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Received August 14<sup>th</sup> 1844

907 New Brunswick

NB. 2

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**JOURNAL**

OF

**THE LEGISLATIVE COUNCIL**

OF

**THE PROVINCE**

OF

**NEW BRUNSWICK.**



OFFICE  
CASE

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From 1st February to 13th April 1844:

Being the Second Session of the Thirteenth General Assembly.

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**FREDERICTON, NEW BRUNSWICK:**

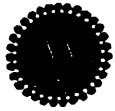
JOHN SIMPSON, PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.

**1844.**

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C





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

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

A PROCLAMATION.

**W**HEREAS the General Assembly of this Province stands prorogued to Tuesday the twenty seventh day of June instant, I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued to the fourth Tuesday in September next.

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

*By His Excellency's Command.*

WM. F. ODELL.



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

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

A PROCLAMATION.

**W**HEREAS the General Assembly of this Province stands prorogued to the fourth Tuesday in September instant, I have thought fit further to prorogue the said General Assembly to the fourth Tuesday in December next.

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

*By His Excellency's Command.*

WM. F. ODELL.



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

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

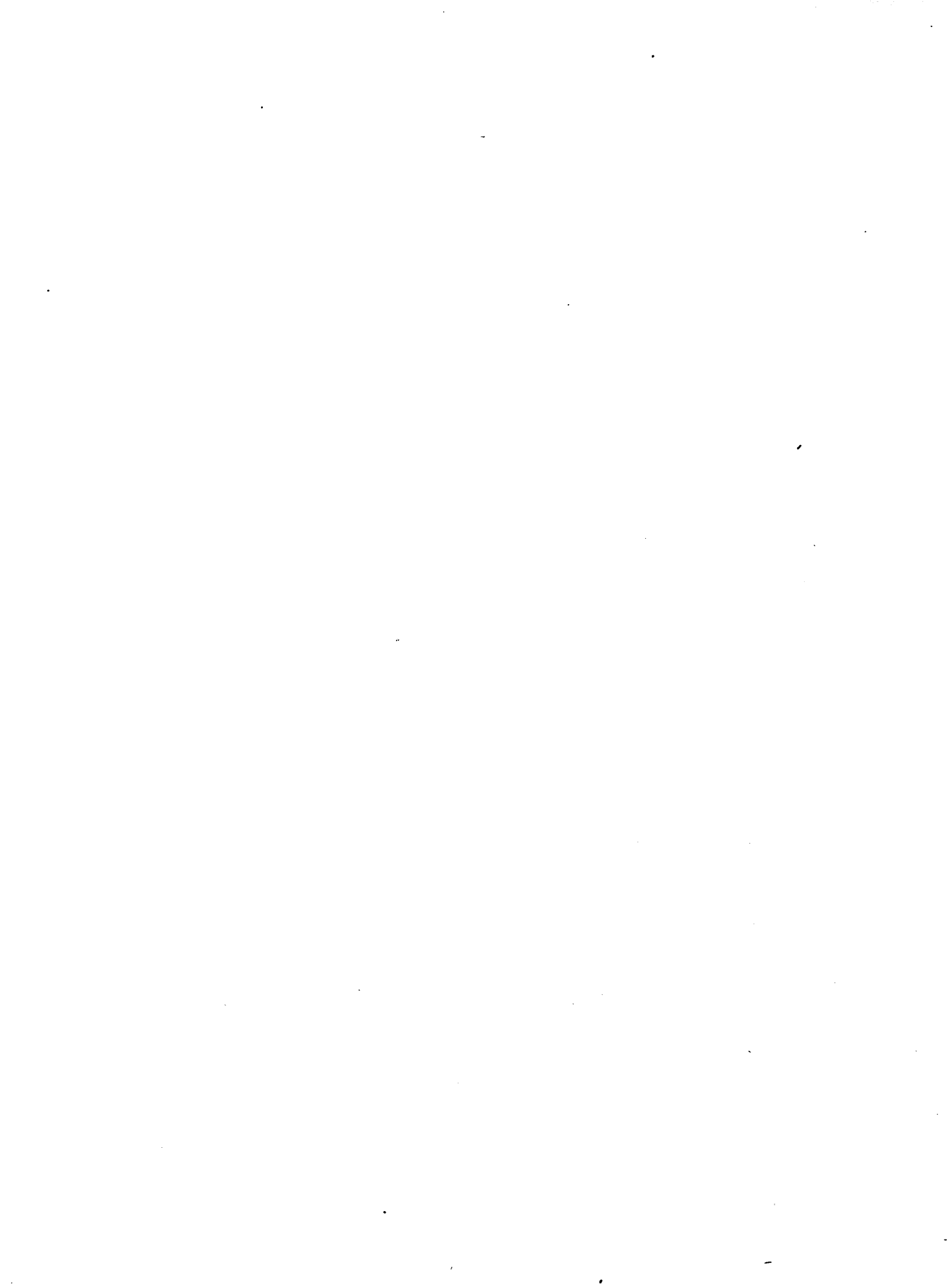
A PROCLAMATION.

**W**HEREAS the General Assembly of this Province stands prorogued to the fourth Tuesday in December instant, I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued to Thursday the first day of February next, then to meet at Fredericton for the dispatch of Business.

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

*By His Excellency's Command.*

WM. F. ODELL.



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

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**SECOND SESSION OF THE THIRTEENTH GENERAL ASSEMBLY.**  
ANNO SEPTIMO VICTORIÆ REGINÆ.

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

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At Fredericton in the Province of New Brunswick.

LEGISLATIVE COUNCIL CHAMBER, *Thursday, 1st February, 1844.*

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

PRESENT:

THE HON.

*Mr. Black,  
Mr. Cunard,  
Mr. Saunders,  
Mr. Chandler,  
Mr. Kinnear,*

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

The Honorable Mr. Black sat President.

PRAYERS.

The House was adjourned during pleasure.

After some time the House resumed.

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

Who being come, with their Speaker,

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

" Mr.

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

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

**“** **A**LTHOUGH the situation of the Province did not require that I should convene you before the usual period of the year, I am not insensible that there are important interests at this time depending on the result of your deliberations.

“ The birth of another Princess, since I last met you, has been a source of increased happiness to Her Majesty, and of gratification to Her loyal subjects.

“ The general tranquillity now happily prevailing and the relations subsisting between England and the remotest parts of the World, are highly favorable to British enterprize, and I congratulate you on the participation of this Province in the revival of General Commerce.

“ The severe pressure to which all classes have been so long subject, although not wholly relieved, has been materially alleviated. The favorable harvest of the last year has given occasion for renewed thankfulness, and will lead the people to regard the pursuits of Agriculture as a primary source of their prosperity.

“ Considering the vast extent of the unappropriated Lands of the Crown, I invite your attention to the means of facilitating their Settlement.

“ Some Legislative provision is also required for the management of the Indian reserved Lands, constituting some of the most valuable tracts within the Province, and from which a fund may be derived, adequate to meet all the expenses incidental to the present condition of the Indian population.

“ Looking to the claims of a new Country to support in those branches of enterprize which are essential to its prosperity, I recommend to you to afford such encouragement as may be practicable to Agriculture, the Fisheries, and to Domestic Manufactures.

“ The liberal appropriations you have made for the support of Schools, attest the importance which you justly attach to the Education of the People. As the Act for the support of the Parish Schools will expire in 1845, a careful inspection during the present year of the whole of the Parish Schools throughout the Province, would, with the aid of a Training and Model School, facilitate the adoption of an improved and comprehensive system for their more efficient management.

“ The salutary effects of the regulations which were framed in the last year for the Penitentiary at Saint John, of which the Reports will be laid before you, encourage me to recommend that they may be applied, so far as may be practicable, in the other Provincial Prisons.

“ Some alteration is called for in the Laws for the regulation of Savings' Banks, and for the due protection of the funds of the industrious classes deposited in them.

“ Her Majesty's Government having consented to the passing of an Act for the Consolidation of the Departments of Revenue, I recommend to you the adoption of such arrangements as will increase the efficiency and diminish the expenses of the local Establishments.

“ The Act of the last Session relating to the collection of a reduced Duty on Timber and other Lumber, will, I hope, admit of such alterations as will obviate the objection which has been found to apply to it.

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

“ I am gratified in being able to inform you that the Revenue in the last year has  
materially



materially improved, and from the revival of the Public Credit I anticipate an early relief from the financial difficulties of the Province.

“ When the Accounts and Estimates are laid before you, I hope it will appear to you that attention has been given to Public Retrenchment and Economy, and that it will be found practicable, without increasing the public burthens, to afford that support to public undertakings, and especially to the opening of Communications, which are so essential to the settlement of the Country.

“ An important Instruction from Her Majesty’s Government, on the subject of Differential Duties in the Colonies, will be laid before you.

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

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

“ The settlement of the Boundary between the British Provinces and the United States, by the Treaty of Washington, having renewed the question of the limits of New Brunswick and Canada, a correspondence has ensued with Her Majesty’s Government and with the Government of Canada, which, it is hoped, will lead to an early and satisfactory adjustment of the claims of the two Provinces.

“ In the correspondence of Her Majesty’s Government, which will be laid before you, in reference to the measures of the last Session, you will recognize the desire of the Queen to uphold the principles of the Constitution, and I rely with confidence on your just appreciation of the blessings, which, under Providence, it has been the means of conferring on the people, for that support which will enable me to give effect to Her Majesty’s Gracious intentions for their welfare.”

Which being ended,

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

His Honor the President reported His Excellency’s Speech.

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

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

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

The Honorable the President informed the House he had directed George J. Dibblee, Esquire, a Master in Chancery, to attend this House for the purpose of carrying Messages to the Assembly, in the room of the late Stephen Miller, Esquire.

*Adjourned until To-morrow at 12 o’clock.*

FRIDAY, 2d February, 1844.

PRESENT:

THE HON.

*Mr. Black,  
Mr. Cunard,*

*Mr. Shore,  
Mr. Robinson,*

*Mr.*

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

*Mr. Chandler,  
Mr. Kinnear,*

The Honorable Mr. Black sat President.

**PRAYERS.**

The Honorable the President acquainted the House, that by a Mandamus under the Royal Sign Manual, dated the thirtieth day of December, one thousand eight hundred and forty three, William Crane, Esquire, was appointed a Member of this House, in the room of the Honorable Harry Peters, and desired to be admitted.

**ORDERED,** That the Honorable Messieurs Robinson and Chandler be a Committee to attend Mr. Crane, and see him qualified.

The Honorable the President also acquainted the House, that by a Mandamus under the Royal Sign Manual dated the thirtieth day of December, one thousand eight hundred and forty three, George Minchin, Esquire, was appointed a Member of this House, in the room of the Honorable Thomas C. Lee, and desired to be admitted.

**ORDERED,** That Messieurs Robinson and Chandler be a Committee to attend Mr. Minchin, and see him qualified.

The Honorable Mr. Robinson, from the Committee appointed to attend Mr. Crane, and see him qualified, reported, that they had, according to order, attended the Honorable Mr. Crane, who took the usual Oaths in presence of His Excellency the Lieutenant Governor.

The Honorable Mr. Crane was then introduced between Mr. Robinson and Mr. Chandler, and took his seat.

The Honorable Mr. Robinson, from the Committee appointed to attend Mr. Minchin, and see him qualified, reported, that they had, according to order, attended the Honorable Mr. Minchin, who took the usual oaths in presence of His Excellency the Lieutenant Governor.

The Honorable Mr. Minchin was then introduced between Mr. Robinson and Mr. Chandler, and took his seat.

The Honorable Mr. Street, from the Committee appointed to prepare an Address to His Excellency the Lieutenant Governor, in answer to his Speech at the opening of the Session, reported a draft thereof, which he read in his place.

**ORDERED,** That the Report be received, and the said Draft was again read by the Clerk.

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had taken the said Draft into consideration, they had made some amendments therein, and recommended the same as amended to the adoption of the House.

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

To

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

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

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's Dutiful and Loyal Subjects, the Legislative Council in General Assembly, thank Your Excellency for the Speech you have been pleased to make at the opening of the present Session, and beg to express our warmest participation in the joy which we have no doubt has been felt throughout the British Dominions, at the addition to Her Majesty's happiness in the birth of another Princess.

We join in Your Excellency's congratulations on the prospect held out to us of the revival of Commerce in this Province, arising from the happy state of the subsisting relations between England and the other Nations of the World, which we fully concur with Your Excellency, in believing, must afford great encouragement to British enterprize.

We are glad to perceive that all classes are in some degree relieved from the severe pressure they have been subject to for some time past; and we are deeply sensible of the blessing bestowed upon us by Divine Providence in the favorable Harvest of the past year, which we trust will have the effect of impressing upon the minds of the people a higher sense of the great importance of turning their attention to Agricultural pursuits as the surest source of future prosperity.

We beg to assure Your Excellency that our best attention will be given to any measure that may be brought forward, for facilitating the beneficial settlement of the unappropriated Crown Lands in this Province.

We shall be ready to give our aid and concurrence in any Legislative measure that may tend to the good and provident management of the Indian Reserved Lands, by which any fund can be provided and secured for the assistance and benefit of the Indian Population.

We are deeply impressed with the great importance of affording every encouragement to Agriculture, the Fisheries, and Domestic Manufactures, in connection with the other Interests of this Province, and will give our cordial support to any measure which may in our judgment tend to that object.

We will readily give our most diligent attention to any suggestion for the improvement of our present Parish School system, and the introduction of a more efficient management thereof, being fully convinced of the necessity of having the large appropriations annually made for the support of these Institutions expended in a manner to produce the greatest possible good to those classes for whose more immediate benefit they are intended.

We are happy to learn from Your Excellency that the regulations made last year for the government of the Penitentiary at Saint John have produced a salutary effect; and so far as the same may be applicable, and can be practically applied, we will cheerfully concur in any measure for their introduction to the other Provincial Prisons.

We thank Your Excellency for calling our attention to the Laws for the regulation of Savings' Banks, as we are aware of the paramount necessity of providing every requisite

requisite means for the protection and security of the funds there deposited by the industrious classes.

The consolidation of the Departments of the Revenue, we concur with Your Excellency, in viewing as a measure that will call for the adoption of such arrangements as may secure the efficiency of the local establishments, and a reduction of the expenses.

Any new measure relative to the collection of a reduced Duty on the Timber and other Lumber of the Province that may be submitted to us shall have our best consideration.

We are happy to learn from Your Excellency that there is a prospect of an early and satisfactory adjustment of the question that has arisen as to the boundary between Canada and this Province, as it is one in which the interests of this Province are deeply involved.

We have every confidence in our Most Gracious Queen's desire to uphold the principles of the British Constitution in this Province, which we are quite sure will afford the best encouragement to the devoted loyalty and attachment of the Inhabitants thereof, and we shall gratefully receive the correspondence Your Excellency alludes to in reference to the measures of the last Session; and we beg also to assure Your Excellency of our cordial support in any provision that may be requisite to give effect to Her Majesty's Gracious intentions for the welfare of Her People in this part of Her Dominions.

*Adjourned until Monday next at 12 o'clock.*

MONDAY, 5th February, 1844.

PRESENT:

THE HON.

*Mr. Black,  
Mr. Robinson,  
Mr. Chandler,  
Mr. Kinnear,  
Mr. Crane,*

*Mr. Shore,  
Mr. Attorney General,  
Mr. Wyer,  
Mr. Johnston,  
Mr. Minchin.*

The Honorable Mr. Black sat President.

PRAYERS.

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

The Honorable the Attorney General presented to the House a Bill, intituled "An Act relating to Lands belonging to Her Majesty, and for vesting the title to the same in the principal Officers of Her Majesty's Ordnance Department."

The said Bill was read a first time.

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

The

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

Abstracts shewing the state of the Central Bank of New Brunswick, on the 5th day of June, 1843, and the 4th day of December, 1843 :

Abstracts shewing the state of the Saint Stephen Bank, on the first Monday in July, 1843, and the first Monday in January, 1844 :

An Abstract shewing the state of the Bank of New Brunswick, on the first Monday in January, 1844 :

An Abstract shewing the state of the Charlotte County Bank, on the first Monday in May, 1843 : and

Abstracts shewing the state of the Marine Assurance Company, on the 30th day of June, 1843, and the 4th day of January, 1844.

ORDERED, That the same do lie on the Table.

The Honorable Mr. Johnston also by direction of His Excellency the Lieutenant Governor, lays before the House, Accounts of the state of King's College.

ORDERED, That the same do lie on the Table.

### KING'S COLLEGE, FREDERICTON.

#### INCOME AND EXPENDITURE.

1843.		DR.		
Jan. 31.	To Balance from last Account,.....		£125	2 2
Dec. 31.	“ Crown Grant from the Casual Revenue,.....	£1,111 2 0		
	“ Provincial Grant,.....	1,100 0 0		
			2,211	2 0
	“ Amount of Rents received,.....		171	2 3
	“ Interest received on Monies advanced on Real Estate,.....		208	5 0
	“ Received from Students for Books,.....		33	2 6
			£2,748	13 11
1843.		CR.		
Dec. 31.	By Salaries paid to Professors and others, viz :—			
	Dr. Jacob, Vice President, &c.....	£500 0 0		
	The same, as Professor of Divinity,.....	150 0 0		
	James Robb, Esquire, M. D., Chemistry, &c.....	300 0 0		
	W. B. Jack, Esquire, A. M., Mathematics,.....	300 0 0		
	Honorable G. F. Street, Registrar,.....	100 0 0		
	George Roberts, Esquire, Master Grammar School,	200 0 0		
	James Holbrook, Esquire, Assistant Master,.....	150 0 0		
	The same, allowance for House Rent,.....	25 0 0		
	The Steward,.....	60 0 0		
	“ Beadle,.....	40 0 0		
	“ Gate Keeper,.....	10 0 0		
	“ Forrester, .....	5 0 0		
			£1,840	0 0
	“ Scholarships—J. M. Wood, 1 year to Trin. Term, '43,	£25 0 0		
	Charles Lee, Junior, ditto,	25 0 0		
			50	0 0
			£1,890	0 0
	Carried forward,.....			

1843.		<i>Brought forward</i> ,.....	£1,890	0	0
Dec. 31.	“ Library—Nelson, for Books,.....		£30	17	8
	Bill of Exchange, £200 Stg. @ 8½ per cent. premium, to remit for purchase of Books,..		241	2	3— 271 19 11
“	“ Incidental Expenses—				
	Fuel for 1843,.....	£40	0	0	
	Pew Rent, Christ Church,.....	11	5	0	
	Livery for Beadle,.....	7	17	6	
	Needham, Sale of Monkton Ferry,.....	2	10	0	
	J. G. Harding, Cases for Museum,.....	43	5	0	
	Do. Book Cases and Furniture for Library,	78	15	9	
	Lawton, Floor Cloth for Library,.....	16	10	9	
	Stove for Library,.....	7	10	0	
	Coals and Paper Hanging for ditto,.....	5	4	6	
	Beverly, for Account Books,.....	7	14	6	
	Printing and Advertising,.....	11	12	6	
	Dr. Robb, Supplies to Chemical Class Room,	16	4	10	
	Carpenters, Masons, Glaziers & Plasterers Bills,	66	0	1	
	The Steward, on account of Loss sustained by Students’ Commons, .....	135	0	0	
					449 10 5
“	By Balance carried to debit of new Account,.....				137 3 7
					<u>£2,748 13 11</u>

(E. E.)

1st January, 1844.

GEO. FRED. STREET, *Treasurer.*

## PROFESSORS.

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

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

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

*Fredericton, 3d February, 1844.*GEO. FRED. STREET, *Registrar.*

## STUDENTS IN THE YEAR 1843.

## RESIDENT.

E. J. Jacob,  
R. N. Merritt,  
H. F. Russell,  
R. D. Palmer,  
W. Q. Ketchum,  
John O’Mar,  
John M’Givern,  
W. W. Street,  
Robert Street,  
William DeVeber,  
J. Wood,  
Charles Lee,  
George Gilbert.

## NON RESIDENT.

W. B. Robinson,  
E. B. Chandler,  
C. P. Bliss,  
Charles Odell,  
C. H. Connell,  
T. P. Smith,  
James M. Allan,  
Richard Ketchum,  
C. Simonds,  
J. F. Peters,  
G. R. M. Wetmore.*Fredericton, 3d February, 1844.*GEO. FRED. STREET, *Registrar.*

The

The Honorable the President informed the House, that he had received from the Cashier of the Commercial Bank of New Brunswick—

An Abstract shewing its state at the half year ending the 30th day of September, 1843.

ORDERED, That the same do lie on the Table.

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

At half-past one o'clock, the House proceeded to the Government House with their Address, and having returned—

The Honorable the President reported, that His Excellency had been pleased to receive the same, and to return an answer thereto, of which he had obtained a copy, which he read, and it was again read by the Clerk as follows:—

*“ Mr. President and Honorable Gentlemen,*

*“ I return you my sincere thanks for your dutiful and loyal Address, and I request you also to accept my acknowledgements for the cordial assurance of support which you have given to me.”*

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

A Petition from the Justices of the Peace for the County of Kent in General Sessions, praying an Act may pass to authorize the Justices in General or Special Session, to assess the County annually for a sum not exceeding one hundred and twenty pounds, to defray the necessary contingent expenses of the County:

A Petition from Francis Rice, John Cire, John Hatch, Enoch Barker and two hundred other persons residing in the upper part of the County of Carleton, praying an Act may pass to have the present County divided, and two separate and distinct Counties established: and

A Petition from Thomas Powell, of Richibucto, praying an allowance for keeping a School in one thousand eight hundred and forty three.

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

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

A Petition from the Overseers of the Poor for the Parish of Saint Andrews, praying aid in support of Emigrant Poor:

A Petition from the Reverend James Quinn, Henry O'Niel, W. C. M'Stay and fifty six others, praying aid for a School in the Town of Saint Andrews:

A Petition from Abner Hill and others, praying an Act may pass to incorporate a Company by the name of the “ Saint Stephen's Wellington Mill Company :”

A Petition from Schuyler P. Frink, praying Legislative relief in a case where he paid a first instalment of four hundred and fifty pounds for Lands in York County, at nine shillings per acre, and has not been able to comply further with his agreement for purchase:

A Petition from William Todd, George M. Porter and others, praying an Act may pass to incorporate certain persons under the name and style of the "Saint Croix Bridge Company:" and

A Petition from Thomas Lamb, Keeper of Quaco Light House, praying relief for losses sustained by him.

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

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

A Petition from the Justices of the Peace of the County of Kent, praying an allowance to the Overseers of Poor in the Parish of Wellington, for taking care of a sick Emigrant:

A Petition from Stephen Gooden, a Licenced Schoolmaster, praying an allowance for teaching a School in the County of Westmorland.

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

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

A Petition from John Lynn, Master of the brig Martha, of Cork, praying return of Head Money paid in July last at Saint John: and

A Petition from H. K. Ormond, Lieutenant Colonel Commanding Her Majesty's 30th Regiment, praying that the usual return of Duties paid on Wines imported for the use of the Regiment, may be made to them.

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

The Honorable Mr. Chandler, by leave, presented a Petition from Ann O'Flannigan, widow of Lawrence O'Flannigan, praying an allowance for a School taught by her late husband, in the Parish of Sackville.

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

*Adjourned until To-morrow at 12 o'clock.*

TUESDAY, 6th February, 1844.

PRESENT:

THE HON.

*Mr. Black,  
Mr. Robinson,  
Mr. Attorney General,  
Mr. Street,  
Mr. Kinnear,  
Mr. Crane,*

*Mr. Shore,  
Mr. Saunders,  
Mr. Chandler,  
Mr. Wyer,  
Mr. Johnston,  
Mr. Minchin.*

The Honorable Mr. Black sat President.

PRAYERS.

Pursuant to the Order of the Day, the Bill relating to 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.

ORDERED,



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

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

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

### NEW BRUNSWICK.

*Message to the Legislative Council,  
6th February, 1844.*

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

The Lieutenant Governor lays before the Council, copies of several Despatches from the Secretary of State of the Colonies, relative to the undermentioned Acts, viz :— The Currency Act,—the Great Falls Incorporation Act,—the Election Act,—the Steamboat Passenger Act,—the Act for vacating the Seats of Members of the Assembly,—the Aristook Boom Company Incorporation Act,—the Act relative to duty on Timber,—the Legal Tender Act.

W. M. G. C.

### THE CURRENCY ACT.

EXTRACT FROM A DESPATCH OF LORD STANLEY TO SIR WILLIAM COLEBROOKE.

[No. 143.]

*Downing Street, 15th March, 1843.*

SIR,—I have received your Despatch, No. 4, of the 27th January last.

\* \* \* \* \*

Her Majesty's Government fully concur in the views which you entertain with regard to the expediency of some definitive adjustment of the Currency of New Brunswick, and in their opinion the desired change would be most advantageously effected by the substitution of some determinate standard of value for the present Money of Account.

The Legislatures of Canada and Nova Scotia have taken very desirable preliminary steps in this respect, by the adoption of fixed valuations of the Currencies of Account in the respective Provinces with reference to British Sterling Money, and to Foreign Coins of recognized intrinsic value; while in several of the West Indian Colonies British Currency has been substituted for the nominal Currency of Account, and in British Guiana the Spanish or South American Dollar has been adopted as the Money of Account at its intrinsic and legalized value of 4s. 2d., as compared with British Sterling, which at the same time makes the British Half-penny equivalent to the Cent, or 100th of the Dollar.

I have, &c.

(Signed)

STANLEY.

His Excellency Sir Wm. Colebrooke.

### GRAND FALLS COMPANY INCORPORATION ACT.

(Copy.)

[No. 155.]

*Downing Street, 2d June, 1843.*

SIR,—I have received your Despatch, No. 32, of the 17th April last, enclosing the copy of a Resolution adopted by the House of Assembly of New Brunswick, on the 11th of the same month, in which that House have expressed their desire that the Act (No. 1389) passed by the Legislature of that Province in their previous Session, for the incorporation of the Grand Falls Company, should be disallowed.

As the operation of the Act is suspended for the signification of Her Majesty's pleasure, it will not be necessary that any order of Her Majesty in Council should be made for the disallowance of it. The wishes of the House of Assembly will be fulfilled by the more simple, and in some respects, more convenient

convenient course, of dropping all further notice of this Law. It will therefore not be submitted to the Queen in Council for Her Majesty's confirmation.

I have, &c.  
(Signed) STANLEY.

His Excellency Sir Wm. Colebrooke.

### ELECTION LAW, AND LEGAL TENDER ACTS.

EXTRACT OF A DESPATCH FROM LORD STANLEY TO SIR WILLIAM COLEBROOKE.

[No. 174.]

*Downing Street, 31st July, 1843.*

SIR,—I have received your Despatch, No. 45, of the 12th May, transmitting two Acts passed with suspending clauses, by the Legislature of New Brunswick: the one (No. 1434) to improve the Law relating to the election of Representatives to serve in the General Assembly; and the other (No. 1435) to repeal the several Acts now in force for establishing a Legal Tender in all payments to be made in this Province, and to make other provisions in lieu thereof.

The last mentioned Act is still under the consideration of Her Majesty's Government.

The Provincial Act, 9 Geo. 4, cap. 36, sec. 4, declared that an appointment of a Member of the Assembly to the Council should create a vacancy, and that the Speaker, during the recess, might cause a Writ to be issued for a new Election. In the event of the appointment of the Speaker himself to the Council, any four Members were, during the recess, to cause a Writ to be issued for a new Election in his room. As at that time the Council was a Legislative as well as an Executive Body, an appointment to it, of course, vacated the Seat of a Member of the Assembly. But the thirty fourth clause of the present Act, which professedly revives the old Law, really goes much beyond it, for it enables the Speaker, or the four Members, as the case may be, to issue the Writ during the recess, not merely in the two cases of death or appointment to the Legislative Council, but in any case of vacancy, whatever the ground of it may be. The words are "in the event of any vacancy by death, resignation, or appointment to the Legislative Council, or *otherwise*."

As far as I can ascertain, this Act, by clauses Nos. 31 and 32, for the first time, introduces a Law enabling Members of Assembly to resign their Seats in that House.

\* \* \* \* \*

His Excellency Sir Wm. Colebrooke.

### VACATING SEATS OF MEMBERS OF ASSEMBLY ACT.

(Copy.)

[No. 182.]

*Downing Street, 4th September, 1843.*

SIR,—I have to acknowledge the receipt of your Despatch, No. 31, of the 17th April last, in reply to mine of the 11th August preceding, stating the objections entertained by Her Majesty's Government to the Act (No. 1408) "to vacate the Seats of Members of Assembly in certain cases."

With your present Despatch, you enclose an Address to yourself from the House of Assembly, with a Resolution passed by that Body, declaratory of their adherence to the principle which the Act is intended to establish, that Members of Assembly shall vacate their Seats on accepting appointments in the Executive Council.

The Assembly, I observe, notice but one of the three objections urged in my Despatch against the confirmation of this Act. Their Resolution and your Despatch are both silent on the subject of the disqualification of Members from sitting in the House on their becoming Contractors for Public Works not undertaken at the cost of the Government; and also on the subject of the Speaker having to adjudicate on the question, whether a Seat is vacated or not.

As no attempt has therefore been made either by yourself or by the Legislature, to vindicate the provisions of this Act, to which your own and their attention has been called in my Despatch above referred to, Her Majesty's Government have felt it their duty to recommend the disallowance of it; and I have the honor to enclose an Order passed by Her Majesty in Council on the 23d instant, disallowing the Act accordingly.

I have, &c.  
(Signed) STANLEY.

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

ACT

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**ACT TO INCORPORATE ARESTOOK BOOM COMPANY.**

(Copy.)

[No. 183.]

*Downing Street, 2d September, 1843.*

SIR,—I have to acknowledge the receipt of your Despatch of the 24th June, No. 58, with its enclosures, in which, with reference to the Bill to incorporate the Arestook Boom Company, you express your desire to be made acquainted with the opinion of the Law Officers of the Crown, whether the proposed measure, if passed into a Law, would be an interference with the Treaty of Washington. I accordingly transmit to you a copy of their Report on this subject, and have to instruct you to withhold your assent to the Bill in question, as it would be at variance with the Treaty of Washington.

I have, &amp;c.

(Signed)

STANLEY.

His Excellency Sir Wm. Colebrooke.

(Copy.)

*Doctor's Commons, August 19, 1843.*

MY LORD,—We are honored with your Lordship's commands, signified in Mr. Addington's letter of the 9th instant, stating that he was directed to transmit to us the accompanying letter from the Colonial Office, dated the 7th instant, together with its enclosures, relative to a Bill passed in the last Session of the Legislature of the Province of New Brunswick, to incorporate the Arestook Boom Company.

Mr. Addington further states, that the object of this Bill being to carry a Boom for the preservation of Timber across the Arestook River, which passes through the American Territory, discharging itself into the St. John's, below the Great Falls, a doubt has been raised whether such a Bill, if passed into a Law, might not be construed to be at variance with the stipulations of the third article of the Treaty signed at Washington on the 9th of August, 1842, and consequently the Lieutenant Governor of New Brunswick judged it advisable to withhold his assent thereto, until the opinion of the Law Officers of the Crown should be taken upon the question.

Mr. Addington is pleased to request that we would take these papers into consideration, and report to your Lordship our opinion, whether if this measure were passed into a Law in a future Session, it could be deemed to violate the provisions of the above mentioned Treaty.

In obedience to your Lordship's commands, we have taken the papers into consideration, and have the honor to report, that for the reasons stated by the Attorney and Solicitor Generals of New Brunswick, in their additional observations upon this subject, we are of opinion, that the measure in question, if passed into a Law, might be deemed a violation of the stipulations of the third article of the Treaty signed at Washington on the 9th of August last.

We have, &amp;c.

(Signed)

J. DODSON,  
FREDK. POLLOCK,  
W. W. FOLLETT.

The Lord Aberdeen, &amp;c. &amp;c. &amp;c.

**ACT RELATIVE TO DUTY ON TIMBER.**

(Copy.)

[No. 184.]

*Downing Street, 4th September, 1843.*

SIR,—I have to acknowledge the receipt of your Despatch, No. 38, of the 20th of April last, transmitting certified copies of two Acts which had been passed by the Legislature of New Brunswick, the first (No. 1432) intituled "An Act relating to the Collection of Duty on Timber and other Lumber," and the second (No. 1433) intituled "An Act to establish sundry Regulations for the future disposal of Timber and other Lumber cut on Crown Lands."

Each of these Acts contains a Clause suspending the operation of it until Her Majesty's pleasure shall have been signified.

I transmit for your information the accompanying copy of the opinion of the Queen's Advocate, and of Her Majesty's Attorney General and Solicitor General, in answer to questions proposed to them respecting the Act for the Collection of Duty on Timber and other Lumber.

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For

For the reasons assigned in that opinion, Her Majesty will abstain from confirming the Act to which it refers. It will therefore not take effect, or come into operation as a Law.

The Act to establish Regulations for the disposal of Timber and other Lumber cut on Crown Lands, must of course be disposed of in the same manner as the first mentioned Act, to which it is supplementary and auxiliary. Even without reference to this conclusive objection, there would have been great difficulty in confirming this Act. Without any previous intimation of the Royal Pleasure, it repeals a part of the Civil List Act; it grants, with no sufficient reason, extensive privileges to the owners of Mills in actual operation; and it does not require the payment in ready money of the fee required for the Timber Licence.

From the statements contained in your Despatch, and in the Reports accompanying it, I however conclude, that the present system of Timber Licences requires modification; that it is expensive in its working, and that, under shelter of it, frauds are committed which reduce the actual receipts much below their just amount.

As you are fully aware of these evils, I trust that you will be able to obviate them by adopting, with the advice of the Executive Council of New Brunswick, some such arrangement as that to which you refer in the latter part of your Despatch.

I have, &c.

(Signed)

STANLEY.

His Excellency Sir Wm. Colebrooke.

ENCLOSURE OF DESPATCH, NO. 134.

(Copy.)

*Doctor's Commons, August 5, 1843.*

MY LORD,—We are honoured with your Lordship's commands, signified in Mr. Addington's letter of the 26th ultimo, stating that he was directed to transmit to us the accompanying letter from the Colonial Department, dated the 17th of June, together with its enclosures, on the subject of an Act which was passed by the Legislature of New Brunswick in the month of April last, relative to the collection of Duty on Timber and other Lumber, and to request that we would take these papers into consideration, and report to your Lordship our opinion, whether with reference to the third article of the Treaty between this country and the United States, signed at Washington on the 9th August, 1842, there is any objection to the confirmation of the Act above mentioned by the Queen in Council.

Mr. Addington states that he is at the same time directed to transmit to us for our further information the enclosed extracts from that portion of Lord Ashburton's correspondence with the Foreign Office and with the Government of the United States, which preceded the negotiation of the third article of the Treaty of Washington.

In obedience to your Lordship's commands, we have taken the papers into consideration, and have the honor to report that the Act in question does not appear to us to contravene the article of the Treaty referred to, and consequently that there is no objection, in that respect, to its confirmation by Her Majesty in Council.

The construction however which has been put upon the third article of the Treaty by the British Government, is that the produce of those parts of the State of Maine which are watered by the River Saint John or its tributaries, after it is brought within the Province of New Brunswick, shall be dealt with in all respects as the produce of that Province; and it appears to us therefore that the provision at the end of the first section of the proposed Act, excepting from Duty all Timber cut on any part of the United States, and passed down the River Saint John, and there shipped to the United States, may be considered to be inconsistent with the stipulation of the Treaty, and as affording an objection to the confirmation of this Act, although it may not be a contravention of the Treaty, of which the United States could complain.

We have, &c.-

(Signed)

J. DODSON,  
FREDK. POLLOCK,  
W. W. FOLLETT.

The Earl of Aberdeen, K. T. &c. &c. &c.

EXTRACT

EXTRACT OF A DESPATCH FROM SIR WILLIAM COLEBROOKE TO LORD STANLEY.

[No. 38.]

*Dated 28th April, 1843.*

MY LORD,—I have the honor to transmit to your Lordship, authenticated transcripts of two Acts which have been passed by the Provincial Legislature, the first intituled “An Act relating to the Duty on Timber and other articles;” and the second “An Act to establish sundry Regulations for the future disposal of Timber and other Lumber cut on the Crown Lands.”

These Acts contain Clauses suspending their operation until approved by Her Majesty in Council. They are accompanied by Reports from the Attorney and Solicitor Generals, and also from the Executive Council, which have been framed for the further elucidation of these important measures.

The manner in which the Revenue on Timber has been raised since the Civil List Act came into operation, has been, on the application of parties, to put up to Public Sale the privilege of cutting a specified quantity of Timber within certain limits marked out in the Forest, and defined as a “Timber Berth.” This privilege is granted only for a year, and the Government has to employ Officers, called Deputy Surveyors, to inspect the Timber, and when any had been cut in excess of the quantity licenced, it has been usual to seize it for the Crown; the Government authorising its release to the party on payment of “Stampage,” or a Duty regulated according to the fine paid for the privilege, Bonds being taken for the amount of these dues when not paid down.

The expenses attending this mode of administration have constituted a large deduction from the gross proceeds of the Revenue, and in the last two years the maintenance of the establishment to protect the Revenue, which it has not been practicable to reduce, owing to the diminished quantity of Timber cut, has been greatly disproportioned to the amount realized.

In addition to this, the effect has been to place a subordinate class of Officers throughout the Country, in the exercise of extensive powers, and subject to undue influences.

Your Lordship will observe from the Report of Mr. Wilmot, who, before he joined the Executive Council, took part in the measure in the Assembly, that the provisions of the two Bills were originally included in one, and that those of the second Bill were afterwards separated with the object of preventing the loss of the first, if the objection to the other should induce its rejection.

The first may therefore be considered to be limited to the object of raising for the purposes of Revenue, a Duty of three per cent. upon Timber exported from the Province, exempting from the operation of the Act such American Timber as might be shipped for American Ports in their own vessels.

It is very desirable that the question of Right should be definitely settled by reference to the opinion of Her Majesty's Law Advisers, in order that it may be open to the Legislature to impose the Duty upon all Timber exported, should it hereafter be found expedient so to do.

An advantage attending the proposed export Duty is that a Revenue will be equally raised on the Timber cut on private Lands heretofore exempt, and if it should be hereafter found to be practicable and expedient to impose the Duty on American Timber exported in their own vessels, it would hold out an effectual means of preventing the evasion of the present Duties on the Crown Timber, which would not be effected without a considerable augmentation of the present establishment of the Crown Land Department.

Right Honorable Lord Stanley.

### ACT RELATING TO THE CURRENCY OF THE PROVINCE.

(Copy.)

[No. 197.]

*Downing Street, 14th October, 1843.*

SIR,—I have had under my consideration an Act passed by the Legislature of New Brunswick, with a suspending clause, on the 11th April last, for regulating the Currency of that Province.

I have no objection to offer to this Act, except as regards the valuation assigned for some of the Coins specified in it; and as these valuations are not correctly adjusted, according to the intrinsic worth of the Coins, with reference to their contents in pure metal, and to the relative values of Gold and Silver, it appears that the object of the Act could not be obtained without some modification of the comparative Rates assigned for the Coins.

I observe that the values, in the Provincial Currency, of Coins mentioned in the Act are as follow, viz:—

The English Sovereign,.....	£1	4	2
“ French Crown Piece,.....	0	5	6
“ English Crown Piece,.....	0	6	0½
“ Spanish, South American, or United States Dollar,.....	0	5	0
“ Gold Eagle of the United States,.....	2	10	0

But considering the Dollar to have been the Coin principally circulating in the Province, and to be properly rated at 5s. Currency, the following should be the Rates of the other Coins, viz:—

The Sovereign,.....	£1	4	0
“ English Crown,.....	0	6	0
“ Eagle of the United States,.....	2	9	3

I do not advert to the French Crown Piece, as this Coin is not now fabricated, and has consequently been omitted from the Currency Acts both of Canada and Nova Scotia.

Under these circumstances, Her Majesty cannot be advised to confirm the present Act, but you will avail yourself of an early opportunity of recommending the Legislative Council and Assembly of New Brunswick to pass another Act, in which the proper Rates mentioned in this Despatch should be assigned to the Coins of the Province.

I have, &c.

(Signed)

STANLEY.

His Excellency Sir Wm. Colebrooke.

#### VACATING SEATS OF MEMBERS OF THE ASSEMBLY ACT.

EXTRACT OF A DESPATCH FROM LORD STANLEY TO SIR WILLIAM COLEBROOKE.

[No. 204.]

*Downing Street, 16th November, 1843.*

SIR,—I have received your Despatch of the 29th August, 1843, No. 83.

I am happy to acknowledge, that, subject to one exception, the Attorney and Solicitor Generals have now satisfactorily explained and justified those innovations.

The exception relates to the power given to the Speaker to issue new Writs, not only when the vacancy is created by the death of a Member, or by his advancement to the Legislative Council, but by any other cause. I do not pause to consider whether the construction given by the Attorney and Solicitor Generals to this enactment could really be maintained. Admitting, for the sake of argument, that it is the right construction, yet, as it presupposes the existence of the Statute 5 Victoria, cap. 18, and as that Act has been disallowed by the Queen in Council, the basis on which the whole of this legal argument rests, is subverted, and therefore the argument itself must fail.

I trust that there will be no indisposition on the part of the local Legislature to narrow the Speaker's authority within its former limits. If that course be taken, Her Majesty will be advised to confirm the Act. If it be declined, I cannot undertake to say that Her Majesty's sanction will ultimately be given to it.

I have, &c.

(Signed)

STANLEY.

#### ACT TO PROVIDE FOR SAFETY OF PASSENGERS ON BOARD STEAM BOATS.

(Copy.)

[No. 180.]

*Downing Street, 24th August, 1843.*

SIR,—I have to acknowledge the receipt of your Despatch, No. 54, of the 13th of June, transmitting a certified copy of an Act (No. 1454) passed by the Legislature of New Brunswick in the month of April last, intitled “An Act to provide for the greater safety of Passengers on board Steam Boats.”

The 8th section of this Act, which prohibits the Customs Officer from granting a Clearance of a Steam Vessel, without the certificate of the Commissioners appointed under the Act, that such Vessel is duly equipped, appears to me objectionable, inasmuch as it is inconsistent with the duties of the Customs Officer as defined by the Possessions Act, which requires him to give a Clearance upon certain necessary formalities being completed.

You

You will bring this objection under the consideration of the local Legislature, and in the meantime Her Majesty's decision on the Act will be suspended.

I have the honor, &c.

(Signed)

STANLEY.

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

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

A Petition from James Albee, David A. Rose, Samuel Abbot and others, Inhabitants of Saint Stephen and Saint David's Parishes, praying an Act may pass to incorporate the Bolton Brook Navigation Company :

A Petition from James Brown, William Ludlow, Thomas Lord and two hundred and ninety three other persons, praying an Act may pass to prohibit the taking of Fish in Wiers within the Parishes of West Isles and Campo Bello, in the County of Charlotte : and

A Petition from Josephus Moore, of the Parish of Saint David, in the County of Charlotte, praying Legislative aid in consequence of the unfortunate result of a purchase made by him of Crown Lands in the year one thousand eight hundred and thirty five.

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

*Adjourned until To-morrow at one o'clock.*

WEDNESDAY, 7th February, 1844.

PRESENT:

THE HON.

*Mr. Black,  
Mr. Saunders,  
Mr. Attorney General,  
Mr. Street,  
Mr. Hatch,  
Mr. Johnston,  
Mr. Minchin.*

*Mr. Shore,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Wyer,  
Mr. Kinnear,  
Mr. Crane,*

The Honorable Mr. Black sat President.

PRAYERS.

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received, and leave granted.

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

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

NEW BRUNSWICK,  
*Message to the Legislative Council,*  
6th February, 1844.

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

The Lieutenant Governor lays before the Council, a Despatch from the Secretary of State for the Colonies, relative to the Loan Act.

W. M. G. C.

LOAN ACT.

(Copy.)

[No. 185.]

*Downing Street, 4th September, 1843.*

SIR,—I have to acknowledge the receipt of your Despatch, No. 24, of the 23th of March, enclosing an authenticated Transcript of an Act, with a suspending clause, passed by the Legislature of New Brunswick, (No. 1431), entitled “An Act to facilitate the negociation of a Loan to pay off the Public Debt.”

It has not been without hesitation that Her Majesty’s Government have formed the conclusion that the Queen should be advised to sanction this Law. But on the whole, we have thought that the rejection of it might be productive of greater evils than any which can result from the opposite course of proceeding. We have especially been reluctant to impede any efforts which the Local Legislature may hereafter make to extricate the Provincial Revenue from the embarrassment in which it is involved.

Her Majesty in Council have therefore been pleased to make the accompanying Order specially confirming and finally enacting this Act.

Whatever may be the relief to the Finances of New Brunswick which the present Loan will afford, that relief will be but temporary and transient. Evils of great magnitude, and of the most threatening aspect in the Financial state of the Province, will remain in full and unmitigated force, and will demand the most serious attention of the Local Government and Legislature. I do not think it necessary or desirable that I should, on the present occasion, attempt to investigate either the origin or the remedy of those embarrassments; but it will be your duty to use every effort in your power to induce the Legislative Council and House of Assembly, to institute a careful enquiry into the state of the Public Finances, with the view of regulating the expenditure with the most strict economy, and also with the view of defraying that expenditure without permitting a recurrence to those burthensome arrears and debts which have called for the present enactment.

I have, &c.

(Signed)

STANLEY.

Lient. Governor Sir W. Colebrooke.

EXTRACT OF A DESPATCH FROM SIR WILLIAM COLEBROOKE TO LORD STANLEY.

[No. 24.]

*Fredericton, 28th March, 1843.*

I have the honor to enclose to your Lordship, an authenticated transcript of an Act passed by the Provincial Legislature, entitled “An Act to facilitate the negotiation of a Loan to pay off the Public Debt.”

This Act has a clause suspending its operation until confirmed by Her Majesty in Council, and is accompanied by a Report of the Law Officers of the Government, and one by the Executive Council, with the Treasurer’s statement of the liabilities of the Province; also a Report of the Finance Committee of the House of Assembly.

The sum to be raised under this Act does not exceed £70,000, and is urgently required to redeem the Credit of the Province; and as it is hoped, that on the confirmation of the Act, these funds may be raised without the delay and uncertainty of negotiating a Loan in England, I earnestly recommend that the Act may be passed, and that in this event, the Order of Her Majesty in Council may be sent out as soon as it may be practicable.

NEW BRUNSWICK.



## NEW BRUNSWICK.

*Message to the Legislative Council,  
February 6th, 1844.*

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

The Lieutenant Governor communicates to the Council, copies of two Despatches from the Secretary of State for the Colonies, relative to the Revenue Acts for 1842 and 1843.

W. M. G. C.

## REVENUE ACTS.

(Copy.)

[No. 166.]

*Downing Street, 30th June, 1843.*

SIR,—I have had under consideration an Act passed by the Legislature of New Brunswick on the 29th March, 1842, "imposing Duties for raising a Revenue."

My Circular Despatch of the 28th instant, will have made you acquainted with the objections entertained by Her Majesty's Government, to the enactment, by Colonial Legislation, of Differential Duties imposed on articles of import.

As therefore this Act ceased to be in operation on the 1st of April last, it is unnecessary, on the present occasion, that I should do more than call your attention to the objectionable nature of the Differential Duties imposed by this Act, especially that of 5s. 10d. per Barrel upon Foreign Wheat imported from Nova Scotia, and to express my hope that the next Revenue Act passed by the Legislature of New Brunswick, will be consistent with the principles adopted by Her Majesty's Government on this subject.

I have, &c.

(Signed)

STANLEY.

His Excellency Sir Wm. Colebrooke.

## DIFFERENTIAL DUTIES.

(Copy.)

[No. 199.]

*Downing Street, 30th October, 1843.*

SIR,—I have had under my consideration an Act (No. 1436) passed by the Legislature of New Brunswick, in the month of March last, intituled "An Act imposing Duties for raising a Revenue."

This Act imposes Differential Duties upon almost all the principal articles of Foreign Produce, and is so entirely opposed to the Possessions Amendment Act of Parliament of 1842, and to the views of Her Majesty's Government, as explained in my Circular Despatch of the 19th August, 1842, upon this subject, that were it not for the great inconvenience which such a course would inflict on the Province, Her Majesty would have been advised to disallow this Act. But although it is not proposed to adopt that course, in the present instance, it will be necessary that you should use your best endeavours to induce the Assembly to amend this Act with the least possible delay, by the repeal of the Differential Duties in question. You will also understand, and in whatever manner may be least calculated to give offence, you will cause it to be understood, that you are not at liberty to assent to any other Revenue Act imposing Duties of a similar nature.

If any such Act should be transmitted for the sanction of the Queen, Her Majesty's confidential advisers would feel it to be their duty to recommend the disallowance of it.

I have, &c.

(Signed)

STANLEY.

His Excellency Sir Wm. Colebrooke.

## NEW BRUNSWICK,

*Message to the Legislative Council,  
February 6th, 1844.*

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

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

of State for the Colonies, relative to the proposed measures for the consolidation of the Departments of Revenue.

W. M. G. C.

CONSOLIDATION OF REVENUE DEPARTMENTS.

(Copy.)

[No. 146.]

*Downing Street, 12th April, 1843.*

SIR,—Her Majesty's Government have had under their consideration the "Bill for the Consolidation of the Revenue Departments, and to provide for the collection and protection thereof," in New Brunswick, (of which a Copy accompanied your Despatch of the 22d March, 1842,) which you propose to introduce during the present Session into the House of Assembly; and I have to acquaint you that Her Majesty's Government will not object to an Act passed by the Legislature in the terms of the proposed Bill, except as regards the provisions of the eleventh and twenty second Clauses, relating to the appointment of Free Warehousing Ports, which, in so far as they might authorize the admission of Goods at places not constituted Free and Warehousing Ports by the Imperial Parliament Act 3 and 4 Wm. 4, cap. 59, or by Her Majesty's Order in Council, under the powers of that Act, might operate in contravention of the Imperial Statute, and would therefore be inadmissible.

I have to observe, with reference to the alteration which appears to have been made in the forty fifth clause of the Bill, as originally printed, that it would tend greatly to facilitate the assessment of the Colonial Duties, and to simplify the accounts of the Officers of Customs, if they were to be rated in Sterling money, and made payable in the manner provided for by the thirteenth Section of the Imperial Act, 5 and 6 Victoria, cap. 49, relating to the Trade of the British Possessions abroad, subject to the qualification in respect to the appointment of Free and Warehousing Ports, to which I have adverted. You will be pleased to understand, that you are at liberty to introduce the proposed Bill into the Provincial Legislature.

I have, &c.

(Signed)

STANLEY.

His Excellency Sir W. Colebrooke.

NEW BRUNSWICK,

*Message to the Legislative Council,*

*February 6th, 1844.*

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

The Lieutenant Governor communicates to the Council, a Despatch from the Secretary of State for the Colonies, relative to a claim for reimbursement of Double Head Money on Passengers paid by the owners of the Barque "Londonderry."

W. M. G. C.

[*See Appendix, No. 1.*]

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

An Abstract from the Provincial Treasurer of the Revenue of the Province for the year 1843, including a comparative statement of Revenue for 1842 and 1843:

Also, a statement of the Finances of the Province on the 31st December, 1843.

ABSTRACT

ABSTRACT OF THE REVENUE OF THE PROVINCE OF NEW BRUNSWICK FOR THE YEAR 1843.

