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JOURNAL

OF

THE LEGISLATIVE COUNCIL

OF

THE PROVINCE

OF

NEW BRUNSWICK.

FROM 20th DECEMBER, 1836, TO 1st MARCH, 1837.
Being the Fourth Session of the Eleventh General Assembly.



FREDERICTON, NEW BRUNSWICK :

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

1837.





By His Excellency Major General Sir ARCHIBALD
CAMPBELL, Baronet, G. C. B. Lieutenant Governor
and Commander in Chief of the Province of New
Brunswick, &c. &c. &c.

ARCHIBALD CAMPBELL.

A PROCLAMATION.

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

Given under my Hand and Seal at Fredericton, the Six-
teenth Day of June, in the Year of Our Lord one
thousand eight hundred and thirty six, and in the
Seventh Year of His Majesty's Reign.

By His Excellency's Command.

WM. F. ODELL.



By His Excellency Major General Sir ARCHIBALD
CAMPBELL, Baronet, G. C. B. Lieutenant Governor
and Commander in Chief of the Province of New
Brunswick, &c. &c. &c.

ARCHIBALD CAMPBELL.

A PROCLAMATION.

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

Given under my Hand and Seal at Fredericton, the Tenth
Day of September, in the Year of Our Lord One
thousand eight hundred and thirty six, and in the
Seventh Year of His Majesty's Reign.

By His Excellency's Command.

WM. F. ODELL.



By His Excellency Major General Sir ARCHIBALD
CAMPBELL, Baronet, G. C. B. Lieutenant Governor
and Commander in Chief of the Province of New
Brunswick, &c. &c. &c.

ARCHIBALD CAMPBELL.

A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to Tuesday the twentieth day of December next, and for divers weighty reasons it has become expedient that the said General Assembly should then meet for despatch of business, I have therefore thought fit to summon, and I do hereby summon the said General Assembly to meet at Fredericton on Tuesday the twentieth day of December next *for the despatch of business.*

Given under my Hand and Seal at Fredericton, the Fifteenth Day of November, in the Year of Our Lord One thousand eight hundred and thirty six, and in the Seventh Year of His Majesty's Reign.

By His Excellency's Command.

WM. F. ODELL.

JOURNAL

OF

THE LEGISLATIVE COUNCIL

OF THE

Province of New-Brunswick.

FOURTH SESSION OF THE ELEVENTH GENERAL ASSEMBLY.

ANNO SEPTIMO GULIELMI QUARTI REGIS.

HIS EXCELLENCY MAJOR GENERAL SIR ARCHIBALD CAMPBELL, BARONET, G. C. B.
LIEUTENANT GOVERNOR AND COMMANDER IN CHIEF.

At Fredericton in the Province of New Brunswick.

LEGISLATIVE COUNCIL CHAMBER, Tuesday 20th December, 1836.

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

PRESENT.

THE HON.

Mr. Shore.

Mr. Peters.

Mr. W. H. Robinson.

Mr. Attorney General.

Mr. Baillie.

Mr. Cunard.

Mr. Saunders.

Mr. Lee.

The Honorable Mr. Shore sat Acting President.

PRAYERS.

The House was adjourned during pleasure.

After some time the House resumed.

At

At twelve o'clock, His Excellency Major General Sir Archibald Campbell, Baronet, Knight Grand Cross of the Most Honorable Military Order of the Bath, Lieutenant Governor and Commander in Chief of the Province, came to the Council Chamber, and by Message commanded the attendance of the House of Assembly.

The House of Assembly attended accordingly, and His Excellency was pleased to open the Session by a Speech to both Houses.

The House of Assembly having withdrawn, His Excellency was pleased to retire.

The Honorable Mr. Shore informed the House, that he was in possession of a copy of His Excellency's Speech, which he read, and is as follows:—

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

“IN obedience to commands from His Majesty's Government, I have called you together at this unusual, and I fear, to many of you, inconvenient season of the year, in order to lay before you, as I am directed to do, with as little delay as practicable, some important Despatches, in answer to the Address of the House of Assembly respecting the surrender of the Casual and Territorial Revenue—copies of which shall be communicated at an early period.

“The arrangements proposed by His Majesty's Government, and which are particularly detailed in these Despatches, involve questions in which the welfare of this Province is materially concerned; and I therefore have to express my hope that you will give to the subject that calm consideration which its importance demands, and that the result of your deliberations may tend to the advancement and permanent benefit of this rising and happy portion of His Majesty's Dominions.

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

“I shall direct the Treasurer's accounts and such other papers as may be necessary for your information to be prepared and laid before you, as soon as possible; but as the close of the year is so near at hand, it will perhaps be desirable that they should be made up as usual to that period.

“The reports from the Treasurer, up to this time, show a very satisfactory state of the Revenue.

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

“It affords me great satisfaction to observe, that the general prosperity of the Province, notwithstanding some temporary check, which it is to be feared it may receive from the deficiency of the crops during the last season, seems to be steadily advancing, and leaves little for me to recommend to your consideration, beyond the provisions for the ordinary services of the Province. Some few particulars of minor importance will be communicated by Message during the Session.”

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

ORDERED, That the Honorable Mr. Cunard and the Honorable the Attorney General be appointed the Committee for the above purpose.

ORDERED,

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

The Honorable Mr. Shore acquainted the House, that he was directed to communicate to them that His Majesty had been pleased to accept the resignation of the Honorable Mr. Frederick P. Robinson of his seat in this House.

The Honorable Mr. Shore acquainted the House, that by a Mandamus under the Royal Sign Manual, dated the eighth day of August one thousand eight hundred and thirty six, Edward B. Chandler, Esquire, was appointed a Member of this House, and desired to be admitted.

ORDERED, That the Honorable Messrs. Peters and Cunard be a Committee to attend Mr. Chandler, and see him qualified.

The Honorable Mr. Peters, from the Committee appointed to attend Mr. Chandler and see him qualified, reported, that they had, according to order, attended Mr. Chandler, who took the usual oaths.

The Honorable Mr. Chandler was then introduced between Mr. Peters and Mr. Cunard, and took his seat.

Adjourned until To-Morrow at 12 o'clock.

WEDNESDAY, 21st December, 1836.

PRESENT.

THE HON.

Mr. Shore.

Mr. Peters.

Mr. Attorney General.

Mr. Baillie.

Mr. Cunard.

Mr. Chandler.

The Honorable Mr. Shore sat Acting President.

PRAYERS.

Adjourned until To-Morrow at 12 o'clock.

THURSDAY, 22d December, 1836.

PRESENT.

THE HON.

Mr. Shore.

Mr. Cunard.

Mr. Attorney General.

Mr. Baillie.

Mr. Saunders.

The Honorable Mr. Shore sat Acting President.

PRAYERS.

The Honorable Mr. Cunard, 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,

ORDERED, That the Report be received, and the said draft was again read by the Clerk; and it was

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

The Honorable Mr. Baillie took the Chair.

After some time the House resumed.

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

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

To His Excellency Major General Sir Archibald Campbell, Baronet, Knight Grand Cross of the Most Honorable Military Order of the Bath, Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c.

THE HUMBLE ADDRESS OF THE LEGISLATIVE COUNCIL IN GENERAL ASSEMBLY.

MAY IT PLEASE YOUR EXCELLENCY,

WE, His Majesty's Legislative Council, thank Your Excellency for Your Speech at the opening of the present Session of the Legislature.

We are fully sensible of Your Excellency's attention to the interest of the Province in having without delay summoned the General Assembly, in order to lay before them important Despatches in answer to the address of the House of Assembly respecting the surrender of the Casual and Territorial Revenue.

And we have to assure Your Excellency, that the arrangements detailed in those Despatches, involving (as stated by Your Excellency) questions in which the welfare of the Province is materially concerned, shall receive on our part that calm deliberation which the importance of the subject demands.

It affords us pleasure, that Your Excellency feels yourself enabled to make the satisfactory observation, that notwithstanding some temporary check which the Agricultural interest may have received from the deficiency of the crops during the last season, the general prosperity of the Province seems to be steadily advancing.

We beg, in conclusion, to assure Your Excellency, that all communications which you may please, by Message, to lay before us, shall receive our immediate and serious attention.

ORDERED, That the Honorable Mr. Cunard and the Honorable the Attorney General 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 Mr. Cunard, from the Committee appointed to wait upon His Excellency the Lieutenant Governor for the above purpose, reported that they had done so, and His Excellency had been pleased to say he would receive the address immediately, in the Council Chamber.

His Excellency the Lieutenant Governor came to the Council Chamber.

The House presented their Address, to which His Excellency was pleased to return the following answer :—

“ Mr.

“ Mr. President, and Honorable Gentlemen,

“ I receive with much pleasure this Address, and the assurances that you give me of calm and deliberate consideration of the subjects to be brought before you.”

Adjourned until To-Morrow at 12 o'clock.

FRIDAY, 23d December, 1836.

PRESENT.

THE HON.

Mr. Shore.

Mr. Cunard.

Mr. Saunders.

Mr. Lee.

Mr. Baillie.

Mr. Robinson.

Mr. Attorney General.

The Honorable Mr. Shore sat Acting President.

PRAYERS.

The Honorable the Attorney General, by leave, presented a Petition from James Kirk, John Robertson, William Walker, and a number of other persons connected with the Bank of British North America, praying for an Act of the Assembly similar in its provisions to the Act of Parliament, by which they have certain corporate powers conferred on them.

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

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

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

NEW BRUNSWICK.

*Message to the Legislative Council,
23d December, 1836.*

ARCHIBALD CAMPBELL.

The Lieutenant Governor lays before the Council, copies of the Despatches mentioned in the Speech at the opening of the Session, together with a draught of a Bill received from His Majesty's Secretary of State for the Colonies.

In the arrangements proposed in these Despatches an important error of calculation appears to have occurred respecting the amount required to defray the present charges on the Civil List.

These charges, after deducting the inn-door establishment of the Crown Land Office, amount to £14,642 7 8 currency, including a sum of £300 sterling always heretofore allowed for contingencies. Instead, therefore, of the sum of £14,500 currency proposed to be granted, leaving a surplus of £566 pounds sterling as appears to have been contemplated, there would be a deficiency of £142 7 8 currency, added to which there is no provision for defraying the expenses of the Judges on the Circuits, which by a previous Despatch were directed to be defrayed from the Casual Revenue.

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There

There appears also to have been in the draught of the Bill an omission of one of the conditions expressly stated in the Despatch of the 31st of August, upon which His Majesty had consented to surrender the Casual and Territorial Revenue.

The Lieutenant Governor, therefore, deemed it his duty immediately to draw the attention of the Home Government to these points, and to request further instructions thereon.

For these reasons and other weighty considerations suggested by the Royal Instructions, the Lieutenant Governor trusts the House will, in the event of their entertaining this Bill, see the propriety of adding to it a suspending clause, with a view to obviate any doubts or difficulties that might hereafter arise.

A. C.

Downing Street, 31st August, 1836.

SIR,

I have to acknowledge the receipt of your Despatch of the 16th March last, No. 19, transmitting the Copy of an Address from the House of Assembly of New Brunswick to His Majesty on various subjects connected with the administration of public affairs in that Province. I have since received from Messrs. Crane and Wilmot, the Gentlemen deputed by the House of Assembly to represent them in this Country, the original Address of the Assembly, and I have also been in communication with those Gentlemen as well on the matter to which the Address adverts, as on others connected with the Colony. I inclose for your information, copies of the correspondence which has passed with them.

I have had the honor of laying at the foot of the Throne the Address of the House of Assembly; and I am commanded to express His Majesty's satisfaction at the spirit and temper in which the House have framed this record of their sentiments on subjects of great constitutional interest and importance.

The Assembly express their approbation of the Instructions issued by His Majesty's commands to Sir Francis Head, and to the Canada Commissioners, and state that it would afford them entire satisfaction, if the principles which they involve were carried into operation in New Brunswick.

It is with great pleasure that I am enabled to give the Assembly the satisfaction which they desire. The principles involved in those instructions are not of limited application. They form the basis of the policy which, in His Majesty's judgment, it is the wisdom of this Country to pursue in reference not only to the Canadas, but also to all the other States of British North America.

I proceed to bring this general declaration to a practical test in the answers which I am commanded to return to the Address.

1. The first subject to which the Assembly advert is the management of the Crown Estate. Their representation is in substance, that the powers at present confided to the Commissioner of Crown Lands are excessive, and the system which that officer in the exercise of his discretion has followed, has tended to retard the settlement and prosperity of the Province. But, in deference to the judgment already expressed by His Majesty on this subject, the Assembly withdraw on the present occasion their claim for the entire control and management of the Crown Lands, and suggest that
such

such control and management should, in future, be confided to the Administrator of the Provincial Government and the Executive Council.

The memorandum enclosed in the joint letter of Messrs. Crane and Wilmot, dated the 27th instant, will explain to you the representations which those Gentlemen have added on this part of the question.

From my Despatch of the 31st March last, you will have seen that the management of the Crown Lands in New Brunswick has lately engaged much of my attention. Without stopping to inquire whether that Despatch may not in some degree have anticipated the objections urged by the House of Assembly, I am at once to convey to you His Majesty's decision on the proposed measures of amelioration.

His Majesty is pleased to acquiesce in the suggestion that the management of the Crown Lands should for the future be confided to the Administrator of the Government for the time being aided by His Executive Council. In pursuance of this decision it will be your duty, hereafter, in all questions relating to the disposal of Lands or Timber, belonging to the Crown, to submit the subject for the consideration of the Executive Council, and to proceed only in conformity with the opinion of that Council or of a majority of its Members. To the Commissioner of Crown Lands, however, will still belong the duty of carrying into effect such measures as shall have been thus decided on.

His Majesty at the same time readily admits the right of the Legislature of New Brunswick to pass such Laws as may seem to them expedient for the guidance of the Executive Government in this branch of their duties. His Majesty will be at all times prepared to receive and to consider with attention any suggestions or advice respecting the policy and system of management of the Crown Lands which may be offered to the Crown by the Council and Assembly of New Brunswick, whether by Address or in the form of Legislative enactment. But as this is a matter in which the prerogative of the Crown is immediately concerned, and as it would obviously be inconvenient that any uncertainty should be introduced into the regulations for the disposal of Crown Lands, it will be indispensable that any Act to be passed for such purpose should contain a clause suspending its operation until His Majesty's pleasure respecting it shall have been declared.

2. The Assembly complain that they have not been able to obtain detailed accounts of the receipt and expenditure of the Casual and Territorial Revenue, and have thus been prevented from making those suggestions respecting the management of that fund which, by Lord Ripon's Despatch of the 2d January, 1833, they were invited to offer.

It would appear by the observation annexed by you to the Address, that you dissent, in some degree, from the correctness of this statement. I am not, however, called on this occasion to examine into what is past. With respect to the future I have to convey to you His Majesty's commands that the most prompt attention should be paid to any Addresses which may be presented to you by the House of Assembly, for information on subjects connected with the receipt and expenditure of the Casual and Territorial Revenue. His Majesty has no desire to withhold from the Representatives of the People of New Brunswick any information on such points, which they may consider necessary for their guidance; but as some misapprehension appears

appears to have hitherto existed on this subject, I must direct that in future there be annually laid on the table of the House of Assembly, within fourteen days from the commencement of their Session, a detailed account of the receipts and expenditure of the Casual and Territorial Revenue of the Province for the year last past. This return must be prepared with the utmost clearness and precision; and it might perhaps be possible for you to arrange beforehand with the Assembly, the form in which it could be most advantageously drawn up. It is scarcely possible to contemplate a case in which it might be necessary to refuse the call of the Assembly for any information on this subject, but should such a case occur you will not fail immediately to report the circumstance to me.

3. The Assembly next allude to the composition of the Executive Council.

They recommend that the Members of the Council should be materially increased; and His Majesty will take this suggestion into consideration, although he is not yet prepared to declare whether it can be carried into effect, still less what should be the extent of the proposed increase.

The Assembly further express their cordial concurrence in the views of Mr. Spring Rice, relative to the summoning to that Board of some Members of the popular branch of the Legislature.

On this topic the Assembly have expressed themselves with a just delicacy; declaring their approbation of Mr. Spring Rice's Despatch, they yet disclaim any wish to offer any opinion to the King, as to the persons whom His Majesty may be pleased to call to fill seats in the Executive Council. It is obvious indeed that a peremptory rule on this subject would be inadmissible. At present it is open to the Crown, at its own discretion, to select Members for the Executive Council from all descriptions of His Majesty's subjects. The prerogative is unfettered, and it is, in the opinion of His Majesty's advisers, most advantageous for all parties that so it should remain. With respect to the manner in which it shall in this branch of it be exercised, His Majesty can give only the general assurance which he directs me to convey to the House of Assembly, that his selection of persons to sit in the Executive Council will be guided solely by a reference to the permanent interests of the Province, and to the qualifications of those whose names may be submitted to him for that distinction.

4. The composition of the Legislative Council is the next subject alluded to by the House. Admitting that no great public evil has yet arisen from this source, they nevertheless express their apprehension, that according to the principles laid down in the Instructions to the Canada Commissioners, those Members of the Council who hold office under the Crown could not be expected to exercise an unbiassed judgment on the questions which might come before them.

His Majesty's Ministers entirely agree in the importance of securing the independence of the Legislative Council. They are not indeed prepared, especially after the candid admission of the Assembly as to the working of the present system, to recommend to his Majesty the supersession of any of the present Members of the Council, nor do they consider office as of itself a disqualification for a seat in the Council, but they freely admit that the introduction into it of too large a number of persons holding places of emolument under the Executive Government would tend to detract

detract from its weight as an independent branch of Colonial Legislature. Lord Ripon in a Despatch, dated the 1st May, 1832, observes, that the Legislative Council "should principally consist of Gentlemen independent of and unconnected with the Executive Government, and selected from the principal Inhabitants of the Province, and those having the greatest stake in its welfare." To this principle, although it would seem that accidental circumstances have hitherto prevented it from being carried into full effect, His Majesty's Government continue to adhere. Whenever, therefore, it may become your duty to recommend to me, for His Majesty's approbation, the name of any Gentleman to be appointed a Member of the Legislative Council, you will bear in mind the rule laid down by Lord Ripon in the words which I have just quoted.

It may be proper to advert, in this place, to the impression which has been produced on the minds of the Assembly by those clauses of the Instructions to Sir Francis Head, which (to use their own language) "might be supposed to affect the independence of Members of the Legislature holding any inferior office or appointment under the Government." On this subject it is enough to point out to the observation of the Assembly, that the clauses in question, in so far as they concern persons holding seats in either House, have reference expressly to "Members of the local Government," not to inferior officers, but to those who form an actual portion of the Executive Government, and whose cordial sympathy and co-operation are absolutely indispensable to the existence of any system of administration. With regard to such individuals, I trust the Assembly will admit the justice of the observation which concludes the consideration of this topic in the Instructions to Sir Francis Head, "unless this course be pursued, it would be impossible to rescue the head of the Government from the imputation of insincerity, or to conduct the administration of public affairs with the necessary firmness and decision."

5. I now come to the application of the Assembly for the surrender to them of all the Revenues at the disposal of the Crown in the Province, including the payments of the Nova Scotia and New Brunswick Land Company, in return for a Civil List to be granted for a period either of ten years or permanently.

After a due consideration of the circumstances of the case, I have to inform you, that subject to two qualifications to be subsequently noticed, His Majesty has been graciously pleased to consent to this application of the Assembly. The two qualifications to which I refer are the following :

First. The appropriation of the House of Assembly is to be exercised not over the gross but over the nett amount of the Revenue, to be placed under their control. The proper and moderate charges incident to the collection and management of that Revenue will continue to be defrayed as at present ; but an account of those charges will be included in the statements respecting the Casual and Territorial Revenue which, in a former part of this Despatch, I have directed to be annually submitted to the House of Assembly. I need scarcely add, that His Majesty would at all times be prepared to devote the most attentive consideration to every suggestion from either Branch of the Legislature with respect to the amount of the charges of collection.

Secondly. The second qualification has for its object to preclude questions which might otherwise arise as to the manner in which the right of appropriation is to be exercised by the House of Assembly. His Majesty proposes that the Law and Customs

toms of Parliament, and more especially the established usages of the House of Commons, with regard to the appropriation of the surplus of the Consolidated Fund of Great Britain and Ireland, shall be assumed by the Legislature of New Brunswick, and more especially by the House of General Assembly, as affording the rule for their guidance in the appropriation of the Revenues of that Province. Some exceptions may unavoidably arise out of peculiar local circumstances, forbidding a perfect coincidence in the two systems, which, however, subject to those exceptions, would be precisely similar.

In regard to the amount of the Civil List to be granted by the House of Assembly, I am to inform you that His Majesty will be willing to accept the sum of £14,000 sterling, that being the sum originally demanded by Lord Stanley. In determining this part of the question, I have not overlooked the fact that, in Lord Stanley's Despatch of 30th September, 1833, it was not distinctly stated whether the sum which he named as the amount of the Civil List was calculated in sterling or in current money. But any doubts which might otherwise exist on this point must be at once decided by the Schedule attached to his Despatch, wherein are recited the services amounting in all to £14,003 sterling to which he proposed to appropriate the Civil List.

If, therefore, a Bill should be passed by the Provincial Parliament and presented to you, having for its object the securing to His Majesty of a Civil List amounting to £14,000 sterling per annum, either for the space of ten years, or permanently, you will reserve it for the signification of His Majesty's pleasure; and you will not in the meantime consider yourself at liberty to apply any portion of the Casual and Territorial Revenue to services which have not already received the express sanction of His Majesty's Government.

The following are the services to which, in the event of its being granted, it is intended in the first instance to apply this sum, viz. :

Salary of the	Lieutenant Governor,	-	-	-	-	-	£3,500
"	"	Chief Justice,	-	-	-	-	950
"	"	3 Puisne Judges,	-	-	-	-	1,950
"	"	Attorney General,	-	-	-	-	550
"	"	Solicitor General,	-	-	-	-	200
"	"	Colonial Secretary,	-	-	-	-	1,430
"	"	Private Secretary,	-	-	-	-	200
"	"	Commissioner of Crown Lands,	-	-	-	-	1,750
"	"	Establishment of ditto,	-	-	-	-	909
"	"	Auditor,	-	-	-	-	300
"	"	Receiver General,	-	-	-	-	300
"	"	Scotch Minister,	-	-	-	-	50
"	"	Emigrant Agent, Saint John,	-	-	-	-	100
Annuity to late	Surveyor General,	-	-	-	-	-	150
"	"	Collegé,	-	-	-	-	1,000
"	"	Indians,	-	-	-	-	54
							£13,393

After

After defraying these charges there will still remain a surplus of £607 sterling, applicable to any incidental expenses, for which no provision shall have been previously made. You will, however, of course understand that in thus pointing out the offices of which the salaries are to be paid out of this fund, His Majesty does not preclude himself from the revision of those salaries at a future date. In the case of some of them, indeed, it has been already announced to you by my predecessors that reductions will be made on the occurrence of vacancies, and it is probable therefore that the surplus may hereafter exceed the sum which I have stated. In anticipation of that event, His Majesty directs me to announce that whatever the amount of that surplus may hereafter be, it will be applied exclusively to objects connected with the Province, and with a view solely to public interests, and an account of it will be annually laid before the House of Assembly.

It has been suggested that as the Quit Rents were included among the Revenues which, according to Lord Stanley's proposal, would have been given up to the Assembly, so among the Revenues to be surrendered under the arrangement now under consideration should be included the sum granted in the Session of 1835, in commutation of the Quit Rents. To this suggestion His Majesty sees no reason to object, and He would, therefore, not be disposed to withhold his assent from any Act which might be passed by the Provincial Legislature, for the purpose of repealing the Quit Rent commutation Act of 1835.

