MAJESTY.

&c. &c. &c.

WHEREAS, the Lieutenant-Governor of Her Majesty's Province of Nova Scotia, with the Council and Assembly of the said Province, did, in the month of March, 1842, pass two Acts, which have been transmitted, entitled as follows:

No. 2274. An Act for regulating the Currency of the Province.

No. 2288. An Act relating to the Courts of Probate, and to the settlement and distribution of the Estates of deceased persons.

And whereas, the said Acts have been referred to the Committee of the Lords of Her Majesty's most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations, and the said Committee has reported, as their opinion to Her Majesty, that the said Acts should receive Her Majesty's special confirmation. Her Majesty was thereupon this day pleased, by and with the advice of Her Privy Council, to declare Her special confirmation of the said Acts—and the same are hereby specially confirmed, ratified, and finally enacted accordingly; whereof the Lieutenant-Governor, or Commander in Chief for the time being, of Her Majesty's Province of Nova Scotia, and all other persons whom it may concern, are to take notice, and govern themselves accordingly.

(Signed)

C. GREVILLE.

At the Court at Buckingham Palace, the 11th March, 1842.

PRESENT.

THE QUEEN'S MOST EXCELLENT MAJESTY,

&c. &c. &c.

WHEREAS, the Lieutenant-Governor of Her Majesty's Province of Nova Scotia, with the Council and Assembly of the said Province, did in the month of March 1841, pass six Acts, which have been transmitted, entitled as follows, viz:

No. 2162. An Act for improving the Administration of Justice in Criminal Cases, in this Province.

No. 2163. An Act to amend the Law relating to the burning or destroying Buildings and Ships.

No. 2164. An Act for amending the Law relative to Offences against the Person.

No. 2165. An Act to amend the Laws relating to Robbery, Burglary and Larceny.

No. 2166. An Act to abolish the punishment of Pillory, cutting the ears of Offenders, and Whipping, and to substitute Imprisonment in lieu thereof.

No. 2167. An Act to prevent the failure of justice by reason of variances between Records and Writings, produced in evidence in support thereof.

And whereas the said Acts have been referred to the Committee of the Lords of Her Majesty's Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations, and the said Committee have reported as their opinion, to Her Majesty, that the said Acts should be left to their operation. Her Majesty was thereupon this day pleased, by and with the advice of Her Privy Council, to approve the said Report. Whereof the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, of Her Majesty's Province of Nova Scotia, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed)

C. GREVILLE.

At the Court at Windsor, the 24th September, 1842.

PRESENT—

THE QUEEN'S MOST EXCELLENT MAJESTY.

&c.

&c.

&c.

WHEREAS, the Governor of Her Majesty's Province of Nova Scotia, with the Council and Assembly of the said Province, did pass two Acts, which have been transmitted, entitled as follows, viz.:

No. 2286. An Act amending the Law relating to Forgery.

No. 2287. An Act amending the Law against Offences relating to Coin.

And Whereas, the said Acts have been referred to the Committee of the Lords of Her Majesty's most Honorabale Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations, and the said Committee have reported, as their opinion, to Her Majesty, that the said Acts should be left to their operation. Her Majesty was thereupon this day pleased, by and with the advice of Her Privy Council, to approve the said Report. Whereof, the Governor, Lieutenant-Governor, or Commander in Chief for the time being, of Her Majesty's Province of Nova Scotia, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed)

C. GREVILLE.

APPENDIX, No. 24.

(See Page 78.)

Treaty between Her Majesty and the United States of America.

Signed at Washington, August 9, 1842.

Ratifications exchanged at London, October 13, 1842.

A Treaty to settle and define the Boundaries between the Possessions of Her Britannick Majesty in North America, and the Territories of the United States:—for the final suppression of the African Slave Trade:—and for the giving up of Criminals, fugitives from justice, in certain cases.

WHEREAS certain portions of the Line of Boundary between the British Dominions in North America and the United States of America, described in the Second Article of the Treaty of Peace of 1783, have not yet been ascertained and determined, notwithstanding the repeated attempts which have been heretofore made for that purpose; and whereas it is now thought to be for the interest of both Parties, that, avoiding further discussion of their respective rights, arising in this respect under the said Treaty, they should agree on a Conventional Line in said portions of the said Boundary, such as may be convenient to both Parties, with such equivalents and compensations as are deemed just and reasonable: And whereas, by the Treaty concluded at Ghent, on the 24th day of December, 1814, between His Britannick Majesty and the United States, an Article was agreed to and inserted of the following tenor, viz.: "Art. X. Whereas the "Traffick in Slaves is irreconcilable with the principles of humanity and justice; and whereas both His Majesty and the United States are desirous of continuing their efforts to promote its entire abolition: it is hereby agreed, that both the Contracting Parties shall use their best endeavours to accomplish so desirable an object:"—and whereas, notwithstanding the laws which have at various times been passed by the two Governments, and the efforts made to suppress it, that criminal traffick is still prosecuted and carried on; and whereas Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the United States of America, are determined that, so far as may be in their power, it shall be effectually abolished:—