	Loan Fund.	Ordinary Revenue.	Casual and Territorial Revenue.	Proceeds of Bills on London.	Received from Officers of H. M. Customs.	Auction Duties.	Pedlars' Licences.	Pass. and Emigrant Duties.	Light House Duties.	S. and D. Seamen's Duties.	TOTALS.
Saint John,	0 0 0	18,909 12 1	11,980 0 0	9,600 0 0	11,495 6 5	493 13 9	0 0 0	0 315 6 8	2,966 17 8	1,072 1 2	57,596 18 6½
Miramichi,	228 0 8	3,175 17 3	0 0 0	0 0 0	1,792 8 11	20 5 5	0 0 0	1 12 6	298 10 0	381 5 10	5,758 0 7
Bathurst,	0 14 6	1,070 0 9	0 0 0	0 0 0	406 18 9	0 0 0	0 0 0	4 5 0	104 11 7	98 10 6	1,756 0 8
Richibucto,	33 5 0	192 4 2½	0 0 0	0 0 0	131 7 6	0 0 0	0 0 0	0 0 0	28 13 11	19 19 4	572 19 5½
Shediac,	1 7 8	466 18 0½	0 0 0	0 0 0	208 1 4	0 0 0	0 0 0	0 0 0	44 8 5	40 16 9 6½	793 9 6½
Bay Verte,	0 0 0	37 11 3	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	7 1 2	6 2 8	62 2 9
Westmorland Parish,	0 0 0	0 12 6	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	3 17 6
Dorchester,	1 10 5½	11 2 6	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	12 13 0
Hopewell,	4 7 5	61 6 10½	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	35 13 0	11 6 4½	115 9 8
Woodcock,	0 0 0	1 7 6	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	16 6 0	3 15 9	27 19 3
Fredericton,	2 6 8	119 16 3	0 0 0	0 0 0	95 14 7	0 6 4	0 0 0	0 0 0	0 0 0	0 0 0	219 2 10
Saint Andrews,	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	7 6 5	0 0 0	0 0 0	0 0 0	0 0 0	7 6 5
Saint Stephens,	31 8 6	752 9 10	0 0 0	0 0 0	330 5 3	0 0 0	0 0 0	21 2 6	313 17 8	139 4 0	1,888 7 9
Saint George,	11 16 9½	209 2 6½	0 0 0	0 0 0	0 0 0	7 0 11	0 0 0	0 0 0	287 19 8	109 10 2	565 10 1
West Isles,	4 8 11	30 14 9	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	56 2 0	24 16 2	116 1 10
Grand Manan,	1 9 7	59 13 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	43 3 4	19 4 8	123 10 7
	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	10 0 0	0 0 0	10 0 0
Totals,	£1,304 19 7½	24,998 8 4½	11,980 0 0	9,600 0 0	14,322 2 9	528 12 10	12 5 0	343 6 8	4,083 4 5	1,926 13 4½	69,098 13 0½

COMPARATIVE STATEMENT.

	1842.	1843.	Increase.	Decrease.
Loan Fund,	0 0 0	1,304 19 7½	1,304 19 7½	0 0 0
Ordinary Revenue,	19,426 5 2	24,998 8 4½	5,572 3 2½	0 0 0
Casual and Territorial Revenue,	4,500 0 0	11,980 0 0	7,480 0 0	0 0 0
Proceeds of Bills on London,	13,347 15 6	9,600 0 0	0 0 0	3,747 15 6
Received from Officers of H. M. Customs,	11,905 17 4	14,322 2 9	2,416 5 5	0 0 0
Auction Duties,	246 15 3	528 12 10	281 17 7	0 0 0
Pedlars' Licences,	24 7 6	12 5 0	0 0 0	12 2 6
Passenger and Emigrant Duties,	1,954 14 2	342 6 8	0 0 0	1,612 7 6
Light House Duties,	3,033 15 7	4,083 4 5	1,049 8 10	0 0 0
Sick and Disabled Seamen's Duties,	1,464 11 6	1,926 13 4½	462 1 10½	0 0 0
	£55,904 2 0	69,098 13 0½	18,566 16 6½	5,372 5 6

B. ROBINSON, P. T.

Treasury, St. John, 25th January, 1844.

## STATEMENT OF THE FINANCES OF NEW BRUNSWICK, 31st DECEMBER, 1843.

<i>Debts.</i>						
Warrants of Series, 1841, bearing Interest,.....	£18,074	2	1			
Do. 1842, Do. ....	41,309	16	6			
Do. 1843, Do. ....	30,512	6	5			
				£89,896	5	0
Back Interest due on the above, to the 1st December, 1843,.....				339	4	4
Debentures issued for Loans, (Burnt District,).....	£16,300	0	0			
Interest due thereon,.....	396	0	0			
				16,696	0	0
Amount due to the Savings' Bank, bearing Interest,.....				6,586	2	9
Balance due on Cash Credit Account at Bank of New Brunswick,.....				21,326	4	9
Appropriations for which Warrants have not issued, viz:—						
For Bye Roads of the Session of 1842,.....	£15,649	10	0			
Other Grants of 1842, per Account of Province Secretary,	3,288	2	0			
Appropriations of 1843, Do. Do. Do.	2,644	17	6			
				21,602	9	6
				£156,446	6	4
<i>Assets.</i>						
Ordinary Bonds and Cash in the Treasury,.....	£5,476	18	10			
Balance remaining of Copper Coin,.....	963	14	3			
				£6,440	13	1
Bonds for Loans, (Burnt District,).....	£14,950	0	0			
Interest due thereon,.....	1,395	0	0			
				16,345	0	0
Bond of Saint John Water Company,.....	£5,000	0	0			
Bond of Corporation of Saint John,.....	3,250	0	0			
				8,250	0	0
Advances in anticipation of Grants to be made,.....	1,298	2	5			
Total Assets in the hands of the Treasurer and his Deputies,.....				32,333	15	6
Balance due by the Province, per Account of the Treasurer,.....				£124,112	10	10
<i>Further Assets.</i>						
Bonds in Suit per Account of Attorney General, £10,078	12	10				
Cash in the hands of the Attorney General,.....	49	15	11			
				£10,128	8	9
Bonds in hands of Rec. Gen. of Casual Revenue, £21,892	7	8				
Cash Do. Do. Do.	1,403	0	11			
				23,295	8	7
Balance in the hands of Geo. Baillie, Esq., about £300	0	0		300	0	0
				33,723	17	4
				£90,388	13	6

Amount of the Debt,..... £90,388 13 6

(Signed)

B. ROBINSON, P. T.

Treasury, Saint John, 27th January, 1844.

I have added £1,000 to the balance in the hands of the Receiver General, that sum charged by him on 30th December, coming too late for Account of 1843.—B. R.

The Honorable Mr. Crane, by leave, presented a Petition from William Gremley, Oliver Willard, Hugh Morell and seventy others, Inhabitants of the County of Northumberland,

Northumberland, praying a productive Duty of thirty or forty per cent. upon imported Boots and Shoes, whether British or Foreign, or grant such other relief to them as may appear right, for reasons set out in their Petition.

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

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

A Petition from Henry Gilbert, Henry Porter, Ambrose S. Perkins and one hundred other Merchants and Inhabitants of Saint John, praying the Province Treasurer may be directed to receive at the rate of ten per cent. in Coppers, in payment of Duties, until one thousand five hundred pounds shall be withdrawn from circulation; and that measures may be taken to procure and place in safe custody or destroy the Dies from which the Copper Coin has been formed: and

A Petition from Alexander M'Lauchlan, a licenced teacher, praying an allowance for teaching a School in the Parish of Fredericton, in the years one thousand eight hundred and thirty six and one thousand eight hundred and thirty eight.

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

The Honorable Mr. Botsford, by leave, presented a Petition from the Commissioners of Bathurst Bridge, praying a sum of money to enable them to pay a balance due for erecting the Bridge.

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

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

A Petition from John Marks, of Charlotte County, praying relief from a loss sustained by him in the purchase of Crown Lands in the year 1835: and

A Petition from Alexander Campbell, of the same County, with a similar prayer.

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

*Adjourned until To-morrow at 1 o'clock.*

THURSDAY, 8th February, 1844.

PRESENT:

THE HON.

*Mr. Black,  
Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Hatch,  
Mr. Johnston,  
Mr. Minchin.*

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

The Honorable Mr. Black sat President.

PRAYERS.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill intituled "An Act relating to Lands belonging to Her Majesty, and for vesting Her title to the same in the principal Officers of Her Majesty's Ordnance Department.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The

The Chairman reported that the Committee had gone through the Bill, and recommended the same to the adoption of the House.

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

On motion made and seconded—

RESOLVED, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to direct copies of any Despatches that he may have received from the Colonial Secretary, in any way, relating to the removal of certain Members of this House, and the appointment of Members in their room, to be laid before the House.

ORDERED, That the Honorable Messieurs Botsford and Wyer be a Committee to present the same.

The Honorable Mr. Johnston, by leave, presented a Petition from Major Richard French, in command of part of Her Majesty's 52d Regiment, stationed at Fredericton, praying that the amount of Duties paid in the Province, on Wines consumed by the Regiment, may be repaid, in the manner heretofore usual in this Province.

ORDERED, That the Petition be received, and lie on the table.

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

A Petition from the Stockholders of the Charlotte County Bank, by their President, praying an alteration may be made in the Act incorporating them:

A Petition from George Fitzgerald, of Saint Stephen, in Charlotte County, praying an allowance for teaching a School from July, 1842, to February, 1844, in the said County: and

A Petition from Thomas Shannon and eight other inhabitants of the Parish of Saint James', in Charlotte County, praying a sum of money may be expended on a Road from their residence to the main Road leading to Saint Stephen's Parish.

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

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

A Petition from David W. Jack, Deputy Province Treasurer at Saint Andrews, praying an additional allowance for his services, and for consideration in the event of the consolidation of the Revenue Departments:

A Petition from John Pendleberry, Keeper of the Light House in Saint Andrews Harbour, praying an addition to his Salary:

A Petition from James Maloney, James Clark and eight others, Branch Pilots at Saint Andrews, praying an Act may pass for their relief:

A Petition from Timothy F. Harley, a Schoolmaster, praying that part of an allowance for the education of poor Children in Saint Andrews, may be assigned to him, in proportion to the number of Children attending his School:

A Petition from Rachael Harvey, the Widow of Henry Harvey, late a Pensioner, praying some Provincial allowance may be continued to him: and

A Petition from Theodore Winchester, of Grand Manan, praying an allowance for teaching a School from the 26th day of April, 1842, to the first day of October following.

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

*Adjourned until To-morrow at 12 o'clock.*

**FRIDAY,**

FRIDAY, 9<sup>th</sup> February, 1844.

## PRESENT:

THE HON.

Mr. Black,  
Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Hatch,  
Mr. Johnston,  
Mr. Minchin.

Mr. Shore,  
Mr. Saunders,  
Mr. Attorney General,  
Mr. Wyer,  
Mr. Kinneer,  
Mr. Crane,

The Honorable Mr. Black sat President.

## PRAYERS.

Pursuant to the Order of the Day, the Bill, intituled "An Act relating to certain Lands belonging to Her Majesty, and for vesting the title to the same in the Principal Officers of Her Majesty's Ordnance Department," was read a third time and passed.

ORDERED, That the title be—

"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."

ORDERED, That the Master in Chancery do carry the said Bill down to the Assembly, and acquaint that House that the Legislative Council have passed this Bill, and desire the concurrence of the Assembly thereto.

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

A Petition from Robert Rankin and Company, of the City of Saint John, Merchants, praying a return of Duties paid on Passengers, on board the Barque Louisa, from Cork, at the Port of Saint John, in April last:

A Petition from the same persons, praying a like return of Duties paid on Passengers on board the Brig Caroline, from Ballyshannon, in May last: and

A Petition from Benjamin Gales, a Master Mariner, praying a return of £29 19 2, an excess of Head Money paid by him at Saint John, in July last.

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

The Honorable the President informed the House, that he had received from the Secretary of the Province, a statement of the affairs of the Saint John Mechanics' Whale Fishing Company, on the 1st day of September, 1843, accompanied by a list of the names of the Stockholders.

ORDERED, That the same do lie on the Table.

*Adjourned until Monday next at 12 o'clock.*

MONDAY, 12th February, 1844.

PRESENT:

THE HON.

*Mr. Black,*  
*Mr. Robinson,*  
*Mr. Botsford,*  
*Mr. Chandler,*  
*Mr. Wyer,*  
*Mr. Kinnear,*

*Mr. Shore,*  
*Mr. Saunders,*  
*Mr. Attorney General,*  
*Mr. Street,*  
*Mr. Hatch,*  
*Mr. Minchin.*

The Honorable Mr. Black sat President.

PRAYERS.

The Honorable Mr. Botsford from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of this House, relative to the recent removal of some of its Members, and the appointment of others in their room, reported, that they had attended to that duty, and His Excellency was pleased to say, he would answer the Address by Message.

The Honorable Mr. Chandler, a Member of Her Majesty's Executive Council, by direction of His Excellency the Lieutenant Governor, lays before the House the following Accounts and Documents from the Provincial Auditor:—

*Civil List of the Province of New Brunswick for the Year 1843.*

*First Quarter—March 30th.*

Paid Salary of the Lieutenant Governor,.....	£865	7	8
“ “ Private Secretary,.....	57	13	10
“ “ Chief Justice Chipman,.....	274	0	9
“ “ Judge Botsford,.....	187	10	0
“ “ Judge Carter,.....	187	10	0
“ “ Judge Parker,.....	187	10	0
“ “ Provincial Secretary,.....	399	17	9
“ “ Surveyor General,.....	300	0	0
“ “ Auditor General,.....	86	10	9
“ “ Receiver General,.....	86	10	9
“ “ Attorney General,.....	158	13	0
“ “ Solicitor General,.....	57	13	10
“ “ Emigrant Agent,.....	28	16	11
“ “ Presbyterian Minister,.....	14	8	5
“ Donation to King's College,.....	277	15	6
“ Donation to Indians,.....	15	0	0
“ Annuity to A. Lockwood, Esquire,.....	43	5	4
	<u>£3,228</u>	<u>4</u>	<u>6</u>

*Second*



*Second Quarter—to 30th June.*

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

*Third Quarter—to 30th September.*

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

*Last Quarter—to 31st December.*

Paid Salary of the Lieutenant Governor,.....	£865	7	8
“ “ Private Secretary,.....	57	13	10
“ “ Chief Justice Chipman,.....	274	0	9
“ “ Judge Botsford,.....	187	10	0
“ “ Judge Carter,.....	187	10	0
“ “ Judge Parker,.....	187	10	0
	<hr/>		
<i>Carried forward,.....</i>	£1,759	12	3

	<i>Brought forward</i> ,.....	£1,759	12	3
Paid	Salary of Provincial Secretary,.....	399	17	9
"	" Surveyor General,.....	300	0	0
"	" Auditor General,.....	86	10	9
"	" Receiver General,.....	86	10	9
"	" Attorney General,.....	158	13	0
"	" Solicitor General,.....	57	13	10
"	Donation to King's College,.....	277	15	6
"	Donation to Indians,.....	15	0	0
"	Annuity to A. Lockwood,.....	43	5	4
		<hr/>		
		£3,184	19	2
		<hr/>		
Total for the Year	,.....	£12,783	2	0
Amount of Civil List	,.....	14,500	0	0
		<hr/>		
Surplus on the Year	,.....	£1,716	18	0
		<hr/>		

F. P. ROBINSON, *Auditor*.*Office of Audit, 31st January, 1844.**Distribution of the Surplus Civil List Fund, for the year ending 31st December, 1843.*

No.	1843.	DR.		
44.	March 30.	To amount paid	Honorable F. P. Robinson, Salary as Provincial Auditor,.....	£38 9 3
45.	" "	" "	Honorable F. P. Robinson, Clerk hire, Quarter ending this date,.....	37 10 0
46.	" "	" "	Honorable F. P. Robinson, extra Clerk hire, Quarter ending this date,.....	31 0 0
47.	April 16.	" "	Provincial Secretary's Postage for Quarter ending 31st March,.....	48 0 7
48.	June 30.	" "	Honorable F. P. Robinson, Salary as Provincial Auditor, Quarter ending 30th June,.....	38 9 3
49.	July 11.	" "	Honorable Thomas Baillie, arrearages of Salary as Surveyor General in January 1840,.....	78 18 1
50.	July 25.	" "	Samuel Babbit, Salary of the late A. Wedderburn, Emigrant Agent, to 17th June, 1843,.....	24 13 5
51.	July 25.	" "	M. H. Perley, Salary as Acting Emigrant Agent, from 17th to 30th June,.....	4 3 6
				<hr/>
		<i>Carried forward</i> ,.....		£296 4 1

		<i>Brought forward</i> ,.....	£301	4	1
52.	Aug. 30.	“ “ Provincial Secretary's Postage for the Quarter ending 30th June,.....	31	19	1
53.	Sept. 28.	“ “ Honorable F. P. Robinson, Salary as Provincial Auditor,.....	38	9	3
54.	Oct. 11.	“ “ M. H. Perley, Salary as Acting Emi- grant Agent, 3d Quarter, 1843,....	28	16	11
55.	Oct. 12.	“ “ Provincial Secretary's Postage to 30th September,.....	24	13	5
56.	Dec. 29.	“ “ Honorable F. P. Robinson, Salary as Provincial Auditor,.....	38	9	3
	Dec. 31.	To Balance in favor of the Funds,.....	6,381	6	7
			<hr/>		
			£6,844	18	7
			<hr/>		

1842.		CR.			
December	31.	By Balance in Receiver General's hands, this date,....	5,128	0	7
1843—	Oct. 31.	“ Surplus on the year ending this date,.....	1,716	18	0
			<hr/>		
			£6,844	18	7
			<hr/>		

1843.					
October	31.	By Balance in the Receiver General's hands of the Surplus Civil List Fund,.....	£,6318	6	7
			<hr/>		

Office of Audit, 31st January, 1844.

F. P. ROBINSON.

*Abstract of the Receipts and Expenditures of the Queen's Casual and Territorial Revenues  
of the Province of New Brunswick for the year ending 31st December 1843.*

1842.		DR.			
December	31.	To Balance in favor of the Revenue,.....	£1,235	8	6
		“ Gross proceeds of Tonnage on Timber and Lumber cut on Crown Lands,.....	14,543	11	8
		“ Gross proceeds of Land sold and leased,.....	1,933	4	0
		“ Contingencies and other sources,.....	1,217	7	5
		“ Fines in Courts of Law,.....	4	0	0
		“ Militia Clothing,.....	25	0	0
			<hr/>		
			£18,958	11	7
			<hr/>		
1843.					
October	31.	By Balance in the Receiver General's hands,.....	£257	4	9
		Add unpaid Warrants,.....	145	16	2
			<hr/>		
			£403	0	11
			<hr/>		

1843—December 31.		CR.	
By amount paid expenses of establishing permanent Stations in connexion with Capt.			
	Owens' Survey of the River Saint John,.....	£45	7 9
"	" Provincial Treasurer,.....	12,980	0 0
"	" For Land Surveys,.....	1,451	7 4
"	" For Inspecting Timber and Lumber,.....	625	1 9
"	" Jacob Allan's Salary and Expenses of Office,.....	363	9 11
"	" Seizing Officers' dues,.....	151	5 3
"	" Exploring North West Frontier,.....	130	6 5
"	" For selling Wild Meadows,.....	4	10 0
"	" For Investigating Charges against Deputies,.....	82	0 0
"	" Costs of Prosecution of Deputy Allan,.....	139	5 5
"	" Commissioners investigating J. Cunards' Accounts with Crown Land Office,.....	100	0 0
"	" Clerk Hire Crown Land Office,.....	1,312	15 10
"	" Contingencies ditto, .....	156	8 1
"	" Postage ditto, .....	148	10 10
"	" Printing and Advertising in Royal Gazette,.....	206	0 4
"	" Deposits and Tonnage returned,.....	177	16 8
"	" Lieutenant Governor's Postage,.....	50	12 1
"	" Provincial Secretary's Postage,.....	55	10 6
"	" Ditto ditto Contingencies,.....	90	16 6
"	" Receiver General's Contingencies,.....	22	8 5
"	" Auditor General's ditto, including Office Rent, Auditor's Postage,.....	57	1 11
"	" Adjutant General's Contingencies,.....	54	6 2
"	" Executive Councillors' Travelling Expenses,.....	11	8 0
"	" Ditto Contingencies,.....	270	13 4
"	" E. Ward's Contingencies as Emigrant Agent,.....	1	14 0
"	" Superintendent Work on Royal Road,.....	7	2 0
"	" Balance in the Receiver General's hands,.....	5	8 4
		257	4 9
		<u>£18,958 11 7</u>	

F. P. ROBINSON.

*Office of Audit, 31st January, 1844.*

The Honorable Mr. Chandler, also by direction of His Excellency lays before the House, a report from the Commissioners of the Provincial Penitentiary, dated the 31st day of December, 1843: and

A report from George P. Peters, M. D., Medical Superintendent of the Provincial Lunatic Asylum.

ORDERED, That the papers do lie on the Table.

[See Appendix, No. 2. and 3.]

The Honorable the President acquainted the House, that by a Mandamus under the

the Royal Sign Manual, dated the 30th day of December 1843, William Fitz William Owen, Esquire, Captain, R. N., was appointed a Member of this House, in the room of the Honorable Thomas Baillie.

**ORDERED**, That the Honorable Messieurs Wyer and Hatch be a Committee to attend Captain Owen, and see him qualified.

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

The said Bill was read a first time.

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

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

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

The Honorable Mr. Botsford presented to the House a Bill, intituled "An Act to authorize the Rector, Church Wardens and Vestry of Saint Ann's Church, in the Parish of Sackville, to sell certain Lots of Glebe Land, and to dispose of the money arising from the sale thereof, in the purchase of other Lands."

The said Bill was read a first time.

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

The Honorable Mr. Chandler presented to the House a Bill, intituled "An Act to continue and amend the Act incorporating the Charlotte County Bank."

The said Bill was read a first time.

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

The Honorable Mr. Wyer from the Committee appointed to attend Captain Owen and see him qualified, reported, that they had according to order, attended the Honorable Captain Owen, who took the usual oaths in the presence of His Excellency the Lieutenant Governor.

The Honorable Captain Owen was then introduced between Mr. Wyer and Mr. Hatch, and took his Seat.

The Honorable Mr. Botsford, by leave, presented a Petition from the Rector, Church Wardens and Vestry of the Parish of Sackville, praying that an Act may pass to enable them to sell certain Lots of Glebe Land, and dispose of the proceeds of such sale in other Lands.

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

The Honorable Mr. Hatch, by leave, presented a Petition from James Lawler, of Charlotte County, praying for aid in running a Packet between Saint Andrews, West Isles, Campo Bello and Grand Manan.

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

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

A Petition from Henry Colter, praying an allowance for teaching a School six months in Charlotte County, in the year 1841: .

A Petition from Thomas Nisbet and Thomas Nisbet, Junior, Cabinet Makers, praying an amount may be granted to them for furniture provided in putting up the Council Chamber, for reasons set forth in the Petition :

A Petition from Benjamin Brown, Isaac Kennedy and thirty four others, inhabitants of Saint Andrews, praying a further Protective Duty may be imposed on all Foreign Shoes and Boots imported into the Province :

A Petition from Daniel Lee and Theodore Knutter, of Charlotte County, praying an allowance for extra work done by them on a Bridge over the Magaguadavic River : and

A Petition from William Ker, John Wilson, William Garnett and sixty other persons, Merchants and inhabitants of Charlotte County, praying that Bounties may be granted for the encouragement of the Fisheries in the Province.

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

The Honorable Mr. Saunders, by leave, presented a Petition from James Hartley, Benjamin Ingraham, Asa Dow and other inhabitants of the County of York, praying an Act may pass to divide the Parish of Dumfries.

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

*Adjourned until To-morrow at 12 o'clock.*

TUESDAY, 13th February, 1844.

PRESENT:

THE HON.

*Mr. Black,  
Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Wyer,  
Mr. Kinneer,  
Mr. Minchin.*

*Mr. Shore,  
Mr. Saunders,  
Mr. Attorney General,  
Mr. Street,  
Mr. Hatch,  
Mr. Owen,*

The Honorable Mr. Black sat President.

PRAYERS.

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

A Bill to authorize the Rector, Church Wardens and Vestry of Saint Ann's Church, in the Parish of Sackville, to sell certain Lots of Glebe Land, and to dispose of the money arising from the sale thereof, in the purchase of other Land : and

A Bill to authorize the Justices of the Peace in the County of Kent to levy an Assessment to defray the Contingent Expenses of the County.

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

Pursuant to the Order of the Day, the Bill to continue and amend the Act incorporating the Charlotte County Bank, was read a second time.

ORDERED, That the said Bill be referred to the Select Committee appointed to examine and report upon Bills relating to Corporation. A

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

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

NEW BRUNSWICK.

*Message to the Legislative Council,  
9th February, 1844.*

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

The Lieutenant Governor lays before the Council, the copy of a Despatch from the Secretary of State for the Colonies, relative to the imposition of Differential Duties on goods imported into the British Colonies.

W. M. G. C.

[*See Appendix No. 4.*]

The Honorable Mr. Chandler, also by direction of His Excellency, lays before the House, a Report from the Commissioners of Light Houses.

ORDERED, That the same do lie on the Table.

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

A Bill to incorporate the Saint Stephen Wellington Mill Company: and

A Bill to authorize the Justices of the Peace for the County of Charlotte, to make further provision for the payment of the Treasurer of that County.

The said Bills were severally read a first time.

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

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

A Petition from William M'Kinney and one hundred and sixty other persons, inhabitants of the Parishes of West Isles and Campo Bello, praying no Law may be allowed to pass to interfere with the rights of Wier privileges as at present by Law established:

A Petition from Samuel Abbot and John Wilson, inhabitants of Charlotte County, praying relief in consideration of the forfeiture of the amount paid by them as a first instalment on the purchase of Crown Lands in the year 1835: and

A Petition from Flora M'Kenzie, of the County of Charlotte, praying an allowance for teaching a School in that County for one year, ending the 15th March, 1843.

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

*Adjourned until To-morrow at 12 o'clock.*

WEDNESDAY, 14th February, 1844.

PRESENT:

THE HON.

*Mr. Black,  
Mr. Saunders,  
Mr. Chandler,*

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

*Mr. Wyer,  
Mr. Kinnear,  
Mr. Owen,*

*Mr. Hatch,  
Mr. Johnston,  
Mr. Minchin.*

The Honorable Mr. Black sat President.

PRAYERS.

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

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

NEW BRUNSWICK.

*Message to the Legislative Council,  
13th February, 1844.*

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

The Lieutenant Governor lays before the Council, Copies of two Despatches which he has received from the Secretary of State for the Colonies, in reference to the subject of their Address of the 8th instant.

W. M. G. C.

(Copy.)

[No. 170.]

*Downing Street, 11th July, 1843.*

SIR,—I have laid before the Queen the Address of the House of Assembly of New Brunswick, (enclosed in your Despatch, No. 27. of the 15th April last,) recommending certain measures for the reconstruction and improvement of the Legislative Council of the Province. Having maturely weighed this Address, Her Majesty's confidential advisers have humbly submitted to the Queen the following opinion on the subject to which it refers.

The House of Assembly insist that the Legislative Council of New Brunswick ought to be composed of persons connected with all the great Religious Denominations, and with all the more considerable social interests of the Province; that they should be men of independent property, and of unimpeached personal reputation; that any Member becoming bankrupt or insolvent, or a public defaulter, should immediately vacate his Seat; that some period should be prescribed, beyond which, no Legislative Councillor should be permitted to absent himself from his duties without incurring a similar forfeiture; that of the whole Body, a decided majority should be persons exempt alike from any direct influence of the Executive Government, and from any dependence on the popular branch of the Local Legislature; and that the entire number of Legislative Councillors holding Office at the pleasure of the Crown, should never be greater than might be necessary for the conduct of the business of the Government in that House.

From this Address, and from your own Despatch transmitting it, it would appear that there is little conformity between these principles and the existing composition of the Legislative Council of New Brunswick. It is maintained in the Address, and it appears to be virtually acknowledged by yourself, that of the present Members, an unduly large proportion are holders of Offices at the pleasure of the Crown; that such official persons constitute a majority of the Members usually present at the Meetings of the Legislative Council; and that there are some considerable Religious Denominations and social interests in the Province with which no Member of that Body has any immediate connexion. The absence of any provision for vacating the Seats of Members in the various cases already mentioned, is a fact which demands no proof.

Under these circumstances, Her Majesty's Government have humbly submitted to the Queen their opinion that it would be proper to revise the Instruments by which the Legislative Council of New Brunswick is constituted. We have recommended that on that revision the number of Legislative Councillors should be increased to twenty one; that of that number seven only should be persons holding



holding Office at the pleasure of the Crown, and that the Quorum should be fixed at eight. We have further advised Her Majesty that provision should be made for vacating the Seats of Members either in the case of Bankruptcy or Insolvency, or in any case where a Member should be a defaulter, or should be convicted of any of the crimes, which in the technical sense of the word are distinguished as infamous. To these Rules we have proposed that another should be added, for rendering void the Seat of any Member absenting himself, whether with or without leave, after the lapse of a certain prescribed period.

Thus far it has appeared to us that no practical difficulty would arise in giving effect to the views of the Assembly; but it may not be equally easy to adopt their suggestions as to the qualifications which they desire that every unofficial Member of the Legislative Council should possess. To find fourteen gentlemen all at once able and willing to serve in that House, all independent in their fortunes, and all so connected with the social and Christian Denominations of the inhabitants, as that no such interest or denomination shall be without some one Patron or Representative there, is a problem of which it may not be possible to discover any perfect solution. The utmost that can be promised or attempted is, that in the selection of Members, these recommendations will be borne in mind, and will be acted upon as far as may be found practicable.

The House of Assembly further recommend that no Councillor should hold his Seat except so long as he may possess a certain Proprietary Qualification. To this recommendation the Queen has not been advised to accede. Her Majesty's Government have not thought it right that the Royal Prerogative of selecting Legislative Councillors, should now, for the first time, be narrowed by such a restriction, or that such a precedent should be established in opposition to the practice, which, during the last two centuries, has uniformly prevailed throughout the widely extended Colonial possessions of Great Britain.

Such being the advice which the Ministers of the Crown have tendered to the Queen, I have received Her Majesty's commands to instruct you to signify to the House of Assembly of New Brunswick, that Her Majesty has been graciously pleased to approve and to adopt our recommendations; and that the necessary instruments for carrying them into effect, will be transmitted to you before the next Session of the General Assembly of the Province. The Queen further commands me to convey through you to the House, the assurance of the gratification with which Her Majesty has received the renewed expressions of loyalty and affection contained in this Address. Relying implicitly on the attachment of her faithful Commons of New Brunswick to the Constitution under which they live, it is peculiarly grateful to the Queen to find, that the changes which they propose for her acceptance are entirely in the spirit of that Constitution, and appear to Her Majesty well calculated to promote the great ends, with a view to which it was established, by Her Majesty's Royal Predecessors.

I have, &c.

(Signed)

STANLEY.

His Excellency Sir Wm. Colebrooke.

(Copy.)

[No. 215.]

*Downing Street, 30th December, 1843.*

SIR,—In my Despatch of the 11th July, 1843, No. 170, I informed you that Her Majesty's Government had humbly submitted to the Queen, their opinion that it would be proper to revise the Instruments by which the Legislative Council of New Brunswick is constituted. That revision was postponed only until I should be in possession of the additional intelligence which your Despatches of the 20th October, 1843, No. 100, and the 14th November, 1843, No. 109, have conveyed to me.

On proceeding to execute the intention which I had thus announced, aided by your two last mentioned Despatches, it has been gratifying to me to discover that it will be practicable to fulfil the pledges contained in my Despatch of the 11th of July, without incurring the inconvenience of introducing any change in the Royal Commission and standing Instructions under which you are acting.

1. The first change to be made is that of increasing, from fifteen to twenty one, the total number of the Members of the Legislative Council. In exercise of the power reserved to Her Majesty by the Royal Commission, the Queen has partially effected this alteration, by issuing, under the Royal Sign Manual, the four accompanying Warrants for the appointment of four of the additional Councillors.

2. The

2. The rule, that of the twenty one members of the Legislative Council, seven only should be persons holding office at the pleasure of the Crown, being a rule in restraint of the Royal Prerogative, and obligatory on the Crown itself, is as fully established, and is as binding when laid down in Her Majesty's name, in pursuance of the commands which the Queen has been pleased to lay on me for that purpose, as if it were incorporated in the Royal Instructions.

3. That the Quorum should be fixed at eight, is a rule, the repetition of which would be superfluous, as it is already to be found in the Royal Commission.

4. As the Commission already authorizes you, on sufficient cause, to suspend any Member of the Legislative Council, and as they all hold their offices at the Queen's pleasure, the principle that every seat shall be vacated on proof that the holder has become Bankrupt or Insolvent, or a public Defaulter, or guilty of any infamous crime, is a rule which, without any change in that Commission, may be effectually established. If any such case should arise, you will immediately exercise the power of suspension already vested in you, nor will the Queen hesitate to confirm any such suspension, by the final removal of the person affected by it, if the fact on which your original order may proceed, shall be substantiated.

5. The last change contemplated in my Despatch of the 11th of July, regards the effect of the unauthorized or protracted absence of Members of the Legislative Council. On referring to your present Instructions, you will however see that all that is necessary for securing this object is a close adherence to the provisions of them.

Whenever a change in the office of Governor General may render indispensable the issuing of a new Commission and Instructions, care will be taken that they should be framed in strict accordance with the views and intentions explained in my present Despatch, and in that of the 11th of July. In the meantime you will find that there is nothing in the existing Commission and Instructions which could in any degree obstruct or interfere with the complete fulfilment of Her Majesty's gracious purposes. For the more complete elucidation of them, you will communicate this Despatch, and my Despatch of the 11th July, to both Houses of the Provincial Legislature, in compliance with any Address for the production of them which they may present you.

I have, &c.

(Signed)

STANLEY.

His Excellency Sir Wm. Colebrooke.

Pursuant to the Order of the Day, the Bill to incorporate the Saint Stephen Wellington Mill Company, was read a second time.

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

Pursuant to the Order of the Day, the Bill to authorize the Justices of the Peace for the County of Charlotte to make further provision for the payment of the Treasurer of that County, was read a second time.

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

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received, and leave granted.

A Message was brought from the Assembly by Mr. Fisher, with a Bill to erect a  
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part of the Parish of Dumfries, in the County of York, into a separate Town or Parish, and to alter the name of the said Parish, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The Honorable Mr. Johnston, by leave, presented a Petition from Thomas Leavitt and Company, of the City of Saint John, Merchants, praying an excess of Duty paid at the Treasury Office in 1842, may be allowed them.

ORDERED, That the Petition be received, and lie on the table.

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

A Petition from Robert Watson, Deputy Treasurer at Saint Stephens, praying for a further compensation for his services: and

A Petition from the Justices of the Peace for the County of Charlotte, for a sum of money to pay a Debt incurred in supporting Emigrant Paupers.

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

The Honorable Mr. Wyer, by leave, presented a Petition from Freeman H. Todd, of Charlotte County, setting forth, that he paid £925 towards the purchase of four thousand acres of Crown Land in the year 1835, and praying he may be allowed to complete the purchase at five shillings per acre, or for such other relief as may be deemed reasonable.

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

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

A Petition from the Mayor, Aldermen and Commonalty of the City of Saint John, praying that the inhabitants of the City may not be further taxed, until the amounts now annually imposed upon them are paid off, or greatly lessened: and

A Petition from the same Corporation, praying to be remunerated for monies expended for Emigrants on Partridge Island.

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

*Adjourned until To-morrow at 12 o'clock.*

THURSDAY, 15th February, 1844.

PRESENT:

THE HON.

*Mr. Black,  
Mr. Cunard,  
Mr. Saunders,  
Mr. Attorney General,  
Mr. Street,  
Mr. Hatch,  
Mr. Owen,*

*Mr. Shore,  
Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Wyer,  
Mr. Johnston,  
Mr. Minchin.*

The Honorable Mr. Black sat President.

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PRAYERS.

**PRAYERS.**

Pursuant to the Order of the Day, the Bill to erect a part of the Parish of Dumfries, in the County of York, into a separate Town or Parish, and to alter the name of the said Parish, was read a second time.

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

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to authorize the Justices of the Peace for the County of Charlotte, to make further provision for the payment of the Treasurer of that County.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

On motion,

The House was put into a Committee of the whole to take into consideration the Bill to authorize the Rector, Church Wardens and Vestry of Saint Ann's Church, in the Parish of Sackville, to sell certain Lots of Glebe Land, and to dispose of the money arising from the sale thereof in the purchase of other Lands.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same to the adoption of the House.

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

On motion made and seconded,

**RESOLVED,** That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to direct copies of his Despatch to the Right Honorable the Colonial Secretary, of the 15th day of April, 1843, (No. 27) respecting the re-construction and improvement of the Legislative Council of this Province; also, copies of His Excellency's Despatches to the Right Honorable Secretary, of the 20th day of October, 1843, (No. 100), and of the 14th day of November, 1843, (No. 109), relating to the composition of this House, to be laid before it.

**ORDERED,** That the Honorable Messieurs Botsford and Wyer be a Committee to present the same. The

The Honorable Mr. Johnston, by leave, presented a Petition from Enoch Lunt, of the County of Sunbury, praying for a remission, in part, of the balance due by him for Stumpage on sapling Red Pine Timber in 1842.

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

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

A Petition from Henry Cunard, John T. Williston, John Wright, William Loch and eighty three others, Merchants and inhabitants of Miramichi and its vicinity, praying that the Legislative Grant made in 1840, to encourage a Weekly Steam Communication between Miramichi, Charlotte Town and Pictou, may be paid to the Prince Edward Island Steam Navigation Company:

A Petition from Joseph Read, Henry W. Baldwin, Robert Gordon, Thomas M. DeBlois and others, Merchants and inhabitants of the County of Gloucester, with a similar prayer: and

A Petition from the Directors of the Prince Edward Island Steam Navigation Company, praying remuneration for running a Steam Boat between Miramichi, Charlotte Town and Pictou, in the year one thousand eight hundred and forty two.

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

The Honorable Mr. Botsford, by leave, presented a Petition from John Miller, Deputy Provincial Treasurer for the district of Bathurst, praying for an additional allowance for the performance of his duties.

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

The Honorable Mr. Wyer, by leave, presented a Petition from the Overseers of the Poor of the Parish of Saint George, in the County of Charlotte, praying to be reimbursed an amount advanced by them for the relief of indigent Emigrants in the year 1842.

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

\* *Adjourned until To-morrow at 12 o'clock.*

FRIDAY, 16th February, 1844.

PRESENT:

THE HON.

*Mr. Black,  
Mr. Cunard,  
Mr. Attorney General,  
Mr. Wyer,  
Mr. Johnston,  
Mr. Minchin.*

*Mr. Shore,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Hatch,  
Mr. Owen,*

The Honorable Mr. Black sat President.

PRAYERS.

Pursuant to the Order of the Day, the Bill intituled "An Act to authorize the Rector, Church Wardens and Vestry of Saint Ann's Church, in the Parish of Sackville,

Sackville, to sell certain Lots of Glebe Land, and to dispose of the money arising from the sale thereof in the purchase of other Lands," was read a third time and passed.

ORDERED, That the Title be—

An Act to authorize the Rector, Church Wardens and Vestry of Saint Ann's Church, in the Parish of Sackville, to sell certain Lots of Glebe Land, and to dispose of the money arising from the sale thereof, in the purchase of other Lands.

ORDERED, That the Master in Chancery do carry the said Bill down to the Assembly, and acquaint that House, that the Legislative Council have passed this Bill, and desire the concurrence of the Assembly thereto.

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

A Bill to authorize the Justices of the Peace in the County of Kent to levy an Assessment to defray the Contingent Expenses of the County: and

A Bill to authorize the Justices of the Peace for the County of Charlotte to make further provision for the payment of the Treasurer of that County.

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

A message was brought from the Assembly, by Mr. Jordan, with Resolutions of Appropriation, dated the eighth day of February, instant, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

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

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

A Message was brought from the Assembly, by Mr. Barberie, with a Bill to lay a tax on Dogs in the Towns of Dalhousie and Campbellton, in the County of Restigouche, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

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

A Bill explanatory of an Act, intituled "An Act for erecting a Parish in the City of Saint John, and incorporating the Rectors, Church Wardens and Vestries of the Church of England in the several Parishes in this Province:"

A Bill to authorize the Justices of the Peace for the County of Charlotte, to levy an assessment to pay off the County Debt: and

A Bill to incorporate the Bolton Brook Navigation Company.

The said Bills were severally read a first time.

ORDERED, That the two first mentioned Bills be severally read a second time on Monday next.

ORDERED, That the twenty third Rule of this House be dispensed with as regards the

the Bill to incorporate the Bolton Brook Navigation Company, and that the said Bill be read a second time.

The said Bill was read a second time.

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

The Honorable Mr. Botsford from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of this House respecting His Excellency's Despatches to the Colonial Secretary on the subject of the re-construction and improvement of this House, reported, that they had attended to that duty, and that His Excellency was pleased to say, he would reply to their Address by Message.

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

A Petition from Henry Gilbert, Henry Porter, Daniel Leavitt, James Kirk, Robert Rankin and Company, and one hundred and fifty others, Merchants, Magistrates, Shipowners, Mechanics, and other inhabitants of the City of Saint John, praying the present Laws relating to Bankruptcy may be repealed:

A Petition from L. Donaldson, Stephen Wiggins and Son, Robert Rankin and Company, James Kirk, John Wishart and eight others, Merchants and Ship owners, resident in the City of Saint John, setting forth they have for a series of years experienced great inconvenience from the collection of what is termed double Head Money on Emigrant Passengers arriving at Saint John, and praying relief to parties, who during the past year, or since the passing of the Imperial Act, have been compelled to pay such money, and that a Law may be allowed to pass in accordance with the Imperial Act now in force:

A Petition from the Justices of the Peace in the City and County of Saint John, in General Sessions, praying an Act may pass authorizing the Sessions to order compensation to be made to certain Assessors of Rates, for services performed:

A Petition from the same Justices in General Sessions, praying an Act may be allowed to pass to give authority to borrow a sum of money not exceeding Six thousand pounds, to place it within their power to discharge the debt against the County:

A Petition from the same Justices, praying an Act may pass to empower them to dispose of at public sale, pull down or otherwise remove the old Gaol of the County: and

A Petition from the Mayor, Aldermen and Commonalty of the City of Saint John, praying re-payment of certain sums of money expended upon the Great Road near Saint John, leading to the Parish of Lancaster.

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

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

A Petition from John Fraser, William Salter, Thomas C. Allan and others, of New castle, praying an allowance may be made to John Seivewright for teaching a Grammar School at that place: and

A Petition from Alexander Goodfellow, praying remuneration for services and expenses incurred as Commissioner on the Road from Fredericton to Petitcodiac.

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

The

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

A Petition from Mercy M'Nichol, of Charlotte County, Widow of an old Soldier of the Revolutionary War in America, praying relief in her distressed condition : and  
A Petition from George C. Irvine, praying an allowance for teaching a School in Westfield, in King's County.

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

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

A Petition from the Directors of the Prince Edward Island Steam Navigation Company, praying remuneration for running a Steamboat between Miramichi, Charlotte Town and Pictou, in the year 1842, under the encouragement of a Law passed in 1840 :

A Petition from Francis Elliott, of Northumberland, praying a balance due him for extra work done on Bathurst Bridge, may be allowed him : and

A Petition from William Morrison, of the County of Northumberland, praying compensation as a Courier between Pokemouche and Miramichi.

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

*Adjourned until Monday next at 12 o'clock.*

MONDAY, 19th February, 1844.

PRESENT:

THE HON.

*Mr. Black,  
Mr. Cunard,  
Mr. Saunders,  
Mr. Attorney General,  
Mr. Wyer,  
Mr. Johnston,  
Mr. Minchin.*

*Mr. Shore,  
Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Hatch,  
Mr. Owen.*

The Honorable Mr. Black sat President.

PRAYERS.

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

A Bill to lay a Tax on Dogs in the Towns of Dalhousie and Campbelton, in the County of Restigouche : and

A Bill to authorize the Justices of the Peace for the County of Charlotte to levy an assessment to pay off the County Debt.

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

On motion—

The House was put into a Committee of whole to take into consideration the Bill  
to



to erect a part of the Parish of Dumfries, in the County of York, into a separate Town or Parish, and to alter the name of the said Parish.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received, and leave granted.

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

A Petition from William J. Bedell, Benjamin Wolhaupter, Thomas R. Robertson, Thomas Pickard and one hundred and forty six others, Merchants and Freeholders of Fredericton, in the County of York, praying that the present Bankrupt Laws in the Province may be suspended or amended:

A Petition from James Phillips, of Fredericton, praying for Legislative aid to assist him in publishing an Agricultural Newspaper: and

A Petition from Abraham Gesner, Provincial Geologist, praying an allowance for services performed.

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

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

A Petition from the Trustees and Members of Saint John's Church, Richmond, in connection with the Established Church of Scotland, praying that an Act may pass authorizing the sale of certain Lands, and investing the proceeds in other Lands which may be more beneficial to the Church: and

A Petition from James Kellen, praying an allowance for teaching a School in the Parish of Woodstock for six months, ending the thirty first day of January last.

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

The Honorable Mr. Wyer, by leave, presented a Petition from the Overseers of Poor for the Parish of Saint Stephen, praying to be reimbursed the sum of ninety two pounds twelve shillings, expended by them in 1843, for the support of Immigrant Paupers.

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

The Honorable Mr. Chandler, by leave, presented a Petition from Samuel M'Curdy, a Schoolmaster in the Parish of Saint Andrews, praying for the Provincial allowance for teaching a School.

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

*Adjourned until To-morrow at 12 o'clock.*

**TUESDAY, 20th February, 1844.**

**PRESENT:**

THE HON.

*Mr. Black,  
Mr. Cunard,  
Mr. Saunders,*

*Mr. Shore,  
Mr. Robinson,  
Mr. Botsford,*

*Mr.*

*Mr. Attorney General,  
Mr. Wyer,  
Mr. Owen,*

*Mr. Chandler,  
Mr. Hatch,  
Mr. Minchin.*

The Honorable Mr. Black sat President.

**PRAYERS.**

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to authorize the Justices of the Peace for the County Charlotte, to levy an Assessment to pay off the County Debt.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to lay a Tax on Dogs in the Towns of Dalhousie and Campbelton, in the County of Restigouche.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

**ORDERED,** That the report be received and leave granted.

The Honorable Mr. Hatch presented to the House, a Bill intituled "An Act to make more effectual provision for the collection of County and Parish Rates."

The said Bill was read a first time.

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

A Message was brought from the Assembly, by Mr. Botsford, with a Bill to amend an Act, intituled "An Act to regulate the Fencing, Occupation and Grazing of the several Marshes, Low Lands and Meadows in the County of Westmorland," to which they desire the concurrence of this House.

The said Bill was read a first time.

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

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

A Petition from Francis Ferguson, Thomas M. DeBlois, Henry W. Baldwin, John Chalmers, and three hundred inhabitants of the County of Gloucester, for the repeal or amendment of the Bankrupt Laws: and

A Petition from John Doran, Howard D. Frost, Hugh A. Caie, and three hundred and fifty others, inhabitants of the same County, with a similar prayer.

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

*Adjourned until To-morrow at 2 o'clock.*

**WEDNESDAY,**

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WEDNESDAY, 21st February, 1844.

PRESENT:

THE HON.

*Mr. Black,*  
*Mr. Saunders,*  
*Mr. Attorney General,*  
*Mr. Wyer,*  
*Mr. Johnston,*

*Mr. Cunard,*  
*Mr. Botsford,*  
*Mr. Chandler,*  
*Mr. Hatch,*  
*Mr. Minchin.*

The Honorable Mr. Black sat President.

PRAYERS.

Pursuant to the Order of the Day, the Bill to authorize the Justices of the Peace for the County of Charlotte, to levy an Assessment, to pay off the County Debt, was read a third time and passed.

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

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

A Bill to make more effectual provisions for the collection of County and Parish Rates : and

A Bill to amend an Act intituled “ An Act to regulate the Fencing, Occupation and Grazing of the several Marshes, Low Lands, and Meadows in the County of Westmorland.”

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

Several Messages from His Excellency the Lieutenant Governor, was delivered by the Honorable Mr. Johnston, a Member of Her Majesty’s Executive Council.

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

NEW BRUNSWICK,

*Message to the Legislative Council,*  
*February 20th, 1844.*

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

The Lieutenant Governor in answer to the Address of the Legislative Council of the 15th instant, lays before them a copy of His Despatch to the Right Honorable Lord Stanley, dated April 15th 1843, No. 27 which accompanied the Address of the Assembly.

The other Despatches referred to in the Address of the Legislative Council which involve no principle in regard to the composition of the Council, the Lieutenant Governor does not consider himself at liberty to communicate to the Legislature.

W. M. G. C.

*Fredericton, N. B. 15th April, 1843.*

MY LORD,—I have the honor to enclose an humble Address to the Queen from the House of Assembly, which I have been requested to forward to Your Lordship to be presented to Her Majesty.

Your Lordship is aware of my opinion, that the composition of the Legislative Council has not given to that Body all the weight which it is desirable it should possess.

In the course of the Session, a Bill was passed by the Assembly to establish a property qualification for the Members of the Legislative Council, by whom the Bill was rejected.

A Return of the Legislative Councillors, will be found at page 66, of the Blue Book for 1842, specifying the dates of their appointments, and the offices which are held by those who exercise other functions.

I have, &c.

(Signed)

W. M. G. COLEBROOKE.

Right Honorable Lord Stanley.

### NEW BRUNSWICK.

*Message to the Legislative Council,  
20th February, 1844.*

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

The Lieutenant Governor lays before the Council, the copy of a Presentment of the Grand Jury of the County of Gloucester, respecting a Disease at present prevailing at Tracadie; also, a Letter from Doctor Key, with a Report of the late Board of Health, explaining the nature of it.

The Lieutenant Governor recommends to the Legislative Council that provision should be made for the due care of the sufferers, and with a view to prevent the spread of this distemper.

W. M. G. C.

[*See Appendix No. 5.*]

### NEW BRUNSWICK.

*Message to the Legislative Council,  
20th February, 1844.*

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

The Lieutenant Governor lays before the Council, a Communication from the Mayor of Saint John, with an account of expenses incurred for articles supplied to the Crew of a French Brig run down by a British Ship off Newfoundland, and brought to Saint John, which he recommends may be defrayed.

W. M. G. C.

[*See Appendix, No. 6.*]

A Message was brought from the Assembly by Mr. End, with a Bill to empower the Justices of the Peace for the County of Gloucester in their General Sessions, to regulate the Fisheries in the said County, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly by Mr. Connell, with a Bill for altering the time of holding one of the Terms of the General Sessions of the Peace and Inferior Court

Court of Common Pleas in the County of Carleton, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

On motion made and seconded—

**RESOLVED**, That this House be put into a Committee of the whole on Friday, the first day of March next, to take into consideration the several Messages from His Excellency the Lieutenant Governor on the subject of the reconstruction and improvement of this House.

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

A Petition from the Mechanics' Institute at the City of Saint John, praying for Legislative aid :

A Petition from Joseph Brown, a licenced Schoolmaster, praying an allowance for teaching a School in the Parish of Lancaster during part of the years 1842 and 1843 :

A Petition from James Kirk, of Saint John, praying a return of Duties paid by him on Rum destroyed by fire in the Queen's Ware House in November 1841 :

A Petition from Robert W. Crookshank, James Kirk, John Wishart, and seventy three others, of the City of Saint John, praying an alteration may be made in the Law imposing a Duty on Auction Sales :

A Petition from Christopher Frame and twelve others, Proprietors of Land in the Enniskillen Settlement, in Queen's County, praying they may be allowed to expend a part of the unpaid instalments due on their Land to improve a Road to communicate with a Saw Mill in the Settlement :

A Petition from Stephen Wiggins and Son, Merchants of Saint John, praying Head Money over paid on Passengers in the year one thousand eight hundred and forty two, on board the ship Samuel, may be returned to them :

A Petition from James Kirk, of the same place, praying a like return for Passengers on board the ship Wolfville, in October last :

A Petition from William Livingston, of Saint John, for a like return of Duty paid for Passengers in the barque Branches, in the year one thousand eight hundred and forty one : and

A Petition from L. Donaldson, Henry Porter, Henry Gilbert and ninety others, Merchants, Magistrates and Inhabitants of Saint John, praying an Act may pass for the regulation of the Currency of this Province, in conformity with Lord Stanley's Despatch of the 14th October, 1843.

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

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

A Petition from James Blackhall, acting Sub-Collector of Customs at Caraquet, praying that an addition to his Salary may be made :

A Petition from John Nesmith, William Loch, H. B. Allison, Henry Cunard, Michael Samuel, Calib M'Cully and seventy four others, Merchants and Freeholders of the County of Northumberland, together with seventeen Members of a Grand Jury of the County, praying the repeal or amendment of the present Bankrupt Laws in force in the Province :

A Petition from Elizabeth Spratt, of Chatham, praying an allowance for teaching a School at that place since May last : and

A Petition from Thomas Parks, of Saint John, Merchant, praying a return of Duties paid on Spirits imported from Greenock in the year one thousand eight hundred and forty three.

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

The Honorable Mr. Chandler, by leave, presented a Petition from George B. Easterbrooks, Thomas Beal, James Ayer, and other inhabitants of the Parish of Sackville, praying an alteration may be made in the Act regulating the Fencing, Occupation and Grazing of Marshes, Low Lands, and Meadows in the County of Westmorland.

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

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

A Petition from Ruth Macfarlane, of the Parish of Saint Patrick, in Charlotte County, Widow, praying the Provincial allowance heretofore granted to her late husband, may be continued to her : and

A Petition from Jean Burns Carlyle, of Charlotte County, praying an allowance for teaching a School in the Parish of Pennfield, for six months, ending the 16th day of December last.