In closing this communication, I am commanded to express the satisfaction with which His Majesty has felt himself enabled to decide on the various particulars to which it refers. This gracious attention on the part of His Majesty to the wishes of his faithful Subjects of New Brunswick will, the King has no doubt, be received by them as a fresh proof of the interest which he takes in their welfare, and of His solicitude to promote the developement of the great and manifold resources of that portion of the British Empire.

I have the honor to be, Sir,

Your most obedient

Humble Servant,

(Signed)

GLENELG.

Major General Sir A. CAMPBELL, Bart. G. C. B.
&c. &c. &c.

Downing Street, 5th September, 1836.

SIR,

In my Despatch of the 31st ultimo, I have communicated to you the answer which His Majesty has commanded me to return to the Address from the House of Assembly of New Brunswick of the 14th March last. I have at the same time enclosed for your information copies of the correspondence which had passed on the subject of that Address, and on other matters of a public nature, between this Department and Messrs. Crane and Wilmot, the Gentlemen deputed by the House of Assembly to represent them in this Country. Having communicated to Messrs. Crane and Wilmot the draft of my Despatch of the 31st ultimo, I have received from them the enclosed observations upon it. I have also had with them personal communications on the subject. I now proceed to inform you in what respects His Majesty has in consequence been pleased to direct that the Instructions contained in my Despatch of 31st ultimo shall be altered or modified.

1. The first alteration proposed by Messrs. Crane and Wilmot is, that the Executive Council should in compliance with the wishes of the Assembly be at once enlarged, without waiting the further deliberations contemplated in my Despatch of the 31st ultimo. On this point His Majesty, after a due consideration of the arguments urged by the House of Assembly, and of the representations of Messrs. Crane and Wilmot, is prepared to adopt the necessary steps for meeting the wishes of the Assembly. It is unnecessary on the present occasion to offer any pledge as to the precise number of which the Executive Council should hereafter consist, nor indeed could any invariable rule be prescribed on that subject without inconvenience. But you will immediately report to me the names of several Gentlemen whom you may think most eligible for seats in His Majesty's Executive Council. In making your selection, you will not confine yourself to any single class or description of persons, but will endeavour to ensure the presence in the Council of Gentlemen representing all the various interests which exist in the Province, and possessing at the same the confidence of the people at large. It may not be possible always to find such persons in the neighbourhood of the Capital, but I am assured that there are Gentlemen of fortune in the Province who, if appointed to the Council, would from public motives attend to the duty.

2. The Instructions respecting the regulations of the Land Department are next alluded to, and much stress is laid on the expediency of permitting you to give your assent at once to any Acts which may be passed by the Legislature for that purpose, instead of reserving them for the signification of His Majesty's pleasure. I must however remark, that whatever advantages might accrue from this course, they could scarcely compensate for the inconvenience which might result from a disallowance, should that be necessary, of such Acts after they have gone into operation. It would be superfluous to enlarge on the hardships which might be produced by the annulling of an Act under which property had been already acquired or devised, or to point out how much the disappointment created by such a proceeding must exceed that which would result from a temporary delay in the confirmation of the Act. There is, however, an alternative which, while it would guard effectually against the inconvenience just stated, would at the same time, I have reason to think, be satisfactory to the Assembly, and this is, that no Act for the regulation of the Land Department shall come into operation till at a given period after its passing. If therefore any Act of that nature presented to you hereafter, shall contain a clause providing that it shall not come into operation till the expiration of at least four months from its date, you will be at liberty, should you see no objection to the Act on other grounds, to give your assent to it. In such a case I need hardly state that it will be your duty immediately to transmit the Act to me in order that it may be brought under the consideration of His Majesty in Council.

3. With respect to the surrender of the Casual and Territorial Revenue, I have to observe, that in proposing that the nett proceeds only should be paid over to the Provincial Treasury, His Majesty's Government made no claim which is not in strict accordance with the law and practice of this Country. The Hereditary Revenues of the Crown have been placed at the disposal of Parliament—Parliament has in turn confided to the Executive Government the powers and the duty of determining in the first instance whatever relates to the expense of management and collection,

collection, subject to the obligation of rendering an annual account of that expense. It is obvious, that if the Legislature should assume the right of pre-determining the various items of that expenditure, they would be virtually invested with the entire management of the Territory itself, and must exercise a power which has never been placed in this Country in any other hands than those of the Executive Government. To depart from the established usage in this respect would be to subvert the existing balance of the Constitution, and to place powers of the greatest importance in hands not subject to any effective responsibility. I propose therefore, that as in Great Britain the cession of the Hereditary Revenue was accompanied by an enactment which enabled the Lords of the Treasury to fix in the first instance all the charges of collection and management, so in New Brunswick the cession of the corresponding Revenue to the appropriation of the General Assembly should be accompanied by an Act authorizing the Governor of the Province with the advice of His Executive Council to expend out of the gross income whatever sums they may find necessary for the management and collection of that Revenue. And as in Great Britain the House of Commons, by exercising its judgment on the accounts of the expenditure which are always laid before it, has in effect a sufficient and constitutional control over that expenditure, so in New Brunswick the same control over the Revenues in question would by the same means be vested in the House of Assembly. The assurance which you have been directed to convey to the House of Assembly, that accounts of the Receipt and Expenditure of that Revenue shall be annually laid before them, and that His Majesty will be ever ready to devote the most attentive consideration to any suggestions from either branch of the Legislature in regard to the expense of collection, appears to afford a guarantee against any unnecessary disbursements for that service; but there would be no objection to confirm that assurance by a positive enactment.

4. Messrs. Crane and Wilmot next advert to the amount of the Civil List, and suggest that the sum of £15,000 currency should be substituted for that of £14,000 sterling. Although it has not been in my power to advise His Majesty to accede altogether to the suggestion, I am yet of opinion, after adverting to the arguments urged by those Gentlemen both in their written communications and in conversation, that some modification of the proposition contained in my Despatch of the 31st. ultimo, may be advantageously made. Among the items therein specified as permanent charges in the Civil List is the sum of £909 for the Establishment of the Commissioner of Crown Lands. This item was inserted in conformity with the scheme contemplated by Lord Stanley in 1833, but there appears to be no sufficient reason why the expenses of the Indoor Establishment of the Commissioner of Crown Lands should not be defrayed in the same manner as all other expenses incurred for the management of the Crown Estate, and the collection of the Revenue arising from it. This charge therefore being deducted from the Civil List, His Majesty will be ready to accept the sum of £14,500 currency in exchange for the Casual and Territorial Revenue instead of the sum of £14,000 sterling demanded in my Despatch of the 31st ultimo. I cannot doubt that the Assembly, considering the large and growing Revenue to be given up to their control in return for this sum, will cheerfully agree to the terms offered to them by His Majesty's Government.

The sum of £14,500 currency would, I presume, be equal to £13,050 sterling, and there would therefore remain an immediate surplus of £566 sterling, which will of course be hereafter increased by reductions in the amount of the Salaries at present borne on the Civil List. Among the objects to which it is my purpose to devote a portion of this surplus, is the institution of an efficient office of Audit within the Province for the Revenues raised and expended in it. I am of course aware that at present it is the custom of the House of Assembly to appoint from time to time Committees of their body to whom are referred such financial returns as are laid on their Table, and who in fact exercise the power of auditing the accounts specified in such returns. It is far from my intention to undervalue the labors of these Committees or to question the advantage which must accrue to the public service from the rigid supervision by the Representatives of the people, of the expenditure of the Executive Government. But at the same time Committees of a popular body are but an inadequate substitute for a permanent and responsible officer, whose sole duty it would be to inspect the accounts of Public Departments. The experience and practical skill, the intimate and continuous knowledge of official transactions which are necessarily acquired by such an officer, give him many advantages over any fluctuating body. It is also to be observed, that the appointment of an Auditor immediately responsible to His Majesty is more consistent with the constitution and practice of this Kingdom than the consigning of the duty of examining the public accounts altogether to the Representatives of the people. The office of Auditor as at present constituted in New Brunswick is, I apprehend, insufficient for the duties which I have here proposed to devolve on it, I have therefore to desire that you will bring this subject under the notice of the Council and of the House of Assembly, and to request them respectively to furnish me with a report on it, specifying among other points what should be the amount of remuneration to be conferred on the officer at the head of the proposed Department. On receiving that report, I shall lose no time in communicating with the Lords Commissioners of the Treasury, and in preparing in concert with them the necessary arrangements for the institution and regulation of the office.

It is to be understood, that I by no means propose or contemplate that the officer so appointed should supersede the labors of the Committees of the House of Assembly. Those Committees will, if the House think fit, continue their inquiries exactly as they do at present; nor will the Auditor in any degree impede or interfere with their proceedings. Indeed it will be always in the power of the House to obviate any such consequence.

5. The last subject noticed in the enclosed memorandum is the scale of Salaries of public officers, and it is proposed that the reductions to be made in those Salaries on the occurrence of vacancies should be distinctly specified in the Despatch to you. It is also stated to be the opinion of the House of Assembly, that no officer in the Province except the Lieutenant Governor should receive a larger Salary than the Chief Justice or a Puisne Judge of the Supreme Court. I am fully alive to the importance of the subject thus brought under my notice, but advertent to the rapid changes which are taking place in New Brunswick, and to the length of time which may possibly elapse before an opportunity occurs for revising the offices of which the
emoluments

emoluments are borne on the proposed Civil List, I am of opinion that it would not be convenient at the present time to pledge His Majesty's Government to the specific amount of remuneration which shall hereafter, and perhaps under altered circumstances, be attached to those offices. At the same time, I am anxious to institute a course of inquiries calculated to prepare materials for a final and well considered judgment on the subject. With this view, I desire to receive from yourself and from the Legislative Council and the House of Assembly respectively, reports pointing out the amount of emoluments which in your opinion would constitute an adequate remuneration for each of the offices in question. It is of course understood, that during the tenure of the present officers their existing emoluments shall be preserved to them, but whenever vacancies shall occur, His Majesty's Government will consider what reduction should be made in those emoluments, and will devote their serious attention to the statements which I have now invited, in the hope that they may be able at once to effect a considerable saving in the public expenditure without impairing in any degree the efficiency of the respective offices. It must moreover be distinctly intimated to every officer who may hereafter be temporarily appointed to any of the situations of which the Salaries are borne on the Civil List, that should such temporary appointment be subsequently confirmed, the emoluments of the office will nevertheless be subject to revision and reduction, and that no claim to compensation for loss of Salary will have been created by the discharge of the duties ad interim. With respect, however, to the office of Lieutenant Governor I am to observe, that it has been already determined, on the occurrence of the next vacancy to reduce the Salary attached to it to £3,000 sterling per annum. Below that sum it could, I think, scarcely be reduced consistently with the rank and dignity which the Lieutenant Governor is required to maintain as His Majesty's Representative.

I have now gone through all the points mentioned in the enclosed memorandum, but before I conclude this Despatch I must advert to a topic which has been pressed on my attention by Messrs. Crane and Wilmot. It has been stated, that by the stipulation that the nett proceeds only of the Casual and Territorial Revenue should be ceded to the Assembly, an almost unlimited power of expenditure for purposes connected with the management of the Crown Estate still remains in the hands of the Executive Government. In order to prevent any abuse of this power, it is proposed that an Instruction should be given to you that, on the presentation of an address to you from the Assembly expressing their disapprobation of any expenditure then actually in progress, you should suspend the progress of such Expenditure until the King's Government at Home shall have an opportunity of deciding on the propriety or impropriety of continuing it. To this proposition I have felt myself unable for several reasons to assent, but I have informed Messrs. Crane and Wilmot that on the occurrence of the event which they have contemplated, you would receive with all the weight due to the opinions of the Representatives of the people, any address which might be presented to you by the Assembly, and that you would be instructed to lay that Address before your Executive Council, and to receive their opinions on the subject of it before taking any decisive step. And it would be moreover your duty in such a case immediately to report the circumstances to me, with a full explanation of the grounds on which your ultimate decision shall have proceeded. Such

Such are the modifications of my Despatch of the 31st ultimo, which, after a full consideration of the subject, His Majesty's Ministers have felt themselves at liberty to recommend to His Majesty. While they regret their inability to proceed to the full extent of the wishes of Messrs. Crane and Wilmot, they are yet persuaded that the liberal spirit in which His Majesty's answer to the address of the House has been conceived will sufficiently indicate the anxiety of His Majesty to accede, as far as is compatible with public interests, to their wishes on matters connected with the administration of the Provincial Government. The difference of opinion that may still remain in some particulars between the views of the Assembly and those adopted in this Country are perfectly compatible with the existence of a sincere and single desire on both sides to consult only the permanent well-being of the Province, and cannot therefore, it is trusted, impede the satisfactory settlement of the questions mooted in the Address of the Assembly of the 14th of last March.

I have the honor to be, Sir,

Your most obedient humble Servant,
(Signed) GLENELG.

Major General Sir A. CAMPBELL, Bart. G. C. B.
&c. &c. &c.

Downing Street, 31st October, 1836.

SIR,

In my Despatch of the 10th of September, I apprized you that I was engaged in correspondence with Messrs. Crane and Wilmot, on the provisions of the Act for securing the Civil List which it is proposed to grant to His Majesty in New Brunswick.

I now enclose for your information, a copy of that Bill, which has been prepared in concurrence with the Lords Commissioners of His Majesty's Treasury. It is compiled from the corresponding Acts of Parliament which apply to the Grant of the Civil List in this Country, with no other changes than such as unavoidably grew out of the different circumstances of the two cases.

You will transmit to the Council and to the Assembly a copy of this Despatch and of the draft which it encloses. You will acquaint those branches of the Provincial Legislature, that you are authorized in His Majesty's name to assent to any Bill which shall be tendered for your acceptance, if framed in the terms of the accompanying draft, or even if expressed in other terms which shall introduce no substantial alteration in the provisions of the proposed Law. Should any Bill be passed by the two Houses having for its object the adjustment of the Civil List in terms varying from those which have been approved by myself, by the Lords of the Treasury and by the Delegates from the Assembly, you will call on the Provincial Attorney and Solicitor General to report to you whether the change is such as to alter in any respect the substance and the legal effects of the intended measure. If they should report that the alterations are formal merely, and not substantial, you will assent to the Bill on His Majesty's behalf. But if the Law Officers of the Crown should report that the variations affect the substance as well as the form, then it will be your duty to withhold your assent unless the Bills should contain a suspending clause, or unless the operation of it should, by the terms of the Law itself, be postponed for a period

and every the said Hereditary, Territorial and Casual Revenues, and the proceeds of all sales and leases of Crown Lands, Woods, Mines and Royalties, which have been collected and are now in hand, or which shall be collected hereafter during the continuance of this Act (except the monies which shall be expended in the collection and protection thereof as specially authorized and provided for by the fourth Section of this Act), shall immediately be payable and paid to the Provincial Treasurer, who is hereby authorized to receive the same for the use of this Province, and from and after the expiration of this Act, the proceeds of all the said Hereditary, Territorial and Casual Revenues, and of the said Lands, Woods, Mines and Royalties, shall revert to and be payable and paid to His said Majesty, His Heirs and Successors.

II. And be it enacted, That there shall be granted to His Majesty, His Heirs and Successors, for and during the whole period of the continuance of this Act, the clear yearly sum of fourteen thousand five hundred pounds current and lawful money of this Province, and that the said sum shall be charged on and made payable out of the aforementioned and all other Revenues, raised, collected and paid into the Treasury of this Province, and shall commence from and immediately after the thirty first day of December now last past, and to be paid by the said Treasurer by Warrant under the Hand and Seal of His Excellency the Lieutenant Governor or Commander in Chief for the time being, with preference to all other charges or payments which have heretofore been or which shall hereafter be made upon or payable from the said Revenues, such payments to be made quarterly (that is to say) on the thirty first day of March, the thirtieth day of June, the thirtieth day of September and the thirty first day of December, in each and every year, by equal and even portions out of the monies in the said Treasury, the first charge for the same to be made on the quarter day next immediately after the passing of this Act, and to include the proportion of the said sum which may become due for the support of the said Civil Government by the said quarter day.

III. And be it enacted, That all the monies which shall be paid to the Provincial Treasurer under and by virtue of this Act, except the said sum of fourteen thousand and five hundred pounds hereby granted, shall remain in the Treasury until appropriated or disposed of by an Act or Acts of the General Assembly of this Province, to be passed for that purpose.

IV. And be it enacted, That it shall and may be lawful for His Excellency the Lieutenant Governor and Commander in Chief for the time being, by and with the advice of the Executive Council, to expend out of the gross proceeds of the said Hereditary, Territorial and Casual Revenues, and of the said sales and leases of Crown Lands, Woods, Mines and Royalties, such sums of money as they may from time to time deem necessary and requisite for the prudent management, protection and collection of the said Revenue, and that His Excellency the Lieutenant Governor and Commander in Chief for the time being, shall within fourteen days next after the commencement of each and every Session of the Legislature, cause to be laid before the Assembly a full and detailed account stating all the particulars of the Income and Expenditure of and relating to the said Hereditary, Territorial and Casual Revenues, sales and leases of Crown Lands, Woods, Mines and Royalties, with all vouchers to the same appertaining for the then previous year.

V. And be it enacted, That all and every grant, lease or other assurance which, during the continuance of this Act, shall be made or granted by His Majesty, His Heirs or Successors of any Lands, Tenements, Rents, Woods, Mines, Royalties, Revenues, or other Hereditaments, within this Province, now belonging or hereafter to belong to His Majesty, His Heirs or Successors, whereby any Estate or Interest whatsoever, in Law or Equity, shall or may pass from His Majesty, His Heirs or Successors, save and except as hereinafter provided, shall be utterly void and of none effect unless such grant, lease or assurance be made upon sale or rent to the highest bidder at Public Auction in this Province, due notice having been first given thereof in the Royal Gazette, and unless all such sums of money and rents as may be payable in consideration of such grant, lease or assurance be made payable to His Majesty, His Heirs or Successors during the whole term or time of the continuance thereof respectively.

VI. And be it enacted, That nothing in this Act contained shall extend or be construed to extend in any wise to impair or affect any rights or powers of control, management or direction, which have been or may be exercised by the authority of the Crown or other lawful Warrant relative to any suits or proceedings for the recovery of the said Hereditary, Territorial, Casual and other Revenues, or to compositions made or to be made on account of any of the same, or to any remission, mitigation or pardon of any penalties, fines or forfeitures, incurred or to be incurred, or to any other lawful act, matter or thing which has been or may be done, touching the said Hereditary, Casual, Territorial or other Revenues, or to disable His Majesty, His Heirs and Successors, to make any grant or restitution of any Estate or Estates, or of the produce thereof, to which His Majesty hath or shall become entitled by Escheat for want of Heirs, or by reason of any forfeiture, or by reason of the same having been purchased by or for the use of any alien, or to make any grant or distribution of any personal property and devolved to the Crown by reason of the want of next of kin or personal representatives of any deceased person, and that the said rights and powers shall continue to be used, exercised and enjoyed in as full, free, ample and effectual manner to all intents and purposes as if this Act had not been made, and as the same have or might have been heretofore enjoyed by the Crown, subject nevertheless to the restrictions and regulations hereinbefore made and provided, it being the true intent and meaning of this Act that the said rights and powers shall not be in any degree abridged or restrained, or affected in any manner whatsoever, but only that the monies arising from the full and free exercise and enjoyment of them so subject as aforesaid, shall during the continuance of this Act be carried to and made part of the joint Revenues at the disposal of the General Assembly of this Province.

VII. And be it further enacted and declared, That nothing in this Act contained shall operate to annul or prejudice any sale, purchase, grant, lease, enfranchisement, exchange, contract, rent charge, agreement, bond, mortgage, security, exoneration or other act, matter or thing relating to the said Lands, Woods, Mines or Royalties which at the time of passing this Act shall have been made, done, given, effected or created, but the same shall remain as good, valid and effectual for the benefit or security either of His Majesty, His Heirs or Successors, or of any of the parties to or with whom or in whose favor any such sale, grant, lease, enfranchisement, exchange, contract, rent charge,

charge, agreement, bond, mortgage, security, exoneration or other act, matter or thing shall have been made, done, given, effected or created, and be of as full force and virtue as if this Act had not been passed.

VIII. And be it further enacted, That this Act shall continue and be of full force and effect for and during the full and complete term of ten years, commencing from and immediately after the thirty first day of December in the year one thousand eight hundred and thirty last past.

NEW BRUNSWICK.

*Message to the Legislative Council,
23d December, 1836.*

ARCHIBALD CAMPBELL.

The Lieutenant Governor communicates to the Council for their information, 31st March, 1836. copies of sundry Despatches mentioned in the margin, received from 31st August, 1836. the Right Honorable the Secretary of State for the Colonies. 22d Sept'br. 1836.

A. C.

Downing Street, 31st March, 1836.

SIR,

I have to acknowledge the receipt of your Despatch dated the 10th ultimo, No. 8, enclosing Petitions from the Legislative Council and House of Assembly of New Brunswick, severally addressed to the King, to the House of Lords and the House of Commons, on the subject of the apprehended alteration of the duties imposed on the importation of North American Colonial Timber into the United Kingdom.

I have had the honor to lay at the foot of the Throne the Petition addressed to His Majesty, and His Majesty has been pleased to refer the subject of it to the Committee of His Privy Council for Trade and Foreign Plantations.

The Petition addressed to the House of Lords I shall take an early opportunity of presenting to their Lordships, and that to the House of Commons will be presented by my under Secretary Sir George Grey.

I have the honor, &c.

(Signed)

GLENELG.

Major General Sir A. CAMPBELL, Bart. G. C. B.
&c. &c. &c.

(Circular.)

Downing Street, 31st August, 1836.

SIR,

The particular attention of His Majesty's Government has been called to measures adopted by various Colonial Legislatures for revising and altering the rates at which different coins should pass current and be a legal tender with reference to local monies of account.

These regulations have obviously considerable influence upon the transactions of those Departments which are concerned in the collection of duties imposed by Acts of Parliament, more especially upon transactions of the Military Chest; and as material inconvenience has already been experienced in these respects, it is desirable to adopt

adopt such measures as may prevent the recurrence of such inconvenience, and thereby avoid the necessity of revoking such enactments as may be deemed objectionable after they shall have been promulgated and carried into effect.

With this view I have to desire that you will not permit any Act or Ordinance, Proclamation or Regulation, to come into operation in the Colony under your Government relating to the local currency and circulating medium, or to the rates at which coins should pass current, or be a legal tender, or to the circulation of Promissory Notes or other Paper, either by the local Government, or by any Corporate Bodies or Individuals, without having first received His Majesty's sanction conveyed to you by the Secretary of State.

I have the honor, &c.
(Signed)

GLENELG.

Major General Sir A. CAMPBELL, Bart. G. C. B.
&c. &c. &c.

Downing Street, 22d September, 1836.

SIR,

With reference to my Despatches of the 31st ultimo and 5th instant, I have the honor to enclose, herewith, for your information and guidance, the copy of a letter on the subject of the Post Office, addressed to me by Messrs. Crane and Wilmot, together with a copy of the answer returned to them by my direction.

I have the honor, &c.
(Signed)

GLENELG.

Major General Sir A. CAMPBELL, Bart. G. C. B.
&c. &c. &c.

12 Devonshire Street, 15th August, 1836.

MY LORD,

We have been directed by the Assembly of New Brunswick, to inform your Lordship that a Bill, which was framed by the Government in pursuance to an Act of Parliament, 3 & 4 W. 4, C. 7, made for the regulation of the Post Office department in the North American Colonies, and laid before the Provincial Legislatures in 1835, was found to contain provisions not at all suited to the local circumstances of the Province, and consequently was not adopted; and as the Assembly of New Brunswick are desirous to substitute in lieu thereof a Bill more suitable to the condition of the Country, we have to beg of Your Lordship, that the like instructions, on this subject, may be given to Sir A. Campbell as were furnished to Sir F. B. Head.