abolished:—And whereas it is found expedient for the better administration of justice, and the prevention of crime within the territories and jurisdiction of the two Parties, respectively, that persons committing the crimes hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up:—Her Britannick Majesty, and the United States of America, having resolved to treat on these several subjects, have for that purpose appointed their respective Plenipotentiaries to negotiate and conclude a Treaty, that is to say: Her Majesty the Queen of the United Kingdom of Great Britain and Ireland has, on Her part, appointed the Right Honourable Alexander Lord Ashburton, a Peer of the said United Kingdom, a Member of Her Majesty's Most Honourable Privy Council, and Her Majesty's Minister Plenipotentiary on a Special Mission to the United States; and the President of the United States has, on his part, furnished with Full Powers, Daniel Webster, Secretary of State of the United States; who after a reciprocal communication of their respective Full Powers, have agreed to and signed the following Articles:—

ARTICLE I.—It is hereby agreed and declared, that the Line of Boundary shall be as follows:—Beginning at the monument at the source of the River St. Croix, as designated and agreed to by the Commissioners under the Fifth Article of the Treaty of 1794, between the Governments of Great Britain and the United States; thence north, following the exploring line run and marked by the Surveyors of the two Governments, in the years 1817 and 1818, under the Fifth Article of the Treaty of Ghent, to its intersection with the River St. John, and the middle of the channel thereof; thence up the middle of the main channel of the said River St. John to the mouth of the River St. Frances; thence up the middle to the channel of the said River St. Frances, and of the lakes through which it flows, to the outlet of the Lake Pohenagamook; thence south-westerly, in a straight line, to a point on the north west branch of the River St. John, which point shall be ten miles distant from the main branch of the St. John in a straight line, and in the nearest direction; but if the said point shall be found to be less than seven miles from the nearest point of the summit or crest of the highlands that divide those Rivers, which empty themselves into the River St. Lawrence, from those which fall into the River St. John, then the said point shall be made to recede down the said north west branch of the River St. John, to a point seven miles in a straight line from the said summit or crest; thence in a straight line, in a course about south, eight degrees west, to the point where the parallel of latitude of 46 25 north, intersects the south west branch of the St. John; thence southerly by the said branch, to the source thereof in the highlands at the Metjarmette Portage; thence down along the said highlands which divide the waters which empty themselves into the River St. Lawrence, from those which fall into the Atlantic Ocean, to the head of Hall's Stream; thence down the middle of said stream, till the line thus run intersects the old Line of Boundary surveyed and marked by Valentine and Collins, previously to the year 1774, as the 45th degree of north latitude, and which has been known and understood to be the line of actual division between the States of New York and Vermont on one side, and the British Province of Canada on the other; and from said point of intersection west along the said dividing line, as heretofore known and understood, to the Iroquois, or St. Lawrence River.

ARTICLE II.—It is moreover agreed, that from the place where the joint Commissioners terminated their labours under the Sixth Article of the Treaty of Ghent, to wit, at a point in the Neebish Channel, near Muddy Lake, the Line shall run into and along the ship channel between St. Joseph's and St. Tammany Islands, to the division of the channel at or near the head of St. Joseph's Island; thence turning Eastwardly and Northwardly around the lower end of St. George's or Sugar Island, and following the middle of the channel which divides St. George's from St. Joseph's Island; thence up the East Neebish Channel nearest to St. George's Island, through the middle of Lake George; thence West of Jonas' Island into St. Mary's River, to a point in the middle of that river about one mile above St. George's or Sugar Island, so as to appropriate and assign the said Island to the United States; thence adopting the line traced on the maps by the Commissioners, through the River St. Mary and Lake Superior, to a point North of Isle Royale in said lake,