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

The Honorable Mr. Botsford, by leave, presented a Petition from John Chapman, Adjutant of the 2d Battalion Westmorland Militia, praying an allowance may be granted to him for services in the discharge of his duty.

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

*Adjourned until To-morrow at 12 o'clock.*

THURSDAY, 22d February, 1844.

PRESENT:

THE HON.

*Mr. Black,  
Mr. Cunard,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Hatch,  
Mr. Owen,*

*Mr. Shore,  
Mr. Robinson,  
Mr. Attorney General,  
Mr. Wyer,  
Mr. Johnston,  
Mr. Minchin.*

The Honorable Mr. Black sat President.

PRAYERS.

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

A Bill to empower the Justices of the Peace for the County of Gloucester, in their General Sessions, to regulate the Fisheries in the said County : and

A

A Bill for altering the time of holding one of the Terms of the General Sessions of the Peace and Inferior Courts of Common Pleas in the County of Carleton.

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

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

ORDERED, That the Report be received, and the same was then read by the Clerk, as follows :—

The Committee to whom were referred all Bills relating to Corporations, have had under consideration a Bill to continue and amend the Act to incorporate the Charlotte County Bank, and recommend the Bill, without amendment, to the adoption of the House. They have also had under consideration a Bill to incorporate the Bolton Brook Navigation Company, and have prepared certain amendments thereto, which they recommend to the favorable consideration of the House.

All which is respectfully submitted.

A. E. BOTSFORD, *Chairman.*

*Committee Room, 22d February, 1844.*

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

On motion—

The House was put into a Committee of the whole to take into consideration the Bill to erect a part of the Parish of Dumfries, in the County of York, into a separate Town or Parish, and to alter the name of the said Parish.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received, and leave granted.

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

A Report of the Commissioners of the Provincial Lunatic Asylum in Saint John, with an estimate of Supplies required for the support of that Institution for the year 1844.

ORDERED, That the same do lie on the Table.

A Message was brought from the Assembly by Mr. Z. Earle, with a Bill to continue an Act relative to Desertion from Her Majesty's Forces, and to punish unlawful dealings with Soldiers and Deserters, to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED, That the said Bill be read a second time to-morrow.

On motion—

The House was put into a Committee of the whole to take into consideration Resolutions of Appropriation.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the eighth day of February, and recommended that the House should concur in the same, and asked leave to sit again.

ORDERED, That the Report be received, and leave granted.

Whereupon the Resolutions of Appropriation dated the eighth day of February, were concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have agreed to the said Resolutions.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to amend an Act, intituled "An Act to regulate the Fencing, Occupation and Grazing of the several Marshes, Low Lands and Meadows in the County of Westmorland.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to make more effectual provisions for the collection of County and Parish Rates.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Wyer, by leave, presented a Petition from John C. Vail, of King's County, praying relief for losses sustained in running a Line of Coaches between the City of Saint John and Dorchester, in the County of Westmorland.

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

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

A Petition from Asa Coy and Z. G. Gabel, two of the Trustees of the Baptist Meeting House in Fredericton, praying the amount of Duties paid on an Organ imported from the United States may be repaid to the said Trustees: and

A Petition from Enoch Wood, Wesleyan Minister, in behalf of the Trustees of the Wesleyan Academy in Sackville, soliciting a Grant to aid in carrying forward the designs and labours of the Managing Committee for the current year.

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

The



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

A Petition from William Jacob, William W. Emslie, John Crear, Jury Pine, and fifty others, Cordwainers in the City of Saint John, praying protective duties may be imposed on Foreign Boots and Shoes imported into the Province :

A Petition from Thomas Wallace, of the City of Saint John, praying a return of Head Money paid on Passengers on board the ship Londonderry, at Saint John, in May last :

A Petition from George Lane, Keeper of the Beacon Light House in the Harbour of Saint John, praying for an increase of Salary :

A Petition from John Rhodes, Thomas G. Hatheway, W. G. Lawton, James Malcolm, and one hundred and thirty others, of the City of Saint John, praying compensation to Petit Jurors, either by allowing a sum per day, or increasing Juror's fees in each cause : and

A Petition from the Mayor, Aldermen and Commonalty of the City of Saint John, praying a Law may pass for a more speedy abatement of Nuisances in the City than is now by Law allowed.

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

*Adjourned until To-morrow at 12 o'clock.*

FRIDAY, 23d February, 1844.

PRESENT:

THE HON.

*Mr. Black,  
Mr. Cunard,  
Mr. Saunders,  
Mr. Attorney General,  
Mr. Street,  
Mr. Hatch,  
Mr. Owen,*

*Mr. Shore,  
Mr. Robertson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Wyer,  
Mr. Johnston.  
Mr. Minchin.*

The Honorable Mr. Black sat President.

PRAYERS.

Pursuant to the Order of the Day, the Bill to continue an Act relative to Desertion from Her Majesty's Forces, and to punish unlawful dealings with Soldiers and Deserters, was read a second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to empower the Justices of the Peace for the County of Gloucester in their General Sessions, to regulate the Fisheries in the said County.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

The

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

ORDERED, That the report be received, and leave granted.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill for altering the time of holding one of the terms of the General Sessions of the Peace and Inferior Court of Common Pleas in the County of Carleton.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to amend an Act, intituled "An Act to regulate the fencing, occupation and grazing of the several Marshes, Low Lands and Meadows in the County of Westmorland."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A in Section IV. expunge the word "being" and insert the words "to be approved by and."

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

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

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

A Bill to authorize the Justices of the Peace in and for the City and County of Saint John, to make compensation to the Assessors of Taxes for the City and Parish of Saint John, and Parishes of Simonds, Lancaster and Saint Martins, for the year one thousand eight hundred and forty three; also to the Assessors of Taxes for the Parish of Portland, for the year one thousand eight hundred and forty two: and

A Bill to amend an Act, intituled "An Act to regulate Vessels arriving from the United Kingdom with Passengers and Emigrants."

The said Bills were severally read a first time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to erect a part of the Parish of Dumfries, in the County of York, into a separate Town or Parish, and to alter the name of the said Parish.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and it was thereupon

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to continue and amend the Act incorporating the Charlotte County Bank, and the report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

A Petition from the Saint John Water Company, praying some Act may pass to maintain and extend the undertaking of the Company:

A Petition from William M'Donough, of the City of Saint John, Grocer, praying a return be made to him for Duties paid on Goods destroyed by the Fire in that City in the year 1841:

A Petition from Robert Rankin and Company, James Kirk, Charles Ward, Stephen Wiggins and Son, and thirteen others, of the City of Saint John, praying a reduction of the Light House and Seamen's Hospital Dues now by Law authorized to be demanded: and

A Petition from John Winters, of the City of Saint John, praying aid towards expences incurred by him in keeping up a regular conveyance for Passengers between the City of Saint John and Fredericton.

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

The Honorable Mr. Cunard, by leave, presented a Petition from John Wilson, of the Parish of Nelson, praying to be allowed a sum of money for losses sustained by him in establishing a Team Ferry Boat across the North and South Branches of the River Miramichi, at Beaubair's Point.

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

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

A Petition from John Mitchell, of Northumberland, praying the Provincial allowance for teaching a School six months in the Parish of Northesk: and

A Petition from James Fairly, of the Parish of Ludlow, in Northumberland County, praying authority to have Gates or Bars erected on the Bye Roads passing through his property.

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

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

A Petition from Robert Dougherty, of the Town of Saint Andrews, praying aid to enable him to continue a conveyance for Passengers between Saint Andrews and the Parish of Saint Stephen : and

A Petition from Lucien L. Copeland, of Saint Andrews, a Stage Proprietor, praying aid to enable him to continue his present arrangement for conveying passengers between Saint Andrews and Saint John and Saint Andrews and Fredericton.

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

*Adjourned until Monday next at 12 o'clock.*

MONDAY, 26th February, 1844.

PRESENT:

THE HON.

*Mr. Black,  
Mr. Robinson,  
Mr. Botsford,  
Mr. Street,  
Mr. Hatch,  
Mr. Owen.*

*Mr. Shore,  
Mr. Saunders,  
Mr. Attorney General,  
Mr. Wyer,  
Mr. Johnston,  
Mr. Minchin.*

The Honorable Mr. Black sat President.

PRAYERS.

Pursuant to the Order of the Day, the Bill for altering the times of holding one of the Terms of the General Sessions of the Peace and Inferior Court of Common Pleas in the County of Carleton, was read a third time and passed.

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

Pursuant to the Order of the Day, the Bill to amend an Act, intituled "An Act to regulate the fencing, occupation and grazing of the several Marshes, low Lands and Meadows in the County of Westmorland, as amended, was read a third time and passed.

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

The Order of the Day for the third reading of the Bill to continue and amend the Act incorporating the Charlotte County Bank being read, it was

ORDERED, To be discharged, and that the said Bill be presently re-committed to a Committee of the whole House.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and amended the same, and recommended the Bill, as amended, to the adoption of the House.

ORDERED,

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

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

A Bill to authorize the Justices of the Peace in and for the City and County of Saint John, to make compensation to the Assessors of Taxes for the City and Parish of Saint John and Parishes of Simonds, Lancaster, and Saint Martins, for the year one thousand eight hundred and forty three ; also to the Assessors of Taxes for the Parish of Portland, for the year one thousand eight hundred and forty two ; and

A Bill to amend an Act, intituled "An Act to regulate Vessels arriving from the United Kingdom with Passengers and Emigrants."

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to continue an Act relative to Desertion from Her Majesty's Forces, and to punish unlawful dealings with Soldiers and Deserters.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

**ORDERED,** That the report be received and leave granted.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to incorporate the Bolton Brook Navigation Company, and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

**ORDERED,** That the Report be received and leave granted.

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

A Petition from Benjamin Wolhaupter, Thomas Gill and John Simpson, Commissioners of the York County Alms House, praying a return of money expended for the support of Emigrant Paupers :

A Petition from Thomas Pickard, of Fredericton, praying a return of Duty paid on Wheat imported by him the last year :

A Petition from Turney Whitehead, John Davidson, William Caverhill and others, of the Parish of Dumfries, praying an allowance may be made for a School taught by William M'Intosh, of that Parish :

A Petition from the Trustees of Schools in the Parish of Douglas, praying a sum of money may be allowed David Denton for teaching a School five months, in the year 1843 :

A Petition from Edward W. Miller, Charles M'Pherson, William Cameron and other

other inhabitants of Fredericton, praying no Act may pass granting to any individual the exclusive privilege of using Steam for the Ferries at or near the Town: and

A Petition from Christopher C. Bradbury, by his Agent, James Taylor, praying relief, in consequence of losses sustained by a purchase of Land in the year 1835.

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

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

A Petition from Thomas Pickard, William J. Bedell, Thomas R. Robertson and other inhabitants of York County, praying that the said Thomas Pickard may have the exclusive privilege of Ferrying by Steam across the River Saint John, at Fredericton:

A Petition from J. and R. Reid, Flour Merchants, of the City of Saint John, praying a return of duties paid by him on Wheat imported in the year 1843: and

A Petition from Rebecca Trecarten, Widow of Martin Trecarten, a Soldier of the Revolutionary War in America, praying for Legislative aid.

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

The Honorable Mr. Street, by leave, presented a Petition from George Younger, N. P. Alexander, Robert C. Minette and forty other inhabitants of Saint John, praying for the removal of Duties on Malt Liquor and Spirits made in the Province.

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

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

A Petition from John Love, a Schoolmaster, praying an allowance for teaching a School eighteen months, in the Parish of Saint Stephen, in Charlotte County: and

A Petition from John Wilson, William Babcock, William Kerr, and one hundred other persons of Charlotte County, praying that the expired Laws relating to Boards of Health may be revived.

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

The Honorable Mr. Hatch, by leave, presented a Petition from Cochran Craig and one hundred and eighteen other inhabitants of Grand Manan, praying Legislative enactments against certain practices in catching Fish.

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

The Honorable Mr. Street, by leave, presented a Petition from Robert D. Wilmot, Henry Gilbert, Solomon Hersey, and eight other persons, of the City of Saint John, praying a Duty may be imposed on Foreign manufactured Wheat and Rye Flour and Corn Meal.

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

The Honorable Mr. Minchin, by leave, presented a Petition from the Justices of the Peace in York County, praying further Provincial aid to liquidate the Debt of the County.

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

*Adjourned until To-morrow at 12 o'clock.*

**TUESDAY,**

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**TUESDAY, 27th February, 1844.**

**PRESENT:**

THE HON.

*Mr. Black,*  
*Mr. Robinson,*  
*Mr. Attorney General,*  
*Mr. Hatch,*  
*Mr. Johnston,*  
*Mr. Minchin.*

*Mr. Shore,*  
*Mr. Botsford,*  
*Mr. Wyer,*  
*Mr. Kinneer,*  
*Mr. Owen,*

The Honorable Mr. Black sat President.

**PRAYERS.**

Pursuant to the Order of the Day, the Bill to continue and amend the Act incorporating the Charlotte County Bank, as amended, was read a third time and passed.

**ORDERED,** That the Title be—

An Act to continue and amend the Act incorporating the Charlotte County Bank.

**ORDERED,** That the Master in Chancery do carry the said Bill down to the Assembly, and acquaint that House that the Legislative Council have passed this Bill, and desire the concurrence of the Assembly thereto.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to amend an Act, intituled "An Act to regulate Vessels arriving from the United Kingdom with Passengers and Emigrants."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to authorize the Justices of the Peace in and for the City and County of Saint John, to make compensation to the Assessors of Taxes for the City and Parish of Saint John, and Parishes of Simonds, Lancaster and Saint Martins, for the year 1843; also to the Assessors of Taxes for the Parish of Portland, for the year 1842.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly, by Mr. Payne, with a Bill to remove the old Gaol of the City and County of Saint John, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly, by Mr. Jordan, with a Bill in addition

to an Act, intituled "An Act to prevent Nuisances within the City of Saint John," to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly, by Mr. Botsford, that the Assembly had agreed to the Bill sent down from this House, intituled "An Act to authorize the Rector, Church Wardens and Vestry of Saint Ann's Church, in the Parish of Sackville, to sell certain Lots of Glebe Land, and to dispose of the money arising from the sale thereof in the purchase of other Lands."

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill to continue an Act relative to Desertion from Her Majesty's Forces, and to punish unlawful dealings with Soldiers and Deserters.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to incorporate the Bolton Brook Navigation Company, and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

A Message was brought from the Assembly, by Mr. Perley, with a Bill for erecting the Parish of Madawaska, in the County of Carleton, into three separate or distinct Towns or Parishes, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

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

A Bill to authorize the Justices of the Peace for the County of Carleton to levy an assessment to pay off the County Debts: and

A Bill to authorize the Trustees of Saint John Church, in Richmond, to sell Lands.

The said Bills were severally read a first time.

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

A Message was brought from the Assembly, by Mr. Boyd, with a Bill to amend an Act, intituled "An Act to regulate the Herring Fishery in the Parishes of Grand Manan, West Isles, Campo Bello, Pennfield and Saint George, in the County of Charlotte,



Charlotte, and to provide for the inspection of Smoked Herrings in said Parishes," to which they desire the concurrence of this House.

The said Bill was read a first time.

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

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

A Petition from George Mathews, of the City of Saint John, late principal Overseer of the Poor and Superintendent of the Lunatic Asylum, in the City of Saint John, praying an investigation may take place on the subject of a Warrant issued, payable to the Justices of the Peace in Sessions, for a sum of money contrary to the terms of the Provincial Grant, and setting forth his reasons for asking such investigation :

A Petition from the Overseers of Poor in the Parish of Saint Andrews, praying the sum of £38 9 3 may be allowed them for expenses incurred in conveying insane persons to the Lunatic Asylum in Saint John :

A Petition from Thomas L. Nicholson and Company, of the Parish of Portland, praying a return of Duties by them paid on Tallow imported into this Province during the past year : and

A Petition from the Honorable James Allanshaw, Chairman of the late Board of Health for the County of Charlotte, praying to be reimbursed for an over expenditure in the year 1841.

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

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

A Petition from Charles J. Melick, John Hartt, John Dooly, and eighteen others, Leather Manufacturers in Saint John, praying Legislative protection :

A Petition from fourteen persons, Members of a late Grand Jury for the City and County of Saint John, John V. Thurgar, George Wheeler, Barnabas Tilton, and thirty other inhabitants of Saint John, praying the consideration of this House to a proposed Bill further to facilitate the means of supplying the City of Saint John with Water :

A Petition from Charlotte Hazen, of the Parish of Burton, praying an allowance for teaching a School three months in the year 1843 :

A Petition from Ichabod Houlin, of the County of Sunbury, praying an unpaid claim, of the Widow of John Kimber, an old Soldier, now deceased, may be paid to the petitioner :

A Petition from Daniel Brown, of the same County, praying an allowance for teaching a School in the County six months, ending in July last :

A Petition from the Mechanics' Whale Fishing Company, and Charles C. Stewart, of Saint John, praying a protective Duty of ten per cent. on Foreign Oil may be afforded, to counterbalance in some measure the injurious tendency of the present Imperial Tariff :

A Petition from Richard Hayne, Commissioner of the New Brunswick and Nova Scotia Land Company, praying Legislative aid towards the re-construction of a Bridge across the Nashwaak River :

A Petition from the same person, praying a return of Duty paid on a service of Sacramental Plate imported by him, from London, for the use of the Church at Stanley :

A Petition from Andrew Scott, of the County of Saint John, praying a return of Duty paid by him on Tallow imported the last year :

A Petition from Messieurs Harris and Allan, Thomas Barlow and Company, and Messieurs Smith and Jones, Inspectors of Iron and Brass Foundries, in Saint John, praying Iron of all kinds, Copper, Tin, and all raw materials, may be admitted free of Duty, and a Duty placed on articles imported, to ensure the Petitioners more extended employment :

A Petition from John Walker, of Saint John, Merchant, praying to be repaid Duties on Bricks imported by him from the United States of America, for building a new Custom House in Saint John : and

A Petition from James Clark, Master of the brig Creole, of Londonderry, praying a return of double Head Money on Passengers, paid by him.

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

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

A Petition from George Mathew, late principal Overseer of the Poor and Superintendent of the Immigrant Hospital at Saint John, praying the amount of an account annexed may be allowed him : and

A Petition from Thomas M'Henry, of Charlotte County, praying to have certain property in Kingsclear, in the County of York, relieved from the payment of certain Debts to the Crown, or that the amounts of the Debts may be ascertained.

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

The Honorable Mr. Kinnear, by leave, presented a Petition from Solomon Hersey, of Saint John, praying a return of Duties paid on Wheat imported, and, after being imported, exported to Great Britain.

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

*Adjourned until To-morrow at 12 o'clock.*

WEDNESDAY, 28th February, 1844.

PRESENT:

THE HON.

*Mr. Black,  
Mr. Robinson,  
Mr. Botsford,  
Mr. Street,  
Mr. Hatch,  
Mr. Johnston,  
Mr. Minchin.*

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

The Honorable Mr. Black sat President.

PRAYERS.

The Honorable Mr. Hatch presented to the House a Bill, intituled " An Act further  
to

to amend the law relating to Wills, Legacies, Executors and Administrators, and for the settlement and distribution of the Estates of Intestates."

The said Bill was read a first time.

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

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

A Bill to continue an Act relative to Desertion from Her Majesty's Forces, and to punish unlawful dealings with Soldiers and Deserters:

A Bill to authorize the Justices of the Peace in and for the City and County of Saint John, to make compensation to the Assessors of Taxes for the City and Parish of Saint John, and Parishes of Simonds, Lancaster and Saint Martins, for the year 1843; also to the Assessors of Taxes for the Parish of Portland, for the year 1842: and

A Bill to amend an Act, intituled "An Act to regulate Vessels arriving from the United Kingdom with Passengers and Emigrants."

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

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

A Bill to remove the old Gaol of the City and County of Saint John:

A Bill in addition to an Act, intituled "An Act to prevent Nuisances within the City of Saint John:"

A Bill for erecting the Parish of Madawaska, in the County of Carleton, into three separate or distinct Towns or Parishes:

A Bill to authorize the Justices of the Peace in and for the County of Carleton, to levy an assessment to pay on the County Debt:

A Bill to authorize the Trustees of Saint John Church, in Richmond, to sell Lands: and

A Bill to amend an Act, intituled "An Act to regulate the Herring Fishery in the Parishes of Grand Manan, West Isles, Campo Bello, Pennfield, and Saint George, in the County of Charlotte, and to provide for the inspection of Smoked Herrings in said Parishes."

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to lay a Tax on Dogs in the Towns of Dalhousie and Campbelton, in the County of Restigouche.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

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

NEW BRUNSWICK.

*Message to the Legislative Council,  
28th February, 1844.*

W. M. G. COLEBROOKE, Lt. GOVERNOR.

The Lieutenant Governor communicates to the Council, copies of a Correspondence which has passed relative to the Rent of the Building occupied as a Custom House in Saint John.

W. M. G. C.

[See Appendix No. 7.]

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill intituled "An Act to make more effectual provisions for the collection of County and Parish Rates."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received, and leave granted.

The Honorable Mr. Owen, by leave, presented a Petition from Willford Fisher, William B. Gubtail, George Morse and ninety other principal inhabitants of Grand Manan, praying that the Fisheries of that Island may not be abandoned, but that they may be encouraged.

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

The Honorable the Attorney General, by leave, presented a Petition from Henry E. Dibblee, Sub-Collector of Her Majesty's Customs, and Deputy Treasurer at Woodstock, praying a return of money paid by him for Office Rent, and for an increased Provincial allowance for services.

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

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

A Petition from the Justices of the Peace in and for the City and County of Saint John, praying a Law may pass authorizing penalties to be imposed on persons throwing or allowing to be thrown from their Mills, slabs, Edgings, bark or other rubbish, tending to obstruct the navigation of the River and Harbour of Saint John: and

A Petition from John Clark, Junior, of Saint John, praying to be allowed for services rendered in preparing a Plan for the contemplated Bridge over the Grand Falls of the River Saint John, and his expenses in proceeding to that place, to afford necessary explanations regarding the proposed Bridge.

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

The

The Honorable Mr. Saunders, by leave, presented a Petition from John Reilly, a Constable of York County, praying remuneration for attending at the opening and close of the Legislature, to preserve order and keep the peace.

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

The Honorable Mr. Street, by leave, presented a Petition from James P. A. Phillips, of Fredericton, praying certain Duties paid on Printing Types may be returned to him.

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

The Honorable Mr. Shore, by leave, presented a Petition from Robert D. Wilmot, of the City of Saint John, Merchant, praying a return of Duties paid by him on Wheat imported during the last season.

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

*Adjourned until To-morrow at 12 o'clock,*

THURSDAY, 29th February, 1844.

PRESENT:

THE HON.

*Mr. Black,  
Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Wyer,  
Mr. Kinnear,  
Mr. Owen,  
Mr. Michin.*

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

The Honorable Mr. Black sat President.

PRAYERS.

Pursuant to the Order of the Day, the Bill to lay a Tax on Dogs in the Towns of Dalhousie and Campbellton, in the County of Restigouche, was read a third time and passed.

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

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

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

NEW BRUNSWICK.

*Message to the Legislative Council,*

*28th February, 1844.*

W. M. G. COLEBROOKE, Lt. GOVERNOR.

The Lieutenant Governor informs the Council, that it is in the contemplation of Her Majesty's Government to erect this Province into a separate Diocese, and appoint

appoint a Bishop to it, on the completion of an adequate endowment; and that a fund of £25,000 Sterling, having been raised with this object, the secure investment of which is indispensable, he recommends to the Council that the Fund may be received as an investment on the Public Security of the Province, whereby the early accomplishment of the measure will be facilitated.

W. M. G. C.

Pursuant to the Order of the Day, the Bill further to amend the Law relating to Wills, Legacies, Executors and Administrators, and for the settlement and distribution of the Estates of Intestates, was read a second time.

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

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to authorize the Trustees of Saint John Church, in Richmond, to sell Lands.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

Upon the question that the Report be received, the House divided—

CONTENT.

Mr. Black,  
Mr. Shore,  
Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Street,  
Mr. Wyer,  
Mr. Hatch,  
Mr. Johnston,  
Mr. Owen,  
Mr. Crane.

NON-CONTENT.

Mr. Saunders,  
Mr. Attorney General,  
Mr. Kinnear,  
Mr. Minchin.

And so it passed in the affirmative.

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

At A insert a new Section as follows:—

“II. And be it further enacted, That the money arising from the sale and disposal  
of

of the said Land, shall be applied towards the erection of a Parsonage House or in the purchase of other Lands, for the use and benefit of the said Church, provided the said Parsonage House be erected on Lands vested in said Corporation."

At B in the Preamble, expunge the words "for the uses and purposes aforesaid," and insert the words "and to apply the proceeds of such sale either in the purchase of other Lands or the erection of a Parsonage House, for the use and benefit of said Church."

At C in the Title insert the following words:—"and to apply the proceeds thereof for certain purposes."

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to remove the old Gaol of the City and County of Saint John.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly by Mr. Botsford, that the Assembly had agreed to the amendment made by this House to the Bill to amend an Act, intituled "An Act to regulate the fencing, occupation and grazing of the several Marshes, Low Lands and Meadows in the County of Westmorland."

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill in addition to an Act, intituled "An Act to prevent Nuisances within the City of Saint John."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A in Section III. expunge the remainder of the Section.

At B in Section IV. insert the word "enforce."

At C expunge the words "services in," and insert the words "expenses for."

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

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

The Honorable Mr. Johnston, by leave, presented a Petition from John Owens, President, Robert Robertson and Robert D. Wilmot, Vice Presidents, of the Provincial

Association of New Brunswick, and two thousand five hundred others, Office Bearers and Members of the said Association, resident in the City and County of Saint John, King's County, and the County of York, praying Legislative encouragement and protection to the Agricultural and Domestic Manufactures and Fisheries of the Province.

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

The Honorable Mr. Shore, by leave, presented a Petition from William Watts, praying an allowance for services performed under his appointment of Usher of the Court of Chancery.

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

*Adjourned until To-morrow at 12 o'clock.*

FRIDAY, 1st March, 1844.

PRESENT:

THE HON.

*Mr. Black,  
Mr. Cunard,  
Mr. Saunders,  
Mr. Attorney General,  
Mr. Street,  
Mr. Hatch,  
Mr. Johnston,  
Mr. Minchin.*

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

The Honorable Mr. Black sat President.

PRAYERS.

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

A Bill in addition to an Act, intituled "An Act to prevent Nuisances within the City of Saint John:" and

A Bill to authorize the Trustees of Saint John Church, in Richmond, to sell Lands.

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

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

A Bill to remove the old Gaol of the City and County of Saint John : and

A Bill to authorize the Justices of the Peace in the County of Carleton to levy an Assessment to pay off the County Debts.

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

Pursuant



Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the several Messages from His Excellency the Lieutenant Governor, on the subject of the re-construction and improvement of this House.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the several Messages from His Excellency the Lieutenant Governor, they had made some progress therein, and asked leave to sit again on Monday next.

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. J. A. Street, with a Bill to repeal all the Laws now in force relating to Bankruptcy in this Province, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The Honorable Mr. Johnston, by leave, presented a Petition from John Brittain, Justus S. Wetmore, William Pywell, and one hundred and seventy others, Freeholders and Inhabitants of the Parish of Kingston, King's County, praying that no Act may be allowed to pass, to annex a portion of the said Parish to the Parish of Norton.

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

*Adjourned until Monday next at 12 o'clock.*

---

MONDAY, 4th March, 1844.

PRESENT:

THE HON.

*Mr. Black,  
Mr. Robinson,  
Mr. Attorney General,  
Mr. Street,  
Mr. Hatch,  
Mr. Johnston,  
Mr. Crane,*

*Mr. Cunard,  
Mr. Saunders,  
Mr. Chandler,  
Mr. Wyer,  
Mr. Kinnear,  
Mr. Owen,  
Mr. Minchin.*

The Honorable Mr. Black sat President.

PRAYERS.

Pursuant to the Order of the Day, the Bill to repeal all the Laws now in force relating to Bankruptcy in this Province, was read a second time.

ORDERED, That the House be put into a Committee of the whole on Thursday next to take the said Bill into consideration.

The Order of the Day for the House to be put into a Committee of the whole to take into consideration the Bill further to amend the Law relating to Wills, Legacies, Executors and Administrators, and for the settlement and distribution of the Estates of Intestates, being read, it was ordered to be discharged, and that the said Bill be referred to a Select Committee of three Members to examine and report thereon.

ORDERED,

**ORDERED**, That the Honorable Messieurs Chandler, Street and Hatch do compose the said Committee.

On motion—

The Bill explanatory of an Act, intituled “ An Act for erecting a Parish in the City of Saint John, and incorporating the Rectors, Church Wardens and Vestries of the Church of England in the several Parishes in this Province, was read a second time.

**ORDERED**, That the House be put into a Committee of the whole on Friday next to take the said Bill into consideration.

On motion—

The House was put into a Committee of the whole to take into consideration the Bill to amend an Act, intituled “ An Act to regulate the Herring Fishery in the Parishes of West Isles, Grand Manan, Campo Bello, Pennfield and Saint George, in the County of Charlotte, and to provide for the Inspection of Smoked Herrings in said Parishes.”

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

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

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

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

A Message was brought from the Assembly, by Mr. Barberie, with a Bill to authorize the erection of a Marine Hospital at Dalhousie, in the County of Restigouche, and to make further provision for Sick and Disabled Seamen, not being Paupers, belonging to this Province, so far as the same may relate to the Port of Dalhousie, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

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

The said Bill was read a first time.

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

The Order of the Day for the House to be put into a Committee of the whole to take into further consideration the several Messages from His Excellency the Lieutenant Governor, on the subject of the re-construction and improvement of this House, being read, it was ordered to be discharged, and that the House be put into a Committee of the whole on Wednesday next to take the said Messages into further consideration.

On motion—

The House was put into a Committee of the whole to take into consideration the Bill

Bill for erecting the Parish of Madawaska, in the County of Carleton, into three separate and distinct Towns or Parishes.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received, and leave granted.

On motion—

The House was put into a Committee of the whole to take into further consideration the Bill to make more effectual provisions for the collection of County and Parish Rates.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received, and leave granted.

The Honorable Mr. Johnston, by leave, presented a Petition from the General Sessions of the Peace for the City and County of Saint John, praying the Act relating to the office of Coroner in this Province, may be amended.

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

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

A Petition from Lauchlan Donaldson, George Moffitt, William Mackay, John Hastings, and one hundred and twenty seven other persons, praying a new line of Road from Saint John to Lake Lomond may be established as part of the Great Road from the City of Saint John to Westmorland:

A Petition from Patrick M'Dannehy, of the County of Saint John, praying a continued allowance to him for a School taught in the Parish of Portland:

A Petition from G. J. Harding, M. D. of the City of Saint John, praying compensation for services performed and expenses incurred as Medical Officer at the Quarantine Station at Partridge Island: and

A Petition from James Clark and Thomas Clark, of the Parish of Portland, praying the aid of the Legislature, to enable them to have grants of Land passed to them, they having paid to Doctor A. Gesner, Deputy Surveyor, money to entitle them to such grants.

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

The Honorable Mr. Hatch, by leave, presented a Petition from William Pomeroy, a Tallow Chandler, in the Town of Saint Andrews, praying Duties paid on Tallow may be returned to him.

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

The Honorable Mr. Chandler, by leave, presented a Petition from Michael Harley, a Commissioner of Roads, praying a sum of £56 18s. may be allowed to him, for reasons set forth.

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

The

The Honorable Mr. Street, by leave, presented a Petition from John T. Smith, Jarvis Ring, David Coburn, and eighty nine other persons of York County, praying the existing Bankrupt Laws may not be repealed.

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

*Adjourned until To-morrow at 12 o'clock.*

TUESDAY, 5th March, 1844.

PRESENT:

THE HON.

*Mr. Black,  
Mr. Cunard,  
Mr. Attorney General,  
Mr. Wyer,  
Mr. Kinnear,  
Mr. Owen,  
Mr. Minchin.*

*Mr. Shore,  
Mr. Robinson,  
Mr. Chandler,  
Mr. Hatch,  
Mr. Johnston,  
Mr. Crane,*

The Honorable Mr. Black sat President.

PRAYERS.

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

A Bill to authorize the erection of a Marine Hospital at Dalhousie, in the County of Restigouche, and to make further provision for sick and disabled Seamen, not being Paupers, belonging to this Province, so far as the same may relate to the Port of Dalhousie: and

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

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

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

A Bill to reduce the Duties imposed upon Ships or Vessels arriving at the Port of Saint John, to provide for the support of sick and disabled Seamen not being Paupers, belonging to the Province: and

A Bill to repeal an Act, intituled "An Act to amend an Act to provide for maintaining Light Houses within the Bay of Fundy, and to substitute other enactments in lieu thereof."

The said Bills were severally read a first time.

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

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

A Bill in addition to an Act, intituled "An Act to provide for the erection of an Alms

Alms House and Work House and to establish a Public Infirmary in and for the City and County of Saint John :” and

A Bill in further addition to the Acts relating to the Public Registry of Deeds in this Province.

The said Bills were severally read a first time.

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

On motion—

The House was put into a Committee of the whole to take into further consideration the Bill to empower the Justices of the Peace for the County of Gloucester, in their General Sessions, to regulate the Fisheries in the said County.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly, by Mr. Perley, with a Bill for the division of the County of Carleton into two Counties, and to provide for the Government and Representation of the new County, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

Messages were brought from the Assembly by Mr. W. H. Street, with the following Bills, to which they desire the concurrence of this House :—

A Bill to authorize the use of a part of the building erected for a Market House on the Western side of the Harbour, in the City of Saint John, for other purposes than a Market House : and

A Bill in amendment of and in addition to the Acts relating to the establishment of a Legal Tender in all payments to be made in this Province.

The said Bills were severally read a first time.

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

The Honorable the President informed the House, that he had received from the Secretary of the Province—

An Abstract shewing the state of the Central Bank, on Monday, the 4th day of March, 1844.

ORDERED, That the same do lie on the Table.

*Adjourned until To-morrow at 12 o'clock.*

WEDNESDAY, 6th March, 1844.

PRESENT:

THE HON.

*Mr. Black,  
Mr. Cunard,  
Mr. Attorney General,*

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

*Mr.*

*Mr. Hatch,*  
*Mr. Johnston,*  
*Mr. Crane,*

*Mr. Kinnear,*  
*Mr. Owen,*  
*Mr. Minchin.*

The Honorable Mr. Black sat President.

**PRAYERS.**

Pursuant to the Order of the Day, the Bill to empower the Justices of the Peace for the County of Gloucester, in their General Sessions, to regulate the Fisheries in the said County, was read a third time and passed.

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

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

A Bill to reduce the Duties imposed upon Ships or Vessels arriving at the Port of Saint John, to provide for the support of sick and disabled Seamen not being Paupers, belonging to the Province :

A Bill to repeal an Act, intituled "An Act to amend an Act to provide for maintaining Light Houses within the Bay of Fundy, and to substitute other enactments in lieu thereof :"

A Bill in addition to an Act, intituled "An Act to provide for the erection of an Alms House and Work House, and to establish a Public Infirmary in and for the City and County of Saint John :"

A Bill in further addition to the Acts relating to the Public Registry of Deeds in this Province :

A Bill to authorize the use of a part of the building erected for a Market House on the Western side of the Harbour in the City of Saint John, for other purposes than a Market : and

A Bill in amendment of and in addition to the Acts relating to the establishment of a Legal Tender in all payments to be made in the Province.

**ORDERED,** That the said Bills severally stand for a Committee of the whole House to-morrow.

Pursuant to the Order of the Day, the Bill for the division of the County of Carleton into two Counties, and to provide for the Government and Representation of the new County, was read a second time.

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

The Honorable the President lays before the House—

An Abstract shewing the state of the Central Fire Insurance Company on the fifth day of March instant, received by him from the Secretary of the Province.

**ORDERED,** That the same do lie on the Table.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to authorize the erection of a Marine Hospital at Dalhousie, in the County of Restigouche, and to make further provision for sick and disabled

disabled Seamen not being Paupers belonging to the Province, so far as the same may relate to the Port of Dalhousie.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to amend an Act, intituled "An Act to repeal an Act to encourage the destroying of Wolves, and an Act to grant a Bounty on the destruction of Bears in this Province, and to make other provision in lieu thereof."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly Mr. Boyd, that the Assembly had agreed to the Bill sent down from this House, intituled "An Act to continue and amend the Act incorporating the Charlotte County Bank."

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to make more effectual provisions for the collection of County and Parish Rates.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

On motion made and seconded, it was

ORDERED, That the Order of the Day for the House to be put into Committee of the whole to-morrow, to take into consideration the Bill to authorize the use of a part of the building erected for a Market House on the Western side of the Harbour of the City of Saint John, for other purposes than a Market, be discharged, and that the twenty third rule of this House be dispensed with as regards this Bill, and that the House be presently put into a Committee of the whole to take the said Bill into consideration.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

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

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

On motion made and seconded, it was

ORDERED, That the Order of the Day for the House to be put into a Committee of the whole to-morrow, to take into consideration the Bill to reduce the Duties imposed upon Ships or Vessels arriving at the Port of Saint John, to provide for the support of sick and disabled Seamen not being Paupers, belonging to the Province, be discharged, and that the twenty third Rule of this House be dispensed with as regards this Bill, and that the House be presently put into a Committee of the whole to take the said Bill into consideration.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

On motion made and seconded, it was

ORDERED, That the Order of the Day for the House to be put into Committee of the whole to-morrow, to take into consideration the Bill in further addition to the Acts relating to the Public Registry of Deeds in the Province, be discharged, and that the twenty third Rule of this House be dispensed with as regards the Bill, and that the House be presently put into a Committee of the whole to take the said Bill into consideration.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

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

A Petition from the Justices of the Peace for the City and County of Saint John, praying a grant of money to reimburse them for money expended on the Provincial Penitentiary, over and above the amount authorized by Law to be paid thereon:

A Petition from the same Justices, praying that an Act may pass, authorizing them to assess the inhabitants for necessary works in and about the Alms House and Work House of the City and County:

A Petition from the same Justices, praying a grant to remunerate the Overseers of the Poor of the Parish of Portland, for money expended on the Black Refugees at Lake Lomond:

A Petition from the Mayor, Aldermen and Commonalty of the City of Saint John, praying permission to use a part of the Market House in Carleton, as a Lock-up House, and for other purposes:

A Petition from the same Corporation, praying that Bonds given by them for £3250 loaned by the Province for the purpose of setting the Poor in Saint John at work, may be retired:

A Petition from the same Corporation, praying that all sums collected in the City of Saint John for Auction Duties may be paid over to the Chamberlain of the City for the public uses thereof:



A petition from John Kerr and others, Commissioners of the Alms House and Work House for Saint John, praying to be remunerated for the outlay of £25 19 8, for distressed Immigrants :

A Petition from James Stockford, High Constable for the City of Saint John, praying to be remunerated for arresting certain persons charged with burning a Mill in the County of Saint John :

A Petition from Messieurs Harris and Allan, of Saint John, praying an Act may pass to authorize the Magistrates of Saint John to raise a sum of money by Loan, to pay a Debt due them from the County, and other County Debts :

A Petition from Richard Dalton, of the Parish of Portland, praying remuneration for teaching a School in the said Parish :

A Petition from John Francis, of Newport, England, praying a return of Duties paid by him on certain articles of Merchandize landed in Kent, the Duties having been previously paid in Prince Edward Island :

A Petition from Jane Wedderburn, of Saint John, praying for a tract of Land to be granted to her, for which Land part of the purchase money was paid by her late husband : and

A Petition from John Lowther, Ezekiel Fenwick, and James Sullivan, and other purchasers of Land in the Mechanics' Settlement, praying permission to open Roads through the said Settlement, by aid of certain monies due the Crown for said Lands.

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

The Honorable Mr. Chandler, by leave, presented a Petition from Samuel D. Rice, of the City of Saint John, an ordained Wesleyan Minister, praying that an Act may pass to authorize the granting to him of a License to solemnize Marriage in this Province.

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

*Adjourned until To-morrow at 12 o'clock.*

THURSDAY, 7th March, 1844.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Shore,  
Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Wyer,  
Mr. Kinnear,  
Mr. Owen,  
Mr. Minchin.*

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

PRAYERS.

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

A

A Bill to authorize the erection of a Marine Hospital at Dalhousie, in the County of Restigouche, and to make further provision for sick and disabled Seamen not being Paupers, so far as the same may relate to the Port of Dalhousie :

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

A Bill to reduce the Duties imposed upon Ships or Vessels arriving at the Port of Saint John, to provide for the support of sick and disabled Seamen not being Paupers, belonging to the Province: and

A Bill to authorize the use of a part of the building erected for a Market House on the Western side of the Harbour in the City of Saint John, for other purposes than a Market.

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

On motion—

The House was put into a Committee of the whole to take into further consideration the several Messages from His Excellency the Lieutenant Governor, on the subject of the reconstruction and improvement of this House.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly, by Mr. Connell, that the Assembly had agreed to the amendments made by this House to the Bill to authorize the Trustees of Saint John Church, in Richmond, to sell Lands.

*Adjourned until to-morrow at 12 o'clock.*

FRIDAY, 8th March, 1844.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Shore,  
Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Wyer,  
Mr. Kinnear,  
Mr. Owen,  
Mr. Minchin.*

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

PRAYERS.

The

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

A Report upon the Accounts connected with the Special Commission, and the move of Troops to Miramichi, in 1843.

ORDERED, That the same do lie on the Table.

A Message was brought from the Assembly, by Mr. Fisher, with a Bill to amend and continue the Act to provide for the repair of the Streets and Highways in Fredericton, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly, by Mr. Hanington, with a Bill to amend an Act, intituled "An Act in addition to and in amendment of the Laws now in force for regulating Elections of Representatives to serve in General Assembly in this Province," to which they desire the concurrence of this House.

The said Bill was read a first time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the several Messages from His Excellency the Lieutenant Governor on the subject of the reconstruction and improvement of this House.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Wyer, by leave, presented a Petition from Michael Griffin, a Schoolmaster, praying compensation for teaching School six months in Saint Stephen, County of Charlotte.

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

*Adjourned until Monday next at 12 o'clock.*

MONDAY, 11th March, 1844.

PRESENT:

THE HON.

*Mr. Black, President.*

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

*Mr. Cunard,  
Mr. Saunders,  
Mr. Attorney General,  
Mr. Street,  
Mr. Hutch,  
Mr. Owen,  
Mr. Minchin.*

PRAYERS.

**PRAYERS.**

Pursuant to the Order of the Day, the Bill to amend and continue the Act to provide for the repair of the Streets and Highways in Fredericton, was read a second time.

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

Pursuant to the Order of the Day, the Bill to amend an Act, intituled "An Act in addition to and in amendment of the Laws now in force for regulating elections of Representatives to serve in General Assembly in this Province," was read a second time.

**ORDERED,** That the twenty-third Rule of this House be dispensed with as regards this Bill, and that the House be put into a Committee of the whole presently to take the said Bill into consideration.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

**ORDERED,** That the Report be received and leave granted.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill in addition to an Act intituled "An Act to provide for the erection of an Alms House and Work House, and to establish a Public Infirmary in and for the City and County of Saint John."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole to take into consideration the Bill to repeal an Act, intituled "An Act to amend an Act to provide for maintaining Light Houses within the Bay of Fundy, and to substitute other enactments in lieu thereof."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

**ORDERED,** That the Report be received and leave granted.

On motion—

The House was put into a Committee of the whole to take into consideration the Bill explanatory of an Act, intituled "An Act for erecting a Parish in the City of Saint John, and incorporating the Rectors, Church Wardens and Vestries of the Church of England in the several Parishes in this Province."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

**ORDERED,** That the Report be received and leave granted.

A

A Message was brought from the Assembly, by Mr. S. Earle, with a Bill to alter the division Line between the Parishes of Kingston and Norton, in King's County, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly, by Mr. Jordan, that the Assembly had agreed to the amendments made by this House to the Bill in addition to an Act, intituled "An Act to prevent Nuisances within the City of Saint John;" and with

A Bill to facilitate the collection and recovery of small debts due to the Crown, arising from the sale of Crown Lands and Timber,

To which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly, by Mr. Fisher, with a Bill to enable the Lieutenant Governor or administrator of the Government for the time being, to licence the Reverend Samuel D. Rice to solemnize Marriage in this Province, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly, by Mr. Boyd, with a Bill in addition to and in amendment of the Acts relating to Pilots within this Province, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

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

A Petition from William M'Leod, Samuel Aaron, George Platt and eighty eight others, Merchants and inhabitants of the County of Kent, praying that the Legislative Grant made in 1840 to encourage a Weekly Communication between Miramichi, Charlotte Town and Pictou, be paid to the Prince Edward Island Steam Navigation Company, for a limited period : and

A Petition from Alexander Rankin, of the Parish of Newcastle, Northumberland, praying that an amount of Duties paid by William Letson, of Chatham, on Tallow imported at that place, may be returned to the said William Letson.

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

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

A Petition from John Flemming, Timothy Crowley, Morris Glinn and three thousand other inhabitants of the City and County of Saint John, praying a Law may pass prohibiting the formation of Secret Societies and Party Processions of every description, except the Philanthropic body of Freemasons :

A Petition from Silvanus Powell, John Long and John Marshall, Pilots, of Richibucto, praying aid to enable them to make an experimental Seal Fishing Voyage :

A Petition from Jacob Mires, of the City of Saint John, praying encouragement to a Wooden Pail Manufactory established by him in the City of Saint John : and

A Petition from the Overseers of Poor in the Parish of Richibucto, praying a Grant of money to replace a sum expended for a transient Pauper.

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

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

A Petition from Leveret H. DeVeber, Benjamin G. Gray, D. D., Thomas Coram, Robert W. Crookshank and one thousand four hundred others, of the City of Saint John, praying no Act may pass for the suppression of Secret Societies : and

A Petition from John Walsh, of the City of Saint John, praying compensation for teaching a School.

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

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

A Petition from Thomas Harding, John Kerr, Jacob Allen and two hundred and sixty other inhabitants of the City and County of Saint John, praying that measures may be taken to abolish all Secret Societies in this Province except the Society of Freemasons : and

A Petition from Benjamin L. Peters, E. De W. Ratchford, Thomas B. Millidge and sixty seven others, praying for the continuance of the Bankrupt Laws, or proper amendments of the same.

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

*Adjourned until To-morrow at 12 o'clock.*

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TUESDAY, 12th March, 1844.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Shore,  
Mr. Robinson,  
Mr. Attorney General,  
Mr. Street,  
Mr. Hatch,  
Mr. Johnston,  
Mr. Crane,*

*Mr. Cunard,  
Mr. Saunders,  
Mr. Chandler,  
Mr. Wyer,  
Mr. Kinnear,  
Mr. Owen,  
Mr. Minchin.*

PRAYERS.

Pursuant to the Order of the Day, the Bill in addition to an Act, intituled "An Act to provide for the erection of an Alms House and Work House, and to establish a Public Infirmary in and for the City and County of Saint John," was read a third time and passed.

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

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

A

A Bill in addition to and in amendment of the Acts relating to Pilots within this Province :

A Bill to enable the Lieutenant Governor or Administrator of the Government for the time being, to licence the Reverend Samuel D. Rice to solemnize Marriage in this Province :

A Bill to alter the division Line between the Parishes of Kingston and Norton, in King's County : and

A Bill to facilitate the collection and recovery of Small Debts due to the Crown, arising from the sale of Crown Lands and Timber.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill to amend an Act, intituled "An Act in addition to and in amendment of the Laws now in force for regulating elections of Representatives to serve in General Assembly in this Province."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly, by Mr. W. H. Street, with a Bill to authorize the Justices of the Peace of the City and County of Saint John to raise a sum of money for the payment of certain Debts due by the County of Saint John, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill in further addition to the Acts relating to the Public Registry of Deeds in this Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

The Honorable Mr. Saunders, from the Select Committee appointed to examine and report upon the Bill to repeal all the Laws now in force relating to Bankruptcy in this Province, presented a Report.

ORDERED, That the said Report be received.

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

The Select Committee to whom was referred the Bill to repeal all the Laws now in force relating to Bankruptcy in the Province, beg leave to report the following facts :—

There are several Petitions before the House, five for and two against the repeal of the Bankrupt Laws. There is one from the City of Saint John with one hundred and fifty five signatures, praying for their repeal, and that no further enactments on the subject be made until a Bill for the purpose shall be fully and maturely considered and compared with the enactments of Great Britain and other countries upon the subject, and carefully reviewed by able Commissioners to be appointed for that purpose. There is also another from Fredericton, with one hundred and fifty signatures, praying a suspension of the Laws, or such amendments as will remove the evils now experienced therefrom. There is also another Petition from Northumberland, with one hundred and seven signatures, praying the same as the above mentioned Fredericton Petition. There are also two from Gloucester, one with three hundred and four signatures, and the other with three hundred and fifty one signatures, both praying a repeal or such amendments as to remedy the evil arising therefrom.

These Petitions make in the whole one thousand and sixty seven Petitioners in favor of the repeal or suspension of the said Laws, or such amendments as will remedy the evils arising therefrom, as set forth in the said several Petitions.

There are also against the repeal the following Petitions:—One from Saint John, with seventy signatures, and another from Fredericton, with eighty nine signatures, making in the whole one hundred and fifty nine Petitioners against the repeal.

We have also had before us the Return made by the Register of the Court of Chancery, of the list of persons who have filed Declarations of Insolvency under the Laws in question, and also of persons against whom Fiats have been granted, and those who have obtained their Certificates.

These lists comprehend from the 24th October, 1842, to 6th February, 1844, from which it appears there have been in that period three hundred and forty persons in the Province who have filed Declarations of Insolvency, and that two hundred and forty nine Fiats have been issued, of which all but one have been upon voluntary Declarations.

We have also had before us a Letter from Robert F. Hazen, Esquire, Commissioner of Bankruptcy for the City and County of Saint John, for Westmorland and King's County, addressed to a Member of this House, at his request, containing the following information on the subject:—

“On the receipt of the Fiat, the Bankrupt is notified to surrender, &c., within thirty days; and on his surrender I questioned him generally as to his debts and assets. Two public Meetings of his Creditors are then appointed and published in the newspapers, one about a month and the other about three months after the surrender. At the first of these Meetings he is examined, on oath, touching his dealings, debts, assets, &c., and if he makes a full disclosure and conforms to the Acts, a Certificate of surrender and conformity is granted to him, upon which he may be discharged out of custody. He is required to file all his books, papers, &c., and to give up his property to the assignee, as soon as possible after his surrender. At the second Meeting he is also subject to an examination, and this last Meeting is adjourned to a certain day, when the Bankrupt is required to finish his examination. I also require a balance sheet to be filed prior to the adjourned Meeting to finish. The sitting for the Certificate is appointed after the second Meeting. Any Creditor who has proved his claim can examine the Bankrupt or any witnesses. Independent of these Meetings,



Meetings, the Bankrupt is subject to any examination that may be required, and on application and good cause shewn, the Bankrupt can be summoned for examination at any time. From the time of the receipt of the Fiat to the granting of the Certificate, always five months elapse, during the whole of which time the Bankrupt is subject to examination.

“I have been thus particular that the public may know how the business is conducted, and that every opportunity is given to investigate the conduct of the Bankrupt.

“I do not suppose you want a formal statement of the cases, and therefore subjoin the following particulars:—

“Seventy one Fiats received prior to 1st January, 1844:

“Twelve ditto subsequent:

“Certificates of conformity in all things granted in twenty six cases:

“Opposition to the granting of the Certificates have been made in three cases:

“And Creditors have attended at the examinations of Bankrupts in twenty two cases in all.

“Should you require any further information in the matter, I will with pleasure furnish it.

“The Bankrupt Law needs much amendment, but the policy of repealing the Acts, from which much good may be derived, is in my opinion very questionable.”

We have also examined the Honorable Mr. Hatch, Commissioner for Charlotte, who states that there have been about twenty five Fiats in Bankruptcy received by him altogether, in which he has granted about eight or nine Certificates of discharge, and has refused them in two cases; there were only three in which the Certificates were opposed, the remaining cases have not yet been decided; there were several cases in which the Creditors attended the examinations but refused afterwards to make any opposition to the Certificates. Does not know of any case before him of fraud or perjury. In a common uncontested case the expense would be about twenty pounds.