We have &c.
(Signed) WILLIAM CRANE,
L. A. WILMOT.

To Lord GLENELG.

Downing Street, 21st September, 1836.

GENTLEMEN,

I am directed by Lord Glenelg to acknowledge the receipt of your letter of the 15th instant on the subject of the Bill for the regulation of the Post Office, submitted

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to

to the Legislature of New Brunswick in their Session of 1835, by direction of His Majesty's Government. In reply I am to inform you that, acting on the principle announced in my Despatch to Sir A. Campbell of the 28th ultimo, His Majesty at once accedes to the request which you have preferred on behalf of the House of Assembly, that the instructions on this subject issued to Sir F. Head, should be applied also to New Brunswick. Sir A. Campbell will accordingly be directed to assent to any judicious and practicable scheme for the regulation of the Post Office within the Province which the Legislature may incorporate in a Bill to be tendered for his acceptance, regarding as of no weight whatever, when opposed to the general conveniency of the public, any consideration of patronage or of revenue derivable from this source.

I have, &c.

(Signed)

JAS. STEPHEN.

Messrs. CRANE and WILMOT,

NEW BRUNSWICK.

*Message to the Legislative Council,
23d December, 1836.*

ARCHIBALD CAMPBELL.

The Lieutenant Governor lays before the Council a Despatch from the Right Honorable Lord Glenelg, dated 31st August, 1836, on the subject of the Act for establishing the Saint John Mechanics' Whale Fishing Company; to which the Lieutenant Governor invites the attention of the Council.

A. C.

Downing Street, 31st August, 1836.

SIR,

Amongst the series of Acts passed by the Legislature of the Province of New Brunswick during their last Session was one No. 1001, for establishing the Saint John's Mechanics' Whale Fishing Company.

The objects proposed to be effected in the formation of this Company appear to be of a very desirable nature, and His Majesty's Government would wish to afford every facility in carrying them into effect, but the provisions contained in this Act are of a far more extensive kind than can be required, and more so than it would be advisable to sanction. You will therefore bring the subject again under the consideration of the Assembly, and invite that Body to pass such an Act as shall be more restricted in the powers which it confers, and at the same time better fitted to carry into effect the limited object of the Company.

In the meantime His Majesty's decision will be suspended on this Act.

I have the honor, &c.

(Signed)

GLENELG.

Major General Sir A. CAMPBELL, Bart. G. C. B.
&c. &c. &c.

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

A Petition from Amasa Coy, Joseph Gaynor, Francis E. Beckwith, and other inhabitants

inhabitants of Fredericton, praying an Act may pass to establish a Bank in Fredericton: and

A Petition from Thomas Baillie, John F. Taylor, George F. Street, and other persons resident in Fredericton, connected with and interested in the establishment of the Bank of British North America in this Province, praying for an Act of Assembly similar in its provisions to an Act of Parliament by which certain corporate powers are conferred on the Institution.

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

The Honorable Mr. Robinson, by leave, presented a Petition from John M'asters, Harris Hatch, John Wilson, James Rait, and others, resident in Charlotte County, for a like purpose.

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

The Honorable Mr. Saunders, by leave, presented a Petition from Nehemiah Marks, Robert M. Todd, Robert Lindsay, and others, inhabitants of Saint Stephen, praying for an Act of Incorporation.

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

Adjourned until Monday next at 12 o'clock.

MONDAY, 26th December, 1836.

PRESENT.

THE HON.

Mr. Shore.

Mr. Saunders.

Mr. Lee.

Mr. Cunard.

Mr. Attorney General.

The Honorable Mr. Shore sat Acting President.

PRAYERS.

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

A Petition from Francis Peabody, Henry B. Allison, Thomas H. Peters, and others, resident in Northumberland, connected with and interested in the establishment of the Bank of British North America in this Province, praying for an Act of Assembly similar in its provisions to an Act of Parliament by which certain corporate powers are conferred on the institution:

A Petition from Joseph Reed, William Napier, John Montgomery, and others, resident in Gloucester, for the same purpose:

A Petition from John Jardine, William M'Leod, John Wheten, and others, resident in the County of Kent, for the like purpose:

A Petition from Francis Peabody, John T. Williston, Dudley Perley, and others, Magistrates, Merchants, and others, inhabitants of the Town and Parish of Chatham, praying that an Act may pass requiring the Justices of the Peace for Northumberland to erect a lock-up house in the Town of Chatham, and to assess a sum not exceeding two hundred pounds to defray the expense thereof: and

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A Petition from Willard Broad, of Newcastle in Northumberland, praying for the return of duty paid on Flour consumed in the great fire in 1825.

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

The Honorable the Attorney General, by leave, presented a Petition from Barnabas Tilton, Thomas G. Hatheway, Edward Sears, and a number of other persons, praying for an Act to incorporate certain persons under the name of the President, Directors and Company of the Bank of Fredericton.

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

The Honorable Mr. Saunders, by leave, presented a Petition from Abraham T. Coburn, W. D. Hartt, Charles Fisher, and six other persons, praying an Act of Incorporation to enable them to erect mills and machinery for various branches of manufacture.

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

Adjourned until To-Morrow at 12 o'clock.

TUESDAY, 27th December, 1836.

PRESENT.

THE HON.

Mr. Shore.
Mr. Cunard.
Mr. Saunders.

Mr. Baillie.
Mr. W. H. Robinson.
Mr. Attorney General.

The Honorable Mr. Shore sat Acting President.

PRAYERS.

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

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

NEW BRUNSWICK.

*Message to the Legislative Council,
26th December, 1836.*

ARCHIBALD CAMPBELL.

The Lieutenant Governor directs to be laid before the Council an extract of a Despatch received from the Right Honorable the Colonial Secretary of State, dated 10th September last, and which was by mistake omitted in the Message of the 23d instant.

A. C.

Extract from a Despatch from Lord Glenelg, the Secretary of State for the Colonial Department, dated Downing Street, 10th September, 1836.

“ With reference to my Despatches of the 31st ultimo and of the 5th instant, explanatory

planatory of the arrangements into which it is proposed to enter with the Legislature of New Brunswick, it has appeared to His Majesty's Government necessary that measures should be taken for holding a Session of that Legislature with the least possible delay. Considerations applying not to New Brunswick alone, but to the other British North American Provinces also, require that no time should be lost in giving general publicity to the proposals which you are authorized to make. You will therefore take the necessary measures for convening the General Assembly for the despatch of business immediately on your receipt of this Despatch.

" I have the honor, &c.

(Signed)

GLENELG.

Major General Sir A. CAMPBELL, &c. &c. &c.

NEW BRUNSWICK.

*Message to the Legislative Council,
26th December, 1836.*

ARCHIBALD CAMPBELL.

The Lieutenant Governor informs the Council that an expense amounting to £112 2 6, has been incurred in the pursuit and apprehension of a man named Timothy Dempsey, charged with having committed an atrocious murder in the County of Gloucester, and who escaped into the United States; and the Lieutenant Governor recommends that provision be made for defraying this expense.

A. C.

Adjourned until To-Morrow at 12 o'clock.

WEDNESDAY, 28th December, 1836.

PRESENT.

THE HON.

Mr. Shore.

Mr. Cunard.

Mr. Lee.

Mr. Baillie.

Mr. Attorney General.

The Honorable Mr. Shore sat Acting President.

PRAYERS.

The Honorable Mr. Baillie, by leave, presented a Petition from John Bedell, Bartholomew C. Beardsley, Charles Perley, and other inhabitants of the County of Carleton, praying that an Act may pass incorporating sundry persons under the name and style of the President, Directors and Company of the Bank of Fredericton.

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

Adjourned until To-Morrow at 12 o'clock.

G

THURSDAY,

THURSDAY, 29th December, 1836.

PRESENT.

THE HON.

Mr. Shore.

Mr. Saunders.

Mr. Lee.

Mr. Baillie.

Mr. Attorney General.

The Honorable Mr. Shore sat Acting President.

PRAYERS.

The Honorable the Attorney General moved for leave to bring in a Bill to restrict the issue of notes for small amounts by the different Banking establishments within this Province.

Leave granted.

The said Bill being brought in, was read a first time.

Adjourned until To-Morrow at 12 o'clock.

FRIDAY, 30th December, 1836.

PRESENT.

THE HON.

Mr. Shore.

Mr. Saunders.

Mr. Lee.

Mr. Baillie.

Mr. Attorney General.

The Honorable Mr. Shore sat Acting President.

PRAYERS.

Adjourned until Tuesday next at 12 o'clock.

TUESDAY, 3d January, 1837.

PRESENT.

THE HON.

Mr. Shore.

Mr. Botsford.

Mr. Lee.

Mr. Saunders.

Mr. Attorney General.

The Honorable Mr. Shore sat Acting President.

PRAYERS.

The Honorable the Attorney General, by leave, presented a Petition from Alexander Campbell, S. P. Frink, Josephus Moore, and others, of the County of Charlotte, praying that an Act may pass to incorporate sundry persons under the name of the Saint John and Saint Croix River Canal Company.

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

Adjourned until To-Morrow at 12 o'clock.

WEDNESDAY,

WEDNESDAY, 4th January, 1837.

PRESENT.

THE HON.

Mr. Shore.
Mr. Robinson.
Mr. Botsford.

Mr. Baillie.
Mr. Saunders.
Mr. Lee.

The Honorable Mr. Shore sat Acting President.

PRAYERS.

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

A Petition from Elway White, and 82 other persons, (Acadian French,) Inhabitants of the Parish of Wellington in the County of Kent, praying for Legislative aid in their distressed situation, caused by the failure of their crops the last season:

A Petition from David Hatfield, Noah Disbrow, Thomas Pettingell, and others, praying for a Legislative enactment for the better regulation of Dockage and Wharfage, for reasons therein set forth: and

A Petition from Henry Gilbert, John G. Woodward, William Walker, and others, praying an Act may pass incorporating certain persons under the style and name of the Sheffield Mills and Land Company.

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

ORDERED, That the House be put into a Committee of the whole on Monday next, to take into consideration His Excellency's Messages received the twenty third day of December last.

Message from the Assembly, by Mr. Street, with a Bill, intituled "A Bill further to amend the Statute Law relative to offences against the person," to which they desire the concurrence of this House.

Read the said Bill a first time.

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

Adjourned until to-morrow at 12 o'clock.

THURSDAY, 5th January, 1837.

PRESENT.

THE HON.

Mr. Shore.
Mr. Peters.
Mr. Robinson.
Mr. Botsford.
Mr. Lee.

Mr. Baillie.
Mr. Allanshaw.
Mr. Saunders.
Mr. Attorney General.

The Honorable Mr. Shore sat Acting President.

PRAYERS.

Message from the Assembly, by Mr. Brown, with a Bill, intituled "A Bill for the incorporation

incorporation of the Saint John and Saint Croix River Canal Company," to which they desire the concurrence of this House.

Read the said Bill a first time.

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

On motion made and seconded, it was

RESOLVED, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to lay before this House copies of all such documents as may relate to the draught of the Bill for the support of the Civil Government in this Province, communicated to this House in His Excellency's Message of the twenty third ultimo, as also that His Excellency will be pleased to communicate to this House the particular grounds which induced him to recommend that the said Bill should be passed with a suspending clause.

ORDERED, That the Honorable Messrs. Baillie and Botsford be a Committee to wait upon His Excellency the Lieutenant Governor and present the said Address.

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

A Bill to incorporate the Saint Croix River Company : and

A Bill to incorporate the Polfery and Bolton Brook Company.

Pursuant to the Order of the Day, the Bill further to amend the Statute Law relative to offences against the person, was read a second time; and it was

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

Read a first time, the Bill to incorporate the Saint Croix River Company.

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

Read a first time, the Bill to incorporate the Polfery and Bolton Brook Company.

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

Adjourned until To-Morrow at 12 o'clock.

FRIDAY, 6th January, 1837.

PRESENT.

THE HON.

Mr. Baillie.

Mr. Allanshaw.

Mr. Botsford.

Mr. Lee.

Mr. Peters.

Mr. Saunders.

Mr. Attorney General.

The Honorable Mr. Baillie sat Acting President.

PRAYERS.

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

A Bill to incorporate the Campo Bello Mill and Manufacturing Company :

A Bill to incorporate the Salmon Falls Bridge Company :

A

A Bill to repeal an Act made and passed in the third year of His Majesty's Reign in amendment of an Act for the better securing the navigation of the inner Bay of Passamaquoddy: and

A Bill to incorporate certain persons by the name of the President, Trustees and Proprietors of the Saint Stephen's Academy.

Read a first time, the Bill to incorporate the Campo Bello Mill and Manufacturing Company.

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

Read a first time, the Bill to incorporate the Salmon Falls Bridge Company.

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

Read a first time, the Bill to repeal an Act made and passed in the third year of His Majesty's Reign, in amendment of an Act for the better securing the navigation of the inner Bay of Passamaquoddy.

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

Read a first time, the Bill to incorporate certain persons by the name of the President, Trustees and Proprietors of the Saint Stephen's Academy.

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

The Honorable Mr. Lee, by leave, presented a Petition from B. C. Beardsley, Rev. Samuel D. L. Street, and others, Inhabitants of Carleton, praying that Legislative aid may be extended to certain persons, in consequence of loss of crops and destruction of buildings occasioned by a violent hail storm.

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

The Honorable Mr. Baillie, from the Committee appointed to wait upon His Excellency the Lieutenant Governor, with the Address of the House, praying, that His Excellency would be pleased to lay before this House, copies of all such Documents as might relate to the draught of the Bill for the support of the Civil Government in this Province, communicated to this House in His Excellency's Message of the twenty third ultimo, as also, that His Excellency would be pleased to communicate to this House the particular grounds which induced him to recommend that the said Bill should be passed with a suspending clause, reported, that they had attended to that duty, and His Excellency was pleased to say, they should be prepared with all despatch.

Adjourned until Monday next at 12 o'clock.

MONDAY, 9th January, 1837.

PRESENT.

THE HON.

Mr. Shore.
Mr. Peters.
Mr. Botsford.

Mr. Baillie.
Mr. Robinson.
Mr. Attorney General.

The Honorable Mr. Shore sat Acting President.

H

PRAYERS.

PRAYERS.

ORDERED, That a Select Committee of three Members be appointed to report upon such Bills, relating to Corporations, as may be referred to it during the present Session, and that Messrs. Peters, Saunders and Botsford do compose the same.

Pursuant to the Order of the Day, the Bill for the Incorporation of the Saint John and Saint Croix River Canal Company, was read a second time; and it was

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 incorporate the Saint Croix River Company, was read a second time; and it was

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 incorporate the Polfery and Bolton Brook Company, was read a second time; and it was

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 incorporate the Campo Bello Mill and Manufacturing Company, was read a second time; and it was

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 incorporate the Salmon Falls Bridge Company, was read a second time; and it was

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 repeal an Act made and passed in the third year of His Majesty's Reign, in amendment of an Act for the better securing the navigation of the inner Bay of Passamaquoddy, was read a second time; and it was

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

Pursuant to the Order of the Day, the Bill to incorporate certain persons by the name of the President, Trustees and Proprietors of the Saint Stephen's Academy, was read a second time; and it was

ORDERED, That the House be put into a Committee of the whole on Monday next to take the same 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 the Statute Law relative to offences against the person.

The Honorable Mr. Baillie took the Chair.

After some time the House resumed.

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

ORDERED,

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 His Excellency's Messages, received on the twenty third ultimo, being read, it was

ORDERED, to be discharged, and that the House be put into a Committee of the whole on Thursday next, to take the same into consideration.

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 10th January, 1837.

PRESENT.

THE HON.

Mr. Shore.

Mr. Peters.

Mr. Robinson.

Mr. Attorney General.

Mr. Baillie.

Mr. Allanshaw.

Mr. Botsford.

Mr. Lee.

The Honorable Mr. Shore sat Acting 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 repeal an Act made and passed in the third year of His Majesty's Reign, in amendment of an Act for the better securing the navigation of the inner Bay of Passamaquoddy.

The Honorable Mr. Baillie took the Chair.

After some time the House resumed.

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

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

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

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

NEW BRUNSWICK.

*Message to the Legislative Council,
9th January, 1837.*

ARCHIBALD CAMPBELL.

The Lieutenant Governor, in compliance with the Address of the Council of the 5th instant, lays before them, copies of the documents therein mentioned, relating to the draught of a Bill for the support of the Civil Government in this Province; and also copies of his own Despatches on the subject of that Bill, in which his reasons for recommending a suspending clause are fully detailed.

A. C.

Fredericton,

Fredericton, N. B. November 25, 1836.

MY LORD,

I have the honor to acknowledge the receipt, by the October mail, of your Lordship's Despatches, Nos. 84 and 85, of the 31st August and 5th September last, communicating to me the placing the Crown Revenues of the Province of New Brunswick at the disposal of the Provincial Legislature; and I shall feel it my duty to carry into full effect, so far as in me lies, all the arrangements His Majesty's Government have determined on for this very important measure, in the spirit and according to the desire expressed in your Lordship's subsequent Despatch of the 10th September last; and I most sincerely hope it will be productive of all the good your Lordship seems to anticipate, and that the liberality of the Government and the gracious disposition thus displayed by His Majesty to yield to the wishes of His subjects on this side of the Atlantic, will be duly appreciated and gratefully received by all classes in this Province. But as the measure itself and the details of the arrangement are yet to be laid before, and to become a subject of discussion in the Assembly, where many various opinions will probably be expressed thereon, I think it a matter of great importance that I should be fully possessed of your Lordship's intentions on all points that may arise in the course of the discussion, so as to enable me to lay the same before the other two branches of the Legislature, should it be required, in order that the matter may be settled to the satisfaction of all parties, and that any question which may be raised as to the intent and meaning of His Majesty's Government on any part of the details may at once be answered. And as the further instructions on this head which your Lordship has given me reason to expect as soon as your negociation with Messrs. Crane and Wilmot is closed, may not (unless your attention is particularly called thereto) provide for all, I have thought it advisable to save time, by at once submitting for your Lordship's consideration several points which at present occur to me, and which I think will require to be provided for in settling the details, and which are not adverted to in either of the Despatches I have as yet received from your Lordship on the subject.

In the first place it appears by your Lordship's Despatch of the 31st August, that the surrender of all the Revenues of the Province now at the disposal of the Crown, including the payments of the Nova Scotia and New Brunswick Land Company, in return for a Civil List to be granted for a period of ten years or permanently, is assented to by His Majesty, subject to two qualifications.

The first of which is, that the appropriation of the House of Assembly is to be confined to the nett amount of the Revenues to be placed under their control, after deducting from the gross proceeds the necessary expenses incident to the collection and management thereof.

On this point I could wish to be explicitly informed if it is your Lordship's intention that, under the new arrangement, the gross proceeds of the Crown Revenues do in the first instance pass through the hands of the Receiver General as heretofore, and all expenses incident to the collection and management thereof be paid by Warrants on him, and at the end of each quarter the accounts all to be made up and audited according to the practice hitherto pursued, and the nett balance then in the hands of the Receiver General, after payment of the expenses, handed over by him to the
Provincial

Provincial Treasurer? Or whether the nett, quarterly balances are to remain in the hands of the King's Receiver General until appropriated by the Legislature, and drawn for by Warrant on him pursuant to such appropriation, without going into the hands of the Provincial Treasurer at all? Or in what manner it is intended that this part of the business shall be arranged.

Your Lordship, I believe, is aware that a considerable amount of the surplus of the Casual Revenue has been laid out, by the Commissioners appointed for that purpose, on interest, amounting in the whole at the present time to the sum of £35,000 besides interest. £3,000 of this sum was very recently laid out on terms which will prevent its being called in before the 1st of January, 1838, and the remainder was invested about the close of the last year, until the 1st of January next, but upon terms that three months notice, before the end of this year, should be given of any part thereof intended to be then called in. And as this notice has not been given, from the Commissioners not being made aware that any part of the amount would be required, the Government may not be enabled to call it all in before the 1st of January, 1838. £6,000 of this money is laid out on a loan to the Saint John Bridge Company, at 6 per cent. interest, no part of which, it is expected, could be got in before the 1st of January, 1838; as it was not contemplated when it was so laid out, that it would be sooner required. The remaining £29,000 is invested in three different Banks in this Province, and may probably be got in at a shorter date if required. If therefore it is intended that these monies shall be called in as soon as the nature of the securities taken will admit of, your Lordship will see the importance of immediately sending me instructions to that effect.

The other qualification mentioned by your Lordship, upon which the contemplated surrender of the Revenue in question is to be made, is—that the law and customs of Parliament and more especially the established usages of the House of Commons with regard to the appropriation of the surplus of the Consolidated Fund of Great Britain and Ireland, shall be assumed by the Legislature of New Brunswick, and more especially by the House of Assembly, as the rule for their guidance in the appropriation of the Revenues of the Province.

The first question which arises upon this is, what is intended by your Lordship by the words "*Revenues of the Province?*" Is it meant that this rule of appropriation shall be extended to *all* the *Revenues of the Province*, as well to that which has heretofore been distinguished as the Provincial Revenue and always been at the disposal of the Legislature, as well as to that which has been distinguished as His Majesty's Casual and Territorial Revenue, and now about to be given up, or is it only intended to apply to the latter? For if the House of Assembly should insist that it only applied to the Revenue of the last denomination, and your Lordship's expected instructions as to the details should not further explain this, the general and unrestricted sense in which your Lordship has used the words "*Revenues of the Province,*" will prevent my feeling authorized on the part of His Majesty's Government, to accede to that interpretation until I am better informed of what your Lordship thereby intended.

The next question is. How is an adherence to this rule of appropriation by the Legislature, and particularly by the House of Assembly, to be secured? Is it to

be made part of the enactment under which the Revenues are to be placed at their disposal, and to be made an express provision and condition in that Act upon which the nett proceeds of the said Revenue are to be paid over? If so I presume your Lordship will require that the Act do also contain a provision that upon any deviation from that rule of appropriation by the House of Assembly, the disposal of the said Revenues shall revert back to the Crown, and the Act from thenceforth become null and void. And if it is to be embodied in, and form part of the enactment, the rule as contemplated by your Lordship, I could wish to be explicitly defined and expressed in the Act. For what the law and customs of Parliament and the usages of the House of Commons are, in respect to the appropriation of the surplus of the Consolidated Fund of Great Britain and Ireland, does not appear to be well understood and admitted here, and has heretofore been a subject of much contention and difference of opinion in our Legislature, and therefore I trust your Lordship will see the necessity of declaring in express terms the particulars of the rule of appropriation which His Majesty requires the Legislature to adopt. I could also wish to be informed if it is your Lordship's intention that the several provisions expressly directed by Lord Stanley's Despatch of 30th September, 1833, for securing the prompt payment of the sum to be granted for the Civil List, should be all inserted in any Bill now to be passed by the Legislature for carrying the proposed new arrangement into effect.

If on the other hand it is not intended that the stipulation as to the rule of appropriation shall form part of the enactment under which the arrangement is to be carried into effect, what provision or security do the Government expect the Legislature to make or give, that any specified rule will be adhered to? For if a law is once made placing the Revenue at their disposal, they may at any time adopt a new mode of appropriation, or rather resort back to the present system, and refuse to grant any supplies but in their own way; and the Executive or other branch of the Legislature could have no control, but that of refusing their assent to such deviation from the rule, which might be the means of depriving the Country of any appropriations until one party or other gave way, and thereby be productive of most extensive injury to the best interests of the Province. And experience has already shewn that this is a course Colonial Assemblies will resort to to carry a point, without regard to the evil consequences necessarily arising therefrom.