one hundred yards to the North and East of Isle Chapeau, which last mentioned island lies near the Northeastern point of Isle Royale, where the line marked by the Commissioners terminates; and from the last-mentioned point Southwesterly through the middle of the sound between Isle Royale and the Northwestern main land, to the mouth of Pigeon River, and up to the said river to and through the North and South Fowl Lakes, to the lakes of the height of land between Lake Superior and the Lake of the Woods; thence along the water-communication to Lake Saisaginaga and through that lake; thence to and through Cypress Lake, Lac du Bois Blanc, Lac la Croix, Little Vermillion Lake, and Lake Namecan, and through the several smaller lakes, straits or streams connecting the lakes here mentioned, to that point in Lac la Pluie, or Rainy Lake, at the Chaudiere Falls, from which the Commissioners traced the line to the most Northwestern point of the lake of the Woods; thence along the said line to the said most Northwestern point, being in latitude 49 23 55 North, and in longitude 95 14 38 West, from the observatory at Greenwich; thence, according to existing Treaties, due South to its intersection with the 49th parallel of North latitude, and along that parallel to the Rocky Mountains. It being understood that all the water communications, and all the usual portages along the line from Lake Superior to the Lake of the Woods, and also the Grand Portage from the shore of Lake Superior to the Pigeon River, as now actually used, shall be free and open to the use of the subjects and citizens of both countries.

ARTICLE III.—In order to promote the interests and encourage the industry of all the inhabitants of the countries watered by the River St. John and its tributaries, whether living within the Province of New Brunswick, or the State of Maine, it is agreed, that where by the provisions of the present Treaty, the River St. John is declared to be the Line of Boundary, the navigation of the said River shall be free and open to both Parties, and shall in no way be obstructed by either; that all the produce of the forest, in logs, lumber, timber, boards, staves, or shingles, or of agriculture, not being manufactured, grown on any of those parts of the State of Maine watered by the River St. John or by its tributaries, of which fact reasonable evidence shall, if required, be produced, shall have free access into and through the said river and its tributaries, having their source within the State of Maine, to and from the sea-port at the mouth of the said River St. John, and to and round the falls of the said river, either by boats, rafts, or other conveyance; that when within the Province of New Brunswick, the said produce shall be dealt with as if it were the produce of the said Province; that in like manner the inhabitants of the territory of the upper St. John, determined by this Treaty to belong to Her Britannick Majesty, shall have free access to and through the river for their produce, in those parts where the said river runs wholly through the State of Maine: Provided always, that this agreement shall give no right to either Party to interfere with any regulations not inconsistent with the terms of this Treaty, which the Governments, respectively of New Brunswick or of Maine, may make respecting the navigation of the said river, where both banks thereof shall belong to the same Party.

ARTICLE IV.—All grants of land heretofore made by either Party within the limits of the territory which, by this Treaty, falls within the dominions of the other Party, shall be held valid, ratified, and confirmed to the persons in possession under such grants, to the same extent as if such territory had by this Treaty fallen within the dominions of the Party by whom such grants were made; and all equitable possessory of claims, arising from a possession, and improvement of any lot or parcel of land, by the person actually in possession, or by those under whom such persons claims, for more than six years before the date of this Treaty, shall in like manner be deemed valid, and be confirmed and quieted by a release to the person entitled thereto, of the title to such lot or parcel of land so described, as best to include the improvements made thereon; and in all other respects the two Contracting Parties agree to deal upon the most liberal principles of equity with the settlers actually dwelling upon the territory falling to them respectively, which has heretofore been in dispute between them.

ARTICLE V.—Whereas, in the course of the controversy respecting the disputed territory on the Northeastern Boundary, some monies have been received by the authorities of Her

Britannick Majesty's Province of New Brunswick, with the intention of preventing depredations on the forests of the said territory, which monies were to be carried to a fund called the "Disputed Territory Fund," the proceeds whereof it was agreed should be hereafter paid over to the parties interested, in the proportions to be determined by a final settlement of Boundaries; it is hereby agreed that a correct account of all receipts and payments on the said fund shall be delivered to the Government of the United States within six months after the ratification of this Treaty: and the proportion of the amount due thereon to the States of Maine and Massachusetts, and any bonds or securities appertaining thereto, shall be paid and delivered over to the Government of the United States; and the Government of the United States agrees to receive for the use of, and pay over to the States of Maine and Massachusetts their respective portions of said fund; and further, to pay and satisfy said States, respectively, for all claims for expenses incurred by them in protecting the said heretofore disputed territory, and making a survey thereof in 1838: the Government of the United States agreeing with the States of Maine and Massachusetts to pay them the further sum of three hundred thousand dollars, in equal moities, on account of their assent to the Line of Boundary described in this Treaty, and in consideration of the conditions and equivalents received therefor from the Government of Her Britannick Majesty.