Mr. Robinson, the Commissioner for York, Queens and Sunbury, having been also examined, states there have been about fifty Fiats before him; of these about eight Certificates of discharge have been granted, and about thirty six in which the ordinary proceedings are still going on. One Certificate has been refused on the ground of fraud expressly; another was suspended owing to the incorrect manner of keeping books, and for erasures and alterations therein; only six cases in which parties have been examined at Meetings of Creditors at all. In a common uncontested case the expenses are about twenty five pounds, at all events under thirty pounds. Their increase will depend on the opposition. He thinks the Act at present injurious in some respects, and requires amendments.

Having ascertained the foregoing facts, your Committee refrain from expressing any opinion or recommendation thereon, but submit the same to the consideration of the House.

JOHN S. SAUNDERS, *Chairman.*

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

A Message was brought from the Assembly by Mr. J. A. Street, with a Bill to revive

revive certain Acts relating to the prevention of the importation and spreading of Infectious Distempers, within the Counties of Charlotte and Northumberland, and to extend the same to the Counties of Gloucester and Restigouche, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

On motion—

The House was put into a Committee of the whole to take into consideration the Bill for the division of the County of Carleton into two Counties, and to provide for the Government and Representation of the new County.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill explanatory of an Act, intituled "An Act for erecting a Parish in the City of Saint John, and incorporating the Rectors, Church Wardens and Vestries of the Church of England in this Province."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A expunge the Preamble and the first Section of the Bill, and insert the following:—

"I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That any Clergyman duly inducted into the Rectory of any Church in any Parish within this Province, shall be deemed and taken to be the Rector of any such other Church or Churches in the same, or in any other Parish or Parishes, when he shall have received Letters of Institution from the Bishop of the Diocese, giving him the spiritual charge of the same, and shall have and be entitled to all the powers and authorities within the Parishes in which the several Churches are situated, which are given to Rectors by an Act intituled 'An Act for erecting a Parish in the City of Saint John, and incorporating the Rectors, Church Wardens and Vestries of the Church of England in the several Parishes in this Province,' so long as he shall be continued in such spiritual charge: Provided always, That nothing contained in this Act shall authorize or empower the Clergyman receiving such Letters of Institution, to fell, cut down, or take away, or otherwise dispose of the Timber or Wood which may be growing, or be on any lot or lots of land which constitute the Glebe of the Church, of which he may thereby have the spiritual charge, without express license shall be given him so to do, in writing, by the Bishop of the Diocese."

At B in the Title, expunge the words "explanatory of," and insert the words "in addition to."

The

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

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

The Honorable Mr. Hatch, by leave, presented a Petition from Nehemiah Marks, David A. Rose, James Frink, Samuel Abbot, and fifty four others, inhabitants of the Parishes of Saint Stephen, Saint David and Saint James, in Charlotte County, praying a grant of money to complete a Bridge over the Waweig.

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

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

A Petition from Thomas Allen, Archibald M'Kay and Alexander M'Kay, of the County of Westmorland, praying Legislative assistance, in consequence of serious injuries sustained by them, when conveying an English Mail to Prince Edward Island, in the year 1842; and

A Petition from James R. Tupper, of Woodstock, a Contractor for conveying Mails, praying a Ferry may be established across the Arestook River.

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

*Adjourned until To-morrow at 12 o'clock.*

WEDNESDAY, 13th March, 1844.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Shore,  
Mr. Robinson,  
Mr. Attorney General,  
Mr. Street,  
Mr. Hatch,  
Mr. Johnston,  
Mr. Crane,*

*Mr. Cunard,  
Mr. Saunders,  
Mr. Chandler,  
Mr. Wyer,  
Mr. Kinnear,  
Mr. Owen,  
Mr. Minchin.*

PRAYERS.

Pursuant to the Order of the Day, the Bill explanatory of an Act intituled "An Act for erecting a Parish in the City of Saint John, and incorporating the Rectors, Church Wardens and Vestries of the Church of England, in the several Parishes in this Province," as amended, was read a third time and passed.

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

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

A Bill to authorize the Justices of the Peace of the City and County of Saint John,

to raise a sum of money for the payment of certain Debts due by the County of Saint John: and

A Bill to revive certain Acts relating to the prevention of the importation and spreading of infectious Distempers within the Counties of Charlotte and Northumberland, and to extend the provisions of the same to the Counties of Gloucester and Restigouche.

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

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

The said Bill was read a first time.

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

The said Bill was read a second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill in addition to and in amendment of the Acts relating to Pilots in this Province.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into a Committee of the whole to take into consideration the Bill in amendment of and in addition to the Acts relating to the establishment of a Legal Tender in all payments to be made in this Province.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

On motion—

ORDERED, That the above Order be discharged, and that the said Bill be referred to a Select Committee of three Members to examine and report thereon.

ORDERED, That the Honorable Messieurs Cunard, Kinnear and Johnston do compose the Committee.

A Message was brought from the Assembly, by Mr. End, with a Bill to authorize the Roman Catholic Bishop of this Province to hold Lands, Tenements and Hereditaments, to him and his Successors for ever, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

Pursuant

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to facilitate the collection and recovery of Small Debts due to the Crown, arising from the sale of Crown Lands and Timber.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to enable the Lieutenant Governor or Administrator of the Government for the time being, to license the Reverend Samuel D. Rice to solemnize Marriage in this Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to alter the division Line between the Parishes of Kingston and Norton, in King's County.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

A Petition from John Glazier, Spafford Barker, William J. Bedell, and six other persons, praying that an Act incorporating the Fredericton Boom Company may pass: and

A Petition from the Chamber of Commerce in Saint John, praying that no alteration may be made in the Law for regulating the survey and exportation of Lumber until the necessity of a change is made apparent by the inquiries of a Commissioner to be appointed for that purpose, during the recess of the Legislature.

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

*Adjourned until to-morrow at 12 o'clock.*

THURSDAY, 14<sup>th</sup> March, 1844.

PRESENT:

THE HON.

*Mr. Black, President.*

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

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

*Mr.*

*Mr. Wyer,*  
*Mr. Kinnear,*  
*Mr. Owen,*  
*Mr. Minchin.*

*Mr. Hatch,*  
*Mr. Johnston,*  
*Mr. Crane,*

**PRAYERS.**

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

A Bill to enable the Lieutenant Governor or Administrator of the Government for the time being, to license the Reverend Samuel D. Rice to solemnize Marriage in this Province:

A Bill to alter the division Line between the Parishes of Kingston and Norton, in King's County: and

A Bill to facilitate the collection and recovery of Small Debts due to the Crown, arising from the sale of Crown Lands and Timber.

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

Pursuant to the Order of the Day, the Bill to authorize the Roman Catholic Bishop of this Province to hold Lands, Tenements and Hereditaments, to him and his successors for ever, was read a second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to authorize the Justices of the Peace of the City and County of Saint John to raise a sum of money for the payment of certain Debts due by the County of Saint John.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to revive certain Acts relating to the prevention of the importation and spreading of Infectious Distempers within the Counties of Charlotte and Northumberland, and to extend the provisions of the same to the Counties of Gloucester and Restigouche.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

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

**ORDERED,** That the Report be received, and leave granted.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill in addition to and in amendment of the Acts relating to Pilots within this Province.

The

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

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

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

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

The Honorable Mr. Johnston presented to the House a Bill, intituled "An Act relating to Bills of Exchange and Promissory Notes."

The said Bill was read a first time.

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

On motion—

The House was put into a Committee of the whole to take into consideration the Bill to amend and continue the Act to provide for the repair of the Streets and Highways in Fredericton.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A in Section I. expunge the remainder of the Section.

At B in Section VI. expunge the words "The first provision in the tenth section of the said recited Act," and insert the following :—

"That so much of the tenth section of the said recited Act as provides that where encroachments upon the Streets and Highways consist of dwelling houses or other erections of a permanent nature, the removal thereof shall not be compelled except in the case of the destruction of such encroachments by fire, or the decay or the dilapidation thereof.

At C in Section VII. expunge the remainder of the Section, and also section VIII. and insert the following :—

"The twelfth and thirteenth sections of the said herein before recited Act be and the same are hereby repealed."

Alter the numbers of the remaining Sections.

At D in Section XI. insert the words "except so much thereof as is hereby repealed."

At E in the same Section, expunge the word "fifty," and insert the words "forty seven, and from thence to the end of the then next Session of the General Assembly."

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

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

The Honorable Mr. Cunard, from the Select Committee appointed to examine and report upon the Bill in amendment of and in addition to the Act relating to the

establishment of a legal tender in all payments to be made in this Province, presented a Report.

**ORDERED**, That the Report be received, and the same was read by the Clerk, as follows :—

The Committee to whom was referred the Bill in amendment of and in addition to the Acts relating to the establishment of a legal tender in all payments to be made in this Province, Report—That they have had the said Bill under their consideration, and cannot recommend it to the adoption of the House, for the following reasons :—

It makes the value of the Pound Sterling of British Silver of equal value with the Sovereign as a legal tender to an unlimited amount, although the intrinsic value of the former is at least 6½ per centum less than the latter, and is also of the like inferior value to the Spanish, Mexican and American Dollars, rated at 5s. Currency.

The Sovereign is by law a legal tender in the United States at \$4.84, equal to £1 4 2½ of New Brunswick Currency, and generally commands a higher rate in that Country ; but no value being affixed by law there to British Silver, it is dealt with as an article of merchandize, and seldom, if ever, exceeds in value \$4.50 or £1 2 6 of British Currency to the Pound Sterling : Such being the relative value of the two Coins in the United States, and as every Coin in circulation in this Province is regulated by its worth there, the Committee are of opinion, that unless the legal value of the Sovereign is increased beyond 24s., at which it is rated by the present Bill, it will soon cease to circulate in this Province ; and if British Silver is made a legal tender to an unlimited amount, that Coin alone will remain in circulation. No better proof need be adduced, that such will be the inevitable result of fixing the value of the Sovereign in this Province below its worth in the United States, than the fact, that owing to the same cause, the Spanish and Mexican Dollars have gone entirely out of circulation, their value being about two per centum more in the United States than their legal value here at 5s. Currency.

The Committee would therefore recommend, in order to remove these objections to the Bill, that the following Rates, as exhibited by the Canada Act, should be substituted in lieu thereof, viz :—

The Dollar,.....	£0	5	1
The Sovereign,.....	1	4	4
The Crown,.....	0	6	0

limiting the amount of the latter as a legal tender, to a sum not exceeding — Pounds.

Respectfully submitted.

J. CUNARD, *Chairman.*

*Committee Room, 14th March, 1844.*

**ORDERED**, that the twenty third Rule of this House be dispensed with as regards this Bill, and that the House be put into a Committee of the whole presently to take the same, and the Report of the Select Committee thereon, into consideration.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

**ORDERED**, That the Report be received, and leave granted.

*Adjourned until To-morrow at 12 o'clock.*



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**FRIDAY, 15th March, 1844.**
**PRESENT:****THE HON.***Mr. Black, President.*

*Mr. Shore,  
Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Wyer,  
Mr. Kinnear,  
Mr. Owen,  
Mr. Minchin.*

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

**PRAYERS.**

Pursuant to the Order of the Day, the Bill to amend and continue the Act to provide for the repair of the Streets and Highways in Fredericton, as amended, was read a third time and passed.

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

Pursuant to the Order of the Day, the Bill to authorize the Justices of the Peace of the City and County of Saint John to raise a sum of money for the payment of certain debts due by the County of Saint John, was read a third time and passed.

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

Pursuant to the Order of the Day, the Bill, intituled "An Act relating to Bills of Exchange and Promissory Notes," was read a second time.

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

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

A Bill relating to the collection of Duty on Timber and other Lumber: and

A Bill to restrain the provisions of the fifth Section of an Act, intituled "An Act for the support of the Civil Government of this Province," and to establish sundry Regulations for the future sale and disposal of Timber in certain cases.

The said Bills were severally read a first time.

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

**On motion—**

The House was put into a Committee of the whole to take into consideration the Bill to repeal all the Laws now in force relating to Bankruptcy in this Province, and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The

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

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration the Bill in amendment of and in addition to the Acts relating to the establishment of a Legal Tender in all payments to be made in this Province, and the Report of the Select Committee thereon.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

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

Upon the question that the Report be received, the House divided—

CONTENT.	NON-CONTENT.
Mr. Black,	Mr. Shore,
Mr. Cunard,	Mr. Botsford,
Mr. Robinson,	Mr. Chandler,
Mr. Saunders,	Mr. Hatch.
Mr. Attorney General,	
Mr. Wyer,	
Mr. Kinnear,	
Mr. Johnston,	
Mr. Owen,	
Mr. Crane,	
Mr. Minchin.	

And so it passed in the affirmative.

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

At A expunge Section II, and insert the following:—

“II. And be it enacted, That from and after the passing of this Act, the British Sovereign shall pass current and be a legal tender in all payments to be made in this Province, at the rate of One pound four shillings and four pence, currency.

“III. And be it enacted, That the English Crown shall pass current in this Province at the rate of six shillings, currency, each, and all the aliquot parts thereof at the same rate and proportion which such aliquot parts respectively bear to the English Crown of which they are parts, and be a legal tender, in all payments to be made in this Province, to the amount of twenty pounds, and no more.

“IV. And be it enacted, That the milled Dollar of Spain, the Dollar of the United States of America, and of the several States of Peru, Chili, Central America, and the States of South America and Mexico, shall pass current for Five shillings and one penny currency, each, and the Half Dollars of any of the same Nations, States or Governments, shall pass current for Two shillings and sixpence half-penny currency, each; and such Dollar or Half Dollar shall be a legal tender by tale to any amount, but the other silver coins of the same Nations, being subdivisions of such Dollar, shall pass

pass current at the following rates, videlicet: The quarter, for One shilling and three pence, currency; the eighth, for Seven pence half-penny; and the sixteenth, for Three pence half-penny, currency, each; and shall be a legal tender, by tale, to the amount of five pounds, and no more, at any one time.

“V. And be it enacted, That this Act shall not come into operation or be in force until Her Majesty’s Royal approbation thereunto be first had and declared.”

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

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the several Messages from His Excellency the Lieutenant Governor, on the subject of the reconstruction and improvement of this House.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the several Messages; and that in the Committee, the following Resolution was passed:—

RESOLVED, That the weight and influence of this House, as an Independent Branch of the Legislature, mainly depend upon its character for stability, in the eyes of the Country, and that it would be highly desirable that the tenure of Office of the Members of this House should be during good behaviour, and should also be subject to the same disqualifications and mode of vacating the Seats of Members by reason thereof, as are prescribed for the Legislative Council of Canada by the Imperial Parliament.

On the question that the Report be received, the House divided—

CONTENT.

Mr. Black,  
Mr. Shore,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Street,  
Mr. Wyer,  
Mr. Hatch,  
Mr. Kinnear,  
Mr. Johnston,  
Mr. Crane.

NON-CONTENT.

Mr. Cunard,  
Mr. Saunders,  
Mr. Attorney General,  
Mr. Owen,  
Mr. Minchin.

And so it was passed in the affirmative.

The Honorable Mr. Chandler, by leave, presented a Petition from David S. Kerr, of Fredericton, praying a further allowance for reporting and publishing the decisions of the Supreme Court.

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

The Honorable Mr. Wyer, by leave, presented a Petition from Isabella Coulter, of Saint David Parish, praying an allowance for teaching a School five months ending November 1840.

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

The Honorable Mr. Owen, by leave, presented a Petition from Lewis Davis Wigan, Thomas Wright, and fifty two other persons, against the imposition of any tax on the manufactured Lumber, being the produce of the freehold estate of Landholders in the Province.

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

*Adjourned until Monday next at 12 o'clock.*

MONDAY, 18th March, 1844.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Shore,  
Mr. Saunders,  
Mr. Attorney General,  
Mr. Street,  
Mr. Hatch,  
Mr. Owen,  
Mr. Minchin.*

*Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Wyer,  
Mr. Johnston,  
Mr. Crane,*

PRAYERS.

Pursuant to the Order of the Day, the Bill in amendment of and in addition to the Acts relating to the establishment of a legal tender in all payments to be made in this Province, as amended, was read a third time and passed.

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

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

A Bill relating to the collection of Duty on Timber and other Lumber: and

A Bill to restrain the provisions of the fifth Section of an Act, intituled "An Act for the support of the Civil Government of this Province," and to establish sundry regulations for the future sale and disposal of Timber in certain cases.

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

On motion made and seconded—

RESOLVED, That a Committee be appointed to prepare an Address to Her Majesty on the subject of the Resolution passed in Committee of the whole House when in consideration of the Messages from His Excellency the Lieutenant Governor, in reference to the reconstruction and improvement of the Legislative Council.

ORDERED, That the Honorable Messieurs Botsford and Kinnear be a Committee to prepare the Address.

The Honorable Mr. Botsford presented to the House, a Bill, intituled "An Act to amend

amend an Act, intituled 'An Act to make more effectual regulations relating to Pilots within this Province.'

The said Bill was read a first time.

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

A Message was brought from the Assembly, by Mr. S. Earle, with a Bill to provide for the more efficient inspection of Flour and Meal, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to repeal an Act, intituled "An Act to amend an Act to provide for maintaining Light Houses within the Bay of Fundy, and to substitute other enactments in lieu thereof."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly, by Mr. Fisher, with a Bill relating to the Election of Representatives to serve in the General Assembly, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly, by Mr. Jordan, with a Bill for more effectually securing the navigation of the River and Harbour of Saint John, in the City and County of Saint John, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to authorize the Roman Catholic Bishop of this Province, to hold Lands, Tenements and Hereditaments, to him and his Successors for ever.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly, by Mr. W. H. Street, with a Bill imposing Duties for raising a Revenue, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

Pursuant

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill, intituled "An Act relating to Bills of Exchange and Promissory Notes."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same to the adoption of the House.

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

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

A Petition from John Kenny, John Owens, Cornelius Nice, Joseph Salter, and ninety two others, Fishermen, Merchants and Citizens of Saint John, praying no Act may be allowed to pass to alter the present Law, relative to the Herring Fishery at Grand Manan, which Law the Petitioners consider highly beneficial: and

A Petition from Messieurs Henry Chubb and Company, of Saint John, praying payment for services rendered in Printing a Geological Report in the year 1842.

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

*Adjourned until To-morrow at 12 o'clock.*

**TUESDAY, 19th March, 1844.**

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Shore,  
Mr. Saunders,  
Mr. Attorney General,  
Mr. Street,  
Mr. Hatch,  
Mr. Owen,  
Mr. Minchin.*

*Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Wyer,  
Mr. Johnston,  
Mr. Crane,*

PRAYERS.

Pursuant to the Order of the Day, the Bill, intituled "An Act relating to Bills of Exchange and Promissory Notes," was read a third time and passed.

ORDERED, That the Title be—

"An Act relating to Bills of Exchange."

ORDERED, That the Master in Chancery do carry the said Bill down to the Assembly, and acquaint that House, that the Legislative Council have passed this Bill, and desire the concurrence of the Assembly thereto.

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

A Bill, intituled "An Act to amend an Act, intituled 'An Act to make more effectual regulations relating to Pilots in this Province:'"

A Bill to provide for the more efficient inspection of Flour and Meal:  
 A Bill relating to the Election of Representatives to serve in the General Assembly:  
 A Bill for more effectually securing the Navigation of the River and Harbour of Saint John, in the City and County of Saint John: and  
 A Bill imposing Duties for raising a Revenue.  
**ORDERED**, That the House be put into a Committee of the whole to-morrow, to take the said Bills severally into consideration.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill relating to the collection of Duty on Timber and other Lumber.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee having the said Bill under consideration, it was moved to be

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

Whereupon the Committee divided—

CONTENT.  
 Mr. Shore,  
 Mr. Street,  
 Mr. Wyer,  
 Mr. Hatch,  
 Mr. Owen.

NON-CONTENT.  
 Mr. Black,  
 Mr. Robinson,  
 Mr. Saunders,  
 Mr. Botsford,  
 Mr. Attorney General,  
 Mr. Chandler,  
 Mr. Johnston,  
 Mr. Crane,  
 Mr. Minchin.

And so it passed in the negative.

The Chairman further reported, that the Committee had gone through the Bill, and recommended the same to the adoption of the House.

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

A Message was brought from the Assembly, by Mr. Hill, that the Assembly had agreed to the amendments made by this House to the Bill explanatory of an Act, intituled "An Act for erecting a Parish in the City of Saint John, and incorporating the Rectors, Church Wardens and Vestries of the Church of England, in the several Parishes in this Province;" and with the following Bills, to which they desire the concurrence of this House:—

A Bill to incorporate the Saint Croix Bridge Company: and

A Bill to authorize the Justices of the Peace in their General Sessions in the County of Charlotte, with the concurrence of the Grand Jury, to declare the amount of Salary for the services of the different Officers in the said County.

The said Bills were severally read a first time.

**ORDERED**, That the said Bills be severally read a second time to-morrow.

A Message was brought from the Assembly, by Mr. Barberie, with Resolutions of Appropriation,

Appropriation, dated the eighteenth day of March instant, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to revive certain Acts relating to the prevention of the importation and spreading of Infectious Distempers within the Counties of Charlotte and Northumberland, and to extend the provisions of the same to the Counties of Gloucester and Restigouche.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to restrain the provisions of the fifth section of an Act, intituled "An Act for the support of the Civil Government of this Province, and to establish sundry regulations for the future sale and disposal of Timber in certain cases."

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

*Adjourned until To-morrow at 12 o'clock.*

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WEDNESDAY, 20th March, 1844.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Shore,  
Mr. Saunders,  
Mr. Attorney General,  
Mr. Street,  
Mr. Hatch,  
Mr. Owen,  
Mr. Minchin.*

*Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Wyer,  
Mr. Johnston,  
Mr. Crane,*

PRAYERS.

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

A



A Bill to revive certain Acts relating to the prevention of the importation and spreading of Infectious Distempers within the Counties of Charlotte and Northumberland, and to extend the provisions of the same to the Counties of Gloucester and Restigouche :

A Bill relating to the collection of Duty on Timber and other Lumber : and

A Bill to restrain the provisions of the fifth Section of Act, intituled "An Act for the support of the Civil Government of this Province, and to establish sundry regulations for the future sale and disposal of Timber in certain cases."

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

Pursuant to the Order of the Day, the Bill to incorporate the Saint Croix Bridge Company, was read a second time.

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

Pursuant to the Order of the Day, the Bill to authorize the Justices of the Peace in their General Sessions, in the County of Charlotte, with the concurrence of the Grand Jury, to declare the amount of Salary for the services of the different Officers in the said County, was read a second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill, intituled "An Act to make effectual regulations relating to Pilots within this Province."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same to the adoption the House.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill imposing Duties for raising a Revenue.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same to the adoption of the House.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to provide for the more efficient inspection of Flour and Meal.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

Pursuant

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill relating to the Election of Representatives to serve in the General Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to repeal an Act, intituled "An Act to amend an Act to provide for maintaining Light Houses within the Bay of Fundy, and to substitute other enactments in lieu thereof."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation, dated the eighteenth day of March, and recommended that the House should concur in the same, with an exception, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the Resolutions of Appropriation dated the eighteenth day of March, were concurred in, with the following exception:—

To Asa Coy and Zebedee G. Gable, Trustees of the Baptist Meeting House in Fredericton, the sum of £14 10s., to reimburse them for Duties paid on an Organ for the use of the said Meeting House, imported from the United States.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have agreed to the Resolutions of Appropriation dated the eighteenth day of March, with the exception hereinbefore stated.

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

A Petition from Dennis Coll, of the City of Saint John, praying a return of Duties paid by him on Tallow imported in the Province in the years 1843 and 1844:

A Petition from John M'Carthy, of the Parish of Portland, in the County of Saint John, praying an allowance for teaching a School in the said Parish in the year 1837:

A Petition from John M'Carthy, praying an allowance for teaching a School in the Parish of Waterborough, in Queen's County, in the year 1841: A

A Petition from David O'Gorman, of the Parish of Portland, praying an allowance for teaching a School in that Parish in the years 1838 and 1842 : and

A Petition from Alexander Lockhart, James Swim, and twenty two other inhabitants of the Parish of Saint Martins, praying aid to enable them to keep up a communication by Mail to the City of Saint John.

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

To the Bill relating to the collection of Duty on Timber and other Lumber.

DISSENTIENT,

*First.*—Because the enactments of this Bill are partial in their operation, and impose an onerous tax which bears upon one class of the community only, that class being the freeholders who have already, in the purchase of their Land, paid the Government for the value of the timber growing thereon, in the full faith and confidence that by so doing they would have the right of exportation of that article to the Foreign market free of any further public charge or duty thereon, and the measure is therefore a breach of public faith to those individuals.

*Secondly.*—Because by this mode of relieving the lumberer upon the ungranted Crown Lands of the rate of stumpage heretofore required to be paid for the timber, it gives him an undue advantage in bringing his lumber to market over those who have already paid the Crown for the timber growing on their Lands, in the purchase thereof, and is in fact granting a relief to the lumberer on Crown Lands at the expense of the landholders.

*Thirdly.*—Because the tax is general upon all sawed lumber as well as upon squared timber, and in that respect imposes a direct duty on the export of our Home Manufactures, thereby taxing the industry and enterprize of the inhabitants of the country, a measure most impolitic and unprecedented in Legislation in any country, and more particularly injurious in a new country like this.

*Fourthly.*—Because it is imposing a direct tax upon the Staple Commodity of the country, and the only produce of the Soil this Province yet affords for exportation ; and is at variance with the numerous Petitions heretofore sent to the Home Government from the people, praying for protection and encouragement for the exportation of this article, as affording the principal means of remittance for the extensive importations into the Province of British goods.

GEO. FRED. STREET,  
THOMAS WYER,  
H. HATCH.

DISSENTIENT,

For the four causes above recited, and

*Fifthly.*—Because the enactments of this Bill must operate to the destruction of the external Commerce, Trade and Shipping of the Province, and of its consequent welfare and prosperity, by imposing a very heavy tax on its only Staple produce and manufactures, and rendering it impossible to compete in this our Staple commodity with our less burthened neighbours of the United States, even in the markets of our own Sister Colonies which are now as open to them as to us.

B\*

*Sixthly.*

*Sixthly.*—Because these enactments will oppose a serious obstacle to the progressive settlement on the Lands of the Province, and to the increase of its population, since no reasonable man who has a choice, will willingly plant himself on Lands where the produce of those Lands, and of his manual labour thereon, are to be subject to capricious and indefinite taxation.

W. F. W. OWEN.

*Adjourned until To-morrow at 12 o'clock.*

THURSDAY, 21st March, 1844.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Shore,  
Mr. Saunders,  
Mr. Attorney General,  
Mr. Street,  
Mr. Hatch,  
Mr. Owen,  
Mr. Minchin.*

*Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Wyer,  
Mr. Johnston,  
Mr. Crane,*

PRAYERS.

Pursuant to the Order of the Day, the Bill intituled "An Act to amend an Act, intituled 'An Act to make effectual regulations relating to Pilots within this Province,'" was read a third time and passed.

ORDERED, That the Title be—

An Act to amend an Act, intituled "An Act to make effectual regulations relating to Pilots within this Province."

ORDERED, That the Master in Chancery do carry the said Bill down to the Assembly, and acquaint that House, that the Legislative Council have passed this Bill, and desire the concurrence of the Assembly thereto.

Pursuant to the Order of the Day, the Bill imposing Duties for raising a Revenue, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have agreed to this Bill.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to authorize the Justices of the Peace in their General Sessions in the County of Charlotte, with the concurrence of the Grand Jury, to declare the amount of salary for the services of the different Officers in the said County.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill,

Bill, and recommended that the further consideration thereof be postponed for three months.

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

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

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

The said Bill was read a first time.

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

The said Bill was read a second time.

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

A Message was brought from the Assembly, by Mr. Jordan, with Resolutions of Appropriation dated the nineteenth day of March instant, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

**ORDERED**, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill for erecting the Parish of Madawaska, in the County of Carleton, into three separate or distinct Towns or Parishes.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

On the question that the Report be received, it was decided in the negative.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to provide for the more efficient inspection of Flour and Meal.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to authorize the Roman Catholic Bishop of this Province to hold Lands, Tenements and Hereditaments to him and his Successors for ever.

The

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly, by Mr. J. A. Street, with a Bill to afford relief to persons unfortunate in business in certain cases, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly, by Mr. S. Earle, with a Bill to repeal all the Acts now in force for the relief of old Soldiers of the Revolutionary War and their Widows, and to make more effectual provision for the same, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The Honorable Mr. Chandler, from the Select Committee to whom was referred the Bill further to amend the Law relating to Wills, Legacies, Executors and Administrators, and for the settlement and distribution of the Estates of Intestates, presented a Report.

ORDERED, That the Report be received.

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

The Select Committee to whom was referred a Bill further to amend the Law relating to Wills, Legacies, Executors and Administrators, and for the settlement and distribution of the Estates of Intestates, report—They have had the said Bill under consideration, to which they have prepared certain amendments, which they recommend to the adoption of the House.

E. B. CHANDLER, *Chairman.*

*Committee Room, 21st March, 1844.*

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

*Adjourned until To-morrow at 12 o'clock.*

FRIDAY, 22d March, 1844.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Shore,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Wyer,*

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

*Mr.*

*Mr. Johnston,*  
*Mr. Crane,*

*Mr. Owen,*  
*Mr. Minchin.*

**PRAYERS.**

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

A Bill to repeal all the Acts now in force for the relief of old Soldiers of the Revolutionary War and their Widows, and to make more effectual provision for the same: and

A Bill to afford relief to persons unfortunate in business in certain cases.

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

On motion—

The House was put into a Committee of the whole to take into further consideration the Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the nineteenth day of March, and recommend that the House should concur in the same, with certain exceptions, which the Committee recommend should not be concurred in, and ask leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the said Resolutions of Appropriation were concurred in, with the following exceptions:—

To the Rector, Church Wardens and Vestry of Saint Mark's, the Parish Church of Saint George, the sum of five pounds, being the amount of Duty paid by them in the year one thousand eight hundred and forty one, on a Bell imported from the United States for the use of said Church: and

To Richard Hayne, Esquire, Commissioner of the Nova Scotia and New Brunswick Land Company, the sum of one pound thirteen shillings and four pence, being the return of Duties on a Service of Sacramental Plate imported for the Church in Stanley.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have agreed to the said Resolutions of Appropriation, with the exceptions before mentioned.

The Honorable Mr. Owen, by leave, presented a Petition from John Wilson, William Babcock, and thirty three others, Merchants and Inhabitants of Saint Andrews, praying for the remission of all Port and Harbour Dues in the County of Charlotte, as a small remuneration to them for the heavy Duty laid on the export of manufactured Lumber of the said County, as enacted, during the present Session.

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

The Honorable Mr. Wyer, by leave, presented a Petition from John Wilson, William Babcock, James W. Street, and others, Merchants and Inhabitants of Saint Andrews, praying that measures may be adopted for allowing Foreign produce, acquiring a Colonial character by manufacture, to be admitted into the United Kingdom as the growth and produce of this Province.

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

*Adjourned until To-morrow at 12 o'clock.*

c\*

**SATURDAY,**

SATURDAY, 23d March, 1844.

PRESENT:

THE HON.

*Mr. Black, President.*

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

*Mr. Saunders,  
Mr. Attorney General,  
Mr. Street,  
Mr. Hatch,  
Mr. Owen,  
Mr. Minchin.*

PRAYERS.

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

ORDERED, That the Report be received.

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

The Committee to whom were referred all Bills relating to Corporations, report, that they have had under consideration, a Bill to incorporate the Fredericton Boom Company, and recommend the Bill to the favorable consideration of the House.

A. E. BOTSFORD, *Chairman.*

*Committee Room, 23d March, 1844.*

ORDERED, That the twenty third Rule of this House be dispensed with, as regards this Bill, and that the House be put into a Committee of the whole presently to take the said Bill and Report into consideration.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

*Adjourned until Monday next at 12 o'clock.*

MONDAY, 25th March, 1844.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Shore,  
Mr. Saunders,  
Mr. Attorney General,  
Mr. Street,  
Mr. Hatch,  
Mr. Owen,  
Mr. Minchin.*

*Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Wyer,  
Mr. Johnston,  
Mr. Crane,*

PRAYERS.



**PRAYERS.**

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill further to amend the Law relating to Wills, Legacies, Executors and Administrators, and for the settlement and distribution of the Estates of Intestates, and the Report of the Select Committee thereon.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

**ORDERED,** That the Report be received and leave granted.

A Message was brought from the Assembly, by Mr. Jordan, with Resolutions of Appropriation dated the twenty third day of March instant, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

**ORDERED,** That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

A Message was brought from the Assembly, by Mr. W. H. Street, with a Bill to establish the value of certain British Coins in this Province, and to amend the Acts relating to the establishment of a Legal Tender, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The House adjourned during pleasure.

After some time the House resumed.

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

The House attended accordingly.

His Excellency then gave his assent to the following Bills, intituled—

An Act relating to the collection of Duty on Timber and other Lumber :

An Act imposing Duties for raising a Revenue :

An Act to authorize the Justices of the Peace in the County of Kent to levy an assessment to defray the contingent expenses of the County :

An Act to authorize the Justices of the Peace for the County of Charlotte to make further provision for the payment of the Treasurer of that County :

An Act to authorize the Justices of the Peace for the County of Charlotte to levy an assessment to pay off the County Debt :

An Act for altering the times of holding one of the Terms of the General Sessions of the Peace and Inferior Courts of Common Pleas of the County of Carleton :

An Act to authorize the Rector, Church Wardens and Vestry of Saint Ann's Church, in the Parish of Sackville, to sell certain lots of Glebe Land, and to dispose of the money arising from the sale thereof in the purchase of other Lands :

An

An Act to continue an Act relative to Desertion from Her Majesty's Forces, and to punish unlawful dealings with Soldiers and Deserters :

An Act to authorize the Justices of the Peace in and for the City and County of Saint John to make compensation to the Assessors of Taxes for the City and Parish of Saint John, and the Parishes of Simonds, Lancaster and Saint Martin's, for the year one thousand eight hundred and forty three ; also to the Assessors of Taxes for the Parish of Portland for the year one thousand eight hundred and forty two.

An Act to amend an Act, intituled " An Act to regulate Vessels arriving from the United Kingdom with Passengers and Emigrants:"

An Act to lay a tax on Dogs in the Towns of Dalhousie and Campbelton, in the County of Restigouche :

An Act to amend an Act, intituled " An Act to regulate the fencing, occupation and grazing of the several Marshes, Low Lands and Meadows in the County Westmorland:"

An Act to authorize the Justices of the Peace in the County of Carleton to levy an assessment to pay off the County Debts :

An Act to remove the old Gaol of the City and County of Saint John :

An Act to continue and amend the Act incorporating the Charlotte County Bank :

An Act to empower the Justices of the Peace for the County of Gloucester, in their General Sessions, to regulate the Fisheries in the said County :

An Act to reduce the Duties imposed upon Ships or Vessels arriving at the Port of Saint John, to provide for the support of sick and disabled Seamen, not being Paupers, belonging to the Province :

An Act to authorize the erection of a Marine Hospital at Dalhousie, in the County of Restigouche, and to make further provision for sick and disabled Seamen, not being Paupers, belonging to this Province, so far as the same may relate to the Port of Dalhousie:

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

An Act to authorize the use of a part of the building erected for a Market House on the Western side of the Harbour, in the City of Saint John, for other purposes than a Market :

An Act to authorize the Trustees of Saint John Church, in Richmond, to sell Lands, and to apply the proceeds thereof to certain purposes.

An Act in addition to an Act, intituled " An Act to prevent Nuisances within the City of Saint John:"

An Act in addition to an Act, intituled " An Act to provide for the erection of an Alms House and Work House, and to establish a Public Infirmary in and for the City and County of Saint John:"

An Act to alter the Division Line between the Parishes of Kingston and Norton, in King's County :

An Act in addition to an Act, intituled " An Act for erecting a Parish in the City of Saint John, and incorporating the Rectors, Church Wardens and Vestries of the Church of England in the several Parishes in this Province:" and

An Act to revive certain Acts relating to the prevention of the importation and spreading

spreading of Infectious Distempers within the Counties of Charlotte and Northumberland, and to extend the provisions of the same to the Counties of Gloucester and Restigouche.

And as regards the following Bills, intituled—

An Act to enable the Lieutenant Governor or Administrator of the Government for the time being, to license the Reverend Samuel D. Rice to solemnize Marriage in this Province: and

An Act to authorize the Justices of the Peace of the City and County of Saint John to raise a sum of money for the payment of certain Debts due by the County of Saint John;

His Excellency was pleased to reserve the same for the consideration of Her Majesty.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to repeal all the Acts now in force for the relief of old Soldiers of the Revolutionary War and their Widows, and to make more effectual provision for the same.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

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

Copies of Despatches, Documents and Returns, relative to the Post Office, and the management of it in this Colony.

ORDERED, That the Documents do lie on the Table.

[See Appendix, No. 8.]

*Adjourned until to-morrow at 12 o'clock.*

TUESDAY, 26th March, 1844.

PRESENT:

THE HON.

*Mr. Black, President.*

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

*Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,*

D\*

*Mr.*

*Mr. Street,*  
*Mr. Hatch,*  
*Mr. Owen,*  
*Mr. Minchin.*

*Mr. Wyer,*  
*Mr. Johnston,*  
*Mr. Crane,*

**PRAYERS.**

Pursuant to the Order of the Day, the Bill to establish the value of certain Coins in this Province, and to amend the Acts relating to the establishment of a Legal Tender, was read a second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill intituled "An Act further to amend the Law relating to Wills, Legacies, Executors and Administrators, and for the settlement and distribution of the Estates of Intestates," and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly, by Mr. Hanington, with Resolutions of Appropriation dated the twenty fifth day of March, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

**ORDERED,** That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to authorize the Roman Catholic Bishop of this Province to hold Lands, Tenements and Hereditaments, to him and his Successors for ever.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

On the question that the Report be received, the House divided—

**CONTENT.**

The Hon. Mr. Black,  
 Mr. Shore,  
 Mr. Robinson,  
 Mr. Saunders,  
 Mr. Attorney General,  
 Mr. Street,  
 Mr. Hatch,  
 Mr. Owen.

**NON-CONTENT.**

The Hon. Mr. Botsford,  
 Mr. Chandler,  
 Mr. Wyer,  
 Mr. Johnston,  
 Mr. Crane,  
 Mr. Minchin.

And it was decided in the affirmative; and it was thereupon

**RESOLVED,**

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Resolutions of Appropriation.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the twenty third day of March, and asked leave to sit again.

**ORDERED**, That the Report be received and leave granted.

Whereupon the Resolutions of Appropriation dated the twenty third day of March, were concurred in.

**ORDERED**, That the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have agreed to the said Resolutions of Appropriation.

*Adjourned until To-morrow at 12 o'clock.*

**WEDNESDAY, 27th March, 1844.**

**PRESENT:**

THE HON.

*Mr. Black, President.*

*Mr. Shore,  
Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Wyer,  
Mr. Johnston,  
Mr. Crane,*

*Mr. Cunard,  
Mr. Saunders,  
Mr. Attorney General,  
Mr. Street,  
Mr. Hatch,  
Mr. Owen,  
Mr. Minchin.*

**PRAYERS.**

Pursuant to the Order of the Day, the Bill, intituled "An Act further to amend the Law relating to Wills, Legacies, Executors and Administrators, and for the settlement and distribution of the Estates of Intestates," was read a third time and passed.

**ORDERED**, That the Title be—

"An Act further to amend the Law relating to Wills, Legacies, Executors and Administrators, and for the settlement and distribution of the Estates of Intestates."

**ORDERED**, That the Master in Chancery do carry the said Bill down to the Assembly, and acquaint that House, that the Legislative Council have passed this Bill, and desire the concurrence of the Assembly thereto.

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

A Bill, intituled "An Act to appropriate a part of the Public Revenue for the payment of the Ordinary Services of the Province:" and

A

A Bill to repeal all the Laws now in force regulating the Survey and Exportation of Sawed Lumber, so far as relates to the River and Port of Saint John, and to make other provisions in lieu thereof.

The said Bills were severally read a first time.

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

A Message was brought from the Assembly, by Mr. Connell, with Resolutions of Appropriation dated the twenty sixth day of March, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That they be referred to the Committee of the whole House on Resolutions of Appropriation.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to establish the value of certain British Coins in this Province, and to amend the Acts relating to the establishment of a Legal Tender.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to incorporate the Fredericton Boom Company, and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly, by Mr. W. H. Street, with a Bill to provide for Drawbacks upon Flour exported in certain cases, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill for more effectually securing the navigation of the River and Harbour of Saint John, in the City and County of Saint John.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

The

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

ORDERED, That the Report be received.

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

The Committee to whom were referred all Bills relating to Corporations, report that they have had under their consideration a Bill to incorporate the Arestook Boom Company, and have prepared an amendment to the Bill, which they recommend to the adoption of the House.

A. E. BOTSFORD, *Chairman.*

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

On motion—

The House was put into a Committee of the whole, to take into consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the twenty fifth and twenty sixth days of March, and recommended that the House should concur in the same, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the Resolutions of Appropriation dated the twenty fifth and twenty sixth days of March, were concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have agreed to the said Resolutions of Appropriation.

*Adjourned until To-morrow at 12 o'clock.*

THURSDAY, 28th March, 1844.

PRESENT:

THE HON.

*Mr. Black, President.*

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

*Mr. Cunard,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Robertson,  
Mr. Hatch,  
Mr. Owen,  
Mr. Minchin.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to incorporate the Fredericton Boom Company, was read a third time and passed.

E\*

ORDERED,

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

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

A Bill, intituled “An Act to appropriate a part of the Public Revenue for the payment of the Ordinary Services of the Province :”

A Bill to repeal all the Laws now in force regulating the survey and exportation of Sawed Lumber, so far as relates to the River and Port of Saint John, and to make other provision in lieu thereof : and

A Bill to provide for a Drawback on Flour exported in certain cases.

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill relating to the election of Representatives to serve in the General Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to amend an Act, intituled “An Act in addition to and in amendment of the Laws now in force for regulating elections of Representatives to serve in General Assembly in this Province.”

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill for the division of the County of Carleton into two Counties, and to provide for the Government and Representation of the new County.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into further consideration of the



the said Bill, they had made further progress therein, and asked leave to sit again to-morrow.

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into Committee of the whole, to take into consideration the Bill to incorporate the Arestook Boom Company, and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

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

The Blue Book for the year 1843: also

A detailed Return from the Honorable the Surveyor General, made up for the year ending the 31st December 1843.

ORDERED, That the Documents do lie on the Table.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to afford relief to persons unfortunate in business in certain cases.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

*Adjourned until To-morrow at 12 o'clock.*

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FRIDAY, 29th March, 1844.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Shore,  
Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Robertson,  
Mr. Hatch,  
Mr. Owen,  
Mr. Minchin.*

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

PRAYERS.

Pursuant

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill, intituled "An Act to appropriate a part of the Public Revenue for the payment of the Ordinary Services of the Province."

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to provide for a drawback on Flour exported in certain cases.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

On motion, made and seconded, that the Bill to establish the value of certain British Coins in this Province, and to amend the Acts relating to the establishment of a Legal Tender, be read a third time, the House divided—

CONTENT.

The Hon. Mr. Black,  
Mr. Shore,  
Mr. Robinson,  
Mr. Saunders,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Street,  
Mr. Wyer,  
Mr. Hatch,  
Mr. Johnston.

NON-CONTENT.

The Hon. Mr. Cunard,  
Mr. Robertson,  
Mr. Owen,  
Mr. Crane,  
Mr. Minchin.

And so it was carried in the affirmative, and the Bill was read a third time and passed.

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

On motion made and seconded—

The Bill for more effectually securing the navigation of the River and Harbour of Saint John, in the City and County of Saint John, was read a third time and passed.

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

A Message was brought from the Assembly, by Mr. Perley, with Resolutions of Appropriation dated the twenty eighth day of March, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED,

ORDERED, That they be referred to the Committee of the whole House on Resolutions of Appropriation, and that the House be put into a Committee of the whole presently, to take into further consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the twenty eighth day of March, and recommended that the House should concur in the same, and asked leave to sit again.

Whereupon the Resolutions of Appropriation dated the twenty eighth day of March, were concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have agreed to the said Resolutions of Appropriation.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill for the division of the County of Carleton into two Counties, and to provide for the Government and Representation of the new County.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

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

A Petition from Dorothy Groom, the Widow of an old Soldier, praying for a Provincial allowance for reasons set forth in the Petition : and

A Petition from Susannah Dann, the Widow of an old Soldier, with the like prayer.

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

*Adjourned until To-morrow at 12 o'clock.*

SATURDAY, 30th March, 1844.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Shore,  
Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Robertson,  
Mr. Hatch,  
Mr. Johnston,  
Mr. Crane,*

*Mr. Cunerd,  
Mr. Saunders,  
Mr. Attorney General,  
Mr. Street,  
Mr. Wyer,  
Mr. Kinnear,  
Mr. Owen,  
Mr. Minchin.*

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PRAYERS.

## PRAYERS.

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

A Bill, intituled “ An Act to appropriate a part of the Public Revenue for the payment of the Ordinary Services of the Province :” and

A Bill to provide for a drawback on Flour exported in certain cases.

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to incorporate the Arestook Boom Company, and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

The Order of the Day for the House to be put into a Committee of the whole, to take into consideration the Bill to repeal all the Laws now in force regulating the survey and exportation of Sawed Lumber, so far as relates to the River and Port of Saint John, and to make other provisions in lieu thereof, being read, it was

ORDERED, To be discharged, and that the said Bill be referred to a Select Committee of three Members to examine and report thereon.

ORDERED, That the Honorable Mr. Cunard, Mr. Attorney General and Mr. Crane do compose the Committee.

*Adjourned until Monday next at 12 o'clock.*

MONDAY, 1st April 1844.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Shore,  
Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Robertson,  
Mr. Hatch,  
Mr. Owen,  
Mr. Minchin.*

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

PRAYERS.

On

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to incorporate the Arestook Boom Company, and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A Section III. expunge the remainder of the Section, and insert the words—  
“ Nothing in this Act shall authorize or be construed to authorize the said Corporation to enter upon the Lands or use the private property of any person or persons for the purpose of erecting or securing the said Boom, without their consent first had and obtained for that purpose.”

At B add a new Section, as follows :—

“ X. And be it enacted, That this Act shall not go into operation until Her Majesty’s Royal approbation be thereunto had and declared.”

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

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill for the division of the County of Carleton into two Counties, and to provide for the Government and Representation of the new County.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same to the adoption of the House.

On the question that the Report be received, the House divided—

CONTENT.

The Hon. Mr. Black,  
Mr. Cunard,  
Mr. Saunders,  
Mr. Chandler,  
Mr. Wyer,  
Mr. Hatch,  
Mr. Johnston,  
Mr. Owen,  
Mr. Minchin.

NON-CONTENT.

The Hon. Mr. Shore,  
Mr. Robinson,  
Mr. Botsford,  
Mr. Attorney General,  
Mr. Street,  
Mr. Robertson,  
Mr. Crane.

And so it passed in the affirmative.

ORDERED, That the said Bill be read a third time to-morrow.

A Message was brought from the Assembly, by Mr. Barberie, with a Bill to amend an Act, intituled "An Act relating to the collection of Duty on Timber and other Lumber," to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly, by Mr. Jordan, with Resolutions of Appropriation dated the thirtieth day of March: and with

A Bill further to continue an Act to provide for the prompt payment of all demands upon the Provincial Treasury;

To which they desire the concurrence of this House.

The said Resolutions and Bill were severally read a first time.

ORDERED, That the said Resolutions be referred to the Committee of the whole House upon Resolutions of Appropriation, and that the said Bill stand for a second reading to-morrow.

A Message was brought from the Assembly, by Mr. Fisher, that the Assembly had agreed to the Bill, intituled "An Act further to amend the Law relating to Wills, Legacies, Executors and Administrators, and for the settlement and distribution of the Estates of Intestates," with certain amendments, to which they desire the concurrence of this House.

A Message was brought from the Assembly, by Mr. Payne, with a Bill to enable the Justices of the Peace of the City and County of Saint John to pay off a portion of the debts now due by the County of Saint John, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the Resolutions dated the thirtieth day of March, they had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

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

A Petition from Mary Fullerton, praying an allowance for teaching a School in Norton, in King's County, in the year 1842: and

A Petition from Joseph Dixon, of the Parish of Canning, in Queen's County, praying an allowance for teaching a School in that Parish in the year 1843.

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

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

A Petition from Enoch Pitt, of King's County, praying an allowance for teaching a School in the Parish of Springfield, in King's County, in the year 1842: and

A Petition from Melissa Ann Black, of the same County, praying a similar allowance for teaching a School in the Parish of Upham, in the said County, in the year 1842.

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

*Adjourned until To-morrow at 12 o'clock.*

TUESDAY, 2d April, 1844.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Shore,  
Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Robertson,  
Mr. Hatch,  
Mr. Johnston,  
Mr. Crane,*

*Mr. Cunard,  
Mr. Saunders,  
Mr. Attorney General,  
Mr. Street,  
Mr. Wyer,  
Mr. Kinnear,  
Mr. Owen,  
Mr. Minchin.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to incorporate the Arestook Boom Company, as amended, was read a third time and passed.

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

Pursuant to the Order of the Day, the Bill to enable the Justices of the Peace of the City and County of Saint John to pay off a portion of the debts now due by the County of Saint John, was read a second time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards this Bill, and that the House be put into a Committee of the whole presently to take the said Bill into consideration.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

On motion—

The Bill further to continue an Act to provide for the prompt payment of all demands upon the Provincial Treasury, was read a second time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards this Bill, and that the House be put into a Committee of the whole presently to take the said Bill into consideration.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

On the question that the Report be received, the House divided—

CONTENT.	NON-CONTENT.
<p>The Hon. Mr. Black, Mr. Shore, Mr. Cunard, Mr. Robinson, Mr. Saunders, Mr. Botsford, Mr. Attorney General, Mr. Chandler, Mr. Street, Mr. Wyer, Mr. Hatch, Mr. Kinnear, Mr. Johnston, Mr. Owen, Mr. Crane, Mr. Minchin.</p>	<p>The Hon. Mr. Robertson.</p>

And so it passed in the affirmative.

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

A Message was brought from the Assembly, by Mr. Scoullar, that the Assembly had agreed to the Bill sent down by this House, intituled "An Act to amend an Act, intituled 'An Act to make more effectual Regulations relating to Pilots within this Province.'"

A Message was brought from the Assembly, by the Honorable Mr. Wilmot, with a Bill to enable Her Majesty's Government to carry into effect within the Province the provisions of the Fourth Article of the Treaty of Washington, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly, by Mr. Fisher, with a Bill for the relief of the Reverend Samuel D. Rice, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly, by Mr. W. H. Street, with a Bill to amend an Act imposing Duties for raising a Revenue, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

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



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

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

The said Bills were severally read a first time.

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

A Message was brought from the Assembly, by Mr. Gilbert, with Resolutions of Appropriation dated the first day of April, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That they be referred to the Committee of the whole House on Resolutions of Appropriation.

Pursuant to the Order of the Day, the Bill for the division of the County of Carleton into two Counties, and to provide for the Government and Representation of the new County, was read a third time.

The question was put "whether this Bill shall pass," the House divided—

CONTENT.

The Hon. Mr. Black,  
Mr. Cunard,  
Mr. Saunders,  
Mr. Chandler,  
Mr. Wyer,  
Mr. Hatch,  
Mr. Johnston,  
Mr. Owen,  
Mr. Minchin.

NON-CONTENT.

The Hon. Mr. Shore,  
Mr. Robinson,  
Mr. Botsford,  
Mr. Attorney General,  
Mr. Street,  
Mr. Robertson,  
Mr. Crane.

It was resolved in the affirmative.

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Cunard, by leave, presented a Petition from Thomas Willoughby, Thomas Vondy, Richard Hutchison, and sixty others, inhabitants of Northumberland, praying that the Bankrupt Laws may be repealed or amended.

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

*Adjourned until To-morrow at 12 o'clock.*

WEDNESDAY, 3d April, 1844.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Shore,  
Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Robertson,  
Mr. Kinnear,  
Mr. Owen,  
Mr. Minchin.*

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

PRAYERS.

To the Bill for the division of the County of Carleton into two Counties, and to provide for the Government and Representation of the new County—

DISSENTIENT,

*First.*—Because the passage of this Bill is in direct violation of those principles which govern the Legislature in passing Bills of this nature, inasmuch as no satisfactory information has been furnished to this House, either in regard to the number of Freeholders residing in that part of the Country, or of their willingness and desire thus to be erected into a new County, which cannot fail to impose upon them heavy burthens for the erection of the requisite Public Buildings and other expenses incident to a new County, or as to the extent and boundaries of such new County; that while the Government of Canada claims so large a proportion of the present County of Carleton, it is inexpedient to divide the said County into two distinct Counties, until the Boundary Line between this Province and the Province of Canada is finally determined by the Imperial Government; and as this unsettled Boundary forms the northern limits of the County of Carleton, it is quite impossible to establish the contemplated division upon those just and equable terms adapted to the wants, interests and convenience of the inhabitants of such part of the Territory as may eventually be continued to this Province.