The next point to which I think it necessary to draw your Lordship's attention is that, in your Despatch of the 5th September, your Lordship states that the charge of £909 sterling heretofore allowed to Mr. Baillie for the indoor establishment of his Office, being deducted from the charges on the Civil List, is hereafter to be made part of the expenses of the collection and management of the Casual Revenue in question, and paid out of the gross proceeds, the same as other expenses of the like nature, your Lordship will be ready to accept the sum of £14,500 currency instead of the £14,000 sterling, as a provision of the Civil List of the Province, under the impression, as appears on your Lordship's mind, that this sum of £14,500 currency would be equal to £13,050 sterling and would thereby leave a surplus in the hands of the Government, after paying all the present charges on the Civil List, of £566 sterling. But in this estimate your Lordship has overlooked the circumstance, that all the present salaries to the officers on the Civil List, except the Provincial Secretary's

Secretary's, have heretofore been paid in Army sterling, at the rate of dollars at 4s. 4d. and this mode of paying these salaries was expressly directed by the Home Government when the salaries were fixed, except in the case I have above mentioned of the Colonial Secretary, whose commuted allowance of £1180 per annum was especially directed to be paid at the rate of dollars at 4s. 6d. This rate therefore at which the salaries have heretofore been paid (and which could not now be altered without making a serious deduction therefrom) makes a material difference in the total amount, from your Lordship's estimate, and instead of leaving the surplus of £566 sterling out of the £14,500 currency which your Lordship has reckoned upon, it would leave only a surplus of £190 19s. currency, as will be seen by the accompanying statement, shewing the present charges on the Civil List, the several amounts in currency, and how paid.

I observe also that your Lordship has omitted to include in your estimate the Government contingencies of £300 sterling, which has heretofore always stood as an annual charge upon the Civil List of the Province to cover various expenses and exigencies that may arise in the course of the year while carrying on the Government, and for which no provision has been otherwise made; and if this provision is left out, the Executive will have no means whatever at command to meet such emergencies, and the public service may thereby seriously suffer.

I should wish therefore to be informed by your Lordship, whether this item was intentionally left out or inadvertently omitted. It is true Lord Stanley did, in his Despatch of 20th September, 1833, also omit to include this in the schedule therein stated by him, but on reference Home, he explained by his subsequent confidential Despatch, dated 4th January, 1834, that it was not his intention that the allowance for contingencies should be discontinued. And if it should not be your Lordship's intention either, that £300 sterling will have to be added to the amount already stated by your Lordship, in which case the £14,500 currency would leave the Government minus a considerable sum, instead of there being any surplus, which will at once be seen by reference to the accompanying statement before referred to. It will therefore be for your Lordship's consideration whether any deduction can safely be made from the £14,000 sterling originally demanded by Lord Stanley, and subsequently by your Lordship's Despatch of the 31st August, as a sufficient provision for the Civil List, particularly as it is in contemplation to provide thereout a sufficient audit department in the Province as your Lordship seems to contemplate; and your Lordship will perceive by reference to Lord Stanley's Despatch of the 4th January, 1834, with its enclosed memorandum, that he did not think even the £14,000 sterling a sufficient provision, as he therein directed me to call on the House to increase it to £15,000 sterling; but I did not receive that Despatch in time to lay it before the House at that Session. Here I beg to observe concerning the doubts entertained as to whether the sum asked by Lord Stanley was sterling or currency, that a calculated statement of the then and present expenditure of the Civil List will evidently shew, that the former was the rate demanded.

There is one more point I think it necessary to refer to. It does not appear from your Lordship's Despatch, that any reference has been made in the negotiation with Messrs. Crane and Wilmot, to the subject of making any and what provision for the expenses of the Judges in the holding of the Circuit Courts in the Province, although

though I was directed by your Lordship's Despatch of 12th August last, to pay the expenses thereof out of the Casual Revenue. And in consequence, I have with the advice of Council ordered and appointed Circuit Courts to be held in all the Counties of the Province for the ensuing year, the expenses of which will not be ascertained probably until the end of the year, and if the proposed new arrangement is effected at the ensuing Session of the Legislature, I shall then have no funds at command to meet those expenses.

I beg leave, therefore, to suggest for your Lordship's consideration the propriety of having the question of providing for the Circuits disposed of and settled in the proposed arrangements to be made with the Legislature for the surrender of the Casual Revenue; either by a permanent Act of the Legislature establishing the Circuits and make provision for the expenses thereof, or by adding an amount to be granted for the Civil List sufficient to cover the same, and thereby make them in future a part of the charges on the Civil List.

I have the honor, &c.

(Signed)

A. CAMPBELL.

The Right Honorable Lord GLENELG, &c. &c. &c.

CIVIL LIST OF NEW BRUNSWICK.—1836.

OFFICE.	SALARY. Sterling.	Payable in Dollars at	Amount of Salary in Currency.
Lieutenant Governor,	£3,500 0 0	4s. 4d.	£4,038 9 0
Provincial Secretary,	1,430 0 0	£250 in \$ a 4s. 4d. 1,180 " " 4s. 6d.	1,599 11 0
Commissioner of Crown Lands and Surveyor General,	1,750 0 0	4s. 4d.	2,019 4 4
Indoor Establishment of the Crown Land Office,	909 0 0	4s. 6d.	1,010 0 0
Receiver General,	300 0 0	4s. 4d.	346 3 0
Auditor,	300 0 0	"	346 3 0
Emigrant Agent at Saint John,	100 0 0	"	115 7 8
Private Secretary to the Lieutenant Governor,	200 0 0	"	230 15 4
Annuity to Mr. Lockwood,	150 0 0	"	173 1 6
Donation to King's College,	1,000 0 0	4s. 6d.	1,111 2 2
Do. to the Indians,	54 0 0	"	60 0 0
Government Contingencies,	300 0 0	"	333 6 8
Chief Justice,	950 0 0	4s. 4d.	1,096 3 0
Three Assistant Judges,	1,950 0 0	"	2,250 0 0
Attorney General,	550 0 0	"	634 12 0
Solicitor General,	200 0 0	"	230 15 4
Presbyterian Minister at Saint John,	50 0 0	"	57 13 8
	13,693 0 0		15,652 7 8
<i>Deduct,</i> Indoor Establishment of the Crown Land Office and } Government Contingencies, }	1,209 0 0		1,343 6 8
	12,484 0 0		14,309 1 0
If the allowance for Government Contingencies, in- } cluded in the above deduction, be again added, }	300 0 0		333 6 8
The amount will be	£ 12,784 0 0		£ 14,642 7 8

Fredericton, New Brunswick, November, 1836.

Fredericton,

Fredericton, New Brunswick, 23d December, 1836.

MY LORD,

On the 20th instant, I had the honor of acknowledging the receipt of your Lordship's Despatch, enclosing the draft of a Bill for the surrender of His Majesty's Casual and Territorial Revenues to the Legislature of this Province.

On a careful perusal of this Bill, and referring to my Despatch of the 25th ultimo, No. 52, I find my anxiety on the several points therein stated, relieved only in one instance, namely, the security for payment of the Civil List. I therefore deem it my duty, without delay, to call your Lordship's attention to the following further remarks upon this important subject, and to the difficulties which present themselves to me.

There are, at present, at the lowest computation, not less than fifteen hundred heads of families who have located themselves upon the Waste Lands of the Crown, some under the plea of old minutes of the Council, and others from ignorance or misapprehension of titles which they procured from others who took original possession; and although they are doubtless in the eye of the law trespassers, and I found it necessary, in many instances, to direct prosecutions against them, yet it is to be remembered that they are British subjects and actual settlers in a state of poverty, and who being convinced of the necessity of making terms with the Government, are now using their best endeavours to acquire the means of paying for their land, and by their exertions are contributing largely to the improvement of the Province.

Taking therefore, the average of the families of these fifteen hundred persons at only six, your Lordship will perceive that by the operation of this Bill, which in its present shape declares every grant or conveyance of land from the Crown to be null and void unless made upon sale to the highest bidder at public auction, not less than nine thousand persons would be exposed to the chance of suffering not only great injury but even injustice, as, in order to confer titles upon them, the lands upon which they have expended their exertions, in the hope and expectation of establishing their homes, must be submitted to auction, and thus be liable to be purchased by any person who may have the means of speculating upon the hard labour of these poor people; for although they have been encouraged to expect grants upon very easy terms whenever they should come forward to defray the expenses, no bargain or contract has been made with them that would bring them within the meaning and operation of the sixth clause of this Bill.

It is true that some of these misguided persons did at first appear disposed to dispute the rights of the Crown to the lands upon which they are settled, and to question the power to disturb them, which compelled me to cause the prosecutions to which I have alluded to be instituted, in order to establish His Majesty's authority; but that end being accomplished, I directed all the proceedings to be suspended without removing one individual from his abode, well knowing that I could not perform any duty more acceptable to His Majesty than tempering justice with mercy; and with the exception of those necessary instances of coercion, it has been, during the whole of my administration, my most earnest endeavour to promote their welfare by kind and lenient measures, which have in a great degree produced the desired effect; and I have had the heartfelt satisfaction of seeing many of those who, from misapprehension and bad advice, were at first disposed to resistance, now

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fairly

fairly settled upon the lands upon which they had begun to make improvements, and with legal titles to their farms, are now bringing up their families in comparative ease and comfort, and with grateful hearts acknowledging their obligations to His Majesty's paternal Government. And while so much remains to be done in the cause of humanity, I should feel it a dereliction of my duty did I not make an appeal to the consideration and generosity of that Government in behalf of those who remain, and earnestly to pray that some provision may be made for their security and protection before it be too late. I must beg however not to be understood as objecting to sales by auction, under proper regulations, in other cases—a mode which has been for some time past generally adopted here and with beneficial effect.

I must also observe to your Lordship, that I do not perceive any provision by which Military or Naval Officers can now obtain a remission of their purchase money, according to the rank and length of service, agreeably to the regulations issued from the Colonial Office, under date of 15th of August, 1834, nor will it be possible to continue that arrangement unless indeed the Lieutenant Governor be authorized to draw upon some fund in England, expressly appropriated for that purpose.

By the operation of this Bill also, His Majesty will be deprived of the power of hereafter endowing with lands either Churches or Schools, or any other public Institution whatever in the Province.

In addition to the foregoing remarks, I have to call your Lordship's attention to another very important question, arising out of the provisions of the fifth section of the Bill, which, in express terms, declares all titles given by the Crown during the continuance of the Act to be void unless the property to be conveyed shall have been purchased at public auction, after due notice given thereof in the Royal Gazette; thereby making it incumbent on the Grantee to prove these facts in addition to his Grant, and thus at once destroying, as I am advised, that rule of law by which the Great Seal has always hitherto been considered *prima facie* evidence of title from the Crown; and the parol testimony of the sale and advertisement so required might be very difficult to procure after ten or fifteen years lapse of time; and the evil consequences to arise therefrom, if titles to land should come in dispute, might be great indeed.

If then this clause in the Bill is to stand, it surely requires some amendment declaratory of what shall be deemed in Courts of law sufficient *prima facie* evidence of the sale at auction and advertisement in the Royal Gazette having taken place.

Feeling therefore all the difficulties which I have stated, and for various other considerations which appeared to me of great importance, I deemed it my duty, in communicating to the Legislature the Despatches which your Lordship directed to be laid before them, to draw their attention to the several points which I had in my former Despatch brought under your Lordship's notice. I therefore adverted to them in the Message accompanying those Despatches, (a copy of which I have the honor to enclose,) and expressed my trust that they would, in order to obviate any future doubts or difficulties, see the propriety of adding to the Bill, if it should be passed, a suspending clause, as by so doing there will be opportunity to make any such amendments as may appear to be requisite to render the measure perfect in all its parts.

In this view I hope to be met by a reciprocal feeling on the part of the Legislature, and by a desire to cultivate harmony and mutual good will, as the final adjustment

ment of the question will thus be left to the consideration and judgment of His Majesty's Government. In the meantime I beg to assure your Lordship that I shall without any reserve communicate with both Houses, and give to them every information in my power.

In the Message above alluded to, your Lordship will observe that I have referred to the Royal Instructions which accompany the Commission to the Governor of the Province. To these I beg most respectfully to solicit your Lordship's attention, and to submit for your consideration, whether under the great responsibility imposed upon me by these instructions, I ought not to be furnished with the authority therein particularly mentioned, under the Royal Sign Manual, or an order of His Majesty's Privy Council before I can be justified in assenting to a Bill of so important a nature as the surrender of all His Majesty's Hereditary and other Revenues without a suspending clause.

I have only to add, that I trust to your Lordship's justice and candour in considering these remarks, to attribute them to my earnest desire that the present transaction should be settled in such a manner as to preclude all future vexatious doubts and references, and to secure the quiet and prosperity of His Majesty's subjects in this Province.

I have the honor, &c.

(Signed) A. CAMPBELL.

The Right Honorable Lord GLENELG, &c. &c. &c.

Downing Street, 24th October, 1832.

SIR,

I have the honor to acknowledge the receipt of your Despatch of the 28th August last, in which you suggest that all Salaries in sterling should be made payable in Dollars at 4s. 4d. the rate of Exchange having recently borne very heavy on the Casual Revenue. You also propose that the salaries should be paid half yearly instead of quarterly, viz: the 30th of June and the 31st December, as meeting with more convenience the resources of the Province.

I have to acquaint you in reply, that I entirely concur with you in opinion that the Salaries payable in New Brunswick ought not to be governed by the rate of Exchange on England, but should be paid either in British Money or in Dollars at 4s. 4d. You will therefore carry this arrangement into effect after the end of the present year. With regard to the payment of the Salaries, as you state that it will be more convenient to pay them half yearly, I have to approve of your giving the necessary directions accordingly.

I have the honor &c.

(Signed) GODERICH.

Major General Sir ARCHIBALD CAMPBELL, Bart. G. C. B.
&c. &c. &c.

Downing Street, 12th August, 1836.

SIR,

I have had the honor to receive your Despatches of the 5th April, No. 21, and the 10th May, No. 28, announcing that the Legislative Session of New Brunswick had closed without the passage of any Bill for establishing Circuit Courts in the Province

vince—the Bill for that purpose which had been sent up by the Assembly having been lost in the Council, in consequence of its not containing any provisions for defraying the expenses of those Circuits. You at the same time inform me, that you should nevertheless order such extra Circuits as might be actually required, to prevent any interruption in the administration of justice.

I entirely approve of the intention announced in your Despatch of the 5th April, of providing for the holding of the necessary Circuit Courts, notwithstanding the omission of the Assembly to vote the usual allowance for that service. The great change which has taken place in the circumstances of the Province since the date of Lord Bathurst's Instructions of 11th December, 1824, renders them inapplicable to the present case. I trust, therefore, that you will not have considered yourself as enjoined or authorized by those Instructions to withhold the Commissions for the Circuit Courts. Whatever arrangement may be ultimately made respecting the expenditure for that service, I cannot but think that to arrest the administration of justice throughout the Country would be an evil of such extreme magnitude, that the Government could not be justified in subjecting His Majesty's Subjects to it, except in submission to some evident necessity, which cannot as yet be alleged. You will, therefore, consider yourself at liberty for the present, to defray the necessary expense of holding the Circuit Courts out of the Casual and Territorial Revenue of the Province.

I have the honor, &c.

(Signed) GLENELG.

Major General Sir A. CAMPBELL, Bart. G. C. B.
&c. &c. &c.

On motion made and seconded, it was

RESOLVED, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to lay before this House, copies of any written communications which may have been made by the Delegates from the House of Assembly, Messrs. Crane and Wilmot, to the Right Honorable Lord Glenelg, in relation to, and subsequent to the date of, the Despatch from his Lordship, dated the 31st of August, 1836.

ORDERED, That the Honorable Mr. Botsford and the Honorable the Attorney General be a Committee to wait upon His Excellency the Lieutenant Governor and present the said Address.

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 11th January, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

PRAYERS.

PRAYERS.

Pursuant to the Order of the Day, the Bill to repeal an Act made and passed in the third year of His Majesty's reign, in amendment of an Act for the better securing the navigation of the inner Bay of Passamaquoddy, 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.

The Honorable Mr. Baillie, by leave, presented a Petition from certain Magistrates, Firewards and others, Inhabitants of Fredericton, praying that the Fire Company may be exempt from Statute Labour, and put on a footing with the Engine Companies.

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

The Honorable Mr. Peters, by leave, presented a Petition from Daniel Strang, of Bay Verte, for a sum of money to remunerate him for keeping up a communication between Prince Edward's Island and that place, for public convenience.

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

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 12th January, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

PRAYERS.

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

A Bill to amend an Act, intituled "An Act relating to insolvent confined Debtors:"

A Bill to amend an Act, intituled "An Act to authorize the Grand Jurors in the several Counties within this Province to inspect the Public Accounts :"

Also, with sundry Resolutions of Appropriation, dated the fourth day of January instant, to which they desire the concurrence of this House.

The Honorable Mr. Botsford, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of this House, praying that certain communications made by the Delegates from the House of Assembly, to Lord Glenelg, may be laid before the House, reported that they had attended to that duty, and that His Excellency was pleased to say, the wishes of the House should be complied with.

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The Order of the Day for the House to be put into a Committee of the whole to take into consideration His Excellency the Lieutenant Governor's Messages, received on the twenty third ultimo, being read, it was ordered to be discharged, and that the House be put into a Committee of the whole, on Monday next, to take the same into consideration.

The Honorable the President communicated to the House a Letter from the Honorable the Speaker of the Legislative Council of Lower Canada, which was read and is as follows :—

Quebec, 11 April, 1836.

SIR,

In obedience to an order of the Legislative Council of this Province, I have the honor to transmit to you a copy of the Bill, sent up from the Assembly for the concurrence of the Legislative Council, "to establish and regulate a Post Office in this Province," together with a report, and the evidence reported by a Select Committee of the Legislative Council, to whom the said Bill was referred; and a copy of an Address of the Council to the King on the subject of the Post Office.

I have the honor to be,

Sir,

Your obedient servant,

J. SEWELL,

Speaker of the Legislative

Council of Lower Canada.

To the Honorable the SPEAKER of the Legislative
Council of New Brunswick.

On motion made and seconded, it was

ORDERED, That the report, and the evidence reported by the Select Committee of the Legislative Council of Lower Canada, and the copy of the Address of the Council to the King, be inserted in the Appendix to the Journal of this House, and that two hundred copies thereof be printed.

See Appendix, No. 1.

The Honorable the President also informed the House that he had received from the President of the Commercial Bank of New Brunswick, two communications, the one inclosing an abstract from their weekly balance sheet, shewing the average amount of the liabilities and assets of that Bank, for the half year ending the 9th day of April, 1836, the other inclosing a like abstract for the half year ending the 5th day of October 1836, in conformity with the twelfth section of the Charter of the said Bank.

ORDERED, That the same do lie on the Table.

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

A Bill for the incorporation of the Salmon River Coal Company :

A Bill in amendment of an Act, intituled "An Act to authorize the Justices of the Peace in and for the City and County of Saint John, to erect a building in the said
City,

City, for a common Gaol and House of Correction, and to raise a sum of money for erecting and completing the same :” and

A Bill to incorporate the Fredericton Mill Company.

Message from the Assembly, by Mr. Wyer, with a Bill, intituled “ A Bill to continue several Acts relating to the importation and spreading of infectious distempers in the Counties of Charlotte and Northumberland,” to which they desire the concurrence of this House.

Read the said Bill a first time.

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

Read a first time, the Bill to amend an Act, intituled “ An Act relating to insolvent confined Debtors.”

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

Read a first time, the Resolutions of Appropriation sent up from the Assembly dated the fourth day of January instant.

Read a first time, the Bill to amend an Act, intituled “ An Act to authorize the Grand Jurors in the several Counties within this Province to inspect the Public Accounts.”

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

Read a first time, the Bill for the incorporation of the Salmon River Coal Company.

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

Read the said Bill a second time.

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

Read a first time, the Bill in amendment of an Act, intituled “ An Act to authorize the Justices of the Peace in and for the City and County of Saint John, to erect a building in the said City for a common Gaol and House of Correction, and to raise a sum of money for erecting and completing the same.”

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

Read a first time the Bill to incorporate the Fredericton Mill Company.

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

Read the said Bill 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. Allanshaw by leave presented the following Petitions :—

A Petition from the Commissioners of Poor in the Parish of Saint Andrews, praying to be reimbursed for money expended in the support of transient emigrant poor for the last two years :

A Petition from John Simpson, King’s Printer, praying for an additional remuneration for his services in that capacity : A

A Petition from Hannah Rogers, praying to be remunerated for teaching a School in the Parish of Saint James' in Charlotte County :

A Petition from William Ker, John Wilson and other Inhabitants of the County of Charlotte praying that a Bounty may be granted to decked vessels engaged in the Fisheries :

A Petition from Hugh M'Kay, Moses Vernon, and other Inhabitants of the County of Charlotte, praying for assistance in aid of public subscription, to build a Bridge over the Magaguadavick River near the upper Mills, in said County :

A Petition from James Douglas and other Inhabitants of the Town of Saint Andrews, praying, that a similar provision may be made for the performance of Statute Labour there as in the Town of Fredericton :

A Petition from William Wilson and other Inhabitants of the Parish of Saint Patrick in the County of Charlotte, praying for Legislative aid to open a road in said Parish : and

A Petition from Edward Wilson and Joseph Wilson of Saint Andrews, praying that the amount of Head money paid by them on passengers, on board the Barque Champlain from Cork, may be repaid.

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

The Honorable Mr. Botsford, by leave, presented a Petition from James Hendricks, Thomas Barlow, and other persons residing in the City of Saint John, praying an Act may pass to incorporate certain persons under the name of the Salmon River Mill Company.

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

Message from the Assembly, by Mr. Crane, with a Bill, intituled " A Bill for the support of the Civil Government in this Province," to which they desire the concurrence of this House.

Read the said Bill a first time.

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

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 13th January, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

PRAYERS.

Pursuant to the Order of the Day, the Bill in amendment of an Act, intituled " An Act to authorize the Justices of the Peace in and for the City and County of Saint

Saint John, to erect a building in the said City for a common Gaol and House of correction, and to raise a sum of money for erecting and completing the same," was read a second time, and it was

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

Pursuant to the Order of the Day, the Bill to continue several Acts relating to the importation and spreading of infectious distempers in the Counties of Charlotte and Northumberland, was read a second time, and it was

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

Message from the Assembly, by Mr. Allen, with a Bill, intituled "A Bill to continue the Acts relating to Firewards in the town of Fredericton," to which they desire the concurrence of this House.

Read the said Bill a first time.

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

The Honorable Mr. Lee, by leave, presented a Petition from James Upham, John Dibblee and Adam B. Sharp, Justices of the Peace for the County of Carleton, and forty six other persons, praying an Act may pass authorizing the extension of the Gaol Limits in said County so as to include places of worship.

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

The Honorable Mr. Baillie, by leave, presented a Petition from Asa Dow, and upwards of three hundred others, praying an alteration may be made in the great road between Fredericton and the Canada line, and that a sum of money may be granted to explore the same on the western side of the river Saint John to Woodstock.