ARTICLE VI.—It is furthermore understood and agreed, that for the purpose of running and tracing those parts of the line between the source of the St. Croix and St. Lawrence Rivers, which will require to be run and ascertained, and for marking the residue of said line by proper monuments on the land, two Commissioners shall be appointed, one by Her Britannick Majesty, and the other by the President of the United States, by and with the advice and consent of the Senate thereof; and the said Commissioners shall meet at Bangor, in the State of Maine, on the 1st day of May next, or as soon thereafter as may be, and shall proceed to mark the line above described, from the source of the St. Croix to the River St. John, and shall trace on proper maps the dividing line along said River, and along the River St. Francis to the outlet of the Lake Pohenagamook; and from the outlet of the said Lake they shall ascertain, fix, and mark, by proper and durable monuments on the land, the line described in the first article of this Treaty; and the said Commissioners shall make to each of their respective Governments a joint Report or Declaration, under their hands and seals, designating such Line of Boundary, and shall accompany such Report or Declaration with maps, certified by them to be true maps of the new Boundary.

ARTICLE VII.—It is further agreed, that the channels in the River St. Lawrence, on both sides of the Long Sault Islands, and of Barnhart Island, the channels in the River Detroit, on both sides of the Island Bois Blanc, and between that Island and both the Canadian and American shores, and all the several channels and passages between the various Islands lying near the junction of the River St. Clair, and the lake of that name, shall be equally free and open to the ships, vessels, and boats, of both Parties.

ARTICLE VIII.—The Parties mutually stipulate that each shall prepare, equip, and maintain in service on the Coast of Africa, a sufficient and adequate squadron, or naval force of vessels, of suitable numbers and descriptions, to carry in all not less than eighty guns, to enforce, separately and respectively, the laws, rights, and obligations of each of the two Countries for the suppression of the Slave Trade; the said squadrons to be independent of each other, but the two Governments stipulating nevertheless to give such orders to the officers commanding their respective forces, as shall enable them most effectually to act in concert and co-operation, upon mutual consultation, as exigencies may arise, for the attainment of the true object of this article; copies of all such orders to be communicated by each Government to the other respectively.

ARTICLE IX.—Whereas, notwithstanding all efforts which may be made on the Coast of Africa for suppressing the Slave Trade, the facilities for carrying on that traffick, and avoiding the vigilance of cruizers, by the fraudulent use of flags, and other means, are so great, and the temptations for pursuing it, while a market can be found for slaves, so strong, as that the desired result may be long delayed, unless all markets be shut against the

the purchase of African Negroes; the Parties to this Treaty agree, that they will unite in all becoming representations and remonstrances, with any and all Powers within whose Dominions such markets are allowed to exist; and that they will urge upon all such Powers the propriety and duty of closing such markets effectually, at once and forever.

ARTICLE X.—It is agreed that Her Britannick Majesty and the United States shall, upon mutual requisitions by them or their ministers, officers, or authorities, respectively made, deliver up to justice all persons who, being charged with the crime of murder, or assault with intent to commit murder, or piracy, or arson, or robbery, or forgery, or the utterance of forged paper, committed within the jurisdiction of either, shall seek an asylum, or shall be found within the territories of the other:—provided that this shall only be done, on such evidence of criminality, as according to the laws of the place where the fugitive or person so charged shall be found, would justify his apprehension and commitment for trial, if the crime or offence had there been committed: and the respective Judges and other Magistrates of the two Governments shall have power, jurisdiction and authority, upon complaint made under oath, to issue a warrant for the apprehension of the fugitive, or person so charged, that he may be brought before such Judges or other Magistrates, respectively, to the end that the evidence of criminality may be heard and considered; and if, on such hearing, the evidence be deemed sufficient to sustain the charge, it shall be the duty of the examining Judge or Magistrate to certify the same to the proper executive authority, that a warrant may issue for the surrender of such fugitive. The expense of such apprehension and delivery shall be borne and defrayed by the Party who makes the requisition and receives the fugitive.

ARTICLE XI.—The Eighth article of this Treaty shall be in force for five years from the date of the exchange of the Ratifications, and afterwards, until one or the other Party shall signify a wish to terminate it. The Tenth Article shall continue in force until one or the other of the Parties shall signify a wish to terminate it, and no longer.

ARTICLE XII.—The present Treaty shall be duly ratified, and the mutual exchange of Ratifications shall take place in London, within six months from the date hereof, or earlier if possible.

In faith whereof we, the respective Plenipotentiaries, have signed this Treaty, and have hereunto affixed our seals.

Done in duplicate at Washington, the ninth day of August, Anno Domini One Thousand Eight Hundred and Forty-two.

ASHBURTON.
(L. S.)

DANL. WEBSTER.
(L. S.)

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