*Secondly.*—Because, as the greatest proportion of the Territory sought to be erected into a new County by this Bill, is avowedly claimed by both Provinces, and has been the subject of a lengthened correspondence between the two local Governments, this attempt on the part of this Province to gravely legislate on the subject without the concurrence or knowledge of Canada, is a most unwise and injudicious exercise of the powers of this House, and cannot in the slightest degree strengthen our right, but on the contrary, displays a want of courtesy and forbearance in this stage of the proceedings, which cannot but be offensive to the Government of Canada, and may tend alike to embarrass and prolong the decision of the question, and to weaken the just claim which we unquestionably have to the Territory.

*Thirdly.*

*Thirdly.*—Because this Bill gives a partial and disproportionate increase of Representation to one section of the Province, in proportion to the amount of its population, to the manifest injustice of the other Counties.

GEORGE SHORE,  
WILLIAM H. ROBINSON,  
A. E. BOTSFORD,  
WILLIAM CRANE.

For the first and third causes above recited,

CHARLES J. PETERS,  
GEORGE F. STREET.

For the first cause above recited,

JOHN ROBERTSON.

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

A Bill further to continue an Act to provide for the prompt payment of all demands upon the Provincial Treasury : and

A Bill to enable the Justices of the Peace of the City and County of Saint John to pay off a portion of the debts now due by the County of Saint John.

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

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

A Bill to enable Her Majesty's Government to carry into effect within the Province the provisions of the Fourth Article of the Treaty of Washington :

A Bill for the relief of the Reverend Samuel D. Rice :

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

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

A Bill to amend an Act imposing Duties for raising a Revenue.

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the thirtieth day of March, and recommended that the House should concur in the same, with certain exceptions, which the Committee recommend should not be concurred in, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

H\*

Whereupon

Whereupon the said Resolutions of Appropriation were concurred in, with the following exceptions:—

To George Woods the sum of twenty five pounds to remunerate him in part for losses sustained in certain transactions with the New Brunswick and Nova Scotia Land Company :

To Mary Fullerton the sum of ten pounds for teaching a School in the Parish of Norton, in King's County, for six months, ending August, one thousand eight hundred and forty two :

To John M'Carthy the sum of nine pounds three shillings and four pence for having taught a School in the Parish of Waterborough, County of Queens, for four and a half months, ending the eighteenth day of November, one thousand eight hundred and forty one :

To Michael Griffin the sum of ten pounds for teaching a School in the Parish of Saint Stephen, in the County of Charlotte, for six months, ending the thirteenth day of April, one thousand eight hundred and forty two :

To George Fitzgerald the sum of twenty pounds for teaching a School in the Parish of Saint Stephen, in the County of Charlotte, for one year, ending eighth of July, one thousand eight hundred and forty three :

To Henry Coulter the sum of ten pounds for teaching a School in the Parish of Saint Stephen, in the County of Charlotte, for six months, ending the seventh day of October, one thousand eight hundred and forty one :

To Flora M'Kenzie the sum of twenty pounds for having taught a School in the Parish of Saint Stephen, in the County of Charlotte, for one year, ending the fifteenth December, one thousand eight hundred and forty two :

To David Brown the sum of ten pounds for having taught a School in the Parish of Burton, County of Sunbury, for six months, ending the twenty fifth day of January, one thousand eight hundred and forty four :

To John Walsh the sum of twenty pounds for having taught a School in the Parish of Saint John, City and County of Saint John, for one year, ending the first day of February, one thousand eight hundred and forty four ;

Which were not concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have agreed to the said Resolutions of Appropriation, with the exceptions before mentioned.

A Message was brought from the Assembly, by Mr. Jordan, with Resolutions of Appropriation dated the second day of April, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That they be referred to a Committee of the whole House upon Resolutions of Appropriation.

A Message was brought from the Assembly, by the Honorable Mr. Wilmot, with a Bill to amend the Charter of King's College, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The

The House proceeded to take into consideration the amendments sent up from the Assembly to the Bill, intituled "An Act further to amend the Law relating to Wills, Legacies, Executors and Administrators, and for the settlement and distribution of the Estates of Intestates."

The same were read by the Clerk, as follows:—

At A in the second Section, insert the following—

"When such death may have taken place after the first day of January, in the year of our Lord one thousand eight hundred and forty, or within twelve years after the death of any Testator or Intestate, when such death may have taken place previous to the said first day of January one thousand eight hundred and forty."

At B add the following Sections:—

"V. 'And whereas it is necessary to give further remedy in order to compel an Executor or Administrator to render an account of his administration;' Be it therefore enacted, That if any Executor or Administrator shall neglect or refuse to render an account of his administration, after being duly cited for that purpose, as provided for in the thirty fifth section of the said recited Act, he shall forfeit and pay the sum of five pounds every month, from and after the time appointed by such citation, or any further time that may be allowed by the Surrogate for such account to be rendered, until he shall render such account; every such forfeiture to be had and recovered by action of debt in the Inferior Court of Common Pleas in the same County, in the name and for the use of any Heir, Legatee or Creditor of the Testator or Intestate who shall first sue and prosecute for the same.

"VI. 'And whereas in cases of small Estates it is desirable to lessen and limit the fees payable to the Surrogate Judge and Register of Probates, respectively;' Be it therefore enacted, That when the Estate does not exceed one hundred pounds, and there shall be no contest, the fees of the Surrogate Judge shall be twenty shillings and no more; and when the Estate does not exceed two hundred pounds, and there shall be no contest, his fees shall be thirty shillings and no more; and in such cases the same fees shall be payable to the Register, and no more; and in all cases where the Estate does not exceed two hundred pounds, if license be granted by the Surrogate Judge for the sale of the Real Estate belonging to the same, and there shall be no contest, the fees of the Surrogate Judge for all proceedings relating to the application for and the granting of such license, shall not exceed twenty shillings, and for the Register the like sum, and no more; any thing in the said recited Act to the contrary notwithstanding."

The same being read a second time, and the question of concurrence put thereon, they were agreed to by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House thereof.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to repeal all the Laws now in force relating to Bankruptcy in this Province, and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The

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

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Johnston, by leave, presented a Petition from John Wishart, William Hammond, Edward L. Jarvis, and twenty five other persons, Magistrates and Merchants of the City of Saint John, praying an Act may pass to authorize the Corporation of the City of Saint John to open Saint John or Water Street, to the prolongation of the south side of a building occupied for the Revenue and Customs Department, to be opened at the expense of those who may be benefited by the opening of the said Street.

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

*Adjourned until To-morrow at 12 o'clock.*

THURSDAY, 4th April, 1844.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Shore,  
Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Robertson,  
Mr. Kinnear,  
Mr. Owen,  
Mr. Minchin.*

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

PRAYERS.

Pursuant to the Order of the Day, the Bill to amend the Charter of King's College was read a second time.

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

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

Pursuant

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

On motion—

The House was put into a Committee of the whole, to take into further consideration Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions dated the first day of April, and recommended that the House should concur in the same, with certain exceptions, which the Committee recommend should not be concurred in, and asked leave to sit again.

On the question that the Report be received, the House divided—

CONTENT.	NON-CONTENT.
The Hon. Mr. Black,	The Hon. Mr. Botsford,
Mr. Shore,	Mr. Chandler,
Mr. Cunard,	Mr. Crane,
Mr. Robinson,	Mr. Minchin.
Mr. Attorney General,	
Mr. Street,	
Mr. Robertson,	
Mr. Kinnear,	
Mr. Johnston,	
Mr. Owen,	
Mr. Hatch.	

And so it passed in the affirmative.

Whereupon the Resolutions of Appropriation dated the first day of April, were concurred in, with the following exceptions :—

To His Excellency the Lieutenant Governor or the Administrator of the Government for the time being, the following sums for Kent Bye Roads :—

The sum of £20 for the Road leading from the Post Road to the second tier of Lots on the north side of Big Buctouche River.

The sum of £10 for the Road on the south side of the Little Buctouche River to the second tier of Lots and through the same.

The sum of £10 towards the erection of a Bridge over Trout Brook, north side of the Kouchibouguacis River.

The

The sum of £20 for the Road on the north side of the Richibucto River; £4 of which to be paid W. Chandler for reporting on that Line by order of the Executive Government.

The sum of £10 towards opening a Road from the Chockpish River to Saint Nicholas River.

The sum of £30 for the Bridge over Mill Creek, north side of the Buctouche River.

To His Excellency the Lieutenant Governor or the Administrator of the Government for the time being, the following sums for the following Roads :—

The sum of £30 towards repairing the Pomeroy Bridge across the River Magaguadavic, in Saint George.

The sum of £20 for the Road on the Flume Ridge in the Parish of Saint George.

The sum of £15 to open the new Road from Wetmore's Farm near the first Falls of the Magaguadavic River to the old Saint Andrews Road where the Redstone Road joins the same in Saint George.

The sum of £20 from the Kirk in Saint James' to Gleason's near King Brook.

The sum of £8 towards rebuilding a Bridge near Michael Young's in Saint David's.

The sum of £7 for the Road from Chace's in Saint Patrick's, towards Edwin Foster's.

To His Excellency the Lieutenant Governor or the Administrator of the Government for the time being, the following sums for Sunbury Roads, viz :—

The sum of £30 to build a Bridge over Armstrong's Mill Stream on the Road from the River Saint John to the Little River Mills, in the Parish of Sheffield.

The sum of £30 for the Road from John Grass' to Peabody's Mills in Lincoln.

The sum of £10 for the Road from the Gary Road to a Settlement above Nevers' Mill.

The sum of £15 for the Road from Jacob Smith's to the Nerepis Road.

The sum of £15 to improve and secure the Bridge over Estey Creek.

To His Excellency the Lieutenant Governor or the Administrator of the Government for the time being, the following sums for Saint John Roads :—

The sum of £30 in part of balance due William H. Craft for building a Bridge over Dipper Harbour Creek in 1841.

The sum of £15 for repairing the Bridge across Black River on the lower Road.

The sum of £15 for repairing the Bridge below Lang's Hill on the Road to Loch Lomond.

The sum of £20 for repairing the Bridge across Vaughan's Creek in Quaco.

The sum of £10 for the Bridge over Ten Mile Creek on the Road from James Brown's, Esquire, to the Ten Mile Creek Road.

The sum of £5 to explore a Road from the back lots, South Bay, to intersect the Saint Andrews Road.

The sum of £5 to explore the Road from Tabor's at Hammond River to Quaco.

To His Excellency the Lieutenant Governor or the Administrator of the Government for the time being, the following sums for Kings County Roads :—

The



The sum of £20 towards repairing the Bridge over the Brook near Stewart's Mills.

The sum of £20 towards repairing the Bridge over a deep Ravine on the Road leading from South Stream to James Upham's, near Henderson's Mills.

The sum of £10 towards erecting a Bridge on the Road leading from James M'Cready's to Thomas Parmer's.

The sum of £10 for repairing the Bridges on the Road leading from Queens County Line to Bellisle, by way of William Wetmore's, Junior.

The sum of £10 to assist in erecting several small Bridges on the new Road leading from the Shepody Road, near William Scott's, to William Drummond's.

The sum of £10 to assist in removing some dangerous rocks on the Road leading from Barzilla Kierstead's to Queens County Line.

The sum of £10 for Causewaying a Slough on the Road leading from David Muir's, to David M'Knight's.

The sum of £10 to repair the Bridges on the new Road leading from Perry's Brook, over the Mountain, to James Ketchum's.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £100 for the Roads and Bridges in the County of Westmorland, to be appropriated as follows, namely:—

The sum of £15 to build a Bridge over Mud Creek, in the Parish of Coverdale.

The sum of £12 10s. to build a Bridge across Weldon Creek, near Round Hill, in the Parish of Hillsborough.

The sum of £15 to repair the Germain Town Marsh Road, by Tingley's.

The sum of £7 10s. to repair the Road from the Main Road to Corn Hill Settlement.

The sum of £10 to assist in rebuilding the Aboideau at Bellevous Village.

The sum of £10 for the Road from the Main Road to the Landing at John Snowden's.

The sum of £7 10s. for the Aboideau at Grand Aunce.

The sum of £10 to rail the Kouchibouguac Bridge.

The sum of £12 10s. to repair the Bridge over Gaspereau River.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the following sums for the Queens County Roads:—

The sum of £10 for improving the Road from Vail's Ferry to Nerepis Road.

The sum of £10 from the Forks of the Road near John Gaunce's to M'Allister's, on the Nerepis Road.

The sum of £10 from Lounsberry Ferry to Currey's Grist Mill on Sucker Brook.

The sum of £5 for the Road from Thomas Wetherall's Mill to East Waterloo Settlement.

The sum of £5 for the Road from Thomas Wetherall's Mills to Salmon Creek Road.

The sum of £10 for the Road from the North Forks to the Main Road on the New Canaan River.

The sum of £10 for the Road from Stephen Linton's to the Salmon Creek on the Hardwood Ridge Road.

The sum of £10 for the Road from Young's Cove, Grand Lake, to Washademoak Lake, near Jenkins'.  
The

The sum of £5 for the George Lyon's Road.

The sum of £5 for the Road from the Nerepis Road to Darby Gillan's.

The sum of £5 for the Road from Shannon Settlement to John Shaw's Mill.

The sum of £5 for the Road from Lewis' Cove to the Scotch Church, Shannon Settlement.

The sum of £10 to build a Bridge over the Gulley near the Big Key Hole in Canning.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the following sums for Carleton Roads:—

The sum of £15 for the Bridge over Gibson's Mill Stream in the Parish of Northampton.

The sum of £35 for the Bridge over the Begaguimick Stream in the Parish of Brighton.

The sum of £8 for the Road leading from M'Isaac's to a Back Settlement.

The sum of £7 10s. for a Road leading from Alexander Lindsay's to William Phillips', in the Parish of Wakefield.

The sum of £8 for the Road leading from Colonel Ketchum's Mill on the Little Presque Isle, to the end of a new Settlement.

The sum of £19 for a Road leading from Alexander Lindsay's to the farther end of the New Ireland Settlement.

The sum of £7 10s. to open and improve a new Road leading from James Bond's, past Charles Coldwell's Farm, to Moses Hannah's.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the following sums for the Northumberland Roads:—

The sum of £37 12 6 towards ballasting, securing and improving the Bridge across Taxes River.

The sum of £12 7 6 to Alexander Goodfellow and Richard Sutton, amount over expended by them in the erection of Barnaby's Island Bridge.

The sum of £15 to improve the Road and repair the Bridges between Black River and Escuminac.

The sum of £10 towards exploring and opening a Road from Point Du Car to Black River Church.

The sum of £25 to improve the Road and repair the Bridges between Bartibog and Tabusintac.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £15 towards the erection of a Bridge across the Mactaquack, the materials of which have been preserved from the Bridge destroyed by the Ice Freshet last Spring.

The sum of £20 towards the improvement and securing the Bridge over the Taxes River, which was in part destroyed by the Ice Freshet of last Spring.

The sum of £7 to George Hayward; £5 of which to remunerate him for money paid the Contractor for erecting a Bridge across Bullen's Creek, and the balance of £2 to remunerate George Beattie for work done on the Royal Road, so called.

The sum of £8 to assist in repairing the Keswick Bridge.

To

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of £50 to reimburse in part the Commissioner for opening the new Road from the Saint Andrews Road to George Wynne's.

Which were not concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have agreed to the Resolutions of Appropriation dated the first day of April, with the exceptions before mentioned.

A Message was brought from the Assembly, by Mr. Jordan, with Resolutions of Appropriation dated the third day of April, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That the said Resolutions be referred to the Committee of the whole House upon Resolutions of Appropriation.

A Message was brought from the Assembly, by Mr. End, with a Bill to repeal an Act, intituled "An Act to provide for the greater safety of Passengers on board Steam Boats," and to make further provision in lieu thereof.

The said Bill was read a first time.

ORDERED, That the said Bill stand for a second reading on Saturday next.

The Honorable Mr. Botsford, from the Select Committee appointed to prepare an Address to Her Majesty, on the subject of the Resolutions passed in Committee of the whole House when in consideration of the Messages from His Excellency the Lieutenant Governor in reference to the reconstruction and improvement of the Legislative Council, reported a Draft thereof, which he read in his place.

ORDERED, That the Report be received.

ORDERED, That the House be put into a Committee of the whole on Monday next, to take the said Draft, and Report of the Select Committee thereon, into consideration.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to afford relief to persons unfortunate in business in certain cases.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

*Adjourned until Saturday next at 11 o'clock.*

SATURDAY, 6th April, 1844.

PRESENT:

THE HON.

*Mr. Shore,  
Mr. Robinson,*

*Mr. Black, President.*

*Mr. Cunard,  
Mr. Saunders,*

1\*

*Mr.*

*Mr. Botsford,  
Mr. Chandler,  
Mr. Kinnear,  
Mr. Owen,  
Mr. Minchin.*

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

**PRAYERS.**

A Message was brought from the Assembly, by Mr. Jordan, with Resolutions of Appropriation dated the fourth day of April, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

**ORDERED,** That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

A Message was brought from the Assembly, by Mr. Connell, that the Assembly had agreed to the amendments made by this House to the Bill to incorporate the Arestook Boom Company.

A Message was brought from the Assembly, by the Honorable Mr. Hazen, with a Bill to authorize the Mayor, Aldermen and Commonalty of the City of Saint John to lay out and open a Street in the said City, in continuation of John or Water Street, so called, southwardly to the prolongation of the southern end of the Brick Building now used for the Custom House, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the second, third and fourth days of April, and recommended that the House should concur in the same, with certain exceptions, which the Committee recommended should not be concurred in, and asked leave to sit again.

**ORDERED,** That the Report be received and leave granted.

Whereupon the Resolutions of Appropriation dated the second, third and fourth of April, were concurred in, with the following exceptions:—

To George J. Harding the sum of fifty pounds to remunerate him for his services as Health Officer at Partridge Island, in the year one thousand eight hundred and forty three; to be taken from the Emigrant Fund:

To Thomas Graham, of the Parish of Portland, the sum of fifteen pounds to remunerate him for Medical attendance rendered gratis to sick and distressed Emigrants in the year one thousand eight hundred and forty three; to be taken from the Emigrant Fund:

To Edmund Ward the sum of one hundred pounds for publishing the Reports of the House during the present Session;

Which were not concurred in by the House.

**ORDERED,**

**ORDERED**, That the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have agreed to the Resolutions of Appropriation dated the second, third and fourth days of April, with the exceptions before recited.

The Honorable Mr. Cunard, from the Select Committee appointed to examine and report upon the Bill to repeal all the Laws now in force regulating the survey and exportation of sawed Lumber, so far as relates to the River and Port of Saint John, and to make other provisions in lieu thereof, presented a Report.

**ORDERED**, That the Report be received.

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

The Select Committee to whom was referred the Bill to repeal all the Laws now in force regulating the survey and exportation of sawed Lumber, so far as relates to the River and Port of Saint John, and to make other provisions in lieu thereof, beg leave to report that they have attended to the duty, they have prepared certain amendments, to the Bill, which they recommend to the favorable consideration of the House.

JOSEPH CUNARD, *Chairman*.

**ORDERED**, That the House be put into a Committee of the whole on Monday next to take the said Bill, and the Report of the Select Committee thereon, into consideration.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to enable Her Majesty's Government to carry into effect within this Province the provisions of the Fourth Article of the Treaty of Washington.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill for the relief of the Reverend Samuel D. Rice.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

On motion—

The Bill to amend an Act, intituled "An Act relating to the collection of Duty on Timber and other Lumber," was read a second time.

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

On

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to amend an Act imposing Duties for raising a Revenue.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the Bill to repeal an Act, intituled "An Act to provide for the greater safety of Passengers on board Steam Boats," and to make further provision in lieu thereof, was read a second time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards this Bill, and that the House be put into a Committee of the whole presently to take the said Bill into consideration.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A in Section IV. expunge the remainder of the Section.

At B in Section V. insert the word "and."

At C expunge the words "and life preservers."

At D in Section VII. insert the words "or any one of them."

At E insert the word "and."

At F expunge the words "and life preservers."

At G insert the words "or some or one of them."

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

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to repeal all the Laws now in force relating to Bankruptcy in this Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

The

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

At A expunge the remainder of the Bill, and insert the following—

“ Whereas it is considered expedient further to amend the Law relating to Bankruptcy;

“ I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the fourth section of an Act made and passed in the fifth year of the Reign of Her present Majesty, intituled ‘ An Act relating to Bankruptcy in this Province;’ and also the second, fourth and fifth sections of an Act made and passed in the sixth year of the same Reign, intituled ‘ An Act in addition to and in amendment of the Law of Bankruptcy;’ and also all other provisions in either of the said recited Acts which may relate to the voluntary Declarations of any person being deemed an Act of Bankruptcy, or that persons owing debts less than five hundred pounds in amount may become Bankrupts, be and the same are hereby repealed; Provided always, that when any Fiat in Bankruptcy may have been struck or granted before the passing of this Act, whether founded on the voluntary Declarations of an alleged Bankrupt or otherwise, proceedings may still be had and continued thereon, and by, against or for such alleged Bankrupt, his person, estate or effects, in all respects the same and with the like force and effect to all intents and purposes, as if no part of the said recited Acts had been repealed as aforesaid.

“ II. And be it enacted, That when and so soon as the proper Commissioner shall have received any Fiat and Documents as is provided in the said Acts, he shall forthwith endorse thereon the day and hour on which he received the same, and by warrant under his hand and seal shall appoint one fit and proper person to be a Provisional Assignee of the estate and effects of the said alleged Bankrupt, and shall cause a copy of such Fiat to be served on such alleged Bankrupt, if he shall be found within the jurisdiction of such Commissioner, and if not so found, then to be left at the last place of abode or business of the said alleged Bankrupt, or delivered to his wife or some adult member of his family, or agent, together with a notice, setting forth the appointment of the said Provisional Assignee; and in case the said alleged Bankrupt should, within the period of seven days after such service of the copy of the said Fiat and notice, file with the said Commissioner a Declaration in writing of his dissent to the said Fiat, and desire to contest such alleged Bankruptcy, that then the said Commissioner shall forthwith transmit such Declaration to the Chancellor or Master of the Rolls, who shall proceed to the determination of the question so in contest, as hereinafter directed; and in case the said alleged Bankrupt should not within the said period of seven days after such service of the copy of the said Fiat and the said notice, file with the said Commissioner such Declaration, or when the said Chancellor or Master of the Rolls shall have determined and confirmed the said Fiat of Bankruptcy, that the said Commissioner shall, as soon as may be thereafter, cause public notice of the said appointment to be published by two several insertions in one or more of the Newspapers of the County, City and County, or District in which such Commissioner hath jurisdiction; and if there shall be no Newspaper printed in the said County, City and County, or District, then in the Royal Gazette of this Province; and shall thereby require all persons indebted to the said Bankrupt by a certain day to be therein expressed, to pay all such sum or sums of money, debts or duties as they may owe to the said Bankrupt, and deliver up all other property and effects of the said Bankrupt in their possession,

possession, power or custody, to him, the said Assignee; and by the same notice shall require all the Creditors of the said Bankrupt, within three months from the day of the date of such notice, to deliver in and prove to the satisfaction of the said Commissioner, their respective claims and demands, whether the same be actually due or to become due against the said Bankrupt; and shall by such notice appoint two public meetings of the Creditors of such Bankrupt to be held, for the said Bankrupt to surrender and conform; the last of which meetings shall be on a day not less than thirty days, and not exceeding sixty days from the date of such advertisement, and shall be the day limited for such surrender; Provided always, that such Bankrupt shall and may, if so minded, before the expiration of the time allowed for filing such Declaration of dissent, surrender to such Fiat, and such person shall be free from arrest or imprisonment by any Creditor in coming to surrender, and after such surrender, during the time limited and appointed for the last of such meetings so to be advertised as aforesaid, and such further time as shall be allowed him for finishing his examination, and for such time after finishing his examination until his Certificate be allowed and confirmed, or during any suspension of such allowance or any conditional allowance, as such Commissioner shall, from time to time, by indorsement upon the summons of such Bankrupt, think fit to appoint, provided he was not in custody at the time of such surrender; and if such Bankrupt shall be arrested for debt, or on any escape warrant in coming to surrender, or shall, after his surrender, be so arrested within the time aforesaid, he shall, on producing his summons, signed as required by this Act, to the Officer who shall arrest him, and giving such Officer a copy thereof, be immediately discharged.

“III. And be it enacted, That whenever it shall be made to appear to the satisfaction of any Commissioner, or such Commissioner shall have reason to believe that any Creditors of the said Bankrupt reside in any part of the United Kingdom of Great Britain and Ireland, then notice shall be forthwith transmitted for publication in the London Gazette, calling upon such Creditors to appoint an Agent or Agents in this Province, and to deliver and prove to the satisfaction of the said Commissioner, their respective claims and demands as aforesaid against the said Bankrupt, within three months from the day of the date of the said notice so published in the London Gazette.

“IV. And be it enacted, That whenever any Bankrupt is in prison, or in custody under any process, attachment, execution, commitment or sentence, the Commissioner acting in the prosecution of the Fiat against him, may, by warrant under his hand and seal, directed to the person in whose custody such Bankrupt is confined, cause such Bankrupt to be brought before him at any meeting, either public or private; and if any such Bankrupt is desirous to surrender, he shall be so brought up, and the expense thereof shall be paid by and allowed to him out of the estate of such Bankrupt; and such person shall be indemnified by the warrant of the Commissioner, for bringing up such Bankrupt; provided the Assignee may appoint any persons to attend such Bankrupt from time to time, and to produce to him his books, papers and writings, in order to prepare an abstract of his Accounts, and a statement to shew the particulars of his estate and effects, previous to his final examination and discovery thereof.

“V. And be it enacted, That any Bankrupt who shall, after such certificate shall have been



been confirmed, be arrested, or have any action brought against him for any debt, claim or demand, proveable under the Fiat against such Bankrupt, shall be discharged upon entering an appearance, and may plead in general that the cause of action accrued before he became Bankrupt, and may give this Act, and the special matter, in evidence; and such Bankrupt's certificate, and the confirmation thereof, shall be sufficient evidence of the Bankruptcy. Fiat and other proceedings precedent to the obtaining such certificate; and if any such Bankrupt shall be taken in execution, or detained in prison for such debt, claim or demand, where judgment has been obtained before the confirmation of his certificate, it shall be lawful for any Judge of the Court wherein judgment has been so obtained, on such Bankrupt producing his certificate, to order any officer who shall have such Bankrupt in custody, by virtue of such execution, to discharge such Bankrupt without exacting any fee, and such officer shall be hereby indemnified for so doing.

“ VI. And be it enacted, That all claims made by any person against the estate of any Bankrupt, with the affidavit or affidavits accompanying the same, shall be lodged with the Assignee of the Bankrupt's estate, at least forty eight hours before the time appointed for the holding of the public meeting at which such claim is to be adjudicated upon; and it shall be lawful for the Commissioner acting in the prosecution of any Fiat, to examine upon oath, either by word of mouth or by interrogations in writing, every person claiming to prove a debt under such Fiat, or to require such further proof, and to examine such other persons in relation thereto as he shall think fit.

“ VII. And be it enacted, That any person who at the time of the receipt of the Fiat by the proper Commissioner, shall be surety or liable for any debt of the Bankrupt, or bail for the Bankrupt, either to the Sheriff or to the action, if he shall have paid the debt, or any part thereof in discharge of the whole debt, although he may have paid the same after the receipt of the Fiat by the said Commissioner, if the creditor shall have proved his debt under the Fiat, shall be entitled to stand in the place of such creditor as to the dividends and all other rights under the said Fiat, which such creditor possessed or would be entitled to, in respect of such proof; or if the creditor shall not have proved under the Fiat, such surety, or person liable, or bail, shall be entitled to prove his demand in respect of such payment as a debt under the Fiat, not distinguishing former dividends, and may receive dividends with the other creditors.

“ VIII. And be it enacted, That it shall be lawful for the Commissioner, at the time appointed for the last examination of the Bankrupt, or any enlargement or adjournment thereof, to adjourn such examination *sine die*; and in such case he shall be free from arrest and imprisonment for such time, not exceeding three months, as such Commissioner shall from time to time, by endorsement upon the summons of such Bankrupt, appoint, with like penalty upon any officer detaining such Bankrupt, after having been shewn such summons.

“ IX. And be it enacted, That all affidavits to be made or used in matters of Bankruptcy, or under or by virtue of any Act relating to Bankrupts, or of this Act, and whether before or after any Fiat in Bankruptcy, shall and may be sworn in this Province before the Chancellor, or Master of the Rolls, or any Judge of the Supreme Court or of the Inferior Court of Common Pleas, or Commissioner of the Estates and Effects of Bankrupts, or Master in Ordinary or Extraordinary in the Court of Chancery, or any Commissioner for taking affidavits to be read in the said Supreme Court,

Court; in the United Kingdom of Great Britain and Ireland, or in any other of the British Dominions, before any Judge of any Superior Court, or Mayor or Chief Magistrate of any City, Town, or Borough, attested by a Notary, or in any Foreign Country before a British Minister, Consul or Vice Consul.

“ X. And be it enacted, That it shall be lawful for the several Commissioners authorized to act in the prosecution of any Fiat in Bankruptcy, in all matters within their respective jurisdictions, to take the whole or any part of the evidence, either *vivâ voce* on oath, or upon affidavits, to be sworn as aforesaid.

“ XI. And be it enacted, That it shall not be necessary to insert any notice in Bankruptcy in any of the Newspapers wherein the same may be required to be inserted by any of the provisions of this Act or of any of the Acts relating to Bankruptcy, oftener than in two successive Newspapers aforesaid, and that the matter of such notice may be made known, and also all adjournments of meetings, by a short memorandum thereof in the same Newspaper in which the first notice was published.

“ XII. And be it enacted, That whenever any appeal shall be made to the Chancellor or Master of the Rolls against any decision of any Commissioner, either by the Bankrupt or any Creditor or Creditors of such Bankrupt, the said Chancellor or Master of the Rolls is hereby authorized and required finally to decide on the matter of such appeal, and the said decision of such Commissioner to confirm, or reverse and set aside, and in the latter case to make such decree by granting a Certificate of discharge, absolute or conditional, or altering the one granted, or otherwise, as shall be agreeable to the justice of the case, and as shall be conformable to the Laws then in force relating to Bankruptcy in this Province.

“ XIII. And be it enacted, That any Creditor may continue any action or proceed on any judgment which may have been deemed to be waived or suspended by reason of his having proved the same debt for which such action may have been brought, in any case where a Certificate of discharge shall be finally refused the Bankrupt, any thing in the Acts relating to Bankruptcy to the contrary notwithstanding.

“ XIV. And be it enacted, That every Bond, heretofore made and executed by any person or persons, (with his or their sureties,) having applied to be made a Bankrupt under the provisions of the Bankrupt Laws of this Province, may be sued for and recovered with costs of suit in any Court of Record in this Province, in the name of the Officer to whom the same is given, or his successor in office, by order of any Commissioner before whom the prosecution of the Fiat is had, upon the application of any party interested therein, or at the instance of the Commissioner, whenever the cost of such proceedings, including therein the Solicitor's costs, shall be taxed, and allowed by the said Commissioner; and when recovered, shall be paid and applied by the Register to and among the different parties mentioned in such taxed bill, according to their several interests; provided that no greater sum shall be recovered in the said suit on the said Bond than the aggregate of such taxed bill, nor than the penalty of the Bond; and provided also, that wherever the said expenses can be got from the estate of the Bankrupt in the hands of the Assignee, such Bond shall not be put in suit.

“ XV. And be it enacted, That so much of the Act relating to Bankruptcy in this Province, as relates to the Oath of Office to be made and taken by any Commissioner of Bankruptcy for any County or Counties or City and County in this Province, shall be and hereby is repealed, and in lieu thereof every such Commissioner shall take  
and

and subscribe the following oath in the manner and before the Officer in the said Act prescribed, that is to say :—

‘ I, A. B., do swear that I will faithfully, impartially, and honestly, according to the best of my skill and knowledge, execute the several powers and trusts reposed in me as a Commissioner of Bankruptcy for the City and County of Saint John, (or County of \_\_\_\_\_ as the case may be,) and such other County and Counties as may hereafter be united thereto, by virtue of an Act relating to Bankruptcy in this Province, and of any Act or Acts made or to be made in addition to or alteration or amendment of the same.—SO HELP ME GOD.’

“ XVI. And be it enacted, That the time mentioned in the sixth section of the Act in addition to and in amendment of the Law of Bankruptcy, for the notice to be served on the Bankrupt, and for the surrender of the said Bankrupt, and for contesting the alleged Bankruptcy, shall be seven days instead of thirty as therein specified.

“ XVII. And be it enacted, That the notice required to be given on the application of the Bankrupt for a Certificate of Conformity shall be thirty days instead of the time specified in the twenty fifth section of the said Act in addition to and in amendment of the Law of Bankruptcy.”

At B expunge the Title, and insert the following—

“ A Bill further to amend the Laws relating to Bankruptcy in this Province.”

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

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

*Adjourned until Monday next at 11 o'clock.*

MONDAY, 8th April, 1844.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Shore,  
Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Robertson,  
Mr. Johnston,  
Mr. Crane,*

*Mr. Cunard,  
Mr. Saunders,  
Mr. Attorney General,  
Mr. Street,  
Mr. Kinnear,  
Mr. Owen,  
Mr. Minchin.*

PRAYERS.

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

A Bill to amend an Act imposing Duties for raising a Revenue :

A Bill to enable Her Majesty's Government to carry into effect within the Province the provisions of the Fourth Article of the Treaty of Washington: and

A Bill for the relief of the Reverend Samuel D. Rice.

L\*

ORDERED,

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

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

A Bill to repeal all the Laws now in force relating to Bankruptcy in this Province: and

A Bill to repeal an Act, intituled “An Act to provide for the greater safety of Passengers on board Steam Boats,” and to make further provision in lieu thereof.

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

Pursuant to the Order of the Day, the Bill to authorize the Mayor, Aldermen and Commonalty of the City of Saint John, to lay out and open a Street in the said City, in continuation of John or Water Street, so called, southwardly to the prolongation of the southern end of the Brick Building now used for the Custom House and Public Warehouse, was read a second time.

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

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

The said Resolutions were read a first time.

**ORDERED**, That the said Resolutions be referred to the Committee of the whole House upon Resolutions of Appropriation.

A Message was brought from the Assembly, by Mr. J. A. Street, with a Bill to regulate the management and disposal of the Indian Reserves in this Province, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The said Bill was read a second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to amend an Act, intituled “An Act relating to the collection of Duty on Timber and other Lumber.”

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the sixth day of April, and recommended that the House should concur in the same, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the Resolutions of Appropriation dated the sixth day of April were concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have agreed to the said Resolutions of Appropriation.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to afford relief to persons unfortunate in business in certain cases.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

RESOLVED, That a Select Committee of three Members be appointed to investigate the Contingent Accounts of this House for the present Session.

ORDERED, That the Honorable Messieurs Cunard, Botsford and Johnston do compose the Committee.

The Honorable Mr. Robertson, by leave, presented a Petition from Pamela Hanford, of the City of Saint John, praying that a Bill for opening a Road through lands owned by her, in Duke's Ward, may not be allowed to pass into a Law, for reasons set forth in the Petition.

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

*Adjourned until To-morrow at 11 o'clock.*

**TUESDAY, 9th April, 1844.**

PRESENT:

THE HON.

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

*Mr. Black, President.*

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

*Mr.*

*Mr. Johnston,  
Mr. Crane,*

*Mr. Owen,  
Mr. Minchin.*

**PRAYERS.**

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to afford relief to persons unfortunate in business in certain cases.

The Honorable Mr. Chandler took the Chair.

After some time the House resumed.

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

**ORDERED,** That the Report be received.

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

At A in Section I. expunge the words “Registrar of the Court of Chancery,” and insert the words “Clerk of the Peace for the County in which such debtor or debtors reside.”

At B expunge the words “High Sheriff,” and insert the words “Clerk of the Peace.”

At C in Section II. expunge the words “High Sheriff,” and insert the words “Clerk of the Peace.”

At D expunge the words “or his principal Deputy.”

At E expunge the words “Sheriff or his principal Deputy,” and insert the words “Clerk of the Peace.”

At E<sup>E</sup> insert the word “forthwith.”

At F expunge the word “ninety,” and insert the word “sixty.”

At G expunge the word “thirty,” and insert the word “twenty.”

At H expunge the words “or more.”

At I expunge the word “papers,” and insert the word “paper.”

At K expunge the words “Sheriff in person or his principal Deputy,” and insert the words “Clerk of the Peace.”

At L expunge the words “and if any creditor or creditors shall reside out of the Province, either in an adjoining Colony or in any part of Great Britain or Ireland, or in any Foreign Country, then by causing notice of such meeting to be personally served or left at the Counting House or last place of abode of such creditor or creditors, at least forty days previous to such meeting; the service of which notice on the creditors abroad to be made appear by the affidavit of the person or persons serving the same, of the due service thereof, sworn, if in any other Colony, before a Judge of the Supreme Court of such Colony, authenticated by a notarial certificate; and if in any part of Great Britain or Ireland, or any Foreign Country, then before the chief Magistrate of the County, City or Borough in which such service shall be made, to be authenticated in like manner, which affidavits of service shall be produced at such meeting, and form part of the records thereof, and also.”

At M expunge the words “shall be made,” and insert the words “being first made.”

At N expunge the words “of service.”

At

At O insert the words "in number and amount whose respective just claims upon such debtor or debtors shall be for debts of not less than £10 each."

At P expunge the words "in number and amount."

At Q insert the words "appointed by a majority of the creditors then present."

At R expunge the words "and upon such, with all the Minutes and Records of the meeting being duly certified to the Master of the Rolls by the High Sheriff or person presiding at such meeting, under oath in duplicate, one part of which to be sent to the Master of the Rolls, and the other to be filed with the Registrar of the said Court," and insert as follows:—

"And such Clerk of the Peace so presiding at such meeting, is hereby authorized, empowered and required, with the consent, and at the request of the majority of the creditors then present, to adjourn such meeting from day to day, or for any number of days, (not exceeding six from the first day of such meeting,) until the business of such meeting is got through with, by some arrangement being agreed upon in writing between such debtor or debtors and his creditors, signed by such 3-5ths of his creditors in number and amount then present, whose respective debts shall not be less than £10 each, as aforesaid, or until such meeting shall, by the voice of the majority of the creditors then present, be dissolved from the want of being able to agree upon any arrangement; in which case the said order so to be made by the Master of the Rolls for such meeting shall be declared and taken to be discharged, and all proceedings thereon at an end, the same as if no such order had been made; but in case any agreement or arrangement in writing shall be made between such debtor or debtors and his or their creditors, at such meeting, before the same is dissolved, and signed by such 3-5ths of his or their creditors as aforesaid, then such agreement or arrangement shall be deemed and held to and for the benefit of all the other *bond fide* creditors of such debtor or debtors, as well those who may sign the same, as others who may come in and claim the benefit thereof, within the time hereinafter provided for; and such agreement, when so signed as aforesaid, shall be left in the hands of the Clerk of the Peace so presiding at such meeting, whose duty it shall be forthwith to transmit the same, with all the Minutes and a Record of the proceedings at such meeting, to the Master of the Rolls, certified and sworn to by such Clerk of the Peace, as the true and correct agreement and Minute of the proceedings, (he first making a true copy thereof, which shall be kept on the files in the Office of such Clerk of the Peace,) and upon such agreement, with the Minutes and Record of the proceedings, being so duly transmitted to the Master of the Rolls by such Clerk of the Peace as above directed, under oath as aforesaid."

At R<sub>a</sub> expunge the word "thirty" and insert the word "twenty."

At S expunge the words "and also in the local newspapers, if any, of the County in which such debtor or debtors shall reside, at least twenty days," and insert the words "for two successive weeks."

At S<sub>s</sub> in Section III. expunge the word "thirty," and insert the word "twenty."

At T expunge the word "proper," and insert the words "due publication of the."

At U expunge the words "the Sheriff," and insert the words "such Clerk of the Peace."

At W expunge the words "three fifths," and insert the words "such three fifths as aforesaid."

At Ww expunge the words "Sheriff's fees."

At X in Section IV. expunge the words "three fifths," and insert the words "such three fifths as aforesaid."

At Y expunge the words "certified by the High Sheriff or person," and insert the words "transmitted by the Clerk of the Peace."

At Z in Section V. insert the words "such debtor or debtors and."

At a. Section VII. expunge the whole of the Section, and insert the following Section :—

"VII. And be it further enacted, That all sales and conveyances of his estate, lands, goods and chattels to him belonging, made by any such debtor or debtors after such first public notice as aforesaid given, for calling a meeting of his creditors under the provisions of this Act, and all Powers of Attorney by him given for selling any estate or effects, or collecting any debts or demands, whether such Power of Attorney be made after or before such first public notice as aforesaid given, and all levies, seizures, and sales made by any Sheriff or other officer after such first public notice as aforesaid given, of any estates, lands, goods and chattels of any such debtor or debtors, under any execution or other legal process issued out of any Court of Judicature after such first order as aforesaid shall be made by the Master of the Rolls for calling such meeting of the creditors of such debtor or debtors as aforesaid, and also all arrests of the person or persons of any such debtor or debtors upon mesne process or execution for any debt after such first order shall be made as aforesaid, shall be null and void, to all intents, constructions and purposes whatsoever, as to all acts done or to be done after such first public notice given, any law, usage or custom to the contrary notwithstanding; provided nevertheless, that nothing in this Act contained shall extend or be construed to extend to any debt due to Her Majesty, Her Heirs or Successors, or to restrain any landlord or other person or persons from his or their legal right of distress or lien for any rent actually due; and provided also, that nothing in this Act contained shall extend or be construed to extend to restrain any creditor or creditors of such debtor or debtors from any proceedings to recover or secure any debt or debts due to him, her or them, from such debtor or debtors, or to restrain the legal right of such debtor or debtors to the possession, sale or other disposition of any estate, lands, goods and chattels to him belonging, after the final close and dissolution of any such public meeting of his creditors, in case no arrangement or agreement shall be came to and made between him and his creditors at such said public meeting, for the liquidation of his debts, signed by such three fifths of his creditors as aforesaid, under the provisions of this Act, but in every such case the legal rights of such debtor or debtors over his estates, lands, goods and chattels, and all the legal right of his creditors against him, shall immediately revive, the same as if no such proceedings had been taken."

At b. in Section IX. expunge the words "certified by the High Sheriff or his principal Deputy," and insert the words "transmitted by such Clerk of the Peace."

At c. in Section X. expunge the word "Sheriff," and insert the words "Clerk of the Peace."

At d. in Section XII. expunge the remainder of the Section, and insert the following words:—"The Clerk of the Peace presiding shall lay before the meeting the copy filed with him as hereinbefore directed, of the Petitioning Debtor or Debtors' Petition to the



the Master of the Rolls, and the statement accompanying the same, on which the order for such public meeting shall have been granted."

At e. in Section XIII. expunge the words "Sheriff or other officer," and insert the words "Clerk of the Peace."

At f. expunge the remainder of the Section.

At ff. in Section XIV. insert the words "under oath as aforesaid."

At g. expunge the words "Sheriff or person," and insert the words "Clerk of the Peace."

At h. expunge the words "Sheriff or Officer," and insert the words "Clerk of the Peace."

At i. add as follows:—"And every creditor or his agent in the list, when so corrected by such Clerk of the Peace, there present, shall be entitled to vote and rank at such meeting according to the respective amounts of his debts in such list as corrected; but every such creditor, whose claims, (if disputed,) although so sworn to, and entered upon the list as aforesaid, shall not be allowed to take the benefit of any arrangement or agreement that may be made (at any such meeting) between such debtor and such 3-5ths of his creditors then present, in number and amount as aforesaid, including any such creditor whose claim may be so disputed as aforesaid, until such creditor whose claim may be so disputed, shall establish the validity of such claim by the judgment of some Court in the Province competent to try the same in due course of Law, or by Arbitration as such 3-5ths of the other creditors as aforesaid shall and may require, and in every such case it shall be lawful for any such creditor whose debt or debts may be so disputed, and who may be so required to establish the same, to proceed by action notailable at Law, or suit in Equity, as the case may require, according to the ordinary course of Law or Equity against such debtor or debtors, to trial and judgment, notwithstanding any order may be made by the Master of the Rolls for the discharge of any such debtor or debtors from his debts under the provisions of this Act; provided nevertheless, that no execution against the property or person of any such debtor or debtors who shall have been so discharged, shall issue upon any such judgment so obtained, but that such creditor or creditors so obtaining such judgment or award in his favor shall then be entitled to come in with the other creditors to take the benefit of the arrangement that may have been so agreed to with such debtor or debtors as aforesaid, in due proportion according to the amount of such judgment or award in his favor, and costs.

"XV. And be it further enacted, That every creditor of such debtor or debtors taking the benefit of this Act, who may not have signed the arrangement or agreement that may have been made at any such public meeting as aforesaid, shall be at liberty and have full right to come in and participate in any benefit to be derived by the other creditors, under the terms of such arrangement or agreement, in due proportion with the other creditors, by signifying his assent thereto at any time within one year after the making of any such arrangement or agreement, and that all and every the balance of any assets, property or effects that may be given up or assigned over by any such debtor or debtors for the benefit of his or their creditors under the terms of any such arrangement or agreement, which shall remain undivided and paid in due proportion among the creditors, after the expiration of one year from the making of such agreement, shall then be divided and paid in due proportion to and among the *bond fide* creditors:

creditors who may then have come in and assented to such arrangement or agreement ; provided always, that if on such final division among the creditors who may come in within one year as aforesaid, there should be any surplus after paying the creditors who may then have come in, 20s. in the pound on the respective amounts of their debts, such surplus shall be paid back to such debtor or debtors, his Executors, Administrators or Assigns."

At k. expunge " XV." and insert " XVI."

At l. in the Preamble, expunge the whole Preamble, and insert as follows :—

" Whereas it is deemed expedient to make some further provision for the relief of the insolvent debtors, and for enabling them to make arrangements with their creditors, by which they may obtain a discharge from their debts."

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

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

A Message was brought from the Assembly, by Mr. William H. Street, with a Bill further to facilitate the means of supplying the City of Saint John with Water, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The said Bill was read a second time.

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

A Message was brought from the Assembly, by Mr. Boyd, with a Bill to encourage the Fisheries of this Province, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The said Bill was read a second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to authorize the Mayor, Aldermen and Commonalty of the City of Saint John, to lay out and open a Street in the said City in continuation of John or Water Street, so called, southwardly to the prolongation of the southern end of the Brick Building now used for the Custom House and Public Warehouse.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

The

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

ORDERED, That the Report be received.

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

The Committee to whom were referred all Bills relating to Corporations, report that they have had under their consideration "A Bill to incorporate the Saint Croix Bridge Company;" that they find the Bill contemplates the use of private property, without making sufficient provision to compensate the owners thereof, and cannot therefore recommend the said Bill to the favourable consideration of the House.

They have also had under their consideration "A Bill to incorporate the Saint Stephen Wellington Mill Company." This Bill confers powers for the management and control of private property; but the application for an Act of incorporation is not made by all the parties interested, Your Committee cannot therefore recommend it to the favourable consideration of the House.

A. E. BOTSFORD, *Chairman.*

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

On motion made and seconded—

The Order for the House to be put into a Committee of the whole, to take into consideration the Draft of an Address to Her Majesty, on the subject of the Resolutions passed in Committee of the whole House when in consideration of the Messages from His Excellency the Lieutenant Governor, in reference to the reconstruction and improvement of the Legislative Council, being read, it was

ORDERED, To be discharged; and

The House proceeded to take the Address into consideration.

On the question being put—"Shall it be resolved that the House do agree to the said Address?" the House divided—

CONTENT.

The Hon. Mr. Black,  
Mr. Shore,  
Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Street,  
Mr. Robertson,  
Mr. Kinnear,  
Mr. Johnston,  
Mr. Crane.

NON-CONTENT.

The Hon. Mr. Cunard,  
Mr. Saunders,  
Mr. Attorney General,  
Mr. Owen,  
Mr. Minchin.

And so it passed in the affirmative.

The Address was then read by the Clerk, and is as follows:—

**To the Queen's Most Excellent Majesty.**

THE HUMBLE AND DUTIFUL ADDRESS OF THE LEGISLATIVE COUNCIL OF  
NEW BRUNSWICK, &c. &c.

MOST GRACIOUS SOVEREIGN,—

WE, Your Majesty's Most Dutiful and Loyal Subjects, the Legislative Council, in General Assembly, beg leave humbly to approach Your Majesty's Throne, to express our attachment and devotion to Your Majesty's Person and Government.

Deeply impressed with the opinion, that the happiness and welfare of Your Majesty's Loyal and Faithful Subjects, the People of New Brunswick, can only be maintained by securing to them the mixed form of Government which has placed Your Majesty's Kingdom foremost among the Nations of the civilized world, We would respectfully solicit Your Majesty's gracious consideration to the present position of the Legislative Council, as one Branch of the Provincial Legislature, and humbly submit that it should be established upon a more permanent basis, and in closer analogy to the second Branch of the Imperial Parliament.

Your Majesty will readily perceive that for a Legislative Body to hold Office merely during pleasure, has a tendency to expose them not only to executive influence, but also to the indirect and often more formidable influence of the popular Branch of the Legislature, whenever that Branch happens to be dissatisfied with their proceedings; and although in times of comparative tranquillity such influence may be rarely exerted, in cases of emergency, when vital questions are under discussion, the independence of the Council, intended as a great Constitutional check to the other two Branches, may be placed in peril, and the great object for which that middle Branch was called into existence will either be fettered or rendered inefficient.

We beg humbly to represent that the weight and influence of the Legislative Council as an Independent Branch of the Legislature mainly depend upon its character for stability in the eyes of the Country, and that it would be highly desirable that the tenure of Office of the Members of the Legislative Council should be during good behaviour, and should also be subject to the same disqualifications and mode of vacating the Seats of the Members by reason thereof, as are prescribed for the Legislative Council of Canada by the Imperial Parliament.

We therefore earnestly implore Your Majesty's benign and favorable consideration of the subject, and that Your Majesty will be graciously pleased to adopt such measures as will secure to this Branch of the Legislature those rights and privileges, so essential to the perfection of the Colonial Constitution of Your Majesty's Loyal Province of New Brunswick.

RESOLVED, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to transmit the said Address to the Right Honorable Lord Stanley, Her Majesty's Principal Secretary of State for the Colonies, to be laid at the foot of the Throne.

ORDERED, That the Honorable Messieurs Botsford and Kinnear be a Committee to present the same.

Pursuant to the Order of the Day, the House was put into a Committee of the whole,

whole, to take into consideration the Bill to repeal all the Laws now in force regulating the survey and exportation of sawed Lumber, so far as relates to the River and Port of Saint John, and to make other provisions in lieu thereof, and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

From A in the Preamble, expunge the remainder of the Bill, and insert as follows:—

“ The provisions of an Act of the General Assembly of this Province, made and passed in the seventh year of the Reign of his late Majesty King William the Fourth, intituled ‘ An Act to regulate the exportation of Lumber,’ and also of an Act made and passed in the third year of the Reign of her present Majesty, intituled ‘ An Act to continue the Act to regulate the exportation of Lumber,’ so far as the same Acts relate to that description of sawed lumber called Deals, require alteration and amendment ;

“ I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the third section of the said first in part recited Act, which is continued by the said second in part recited Act, so far as the same relates to the qualities of Deals in the said third section specified, shall be and the same is hereby repealed.