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

The Honorable Mr. Peters, from the Select Committee to whom were referred all Bills relating to Corporations, made a report

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

The Committee to whom were referred all Bills relating to Corporations, report, that they have examined "A Bill for the incorporation of the Saint John and Saint Croix River Canal Company," and have prepared certain amendments to the said Bill, which they recommend to the adoption of the House. They have also had under consideration, "A Bill to incorporate the Polfery and Bolton Brook Company," and it is the opinion of your Committee, that the provisions of this Bill will materially interfere with the operations of the Saint John and Saint Croix Canal Company, which they consider of more importance, and cannot therefore recommend the said Bill to the adoption of the House. They beg leave further to report, that they have examined the Bill to incorporate the Saint Croix River Company, to which they have prepared certain amendments, should the Bill be sustained by the House, as your Committee have doubts as to the propriety of passing this Bill, should the Saint John and Saint Croix River Canal Company be incorporated.

HARRY PETERS, *Chairman.*

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ORDERED,

ORDERED, That the House be put into a Committee of the whole on Tuesday next, to take into consideration the Bill for the incorporation of the Saint John and Saint Croix River Canal Company, and the report of the Select Committee thereon.

The Honorable Mr. Peters, by leave, presented a Petition from Isabella M'Knight, praying remuneration for teaching a School in New Maryland settlement, County of York.

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

Message from the Assembly, by Mr. Crane, with a Bill to incorporate sundry persons by the name of the President, Directors and Company of the Bank of Frederickton, to which they desire the concurrence of this House.

Read the said Bill a first time.

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

Read the said Bill 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. Baillie, by direction of His Excellency the Lieutenant Governor, lays before the House an abstract of the accounts of the Province Treasurer, for the year 1836.

[See Appendix, No. 2.]

A Message from His Excellency the Lieutenant Governor was delivered by the Honorable Mr. Baillie, a Member of His 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 January, 1837.

ARCHIBALD CAMPBELL.

The Lieutenant Governor herewith sends to the Council the documents requested in their Message of the 10th instant.

A. C.

12 Devonshire Street, Portland Place, 31st August, 1836.

MY LORD,

We herewith submit a few remarks on some important parts of the drafts with which we have been so kindly favoured, for the consideration of your Lordship, and we shall feel obliged in being honored with another interview as soon as may suit your Lordship's convenience.

We have &c.
(Signed) **WILLIAM CRANE.**
L. A. WILMOT.

Lord GLENELG.

Remarks

Remarks on the draft of Despatch, for the consideration of Lord Glenelg.

1st. On the addition of Members to the Executive Council.

The Assembly of New Brunswick are desirous that the Executive Council be enlarged: First, Because as it is now composed, a majority of its Members have not the confidence of the Country: and Secondly, Because it is expedient that some Members shall be added thereto who possess a practical knowledge of the commercial and other great leading interests of the Province.

For these reasons it would afford universal satisfaction to the people of New Brunswick, if the Government would order such additions to be made.

2d. Legislative regulation of the Land Office.

It is desirable that any Act which may be passed by the Legislature for the regulation of the Land Department should be allowed to go into immediate operation, because of the delay which must ensue between the passing and the operation of the Act, and the like delay which must follow upon every Act in amendment thereof.

The interests of the people are as deeply involved as those of the Crown in the system of disposing of Crown Lands and Timber.

The intimate acquaintance of the Legislature with the general interests of the Country, and with the working of the present system, will enable them to frame wholesome provisions for the future, and although we cannot admit that there is even a probability of a concurrence between the Legislative Council and Assembly in any measure which might materially affect the Prerogative of the Crown, yet if such were the case, the familiarity of the Provincial Executive with those Prerogatives would, we conceive, effectually guard them from any improper encroachments.

We therefore with deference suggest that His Excellency may be safely authorized to enact, in the first instance, any Bill which may be passed by the Legislative Council and Assembly for the aforesaid purpose. And should His Excellency approve of any Act which might be constructed to interfere with the Prerogative of the Crown, the same could be disaffirmed by His Majesty in Council.

3d. The Surrender of the Revenue.

Under the provisions of the Act for raising a Revenue in New Brunswick the gross amount is paid into the Provincial Treasury, and the House of Assembly have experienced the benefits of making ample provision for its collection and protection, and the incidental expenses incurred in the management therefore are voted annually.

In like manner do the Assembly wish to provide for the collection and protection of the Crown Revenues, should they be surrendered; and in such case, as the Assembly would have the beneficial interest of those Revenues for the public purposes, it would at all times be their policy to make them as productive as possible, and to encourage and defray every proper and necessary expense incurred in the collection thereof.

As it is of paramount importance to the future prosperity of the Province that the Land Department be wisely and prudently conducted, we humbly conceive that nothing would so certainly conduce to that end as the consulting the united wisdom and experience of the Legislature in the regulation of the financial as well as the other proceedings of that department: We therefore earnestly press upon Govern-

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ment the expediency of giving up the gross proceeds of the Crown Revenues to the Legislature for a permanent Civil List, leaving it with them to defray the incidental expenses of collection.

4th. The amount of the Civil List.

When Mr. Stanley proposed the sum of £14,000 sterling, it was because he considered that sum was "necessary" for the then Civil List. We are now informed by the charges exhibited, that £13,393 sterling only is necessary, equal to £14,881 currency. We, therefore, most respectfully, ask that the sum of £15,000 currency be proposed for the Civil List instead of £14,000 sterling, which will leave a surplus of £119 currency, subject to be increased by such reductions of some of the large salaries, as may hereafter be made by the Government.

5th. Reduction of Salaries.

Very just cause of complaint has existed in New Brunswick, for some time past, against the salaries of some of the Officers; particularly those of the Commissioner of Crown Lands and Colonial Secretary.

It is the opinion of the Assembly, that with the exception of the Lieutenant Governor, no Provincial officer should receive a salary exceeding that of the Chief Justice, or a Puisne Judge of the Supreme Court. Taking into consideration the previous study, expense and labour requisite to a proper qualification for the Judicial office, and the importance to society at large of the duties connected therewith, the offices of Commissioner of Crown Lands and Provincial Secretary cannot be justly compared with those of the Judges of the Supreme Provincial Court. The latter can never discharge the duties of their office by Deputy, the former can, do, and have done so frequently; and yet each of those officers receive a salary more than twice that of one of the Puisne Judges.

Knowing that it is the intention of Government to make future reductions in some of the salaries on the Civil List, we are exceedingly desirous that those reductions may be particularized in the present Despatch, in order that the successors to office may have due notice as to the salaries they shall receive, and we earnestly invoke the attention of the Government to the comparison before instituted, in regulating the amount to be taken from the present salaries of the Commissioner of Crown Lands and Provincial Secretary.

We are also instructed to call the attention of the Government to the Address of the Assembly, of last year, with respect to reducing the salary of the successor to the present Lieutenant Governor, wherein the sum of £2,500 currency is suggested as an ample allowance for that office.

(Signed)

WILLIAM CRANE,
L. A. WILMOT.

31st August, 1836.

Adjourned until Monday next at 12 o'clock.

MONDAY,

MONDAY, 16th January, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Allanshaw.

Mr. Cunard.

Mr. Robinson.

Mr. Saunders.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

The Honorable the President informed the House, that he had received an Abstract showing the state of the Central Bank on the first Mondays in June and December, 1836 :

Also, an Abstract showing the state of the City Bank on the 31st day of October, 1836 :

And an Abstract showing the state of the Central Fire Insurance Company on the 5th day of January, 1837.

ORDERED, That the same do lie on the Table.

The Honorable the President, by leave, presented a Petition from the Governor and Trustees of the Madras School, praying for authority to sell a part of the Lot on which the School House stands in Fredericton.

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

The Honorable Mr. Shore, by leave, presented a Petition from Lieutenant Colonel Booth, commanding His Majesty's 43d Regiment, praying that a drawback on Wine imported for the use of the said Regiment, in 1835, may be granted to them.

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

The Honorable Mr. Baillie, by leave, presented a Petition from Cavalier H. Jouett, Deputy Treasurer at West Isles, praying that a permanent salary may be allowed him.

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

The Honorable the Attorney General, by leave, presented a Petition from John S. Saunders, Peter Fraser and twenty four other persons, praying an Act may pass in addition to and in amendment of the act against Forestallers and Reqraters.

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

The Honorable Mr. Peters, from the select Committee to whom were referred all Bills relating to Corporations, made a further report.

ORDERED, That the report be received.

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

The Committee to whom were referred all Bills relating to Corporations further report, that they have examined "A Bill to incorporate the Salmon Falls Bridge Company ;" also "A Bill to incorporate the Campo Bello Mill and Manufacturing Company."

Company," to which several Bills they have prepared certain amendments, and recommend them to the adoption of the House.

HARRY PETERS, *Chairman.*

Pursuant to the Order of the Day, the Bill to amend an Act, intituled "An Act relating to insolvent confined Debtors," was read a second time; and it was

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

Pursuant to the Order of the Day, the Bill to amend an Act, intituled "An Act to authorize the Grand Jurors in the several Counties within this Province to inspect the Public Accounts," was read a second time, and it was

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

Pursuant to the Order of the Day, the Bill for the support of the Civil Government of this Province, was read a second time; and it was

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

Pursuant to the Order of the Day, the Bill to continue the Acts relating to Firewards in the Town of Fredericton, was read a second time; and it was

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

Pursuant to the Order of the Day, the House was again put into a Committee of the whole, to take into consideration the Bill further to amend the Statute Law relative to offences against the person.

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, had made further progress therein, and asked leave to sit again on Wednesday 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 in amendment of an Act, intituled "An Act to authorize the Justices of the Peace in and for the City and County of Saint John, to erect a building in the said City for a common Gaol and House of Correction, and to raise a sum of money for erecting and completing 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, had made some progress therein, and asked leave to sit again on Monday next.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to continue the several Acts relating to the importation and spreading of infectious distempers in the Counties of Charlotte and Northumberland.

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, 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 Messages of His Excellency the Lieutenant Governor, of the twenty third ultimo.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had taken the said Messages into consideration, and had agreed to two Resolutions, which they recommended to the adoption of the House.

ORDERED, That the report be received.

The said Resolutions were then read as follows:—

RESOLVED, As the opinion of this Committee, that that part of the Right Honorable Lord Glenelg's Despatch of the 5th September last, which relates to the establishment of an efficient Office of Audit within the Province, should be referred to a Select Committee to report thereon.

RESOLVED, As the opinion of this Committee, that that part of the Right Honorable Lord Glenelg's Despatch of the 5th September last, which relates to the remuneration of Officers whose allowances are charged on the Civil List, should be referred to a Select Committee to report thereon.

And the question of concurrence being put on each they were severally agreed to by the House.

ORDERED, That the subject matter of the said respective Resolutions be referred to one Committee, and that this Committee do consist of five Members, and that the Honorable Messrs. Cunard, Allanshaw, Saunders, Botsford and Chandler, do compose the same.

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

A Petition from Francis Peabody, Dudley Perley, John T. Williston and three hundred and six other Inhabitants of the County of Northumberland, setting forth various objections to the proposed Bill for the surrender of the King's Casual and Territorial Revenue, and praying that the same may be amended in the manner therein set forth, and be passed in perpetuity:

A Petition from Alexander Loggie, James W. Hirlehoy and sixty other Inhabitants of Northumberland, with a like prayer:

A Petition from James Johnston and fifty seven other Inhabitants of Northumberland, with a similar prayer:

A Petition from Robert Leslie and ninety nine other Inhabitants of Northumberland, with a similar prayer:

A Petition from William Abrams and twenty other Inhabitants of Northumberland, with a similar prayer: A

A Petition from John Cuppage, Henry Gillan and one hundred other Inhabitants of Northumberland, with a similar prayer:

A Petition from James Wheten and forty seven other Inhabitants of the County of Kent, with a similar prayer:

A Petition from Francis Peabody, John T. Williston and other Inhabitants of Miramichi, praying that poor settlers may be aided in procuring seed:

A Petition from Francis Peabody, John T. Williston, Henry Cunard, and forty three others, Merchants and Inhabitants of the County of Northumberland, setting forth the importance of a survey and examination of the geological resources of the north eastern part of the Province, and praying that measures may be adopted to accomplish the same:

A Petition from James Gilmour, of the firm of Gilmour, Rankin, & Co. at Miramichi, praying drawback on Rum exported to Prince Edward Island in May last:

A Petition from John Fraser and forty seven other Inhabitants of Northumberland, praying that the use of wears or traps for the purpose of catching fish in navigable River, and especially in the River Miramichi and its branches and other Rivers on the Gulf Shore, may be prohibited by Law:

A Petition from Matthew Carruthers, praying remuneration for teaching a School in the Parish of Newcastle, in the County of Northumberland: and

A Petition from Henry Cunard, of Chatham, praying for a return of duty on Hay imported from New York.

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 Moses H. Perley, Proprietor and Crown Lessee of Coal Mines in Queen's County, praying that an Act may pass to incorporate certain persons by the name of the Salmon River Coal Company, and that Legislative aid and encouragement may be extended to persons willing to undertake to open Coal Mines in a scientific manner, and on an extended scale:

A Petition from James F. Kelly, praying the Provincial allowance may be granted him for teaching a School:

A Petition from Robert Rankin of Saint John, praying that a part of the passenger duties, paid at Saint John in September, per Brig Mayflower, may be refunded:

A Petition from William Brennen of the Parish of Portland, praying for pecuniary aid for teaching a School in said Parish for reasons set forth in said Petition:

A Petition from Robert Rankin, of the City of Saint John, praying that a part of the passengers duties, paid at Saint John in July last, by the Brig Thomas Tyson, may be refunded:

A Petition James Taylor, praying an Act may pass incorporating the Grand Falls Mill and Manufacturing Company: and

A Petition from the Justices of the Peace for the City and County of Saint John, praying a grant of money to reimburse expenses incurred in support of destitute and diseased Emigrants, for the year 1836, and also that some Legislative enactment may be made to prevent the increase of pauper Emigration.

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

The

The Honorable Mr. Baillie, by direction of His Excellency the Lieutenant Governor, lays before the House certain returns and accounts of the Commissioner of Crown Lands, and of the Provincial Secretary.

Message from the Assembly, by Mr. Allen, with a Bill, intituled "A Bill further to continue an Act, intituled 'An Act for the better and more effectually securing the navigation of the River Saint Croix, in the County of Charlotte,' and also further to continue an Act, intituled 'An Act to empower the Justices of the County of Charlotte to make regulations for driving timber and logs down the River Saint Croix, Magaguadavic, Digdeguash and their Branches,'" to which they desire the concurrence of this House.

Read the said Bill a first time.

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

The Honorable the President, moved for leave to bring in a Bill for the amendment of the law and the better advancement of justice.

Leave granted.

Read the said Bill a first time.

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

The Honorable Mr. Saunders, by leave, presented a Petition from the Justices of the Peace for the County of York in General Sessions convened, praying an Act may pass to authorize the erection of a new Gaol in the said County.

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

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 17th January, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Cunard.

Mr. Saunders.

Mr. Botsford.

Mr. Lee.

Mr. Chandler.

PRAYERS.

The Honorable Mr. Peters, from the Select Committee to whom were referred all Bills relating to Corporations, made a further report.

ORDERED, That the said 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, further report, that they have had under consideration "A Bill to incorporate sundry persons by the name of the President, Directors and Company of the Bank of Fredericton," and have prepared certain amendments to the said Bill, which they recommend to the adoption of the House.

HARRY PETERS, *Chairman.*

O

ORDERED

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.

Pursuant to the Order of the Day, the Bill further to continue an Act, intituled "An Act for the better and more effectually securing the navigation of the River Saint Croix, in the County of Charlotte," and also further to continue an Act, intituled "An Act to empower the Justices of the County of Charlotte to make regulations for driving Timber and Logs down the Rivers Saint Croix, Magaguadavic, Digdeguash and their branches," was read a second time; and it was

ORDERED, That the House be put into a Committee of the whole on Thursday next to take the same into consideration.

Pursuant to the Order of the Day, the Bill for the amendment of the Law and the better advancement of Justice, was read a second time; and it was

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill for the incorporation of the Saint John and Saint Croix River Canal Company, and the report of the Select Committee thereon.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, 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 amend an Act to authorize the Grand Jurors in the several Counties within this Province to inspect the Public Accounts.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

The Order of the Day for the House to be put into a Committee of the whole, to take into consideration the Bill to continue the Acts relating to Firewards in the Town of Fredericton, being read, it was

ORDERED, To be discharged, and that the said Bill be referred to a Select Committee of three Members to report thereon, and that the Honorable Messrs. Shore, Baillie and Chandler be appointed a Committee for that purpose.

Message from the Assembly, by Mr. Crane, with a Bill, intituled "A Bill to incorporate the Peticodiac Wet Dock Company," to which they desire the concurrence of this House.

Read the said Bill 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. Read

Read the said Bill a second time.

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

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

A Bill to incorporate the Salmon River Mill Company :

A Bill to incorporate the Sheffield Mill and Land Company : and

A Bill to continue several Acts for the establishment and regulation of Boards of Health in the several Counties of this Province.

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

A Petition from Stephen Wiggins, James Hendricks, and others, Merchants and Ship owners at Saint John, praying that they may be incorporated by the name of the New Brunswick Marine Assurance Company :

A Petition from the Justices of the Peace for the City and County of Saint John, praying for a sum of money to reimburse the Overseers of the Poor for the Parish of Portland for expenses incurred in the support of aged, sick and distressed black Refugees and their offspring, in the year 1836 : and

A Petition from John Hammond, D. L. M'Laughlin and Hugh M'Kay, praying a return of Light and Hospital Duties paid at the Treasurer's Office for the Steamer Royal Tar.

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 Bliss Botsford, James Beatey, John Steadman, and thirty others, praying an Act may pass to incorporate the Peticodiac Wet Dock Company :

A Petition from Thomas Crawford, a licenced teacher, praying compensation for teaching a School in the Parish of Portland, in the year 1834 : and

A Petition from William H. Street and William P. Ranney, of the City of Saint John, Merchants, praying that all goods, the growth and produce of the Empire of China, when imported direct, may be exempt from Auction Duty.

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

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

A Petition from James Moran, praying a grant of money for an Oat Mill erected by him in the Parish of Saint Martin's, in the County of Saint John :

A Petition from Richard Ketchum, and others, Magistrates and Inhabitants of the County of Carleton, praying an alteration may be made in the Act regulating Tavernkeepers and Retailers : and

A Petition from Henry E. Dibblee, Sub Collector of His Majesty's Customs at Woodstock, praying an allowance may be made him for services performed.

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 Archibald M'Lauchlan, of Lancaster, in the County of Saint John,

John, praying to be reimbursed for heavy losses sustained in the performance of a contract entered into with the Supervisor of the Great Road between Saint John and Saint Andrews :

A Petition from the Justices of the City and County of Saint John, praying that an Act may be passed authorizing them to erect a building and establish it as a public Infirmary, contract a loan to defray the expense thereof, and further for a grant of money to assist in the erection :

A Petition from James Whitney, of Saint John, setting forth that he had imported at a great expense a Steam Engine of an approved description, for a new boat to ply on the river Saint John, and praying for a remission of Parliamentary and Provincial Duties paid on the same :

A Petition from George Feneran, Master of and Agent for the Brig Hibernia, of Kinsale, praying to be refunded an excess of Passenger Duties paid at the Treasurer's office in May last : and

A Petition from William M'Cannon, Agent for the Brig Thomas Hanford of Cork, praying that a part of the Passenger Duties paid at Saint John in June last may be refunded.

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 Gilmour, and thirty one others, Inhabitants of Newcastle, Nelson and Northesk, praying a grant may be made in aid of the Grammar School in Newcastle : and

A Petition from John J. Donald, and thirty six others, Inhabitants of the County of Northumberland, setting forth objections to the present Grammar School system, and suggesting that the populous Parishes should be divided (under the direction of a Board of Instruction) into School districts of about four miles in extent, and that a Grammar School should be established in each district, the expenses to be defrayed by assessment on the inhabitants.

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

Read a first time, the Bill to incorporate the Salmon River Mill Company.

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.

Read the same a second time.

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

Read a first time, the Bill to continue several Acts for the establishment and regulation of Boards of Health in the several Counties of this Province.

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

Read a first time, the Bill to incorporate the Sheffield Mill and Land Company.

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.

Read the said Bill a second time.

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

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY,

WEDNESDAY, 18th January, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Cunard.

Mr. Robinson.

Mr. Saunders.

Mr. Botsford.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill to amend an Act, intituled "An Act to authorize the Grand Jurors in the several Counties within this Province, to inspect the Public Accounts," 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 continue several Acts for the establishment and regulation of Boards of Health in the several Counties within this Province, was read a second time; and it was

ORDERED, That the House be put into a Committee of the whole to-morrow to take the same 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 further to amend the Statute Law relative to offences against the person.

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 Bill and recommended that the further consideration of the same should be postponed for three months.

ORDERED, That the report be received; and it was

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill for the incorporation of the Saint John and Saint Croix River Canal 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 taken the said Bill and the amendments reported by the Select Committee into consideration, had made some progress therein, and recommended that a Conference be requested with the Assembly on the subject matter of this Bill.

ORDERED, That the report be received.

P

ORDERED,

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council desire a Conference with the Assembly on the subject matter of the Bill, intituled "A Bill for the incorporation of the Saint John and Saint Croix River Canal Company."

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to incorporate sundry persons by the name of the President, Directors and Company of the Bank of Fredericton, 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 the report of the Select Committee thereon, had made some progress therein, and asked leave to sit again on Tuesday next.

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

Pursuant to the Order of the Day, the House was again put into a Committee of the whole, to take into consideration the Bill for the amendment of the law and the better advancement of justice.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

The Honorable Mr. Peters, from the Select Committee to whom were referred all Bills relating to Corporations, presented a further 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 report, that they have had under consideration the Bill to incorporate the Fredericton Mill Company, also the Bill to incorporate the Salmon River Mill Company, which several Bills they recommend to the adoption of the House without amendment.

HARRY PETERS, Chairman.

ORDERED, That the House be put into a Committee of the whole to-morrow to take into consideration the Bill to incorporate the Fredericton Mill Company.

ORDERED, That the House be put into a Committee of the whole to-morrow to take into consideration the Bill to incorporate the Salmon River Mill Company.

The Honorable Mr. Cunard, by leave, presented a Petition from James and William Swim, and fifty two others, Inhabitants of the Counties of York and Northumberland, praying for aid to establish a regular communication between Fredericton and Miramichi by means of Stages.

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

The Honorable Mr. Botsford, by leave, presented a Petition from the Justices of the

the Peace for the City and County of Saint John, praying to be reimbursed expenses incurred in relieving distressed Emigrants in the Parish of Portland.

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

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

A Petition from William Flaherty, of the City of Saint John, praying for a return of duty on Flour furnished by him for the use of the King's Troops in this Province : and

A Petition from the Pastors and Wardens of the Roman Catholic Church in the City of Saint John, in behalf of themselves and all others concerned, praying a sum of money may be granted to them, to aid in the establishment of a School contemplated in the said City.

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

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

A Petition from the Justices of the Peace for the City and County of Saint John, praying an Act may pass in amendment of an Act passed authorizing them to erect a building for a Gaol and House of Correction, and for a further grant of money to enable them to complete a building adapted to the increasing necessities of the populous community :

A Petition from Nathaniel Blake, Joseph Blake, William I. Bedell and seven other persons, Inhabitants of York County, praying an Act may pass incorporating a Company under the name of the Nashwalk Mill Company :

A Petition from James Fairweather, Edwin Fairweather, Sylvester Z. Earle, and one hundred and sixty other persons, praying that an amendment may be made in the Act authorizing the building a Bridge across the Kennebecasis River, at or near the ferry in Hampton and Kingston : and

A Petition from James Gray, of Nova Scotia, praying a return of duties paid the Treasurer of the Province.