“ II. And be it further enacted, That from and after the passing of this Act, all Deals intended for exportation, or which shall be exported shall be as follows, to wit:—

Spruce dimension Deals shall be cut to the lengths of 12, 14, 16, 18, 20 and 21 feet ; to the breadths of 9 inches and 11 inches, and to the thickness of 3 inches ; each Deal having an allowance of not more than one inch over on the length, and not more than 1-4th of an inch over on the thickness, and not more than 3-8ths of an inch over on the width ; to be square butted at both ends with a saw :

The first quality, or number one, shall be smooth sawn, of equal width and thickness throughout, free from wane, rots, sap stains, rents, shakes, worm holes, auger holes, plugs, a rotten or a loose knot or knots, and all knots exceeding 3-4ths of an inch in diameter, and not more than two knots of 3-4ths of an inch in one deal ; the respective qualities to be distinguished as follows:—

Number one, or first quality, to be marked as surveyed with red or black chalk in figures not less than two inches long, on the surface of the deal, with the length, breadth and thickness, and distinguished as such by the mark ‘ No. 1,’ in the same manner as the contents are written :

Number two, or second quality, of Spruce Deals, to be of the same dimensions as No. 1, including also 10 feet lengths ; to be square butted by a saw, of equal width and thickness throughout, to be free from rots, bad shakes, rents, splits, auger holes and worm holes, and free from wane exceeding 3-4ths of an inch at the widest place, and that the aggregate length of all the wane on any one Deal shall not exceed one half the

the length of such Deal, and be marked 'No. 2' thereon, either with red or black chalk, in the same manner as the contents are marked :

Spruce Deals, usually called Battens, to be in all respects of the same dimensions and descriptions as Spruce Deals, according to their respective qualities of No. 1 and No. 2 respectively, except only that the standard breadth and thickness shall be seven inches wide, and two and a half inches and three inches in thickness :

Pine Deals.—Number one, or first quality Pine Deals, shall be surveyed, marked out and distinguished in the same manner as the similar quality of Spruce Deals, with the addition of the letter P near to the marking of the dimensions of the Deal thereon, and also that the widths of Pine Deals may be extended from eleven inches upwards, without any fractional part of an inch :

Number two, or second quality Pine Deals shall be selected, surveyed, marked and distinguished in the same manner as number two Spruce Deals, with the addition of the letter P put upon the Deals as near to the mark as may be, and extending in widths from 11 inches upwards, without any fractional part of an inch :

Number three, or third quality Deals, and Deals called Battens, shall include all Deals and Battens of eight feet lengths and upwards, with intermediate or odd feet in the lengths, without any fractional parts of a foot, and all widths of seven inches and upwards, without any fractional parts of an inch, and all 2½ inch Battens, and 3 inch Deals, that are cut of equal width and thickness throughout, that shall be free from rots, splits, loose splinters, worm holes, knot holes, auger holes, loose knots, and shakes exceeding in the aggregate in any one Deal or Batten one fourth of the length of such Deal or Batten, and marked 'No. 3,' with the letter P on all such as are of Pine :

Refuse.—All other Deals and Battens not included in the foregoing descriptions shall be measured as refuse, and marked R in addition to their contents :

Provided always, that nothing herein contained shall prevent the buyer and seller to agree to receive odd or intermediate feet in the lengths, according to their respective qualities, and to be marked and numbered accordingly, by the surveyor, when directed so to do.

“ III. And be it further enacted, That when any dispute shall arise under the second section of the said first recited Act, between the buyer or seller and the surveyor, or between the buyer or seller of any Deals, and a resurvey shall be required as provided by the said second section of the said in part first recited Act, and reference shall be made to any other surveyor as therein prescribed for a resurvey, every surveyor of lumber who may thereupon be called upon to make such resurvey, shall forthwith comply with and attend thereto ; and if any such surveyor of lumber shall neglect or refuse to comply with such request, it shall and may be lawful for either of the parties interested to apply to any one of Her Majesty's Justices of the Peace in and for the County or City and County in which the difficulty shall arise, and such Justice so applied to is hereby required to give an order in writing to such surveyor of lumber so neglecting or refusing, or to any other surveyor of lumber in that District, forthwith to attend to such duty ; and any surveyor of lumber who shall refuse or neglect forthwith to obey such order of such Justice, shall, from and after such refusal or neglect, be disqualified to act, and cease to be a surveyor of lumber.

“ IV. And be it further enacted, That no person appointed to be a surveyor of  
lumber

lumber shall on any occasion survey any Deals to which this Act applies, for any person or persons in whose general service he may be employed as a surveyor of lumber or otherwise, without the express consent of the seller, or his agent, of such Deals, in writing, signed before such survey; or in any case wherein such surveyor may be in any way concerned or interested, under pain of being displaced from his situation of surveyor of lumber for each and every offence.

“ V. And be it further enacted, That this Act shall not extend to any Deals which may have been surveyed previous to the time of this Act going into operation.

“ VI. And be it further enacted, That this shall continue and be in force until the time limited for the expiration of the said Acts to which this is an addition and amendment, and no longer.”

From B in the Title, expunge the remainder, and insert the words—“ in addition to and in amendment of an Act, intituled ‘ An Act to regulate the exportation of Lumber.’ ”

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

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to amend the Charter of King’s College.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to regulate the management and disposal of the Indian Reserves in this Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

To all the Address to Her Majesty relative to the Tenure of Office by the Members of this House, except the first paragraph ending with the words “ person and government,”—

DISSENTIENT :

*First.*—Because there has been no evil, nor inconvenience arising from the present Constitution of this House, nor any circumstances which can justify uncalled for demands from the gracious and indulgent consideration of Her Majesty.

*Second.*—Because if the Members of this House were not removable at the pleasure of Her Majesty (which pleasure never has been capriciously or injuriously exercised) the ends for which this House is constituted would be defeated, viz. the maintenance of the Royal Prerogative, pure as it is now, for the benefit of all her Subjects in this Province.

*Third.*—Because any tenure of the honors of this House, not depending solely on the pleasure of Her Majesty, would deprive Her Government of the only remedy against the possible abuse of Her favour, by combinations against the best interests of the Province.

*Fourth.*—Because the Address assumes that the language and views set forth therein are those of the people of this Province, of which there is nothing before us that can justify such a conclusion, nor that adopted at the conclusion of the said Address, viz. that the rights and privileges therein demanded are at all essential to the perfection of our Colonial Constitution.

JO. CUNARD,  
JOHN S. SAUNDERS,  
W. F. W. OWEN,  
GEO. MINCHIN.

*Adjourned until To-morrow at 11 o'clock.*

WEDNESDAY, 10th April, 1844.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Shore,  
Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Robertson,  
Mr. Johnston,  
Mr. Crane,*

*Mr. Cunard,  
Mr. Saunders,  
Mr. Attorney General,  
Mr. Street,  
Mr. Kinneear,  
Mr. Owen,  
Mr. Minchin.*

PRAYERS.

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

A Bill to afford relief to Persons unfortunate in business in certain cases: and

A Bill to repeal all the Laws now in force regulating the survey and exportation of Sawed Lumber, so far as relates to the River and Port of Saint John, and to make other provisions in lieu thereof.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to incorporate the Saint Croix Bridge Company, and the Report of the Select Committee thereon.

The



The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

A Message was brought from the Assembly by Mr. J. A. Street, that the Assembly have agreed to the amendments made by this House to the Bill to repeal all the Laws now in force relating to Bankruptcy in this Province.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to incorporate the Saint Stephen Wellington Mill Company, and the Report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

A Message was brought from the Assembly by Mr. Jordan, with Resolutions of Appropriation dated the ninth day of April, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

ORDERED, That the House be put into a Committee of the whole, to take into consideration Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the ninth day of April, and recommended that the House should concur in the same, with an exception, which the Committee recommended should not be concurred in, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the Resolutions of Appropriation dated the ninth day of April, were concurred in, with the following exception:—

To the Trustees of the Church of Scotland in the Town of Saint Andrews the sum of fifty pounds in aid of individual subscription for building a Sunday School House, in connection with that Church; the same not to be drawn until it is certified to His Excellency the Lieutenant Governor that the like or a greater sum has been subscribed for this purpose;

Which was not concurred in.

ORDERED,

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have agreed to the Resolutions of Appropriation dated the ninth day of April, with the exception before recited.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to amend the Charter of King's College.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

*Adjourned until To-morrow at 11 o'clock.*

THURSDAY, 11th April, 1844.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Shore,  
Mr. Robinson,  
Mr. Botsford,  
Mr. Chandler,  
Mr. Robertson,  
Mr. Johnston,  
Mr. Crane.*

*Mr. Cunard,  
Mr. Saunders,  
Mr. Attorney General,  
Mr. Street,  
Mr. Kinnear,  
Mr. Owen,  
Mr. Minchin,*

PRAYERS.

A Message was brought from the Assembly by Mr. Connell, with Resolutions of Appropriation dated the tenth day of April, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation; and

That the House be put into a Committee of the whole presently, to take the Resolutions into consideration.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the tenth day of April, and recommended that the House should concur therein, with certain exceptions, which the Committee recommend should not be concurred in, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the Resolutions of Appropriation dated the tenth day of April, were concurred in, with the following exceptions:—

To P. and D. Stewart the sum of thirty four pounds nine shillings and three pence, being amount of fees paid to the Crown Land Office on Timber seized by Deputy Rainsford: and

To

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being the sum of twenty five pounds to aid in opening a road from Saint John to Loch Lomond *via* Dimmock's Mills ;

Which were not concurred in.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have agreed to the Resolutions of Appropriation dated the tenth day of April, with the exceptions hereinbefore recited.

A Message was brought from the Assembly by Mr. End, with the Bill to prevent the spreading of a Disease now existing in certain parts of the Counties of Gloucester and Northumberland, to which they desire the concurrence of this House ;

And that the Assembly had agreed to the amendments made by this House to the Bill to repeal an Act, intituled "An Act to provide for the greater safety of Passengers on board Steam Boats," and to make further provision in lieu thereof.

The said first mentioned Bill was read a first time.

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

The said Bill was read a second time.

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

The said Bill was read a third time and passed.

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill further to facilitate the means of supplying the City of Saint John with Water.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

The said Bill was read a third time and passed.

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to encourage the Fisheries of this Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The

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

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

The said Bill was read a third time and passed.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to amend the Charter of King's College.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

**ORDERED,** That the Report be received.

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

At A in Section II. insert the words "the Bishop of the Diocese, in which Frederickton may be situated, or (in the absence of the Bishop) the Archdeacon."

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

**ORDERED,** That it be engrossed, and the Bill as amended, be read a third time this day.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to regulate the management and disposal of the Indian Reserves in this Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

**ORDERED,** That the Report be received.

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

At A add a new Section, as follows:—

"XIII. And be it enacted, That this Act shall not come into operation until Her Majesty's Royal approbation shall be thereunto first had and declared."

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

**ORDERED,** That it be engrossed, and the Bill, as amended, read a third time to-day.

A Message was brought from the Assembly by Mr. Fisher, with a Bill to vacate the Seats of Members of the Assembly in certain cases, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The said Bill was read a second time.

**ORDERED,**

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

Pursuant to the Order of the Day, the Bill to regulate the management and disposal of the Indian Reserves in this Province, as amended, was read a third time and passed.

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

Pursuant to the Order of the Day, the Bill to amend the Charter of King's College, as amended, was read a third time.

The question was put—"Shall this Bill pass?" the House divided—

CONTENT.	NON-CONTENT.
The Hon. Mr. Cunard,	The Hon. Mr. Black,
Mr. Botsford,	Mr. Shore,
Mr. Chandler,	Mr. Robinson,
Mr. Attorney General,	Mr. Saunders,
Mr. Robertson,	Mr. Street.
Mr. Kinnear,	
Mr. Johnston,	
Mr. Owen,	
Mr. Crane,	
Mr. Minchin.	

It was resolved in the affirmative.

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

The Honorable Mr. Johnston, by leave, presented a Petition from Lauchlan Donaldson, Henry Porter, William O. Smith, James Kirk, and three hundred and forty other inhabitants of the City of Saint John, praying that steps may be adopted by the Legislature for a removal of the Seat of Government from Fredericton to the City of Saint John; and also to ascertain the probable expense attendant thereupon; to be submitted at the next meeting of the Legislature.

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

*Adjourned until To-morrow at 11 o'clock.*

**FRIDAY, 12th April, 1844.**

**PRESENT:**

**THE HON.**

*Mr. Black, President.*

*Mr. Shore,*

*Mr. Cunard,*

*Mr. Robinson,*

*Mr. Saunders,*

*Mr. Botsford;*

*Mr. Attorney General,*

*Mr. Chandler,*

*Mr. Street,*

*Mr. Robertson,*

*Mr. Kinnear;*

*Mr.*

*Mr. Johnston,*  
*Mr. Crane,*

*Mr. Owen,*  
*Mr. Minchin.*

**PRAYERS.**

A Message was brought from the Assembly by Mr. J. A Street, that the Assembly had agreed to the amendments made by this House to the following Bills:—

A Bill to afford relief to persons unfortunate in business in certain cases: and

A Bill to regulate the management and disposal of the Indian Reserves in this Province.

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

A Bill to provide for opening and repairing Roads and erecting Bridges throughout the Province: and

A Bill to appropriate a part of the Public Revenue for the services therein mentioned.

The said Bills were severally read a first time.

**ORDERED,** That the twenty third Rule of this House be dispensed with, as regards these Bills, and that the same be severally read a second time.

The said Bills were severally read a second time.

**ORDERED,** That the House be put into a Committee of the whole this day, to take the said Bills into consideration.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to vacate the Seats of Members of the Assembly in certain cases.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

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

**ORDERED,** That the Report be received.

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

At A in Section I. expunge the words “the office of Executive Councillor or.”

At B in Section II. expunge the words “the office of Executive Councillor or.”

At C in Section III. expunge the words “the office of Executive Councillor or.”

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

**ORDERED,** That they be engrossed, and that the Bill, as amended, be read a third time presently.

The said Bill, as amended, was read a third time and passed.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to provide for opening and repairing Roads and erecting Bridges throughout the Province.

The

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same to the adoption of the House.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to appropriate a part of the Public Revenue for the services therein mentioned.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended the same to the adoption of the House.

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

To the Bill to amend the Charter of King's College—

DISSENTIENT :

*First.*—Because it is an unconstitutional interference with a Royal Charter establishing the College, granted after mature and deliberate consideration by His late Majesty George the Fourth, accompanied by a munificent endowment, and is a direct infringement upon the Royal prerogative ; and the exercise of a power which a Colonial Legislature has no right to, without the previous assent, both of the Crown and the Corporation, specifying the alterations so agreed to be made.

*Secondly.*—Because it is the acknowledged and exclusive right of the Crown to institute Corporations, more especially so in respect to Universities, and there is no instance in any part of Great Britain of a University being erected, or the Charter thereof, when once granted, being altered by Act of Parliament or by Legislative enactment in any other part of the British Dominions, except on one occasion in Upper Canada, and then only under the peculiar circumstances of that case, which do not exist in this, and therefore should not be resorted to as a precedent.

*Thirdly.*—Because this measure is adopted without any application from the Corporation on the subject, or any assent thereto by or on the behalf of that Body, and is a direct infringement upon its rights, privileges and interests, although solemnly protested against by its Members in this House.

*Fourthly.*—Because under the provisions of the present Charter the University is open to all denominations of Christians, and the Professors may be of any Christian denomination ; that it excludes no one from what may be considered essential benefits of the University, which is placed on a more liberal footing than any similar Institution in Great Britain, or even in the United States of America ; and the only exclusive provision in the Charter, as far as regards Religion, are the Divinity Chair, Degrees in Divinity, and the composition of the Council, and these were advisedly introduced to retain to the Institution a certain Religious character—that of the established Church of England and Ireland—which it was intended it should have when the Charter was granted ; and no case has been shewn of the governing Body so composed, having ever introduced any regulations of an exclusive nature to the prejudice of any Christian denomination whatever ; but on the contrary, their proceedings shew a desire to extend the benefits of the Institution as widely as possible to all.

*Fifthly.*

*Fifthly.*—Because the main object of the Bill is to introduce into the Council, as the governing Body of the Corporation, persons of all the various denominations in the Country, a measure which would, in all probability, lead to great dissension, difficulty and confusion in the proceedings of the Council, and government of the University, and would have the effect of depriving the Institution in its government, of a Religious character of any denomination of Christians; and a Council so composed would have the power of abolishing the Divinity Chair altogether, and leave the Institution without any Religious instruction.

*Sixthly.*—Because it is establishing a most dangerous precedent of altering a Royal Charter by Legislative enactment, and might, if confirmed, lead to endless alterations therein, every two or three years, according as the opinions or prejudices of different Denominations may dictate, until the Institution is ruined for any useful purpose.

WILLIAM BLACK,  
GEORGE SHORE,  
W. F. ROBINSON,  
GEO. FRED. STREET.

The Honorable Mr. Botsford, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of this House, praying that His Excellency would be pleased to transmit the humble Address of this House to Her Majesty, on the subject of the Constitution of this House, beg leave to report that they have attended to that duty, and that His Excellency was pleased to say, he would comply with the wishes of the House.

The Select Committee appointed to examine the Contingencies of this House, beg leave to report that they have attended to that duty, and find that they amount to the sum of four hundred and eighty three pounds five shillings and two pence; the several Accounts forming this aggregate are satisfactory, and they recommend the same to be allowed.

Respectfully submitted.

JO. CUNARD, *Chairman.*

RESOLVED, That the Contingent Expenses of this House for the present Session amount to the sum of four hundred and eighty three pounds five shillings and two pence.

*Adjourned until to-morrow at 11 o'clock.*

SATURDAY, 13th April, 1844.

PRESENT:

THE HON.

*Mr. Black, President.*

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

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

PRAYERS.



**PRAYERS.**

A Message was brought from the Assembly by Mr. Boyd, with the following Resolutions of Appropriation, dated the tenth day of April, to which they desire the concurrence of this House :—

“*Resolved*, That there be granted to the Clerk of the House of Assembly the sum of two thousand and eight pounds sixteen shillings and one penny, for the Contingent Expenses of the present Session.

“To the Postmaster at Fredericton the sum of two hundred and thirty pounds and three pence, being amount of Postages of the Legislature the present Session.”

The said Resolutions being read, were concurred in by the House.

**ORDERED**, That the Master in Chancery do go down to the Assembly, and acquaint that House thereof.

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

A Bill to appropriate a part of the Public Revenue for the services therein mentioned : and

A Bill to provide for opening and repairing Roads and erecting Bridges throughout the Province.

**ORDERED**, That the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have agreed to the said Bills.

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

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

**NEW BRUNSWICK.**

*Message to the Legislative Council,  
April 13, 1844.*

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

The Lieutenant Governor being at present prevented by indisposition from coming in person to the Legislative Council Chamber, and being desirous of declaring the Royal pleasure on such Bills as have passed the Legislative Council and Assembly, requests that the Council, when they shall this day adjourn, will adjourn themselves to meet at one o'clock in the afternoon at Government House.

**W. M. G. C.**

**ORDERED**, That when this House do adjourn this day, it do adjourn to meet again this afternoon at one o'clock at the Government House.

The House was adjourned during pleasure.

The House was resumed.

The Honorable the President commanded the Gentleman Usher of the Black Rod to let the Assembly know—“It is His Excellency's pleasure, they attend him immediately.”

The House attended accordingly.

His

His Excellency then gave his assent to the following Bills, intituled—

An Act to incorporate the Fredericton Boom Company :

An Act more effectually securing the Navigation of the River and Harbour of Saint John, in the City and County of Saint John :

An Act to establish the value of certain British Coins in this Province, and to amend the Acts relating to the establishment of a Legal Tender :

An Act to provide for a drawback upon Flour exported in certain cases :

An Act to amend an Act, intituled "An Act to make more effectual regulations relating to Pilots within this Province :"

An Act to enable the Justices of the Peace of the City and County of Saint John to pay off a portion of the debts now due by the County of Saint John :

An Act further to continue an Act to provide for the prompt payment of all demands upon the Provincial Treasury :

An Act further to amend the Law relating to Wills, Legacies, Executors and Administrators, and for the settlement and distribution of the Estates of Intestates :

An Act further to amend the Laws relating to Bankruptcy in this Province :

An Act to repeal an Act, intituled "An Act to provide for the greater safety of Passengers on board Steam Boats," and to make further provision in lieu thereof :

An Act to encourage the Fisheries of this Province :

An Act further to facilitate the means of supplying the City of Saint John with Water :

An Act to prevent the spread of a Disease now existing in certain parts of the Counties of Gloucester and Northumberland :

An Act to afford relief to Persons unfortunate in business in certain cases :

An Act to restrain the provisions of the Fifth Section of an Act, intituled "An Act for the support of the Civil Government of this Province," and to establish sundry regulations for the future sale and disposal of Timber in certain cases :

An Act to facilitate the collection and recovery of small Debts due to the Crown, arising from the sale of Crown Lands and Timber :

An Act to amend an Act imposing Duties for raising a Revenue :

An Act to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province :

An Act to appropriate a part of the Public Revenue for the services therein mentioned :

An Act to provide for opening and repairing Roads and erecting Bridges throughout the Province :

An Act to regulate the management and disposal of the Indian Reserves in this Province—*(with a suspending clause)* :

An Act for the division of the County of Carleton into two Counties, and to provide for the Government and Representation of the new County—*(with a suspending clause)* :

An Act to incorporate the Arestook Boom Company—*(with a suspending clause)* :

An Act to enable Her Majesty's Government to carry into effect within this Province the provisions of the Fourth Article of the Treaty of Washington—*(with a suspending clause)* :

An Act for the relief of the Reverend Samuel D. Rice—*(with a suspending clause)*.

His

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His Excellency was then pleased to deliver the following Speech:—

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

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

“The termination of the business which has engaged you, enables me to relieve you from your further attendance.

“The unremitting attention which you have given to the Public Interests, has amply realized the expectations which I was encouraged to form at the opening of the Session; and I congratulate you on the accomplishment of several highly important measures which I had recommended to your consideration, and which I confidently hope will be productive of lasting benefit to the Province.

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

“I thank you for the Supplies which you have granted for the Public Service, and also for the confidence which you have reposed in the Government, by liberally placing at my disposal the Funds which are urgently required for various important objects.

“The encouragement which you have afforded by Bounty to the Fisheries of the Province, will revive an important Branch of its resources.

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

*Mr. Speaker and Gentlemen of the Assembly,*

“It is gratifying to me to reflect that the prospects of the Province are such as to hold out reasonable hope of an early relief from the embarrassments which for the last three years have tended so much to depress the energies of the people, and to retard the general improvement; and it is with the utmost satisfaction, in relieving you from your labours, that I recur to the spirit of unanimity and devotion to the Public welfare, which have characterized your proceedings at such a period, and on the continuance of which, under Providence, we must rely for surmounting the difficulties with which the Province may still have to contend.”

After which, the President of the Council, the Honorable Mr. Black, by His Excellency's command, declared the General Assembly to be prorogued until the last Tuesday in June next.

WILL. TYNG PETERS, *Clerk.*



# APPENDIX.

## No. 1.

[See Journal 7th February, 1844.]

(Copy)

[No. 169.]

*Downing Street, 10th July, 1843.*

SIR,—I enclose herewith the copy of a Report from the Commissioners of Colonial Lands and Emigration upon the claims of Messieurs Cooke to be indemnified for the exaction of double Head Money on the Passengers conveyed to New Brunswick in their Vessel, the "Londonderry," which had been levied in consequence of the omission in her Clearance of the statement that the "Passengers were embarked under the sanction of Her Majesty's Government."

As it appears that the provisions of the Imperial Passengers Act had been fully complied with in the case of this Vessel, and as I conceive there can be no doubt that the construction put by the Commissioners on the Local Act is a correct one, I have to request you will take whatever steps may be in your power for the purpose of reimbursing to Messieurs Cooke the amount which they have been obliged to pay beyond the single Head Money on the Emigrants introduced by them.

I have, &c.

(Signed)

STANLEY.

Lieut. Governor Sir William Colebrooke.

(Copy)

*Colonial Land Emigration Office,*

*9, Park Street, Westminster, 29th June, 1843.*

SIR,—We beg leave to transmit to you, for Lord Stanley's information, a copy of a Letter from Messieurs Cooke, stating that their Vessel, called the "Londonderry," which sailed last year with Passengers for Saint John, New Brunswick, was fined double Head Money on her arrival there, because it was not inserted in her Clearance that the "Passengers were embarked under the sanction of Her Majesty's Government," and enclosing a Certificate, signed by the Collector of Customs, as well as by the Government Emigration Agent at Londonderry, shewing that she had duly cleared from that Port on the 15th April, 1843.

As we have no doubt that the expression of the "Passengers being shipped under the sanction of Her Majesty's Government," in the New Brunswick Act, is intended to convey no other meaning than that the provisions of the Imperial Passengers Act have

have been complied with ; and as the enclosed Certificate from the Collector of Customs at Londonderry is satisfactory on this point, we think it would be only right that the portion of Head Money which has been levied at Saint John, upon a different supposition, should be repaid, and we would submit to Lord Stanley that the Lieutenant Governor be requested to take the necessary steps for the purpose, upon the application of the owners or any parties duly authorized on their behalf.

We have, &c.

(Signed)

T. FREDERICK ELLIOT.  
EDWARD E. VILLIERS.

James Stephens, Esquire, &c. &c. &c.

(Copy)

*Londonderry, 20th June, 1843.*

SIR,—A vessel of ours called the “Londonderry,” cleared from this Port last April with Passengers for Saint John, New Brunswick. On her arrival there the Vessel was fined double Head Money, because it was not inserted in her clearance that the “Passengers were embarked under the sanction of Her Majesty’s Government.” We enclose a Certificate signed by the Emigration Agent and Collector of Customs here, that the Vessel was cleared out agreeably to the present Act of Parliament, and we consider it unfair the ship should be fined when we have broken no law. Will you be good enough to give us some explanation of this business : and if the authorities on the other side acted correctly in what they have done, we shall thank you to inform us if there are two Passenger Acts—one made in New Brunswick and one at home ; this we have reason to believe is the case, as under the late Act which was lately repealed, we had a liberty of taking one Passenger to fifty without any fine being imposed, and by their law the fine was double Head Money for all the Passengers on board, even if there were only one Passenger over, and when the Home Act gave us one to every fifty to come and go on. We have Vessels in the Passengers Trade to New Brunswick and Canada every year, and we should feel obliged by your giving us what information you can on this subject, and how we are to act in future.

We have, &c.

(Signed)

J. & J. COOKE.

We certify that the barque Londonderry, cleared from this Port on the 15th April, 1843, according to Law, with one hundred and fifty Passengers on board, to Saint John, New Brunswick.

We did not consider it requisite, under the provisions of the Passenger Act, as also by the form of Passenger List furnished by the Crown, to add the usual Certificate, viz : The Passengers being shipped under the sanction of Her Majesty’s Government.

(Signed)

THOS. SHEPHERD, *Collector.*  
R. RAMSAY, R. N., *Govt. Emgt. Agent.*

Stephea Walcot, Esquire, &c. &c. &c.

(Copy)

(Copy)

*Treasury, Saint John, 10th August, 1842.*

SIR,—I have the honor to acknowledge the receipt of your Letter of 9th instant, transmitting a copy of a Despatch from Lord Stanley, dated 10th July last, with enclosures, relating to the exaction of double Head Money at this Office in May last, on Passengers per Barque Londonderry, and requiring my Report thereon.

I have the honor to state, that in a Letter to you on the 26th May last, I submitted the case of the Barque Londonderry for the opinion of the Law Officers of the Crown, viz: whether the full compliance of the strict regulations imposed by the late Act of Parliament respecting Passenger Ships might not be considered tantamount to a Certificate from the Officers of Her Majesty's Customs at the Port of Clearance, of the sanction of Her Majesty's Government to bring out Passengers, and thus relieve the Master from the extra Head Money, which, as a precautionary measure, I had demanded and received. The opinion of the Attorney General, under date of the 1st June, conveyed to me in your Letter of 3rd June, was, that the double Head Money must be exacted in all cases where the Certificate of the sanction of Her Majesty's Government be not produced, so long as the existing Provincial Passenger Act remains unrepealed.

I have, &amp;c.

(Signed

B. ROBINSON, P. T.

The Hon. W. F. Odell, Prov. Secretary.

**No. 2.**

[See Journal 12th February, 1844.]

*Report of the Commissioners of the Provincial Penitentiary for the Year commencing 1st January, and ending 31st December, 1843.*

The Accounts submitted herewith, exhibit an expenditure amounting to the sum of one thousand five hundred and seventy seven pounds three shillings and five pence, the details of which, with Vouchers, have been transmitted quarterly to His Excellency the Lieutenant Governor; a reference thereto will shew that a very considerable portion of this expenditure has been applied in discharging all, except ninety eight pounds, of the unpaid Accounts of the preceding year, and in repairs and expenses connected with the improvement of the buildings and grounds, as also in the purchase of Looms and apparatus for the manufacture of Clothing for the use of the Prison, and only in so far as yet productive as prospectively to provide to a considerable extent for the wants of the Prison, and in the purchase of Seed and Manure, which have produced a quantity of Vegetables equal to the years consumption, according to the present number of inmates, and sufficient Seed for a succeeding years crop. Nearly three hundred thousand Bricks have been manufactured in the year, and about two hundred and eighty thousand, of the estimated value of £350, remain unsold, and may be made available for the expenses, in part, of the year entered upon.

The receipts from sources as detailed in the Account annexed, amounts to the sum of one thousand five hundred and seventy seven pounds four shillings and one half-penny, leaving eight pence halfpenny only of funds in the Commissioners hands; while there remains unpaid Accounts, for want of funds, of not less amount than £130, of which, ninety eight pounds are of the previous years expenditure, and remainder for the year now ended. The Commissioners beg to refer to their last years Report of the insufficiency of the wooden pailing with which the Prison is enclosed. Several Prisoners have at different periods during the year made their escape, and recaptured at considerable cost.

The importance, in case it be intended to continue the Prison as a Provincial Institution, of having the whole grounds enclosed by Stone and Brick Walls, induce the Commissioners to suggest, as the least inconvenient means of accomplishing it, that a grant of a not less sum than £300 per annum for five years, be made to be specially expended for that purpose; this united to the Prisoners labour, would, notwithstanding the great extent of Wall required, probably effect the object within the period named.

The Commissioners have given much consideration to the importance of rendering the labour of the Prisoners more productive, and thus gradually reduce the charge upon the Public Revenue. The following considerations present themselves:—

The fact of similar institutions in the United States supporting themselves by the profitable employment of the Convicts, has induced, on the part of the Commissioners, the utmost desire of placing the Penitentiary in like circumstances. It must however be borne in mind, that in every case of such desirable results the inmates of the Prison are very numerous, and no inconsiderable number committed for a term of years, or for life. That such institutions are complete in the appointed means of employing to the best advantage each Prisoner at such trade as he may have acquired a previous knowledge of, or if not in possession of such previous knowledge, ample means exist for his acquiring it. How widely different is our infant institution circumstanced—the inmates so limited in number as to make the cultivation of the grounds and manufacture of Brick the means of full employment for at least two thirds of the year. The time of commitment never for life, rarely for more than one year, and the majority from one to six months. Not more than two or three are at any one time in confinement, possessing a knowledge of any trade, and quite as limited a number only, are committed for a sufficient period to admit of instruction, did the means exist. The constantly increasing population of a new country, will most likely unhappily remove the first disability, of want of numbers at but too early a period. If then in anticipation of events which experience renders so certain, the Legislature make provision for gradually surrounding the grounds with sufficient Walls, and thus preserve the establishment in improved efficiency, it cannot be otherwise than a public benefit, and operate as a check upon crime.

By order of the Board.

W. H. STREET, *Chairman.*



*Account of Expenditures and Receipts by the Commissioners of the Provincial Penitentiary, for the period commencing 1st January 1843, and ending 31st December following.*

1843.

## EXPENDITURES.

March	31.	Amount per Account No. 1, transmitted to His Excellency with Vouchers Nos. 1 to 58,	£316	0	3½
June	30.	Amount per Account No. 2, do. with Vouchers Nos. 59 to 148,	614	4	8½
September	30.	Amount per Account No. 3, do. with Vouchers Nos. 149 to 201,	299	8	4
December	31.	Amount per Account No. 4, do. with Vouchers Nos. 202 to 278,	347	10	1
			<hr/>		
			£1577	3	5
			<hr/>		

1843.

## RECEIPTS..

		Balance in hand per Account to 31st December 1842,	£29	6	10
Feb.		327 diets of Soldiers 30th Regiment, @ 6d. £8 3 6 Stg.	9	16	3
March	14.	Cash from Treasurer,	241	2	4½
		622 diets of Soldiers 30th Regiment, @ 6d. £15 11s. Stg.	18	13	3
April	3.	300 " " " " 7 10s. "	9	0	0
May	2.	390 " " " " 9 15s. "	11	14	0
"	31.	Cash from Treasurer, grant to D. Sullivan,	63	10	3
June	6.	53 diets of W. Wilson of Royal Artillery, 26s. 6d. Stg. in British Silver @ 25s.	1	13	1½
"	13.	468 diets of Soldiers 30th Regiment, @ 6d. £11 14s. Stg.	14	0	9
"	30.	2, 3, 4 Spun Yarn, sold Demill, 40s.	5	11	5
July	4.	517 diets of Soldiers 30th Regiment, £12 18 6 Stg.	15	10	2
"	6.	2 Pigs sold J. Corkery, 456lb @ 3d.	5	14	0
"	27.	130 Sheep Skins sold Dowling, 3d.	1	12	6
Aug.	4.	From W. G. Lawton, over charge in Account No. 55, October 8, 1842,	0	3	10
		" V. H. Troop, do. in No. 74, 21st May, 1843,	0	0	9
		" B. Ansley, do. in No. 77, 25th "	0	11	0
"	"	535 diets Soldiers 30th Regiment, £13 7 6 Stg.	16	1	0
Sept.	4.	356 " " " " 8 18 0 "	10	13	7
"	5.	1 M. Bricks delivered in the City to Commissioners of Light Houses,	1	15	0
"	8.	4 M. Bricks sold Mr. Hanson,	5	0	0
"	25.	4½ M. " " Mr. Fisher, 32s. 6d. £7 6 3			
		Less—Paid cartage, 0 11 3—	6	15	0
		42½lb Beef, short, accounted for by Keeper in July 1843,	0	8	11
			<hr/>		
<i>Carried forward,</i>			£468	14	0

		<i>Brought forward,</i>			£468 14 0		
Oct.	10.	403 diets of Soldiers 30th Regiment, @ 6d.	£10	1	6	Stg.	12 1 9
Nov.	4.	576 " " " "		14	8	0 "	17 5 7
Dec.		559 " " " "		13	19	6 "	16 15 5
"	18.	340 " " " "		8	10	0 "	10 4 0
"	30.	400 Bricks sold J. Ferguson,					0 10 10½
		1300 " W. O. Smith,					1 12 6
		Warrant on Treasury received at various times in sums as required,					750 0 0
		Warrant on Treasury, do.					300 0 0
							£1577 4 1½
Balance due Penitentiary,				£0 0 8½			

(E. E.)

*Saint John, December 31, 1843.*

*I, William H. Street, do make Oath that I am a Commissioner of the Provincial Penitentiary, and that the within Account for Expenditure and Receipts by the Commissioner of the Provincial Penitentiary is just and true to the best of my knowledge and belief.*

W. H. STREET.

Sworn before me at St. John, this 11th day of January, 1844.  
BENJ. L. PETERS, J. P.

STATEMENT shewing the number of Prisoners admitted into and discharged from the Provincial Penitentiary from 1st January 1843, to 31st December following, the Rations required, and the employment of Prisoners for each month.

Month.	Male Prisoners.				Female.							
	In Prison on 1st each month.	Admitted within the month.	Discharged within the month.	Remain'g at end each month.	In Prison on 1st each month.	Admitted within the month.	Discharged within the month.	Remain'g at end each month.				
January,	25	10	8	27	674	19	1	12	8	512	Diets required.	
February,	27	4	8	23	683	8	1	16	336	400 days general labour, 44 days Carpenter work, 27 days Shoemaking, 24 days Tailoring, 9 days Coopering.	131 days Cooking and general work, 30 days Wool dressing, 15 days Spinning, 52 days Knitting, 29 days Sewing, 28 days Washing & Scrubbing, 25 days general labor, Cooking, &c., 50 days Wool dressing, 25 days Spinning, 77 days Knitting, 74 days Sewing, 26 days Washing and Scrubbing.	
March,	23	9	6	27	820	16	8	9	5	467	508 days general labor, 41 days Carpenter work, 36 days Blacksmiths work, 27 days Shoemaking, 27 days Tailoring, 27 days Coopering.	282 days Cooking, house work and general labor, 67 days Wool dressing, 37 days Spinning, 94 days Knitting, 83 days Sewing, 60 days Washing and Scrubbing.
April,	27	9	4	32	879	15	4	2	17	471	563 days general labor, 25 days Carpenter work, 24 days Blacksmiths work, 24 days Shoemaking, 23 days Tailoring, 19 days Coopering.	118 days Cooking, house work and general labor, 65 days Wool dressing, 26 days Spinning, 41 days Knitting, 45 days Sewing, 36 days Washing and Scrubbing.
May,	32	11	8	35	938	17	31	0	38	782	582 days Farm work and general labor, 69 days Carpenter work, 10 days Blacksmiths work, 27 days Shoemaking, 31 days Tailoring.	197 days general labor, 150 days Wool dressing, 48 days Spinning, 113 days Knitting, 41 days Sewing, 41 days Cooking, Washing and Scrubbing.
June,	35	14	12	37	1016	38	3	32	9	835	607 days Farm work and general labor, 49 days Carpenter work, 7 days Blacksmiths work, 34 days Shoemaking, 49 days Tailoring, 77 days Brickmaking.	147 days out-door work, Washing, Scrubbing, &c., 50 days Wool dressing, 21 days Spinning, 60 days Knitting, 30 days Sewing.
July,	37	13	20	30	1101	9	17	3	23	498	329 days Farm work and general labor, 377 days Brickmaking, 52 days Carpenter work, 50 days Shoemaking, 7 days Tailoring.	207 days out-door work, Cooking and general labor, 30 days Wool dressing, 12 days Spinning, 71 days Knitting, 29 days Sewing.
August,	30	10	15	25	714	23	3	19	7	575	125 days Farm and general labor, 425 days Brickmaking, 28 days Carpenter work, 27 days Shoemaking, 4 days Tailoring.	74 days out-door work, 203 days Cooking, Washing, Scrubbing and general labor, 42 days Spinning, 34 days Knitting, 25 days Sewing.
September,	25	13	6	32	910	7	16	1	22	438	100 days Farm and general labor, 495 days Brickmaking, 40 days Carpenter work, 39 days Shoemaking, 25 days Tailoring.	79 days out-door, house and general labor, 66 days Wool dressing, 38 days Spinning, 28 days Knitting, 30 days Sewing.
October,	32	12	14	20	927	22	—	15	7	525	340 days Farm and general labor, 118 days Brickmaking, 35 days Carpenter work, 52 days Shoemaking, 43 days Tailoring.	81 days house work and general labor, 109 days Wool dressing, 29 days Spinning, 51 days Sewing and Knitting.
November,	30	9	11	28	806	7	13	3	17	336	517 days Farm work and general labor, 39 days Shoemaking, 62 days Tailoring.	20 days Knitting, 32 days Sewing, 5 days Weaving.
December,	28	9	23	14	688	17	3	8	12	481	333 days general labor, 49 days Carpenter work, 39 days Shoemaking, 39 days Tailoring, 19 days Weaving.	

Employment of Male Prisoners for each Month.

Employment of Female Prisoners for each month.

W. H. STREET, Chairman of the Board of Commissioners.

By Order of the Board.  
 William H. Street maketh oath that the foregoing statement is made up from the Monthly Returns of the Keeper, and are true to the best of his knowledge and belief.—W. H. STREET.  
 Sworn before me at Saint John, the 11th day of January 1844.—BENJ. L. PETERS, J. P.

**No. 3.**

[See Journal 12th February, 1844.]

MAY IT PLEASE YOUR EXCELLENCY,

It becomes my duty as Medical Superintendent of the Provincial Lunatic Asylum, to make a Report to Your Excellency, for the information of Your Excellency and the Legislature, of the number of cases which have been admitted into the Asylum during the last year, with the result of the Treatment adopted, and I am happy to have it in my power to show that this Institution, though exceedingly limited in the means for the proper treatment of the Insane, will bear no mean comparison with others more highly favored.

On the 31st December, 1842, there remained in the Asylum—

Males,.....	29
Females,.....	23
	—52

Admitted in 1843,—

Males,.....	29
Females,.....	18
	—47

Remaining at 31st December, 1842,..... 52

Total in the Asylum in 1843,..... 99

Of these 99, 39 were recent cases, and 60 were old cases. By recent cases, I mean cases in which the Insanity had not been of more than six months standing previously to being admitted into the Asylum. The following Table will shew the result of the Treatment:—

Classification of Cases.	How Dismissed.				State of the remaining.		Total of the several Classifications.
	Cured.	Much improved.	Died.	Escaped.	Improved.	Continuing the same.	
Maniacs,.....	29	3	2	3	23	7	67
Maniacs Furious,.....	7	1	2	0	6	7	23
Melancholics,.....	1	0	0	0	2	0	3
Imbecile,.....	0	2	0	0	0	3	5
Fatuons,.....	0	0	0	0	0	1	1
Total,.....	37	6	4	3	31	18	99

Of the above cases, 60 were old (or of more than six months standing previous to admission) with 12 cures.—39 were recent cases with 25 cures. Of

Of the deaths, one was the result of organic disease of the heart induced by long intemperance, causing Dropsy, &c. Another was in articulo mortis when admitted, and lived but a few hours afterwards.

Of the other two, one was an old man, and was carried off by a severe attack of Fever; the other died from long continued Diarrhœa.

One patient jumped from a third story window, fractured both arms and dislocated the elbow joint, but we managed to keep her quiet afterwards, although she had previously been exceedingly violent, and made a good cure of her in a few weeks.

A young lad of 16 came to the gate and demanded admission, followed by his father, who grieved exceedingly at his determination to go to the Asylum, from a very common but false impression that confinement there was rather a disgrace. He was in hopes that his son would relent and wish to go home with him so soon as he had seen the interior of the establishment, but in this he was disappointed; he persisted in staying there, as he said he knew it was the only place where he had a chance of recovery, and he felt quite sure that if he remained out he would destroy himself, as he had several times threatened to do already.

One, incurable, belonging to Scotland, we sent home, as the cost of his passage was a small amount compared to what his maintenance would have been here for years.

We have one deaf and dumb Lunatic who gives us a good deal of trouble in consequence of the imperfect education he has received.

Much work has been done by the inmates during the past year for the Institution. We have had a Tinsmith who has made Tin ware enough to last us for a year to come. Indeed, whenever we get a Mechanic we make the most of him for the benefit of the establishment, as his occupation is not only useful to us, but the best means of promoting his own recovery.

I cannot close this Report without complaining of the common custom of sending Patients to the Asylum without any clothing but that on their backs. I can make no exception in favor of any of the Counties, for they come to us in this state from every part of the Province, and sometimes in perfect rags. When a Parish is relieved from a charge of this kind, care should be taken that the unfortunate Lunatics have at least a change of clothing, but the general practice of neglecting to do so, very materially increases our expenses for clothing.

I have, &c.

(Signed)

GEORGE P. PETERS, M. D.

*St. John, 1st February, 1844.*

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

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**No. 4.**

[See Journal 13th February, 1844.]

[Circular.]

(Copy)

*Downing Street, 28th June, 1843.*

SIR,—I have to desire that you would call the attention of the Legislature of the Colony under your government to the following statement and suggestions:—

The imposition of discriminating Duties on Goods imported into the British Colonies,

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Colonies, when the discrimination is made for the protection of some branch of British or Colonial industry, is an office of great difficulty. To the right discharge of it, an intimate acquaintance with the Commercial Treaties and Political Relations between this Kingdom and Foreign States is indispensable. To Legislate on such a subject in ignorance of those Treaties and Relations, would be to render inevitable much serious practical error.

But in the nature of the case it is impossible that this knowledge should be possessed in the requisite degree by the various Local Legislatures of the Colonies of this Kingdom. They have no means of knowing the state or the objects of pending negotiations, nor even of ascertaining with absolute precision the terms of Treaties actually concluded. If they legislate at all on these subjects, they must do so in ignorance of some facts which cannot be safely excluded from consideration. Neither is it possible that forty distinct Legislatures, having no means of mutual communication and concert, should act consistently with each other on such subjects. The local opinions or interests of each Colony must dictate the Laws of each; and the general Code of the Empire, compiled from so many different sources, must be at the utmost variance with itself as a subject on which unanimity and consistency is indispensable. In such a state of the Law, Her Majesty's Government could not negotiate or treat with confidence with any Foreign State for Commercial purposes; nor could they fulfil such Treaties as might be made. Painful and injurious discussions with those States must arise, and perhaps indemnities and compensations must have to be paid.

For these reasons Her Majesty's Government decidedly object in principle to the assumption by the Local Legislatures of the office of imposing differential Duties on Goods imported into the respective Colonies, Parliament having already prescribed the Rules by which such Duties are to be discriminated with reference to the place of origin or of export; to Parliament alone the power of altering those Rules must be reserved. The single exception to this general rule will occur in any cases in which Her Majesty's Government may have suggested to any Local Legislature the enactment of any such discriminating Duties. If such cases should arise, the Ministers of the Crown would be able to take the necessary measures for obtaining the subsequent sanction of Parliament for any such innovation.

You will therefore exercise all the legitimate influence of your office to prevent the ~~introduction into the Legislature of the Colony under your Government of any Law~~ by which Duties may be imposed on Goods in reference to their place of production, or to the place from which they may be exported. In the same way you will exert yourself to prevent the introduction of any Law imposing on refined Sugar imported into the Colony, higher Duties in the case of Sugar refined in this Country in bond from Foreign Sugar, than in the case of Sugar refined here from British Colonial Sugar.

If unfortunately your efforts should be unsuccessful, and if any such Law should be presented for your acceptance, your duty will be to withhold your assent to it. From the discharge of that duty, however unpopular it may be, you will not shrink; for by declining to undertake it, you would only subject Her Majesty's Government and the Colony itself to a still more serious inconvenience.

Her Majesty could not be advised to sanction any Colonial Law imposing discriminating Duties which Her Majesty's Government had not previously recommended,

or

or which Parliament has not expressly established, or enacting such Duties on any terms which Parliament has not prescribed. The disallowance of any such enactments would therefore be inevitable, and that measure would be attended with far more serious inconveniences than any which could result from your own refusal to accept them. I trust, however, that there is no good reason to anticipate or to provide against such a contingency.

(Signed)

I have the honor to be, &amp;c.

STANLEY.

The Lieutenant Governor of New Brunswick.

**No. 5.**

[See Journal 21st February, 1844.]

GLOUCESTER—to wit.

*January Sessions, 1844.*

The Grand Jury of our Lady the Queen, at this present January Term of the Court of Common Pleas and General Sessions of the Peace assembled, beg to present to the Court as follows, viz:—

That a loathsome and frightful Disease has existed in Tracadie, in this County, for some years past, pronounced by an eminent Physician to be a species of Leprosy; that it principally, if not altogether, prevails among the poorer classes, who are unable to procure for themselves suitable medical advice, care and attention, but are left to the mercy of their neighbours in their affliction.

The people, however, alarmed at the Disease, generally shun the afflicted, and have hitherto been in the habit of confining, in some instances, the Leper in a log enclosure constructed for the purpose, far apart from other habitations, and there, by means of a hole cut in the logs, providing him with food until he can no longer feed himself, when of course he dies—a practice the most revolting to humanity and discreditable to the Country in which it is allowed to be followed.

We have now learned with great regret that this Distemper is spreading itself over that part of the Country, and that there are about twenty cases at present in Tracadie and its neighbourhood. Under these circumstances, the safety of the public health, no less than the cause of humanity, demand that some effort should be made to relieve and succour these afflicted creatures, other than the shocking mode now used, and we beg that the Justices in Session will cause a representation of these facts to be transmitted to His Excellency the Lieutenant Governor, with a request that he will use his influence to obtain a small sum of money from the Province Treasury to be applied to the building of a Lazaretto or Leper House, and the hire of a suitable person to attend the sick.

(Signed)

FRANCIS FERGUSON, *Foreman.**Grand Jury Room, Bathurst, January 1844.*

(Signed)

A true Copy.

R. CARMAN,  
*Deputy Clerk of the Peace, Gloucester.*

v\*

*Miramichi.*

(Copy)

*Miramichi, 13th February, 1844.*

DEAR SIR,—Agreeable to your request, I have enclosed a copy of our Report to the late Board of Health, of which you were Chairman.

The Disease, of which this is a Report, consists of the formation on different parts of the body, but especially the face, of many projecting tubercles—small solid circumscribed and enduring tumours—varying in size from a pea to an olive, irregular in shape, softish and of a reddish or livid colour at first, but afterwards of the same tawny or dusky purple tint as the integuments, in the thickness of which they are developed. These tubercles are generally very indolent, and are attended with a considerable degree of puffing of the parts on which they are evolved, in consequence of which they occasion much deformity. They tend naturally to suppuration and ulceration, though they also often disappear by resolution, the ulcers in which they terminate never spread, but become covered with an adhering scab under which cicatrization takes place slowly but pretty certainly. They are generally insensible, and likewise the skin for some distance around them. In many cases the deformity produced is very great; the parts affected is swollen or enlarged generally, the forehead uneven and traversed by deep furrows, the eyebrows are tuberculated and overhanging, the nostrils sinuous and dilated, the ears pendulous and lobulated, the lips enormously thickened, the chin greatly increased in size, and the whole of the surface affected, unctuous and tawny. The tubercles are not confined to the surface of the body, but are likewise formed in the mouth, throat, nostrils and lungs. In one case we saw, although the individual had only two tubercles on the face, and none on the body or extremities, the mouth and throat were thickly studded with them. The sense of smell becomes blunted, the voice grows husky and weak, the patient is affected with cough, quick pulse and dejection of spirits, as well as weakened in his muscular powers. In many cases there is extreme oppression of their breathing.

In all the fatal cases I have seen, death was caused by the affection of the lungs.

The general opinion amongst the inhabitants where the Disease at present is prevalent is, that it is contagious, and I think some of the cases strongly favor that opinion, but whether it is correct or not, common prudence and humanity require that something be done to allay the fears of the one, and provide for the others, as I am creditable informed the people have banished them from their houses, and that the cases have increased to double the number of our Report.

I would likewise call your attention to the extraordinary fact, that there has been no importation of Disease for the last two years, which can only be accounted for by the small number of Emigrants who have arrived in this Port during that period, but as a continuance of this is neither to be expected nor depended upon, it is necessary we should have some Quarantine Laws to protect us. In framing that Law it would be better to insert *Medical Practitioner for Physician*, otherwise you might find it difficult to get Health Officers; and that term would include both Physicians and Surgeons.

I have, &amp;c.

(Signed)

A. KEY.

The Hon. Jo. Cunard.

(Copy)



(Copy)-

*Miramichi, 22d March, 1842.*

We do hereby certify, that agreeable to the Order of the Board of Health, 8th of February last, we proceeded to Neguac and Tracadu, and examined ten individuals labouring under Greek Elephantiasis or Black Leprosy; of those two were at Neguac, one at Tabisintac, and seven at Tracadu; and we have reason to believe there are more cases of the Disease concealed, as it excludes them from Society when known, and they believe it is incurable, so that there is every inducement to conceal and none to divulge.

We do further certify, that we are unable to assign a positive cause for its spreading in those parts; but as it is difficult to account for the appearance of some of the cases, unless by contagion, we would recommend a cautious intercourse until further observation either confirms or refutes its contagious properties. In the mean time we feel convinced that it is not highly contagious, or that it requires a peculiar constitution or predisposition to render the person liable to its contagious influence. We are unable to account for the origin of the disease in Tracadu, but have been informed that it was brought from Caraquet by a Mr. Landry, but have reason to doubt the correctness of that opinion.

(Signed)

A. KEY,  
JOHN THOMPSON, } *Health Officers.*

To the Hon. Jo. Cunard, President of Board of Health, Northumberland.

**No. 6.**

[See Journal 21st February, 1844.]

(Copy)

*Saint John, 1st February, 1844.*

SIR,—I beg leave to hand you an Account, with vouchers, for articles supplied the Crew of a French Brig run down on the Coast of Newfoundland by a British Ship, brought into this Port, supplied with food and clothing, and sent to Boston, as will be seen by copy of a letter to the French Consul at that Port, as also the letter of Captain Watson, of the Ship Lotus, regarding compensation.

No answer has been received from the French Consul, nor any offer made to pay the expenses, and (in consequence of observations made by His Excellency while in Saint John, at the time,) I now forward the whole documents, hoping the same will be sent down to the Honorable the House of Assembly with a recommendation for the same being repaid.

Be pleased to lay the whole before His Excellency.

(Signed) Respectfully yours, &c.

L. DONALDSON.

A. Reade, Esq. Private Secretary to His Excellency, Fredericton.

(Copy)

*Saint John, 14th October, 1843.*

SIR,—The French Brig "Rosanna," of Bordeaux, Captain Benoit, while fishing on the Banks of Newfoundland last month, was run down by the British Ship "Lotus," Watson, Master, on her voyage from Liverpool to this Port. The

The French Captain and Crew were received by the "Lotus," kindly treated, and landed here on the 12th instant. Time was not allowed to secure clothing or other necessaries before the brig sank, so that the men arrived here destitute of adequate clothing, with no money, and unable also to converse with or procure information from any one around them touching the mode of their return to Europe.