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

The Honorable Mr. Shore, from the Select Committee to whom was referred the Bill to continue the Acts relating to Firewards in the Town of Fredericton, 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 to continue the Acts relating to Firewards in the Town of Fredericton," report, that having the said Bill under consideration they have agreed to amendments to said Bill, which they recommend to the adoption of the House.

GEO. SHORE, *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.

Adjourned until To-morrow at 12 o'clock.

THURSDAY,

THURSDAY, 19th January, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Cunard.

Mr. Robinson.

Mr. Saunders.

Mr. Botsford.

Mr. Chandler.

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 incorporate the Fredericton 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 through the said Bill, and recommended the same without amendment to the adoption of the House.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to continue the Acts relating to Firewards in the Town of Fredericton, and the amendments reported by the Select Committee.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had taken the said Bill and the amendments reported by the Select Committee, into consideration, had made some progress therein, and recommended that a conference be requested with the Assembly on the subject matter of this Bill.

ORDERED, That the report be received.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council desire a conference with the Assembly, on the subject matter of a Bill, intituled "A Bill to continue the Acts relating to Firewards in the Town of Fredericton."

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 continue an Act, intituled "An Act for the better and more effectually securing the navigation of the River Saint Croix, in the County of Charlotte," and also further to continue an Act, intituled "An Act to empower the Justices of the County of Charlotte to make regulations for driving Timber and Logs down the Rivers Saint Croix, Magaguadavic, Digdeguash and their branches," being read, it was

ORDERED To be discharged, and that the House be put into a Committee of the whole on Tuesday next, to take the same into consideration.

The Honorable Mr. Peters, from the Select Committee to whom were referred all Bills relating to Corporations, made a further report.

ORDERED, That the report be received.

The

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

The Committee to whom were referred all Bills relating to Corporations, report, that they have had under consideration the “ Bill to incorporate the Peticodiac Wet Dock Company,” and find that the Standing Order of the House relating to such Bills has not been complied with; they cannot, therefore, recommend it to the adoption of the House.

HARRY PETERS, *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.

Message from the Assembly, by Mr. Crane, with a Bill, intituled “ A Bill to incorporate several persons by the name of the New Brunswick Marine Assurance Company,” to which they desire the concurrence of this House.

Read the said Bill 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.

Read the said Bill 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 House was put into a Committee of the whole, to take into consideration the Bill to continue several Acts for the establishment and regulation of Boards of Health in the several Counties of this Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and that 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 incorporate the Salmon River 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 the report of the Select Committee thereon, had made some progress therein, and asked leave to sit again to-morrow.

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

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

A Petition from John Underwood, a meritorious soldier of the Revolutionary War, praying pecuniary aid: and

A Petition from Hezekiah Lyon, with a similar prayer.

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

Message from the Assembly, by Mr. Wyer, with a Bill, intituled "A Bill in amendment of An Act, intituled 'An Act to prevent nuisances within the City of Saint John and Parish of Portland, in the County of Saint John;'" and

With sundry Resolutions of appropriation, dated the 13th of January instant ;
To which they desire the concurrence of this House.

Read a first time, the Bill in amendment of an Act, intituled "An Act to prevent nuisances within the City of Saint John, and Parish of Portland, in the County of Saint John."

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

Read a first time, the Resolutions of Appropriation sent up from the Assembly dated the thirteenth day of January instant.

The Honorable the President informed the House that he had received from the Secretary of the Province, an abstract, shewing the state of the Saint Stephen's Bank, on the first Monday in January instant, which he was requested to lay before the House.

ORDERED, That the same do lie on the Table.

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 20th January, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Cunard.

Mr. Allanshaw.

Mr. Saunders.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill for the amendment of the Law and the better advancement of Justice, was read a third time and passed; and it was

ORDERED, That the Title be, "An Act for the amendment of the Law and the better advancement of Justice."

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

Pursuant to the Order of the Day, the Bill to incorporate the Fredericton Mill Company, was read a third time and passed; and it was

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 continue several Acts for the establishment and regulation of Boards of Health in the several Counties of this Province, was read a third time and passed; and it was

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.

Message from the Assembly, by Mr. Wilson, with a Bill, intituled "A Bill to authorize the Justices of the Peace in General Sessions in this Province, to exempt the Acadian French from the assessment of poor rates," to which they desire the concurrence of this House.

Read the said Bill a first time.

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

Message from the Assembly, by Mr. Wyer, with the following Resolution :—

House of Assembly, 19th January, 1837.

RESOLVED, That this House do agree to the Conference requested by the Legislative Council, on the subject matter of the Bill, intituled "A Bill for the incorporation of the Saint John and Saint Croix River Canal Company," and that a Committee be appointed to manage the Conference on the part of this House.

ORDERED, That Mr. Wyer, Mr. Brown and Mr. L. A. Wilmot be a Committee for that purpose.

CHARLES P. WETMORE, Clerk.

ORDERED, That the Honorable Mr. Peters be appointed the Conferee on the part of this House, on the subject matter of the said Bill.

ORDERED, That the Master in Chancery do go down to the Assembly, and communicate this appointment.

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 Peticodiac Wet Dock 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 the report of the Select Committee thereon, and recommended that the further consideration of the same should be postponed for three months.

ORDERED, That the report be received; and it was

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

Pursuant to the Order of the Day, the Bill in amendment of an Act, intituled "An Act to prevent Nuisances within the City of Saint John, and Parish of Portland in the County of Saint John," was read a second time; and it was

ORDERED, That the House be put into a Committee of the whole on Tuesday next to take the same 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 incorporate the Salmon River Mill Company, 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 through the Bill, 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 the Preamble, insert the words “and for other purposes.”

At B in Section I. add the words “for the purpose of erecting Mills and necessary works therewith connected on the Great Salmon River in the County of Saint John, and for carrying on and managing the same.”

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

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

Message from the Assembly, by Mr. Allen, with a Bill, intituled “A Bill for erecting a part of the Parish of Saint Mary’s and Douglas, in the County of York, into a separate and distinct Town or Parish,” to which they have desire the concurrence of this House.

Read the said Bill a first time.

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

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

A Petition from the President and Directors of the Saint John Water Company, praying that an Act may pass making certain alterations in the Act incorporating the said Company : and

A Petition from John Chappell, praying Legislative aid to enable him to run a packet boat between Bay Verte and Prince Edward Island.

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 upwards of 790 persons, Magistrates, Merchants, Farmers and other Inhabitants of the County of Gloucester, setting forth various objections to the fifth section of the Bill for the support of the Government of the Province, and praying that the Section may be modified :

A Petition from William H. Street and William P. Ranney, of Saint John, Merchants, praying for a return of Parliamentary and Provincial Duties to the amount of £740 11 11, paid on Wines and Spirits destroyed by fire on the fourteenth of January instant :

A Petition from John M’Donald, Peter Loggie, Alexander M’Beath and eighty four others, inhabitants of the County of Northumberland, setting forth various objections to the proposed Bill for the surrender of the King’s Casual and Territorial Revenue, and praying that the same may be amended in the manner therein set forth, and be passed in perpetuity : and

A Petition from George Williston, Isaac M’Leod and James Foran, and one hundred and fourteen others, inhabitants of Northumberland, to the like effect.

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

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

A Petition from the Magistrates of the County of Charlotte, praying that an Act may pass authorizing an Assessment upon the said County, to pay off the balance due for building the Record Office in the said County :

A Petition from Dugald Clark, a meritorious old Soldier of the 74th Regiment, in the Revolutionary War, praying pecuniary aid in his present destitute condition :

A Petition from David Turner, of Saint Patrick, County of Charlotte, praying remuneration for losses sustained in building a Bridge in said County : and

A Petition from Jane Danforth, School Mistress, praying that her former claims for Legislative aid may be again taken into consideration.

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

Adjourned until Monday next at 12. o'clock.

MONDAY, 23d January, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Cunard.

Mr. Allanshaw.

Mr. Robinson.

Mr. Saunders.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Message from the Assembly, by Mr. Crane, with a 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 in this Province,' and to establish sundry regulations for the future disposal of Crown Lands and Timber in certain cases," to which they desire the concurrence of this House.

Read the said Bill a first time.

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

Pursuant to the Order of the Day, the Bill to incorporate the Salmon River Mill Company, as amended, was read a third time and passed ; and it was

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 for erecting a part of the Parish of Saint Mary's and Douglas, in the County of York, into a separate and distinct Town or Parish, was read a second time ; and it was

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

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A Message from the Lieutenant Governor was delivered by the Honorable Mr. Baillie, a Member of His 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,
23d January, 1837.*

ARCHIBALD CAMPBELL.

The Lieutenant Governor submits to the Council, a copy of a Report made by Mr. Berton, who was appointed to prepare a revised edition of the Laws, stating the destruction of the Work in the late fire at Saint John; and recommends to the Council that such provision as may be deemed requisite be made to remedy the evil.

A. C.

Fredericton, 21st January 1837.

*To His Excellency Major General Sir ARCHIBALD CAMPBELL, Baronet, G. C. B.
Lieutenant Governor and Commander in Chief of the Province of New
Brunswick, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY,

I have this day received information, that the revised edition of the Province Laws was destroyed by the calamitous fire at Saint John, on the 14th instant.

The copies had been transmitted in sheets by the publisher, Mr. Simpson, to Mr. McMillan, the binder, and were burned in the Warehouse of the latter.

The Laws had been printed to the end of the Session of 1836, when Mr. Simpson was prevented from proceeding with the Appendixes, and the Index, by the business of the present Session of the Legislature.

It is with sincere regret that I communicate this unfortunate occurrence to Your Excellency. I had flattered myself that the work on which I had bestowed much labour, and which has undergone the careful examination of His Honor the Chief Justice, would have been creditable to me, and at the same time have afforded satisfaction to Your Excellency, the Legislature, and the public.

I have the honor to be, &c.

(Signed) **G. F. S. BERTON.**

The Honorable Mr. Robinson, by leave, presented a Petition from Peter Fraser, George Minchin, Thomas Emerson, John Robinson, and three hundred and four others, Freeholders and Inhabitants of the County of York, praying that the Civil List Bill may pass into a Law without any alteration or amendment.

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

The Honorable Mr. Chandler, by leave, presented a Petition from John Ward, Thomas Millidge, R. W. Crookshank, and one hundred and ninety four others, Merchants, Ship Owners, Traders and Inhabitants of Saint John, praying that the Civil List Bill may pass into a Law without any alteration or amendment.

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

Pursuant

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill for the support of the Civil Government of 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, had made some progress therein, and asked leave to sit again to-morrow.

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

The Honorable Mr. Cunard, by leave, presented a Petition from David Sadler, of Chatham, praying for the Provincial allowance for keeping a School for six months, on the grounds set forth in the Petition.

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

The Honorable Mr. Saunders, by leave, presented a Petition from Jarvis Ring, William B. Kinnear, John T. Smith, and others, a Committee of Management of the Baptist Seminary, praying for Legislative aid.

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

The Honorable Mr. Peters, from the Select Committee to whom were referred all Bills relating to Corporations, presented two further reports.

ORDERED, That the reports be received;

And the same were then read by the Clerk as follows:—

The Committee to whom were referred all Bills relating to Corporations report, that they have examined “A Bill to incorporate the Sheffield Mill and Land Company,” and have prepared certain amendments to the said Bill, which they recommend to the adoption of the House.

HARRY PETERS, *Chairman.*

The Committee to whom were referred all Bills relating to Corporations, further report, they have examined “A Bill for the incorporation of the Salmon River Coal Company,” and recommend the same to the adoption of the House.

HARRY PETERS, *Chairman.*

ORDERED, That the House be put into a Committee of the whole on Wednesday next, to take into consideration the Bill to incorporate the Sheffield Mill and Land Company, and the report of the Select Committee thereon.

ORDERED, That the House be put into a Committee of the whole on Wednesday next, to take into consideration the Bill for the incorporation of the Salmon River Coal Company, and the report of the Select Committee thereon.

The Order of the Day for the House to be put into a Committee of the whole to take into consideration the Bill to amend an Act, intituled “An Act relating to insolvent confined Debtors,” being read; it was

ORDERED, To be discharged, and that it stand as the Order of the Day for a Committee of the whole House on Monday next.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill in amendment of an Act, intituled
“An

“ An Act to authorize the Justices of the Peace in and for the City and County of Saint John, to erect a building in the said City for a common Gaol and House of Correction, and to raise a sum of money for erecting and completing the same.”

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to continue the several Acts relating to the importation and spreading of infectious distempers in the Counties of Charlotte and Northumberland.

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 should be postponed for three months.

ORDERED, That the report be received; and it was

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

Message from the Assembly, by Mr. Crane, with a Resolution of Appropriation, dated this day, to which they desire the concurrence of this House.

Read the said Resolution a first time.

RESOLVED, That this House be put into a Committee of the whole, on Wednesday next to take into consideration any Resolutions of Appropriation sent from the Assembly.

ORDERED, That the Resolutions of Appropriation, dated the 4th, 13th and 23d of January instant, be referred to the said Committee.

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 12th January, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Allanshaw.

Mr. Cunard.

Mr. Robinson.

Mr. Saunders.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

ORDERED,

ORDERED, That the Committee of Conference, on the subject matter of the Bill, intituled "A Bill for the incorporation of the Saint John and Saint-Croix River Canal Company," be instructed to communicate to the Assembly, that

The Legislative Council have desired this Conference upon this Bill, for the purpose of communicating to the Assembly the opinion of the Council, that the Bill should contain provisions making it imperative on the said Company, under certain penalties, so to make and construct the said Canal as not to obstruct or impede the use and passage of any public road over which it may pass, and to make and keep in repair bridges over the same.

The Legislative Council having desired this Conference for the purpose above mentioned, take the same opportunity of communicating to the Assembly certain proposed amendments to the said Bill, which have been agreed to in a Committee of the whole Council.

Pursuant to the Order of the Day, the Bill in amendment of an Act to authorize the Justices of the Peace in and for the City and County of Saint John to erect a building in the said City for a common Gaol and House of Correction, and to raise a sum of money for erecting and completing the same, was read a third time and passed; and it was

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

The Order of the Day for the second reading of the Bill to authorize the Justices of the Peace in General Sessions in this Province to exempt the Acadian French from the assessment of Poor Rates, being read, it was

ORDERED To be discharged, and that said Bill be read a second 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 for the support of the Civil Government of this Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and in the said Committee the following Resolution was moved:—

RESOLVED, As the opinion of this Committee, that the fifth section of the Bill should be expunged.

Whereupon the Committee divided as follows:—

CONTENT.
Mr. Baillie.
Mr. Cunard.
Mr. Allanshaw.
Mr. Attorney General.
Mr. Lee.

NON CONTENT.
Mr. Chief Justice.
Mr. Black.
Mr. Shore.
Mr. Peters.
Mr. Robinson.
Mr. Saunders.
Mr. Botsford.
Mr. Chandler.

The Chairman further reported, that the Committee recommended the Bill without amendment to the adoption of the House.

Upon the question that the report be received, the House divided.

CONTENT.	NON CONTENT.
Mr. Chief Justice.	Mr. Baillie.
Mr. Black.	Mr. Cunard.
Mr. Shore.	Mr. Allanshaw.
Mr. Peters.	Mr. Attorney General.
Mr. Robinson.	Mr. Lee.
Mr. Saunders.	
Mr. Botsford.	
Mr. Chandler.	

ORDERED, That the report be received, and the said 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 sundry persons by the name of the President, Directors and Company of the Bank of Fredericton, 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 the further consideration of the said Bill, and the report of the Select Committee thereon, had made further progress therein, and asked leave to sit again on Thursday next.

ORDERED, That the said 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 erecting a part of the Parishes of Saint Mary's and Douglas, in the County of York, into a separate and distinct Town or 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, had made some progress therein, and asked leave to sit again on Monday next.

ORDERED, That the said 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 further to continue an Act, intituled "An Act for the better and more effectually securing the navigation of the River Saint Croix, in the County of Charlotte," and also further to continue an Act, intituled "An Act to empower the Justices of the County of Charlotte to make regulations for driving Timber and Logs down the Rivers Saint Croix, Magaguadavic, Digdeguash and their branches."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED,

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

The Honorable Mr. Peters, from the Select Committee to whom were referred all Bills relating to Corporations, presented a further 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 report, that they have had under consideration “A Bill to incorporate sundry persons by the name of the New Brunswick Marine Assurance Company,” that they have prepared certain amendments to the said Bill, which they recommend to the adoption of the House.

HARRY PETERS, 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.

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 25th January, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Cunard.

Mr. Allanshaw.

Mr. Robinson.

Mr. Saunders.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill further to continue an Act, intituled “An Act for the better and more effectually securing the navigation of the River Saint Croix, in the County of Charlotte,” and also further to continue an Act, intituled “An Act to empower the Justices of the County of Charlotte to make regulations for driving Timber and Logs down the Rivers Saint Croix, Magaguadavic, Digdeguash and their branches,” 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 for the support of the Civil Government of this Province, was read a third time and passed.

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

Pursuant to the Order of the Day, the Bill to authorize the Justices of the Peace
in

in General Sessions in this Province, to exempt the Acadian French from the assessment of Poor Rates, was read a second time; and it was

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 restrain the provisions of the fifth section of an Act, intituled "An Act for the support of the Civil Government in this Province," and to establish sundry regulations for the future disposal of Crown Lands and Timber in certain cases, was read a second time; and it was

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

ORDERED, That one hundred copies of the said Bill be printed.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill for the incorporation of the Salmon River Coal 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 the report of the Select Committee thereon, had made some progress therein, and asked leave to sit again on Monday next.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to incorporate the Sheffield Mill and Land 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, 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. insert the words, "for the purpose of erecting Mills and necessary works therewith connected, on the Little River in the County of Sunbury, for the manufacture of lumber and other purposes, and for carrying on and managing the same."

At B in Section IV. insert the word, "Directors."

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

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

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY,

THURSDAY, 26th January, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Cunard.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill to incorporate the Sheffield Mill and Land 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 House was put into a Committee of the whole upon Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the 4th, 13th and 23d day of January instant, 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 4th, 13th and 23d of January instant 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 Resolutions of Appropriation dated the 4th, 13th and 23d day of January instant.

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 General Sessions in this Province to exempt the Acadian French from the assessment of poor rates.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received.

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

At A. expunge the words, "in any County in this Province," and insert the words "in the several Counties of Westmorland, Kent, Northumberland and Gloucester."

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

On motion that the further consideration of the said Bill be postponed for three months, the House divided:—

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CONTENT

CONTENT.	NON CONTENT.
Mr. Chief Justice.	Mr. Black.
Mr. Shore.	Mr. Baillie.
Mr. Allanshaw.	Mr. Cunard.
Mr. Attorney General.	Mr. Robinson.
Mr. Lee.	Mr. Botsford.
	Mr. Chandler.

ORDERED, That the amendment 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 in amendment of an Act, intituled "An Act to prevent Nuisances within the City of Saint John and Parish of Portland in the 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 said Bill, and recommended the same without amendment to the adoption of the House.

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

The Honorable Mr. Baillie, by leave, presented a Petition from Asa Coy, and others, praying an Act may pass to incorporate certain persons by the name of the President, Directors and Company of the Bank of Fredericton.

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

The Honorable Mr. Chandler, by leave, presented a Petition from Robert Stiles, praying to be reimbursed for monies expended on a Bye Road at Pollett River, in the year of our Lord one thousand eight hundred and thirty.

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

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

A Petition from Robert Ferguson, Perry Dumaresq, and one hundred and ninety five other inhabitants of Restigouche, in the County of Gloucester, praying an Act may pass to establish a new County in the Province: and

A Petition from Ezekiel Barlow and Sons, praying a return of duties paid on passengers on board the Edwin from Cork.

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

Message from the Assembly, by Mr. L. A. Wilmot, with the following Resolution:—

House of Assembly, 20th January, 1837.

RESOLVED, That this House agree to the Conference requested by the Legislative Council, on a Bill, intituled "A Bill to continue the Acts relating to Firewards in the Town of Fredericton," and that a Committee be appointed to manage the said Conference on the part of this House.

ORDERED, That Mr. L. A. Wilmot, Mr. Taylor and Mr. Weldon, be a Committee for that purpose.

CHARLES P. WETMORE, Clerk.

ORDERED,

ORDERED, That the Honorable Mr. Baillie be appointed the Conferee on the part of this House, on the subject matter of the said Bill.

ORDERED, That the Master in Chancery do go down to the Assembly, and communicate this appointment.

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 sundry persons by the name of the New Brunswick Marine Assurance 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 the report of the Select Committee thereon, 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 incorporate certain persons by the name of the President, Trustees and Proprietors of the Saint Stephen's Academy.

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, had made some progress therein, and asked leave to sit again to-morrow.

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

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

A Bill in addition to the Laws now in force for the protection of the Fisheries in the Counties of Northumberland, Kent and Gloucester :

A Bill in addition to and in amendment of an Act, intituled "An Act to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several religious congregations in this Province:" and

A Bill to authorize the Mayor, Aldermen and Commonalty of the City of Saint John, to widen the Bridge between the said City and Parish of Portland ;

And that the Assembly had agreed to the amendments made by this House to the Bill to incorporate the Salmon River Mill Company.

Read a first time, the Bill in addition to the Laws now in force for the protection of the Fisheries in the Counties of Northumberland, Kent and Gloucester.

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

Read a first time, the Bill in addition to and in amendment of an Act, intituled "An Act to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several religious congregations in this Province."

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

Read a first time, the Bill to authorize the Mayor, Aldermen and Commonalty of the City of Saint John, to widen the Bridge between the said City and Parish of Portland.

ORDERED,

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

Dissentient.

To the Bill passed yesterday, entitled "A Bill for the support of the Civil Government in this Province."

Because the fifth section of this Bill provides that every sale, lease, or other conveyance of Land or Timber, not by Public Auction, shall be utterly null and void, thereby absolutely establishing the system of disposing of Crown Lands and Forests to the highest bidder only; a system which however good as a general measure will be productive of much vexation and injustice in very many cases, will retard the settlement and improvement of the Country, by enabling capitalists to become the sole purchasers of all Land and Timber hereafter to be disposed of, to be by them reconveyed to the actual settler—reduced to the alarming alternative of either quitting the Colony or paying therefor such augmented price as combination or avarice may dictate.

Because the monopoly to be created by establishing the auction system exclusively will materially injure all those interests which are of the highest importance in this Colony, and from which its Provincial Revenue, as well as His Majesty's Royal Revenues, have been heretofore derived.

The Capital already embarked in the erection of Saw Mills has been correctly estimated at nearly half a million of pounds. The Proprietors of those Mills have built them under an impression that a general competition would never be permitted to extend to them when applying for reserves of timbered lands or licences to cut Logs without which their Mills must become useless, and this equitable and reasonable claim has always been favoured by the Government of this Colony, and acceded to as a kind of bounty to that enterprising class of His Majesty's subjects; thus a species of vested right has been established which will be abolished by the operation of this section and the Mill Trade materially affected, possibly destroyed.

Because the discretionary power heretofore existing in His Excellency the Lieutenant Governor and His Majesty's Executive Council, of granting Lands at a low price to actual and meritorious settlers has never been improperly or unjustly exercised, but has confessedly been the means of planting very many industrious and loyal families in this Colony, who, unable to contend at Public Auction with more monied though less deserving competitors, would have otherwise been compelled to leave the Country.

Because the gratuitous granting of Lands in reasonable quantity in aid of religion and education, has ever been practised with most salutary effects in all His Majesty's North American Colonies, thus having become a vested right in the inhabitants without which, in many places, neither houses of worship nor schools could have been erected or supported.

Because it has been the wise policy of His Majesty's Government to encourage the settlement in this Colony of officers retired from His Majesty's service, as well as old soldiers, from whose loyalty and habits of subordination the happiest results were naturally anticipated, and whose claims (frequently supported by the direct commands of the Home Government) were always maturely investigated and complied with in such a manner as to carry the intentions of Government into complete effect; they

they too will be exposed to the evil effects of an exclusive auction system, and (unless wealthy) must seek a settlement elsewhere.

And because the remedy proposed for some of the evils here pointed out by the passing of another Bill sent up to this House by the House of Assembly, restraining the operations of this Bill, there being no clause in this Bill to authorize such second Bill, is in fact passing two Bills in the same Session, repugnant and in opposition to each other, which is contrary to the established law and usage of Parliament.

THOS. BAILLIE.

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 27th January, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Cunard.

Mr. Allanshaw.

Mr. Robinson.

Mr. Saunders.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill in amendment of an Act, intituled "An Act to prevent Nuisances within the City of Saint John and Parish of Portland in 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 to authorize the Justices of the Peace in General Sessions in this Province to exempt the Acadian French from the assessment of Poor Rates, as amended, was read a third time, and it was moved that the Bill be further amended as follows :—

At B. in the Title, insert the words, "in certain Counties."

The said amendment being read, and the question of concurrence put thereon, it was agreed to by the House, and the Bill as amended 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 in addition to the Laws now in force for the protection of the Fisheries in the Counties of Northumberland, Kent and Gloucester, was read a second time; and it was

V

ORDERED,

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 Bill to authorize the Mayor, Aldermen, and Commonalty of the City of Saint John, to widen the Bridge between the said City and Parish of Portland, was read a second time; and it was

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

Pursuant to the Order of the Day, the Bill in addition to and in amendment of an Act, intituled "An Act to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several religious congregations in this Province," was read a second time; and it was

ORDERED, That the House be put into a Committee of the whole on Friday 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 further consideration the Bill to incorporate sundry persons by the name of the New Brunswick Marine Assurance 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, had made certain amendments thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the report be received.

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

At A. in Section I. expunge the remainder of the section and insert the words, "have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province."

At B. at the end of Section XIX. insert the words,

"Provided also, that no loan of capital stock at any time to be created under the provisions of this Act, or any part thereof, shall be made directly or indirectly to any Director of the said Company, nor shall any such Director be a party to any security for any such loan; and no stockholder to whom any part of the said capital stock shall have been lent shall be eligible as a Director while the loan continues."

At C. in Section XX. insert the words,

"And the restrictions, as to loans to Directors, and to the eligibility as Directors of stockholders to whom money may have been loaned, which are contained in the last preceding section, with regard to the capital stock, shall extend and apply in all respects to any loans of money to be made by virtue of this present section, in like manner as if the same were repeated herein."

At D. expunge the XXIII. Section, and alter the enumeration of the subsequent sections accordingly.

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

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

Pursuant

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to incorporate certain persons by the names of the President, Trustees and Proprietors of the Saint Stephen's Academy.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, 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 word "thousand," and insert the word "hundred."

At B. in Section III. expunge the following words "seven Trustees, and the Trustees so chosen shall at their first meeting after their election, choose out of their number a President; the seven Trustees," and insert, "a President and five Trustees; the Rector of the said Parish of Saint Stephen's to be always *ex officio* President and Superintendent of the Schools, and the said five Trustees to be always stockholders in the said Corporation, and resident within the said Parish, and."

At C. expunge the words, "three out of the seven," and insert the words, "two out of the five."

At D. in Section V. expunge the words, "regulation of the schools, the punishments, amusements," and insert the words "regulation and discipline of the schools, and the."

At E. in Section VI. expunge the word "four," and insert the word "two."

At F. expunge the word "five," and insert the word "three."

At G. in Section VII. expunge the word "five," and insert the word "three."

At H. expunge the word "three," and insert the word "two."

At I. add a new Section as follows:—

"IX. And be it enacted, That the Lieutenant Governor or Commander in Chief for the time being shall be, and be deemed to be the Visitor of this Institution, and shall have all the powers and authorities incident to such office of Visitor."

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

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

Adjourned until Monday next at 12 o'clock.

MONDAY, 30th January, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr.

*Mr. Cunard.**Mr. Allanshaw.**Mr. Saunders.**Mr. Botsford.**Mr. Chandler.***PRAYERS.**

Pursuant to the Order of the Day, the Bill to incorporate sundry persons by the name of the New Brunswick Marine Assurance 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 incorporate certain persons by the name of the President, Trustees and Proprietors of the Saint Stephen's Academy, as amended, was read a third time and passed.

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

The Order of the Day for the House to be put into a Committee of the whole, to take into further consideration the Bill for erecting a part of the Parishes of Saint Mary's and Douglas, in the County of York, into a separate and distinct Town or Parish, being read, it was

ORDERED, To be discharged, and that the House be put into a Committee of the whole on Thursday next, to take the said Bill into further 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 incorporate certain persons by the name of the President, Directors and Company of the Bank of Fredericton, 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, had made further progress therein, and asked leave to sit again to-morrow.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill in addition to the Laws now in force for the protection of the Fisheries in the Counties of Northumberland, Kent and Gloucester.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

A

A Bill to erect a part of the Parish of Portland into a separate and distinct Town or Parish :

A Bill to alter and amend an Act, intituled " An Act more effectually to provide for the support of a nightly Watch in and for lighting the City of Saint John :"

A Bill to authorize the Justices of the Peace for the County of York to levy an assessment for the building a new Gaol in the said County :

A Bill to repeal all the Laws now in force relating to the establishment of a Tender to be made in all payments in the Province, and to make other provision for the same :

A Bill to regulate the exportation of Lumber :

A Bill to extend the provision of an Act for the erecting of Fences with Gates across Highways leading through interval lands in Queen's County and the County of Sunbury, to the County of York : and

A Bill to alter the additional Terms of the Inferior Court of Common Pleas for the County of Kent ;

And that the Assembly had agreed to the amendments made by this House to the Bill to incorporate the Sheffield Mill and Land Company.

The Honorable Mr. Chandler, by leave, presented a Petition from Joseph Crandall and 133 others, Inhabitants of Westmorland, praying a sum of money may be granted to the Committee of Management of a Baptist Seminary in Fredericton.

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

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

A Petition from Messrs. Robinson and Hatton, Merchants in Saint John, praying they may be relieved by Legislative enactment or otherwise, from the payment of duties due for articles consumed in the late fire :

A Petition from Messrs. Crookshank and Walker, Merchants in Saint John, with a similar prayer : and

A Petition from John Robertson, Thomas Millidge, Robert F. Hazen, and sixty others, Inhabitants of Saint John, praying an Act may pass to prohibit the erection of wooden buildings within the City, over twenty feet posts; also, that power may be given to the Corporation to enable them to effect certain improvements as set forth in the said Petition.

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

Read a first time, the Bill to erect a part of the Parish of Portland into a separate and distinct Town or Parish.

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

Read a first time, the Bill to alter and amend an Act, intituled " An Act more effectually to provide for the support of a nightly Watch in and for lighting the City of Saint John."

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

Read a first time, the Bill to authorize the Justices of the Peace for the County of York to levy an assessment for the building a new Gaol in the said County.

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

Read a first time, the Bill to repeal all the Laws now in force relating to the establishment of a Tender to be made in all payments in the Province, and to make other provision for the same.

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

Read a first time, the Bill to regulate the exportation of Lumber.

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.

Read the said Bill a second time; and it was

ORDERED, That the same be referred to a Select Committee of three Members to report thereon, and that the Honorable Messrs. Black, Cunard and Allanshaw, be appointed a Committee for that purpose.

Read a first time, the Bill to extend the provision of an Act for the erecting of Fences with Gates across Highways leading through interval lands in Queen's County and the County of Sunbury to the County of York.

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

Read a first time, the Bill to alter the additional Terms of the Inferior Court of Common Pleas for the County of Kent.

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

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 31st January, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Cunard.

Mr. Allanshaw.

Mr. Robinson.

Mr. Saunders.

Mr. Botsford.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill in addition to the Laws now in force for the protection of the Fisheries in the Counties of Northumberland, Kent and Gloucester, 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 erect a part of the Parish of Portland into a separate and distinct Town or Parish, was read a second time; and it was

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

Pursuant

Pursuant to the Order of the Day, the Bill to alter and amend an Act, intituled "An Act more effectually to provide for the support of a nightly Watch in and for lighting the City of Saint John," was read a second time; and it was

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

Pursuant to the Order of the Day, the Bill to authorize the Justices of the Peace for the County of York to levy an assessment for the building a new Gaol in the said County, was read a second time; and it was

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

Pursuant to the Order of the Day, the Bill to repeal all the Laws now in force relating to the establishment of a Tender to be made in all payments in the Province, and to make other provision for the same, was read a second time; and it was

ORDERED, That the House be put into a Committee of the whole on Friday next, to take the same into consideration.

Pursuant to the Order of the Day, the Bill to extend the provision of an Act for the erecting of Fences with Gates across Highways leading through interval lands in Queen's County and the County of Sunbury to the County of York, was read a second time; and it was

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

Pursuant to the Order of the Day, the Bill to alter the additional Terms of the Inferior Court of Common Pleas for the County of Kent, was read a second time; and it was

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

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

A Bill to incorporate the Nashwaak Mill and Manufacturing Company :

A Bill to incorporate the Washademoak Mill Company ;

And that the Assembly had agreed to the amendments made by this House to the Bill to authorize the Justices of the Peace in General Sessions in certain Counties in this Province to exempt the Acadian French from the assessment of Poor Rates.

Read a first time, the Bill to incorporate the Nashwaak Mill and Manufacturing Company.

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.

Read the said Bill a second time.

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

Read a first time, the Bill to incorporate the Washademoak Mill Company.

ORDERED,

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.

Read the said Bill 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 House was put into a Committee of the whole, to take into consideration the Bill to incorporate the Polfery and Bolton Brook 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 the report of the Select Committee thereon, and recommended that the further consideration of the same should be postponed for three months.

ORDERED, That the report be received; and it was

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 incorporate the Saint Croix River 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 the report of the Select Committee thereon, and recommended that the further consideration of the said Bill should be postponed for three months.

ORDERED, That the report be received; and it was

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 incorporate the Salmon Falls Bridge Company, and the report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and the Bill 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 incorporate the Campo Bello Mill and Manufacturing 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, had made certain amendments thereto, which they recommended 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. in the Preamble, expunge the word “grant,” and insert the word “pass.”

At B. in Section I. expunge the remainder of section, and insert the words “all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province.”

At C. insert a new Section as follows :—

“XIII. Provided always and be it enacted, That unless fifteen thousand pounds of the said Capital Stock shall be actually paid in for the purposes of the said Corporation and a certificate of such payment, signed and verified on oath by the said Directors or a majority of them (which oath any Justice of the Peace is hereby authorized to administer) shall be filed in the office of the Secretary of the Province before the expiration of three years after the passing of this Act, the operation of this Act shall cease, and the existence of the said Corporation be terminated at the expiration of the said three years.”

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to incorporate sundry persons by the name of the President, Directors and Company of the Bank of Fredericton, 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, had made certain amendments thereto, and recommended the same 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 remainder of the section, and insert the words “by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province.”

At B. expunge the words “the passing of this Act,” and insert the words “the time when this Act shall come into operation and be in force.”

At C. expunge the words “the passing of this Act,” and insert the words “the time when this Act shall come into operation and be in force.”

At D. at the end of Section XV. add “and it shall be the duty of the Commissioners to transmit without delay their Report to the Secretary of the Province.”

At E. insert the following new Section, and alter the enumeration of the subsequent Sections accordingly :—

“XIX. And be it enacted, That every bond, Bank bill or Bank note, or other instrument, by the terms and effects of which the said Corporation may be charged or held liable for the payment of money, shall specially declare, in such form as the Board of Directors shall prescribe, that payment shall be made out of the joint funds

of the said Corporation: Provided nevertheless, that nothing herein contained shall be construed to extend to alter, change or diminish the responsibilities and liabilities imposed on the Stockholders in their individual capacities by the eighteenth section of this Act."

At F. in Section XX. expunge the word "thrice," and insert the word "twice."

At G. expunge the remainder of the Section.

At H. in Section XXX. expunge the word "from," and insert the word "to."

At J. insert the word "reserved."

At K. in the Preamble, expunge the remainder of the Preamble, and insert the words "it is thought that the establishment of another incorporated Bank in Fredericton would promote the interests of the Province by increasing the means of circulation."

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill for the incorporation of the Salmon River Coal 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, 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. at the end of Section I. insert the following words, "for the purpose of opening and working Mines of Coals and other Minerals on and near the Salmon River in the County of Queen's, establishing all necessary works therewith connected, and for the convenient carrying on and managing the same."

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

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

The Honorable Mr. Cunard, by leave, presented a Petition from R. Williams and sundry other Wesleyan Ministers, praying an Act may pass to explain the Act of 5 William IV. C. 46, extending the privilege of solemnizing Marriage.

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

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

A Petition from Moses Vernon and others, praying for the incorporation of the Magagaudavic Bank: and

A Petition from William Jack and others, praying for an Act incorporating them under the style and name of the Acadian Company.

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

Message

Message from the Assembly, by Mr. Allan, with a Bill, intituled "A Bill to incorporate the Nashwaaksis Manufacturing Company," to which they desire the concurrence of this House.

Read the said Bill 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.

Read the said Bill a second time.

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

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 1st February, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Cunard.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill for the incorporation of the Salmon River Coal Company, as amended, was read a third time and passed; and it was

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 incorporate sundry persons by the name of the President, Directors and Company of the Bank of Fredericton, as amended, was read a third time and passed; and it was

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 incorporate the Campo Bello Mill and Manufacturing Company, was read a third time and passed; and it was

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 incorporate the Salmon Falls Bridge Company, was read a third time and passed; and it was

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

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 additional Terms of the Inferior Court of Common Pleas for the County of Kent.

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 York to levy an assessment for the building a new Gaol 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, 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 extend the provision of an Act for the erecting of Fences with Gates across Highways leading through interval lands in Queen's County and the County of Sunbury to the County of York.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, 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. Peters, the Conferee with the Committee of Conference on the part of the Assembly, on the subject matter of the Bill for the incorporation of the Saint John and Saint Croix River Canal Company, presented a report, which was received and read as follows :—

The Committee of Conference on the subject matter of the Bill, intituled "A Bill for the incorporation of the Saint John and Saint Croix River Canal Company," reports, that he had met the Committee appointed by the Assembly, and had delivered to them his instructions, and the amendments proposed by this House.

Message from the Assembly, by Mr. Wyer, that the Assembly had agreed to the amendments made by this House to the following Bills :—

A Bill to incorporate certain persons by the name of the President, Trustees and Proprietors of the Saint Stephen's Academy : and

A Bill to incorporate sundry persons by the name of the New Brunswick Marine Assurance Company.

Adjourned until To-morrow at 12 o'clock.

THURSDAY,

THURSDAY, 2d February, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Cunard.

Mr. Allanshaw.

Mr. Saunders.

Mr. Botsford.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill to alter the additional Terms of the Inferior Court of Common Pleas for the County of Kent, was read a third time and passed; and it was

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.

ORDERED, That the Honorable Mr. Chandler be added to the Select Committee appointed to report upon all Bills relating to Corporations.

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 extend the provision of an Act for the erecting of Fences with Gates across Highways leading through interval lands in Queen's County and the County of Sunbury to the County of York.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received; and it was

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to authorize the Justices of the Peace for the County of York to levy an assessment for the building a new Gaol 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 further consideration of the said Bill, had made further 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 for erecting a part of the Parishes of Saint Mary's and Douglas, in the County of York, into a separate and distinct Town or Parish.

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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 Bill, 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 12 o'clock.

FRIDAY, 3d February, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Cunard.

Mr. Allanshaw.

Mr. Robinson.

Mr. Saunders.

Mr. Botsford.

Mr. Chandler.

PRAYERS.

The Honorable Mr. Chandler, by leave, presented a Petition from Samuel Walter, a licenced School Master, praying an allowance for teaching a School in King's County for one year.

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

The Honorable Mr. Shore, by leave, presented a Petition from sundry Inhabitants of the County of York, praying that a sum of money may be granted to the Committee of Management of the Baptist Seminary in Fredericton.

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

The Honorable Mr. Peters, by leave, presented a Petition from sundry Inhabitants of Queen's County, with a similar prayer.

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

The Honorable Mr. Allanshaw, by leave, presented a Petition from the Charlotte County Agricultural and Emigrant Society, praying that the toll taken at Grist Mills may be defined by Law, and that grain and other articles may be sold by weight, for reasons set forth in the said Petition.

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

The Honorable Mr. Cunard, by leave, presented a Petition from William Idear, William A. Garrison and fifty others, Inhabitants of Ludlow, Blissfield and Blackville, against any alteration in that part of the road from Fredericton to Newcastle, in Northumberland, which lies between Hunter's and Swim's Ferry.

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

The Honorable Mr. Peters, from the Select Committee to whom were referred all Bills relating to Corporations, made a further report.

ORDERED,

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 Nashwaak Mill and Manufacturing Company, also a Bill to incorporate the Washademoak Mill Company, and have prepared certain amendments to the said Bills, which they recommend to the adoption of the House.

HARRY PETERS, *Chairman.*

ORDERED, That the House be put into a Committee of the whole on Monday next, to take into consideration the Bill to incorporate the Nashwaak Mill and Manufacturing Company, and the report of the Select Committee thereon.

ORDERED, That the House be put into a Committee of the whole on Monday next, to take into consideration the Bill to incorporate the Washademoak Mill Company, and the report of the Select Committee thereon.

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 Laws now in force relating to the establishment of a Tender to be made in all payments in this Province, and to make other 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 the consideration of the said Bill, had made some progress therein, and asked leave to sit again on Monday next.

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 authorize the Mayor, Aldermen and Commonalty of the City of Saint John to widen the Bridge between the said City and Parish of Portland, being read, it was

ORDERED, To be discharged, and that the House be put into a Committee of the whole on Monday next, to take the same 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 in addition to and in amendment of an Act, intituled "An Act to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several religious congregations in this Province," being read, it was

ORDERED, To be discharged, and that the House be put into a Committee of the whole on Monday next, to take the same into consideration.

The Honorable Mr. Baillie, by leave, presented a Petition from Stephen Wiggins and Son, praying that the duty paid on a Pipe of Wine lately consumed in the fire at Saint John be returned to them.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill for erecting a part of the Parishes of

of Saint Mary's and Douglas, in the County of York, into a separate and distinct Town or Parish.

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 Bill, had made an amendment thereto, which they recommended the adoption of the House.

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

At A. in Section I. expunge the description of boundaries, and insert the following:—

Commencing on the River Keswick, where the Northwestern boundary line of the Parish of Saint Mary's intersects that river, thence along the said North Western boundary line, and its prolongation Easterly till it strikes the Taxes River, thence following the various courses of the said river, down stream, to the upper or Westerly boundary line of a Tract of Land granted to the Honorable Thomas Baillie, thence along Western and Southern boundary lines of the said grant, till it strikes the Western boundary line of the grant to James Clarke on the said river, thence along said line and its prolongation to the Portage Road, thence along the said road westerly to the grant to Isabella Hailes, thence following the various boundaries of the same, and of the lots surveyed for Military settlers on the West side of the Portage road, and along the road to the upper or North Easterly line of the grant to Dougald Campbell and others, thence along the various boundaries of the same and of the grant to Daniel Lyman and others, to the South branch of the Cleuristic stream, thence following the various courses of the said South branch, up stream, to the Cardigan road, thence in a direct line such a course as will strike the river Keswick, at the point where it is intersected by the North West boundary line of the Parish of Douglas, and thence following the courses of the said river Keswick, up stream, to the place of beginning.

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

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

Message from the Assembly, by Mr. Wyer, that the Assembly had agreed to the provisions and amendments proposed by this House to the Bill for the incorporation of the Saint John and Saint Croix River Canal Company.

Whereupon—The House was put into a Committee of the whole, to take the said Bill as amended into consideration.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Adjourned until Monday next at 12 o'clock.

MONDAY,

MONDAY, 6th February, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Cunard.

Mr. Allanshaw.

Mr. Robinson.

Mr. Saunders.

Mr. Botsford.

Mr. Attorney General.

Mr. Chandler.

PRAYERS.

The Honorable the President, by leave, presented a Petition from the Rector, Church Wardens and Vestry of Trinity Church, in Saint John, praying for an Act to pass authorizing them to sell certain Land in the City of Saint John.

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

The Honorable the President moved for leave to bring in a Bill to enable the Rector, Church Wardens and Vestry of Trinity Church, in the Parish of Saint John, to sell certain Land in the said City.

Leave granted.

The said Bill being brought in, was read a first time.

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

His Honor the President moved for leave to bring in a Bill to enable the Governor and Trustees of the Madras School to sell certain Land in Fredericton.

Leave granted.

The said Bill being brought in, was read a first time.

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

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

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

A Bill to incorporate the Acadian Company :

A Bill to incorporate the Grand Falls Mill and Manufacturing Company :

A Bill to amend an Act to authorize certain persons to build a Bridge across the Kennebecasis River, in the Parishes of Hampton and Kingston in King's County :

A Bill to make provision for the payment of a portion of the expenses of maintaining certain Light Houses and establishments in the Gulf of Saint Lawrence : and

A Bill to incorporate sundry persons by the name of the President, Directors and Company of the Saint George's Bank ;

And that the Assembly had agreed to the amendments made by this House to the Bill to incorporate the Campo Bello Mill and Manufacturing Company.

Pursuant to the Order of the Day, the Bill for erecting a part of the Parishes of Saint Mary's and Douglas, in the County of York, into a separate and distinct Town or Parish, as amended, was read a third time and passed ; and it was

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint

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 for the incorporation of the Saint John and Saint Croix River Canal Company, was read a third time and passed; and it was

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 incorporate the Nashwaak Mill and Manufacturing Company, and the report of the Select Committee.

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 had made certain amendments thereto, which they recommend to the adoption of the House.

ORDERED, That the report be received;

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

At A. in Section II. insert the word "Bye."

At B. insert the word "Bye."

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

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

The Honorable Mr. Baillie, a Member of His Majesty's Executive Council, by direction of His Excellency the Lieutenant Governor, lays before the House further accounts from the Commissioner of Crown Lands.

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 Washademoak 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 through the Bill, and had made certain amendments thereto, which they recommended to the adoption of the House.

ORDERED, That the report be received;

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

At A. in Section I. insert the words "for the purpose of erecting Mills and machinery for the manufacture of lumber on the River Washademoak in Queen's County, and for carrying on and managing the same."

At B. in Section IV. insert the word "Act."

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

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

The

The Honorable Mr. Baillie, by leave, presented a Petition from the Grand Inquest of the County of Gloucester, praying relief for the Acadian French and other settlers.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to repeal all the laws now in force relating to the establishment of a Tender to be made in all payments in the Province, and to make other 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 the further consideration of the said Bill, and the report of the Select Committee thereon, had made further progress therein, and asked leave to sit again to-morrow.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill in addition to and in amendment of an Act, intituled "An Act to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several religious congregations 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 said Bill, and in the Committee the following Resolution was moved :—

RESOLVED, as the opinion of the Committee, that the further consideration of the Bill be postponed for three months.

Whereupon the Committee divided as follows :—

CONTENT.
 The Chief Justice.
 Mr. Black.
 Mr. Shore.
 Mr. Baillie.
 Mr. Peters.
 Mr. Allanshaw.
 Mr. Robinson.
 Mr. Saunders.
 Mr. Attorney General.

NON CONTENT.
 Mr. Cunard.
 Mr. Botsford.
 Mr. Chandler.