Under those circumstances it became my duty to procure them shelter and clothing, and they were lodged and provided for in the Marine Hospital in this City, clothing supplied, and arrangements made for their conveyance to Boston, where I understand a French Consul is stationed. It affords me much pleasure to have been of service to Captain Benoit and his Crew, seventeen in number, satisfied at the same time, that I only act as every French Gentleman holding a like office would have done for shipwrecked British subjects.

I have, &c.  
(Signed) LAUCHLAN DONALDSON,  
*Mayor of the City of Saint John,  
Province of New Brunswick.*

To the French Consul, City of Boston, United States.

(Copy)

*Saint John, 14th October, 1844.*

SIR,—Enclosed is copy of a letter this day forwarded by me to the French Consul at your Port, but as he may be from home, I take the liberty of sending copy to you, in order that the temporary wants of the parties may be supplied until his return, well aware that this will insure their being properly provided for.

I have, &c.  
(Signed) L. DONALDSON,  
*Mayor of the City of Saint John, New Brunswick.*

To the British Consul, Boston, U. S.

(Copy)

*Saint John, N. B. 11th November, 1843.*

SIR,—The Ship Lotus, under my command, during a thick fog in the night of the 20th of September last, on her passage from Liverpool to this Port, having by accident run on board and sunk the French fishing Brig Rosanna, on the Banks of Newfoundland, I have to request the favor of your using your influence on my behalf in procuring something equivalent to the Government victualling allowance invariably made in England, in the case of Seamen picked up at sea from British Ships. To enable you to do so, I beg leave to wait on you with a statement of the necessary expenses incurred towards their comfort and good treatment while on board my ship.

You are I believe already aware (they having on arrival here applied to you for assistance) that the whole crew, eighteen in number, were saved from the said Brig before she went down, and were landed here on the 12th ultimo,—and computing eighteen men each twenty two days on board the Lotus, or a total of three hundred and ninety six days at 1s. 10d. would amount to thirty six pounds six shillings currency.

Should

Should the above amount be obtained, be pleased to cause it to be paid over to Messieurs Robert Rankin and Company of this place.

I have, &c.  
(Signed) WILLIAM WATSON.

To Lanchlan Donaldson, Esq. Mayor of the City of St. John, N. B.

(Copy)

*Saint John, 14th November, 1843.*

SIR,—I have received your Letter of the 11th instant, regarding the Captain and Crew of the French Brig Rosanna, which was run down by you on the Banks of Newfoundland on the 20th September last, and were brought here in your Ship Lotus, and landed on the 12th ultimo.

I took charge of the men and sent them to the French Consul in Boston, where they will be furnished passages to France. If it shall be in my power to secure the amount expended by you in the support of so large a body of men (18) during the twenty two days they were on board the Lotus, rest assured it will be done, and if recovered, the same will be paid over to the Messieurs Rankins. The flattering manner in which all the men spoke of your kindness was gratifying, and I have only to hope that you may not be so situated as to require aid and kindness in a like cause.

Sincerely yours,  
(Signed) L. DONALDSON.

Capt. Wm. Watson, Ship Lotus, at Messrs. Rankin's Wharf, Portland.

Mr. Reid's Account,.....	£22 13 10
Mr. Ogh's Account,.....	1 2 6
Marine Hospital Account,.....	5 7 7
Butcher's Account,.....	3 0 10
M. Burns' Account,.....	1 16 2
	£34 0 11

Put my Note in the Bank for £36, which produced £35 8 9, and when received will cost some 11s. 3d. more. When a grant is made, I will of course lift no more than to pay the £34 0 11, and interest. (Signed) L. D.

**No. 7.**

[See Journal 28th February, 1844.]

(Copy)

*Custom House, Saint John, N. B., 6th May, 1843.*

SIR,—I have the honour to request that I may be informed whether any decision has taken place with reference to the Rent of that portion of the Building erected by Mr. John Walker, which is occupied by this Department.

w\*

This

This subject was submitted by me for the consideration of His Excellency the Lieutenant Governor in my letter addressed to you on the 12th January last, in pursuance of direction from the Honorable the Commissioners of Customs, No. 134, dated 17th September, 1842.

I have the honor, &c.

H. BOWYER SMITH, *Collector*.

The Hon. Wm. F. Odell, &c. &c. &c.

(Copy)

*Custom House, Saint John, N. B. 16th February, 1844.*

SIR,—I have the honor to enclose herewith a copy of an Order from the Honorable the Commissioners of Customs, No. 94, dated the 27th June, 1843, with reference to the payment of the Rent of the present Custom House, and I beg leave to refer to my letters dated the 12th January, 1843, and 6th May, 1843, addressed to you upon this subject, and to your letter of the 15th May, 1843.

I have the honor, &c.

H. BOWYER SMITH, *Collector*.

The Hon. Wm. F. Odell, Provincial Secretary, &c. &c. &c.

(Copy)—No. 94.

SIR,—With reference to your letter dated 30th May last, No. 57, transmitting copy of the correspondence which had taken place between the Provincial Secretary and yourself, with the view of obtaining payment of the rent of the present Custom House from the Colonial Legislature, I have it in command to direct you to take care to bring the subject again under the consideration of the Legislature at its next meeting, and to report your proceedings.

I am, &c.

(Signed)

J. KER.

*Custom House, London, 27th June, 1843.*

Collector St. John, N. B.

**No. 8.**

[See Journal 25th March, 1844.]

(Copy)—No. 201.

*Downing Street, 10th November, 1843.*

SIR,—I have to acknowledge the receipt of your Despatch of the 15th April, No. 28, in which you transmit an Address to the Queen from the House of Assembly of New Brunswick, upon the management of the Post Office in the Colony.

I have submitted this Address to the Queen, and have received Her Majesty's commands to instruct you to inform the House of Assembly in answer, that as the important changes which have been lately made in the Post Office arrangements of New Brunswick, and generally in British North America, were not known to them when they prepared their Address, and as it is desirable that no further alterations should be made until the effect of the late measures shall have been ascertained, Her Majesty's

Majesty's Government will not at present enter upon the consideration of the topics to which their attention is more particularly called in these papers. They will, however, hereafter be ready to consider any further amendments in the Post Office arrangements of New Brunswick which may appear to be requisite and practicable with reference to the state of the Revenue, but sufficient time must be allowed to test the effect of the recent alterations.

I have, &amp;c.

(Signed)

STANLEY.

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

No. 1.

(Copy)

*General Post Office, Saint John, 22d November, 1843.*

SIR,—I am directed by His Lordship the Postmaster General to acquaint His Excellency the Lieutenant Governor, in reply to the Memorial addressed to His Excellency by certain inhabitants of New Bandon, Caraquet and Saumarez, that it is not in His Lordship's power, in the present state of the Post Office Revenue of this Province, to establish any new Posts, but that should a surplus at any time arise, His Lordship will be most happy to take their Memorial into his further consideration.

I have the honor, &amp;c.

(Signed)

J. HOWE, D. P. M. G.

A. Reade, Esquire, &amp;c. &amp;c. &amp;c.

Enclosure to No. 1.

(Copy)

*General Post Office, 2nd November, 1843.*

SIR,—Having submitted to the Postmaster General your Report of the 14th ultimo, enclosing a Memorial from the inhabitants of Mougerville, Sheffield, Canning, Waterborough, Jemseg, Washademoak and Springfield, addressed to His Excellency the Lieutenant Governor of New Brunswick, I am directed by His Lordship to request you will acquaint His Excellency that having deemed it expedient to discontinue the Ride from the Finger Board to Fredericton, and to forward the correspondence by way of Saint John, he cannot accede to the application of these Memorialists for its re-establishment.

I am desired to add, that the discontinuance of this Ride is still further rendered necessary from the insufficiency of the Post Office Revenue of the Province, which there is too much reason to fear.

I am, &amp;c.

(Signed)

W. L. MABERLEY.

John Howe, Esquire, &amp;c. &amp;c. &amp;c., Saint John, N. B.

(Copy)

No. 2.

SIR,—In conformity with the command of His Excellency the Lieutenant Governor, contained

contained in your letter of the 27th instant, I have the honor to transmit the enclosed copies of the letters His Excellency requires.

I have the honor, &c.

(Signed)

J. HOWE.

Honorable Wm. F. Odell, &c. &c. &c. Prov. Sec'y.

Enclosure to No. 2.

(Copy)

*General Post Office, 2nd November, 1843.*

SIR,—I have laid before the Postmaster General your Report of the 14th ultimo, and His Lordship desires you will acquaint His Excellency the Lieutenant Governor of New Brunswick, in reply to the Memorial addressed to His Excellency by certain inhabitants of New Bandon, Caraquet and Saumarez, that it is not in his power in the present state of the Postage Revenue of the Province, which he greatly fears will not meet the present expenses of the Department, to establish any new Posts, but should a surplus at any time arise, His Lordship will be most happy to take into consideration the case of the present Memorialists.

I am, &c.

(Signed)

W. L. MABERLEY.

John Howe, Esquire, &c. &c. &c., Saint John, New Brunswick.

No. 3.

(Copy)

*General Post Office, Saint John, 30th November, 1843.*

SIR,—With reference to your letter of the 28th instant acquainting me that a representation had been made by certain inhabitants of Carleton, to His Excellency the Lieutenant Governor, setting forth the inconvenience they experienced from the want of a Post Office, upon which His Excellency is pleased to direct me to report previous to his transmitting the representation to England, I beg most respectfully to lay before His Excellency copy of a Petition received by me from the Justices of the Peace of Carleton, in the City and County of Saint John, which I have forwarded to England for His Lordship the Postmaster General's information, together with copy of my Report to His Lordship thereon.

I have the honor, &c.

(Signed)

J. HOWE, D. P. M. G.

Hon. Wm. F. Odell, &c. &c. &c.

(Copy)

No. 1.—Enclosure to No. 3.

*To the Right Honorable the Postmaster General.*

The Petition of the undersigned, Inhabitants of Carleton, in the City and County of Saint John, in the Province of New Brunswick,

MOST HUMBLY SHEWETH—

That Carleton is composed of the two Western Wards of the City, and is separated from the four Eastern Wards by the Harbour of Saint John; that according to the last

last Census, it contains a population of 1435 ; that two of the most important of the Great Roads pass through it, viz : that to Canada, through Fredericton, and that to the United States, through Saint Andrews ; but there is no Post Office in it, and very great inconvenience is felt for want of one :—For instance, persons residing there are obliged to convey their Letters across the Harbour, in order to their being sent by the Mails which pass their own doors the next morning, and also to go to Saint John to receive such as had been, the evening before, conveyed through the village. Your Petitioners therefore humbly pray, that this great inconvenience may be removed, by the establishment of a Post Office therein.

And your Petitioners, as in duty bound, will ever pray.

(Signed)

Z. WHEELER, J. P.  
WM. OLIVE, J. P.  
SAM. STRANGE, J. P.  
GEORGE BOND, J. P.  
THOMAS CORAM, J. P.

No. 2.—Enclosure to No. 3.

(Copy)

*General Post Office, Saint John, 28th November, 1843.*

SIR,—Representations have very frequently of late been made to me, of inconvenience felt by the inhabitants of Carleton, for want of Post Office accommodation in that Village, and as I think the increasing importance of the Settlement calls for the establishment of a Way Office, or Receiving House, I beg respectfully to bring the subject under the notice of his Lordship the Postmaster General.

This Village is situated on the Western side of the Harbour of Saint John ; that according to the last Census, it contained a population of 1435 ; that two of the Great Roads pass through it, viz : that to Canada, through Fredericton, and that to the United States, through Saint Andrews.

Besides the applications which have been made to me, personally, for a Way Office at Carleton, I have received the accompanying Petition to forward to his Lordship the Postmaster General, and as, if the regulations for the establishment of Way Offices are to be continued, no expense will be incurred to the Revenue, by appointing a Way Office Keeper at this Village, I beg to recommend the measure for his Lordship's favorable consideration.

I am, &c.

(Signed)

J. HOWE.

Lieut. Col. Maberly, &c. &c. &c. General Post Office, London.

No. 4.

(Copy)

*General Post Office, Saint John, 10th January, 1844.*

SIR,—With reference to the Return which I had the honor to transmit for the information of His Excellency the Lieutenant Governor, on the 22d ultimo, I beg to state, that as the Accounts shew an annual surplus of about two thousand pounds, I consider an explanation as to the cause of this surplus necessary.

X\*

His

His Excellency is aware, that up to the 5th July, the Post Office Department in this Province was under the management of the Deputy Postmaster General of Nova Scotia, to whom the Revenue was paid, and by whose order the expenses were defrayed. Several of the Offices in this Province, as Dorchester, Richibucto, Chatham, Newcastle, Bathurst and Dalhousie, remitted direct to Halifax the several amounts collected, quarterly, without reference to the Saint John Office.

The Postage collected on account of the United States Government, which has averaged about eight hundred pounds annually, and which swelled materially the Revenue arising in this Province, was paid by the Deputy Postmaster General of Nova Scotia, to the Postmaster General of the United States. This will in future be paid by me.

The sum of one thousand one hundred and four pounds ten shillings heretofore paid by the Deputy Postmaster General of Canada, for riding work performed between Fredericton and the head of Temiscouta Lake, is from and after the 5th of April next, by order of His Lordship the Postmaster General, to be provided for by the Revenue collected in this Province.

These two items alone will exceed the sum which appears in the Returns as surplus for the last two and a half years, and the additional expenditure necessary for the support of the augmented establishment at this Office, will create a large deficiency in the Revenue.

I have, &c.

(Signed)

J. HOWE.

A. Reade, Esquire, &c. &c. &c. Fredericton.

*Schedule of Post Office Returns, &c. for the Years 1841, 1842, and the half year ending 5th July 1843.*

1.—Account of gross and net produce of the Post Office for the year ending 5th January 1842, 5th January 1843, and for half year ending 5th July 1843, with an account of management of the Revenue for the same period.

2.—Table of Post Towns, and names of Postmasters.

3.—Alphabetical List of Way Officers.

4.—Abstract of incidentals for 1841, 1842, and half year ending 5th July 1843.

5.—Abstract of Riding Work, 1841, 1842, and half year ending 5th July 1843.

6.—Abstract of Ship Letter payments for 1841, 1842, and half year ending 5th July 1843.

7.—Abstract Return of amount collected in New Brunswick for 1841, 1842, and half year ending 5th July 1843.

8.—Abstract of Salaries to Postmasters for 1841, 1842, and half year ending 5th July 1843.

9.—Abstract of Postage on returned, refused, missent, and forwarded Letters for 1842, 1843, and half year ending 5th July 1843.

*An*



*An Account of the Gross and Net Produce of the Post Office Revenue in New Brunswick for the Year ended 5th January 1842, 5th January 1843, and half year ended 5th July 1843.*

Amount of Postage Cr. collected for the year ended 5th January 1842,.....	£10,435	6	5	
“ “ “ 5th January 1843,....	9,774	13	4	
“ “ for half year ended 5th July 1843,....	5,112	3	11	
				£25,322 3 8
Deduct amount of Postage of returned, refused, mis-sent, and forward Letters during the year ended 5th January 1842,.....	4,490	14	6	
“ “ 5th January 1843,.....	3,460	12	8½	
“ “ half year ended 5th July 1843,.....	2,347	8	5½	— 10,298 15 8
				£15,023 8 0

*An Account of management of the Post Office Revenue in New Brunswick for the Years ended 5th January 1842, 5th January 1843, and half year ended 5th July 1843.*

Salaries to Postmasters,				
Year ended 5th January, 1842,.....	£1,211	15	7	
“ “ 5th January, 1843,.....	1,289	1	6	
Half “ “ 5th July, 1843,.....	565	0	8½	
				£3,065 17 9½
Riding Work,				
Year ended 5th January, 1842,.....	£2,294	4	9	
“ “ 5th January, 1843,.....	2,588	9	4	
Half “ “ 5th July, 1843,.....	1,267	14	1	
				6,150 8 2
Ship Letter Payments,				
Year ended 5th January, 1842,.....	£47	7	5½	
“ “ 5th January, 1843,.....	39	11	3½	
Half “ “ 5th July, 1843,.....	8	0	10½	
				94 19 7½
Incidental,				
Year ended 5th January, 1842,.....	£334	2	10	
“ “ 5th January, 1843,.....	337	17	8	
Half “ “ 5th July, 1843,.....	183	7	8—	855 8 2
				£10,166 13 9
Gross Revenue,.....	£15,023	8	0	
Deduct amount of Expenditure,.....	10,166	13	9	
Net Revenue,.....	£4,856	14	3	

Post Office, Saint John, December 22, 1843.

(Signed)

J. HOWE, D. P. M. G.

Table

*Table of Post Towns in New Brunswick, with the Names of Postmasters, by whom appointed, date of appointment, and emoluments.*

Post Towns.	Postmasters.	By whom appointed.	Date of Appointment.	Income derived from Commission of 20 per cent. on Revenue collected.	REMARKS.
Bathurst, Campbelton, Chatham, Dalhousie, Dorchester,	T. M. Deblois, A. Ritchie, J. Cale, D. Stewart, C. Milnet,	The late D. P. M. General, D. P. M. Genl. of Canada, Late D. P. M. General, Ditto. Ditto.	12th Nov. 1825, 20th March 1837, October 1825, 6th July 1831, 6th July 1837,	£19 15 9 7 15 11 77 7 5 35 5 2 27 16 8½	Commission given for one year ended 5th Jan. 1842. This Postmaster has been allowed a fixed Salary of £80 Stg. per annum, from the 6th July last. This Postmaster is allowed an Assistant paid by the Department at a Salary of £100 currency per ann.
Fredericton,	W. B. Phair,	Late D. P. M. G. of Canada,	16th Feb. 1826,	297 12 2	Commission given for year ended 5th January, 1843.
Gagetown, Grand Falls, Kingston, Madawaska, Newcastle, Petitodiac,	W. F. Bonnell, J. Costigan, E. B. Smith, P. C. Amereaux, H. Morrell, W. Steadman,	Late D. P. M. General, D. P. M. Gen. of Canada, D. P. M. G. N. Brunswick, D. P. M. Genl. of Canada, Late D. P. M. General, Act. D. P. M. Genl. N. B.	7th May 1837, 6th Jan. 1842, 13th May 1843, 1st May 1839, October 1840, 5th July 1843,	7 10 7 3 18 10 4 8 10 5 2 8½ 19 0 0 2 1 10½	In consequence of this Office having been a "Way Office," till 5th July last, only one-quarter's Commission can be given.
Richibucto, Shediac,	J. W. Weldon, C. J. Theal,	Late D. P. M. General, Act. D. P. M. Genl. N. B.	16th Sept. 1825, 5th July 1843,	23 14 11½ 1 15 5	In consequence of this Office having been a "Way Office" till 5th July last, only one quarter's Commission can be given.
St. Andrews, St. George, St. Stephens, Sussex Vale, Woodstock,	G. F. Campbell, G. Knight, D. A. Rose, E. A. Vall, R. English,	Late D. P. M. General, Ditto. Ditto. D. P. M. G. N. Brunswick, D. P. M. Genl. Canada,	6th Oct. 1829, 27th May, 1829, 5th April 1839, 16th May 1843, 12th Jan. 1830,	382 4 11 11 4 4½ 39 2 1 13 18 1½ 129 17 7	Commission given for year ended 5th July 1842.— This Postmaster has been allowed a fixed Salary of £50 Stg. from 6th Jan. 1843, per annum.

*General Post Office, Saint John, 9th December, 1843.*

(Signed)

J. HOWE, D. P. M. General.

*Alphabetical List of Way Offices in New Brunswick, with the names of the Way Office Keepers, by whom appointed, and date of appointment.*

Way Offices.	Way Office Keepers.	By whom appointed.	Date of Appointment.	REMARKS.
Andover.	G. Allison,	The late D. P. M. General,	April 1842,	Served by the Tobique Office.
Bay de Verte,	S. Bean,	...	...	Appointment not given.
Blackville,	J. D. Cartillian,	...	...	
Blissfield,	R. Doak,	...	...	
Boistown,	W. McKay,	...	...	
Buctouche,	N. B. Smith,	...	...	
Campo Bello,	W. F. W. Owen,	...	April 1837,	Date of appointment not given.
Carleton,	J. Cunard,	...	...	...
Cocagne,	J. Long,	...	...	...
Dumfries,	D. Munro,	The Postmaster of Fredericton,	Nov. 1841,	...
Douglastown,	A. Rankin,	The late D. P. M. General,	Oct. 1835,	...
Hampton,	O. Hallett,	...	" 1831,	...
* Harvey, (County of York.)	J. Cobern,	The Postmaster of Fredericton,	May 1842,	...
* Harvey, (Westmorland.)	J. Robinson,	The late D. P. M. General,	...	...
Hillsborough,	W. H. Stevens,	...	...	...
Hopewell,	S. G. Morse,	...	...	...
Jollicour,	W. P. Wells,	The D. P. M. General,	May 1843,	...
Kouchibouguack,	J. Cunard,	The late D. P. M. General,	April 1838,	...
Nashwaak,	Mrs. Campbell,	The Postmaster of Chatham,	" 1842,	...
Nelson,	T. McGee,	The late D. P. M. General,	...	...
Newcastle aide,	W. Abrams,	...	...	...
Sackville,	C. F. Allison,	...	...	...
Salisbury,	A. Wright,	...	...	...
Tabusintac,	R. M'Leod,	The Postmaster of Chatham.	July 1841,	...
Oromocto,	J. M'Pherson,	The D. P. M. General,	May 1843,	...
Springfield,	M. King,	...	...	...
Tobique,	B. Beveridge,	The D. P. M. Gen. of Canada,	...	...

General Post Office, Saint John, 9th December, 1843.

(Signed)

J. HOWE, D. P. M. General.

Abstract

*Abstract of Incidentals in New Brunswick during the years 1841, 1842, and half year ending 5th July 1843.*

Year ended 5th January, 1842,.....	£334	2	10
Year ended 5th January, 1843,.....	337	17	8
Half year ended 5th July, 1843,.....	183	7	8
Total amount currency,.....	£855	8	2

*Post Office, Saint John, 22d December, 1843.*

(Signed)

J. HOWE, D. P. M. General.

*Abstract of Riding Work for New Brunswick during the years 1841, 1842, and half year ending 5th July 1843.*

			Currency.
Year ended 5th January, 1842,.....	£2,294	4	9
Do. do. 1843,.....	2,588	9	4
Half year ended 5th July 1843,.....	1,267	14	1
Total amount,.....	£6,150	8	2

*Post Office, Saint John, 22d December, 1843.*

(Signed)

J. HOWE, D. P. M. General.

*Abstract of Ship Letter payments in New Brunswick, during the years 1841, 1842, and half year ending 5th July 1843.*

Year ending 5th January, 1842,.....	£47	7	5½
Do. do. 1843,.....	39	11	3½
Half year ended 5th July, 1843,.....	8	0	10½
Total amount in currency,.....	£94	19	7½

*Post Office, Saint John, 22d December, 1843.*

(Signed)

J. HOWE, D. P. M. General.

*Abstract*

*Abstract Return of the amount collected as Postage on Letters, &c. (New Brunswick) in the several Post Offices during the Years 1841, 1842, and half year ending 5th July 1843.*

	Year ending 5th January 1842.	Year ending 5th January 1843.	Half year ending 5th July 1843.	Total Currency.
Bathurst,	£242 4 7	£151 4 4	£71 2 0½	£464 10 11½
Chatham,	669 10 10½	684 8 6	313 18 5	1,667 17 9½
Dalhousie,	245 10 6½	275 3 5	134 6 3½	655 0 3
Dorchester,	198 0 11	226 11 7	120 4 2	544 16 8
Fredericton,	2,186 6 8½	2,557 5 9½	1,148 9 11	5,892 2 5
Gagetown,	46 15 2½	46 13 9	19 18 11	113 7 10½
Kingston,	24 19 0	23 13 2	10 2 10½	58 15 0½
Newcastle,	130 3 7½	119 6 5	78 13 2	328 3 2½
Richibucto,	172 5 10½	154 9 9	59 9 2½	386 4 10
Sussex Vale,	72 10 6½	80 17 3	61 11 2½	214 19 0
Saint Georges,	64 9 2	70 18 8½	34 14 11	170 2 9½
Saint Stephens,	225 10 7	236 13 11½	91 9 7	553 14 1½
Saint John,	4,531 19 2½	3,649 2 8	2,223 13 2	10,404 15 0½
Saint Andrews,	1,624 19 7	1,498 4 0½	744 10 0½	3,867 13 8
				£25,322 3 8

Post Office, St. John, 22d Dec. 1843.

(Signed)

J. HOWE, D. P. M. G.

*Abstract of Salaries to Postmasters in New Brunswick during the Years 1841, 1842, and half year ending 5th July 1843.*

	Year ended 5th January 1842.	Year ended 5th January 1843.	Half year ended 5th July 1843.	Total amount Currency.
Bathurst,	£24 5 8½	£25 1 2	£8 16 7	£58 3 5½
Chatham,	86 14 3	89 6 6	32 4 11½	208 5 8½
Dalhousie,	34 15 2	36 11 1	13 14 1	85 0 4
Dorchester,	28 9 7	30 1 0½	10 15 2	69 5 9½
Fredericton,	334 11 10½	378 10 10	148 14 8½	861 17 5
Gagetown,	8 13 3	8 7 4	3 6 7	20 7 2
Kingston,	4 3 5	4 0 0	2 5 8½	10 9 1½
Newcastle,	25 0 1½	17 6 8	10 2 2	52 8 11½
Richibucto,	29 5 4½	27 1 2½	10 17 11½	67 4 6½
Sussex Vale,	12 19 9½	14 1 2	7 5 0½	34 6 0
Saint George,	9 14 8	11 2 5½	4 14 7	25 11 8½
Saint Stephen,	43 8 9	45 7 0	16 7 6	105 3 3
Saint John,	521 13 7½	554 5 0½	271 15 8	1347 14 4
Saint Andrews,	48 0 0	48 0 0	24 0 0	120 0 0
	£1211 15 7	£1289 1 6	£565 0 8½	£3065 17 9½

Post Office, St. John, 22d Dec. 1843.

(Signed)

J. HOWE, D. P. M. G.

Abstract

*Abstract of Postage of Returned, Refused, Missent and forward Letters in New Brunswick during the years ended 5th January 1842, 1843, and half year ending 5th July 1843.*

	Year ending 5th January 1842.	Year ending 5th January 1843.	Half year ending 5th July 1843.	Total Currency.
Bathurst,	£120 4 10	£28 0 2½	£25 17 10½	£174 2 11
Chatham,	232 12 3½	214 17 9½	157 5 0	604 15 1
Dalhousie,	72 6 4	122 19 6	63 0 5	258 6 3
Dorchester,	65 12 9½	76 6 0½	54 8 2½	196 7 0½
Fredericton,	523 7 1	670 11 2	408 16 4	1,602 14 7
Gagetown,	3 17 7½	4 17 3	1 4 0	9 18 10½
Kingston,	2 11 8½	2 17 8½	1 15 6	7 4 11
Newcastle,	6 18 9½	30 15 11	27 8 0	65 2 8½
Richibucto,	25 18 7	19 3 6½	4 0 1	49 2 2½
Sussex Vale,	7 14 7	7 10 2	27 9 9½	42 14 6½
Saint Stephen,	7 19 0½	11 0 7	9 15 3	28 14 10½
Saint John,	1,922 7 7½	880 17 1½	882 1 8	3,685 6 5
Saint Andrews,	1,499 3 2½	1,390 15 8½	684 6 4	3,574 5 3
				£10,298 15 8

*Post Office, Saint John, 22d December, 1843.*

(Signed)

J. HOWE, D. P. M. General.

# INDEX.

## 7<sup>o</sup> Victoria Second Session of the Thirteenth General Assembly.

	PAGE.
<b>ACCOUNTS,</b>	
Treasurer's, laid before the House,	20
Finances of the Province, 31st December, 1843, laid before the House,	20
Contingent, Committee appointed to investigate and report thereon, 143; Members composing the same, 143; their report,	162
King's College, laid before the House,	7
Provincial Auditor, with Documents, Civil List, &c.	26
Surveyor General's, detailed, ending 31st December, 1843,	115
<b>B</b>	
<b>BANK OF NEW BRUNSWICK,</b>	
Abstracts shewing its state on the first Monday in January, 1844,	7
Commercial,	
Shewing its state 30th September, 1843,	7
Central,	
Abstract shewing its state on the 5th day of June, 1843, and 4th December, 1843, 7; and 4th March, 1844,	71
Saint Stephen,	
Abstract shewing its state on the first Monday in July, 1843, and first Monday in January, 1844,	7
Charlotte County,	
Its state first Monday in May, 1843,	7
<b>BISHOP'S FUND,</b>	
Message from the Lieutenant Governor respecting,	64
<b>BLUE BOOK,</b>	
Laid before the House,	115
<b>BILLS</b> originating in the Legislative Council.	
<i>Ordinance Department Land Bill.</i> —Presented by the Honorable the Attorney General, 6; read first time, 6; read second time, 10; committed, 17; further committed, 23; reported, read third time and passed, title ordered, 25; sent down for concurrence, 25.	—
<i>Sackville Parish Globe Land Bill.</i> —Presented by the Honorable Mr. Botsford, 31; read first time, 31; read second time, 32; committed, reported, 38; read third time and passed, 40; title ordered, 40; sent down for concurrence, 40; returned agreed to, 58; assent given,	107
<i>Charlotte County Bank amendment Bill.</i> —Presented by the Honorable Mr. Chandler, 31; read first time, 31; read second time, 32; referred, Committee report, 49; committed, reported, 53; order discharged, re-committed, amended, 54; read third time and passed, 57; title ordered, 57; sent down for concurrence, 57; agreed to, 73; assent given,	108
<i>County and Parish Rates improvement Bill.</i> —Presented by the Honorable Mr. Hatch, read first time, 44; read second time, 45; committed, progress reported, 50; further committed, progress reported, 62; further committed, progress reported, 69; further committed, postponed for three months, 73.	—

## BILLS originating in Legislative Council—Continued.

PAGE.

- Wills, Legacies, &c. amendment Bill.*—Presented by the Honorable Mr. Hatch, 60; read first time, 61; read second time, 64; Order of Day discharged, referred to Select Committee, 67; Members composing the same, 68; their report, 104; committed, progress reported, 107; further committed, amended, 110; as amended, read third time and passed, 111; title ordered, 111; Assembly acquainted, 111; sent up amended, 120; amendment agreed to, 127; assent given, 164
- Bills of Exchange and Promissory Note Bill.*—Presented by the Honorable Mr. Johnston, 89; read first time, 89; read second time, 91; committed, reported, 96; read third time and passed, title ordered, 96; sent down for concurrence, 96. —
- Pilot regulation Bill.*—Presented by the Honorable Mr. Botsford, 94; read first time, 95; read second time, 96; committed, 99; read third time and passed, 102; title ordered, 102; sent down for concurrence, 102; concurred in, 122; assent given, 164

## BILLS from the House of Assembly.

- County of Kent assessment Bill, intitled,* A Bill to authorize the Justices of the Peace in the County of Kent to levy an assessment to defray the contingent expenses of the County.—Brought up, 31; read first time, 31; read second time, 32; committed, 36; further committed, reported, 38; read third time and passed, Assembly acquainted, 40; assent given, 107
- Saint Stephen Wellington Mill Company Bill, intitled,* A Bill to incorporate the Saint Stephen Wellington Mill Company.—Brought up, 33; read first time, 33; read second time, referred to Committee, 36; reported, 149; Bill and Report committed, 155; reported, 155; postponed for three months, 155. —
- Charlotte County Treasurer Bill, intitled,* A Bill to authorize the Justices of the Peace for the County of Charlotte to make further provision for the payment of the Treasurer of that County.—Brought up, 33; read first time, 33; read second time, 36; committed, reported, 38; read third time and passed, Assembly acquainted, 40; assent given, 107
- Parish of Dumfries division Bill, intitled,* A Bill to erect a part of the Parish of Dumfries, in the County of York, into a separate Town or Parish, and to alter the name of the said Parish.—Brought up, 37; read first time, 37; read second time, 38; committed, 43; further committed, 49; further committed, postponed for three months, 53. —
- Dog Tax Bill, Restigouche, intitled,* A Bill to lay a tax on Dogs in the Towns of Dalhousie and Campbellton, in the County of Restigouche.—Brought up, 40; read first time, 40; read second time, 42; committed, progress reported, 44; further committed, reported, 61; read third time and passed, Assembly acquainted, 63; assent given, 108
- Rectors, Church Wardens and Vestries of the Church of England explanatory Bill, intitled,* A Bill explanatory of an Act, intitled "An Act for erecting a Parish in the City of Saint John, and incorporating the Rectors, Church Wardens and Vestries of the Church of England in the several Parishes in this Province."—Brought up, 40; read first time, 40; read second time, 68; committed, progress reported, 78; further committed, amended, 84; as amended, read third time and passed, sent down for concurrence, 85; concurred in, 97; assent given, 108
- Charlotte County assessment Bill, intitled,* A Bill to authorize the Justices of the Peace for the County of Charlotte to levy an assessment to pay off the County Debt.—Brought up, 40; read first time, 40; read second time 42; committed, 44; reported, read third time and passed, Assembly acquainted, 45; assent given, 107
- Bolton Brook Navigation Company Bill, intitled,* A Bill to incorporate the Bolton Brook Navigation Company.—Brought up, 40; read first time, rule dispensed with, read second time, referred to Committee on Corporations, 41; Committee report, 49; committed, progress reported, 55; further committed, postponed for three months, 58. —
- Grazing, Fencing and occupation of Marshes in the County of Westmorland amendment Bill, intitled,* A Bill to amend an Act, intitled "An Act to regulate the fencing, occupation and grazing of the several Marshes, low Lands and Meadows in the County of Westmorland."—Brought up, 44; read first time, 44; read second time, 45; committed, progress reported, 50; further committed, amended, 52; as amended, read third time and passed, 54; sent down for concurrence, 54; sent up concurred in, 65; assent given, 108
- County of Gloucester Fishery Bill, intitled,* A Bill to empower the Justices of the Peace for the County of Gloucester, in their General Sessions to regulate the Fisheries in the said County.—Brought up, 46; read first time, 46; read second time, 48; committed, progress reported, 51; further committed, reported, 71; read third time and passed, Assembly acquainted, 72; assent given, 108



# INDEX.

iii.

**BILLS from the House of Assembly—Continued.**

PAGE.

- Carleton County alteration of the Sittings of the Inferior Courts Bill, intituled*, A Bill for altering the time of holding one of the Terms of the General Sessions of the Peace and Inferior Court of Common Pleas in the County of Carleton.—Brought up, 46; read first time, 47; read second time, 48; committed, reported, 52; read third time and passed, 54; Assembly acquainted, 54; assent given, 107
- Desertion from Her Majesty's Forces continuing Bill, intituled*, A Bill to continue an Act relative to Desertion from Her Majesty's Forces, and to punish unlawful dealings with Soldiers and Deserters.—Brought up, 49; read first time, 49; read second time, 51; committed, 55; further committed, 58; reported, 58; read third time and passed, Assembly acquainted, 61; assent given, 108
- Assessors of Taxes compensation Bill, intituled*, A Bill to authorize the Justices of the Peace in and for the City and County of Saint John to make compensation to the Assessors of Taxes for the City and Parish of Saint John, and Parishes of Simonds, Lancaster and Saint Martins, for the year 1843; also to the Assessors of Taxes for the Parish of Portland, for the year 1842.—Brought up, 52; read first time, 52; read second time, 55; committed, reported, 57; read third time and passed, Assembly acquainted, 61; assent given, 108
- Passengers and Emigrants amendment Bill, intituled*, A Bill to amend an Act, intituled "An Act to regulate Vessels arriving from the United Kingdom with Passengers and Emigrants.—Brought up, 52; read first time, 52; read second time, 55; committed, reported, 57; read third time and passed, Assembly acquainted, 61; assent given, 108
- Old Goal Saint John removal Bill, intituled*, A Bill to remove the Old Goal of the City and County of Saint John.—Brought up, 57; read first time, 57; read second time, 61; committed, reported, 65; read third time and passed, sent down for concurrence, 66; assent given, 108
- Nuisances within the City of Saint John additional Bill, intituled*, A Bill in addition to an Act, intituled, "An Act to prevent Nuisances within the City of Saint John."—Brought up, 58; read first time, 58; read second time, 61; committed, amended, reported, 65; as amended, read third time and passed, sent down for concurrence, 66; concurred in, 79; assent given, 108
- Madawaska Parish division of Bill, intituled*, A Bill for erecting the Parish of Madawaska, in the County of Carleton, into three separate or distinct Towns or Parishes.—Brought up, 58; read first time, 58; read second time, 61; committed, progress reported, 69; further committed, 103; reported, 103; on question that report be received, negatived, 103. —
- County of Carleton assessment Bill, intituled*, A Bill to authorize the Justices of the Peace for the County of Carleton to levy an assessment to pay off the County debts.—Brought up, 58; read first time, 58; read second time, 61; committed, reported, 64; read third time and passed, Assembly acquainted, 66; assent given, 108
- Saint John Church Richmond Bill, intituled*, A Bill to authorize the Trustees of Saint John Church in Richmond, to sell Lands.—Brought up, 58; read first time, 58; read second time, 61; committed, 64; House divide, 64; reported, amended, 65; as amended, read third time and passed, Assembly acquainted, 66; amendment agreed to, 76; assent given, 108
- Grand Manan, &c. Herring Fishery amendment Bill, intituled*, A Bill to amend an Act, intituled "An Act to regulate the Herring Fishery in the Parishes of Grand Manan, West Isles, Campo Bello, Pennfield and Saint George, in the County of Charlotte, and to provide for the inspection of smoked Herrings in said Parishes."—Brought up, 59; read first time, 59; read second time, 61; committed, 68; postponed for three months, 68. —
- Bankruptcy Laws repealing Bill, intituled*, A Bill to repeal all the Laws now in force relating to Bankruptcy in this Province.—Brought up, 67; read first time, 67; read second time, 67; report of Select Committee, 81; committed, progress reported, 92; further committed, progress reported, 128; further committed, 136; amended, reported, 137; as amended, read third time and passed, Assembly acquainted, 142; concurred in by Assembly, 155; assent given, 164
- Marine Hospital at Dalhousie Bill, intituled*, A Bill to authorize the erection of a Marine Hospital at Dalhousie, in the County of Restigouche, and to make further provision for sick and disabled Seamen not being paupers belonging to this Province, so far as the same may relate to the Port of Dalhousie.—Brought up, 68; read first time, 68; read second time, 70; committed, reported, 72; read third time and passed, Assembly acquainted, 76; assent given, 108
- Bounty on Wolves and Bears amendment Bill, intituled*, A Bill to amend an Act, intituled "An Act to repeal an Act to encourage the destroying of Wolves, and an Act to grant a bounty on the destruction of Bears in this Province, and to make other provisions

## BILLS from the House of Assembly—Continued.

	PAGE.
in lieu thereof."—Brought up, 68; read first time, 68; read second time, 70; committed, reported, 73; read third time and passed, 76; Assembly acquainted, 76; assent given,	108
<i>Sick and disabled Seamen Duties reducing Bill, intituled, A Bill to reduce the Duties imposed upon Ships or Vessels arriving at the Port of Saint John, to provide for the support of sick and disabled Seamen not being paupers belonging to the Province.</i> —Brought up, 70; read first time, 70; read second time, 72; Order of Day discharged, 74; committed, 74; reported, 74; read third time and passed, Assembly acquainted, 76; assent given,	108
<i>Bay of Fundy Light House amendment Bill, intituled, A Bill to repeal an Act, intituled "An Act to amend an Act to provide for maintaining Light Houses within the Bay of Fundy, and to substitute other enactments in lieu thereof."</i> —Brought up, 70; read first time, 70; read second time, 72; committed, progress reported, 78; further committed, 95; progress reported, 95; further committed, reported, postponed for three months, 100.	—
<i>City and County of Saint John Alms House and Work House additional Bill, intituled, A Bill in addition to an Act; intituled "An Act to provide for the erection of an Alms House and Work House, and to establish a Public Infirmary in and for the City and County of Saint John."</i> —Brought up, 70; read first time, 71; read second time, 72; committed, 78; reported, 78; read third time and passed, Assembly acquainted, 80; assent given,	108
<i>Public Registry of Deeds further additional Bill, intituled, A Bill in further addition to the Acts relating to the Public Registry of Deeds in this Province.</i> —Brought up, 71; read first time, 71; read second time, 72; Order of Day discharged, committed, reported, 74; further committed, postponed for three months, 81.	—
<i>County of Carleton division Bill, intituled, A Bill for the division of the County of Carleton into two Counties, and to provide for the Government and Representation of the new County.</i> —Brought up, 71; read first time, 71; read second time, 72; committed, progress reported, 84; further committed, progress reported, 115; further committed, progress reported, 117; further committed, reported, 119; <i>the House divide</i> , 119; <i>on the question of Bill passing, House divide</i> , 123; read third time and passed, Assembly acquainted, 123; <i>protest</i> , 124; assent given, <i>with a suspending clause</i> ,	164
<i>Market House on the Western side of the Harbour of Saint John Bill, intituled, A Bill to authorize the use of a part of the building erected for a Market House on the Western side of the Harbour in the City of Saint John for other purposes than a Market House.</i> —Brought up, 71; read first time, 71; read second time, 72; Order of Day discharged, 73; committed, 73; reported, 73; read third time and passed, 76; Assembly acquainted, 76; assent given,	108
<i>Legal Tender amendment and additional Bill, intituled, A Bill in amendment of and in addition to the Acts relating to the establishment of a Legal Tender in all payments to be made in this Province.</i> —Brought up, 71; read first time, 71; read second time, 72; committed, progress reported, 86; order discharged, 86; referred to Select Committee, Member's names, 86; their report, 90; Rule dispensed with, committed, 90; progress reported, 90; further committed, <i>a division</i> , amended, 92; as amended, read third time and passed, Assembly acquainted, 94.	—
<i>Fredericton Street and Highway amendment and continuance Bill, intituled, A Bill to amend and continue the Act to provide for the repair of the Streets and Highways in Fredericton.</i> —Brought up, 77; read first time, 77; read second time, 78; committed, amended, 89; as amended, read third time and passed, 91; sent down for concurrence, 91.	—
<i>Election of Representatives addition and amendment Bill, intituled, A Bill to amend an Act, intituled "An Act in addition to and in amendment of the Laws now in force for regulating Elections of Representatives to serve in General Assembly in this Province."</i> —Brought up, 77; read first time, 77; read second time, 78; rule dispensed with, committed, 78; progress reported, 78; further committed, progress reported, 81; further committed, 114; postponed for three months, 114.	—
<i>Division Line of Kingston and Norton Parishes Bill, intituled, A Bill to alter the division Line between the Parishes of Kingston and Norton in King's County.</i> —Brought up, 79; read first time, 79; read second time, 81; committed, reported, 87; read third time and passed, 88; Assembly acquainted, 88; assent given,	108
<i>Small Debts due the Crown Bill, intituled, A Bill to facilitate the collection and recovery of small debts due to the Crown, arising from the sale of Crown Lands and Timber.</i> —Brought up, 79; read first time, 79; read second time, 81; committed, 87; reported, 87; read third time and passed, Assembly acquainted, 88; assent given,	164

# INDEX.

V.

**BILLS from the House of Assembly—Continued.**

PAGE.

- Samuel D. Rice, Bill for relief of, intituled, A Bill to enable the Lieutenant Governor or Administrator of the Government for the time being, to licence the Rev. Samuel D. Rice to Solemnize Marriage in this Province.—Brought up, 79; read first time, 79; read second time, 81; committed, reported, 87; read third time and passed, 88; Assembly acquainted, 88; reserved for Her Majesty's consideration,* 109
- Pilots Acts amendment and additional Bill, intituled, A Bill in addition to and in amendment of the Acts relating to Pilots within this Province.—Brought up, 79; read first time, 79; read second-time, 81; committed, progress reported, 86; committed, postponed for three months, 89.* —
- Saint John Assessment Bill, intituled, A Bill to authorize the Justices of the Peace of the City and County of Saint John to raise a sum of money for the payment of certain debts due by the County of Saint John.—Brought up, 81; read first time, 81; read second time, 86; committed, reported, 88; read third time and passed, Assembly acquainted, 91; reserved for Her Majesty's consideration,* 109
- Infectious Distempers Bill, intituled, A Bill to revive certain Acts relating to the prevention of the importation and spreading of Infectious Distempers within the Counties of Charlotte and Northumberland, and to extend the same to the Counties of Gloucester and Restigouche.—Brought up, 83; read first time, 84; read second time, 86; committed, progress reported, 88; committed, reported, 98; read third time and passed, Assembly acquainted, 99; assent given,* 108
- Fredericton Boom Company Bill, intituled, A Bill to incorporate the Fredericton Boom Company.—Brought up, 86; read first time, rule dispensed with, read second time, and referred to Committee on Corporations, 86; Report of Committee, 106; Rule dispensed with, committed, progress reported, 106; further committed, reported, 112; read third time and passed, 114; Assembly acquainted, 114; assent given.* 164
- Roman Catholic Bishop holding Lands, &c., Bill, intituled, A Bill to authorize the Roman Catholic Bishop of this Province to hold Lands, Tenements and Hereditaments to him and his Successors for ever.—Brought up, 86; read first time, 86; read second time, 88; committed, 95; progress reported, 95; further committed, progress reported, 104; further committed, 110; the House divide, 110; postponed for three months, 110.* —
- Collection of Duty on Timber and other Lumber Bill, intituled, A Bill relating to the collection of Duty on Timber and other Lumber.—Brought up, 91; read first time, 91; read second time, 94; committed, 97; a division, 97; reported, 97; read third time and passed, Assembly acquainted, 99; protest of Members, 101; assent given,* 107
- Fifth Section of the Act for the support of the Civil Government of the Province restraining Bill, intituled, A Bill to restrain the provisions of the Fifth Section of an Act, intituled "An Act for the support of the Civil Government of this Province," and to establish sundry regulations for the future sale and disposal of Timber in certain cases.—Brought up, 91; read first time, 91; read second time, 94; committed, reported, 98; read third time and passed, 99; Assembly acquainted, 99; assent given,* 164
- Flour and Meal Inspection Bill, intituled, A Bill to provide for the more efficient inspection of Flour and Meal.—Brought up, 95; read first time, 95; read second time, 97; committed, progress reported, 99; further committed, 103; postponed for three months, 103.* —
- Election of Representatives Bill, intituled, A Bill relating to the Election of Representatives to serve in the General Assembly.—Brought up, 95; read first time, 95; read second time, 97; committed, progress reported, 100; further committed, 114; postponed for three months, 114.* —
- River and Harbour of Saint John Navigation Bill, intituled, A Bill for more effectually securing the Navigation of the River and Harbour of Saint John, in the City and County of Saint John.—Brought up, 95; read first time, 95; read second time, 97; committed, 112; reported, 112; read third time and passed, 116; Assembly acquainted, 116; assent given,* 164
- Revenue Bill, intituled, A Bill imposing Duties for raising a Revenue.—Brought up, 95; read first time, 95; read second time, 97; committed, reported, 99; read third time passed, 102; Assembly acquainted, 102; assent given,* 107
- Saint Croix Bridge Company Bill, intituled, A Bill to Incorporate the Saint Croix Bridge Company.—Brought up, 97; read first time, 97; read second time, 99; referred to Corporation Committee, 99; reported, 149; Bill and report committed, postponed for three months, 155.* —

## BILLS from the House of Assembly—Continued.

PAGE.

- County of Charlotte Parish Officers Bill, intitled,* A Bill to authorize the Justices of the Peace in their General Sessions in the County of Charlotte, with the concurrence of the Grand Jury, to declare the amount of salary for the services of the different Officers in the said County.—Brought up, 97; read first time, 97; read second time, 99; committed, reported, postponed for three months, 103. —
- Arestook Boom Company Bill, intitled,* A Bill to Incorporate the Arestook Boom Company.—Brought up, 103; read first time, 103; rule dispensed with, 103; read second time, referred to Committee on Corporations, 103; reported, 113; committed, progress reported, 115; further committed, progress reported, 118; further committed, amended, 119; as amended, read third time and passed, Assembly acquainted, 121; concurred in, 134; assent given, 164  
(with a suspending clause.)
- Relief to persons unfortunate in business Bill, intitled,* A Bill to afford relief to persons unfortunate in business in certain cases.—Brought up, 104; read first time, 104; read second time, 105; committed, progress reported, 115; further committed, progress reported, 133; further committed, 143; progress reported, 143; further committed, amended, 144; as amended, read third time and passed, 154; Assembly acquainted, 154; concurred in, 160; assent given, 164
- Old Soldiers and their Widows Pension repealing Bill, intitled,* A Bill to repeal all the Acts now in force for the relief of Old Soldiers of the Revolutionary War and their Widows, and to make more effectual provision for the same.—Brought up, 104; read first time, 104; read second time, 105; committed, reported, 109; postponed for three months, 109. —
- Legal Tender and value of British Coin Bill, intitled,* A Bill to establish the value of certain British Coins in this Province, and to amend the Acts relating to the establishment of a Legal Tender.—Brought up, 107; read first time, 107; read second time, 110; committed, reported, 112; read a third time and passed, 116; *the House divide*, 116; names, 116; Assembly acquainted, 116; assent given, 164
- Ordinary Service Bill, intitled,* A Bill to appropriate a part of the Public Revenue for the payment of the ordinary services of the Province.—Brought up, 111; read first time, 112; read second time, 111; committed, reported, 116; read third time and passed, 118; Assembly acquainted, 118; assent given, 164
- Sawed Lumber survey and exportation repealing and regulating Bill, intitled,* A Bill to repeal all the Laws now in force regulating the survey and exportation of Sawed Lumber, so far as relates to the River and Port of Saint John, and to make other provisions in lieu thereof.—Brought up, 112; read first time, 112; read second time, 114; Order of Day discharged, 118; referred to Select Committee, 118; Members composing the same, 118; their Report, 135; Bill and Report committed, 151; amended, reported, 151; as amended, read third time and passed, 154; Assembly acquainted, 154. —
- Drawback on Flour Bill, intitled,* A Bill to provide for Drawbacks upon Flour, exported in certain cases.—Brought up, 112; read a first time, 112; read second time, 114; committed, reported, 116; read third time and passed, 118; Assembly acquainted, 118; assent given, 164
- Collection of Duty on Timber and other Lumber amendment Bill, intitled,* A Bill to amend an Act, intitled "An Act relating to the collection of Duty on Timber and other Lumber."—Brought up, 120; read first time, 120; read second time, 135; committed, 142; postponed for three months, 142. —
- Prompt payment at the Treasury Bill, intitled,* A Bill further to continue an Act to provide for the prompt payment of all demands upon the Provincial Treasury.—Brought up, 120; read first time, 120; read second time, Twenty third Rule dispensed with, committed, 121; *the House divide*, 122; reported, 122; read third time and passed, 125; Assembly acquainted, 125; assent given, 164
- City and County of Saint John payment of Debts Bill, intitled,* A Bill to enable the Justices of the Peace of the City and County of Saint John to pay off a portion of the Debts now due by the County of Saint John.—Brought up, 120; read first time, 120; read second time, 121; Twenty third Rule dispensed with, committed, reported, 121; read third time and passed, 125; Assembly acquainted, 125; assent given, 164
- Treaty of Washington Bill, intitled,* A Bill to enable Her Majesty's Government to carry into effect within the Province the provisions of the fourth Article of the Treaty of Washington.—Brought up, 122; read first time, 122; read second time, 125; committed, 135; read third time and passed, 141; assent given, (with a suspending clause,) 164
- Samuel D. Rice, relief Bill, intitled,* A Bill for the relief of the Rev. Samuel D. Rice.—Brought up, 122; read first time, 122; read second time, 125; committed, 135; read third time and passed, Assembly acquainted, 141; assent given, (with a suspending clause,) 164

**BILLS from the House of Assembly—Continued.**

PAGE.

- Revenue Act amendment Bill, intituled, A Bill to amend an Act imposing Duties for raising a Revenue.*—Brought up, 122; read first time, 122; read second time, committed, 136; reported, 136; read third time and passed, Assembly acquainted, 141; assent given, 164
- Sick and Disabled Seamen Act Charlotte County suspension Bill, intituled, A Bill to suspend the operation of certain Acts to provide for Sick and disabled Seamen, so far as they relate to the County of Charlotte.*—Brought up, 123; read first time, 123; read second time, 125; committed, postponed for three months, 128. —
- Light Houses in the Bay of Fundy, so far as regards Charlotte County, suspending Bill, intituled, A Bill to suspend the operation of the Acts to provide for maintaining Light Houses in the Bay of Fundy, so far as regards Vessels arriving in the County of Charlotte, for a limited period.*—Brought up, 123; read first time, 123; read second time, 125; committed, postponed for three months, 129. —
- King's College Charter amendment Bill, intituled, A Bill to amend the Charter of King's College.*—Brought up, 126; read first time, 126; read second time, 128; committed, progress reported, 153; further progress reported, 156; further committed, 158; amended, 158; reported, 158; as amended, read third time and passed, 159; the House divide, 159; sent down for concurrence, 159; protest, 161. —
- Passengers on board Steam Boats repealing and amendment Bill, intituled, A Bill to repeal an Act, intituled "An Act to provide for the greater safety of Passengers on board Steam Boats, and to make further provisions in lieu thereof."*—Brought up, 133; read first time, 133; read second time, Rule dispensed with, committed, amended, reported, 136; as amended, read third time and passed, 142; sent down for concurrence, 142; concurred in, 157; assent given, 164
- Continuation of Water Street in Saint John Bill, intituled, A Bill to authorize the Mayor, Aldermen and Commonalty of the City of Saint John to lay out and open a Street in the said City in continuation of John or Water Street, so called, southwardly to the prolongation of the southern end of the Brick building now used for the Custom House.*—Brought up, 134; read first time, 134; read second time, 142; committed, 148; postponed for three months, 148. —
- Indian Reserves Bill, intituled, A Bill to regulate the management and disposal of the Indian Reserves in this Province.*—Brought up, 142; read first time, 142; Rule dispensed with, read second time, committed, progress reported, 153; further committed, 158; amended, reported, 158; as amended, read third time and passed, 159; Assembly acquainted, 159; concurred in, 160; assent given, (with a suspending clause,) 164
- Supplying the City of Saint John with Water Bill, intituled, A Bill further to facilitate the means of supplying the City of Saint John with Water.*—Brought up, 148; read first time, Rule dispensed with, read second time, 148; committed, 157; reported, 157; Rule dispensed with, read third time and passed, Assembly acquainted, 157; assent given, 164
- Fisheries encouragement Bill, intituled, A Bill to encourage the Fisheries of this Province.*—Brought up, 148; read first time, 148; Rule dispensed with, read second time, 148; committed, 157; reported, 158; Rule dispensed with, read third time and passed, 158; Assembly acquainted, 158; assent given, 164
- Disease (called Leprosy) preventing Bill, intituled, A Bill to prevent the spreading of a Disease now existing in certain parts of the Counties of Gloucester and Northumberland.*—Brought up, 157; read first time, 157; Rule dispensed with, read second time, committed, reported, read third time and passed, Assembly acquainted, 157; assent given, 164
- Roads and Bridges Bill, intituled, A Bill to provide for opening and repairing Roads and erecting Bridges throughout the Province.*—Brought up, 160; read first time, 160; Rule dispensed with, read second time and committed, 160; reported, 161; read third time and passed, Assembly acquainted, 163; assent given, 164
- Revenue Appropriation Bill, intituled, A Bill to appropriate a part of the Public Revenue for the services therein mentioned.*—Brought up, 160; read first time, 160; Rule dispensed with, read second time, committed, reported, 160; read third time and passed, 163; Assembly acquainted, 163; assent given, 164
- Vacating Seats of Members Bill, intituled, A Bill to Vacate the Seats of Members of the Assembly in certain cases.*—Brought up, 158; read first time, 158; Rule dispensed with, read second time, 158; committed, amended, reported, 160; Rule dispensed with, read third time and passed, 160; sent down for concurrence, 160. —

	PAGE.
<b>C</b>	
COMMITTEE—Select, Appointed to report upon Bills relating to Corporations, as may be referred to it during the Session, 31; Members composing the same,	31
CRANE, the Honorable William, President acquaints the House, that by a Mandamus under the Royal Sign Manual, dated the 30th day of December, 1843, William Crane was appointed a Member of this House, and desired to be admitted, 4; Committee appointed to see him qualified, 4; Report, 4; introduced and takes his Seat,	4
CUSTOM HOUSE, Saint John, Message from the Lieutenant Governor respecting,	62
<b>D</b>	
DIBBLEE, George J.—A Master in Chancery, Appointed to attend this House for the purpose of carrying Messages to the Assembly, in the room of the late Stephen Miller, Esquire,	3
<b>E</b>	
<b>F</b>	
FIRE INSURANCE COMPANY, CENTRAL, Abstract shewing its state, laid before the House,	72
<b>G</b>	
GOVERNOR, the Lieutenant, Comes to the House and commands the attendance of the Assembly, His Excellency opens the Session by a gracious Speech to both Houses, 2; the President reports a copy of the same, 3; the Speech, 3; a Committee appointed to draft an Address in answer thereto, 3; a draft reported, 4; committed, 4; reported, 4; passed, 4; the Address, 5; Com- mittee appointed to know when the House would be received with the same, 6; Report, 9; Address presented, 9; His Excellency's answer thereto, Bills assented to by the, 107, 108, 109, 110, His Speech at the Prorogation, Messages from the.—( <i>See Messages and Resolutions.</i> )	1 9 164 165
<b>H</b>	
<b>J</b>	
JOURNALS OF HOUSE, Ordered to be printed daily, 3; number of copies,	3
<b>K</b>	
<b>L</b>	
LUNATIC ASYLUM, Report of George P. Peters, M. D.—(Appendix No. 3.) Report of Commissioners for the year 1844, laid before the House,	30 49
<b>M</b>	
MARINE ASSURANCE COMPANY, Abstracts shewing its state 30th June, 1843, 4th January, 1844,	7
MINCHIN, the Honorable George, President acquaints the House, that by Mandamus under the Royal Sign Manual, George Minchin, Esquire, was appointed a Member of this House, 4; Committee appointed to see him quali- fied, 4; their Report, 4; introduced,	4
MESSAGES from the Lieutenant Governor, With copies and extracts of Despatches from the Secretary of State, on the subject of Acts passed by the Legislature— The Currency Act, Grand Falls Company Incorporation Act, Election Law and Legal Tender Act,	11 11 12

# INDEX.

ix.

## MESSAGES from the Lieutenant Governor—Continued.

	PAGE.
Vacating Seats of Members of Assembly Act,	12
Arestook Boom Company,	13
Act relative to Duty on Timber,	13
Act relating to the Currency of the Province,	15
Vacating Seats of Members of the Assembly Act,	16
Passengers on board Steam Boats Act,	16
Loan Act,	18
Revenue Acts,	19
Differential Duties,	19
Consolidation of Revenue Department,	20
Double Head Money, Barque Londonderry,—(See Appendix No. 1.)	20
With copy of Despatch from the Secretary of State respecting imposition of Differential Duties on Goods imported into the British Colonies,—(See Appendix No. 4.)	33
Respecting a Disease prevailing in Tracadie, (See Appendix No. 5.)	46
Respecting expenses incurred for articles supplied French Brig Rosanus,—(See Appendix No. 6.)	46
With correspondence relative to the Rent of building for Custom House, Saint John,—(See Appendix No. 7.)	62
Recommending Bishop's Fund to be received as an investment on Public Security,	63
With Report upon Accounts connected with special Commission and move of Troops to Miramichi,	77
With Despatches, Documents, and Returns, relative to the Post Office, and management of it in the Colony,—(See Appendix No. 8.)	109
Acquainting the House of his indisposition, and requesting the House when they adjourn to-day to adjourn to meet at the Government House,	163

## N

## O

### OWEN, William Fitzwilliam, Captain, R. N.

President acquaints the House, that by a Mandamus under Royal Sign Manual, Mr. Owen was appointed a Member of this House, 30; Committee appointed to see him qualified, 31; Report, 31; introduced and takes his Seat,	31
--	----

## P

### PROVINCIAL PENITENTIARY,

Report from Commissioners laid on the Table,—(See Appendix No 2.)	30
---	----

### PETERS, George P., M. D., Medical Attendant Lunatic Asylum, Report,—(See Appendix No. 3.)

30

### PROTEST, Honorable Messieurs Street, Wyer, Hatch and Owen,

To Bill relating to the collection of Duty on Timber and other Lumber,	101
Honorable Messieurs Shore, Robinson, Botsford, Crane, Attorney General, Street and Robertson, on the Bill for the division of the County of Carleton into two Counties,	124
Messieurs Cunard, Saunders, Owen and Minchin, on Address relative to tenure of office of Members,	153
Messieurs Black, Shore, Robinson and Street to College Bill,	161

### POST OFFICE,

Despatches, Documents and Returns respecting, laid before the House,—(See Appendix No. 8.)	109
--	-----

### PETITIONS presented and ordered to lie on the Table,

No. 1.	From the Justices of the Peace for the County of Kent in General Sessions, praying an Act may pass to authorize the Justices in General or Special Session, to assess the County annually for a sum not exceeding one hundred and twenty pounds, to defray the necessary contingent expenses of the County,	9
2.	From Francis Rice, John Cire, John Hatch, Enoch Barker and two hundred other persons residing in the upper part of the County of Carleton, praying an Act may pass to have the present County divided, and two separate and distinct Counties established,	9
3.	From Thomas Powell, of Richibucto, praying an allowance for keeping a School in one thousand eight hundred and forty three,	9
4.	From the Overseers of the Poor for the Parish of Saint Andrews, praying aid in support of Emigrant Poor,	9
5.	From the Reverend James Quinn, Henry O'Neil, W. C. M'Stay and fifty six others, praying aid for a School in the Town of Saint Andrews,	9
6.	From Abner Hill and others, praying an Act may pass to incorporate a Company by the name of the "Saint Stephen's Wellington Mill Company,"	9

PETITIONS presented and ordered to lie on the Table— <i>Continued.</i>		PAGE.
7.	From Schuyler P. Frink, praying Legislative relief in a case where he paid a first instalment of four hundred and fifty pounds for Lands in York County, at nine shillings per acre, and has not been able to comply further with his agreement for purchase,	9
8.	From William Todd, George M. Porter and others, praying an Act may pass to incorporate certain persons under the name and style of the "Saint Croix Bridge Company,"	10
9.	From Thomas Lamb, Keeper of Quaco Light House, praying relief for losses sustained by him,	10
10.	From the Justices of the Peace of the County of Kent, praying an allowance to the Overseers of Poor in the Parish of Wellington, for taking care of a sick Emigrant,	10
11.	From Stephen Gooden, a Licenced Schoolmaster, praying an allowance for teaching a School in the County of Westmorland,	10
12.	From John Lynn, Master of the brig Martha, of Cork, praying return of Head Money paid in July last at Saint John,	10
13.	From H. K. Ormond, Lieutenant Colonel Commanding Her Majesty's 30th Regiment, praying that the usual return of Duties paid on Wines imported for the use of the Regiment, may be made to them,	10
14.	From Ann O'Flannigan, widow of Lawrence O'Flannigan, praying an allowance for a School taught by her late husband, in the Parish of Sackville,	10
15.	From James Albee, David A. Rose, Samuel Abbot and others, Inhabitants of Saint Stephen and Saint David's Parishes, praying an Act may pass to incorporate the Bolton Brook Navigation Company,	17
16.	From James Brown, William Ludlow, Thomas Lord and two hundred and ninety three other persons, praying an Act may pass to prohibit the taking of Fish in Wiers within the Parishes of West Isles and Campo Bello, in the County of Charlotte,	17
17.	From Josephus Moore, of the Parish of Saint David, in the County of Charlotte, praying Legislative aid in consequence of the unfortunate result of a purchase made by him of Crown Lands in the year one thousand eight hundred and thirty five,	17
18.	From William Gremley, Oliver Willard, Hugh Morell and seventy others, Inhabitants of the County of Northumberland, praying a protective Duty of thirty or forty per cent. upon imported Boots and Shoes, whether British or Foreign, or grant such other relief to them as may appear right, for reasons set out in their Petition,	22
19.	From Henry Gilbert, Henry Porter, Ambrose S. Perkins, and one hundred other Merchants and Inhabitants of Saint John, praying the Province Treasurer may be directed to receive at the rate of ten per cent. in Coppers, in payment of Duties, until one thousand five hundred pounds shall be withdrawn from circulation; and that measures may be taken to procure and place in safe custody or destroy the Dies from which the Copper Coin has been formed,	23
20.	From Alexander M'Lauchlan, a licenced teacher, praying an allowance for teaching a School in the Parish of Fredericton, in the years one thousand eight hundred and thirty six and one thousand eight hundred and thirty eight,	23
21.	From the Commissioners of Bathurst Bridge, praying a sum of money to enable them to pay a balance due for erecting the Bridge,	23
22.	From John Marks, of Charlotte County, praying relief from a loss sustained by him in the purchase of Crown Lands in the year 1835,	23
23.	From Alexander Campbell, of the same County, with a similar prayer,	23
24.	From Major Richard French, in command of part of Her Majesty's 52d Regiment, stationed at Fredericton, praying that the amount of Duties paid in the Province, on Wines consumed by the Regiment, may be repaid, in the manner heretofore usual in this Province,	24
25.	From the Stockholders of the Charlotte County Bank, by their President, praying an alteration may be made in the Act incorporating them,	24
26.	From George Fitzgerald, of Saint Stephen, in Charlotte County, praying an allowance for teaching a School from July, 1842, to February, 1844, in the said County,	24
27.	From Thomas Shannon and eight other inhabitants of the Parish of Saint James', in Charlotte County, praying a sum of money may be expended on a Road from their residence to the main Road leading to Saint Stephen's Parish,	24
28.	From David W. Jack, Deputy Province Treasurer at Saint Andrews, praying an additional allowance for his services, and for consideration in the event of the consolidation of the Revenue Departments,	24
29.	From John Pendleberry, Keeper of the Light House in Saint Andrews Harbor, praying an addition to his Salary,	24
30.	From James Maloney, James Clark and eight others, Branch Pilots at Saint Andrews, praying an Act may pass for their relief,	24
31.	From Timothy F. Harley, a Schoolmaster, praying that part of an allowance for the education of poor Children in Saint Andrews, may be assigned to him, in proportion to the number of Children attending his School,	24
32.	From Rachael Harvey, the Widow of Henry Harvey, late a Pensioner, praying some Provincial allowance may be continued to him,	24



# INDEX.

xi.

PETITIONS presented and ordered to lie on the Table— <i>Continued.</i>	PAGE.
33. From Theodore Winchester, of Grand Manan, praying an allowance for teaching a School from the 26th day of April, 1842, to the first day of October following,	24
34. From Robert Rankin and Company, of the City of Saint John, Merchants, praying a return of Duties paid on Passengers, on board the Barque Louisa, from Cork, at the Port of Saint John, in April last,	25
35. From the same persons, praying a like return of Duties paid on Passengers on board the Brig Caroline, from Ballyshannon, in May last,	25
36. From Benjamin Gales, a Master Mariner, praying a return of £29 19 2, an excess of Head Money paid by him at Saint John, in July last,	25
37. From the Rector, Church Wardens and Vestry of the Parish of Sackville, praying that an Act may pass to enable them to sell certain Lots of Glebe Land, and dispose of the proceeds of such sale in other Lands,	31
38. From James Lawler, of Charlotte County, praying for aid in running a Packet between Saint Andrews, West Isles, Campo Bello and Grand Manan,	31
39. From Henry Colter, praying an allowance for teaching a School six months in Charlotte County, in the year 1841,	31
40. From Thomas Nisbet and Thomas Nisbet, Junior, Cabinet Makers, praying an amount may be granted to them for furniture provided in putting up the Council Chamber, for reasons set forth in the Petition,	32
41. From Benjamin Brown, Isaac Kennedy and thirty four others, inhabitants of Saint Andrews, praying a further Protective Duty may be imposed on all Foreign Shoes and Boots imported into the Province,	32
42. From Daniel Lee and Theodore Knutter, of Charlotte County, praying an allowance for extra work done by them on a Bridge over the Magaguadavic River,	32
43. From William Ker, John Wilson, William Garnett and sixty other persons, Merchants and inhabitants of Charlotte County, praying that Bounties may be granted for the encouragement of the Fisheries in the Province,	32
44. From James Hartley, Benjamin Ingraham, Asa Dow and other inhabitants of the County of York, praying an Act may pass to divide the Parish of Dumfries,	32
45. From William M'Kinney and one hundred and sixty other persons, inhabitants of the Parishes of West Isles and Campo Bello, praying no Law may be allowed to pass to interfere with the rights of Wier privileges as at present by Law established,	33
46. From Samuel Abbot and John Wilson, inhabitants of Charlotte County, praying relief in consideration of the forfeiture of the amount paid by them as a first instalment on the purchase of Crown Lands in the year 1835,	33
47. From Flora M'Kenzie, of the County of Charlotte, praying an allowance for teaching a School in that County for one year, ending the 15th March, 1843,	33
48. From Thomas Leavitt and Company, of the City of Saint John, Merchants, praying an excess of Duty at the Treasury Office in 1842, may be allowed them,	37
49. From Robert Watson, Deputy Treasurer at Saint Stephens, praying for a further compensation for his services,	37
50. From the Justices of the Peace for the County of Charlotte, for a sum of money to pay a Debt incurred in supporting Emigrant Paupers,	37
51. From Freeman H. Todd, of Charlotte County, setting forth, that he paid £925 towards the purchase of four thousand acres of Crown Land in the year 1835, and praying he may be allowed to complete the purchase at five shillings per acre, or for such other relief as may be deemed reasonable,	37
52. From the Mayor, Aldermen and Commonalty of the City of Saint John, praying that the inhabitants of the City may not be further taxed, until the amounts now annually imposed upon them are paid off, or greatly lessened,	37
53. From the same Corporation, praying to be remunerated for monies expended for Emigrants on Partridge Island,	37
54. From Enoch Lunt, of the County of Sunbury, praying for a remission, in part, of the balance due by him for Stumpage on sapling Red Pine Timber, in 1842,	39
55. From Henry Cunard, John T. Williston, John Wright, William Loch and eighty three others, Merchants and inhabitants of Miramichi and its vicinity, praying that the Legislative Grant made in 1840, to encourage a Weekly Steam Communication between Miramichi, Charlotte Town and Pictou, may be paid to the Prince Edward Island Steam Navigation Company,	39
56. From Joseph Read, Henry W. Baldwin, Robert Gordon, Thomas M. Deblois and others, Merchants and inhabitants of the County of Gloucester, with a similar prayer,	39
57. From the Directors of the Prince Edward Island Steam Navigation Company, praying remuneration for running a Steam Boat between Miramichi, Charlotte Town and Pictou, in the year one thousand eight hundred and forty two,	39
58. From John Miller, Deputy Provincial Treasurer for the district of Bathurst, praying for an additional allowance for the performance of his duties,	39

PETITIONS presented and ordered to lie on the Table— <i>Continued.</i>		PAGE.
59.	From the Overseers of the Poor of the Parish of Saint George, in the County of Charlotte, praying to be reimbursed an amount advanced by them for the relief of indigent Emigrants in the year 1842,	39
60.	From Henry Gilbert, Henry Porter, Daniel Leavitt, James Kirk, Robert Rankin and Company, and one hundred and fifty others, Merchants, Magistrates, Shipowners, Mechanics, and other inhabitants of the City of Saint John, praying the present Laws relating to Bankruptcy may be repealed,	41
61.	From L. Donaldson, Stephen Wiggins and Son, Robert Rankin and Company, James Kirk, John Wisbart and eight others, Merchants and Ship owners, resident in the City of Saint John, setting forth they have for a series of years experienced great inconvenience from the collection of what is termed double Head Money on Emigrant Passengers arriving at Saint John, and praying relief to parties, who during the past year, or since the passing of the Imperial Act, have been compelled to pay such money, and that a Law may be allowed to pass in accordance with the Imperial Act now in force,	41
62.	From the Justices of the Peace in the City and County of Saint John, in General Sessions, praying an Act may pass authorizing the Sessions to order compensation to be made to certain Assessors of Rates, for services performed,	41
63.	From the same Justices in General Sessions, praying an Act may be allowed to pass to give authority to borrow a sum of money not exceeding Six thousand pounds, to place it within their power to discharge the debt against the County,	41
64.	From the same Justices, praying an Act may pass to empower them to dispose of at public sale, pull down or otherwise remove the old Gaol of the County,	41
65.	From the Mayor, Aldermen and Commonalty of the City of Saint John, praying re-payment of certain sums of money expended upon the Great Road near Saint John, leading to the Parish of Lancaster,	41
66.	From John Fraser, William Salter, Thomas C. Allan and others, of Newcastle, praying an allowance may be made to John Seivewright for teaching a Grammar School at that place,	41
67.	From Alexander Goodfellow, praying remuneration for services and expenses incurred as Commissioner on the Road from Fredericton to Petitcodiac,	41
68.	From Mercy M'Nichol, of Charlotte County, Widow of an old Soldier of the Revolutionary War in America, praying relief in her distressed condition,	42
69.	From George C. Irvine, praying an allowance for teaching a School in Westfield, in King's County,	42
70.	From the Directors of the Prince Edward Island Steam Navigation Company, praying remuneration for running a Steamboat between Miramichi, Charlotte Town and Picton, in the year 1842, under the encouragement of a Law passed in 1840,	42
71.	From Francis Elliott, of Northumberland, praying a balance due him for extra work done on Bathurst Bridge, may be allowed him,	42
72.	From William Morrison, of the County of Northumberland, praying compensation as a Courier between Pokemouche and Miramichi,	42
73.	From William J. Bedell, Benjamin Wolhaupter, Thomas R. Robertson, Thomas Pickard, and one hundred and forty six others, Merchants and Freeholders of Fredericton, in the County of York, praying that the present Bankrupt Laws in the Province may be suspended or amended,	43
74.	From James Phillips, of Fredericton, praying for Legislative aid to assist him in publishing an Agricultural Newspaper,	43
75.	From Abraham Gesner, Provincial Geologist, praying an allowance for services performed,	43
76.	From the Trustees and Members of Saint John's Church, Richmond, in connection with the Established Church of Scotland, praying that an Act may pass authorizing the sale of certain Lands, and investing the proceeds in other Lands which may be more beneficial to the Church,	43
77.	From James Kellen, praying an allowance for teaching a School in the Parish of Woodstock for six months, ending the thirty first day of January last,	43
78.	From the Overseers of the Poor for the Parish of Saint Stephen, praying to be reimbursed the sum of ninety two pounds twelve shillings, expended by them in one thousand eight hundred and forty three, for the support of Immigrant Paupers,	43
79.	From Samual M'Curdy, a Schoolmaster in the Parish of Saint Andrews, praying for the Provincial allowance for teaching a School,	43
80.	From Francis Ferguson, Thomas M. DeBlois, Henry W. Baldwin, John Chalmers, and three hundred inhabitants of the County of Gloucester, for the repeal or amendment of the Bankrupt Laws,	44
81.	From John Doran, Howard D. Frost, Hugh A. Caie, and three hundred and fifty others, inhabitants of the same County, with a similar prayer,	44
82.	From the Mechanics' Institute at the City of Saint John, praying for Legislative aid,	47
83.	From Joseph Brown, a licenced Schoolmaster, praying an allowance for teaching a School in the Parish of Lancaster during part of the years 1842 and 1843,	47
84.	From James Kirk, of Saint John, praying a return of Duties paid by him on Rum destroyed by fire in the Queen's Ware House in November 1841,	47

PETITIONS presented and ordered to lie on the Table—*Continued.*

		PAGE.
85.	From Robert W. Crookshank, James Kirk, John Wishart, and seventy three others, of the City of Saint John, praying an alteration may be made in the Law imposing a Duty on Auction Sales,	47
86.	From Christopher Frame and twelve others, Proprietors of Land in the Enniskillen Settlement, in Queen's County, praying they may be allowed to expend a part of the unpaid instalments due on their Land to improve a Road to communicate with a Saw Mill in the Settlement,	47
87.	From Stephen Wiggins and Son, Merchants of Saint John, praying Head Money over paid on Passengers in the year one thousand eight hundred and forty two, on board the ship Samuel, may be returned to them,	47
88.	From James Kirk, of the same place, praying a like return for Passengers on board the ship Wolfville, in October last,	47
89.	From William Livingston, of Saint John, for a like return of Duty paid for Passengers in the barque Branches, in the year one thousand eight hundred and forty one,	47
90.	From L. Donaldson, Henry Porter, Henry Gilbert and ninety others, Merchants, Magistrates and Inhabitants of Saint John, praying an Act may pass for the regulation of the Currency of this Province, in conformity with Lord Stanley's Despatch of the 14th October, 1843,	47
91.	From James Blackhall, acting Sub-Collector of Customs at Caraquet, praying that an addition to his Salary may be made,	47
92.	From John Nesmith, William Loch, H. B. Allison, and Henry Cunard, Michael Samuel, Caleb McCully, and seventy four others, Merchants and Freeholders of the County of Northumberland, together with seventeen Members of a Grand Jury of the County, praying the repeal or amendment of the present Bankrupt Laws in force in the Province,	47
93.	From Elizabeth Spratt, of Chatham, praying an allowance for teaching a School at that place since May last,	48
94.	From Thomas Parks, of Saint John, Merchant, praying a return of Duties paid on Spirits imported from Greenock in the year one thousand eight hundred and forty three,	48
95.	From George B. Easterbrooks, Thomas Beal, James Ayre, and other inhabitants of the Parish of Sackville, praying an alteration may be made in the Act regulating the Fencing, Occupation and Grazing of Marshes, low Lands and Meadows, in the County of Westmorland,	48
96.	From Ruth Macfarlane, of the Parish of Saint Patrick, in Charlotte County, Widow, praying the Provincial allowance heretofore granted to her late husband, may be continued to her,	48
97.	From Jean Burns Carlyle, of Charlotte County, praying an allowance for teaching a School in the Parish of Pennfield, for six months, ending the 16th day of December last,	48
98.	From John Chapman, Adjutant of the 2d Battalion Westmorland Militia, praying an allowance may be granted to him for services in the discharge of his duty,	48
99.	From John C. Vail, of King's County, praying relief for losses sustained in running a Line of Coaches between the City of Saint John and Dorchester, in the County of Westmorland,	50
100.	From Asa Coy and Z. G. Gabel, two of the Trustees of the Baptist Meeting House in Fredericton, praying the amount of Duties paid on an Organ imported from the United States may be repaid to the said Trustees,	50
101.	From Enoch Wood, Wesleyan Minister, in behalf of the Trustees of the Wesleyan Academy in Sackville, soliciting a grant to aid in carrying forward the designs and labours of the Managing Committee for the current year,	50
102.	From William Jacob, William W. Emslie, John Crear, Jury Pine, and fifty others, Cordwainers in the City of Saint John, praying protective duties may be imposed on Foreign Boots and Shoes imported into the Province,	51
103.	From Thomas Wallace, of the City of Saint John, praying a return of Head Money paid on Passengers on board the ship Londonderry, at Saint John, in May last,	51
104.	From George Lane, Keeper of the Beacon Light House in the Harbour of Saint John, praying for an increase of Salary,	51
105.	From John Rhodes, Thomas G. Hatheway, W. G. Lawton, James Malcolm, and one hundred and thirty others, of the City of Saint John, praying compensation to Petit Jurors, either by allowing a sum per day, or increasing Juror's fees in each cause,	51
106.	From the Mayor, Aldermen and Commonalty of the City of Saint John, praying a Law may pass for a more speedy abatement of Nuisances in the City than is now by Law allowed,	51
107.	From the Saint John Water Company, praying some Act may pass to maintain and extend the undertaking of the Company,	53
108.	From William McDonough, of the City of Saint John, Grocer, praying a return be made to him for Duties paid on Goods destroyed by the Fire in that City in the year 1841,	53
109.	From Robert Rankin and Company, James Kirk, Charles Ward, Stephen Wiggins and Son, and thirteen others, of the City of Saint John, praying a reduction of the Light House and Seamen's Hospital Dues now by Law authorized to be demanded,	53
110.	From John Winters, of the City of Saint John, praying aid towards expenses incurred by him in keeping up a regular conveyance for Passengers between the City of Saint John and Fredericton,	53

PETITIONS presented and ordered to lie on the Table— <i>Continued.</i>		PAGE.
111.	From John Wilson, of the Parish of Nelson, praying to be allowed a sum of money for losses sustained by him in establishing a Team Ferry Boat across the North and South Branches of the River Miramichi, at Beaubair's Point,	53
112.	From John Mitchell, of Northumberland, praying the Provisional allowance for teaching a School six months in the Parish of Northesk,	53
113.	From James Fairly, of the Parish of Ludlow, in Northumberland County, praying authority to have Gates or Bars erected on the Bye Roads passing through his property,	53
114.	From Robert Dougherty, of the Town of Saint Andrews, praying aid to enable him to continue a conveyance for Passengers between Saint Andrews and the Parish of Saint Stephen,	54
115.	From Lucien L. Copeland, of Saint Andrews, a Stage Proprietor, praying aid to enable him to continue his present arrangements for conveying Passengers between Saint Andrews and Saint John, and Saint Andrews and Fredericton,	54
116.	From Benjamin Wolhaupter, Thomas Gill and John Simpson, Commissioners of the York County Alms House, praying a return of money expended for the support of Emigrant Paupers,	55
117.	From Thomas Pickard, of Fredericton, praying a return of Duty paid on Wheat imported by him the last year,	55
118.	From Turney Whitehead, John Davidson, William Caverhill and others, of the Parish of Dumfries, praying an allowance may be made for a School taught by William M'Intosh, of that Parish,	55
119.	From the Trustees of Schools in the Parish of Douglas, praying a sum of money may be allowed David Denton, for teaching a School five months, in the year 1843,	55
120.	From Edward W. Miller, Charles M'Pherson, William Cameron and other inhabitants of Fredericton, praying no Act may pass granting to any individual the exclusive privilege of using Steam for the Ferries at or near the Town,	55
121.	From Christopher C. Bradbury, by his Agent, James Taylor, praying relief, in consequence of losses sustained by a purchase of Land in the year 1835,	56
122.	From Thomas Fickard, William J. Bedell, Thomas R. Robertson, and other inhabitants of York County, praying that the said Thomas Pickard may have the exclusive privilege of Ferrying by Steam across the River Saint John, at Fredericton,	56
123.	From J. and R. Reid, Flour Merchants, of the City of Saint John, praying a return of Duties paid by them on Wheat imported in the year 1843,	56
124.	From Rebecca Trecarten, Widow of Martin Trecarten, a Soldier of the Revolutionary War in America, praying for Legislative aid,	56
125.	From George Younger, N. P. Alexander, Robert C. Minette and forty other inhabitants of Saint John, praying for the removal of Duties on Malt Liquor and Spirits made in the Province,	56
126.	From John Love, a Schoolmaster, praying an allowance for teaching a School eighteen months, in the Parish of Saint Stephen, in Charlotte County,	56
127.	From John Wilson, William Babcock, William Kerr, and one hundred other persons of Charlotte County, praying that the expired Laws relating to Boards of Health may be revived,	56
128.	From Cochran Craig and one hundred and eighteen other inhabitants of Grand Manan, praying Legislative enactments against certain practices in catching Fish,	56
129.	From Robert D. Wilmot, Henry Gilbert, Solomon Hersey, and eight other persons, of the City of Saint John, praying a Duty may be imposed on Foreign manufactured Wheat and Rye Flour and Corn Meal,	56
130.	From the Justices of the Peace in York County, praying further Provincial aid to liquidate the Debt of the County,	56
131.	From George Matthew, of the City of Saint John, late principal Overseer of the Poor and Superintendent of the Lunatic Asylum, in the City of Saint John, praying an investigation may take place on the subject of Warrant issued, payable to the Justices of the Peace in Sessions, for a sum of money contrary to the terms of the Provincial Grant, and setting forth his reasons for asking such investigation,	59
132.	From the Overseers of Poor in the Parish of Saint Andrews, praying the sum of £38 9 3 may be allowed them for expenses incurred in conveying insane persons to the Lunatic Asylum in Saint John,	59
133.	From Thomas L. Nicholson and Company, of the Parish of Portland, praying a return of Duties by them paid on Tallow imported into this Province during the past year,	59
134.	From the Honorable James Allanshaw, Chairman of the late Board of Health for the County of Charlotte, praying to be reimbursed for an over expenditure in the year 1841,	59
135.	From Charles J. Melick, John Hartt, John Dooly, and eighteen others, Leather Manufacturers in Saint John, praying Legislative protection,	59
136.	From fourteen persons, Members of a late Grand Jury for the City and County of Saint John, John V. Thurgar, George Wheeler, Barnabas Tilton, and thirty other inhabitants of Saint John, praying the consideration of this House to a proposed Bill further to facilitate the means of supplying the City of Saint John with Water,	59
137.	From Charlotte Hazen, of the Parish of Burton, praying an allowance for teaching a School three months in the year 1843,	59

# INDEX.

XV.

PETITIONS presented and ordered to lie on the Table— <i>Continued.</i>		PAGE.
138.	From Ichabod Houlin, of the County of Sunbury, praying an unpaid claim, of the Widow of John Kimber, an old Soldier, now deceased, may be paid to the petitioner,	59
139.	From Daniel Brown, of the same County, praying an allowance for teaching a School in the County six months, ending in July last,	59
140.	From the Mechanics' Whale Fishing Company, and Charles C. Stewart, of Saint John, praying a protective Duty of ten per cent. on Foreign Oil may be afforded, to counterbalance in some measure the injurious tendency of the present Imperial Tariff,	59
141.	From Richard Hayne, Commissioner of the New Brunswick and Nova Scotia Land Company, praying Legislative aid towards the re-construction of a Bridge across the Nashwaak River,	59
142.	From the same person, praying a return of Duty paid on a service of Sacramental Plate imported by him, from London, for the use of the Church at Stanley,	59
143.	From Andrew Scott, of the County of Saint John, praying a return of Duty paid by him on Tallow imported the last year,	60
144.	From Messieurs Harris and Allan, Thomas Barlow and Company, and Messieurs Smith and Jones, Inspectors of Iron and Brass Foundries, in Saint John, praying Iron of all kinds, Copper, Tin, and all raw materials, may be admitted free of Duty, and a Duty placed on articles imported, to ensure the Petitioners more extended employment.	60
145.	From John Walker, of Saint John, Merchant, praying to be repaid Duties on Bricks imported by him from the United States of America, for building a new Custom House in Saint John,	60
146.	From James Clark, Master of the brig Creole, of Londonderry, praying a return of double Head Money on Passengers, paid by him,	60
147.	From George Matthew, late principal Overseer of the Poor and Superintendent of the Immigrant Hospital at Saint John, praying the amount of an account annexed may be allowed him,	60
148.	From Thomas M'Henry, of Charlotte County, praying to have certain property in Kingsclear, in the County of York, relieved from the payment of certain Debts to the Crown, or that the amounts of the Debts may be ascertained,	60
149.	From Solomon Hersey, of Saint John, praying a return of Duties paid on Wheat imported, and, after being imported, exported to Great Britain,	60
150.	From Wilford Fisher, William B. Gubtail, George Morse, and ninety other principal inhabitants of Grand Manan, praying that the Fisheries of that Island may not be abandoned, but that they may be encouraged,	62
151.	From Henry E. Dibblee, Sub-Collector of Her Majesty's Customs, and Deputy Treasurer at Woodstock, praying a return of money paid by him for Office Rent, and for an increased Provincial allowance for services,	62
152.	From the Justices of the Peace in and for the City and County of Saint John, praying a Law may pass authorizing penalties to be imposed on persons throwing or allowing to be thrown from their Mills, slabs, edgings, bark or other rubbish, tending to obstruct the navigation of the River and Harbour of Saint John,	62
153.	From John Clark, Junior, of Saint John, praying to be allowed for services rendered in preparing a Plan for the contemplated Bridge over the Grand Falls of the River Saint John, and his expenses in proceeding to that place, to afford necessary explanations regarding the proposed Bridge,	62
154.	From John Reilly, a Constable of York County, praying remuneration for attending at the opening and close of the Legislature, to preserve order and keep the peace,	63
155.	From James P. A. Phillips, of Fredericton, praying certain Duties paid on Printing Types may be returned to him,	63
156.	From Robert D. Wilmot, of the City of Saint John, Merchant, praying a return of Duties paid by him on Wheat imported during the last season,	63
157.	From John Owens, President, Robert Robertson and Robert D. Wilmot, Vice Presidents, of the Provincial Association of New Brunswick, and two thousand five hundred others, Office Bearers and Members of the said Association, resident in the City and County of Saint John, King's County, and the County of York, praying Legislative encouragement and protection to the Agricultural and Domestic Manufactures and Fisheries of the Province,	65
158.	From William Watts, praying an allowance for services performed under his appointment of Usher of the Court of Chancery,	66
159.	From John Brittain, Justus S. Wetmore, William Pywell, and one hundred and seventy others, Freeholders and Inhabitants of the Parish of Kingston, King's County, praying that no Act may be allowed to pass, to annex a portion of the said Parish to the Parish of Norton,	67
160.	From the General Sessions of the Peace for the City and County of Saint John, praying the Act relating to the office of Coroner in this Province, may be amended,	69
161.	From Lauchlan Donaldson, George Moffit, William Mackay, John Hastings, and one hundred and twenty-seven other persons, praying a new line of Road from Saint John to Lake Lomond may be established as part of the Great Road from the City of Saint John to Westmorland,	69
162.	From Patrick M'Dannehy, of the County of Saint John, praying a continued allowance to him for a School taught in the Parish of Portland,	69

PETITIONS presented and ordered to lie on the Table—*Continued.*

PAGE.

163. From G. J. Harding, M. D. of the City of Saint John, praying compensation for services performed and expenses incurred as Medical Officer at the Quarantine Station at Partridge Island, 69
164. From James Clark and Thomas Clark, of the Parish of Portland, praying the aid of the Legislature, to enable them to have grants of Land passed to them, they having paid to Doctor A. Gesner, Deputy Surveyor, money to entitle them to such grants, 69
165. From William Pomeroy, a Tallow Chandler, in the Town of Saint Andrews, praying Duties paid on Tallow may be returned to him, 69
166. From Michael Harley, a Commissioner of Roads, praying a sum of £56 18s. may be allowed to him, for reasons set forth, 69
167. From John T. Smith, Jarvis Ring, David Coburn, and eighty nine other persons of York County, praying the existing Bankrupt Laws may not be repealed, 70
168. From the Justices of the Peace for the City and County of Saint John, praying a grant of money to reimburse them for money expended on the Provincial Penitentiary, over and above the amount authorized by Law to be paid thereon, 74
169. From the same Justices, praying that an Act may pass, authorizing them to assess the inhabitants for necessary works in and about the Alms House and Work House of the City and County, 74
170. From the same Justices, praying a grant to remunerate the Overseers of the Poor of the Parish of Portland, for money expended on the Black Refugees at Lake Lomond, 74
171. From the Mayor, Aldermen and Commonalty of the City of Saint John, praying permission to use a part of the Market House in Carleton, as a Lock-up House, and for other purposes, 74
172. From the same Corporation, praying that Bonds given by them for £3250 loaned by the Province for the purpose of setting the Poor in Saint John at work, may be retired, 74
173. From the same Corporation, praying that all sums collected in the City of Saint John for Auction Duties may be paid over to the Chamberlain of the City for the public uses thereof, 74
174. From John Kerr and others, Commissioners of the Alms House and Work House for Saint John, praying to be remunerated for the outlay of £25 19 8, for distressed Immigrants, 75
175. From James Stockford, High Constable for the City of Saint John, praying to be remunerated for arresting certain persons charged with burning a Mill in the County of Saint John, 75
176. From Messieurs Harris and Allan, of Saint John, praying an Act may pass to authorize the Magistrates of Saint John to raise a sum of money by Loan, to pay a Debt due them from the County, and other County Debts, 75
177. From Richard Dalton, of the Parish of Portland, praying remuneration for teaching a School in the said Parish, 75
178. From John Francis, of Newport, England, praying a return of Duties paid by him on certain articles of Merchandise landed in Kent, the Duties having been previously paid in Prince Edward Island, 75
179. From Jane Wedderburn, of Saint John, praying for a tract of Land to be granted to her, for which Land part of the purchase money was paid by her late husband, 75
180. From John Lowther, Ezekiel Fenwick, and James Sullivan, and other purchasers of Land in the Mechanics' Settlement, praying permission to open Roads through the said Settlement, by aid of certain monies due the Crown for said Lands, 75
181. From Samuel D. Rice, of the City of Saint John, an ordained Wesleyan Minister, praying that an Act may pass to authorize the granting to him of a Licence to solemnize Marriage in this Province, 75
182. From Michael Griffin, a Schoolmaster, praying compensation for teaching School six months in Saint Stephen, Charlotte County, 77
183. From William M'Leod, Samuel Aaron, George Platt and eighty eight others, Merchants and inhabitants of the County of Kent, praying that the Legislative Grant made in 1840 to encourage a Weekly Communication between Miramichi, Charlotte Town and Pictou, be paid to the Prince Edward Island Steam Navigation Company, for a limited period, 79
184. From Alexander Rankin, of the Parish of Newcastle, Northumberland, praying that an amount of Duties paid by William Letson, of Chatham, on Tallow imported at that place, may be returned to the said William Letson, 79
185. From John Flemming, Timothy Crowley, Morris Glinn and three thousand other inhabitants of the City and County of Saint John, praying a Law may pass prohibiting the formation of Secret Societies and Party Processions of every description, except the Philanthropic body of Freemasons, 79
186. From Sylvanus Powell, John Long and John Marshall, Pilots, of Richibucto, praying aid to enable them to make an experimental Seal Fishing Voyage, 79
187. From Jacob Mires, of the City of Saint John, praying encouragement to a Wooden Pail Manufactory established by him in the City of Saint John, 79
188. From the Overseers of Poor in the Parish of Richibucto, praying a Grant of money to replace a sum expended for a transient Pauper, 80
189. From Leveret H. DeVeber, Benjamin G. Gray, D. D., Thomas Coram, Robert W. Crookshank and one thousand four hundred others, of the City of Saint John, praying no Act may pass for the suppression of Secret Societies, 80

PETITIONS presented and ordered to lie on the Table— <i>Continued.</i>	PAGE.
190. From John Walsh, of the City of Saint John, praying compensation for teaching a School.	80
191. From Thomas Harding, John Kerr, Jacob Allen and two hundred and sixty other inhabitants of the City and County of Saint John, praying that measures may be taken to abolish all Secret Societies in this Province except the Society of Freemasons.	80
192. From Benjamin L. Peters, E. De W. Hatchford, Thomas B. Millidge and sixty seven others, praying for the continuance of the Bankrupt Laws, or proper amendments of the same,	80
193. From Nehemiah Marks, David A. Rose, James Frink, Samuel Abbot, and fifty four others, inhabitants of the Parishes of Saint Stephen, Saint David and Saint James, in Charlotte County, praying a grant of money to complete a Bridge over the Waweig,	85
194. From Thomas Allen, Archibald M'Kay and Alexander M'Kay, of the County of Westmorland, praying Legislative assistance, in consequence of serious injuries sustained by them, when conveying an English Mail to Prince Edward Island, in the year 1842,	85
195. From James R. Tupper, of Woodstock, a Contractor for conveying Mails, praying a Ferry may be established across the Arestook River,	85
196. From John Glazier, Spafford Barker, William J. Bedell, and six other persons, praying that an Act incorporating the Fredericton Boom Company may pass,	87
197. From the Chamber of Commerce in Saint John, praying that no alteration may be made in the Law for regulating the survey and exportation of Lumber until the necessity of a change is made apparent by the inquiries of a Commissioner to be appointed for that purpose, during the recess of the Legislature,	87
198. From David S. Kerr, of Fredericton, praying a further allowance for reporting and publishing the decisions of the Supreme Court,	93
199. From Isabella Coulter, of Saint David Parish, praying an allowance for teaching a School five months ending November 1840,	93
200. From Lewis Davis Wigan, Thomas Wright, and fifty two other persons, against the imposition of any tax on the manufactured Lumber, being the produce of the freehold estate of Landholders in the Province,	94
201. From John Kenny, John Owens, Cornelius Nice, Joseph Salter and ninety two others, Fishermen, Merchants, and Citizens of Saint John, praying no Act may be allowed to pass to alter the present Law, relative to the Herring Fishery at Grand Manan, which Law the Petitioners consider highly beneficial.	96
202. From Messieurs Henry Chubb and Company, of Saint John, praying payment for services rendered in Printing a Geological Report in the year 1842,	96
203. From Dennis Coll, of the City of Saint John, praying a return of Duties paid by him on Tallow imported in the Province in the years 1843 and 1844,	100
204. From John M'Carthy, of the Parish of Portland, in the County of Saint John, praying an allowance for teaching a School in the said Parish in the year 1837,	100
205. From John M'Carthy, praying an allowance for teaching a School in the Parish of Waterborough, in Queen's County, in the year 1841,	100
206. From David O'Gorman, of the Parish of Portland, praying an allowance for teaching a School in that Parish in the years 1838 and 1842,	101
207. From Alexander Lockhart, James Swim, and twenty two other inhabitants of the Parish of Saint Martins, praying aid to enable them to keep up a communication by Mail to the City of Saint John,	101
208. From John Wilson, William Babcock, and thirty three others, Merchants and Inhabitants of Saint Andrews, praying for the remission of all Port and Harbour Dues in the County of Charlotte, as a small remuneration to them for the heavy Duty laid on the export of manufactured Lumber of the said County, as enacted, during the present Session,	105
209. From John Wilson, William Babcock, James W. Street, and others, Merchants and Inhabitants of Saint Andrews, praying that measures may be adopted for allowing Foreign produce, acquiring a Colonial character by manufacture, to be admitted into the United Kingdom as the growth and produce of this Province,	105
210. From Dorothy Groom, the Widow of an old Soldier, praying for a Provincial allowance for reasons set forth in the Petition,	117
211. From Susannah Dann, the Widow of an old Soldier, with the like prayer,	117
212. From Mary Fullerton, praying an allowance for teaching a School in Norton, in King's County, in the year 1842,	120
213. From Joseph Dixon, of the Parish of Canning, in Queen's County, praying an allowance for teaching a School in that Parish in the year 1843,	120
214. From Enoch Pitt, of King's County, praying an allowance for teaching a School in the Parish of Springfield, in King's County, in the year 1842,	120
215. From Melissa Ann Black, of the same County, praying a similar allowance for teaching a School in the Parish of Upham, in the said County, in the year 1842,	121
216. From Thomas Willoughby, Thomas Vondy, Richard Hutchison, and sixty others, inhabitants of Northumberland, praying that the Bankrupt Laws may be repealed or amended,	123

PETITIONS presented and ordered to lie on the Table— <i>Continued.</i>		PAGE.
217.	From John Wishart, William Hammond, Edward L. Jarvis, and twenty five other persons, Magistrates, and Merchants of the City of Saint John, praying an Act may pass to authorize the Corporation of the City of Saint John to open Saint John or Water Street, to the prolongation of the south side of a building occupied for the Revenue and Customs Department, to be opened at the expense of those who may be benefited by the opening of the said Street,	128
218.	From Pamela Hanford, of the City of Saint John, praying that a Bill for opening a Road through lands owned by her, in Duke's Ward, may not be allowed to pass into a Law, for reasons set forth in the Petition,	143
219.	From Lauchlan Donaldson, Henry Porter, William O. Smith, James Kirk, and three hundred and forty other inhabitants of the City of Saint John, praying that steps may be adopted by the Legislature for a removal of the Seat of Government from Fredericton to the City of Saint John; and also to ascertain the probable expense attendant thereupon; to be submitted at the next meeting of the Legislature,	159

## Q

## R

## RESOLUTIONS,

That an humble Address be presented to the Lieutenant Governor, praying copies of Despatches received, relating to the removal of certain Members of this House, and the appointment of Members in their room, 24; Committee appointed to wait on Lieutenant Governor, 24; their Report, 26; Lieutenant Governor's answer, with copies of Despatches, 34; Resolution that copies of further Despatches be asked for, 38; Committee appointed, 38; Committee report, His Excellency's reply, 41; Message on the subject delivered, 45; Resolution that House go into Committee on Friday 1st day of March, House in Committee, 67; progress reported, 67; Order of Day discharged, and to stand Order of Day for Wednesday, 68; further committed, 76; progress reported, 76; further committed, further progress reported, 77; further committed, Resolutions and <i>division</i> , 93; Resolution moved to prepare Address, 94; Committee appointed, 94; Committee report, and draft of Address received, 133; on motion, Order discharged, House proceed to take Address into consideration, 149; <i>the House divide</i> , 149; the Address, 150; Committee appointed to wait upon the Lieutenant Governor, asking him to transmit the same, 150; the Committee, 150; <i>Protest</i> , Messieurs Cunard, Saunders, Owen and Minchin, 153; Committee report the Lieutenant Governor's answer to Address,	162
RESOLUTIONS of Appropriation, <i>Dated the 8th day of February.</i> —Brought up, read first time, 40; referred to Committee, 40; committed, 50; sent down concurred in,	50
<i>Dated the 18th day of March.</i> —Brought up, 98; read first time, referred to Committee, 98; committed, 100; concurred in, with the exception of— £14 10s. to Asa Coy and Zebedee G. Gable, for Duties paid on an Organ,	100
<i>Dated the 19th day of March.</i> —Brought up, 103; read first time, and referred to Committee, 103; committed, 105; concurred in, with the exception of— £5 to the Rector, Church Wardens and Vestry of Saint Mark's Church, Duties paid on a Bell; £1 13 4 to Richard Hayne, Duties on a Service of Plate,	105
<i>Dated the 23d day of March.</i> —Brought up, 107; read first time, referred to Committee, 107; committed, 111; sent down concurred in,	111
<i>Dated the 25th day of March.</i> —Brought up, 110; read first time, referred to Committee, 110; committed, 113; sent down concurred in,	113
<i>Dated the 26th day of March.</i> —Brought up, 112; read first time, 112; referred to Committee, 112; committed, 113; sent down concurred in,	113
<i>Dated the 28th day of March.</i> —Brought up, 117; read first time, referred to Committee, 117; committed, 117; sent down concurred in,	117
<i>Dated the 30th day of March.</i> —Brought up, 120; read first time, referred to Committee, 120; committed, 120; further committed, concurred in, with the exception of— £25 to George Woods, losses with Land Company; £10 to Mary Fullerton, School; £9 3 4 to John M'Carthy, School; £10 to Michael Griffin, School; £20 to George Fitzgerald, School; £10 to Henry Coulter, School; £20 to Flora M'Kenzie, School; £10 to David Brown, School; £20 to John Walsh, School,	126



RESOLUTIONS of Appropriation—Continued.	PAGE.
<i>Dated the 1st day of April.</i> —Brought up, 123; read first time, 123; referred to Committee, 123; committed, <i>the House divide</i> , 129; concurred in, <i>with the exception of the various sums for Bye Roads</i> , 129, 130, 131, 132,	133
} <i>Dated the 2d day of April.</i> —Brought up, 126; read first time, referred to Committee, 126; { <i>Dated the 3d day of April.</i> —Brought up, 133; read first time, referred to Committee, 133; { <i>Dated the 4th day of April.</i> —Brought up, 134; read first time, referred to Committee, 134; committed, concurred in, with the exception of— £50 to G. J. Harding, to remunerate him for services as Health Officer at Partridge Island; £15 to Thomas Graham, for Medical attendance to Emigrants in the Parish of Portland; £100 to E. Ward, for publishing the Reports of the Assembly during the present Session,	134
<i>Dated the 6th day of April.</i> —Brought up, 142; read first time, 142; referred to Committee, 142; committed, 143; sent down concurred in,	143
<i>Dated the 9th day of April.</i> —Brought up, 155; read first time, 155; referred to Committee, 155; committed, sent down concurred in, with the exception of— £50 to the Trustees of the Church of Scotland in the Town of Saint Andrews, for building a Sunday School House in connection with that Church,	155
<i>Dated the 10th day of April.</i> —Brought up, 156; read first time, referred, 156; committed, sent down concurred in, with the exception of— £34 9 3 to P. and D. Stewart, Crown Land Office Fees, £25 to the Lieutenant Governor, for Road from Saint John to Loch Lomond, <i>via</i> Dimmock's,	156
<i>Dated the 10th day of April.</i> —( <i>Postages and Contingent Bills.</i> )—Brought up, agreed to, 163; Assembly acquainted,	163

S  
T  
U  
V  
W

WHALE FISHING COMPANY, Abstract shewing its state on the 1st day of September, 1843, laid before the House,	25
--	----

X  
Y  
Z