The Chairman further reported, that the Committee recommended that the further consideration of the said Bill should be postponed for three months.

ORDERED, That the report be received; and it was

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

Read a first time, the Bill to provide for the collection of County and Parish Rates.

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

Read a first time, the Bill to incorporate the Acadian Company.

ORDERED,

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.

Read the said Bill a second time.

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

Read a first time, the Bill to incorporate the Grand Falls Mill and Manufacturing Company.

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.

Read the said Bill a second time.

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

Read a first time, the Bill to amend an Act to authorize certain persons to build a Bridge across the Kennebecasis River, in the Parishes of Hampton and Kingston in King's County.

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

Read a first time, the Bill to make provision for the payment of a portion of the expenses of maintaining certain Light Houses and establishments in the Gulf of Saint Lawrence.

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

Read a first time, the Bill to incorporate sundry persons by the name of the President, Directors and Company of the Saint George's Bank.

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

Read the said Bill a second time.

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

Adjourned until To-morrow at 2 o'clock.

TUESDAY, 7th February, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Cunard.

Mr. Allanshaw.

Mr. Botsford.

Mr. Attorney General.

Mr. Chandler.

PRAVERS.

Message from the Assembly, by Mr. Crane, with the following Bill, to which they desire the concurrence of this House :—

A

A Bill to amend an Act, intituled "An Act for the commutation of His Majesty's Quit Rents in the Province of New Brunswick;"

And that the Assembly had agreed to the amendments made by this House to the following Bills:—

A Bill for the incorporation of the Salmon River Coal Company: and

A Bill to incorporate sundry persons by the name of the President, Directors and Company of the Bank of Fredericton.

Pursuant to the Order of the Day, the Bill to incorporate the Nashwaak Mill and Manufacturing 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 incorporate the Washademoak Mill 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 Rector, Church Wardens and Vestry of Trinity Church in the Parish of Saint John, in the City of Saint John, to sell certain land in the said City, was read a second time; and it was

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

Pursuant to the Order of the Day, the Bill to enable the Governor and Trustees of the Madras School to sell certain land in Fredericton, was read a second time; and it was

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

Pursuant to the Order of the Day, the Bill to provide for the collection of County and Parish Rates, was read a second time; and it was

ORDERED, That the same be referred to a Select Committee of two Members to report thereon, and that the Honorable Messrs. Botsford and Chandler be appointed a Committee for that purpose.

Pursuant to the Order of the Day, the Bill to amend an Act to authorize certain persons to build a Bridge across the Kennebecasis River, in the Parishes of Hampton and Kingston, in King's County, was read a second time; and it was

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

Pursuant to the Order of the Day, the Bill to make provision for the payment of a portion of the expenses of maintaining certain Light Houses and establishments in the Gulf of Saint Lawrence, was read a second time; and it was

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

A A

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 authorize the Mayor, Aldermen and Commonalty of the City of Saint John to widen the Bridge between the said City and Parish of Portland.

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, had made some progress therein, and asked leave to sit again on Monday next.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to erect a part of the Parish of Portland into a separate and distinct Town or 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, had made some progress therein, and asked leave to sit again on Monday next.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to alter and amend an Act, intituled "An Act more effectually to provide for the support of a nightly Watch in and for lighting 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 into consideration of the said Bill, had made some progress therein, and asked leave to sit again on Monday next.

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

Read a first time, the Bill to amend an Act, intituled "An Act for the commutation of His Majesty's Quit Rents in the Province of New Brunswick."

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

A Petition from J. D. Casewell, and thirty seven other Inhabitants of the City of Saint John, praying for aid towards the Baptist Seminary in Fredericton: and

A Petition from eighty three Inhabitants of the County of Saint John, with a similar prayer.

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

The Honorable Mr. Cunard, by leave, presented a Petition from William Silliker, and others, praying for pecuniary aid in erecting a Wharf at Bay Verte.

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

Adjourned until To-morrow at 3 o'clock.

WEDNESDAY,

WEDNESDAY, 8th February, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Peters.

Mr. Cunard.

Mr. Allanshaw.

Mr. Robinson.

Mr. Saunders.

Mr. Botsford.

Mr. Attorney General.

Mr. Chandler.

PRAYERS.

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

A Bill to incorporate the Shugamock Lake Company :

A Bill for continuing the General Assembly in this Province in case of the demise of the Crown :

A Bill to authorize His Majesty's Justices of the Peace of the County of Gloucester to assess the said County for the erecting of a Gaol within the same, and for other purposes therein mentioned :

A Bill for the more effectual prevention of fires within the City of Saint John ;

And that the Assembly had agreed to the Bill for the amendment of the Law and better advancement of Justice, with amendments, to which they desire the concurrence of this House.

ORDERED, That the Clerk be authorized to communicate Messages from this House to the Assembly during the temporary absence of the Master in Chancery.

The Honorable Mr. Peters, from the Select Committee to whom were referred all Bills relating to Corporations, presented a further 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, further report, that they have had under consideration a Bill to incorporate the Nashwaaksis Manufacturing Company, and have prepared an amendment to the said Bill, which they recommend to the adoption of the House.

HARRY PETERS, *Chairman.*

ORDERED, That the House be put into a Committee of the whole on Friday next, to take the same into consideration.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to amend an Act to authorize certain persons to build a Bridge across the Kennebecasis River, in the Parishes of Hampton and Kingston 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 said Bill, and recommended the same without amendment to the adoption of the House.

ORDERED,

ORDERED, That the report be received, and that the said 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 Rector, Church Wardens and Vestry of Trinity Church, in the Parish of Saint John, in the City of Saint John, to sell certain lands in the said City.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and that the said 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 to enable the Governor and Trustees of the Madras School to sell certain land in Fredericton.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and that the said 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 to make provision for the payment of a portion of the expenses of maintaining certain Light Houses and establishments in the Gulf of Saint Lawrence.

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, had made some progress therein, and asked leave to sit again to-morrow.

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

The Honorable Mr. Cunard, from the Select Committee to whom was referred the Bill to regulate the exportation of lumber, presented a report.

ORDERED, That the report be received;

And the same was then read by the Clerk as follows:—

The Committee to whom was referred the Bill to regulate the exportation of lumber, beg leave to report, that they have had the said Bill under consideration and prepared certain amendments thereto, which they recommend to the adoption of the House.

JO. CUNARD, *Chairman.*

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

Read a first time, the Bill to authorize His Majesty's Justices of the Peace of the the County of Gloucester to assess the said County for the erecting of a Gaol within the same, and for other purposes therein mentioned.

ORDERED,

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

Read a first time, the Bill for the more effectual prevention of Fires within the City of Saint John.

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

Read a first time, the Bill for continuing the General Assembly in this Province in case of the demise of the Crown.

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

Read a first time, the Bill to incorporate the Shugamock Lake Company.

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.

Read the said Bill a second time.

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

The amendments sent up from the Assembly, to the Bill for the amendment of the Law and the better advancement of Justice, were read a first time as follows:—

At A. in XXVII. Section, expunge the following words, “and that the Court or any Judge thereof may from time to time enlarge the term for any such arbitrator or arbitrators making his or their award.”

At B. add a new Section as follows:—

“XXXI. And be it enacted, that in any summary action in the Supreme Court wherein the Plaintiff may be entitled to judgment by default, such judgment may be entered in vacation as an interlocutory judgment, and the damages or sum due may be assessed, and proceedings may be had to final judgment and execution as in other cases; and the Clerk of the Pleas shall keep a book in which shall be set down such judgments by default so entered in vacation, and the time of such entry, and such Clerk for every such entry and certificate thereof shall be entitled to demand and receive a fee of two shillings.”

The same was again read by the Clerk, and the question of concurrence being put on each, they were agreed to by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House thereof.

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

A Petition from Duncan Barber, Alexander Campbell and others, praying that an Act may pass to incorporate the Shugamock Lake Company: and

A Petition from Mary Ann Cleary, of Saint Patrick, in the County of Charlotte, praying for pecuniary aid in consequence of losses by fire.

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

Adjourned until To-morrow at 3 o'clock.

THURSDAY, 9th February, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Peters.

Mr. Cunard.

Mr. Allanshaw.

Mr. Robinson.

Mr. Saunders.

Mr. Botsford.

Mr. Attorney General.

Mr. Chandler.

PRAYERS.

Message from the Assembly, by Mr. Allen, with a Bill, intituled "A Bill in addition to and in amendment of an Act, intituled 'An Act to increase the number of Constables in the City of Saint John,'" to which they desire the concurrence of this House; and

That the Assembly have agreed to the amendments made by this House to the following Bills:—

A Bill to incorporate the Nashwaak Mill and Manufacturing Company:

A Bill to incorporate the Washademoak Mill Company: and

A Bill for erecting a part of the Parish of Saint Mary's and Douglas, in the County of York, into a separate and distinct Town or Parish.

Pursuant to the Order of the Day, the Bill to enable the Rector, Church Wardens and Vestry of Trinity Church, in the Parish of Saint John, in the City of Saint John, to sell certain Land in the said City, was read a third time and passed; and it was

ORDERED, That the title be "An Act to enable the Rector, Church Wardens and Vestry of Trinity Church, in the Parish of Saint John, in the City of Saint John, to sell certain Land in the said City."

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

Pursuant to the Order of the Day, the Bill to enable the Governor and Trustees of the Madras School to sell certain Land in Fredericton, was read a third time and passed; and it was

ORDERED, That the title be "An Act to enable the Governor and Trustees of the Madras School to sell certain Land in Fredericton."

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

The Honorable Mr. Peters, from the Select Committee to whom were referred all Bills relating to Corporations, presented a further report.

ORDERED, That the said report be received;

And the same was read by the Clerk as follows:—

The Committee to whom were referred all Bills relating to Corporations, report, that

that they have had under consideration a Bill to incorporate sundry persons by the name of the President, Directors and Company of the Saint George's Bank, and have prepared certain amendments to the said Bill, which they recommend to the adoption of the House.

HARRY PETERS, *Chairman.*

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

The Order of the Day for the third reading of the Bill to amend an Act to authorize certain persons to build a Bridge across the Kennebecasis River in the Parishes of Hampton and Kingston, in King's County, being read, it was

ORDERED, To be discharged, and that the House be put into a Committee of the whole; presently, again to take the said Bill into further 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 had made an amendment thereto, which they recommend to the adoption of the House.

ORDERED, That the report be received.

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

At A. insert the words “at the place where the piers of the said Bridge are already erected.”

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

ORDERED, To be engrossed, and the Bill as amended read a third time 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 Bill to make provision for the payment of a portion of the expenses of maintaining certain Light Houses and establishments in the Gulf of Saint Lawrence, being read, it was

ORDERED, To be discharged, and that the House be put into a Committee of the whole on Tuesday next, to take the same 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 to regulate the exportation of Lumber and the report of the Select Committee thereon, being read; it was

ORDERED, To be discharged, and that the House be put into a Committee of the whole on Monday next, to take the same into consideration.

Pursuant to the Order of the Day, the Bill for continuing the General Assembly in this Province in case of the demise of the Crown, was read a second time; and it was

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

Pursuant to the Order of the Day, the Bill for the more effectual prevention of fires within the City of Saint John, was read a second time; and it was

ORDERED,

ORDERED, That the House be put into a Committee of the whole on Wednesday next, to take the same into consideration.

Pursuant to the Order of the Day, the Bill to authorize His Majesty's Justices of the Peace of the County of Gloucester to assess the said County for the erecting of a Gaol within the same, and for other purposes therein mentioned, was read a second time; and it was

ORDERED, That the House be put into a Committee of the whole on Wednesday next to take the same into consideration.

Read a first time, the Bill in addition to and in amendment of an Act, intituled "An Act to increase the number of Constables in the City of Saint John."

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

On motion made and seconded, it was

RESOLVED, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to direct, that a copy of the report or award of the Commissioners of Lower Canada, Nova Scotia, Prince Edward Island and New Brunswick, on the subject of Light Houses on Saint Paul and Scatterie Islands, be laid before this House.

ORDERED, That the Honorable Messrs. Cunard and Allanshaw be a Committee to wait upon His Excellency the Lieutenant Governor and present the said Address.

The Honorable Mr. Peters, by leave, presented a Petition from Josiah Freeze, praying compensation for teaching a School in the Parish of Brunswick, in Queen's County.

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

The Honorable Mr. Allanshaw, by leave, presented a Petition from J. W. Chandler and others, praying that certain amendments may be made to the Act incorporating the Saint Andrew's and Quebec Rail Road Company.

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

Adjourned until To-morrow at 3 o'clock.

FRIDAY, 10th February, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Peters.

Mr. Cunard.

Mr. Allanshaw.

Mr. Saunders.

Mr. Botsford.

Mr. Attorney General.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill to amend an Act to authorize certain persons to build a Bridge across the Kennebecasis River, in the Parishes of
Hampton

Hampton and Kingston, in King's County, 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 in addition to and in amendment of an Act, intituled "An Act to increase the number of Constables in the City of Saint John," was read a second time; and it was

ORDERED, That the House be put into a Committee of the whole on Tuesday next, to take the same into consideration.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to incorporate the Nashwaaksis Manufacturing Company.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

The Honorable Mr. Cunard, 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 direct that a copy of the report or award of the Commissioners of Lower Canada, Nova Scotia, Prince Edward Island and New Brunswick, on the subject of Light Houses on Saint Paul and Scatterie Islands, be laid before this House, reports, that the Committee had attended to that duty and that His Excellency was pleased to say, that the wish of the House should be complied with.

Adjourned until Monday next at 12 o'clock.

MONDAY, 13th February, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Cunard.

Mr. Allanshaw.

Mr. Saunders.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill to incorporate the Nashwaaksis Manufacturing Company, was read a third time and passed.

C c

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 House was put into a Committee of the whole, to take into consideration the Bill to regulate the exportation of Lumber, 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 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 II. expunge the word “this,” and insert the words “the said.”

At B. expunge the remainder of the Oath.

At C. expunge the word “and,” and insert the word “or.”

At D. insert the words “and a resurvey shall be required.”

At E. expunge the remainder of the Section, and insert the words “the conviction for any such offence shall be deemed and taken to be a dismissal from his office as Surveyor.”

At F. in Section III. expunge the words “an equal width and.”

At G. expunge the word “bunches,” and insert the word “bundles.”

At H. in Section VII. insert the word “marking.”

At I. expunge the words “and three pence for marking the same.”

At J. expunge the Section, and substitute the following:—

“XI. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to prevent the exportation of Lumber of other qualities, not merchantable; provided always that such Lumber be actually shipped as of its proper denomination.”

At K. in Section XII. insert the words “commence and come into operation on the first day of April in the present year, and shall.”

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

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

The Honorable Mr. Botsford, from the Select Committee to whom was referred the Bill to provide for the collection of County and Parish rates, presented a report.

ORDERED, That the report be received;

And the same was then read by the Clerk as follows:—

The Select Committee to whom was referred the Bill to provide for the collection of County and Parish rates, beg leave to report, that they have examined the said Bill, and prepared certain amendments to the same, which they recommend to the adoption of the House.

A. E. BOTSFORD, *Chairman.*

ORDERED,

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

The Honorable Mr. Peters, from the Select Committee to whom were referred all Bills relating to Corporations, presented a further 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, report, that they have had under consideration “A Bill to incorporate the Shugamock Lake Company;” the powers contemplated to be given to the said Company, are in the opinion of your Committee too extensive, and ought not to be sustained without further information in the nature of plans, names of proprietors and survey of the stream; and the Committee therefore cannot recommend the said Bill to the adoption of the House.

HARRY PETERS, Chairman.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill for continuing the General Assembly in this Province, in case of the demise of the Crown.

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 had made an amendment thereto, which they recommend to the adoption of the House.

ORDERED, That the report be received;

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

At A. expunge the word “known,” and insert the words “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; and it was

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to erect a part of the Parish of Portland into a separate and distinct Town or Parish.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the Bill, and recommended that the further consideration of the same should be postponed for three months.

ORDERED, That the report be received; and it was

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 further consideration the Bill to authorize the Mayor, Aldermen and Commonalty of the City of Saint John to the widen Bridge between the said City and Parish of Portland.

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, had made further 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 alter and amend an Act, intituled "An Act more effectually to provide for the support of a nightly watch in and for lighting the City of Saint John."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended that the further consideration of the same should be postponed for three months.

ORDERED, That the report be received; and it was

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 incorporate sundry persons by the name of the President, Directors and Company of the Saint George's 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 had made certain amendments thereto, which they recommend 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 remainder of the section, and insert the words "by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province."

At B. in Section II. expunge the words "the passing of this Act," and insert the words "the time when this Act shall come into operation and be in force."

At C. in Section II. expunge the words "the passing of this Act," and insert the words "the time when this Act shall come into operation and be in force."

At D. in Section XIII. expunge the words "passing of this Act," and insert the words "the time when this Act shall come into operation and be in force."

At Dd. "expunge the word eight," and insert "eighty."

At E. in Section XVI. add "and it shall be the duty of the Commissioners to transmit without delay their Report to the Secretary of the Province."

At

At F. in Section XVIII. insert the words "redeemed in due time or in the sale of Stock pledged for money lent and not."

At G. in Section XIX. expunge the word "except," and insert "exempt."

At H. in Section XXXIII. insert the words "January and the first Monday in."

At I. in Section XXXIV. insert the words "or Chairman."

At J. expunge the sections XXXVII. and XXXVIII. and alter the enumeration of the subsequent sections accordingly.

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

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

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

A Bill to give further powers to the Overseers of the Fisheries for the City and County of Saint John :

A Bill to repeal all the Acts now in force relating to Parish Schools, and to make other provisions respecting the same :

A Bill to explain and amend an Act to incorporate the Saint John Mechanics Whale Fishing Company :

A Bill to regulate the appointment, powers and duties of Bye Road Commissioners in this Province :

A Bill to amend the Act for the more effectual recovery of fines imposed upon Jurors and Officers attending the Courts of Justice in this Province :

A Bill to authorize the Justices of the peace for the County of Carleton, to assess the said County for the erection of a Lock up House at Tobique in the said County; and

A Bill in addition to and in amendment of the Laws now in force regulating Elections of Representatives to serve in General Assembly in this Province.

The Honorable Mr. Peters, from the Select Committee to whom were referred all Bills relating to Corporations, presented a further report.

ORDERED, That the report be received;

And the same was 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 Grand Falls Mill and Manufacturing Company, that they have prepared certain amendments to the said Bill, which they recommend to the adoption of the House.

HARRY PETERS, *Chairman*.

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

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

A Bill to regulate Banking in this Province; and

D D

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A Bill relating to the Great Roads of communication through the Province.

Read a first time, the Bill to give further powers to the Overseers of the Fisheries for the City and County of Saint John.

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

Read a first time, the Bill in addition to and in amendment of the Laws now in force regulating Elections of Representatives to serve in General Assembly in this Province.

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

Read a first time, the Bill to repeal all the Acts now in force relating to Parish Schools, and to make other provisions respecting the same.

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

Read a first time, the Bill to explain and amend an Act to incorporate the Saint John Mechanics Whale Fishing Company.

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

Read a first time, the Bill to regulate the appointment, powers and duties of Bye Road Commissioners in this Province.

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

Read a first time, the Bill to amend the Act for the more effectual recovery of fines imposed upon Jurors and Officers attending the Courts of Justice in this Province.

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

Read a first time, the Bill to authorize the Justices of the Peace for the County of Carleton to assess the said County, for the erection of a Lock up House at Tobique in the said County.

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

Read a first time, the Bill to regulate Banking in this Province.

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

Read a first time, the Bill relating to the Great Roads of Communication through this Province.

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

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

A Petition from Jesse Wetmore of Hampton, King's County, praying for remuneration for losses sustained by him in building a Bridge in said Parish:

A Petition from John Downie, and sixty two other persons, Inhabitants of the Parish of Botsford, praying for Legislative aid in their distressed situation, caused by the failure of their crops the last season:

A Petition from Belloni Cormea, and seventy six other Inhabitants of Westmorland, with a similar prayer:

A Petition from Robert Clarke, praying a return of Head money paid for passengers on board the Barque Kangaroo, in June last:

A Petition from Arthur Boyce, a licenced Teacher, praying for the usual Provincial allowance for teaching a School in the Parish of Greenwich: and A

A Petition from William Babb, a licenced Teacher, praying an allowance may be made him for teaching a School in that Parish for six months.

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

The Honorable the Attorney General, by leave, presented the following Petitions:—

A Petition from William Hammond of the City of Saint John, praying a return of Duties paid by him on articles consumed in the late fire: and

A Petition from John Walker, with a similar prayer.

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

The Honorable Mr. Cunard, by leave, presented a Petition from sundry Inhabitants of the Parish of Nelson, in Northumberland, praying that the Provincial allowance to teachers of Parish Schools may granted to David Lynch, for teaching a School in the year one thousand eight hundred and thirty four.

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

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 14th February, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Cunard.

Mr. Allanshaw.

Mr. Saunders.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill for continuing the General Assembly in this Province in case of the demise of the Crown as amended, was read a third time and passed; and it was

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 regulate the exportation of Lumber as amended, was read a third time and passed; and it was

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 incorporate sundry persons by the name of the President, Directors and Company of the Saint George's Bank, as amended, was read a third time and passed; and it was

ORDERED,

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

Pursuant to the Order of the Day, the Bill relating to the Great Roads of Communication through this Province, was read a second time; and it was

ORDERED, That the same be referred to a Select Committee of two Members to report thereon; and that the Honorable Messrs. Botsford and Lee be appointed for that purpose.

Pursuant to the Order of the Day, the Bill to amend the Act for the more effectual recovery of Fines imposed upon Jurors and Officers attending the Courts of Justice in this Province, was read a second time; and it was

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

Pursuant to the Order of the Day, the Bill to regulate Banking in this Province, was read a second time; and it was

ORDERED, That the House be put into a Committee of the whole on Thursday next, to take the same into consideration.

Pursuant to the Order of the Day, the Bill to repeal all the Acts now in force relating to Parish School, and to make other provisions respecting the same, was read a second time; and it was

ORDERED, That the same be referred to a Select Committee of two Members to report thereon, and that the Honorable Messrs. Peters and Chandler be appointed a Committee for that purpose.

Pursuant to the Order of the Day, the Bill to explain and amend an Act to incorporate the Saint John Mechanics Whale Fishing Company, was read a second time.

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

Pursuant to the Order of the Day, the Bill to regulate the appointment, powers and duties of Bye Road Commissioners in this Province, was read a second time; and it was

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

Pursuant to the Order of the Day, the Bill in addition to and in amendment of the Laws now in force regulating Elections of Representatives to serve in General Assembly in this Province, was read a second time; and it was

ORDERED, That the same be referred to a Select Committee of three Members to report thereon; and that the Honorable Messrs. Cunard, Saunders and Chandler, be appointed for that purpose.

Pursuant to the Order of the Day, the Bill to give further powers to the Overseers of the Fisheries for the City and County of Saint John, was read a second time; and it was

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

Pursuant

Pursuant to the Order of the Day, the Bill to authorize the Justices of the Peace for the County of Carleton to assess the said County for the erection of a Lock up House at Tobique in the said County, was read a second time; and it was

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

RESOLVED, That the Conferree on the part of this House, on the subject matter of the Bill to continue the Acts relating to Firewards in the Town of Fredericton, do meet the Committee appointed by the Assembly to manage the said conference, in the Committee Room of this House, on the first day of May next.

ORDERED, That the Master in Chancery do go down to the Assembly, and communicate this Resolution.

The Order of the Day, for the House to be put into a Committee of the whole, to take into further consideration the Bill to authorize the Mayor, Aldermen and Commonalty of the City of Saint John to widen the Bridge between the said City and Parish of Portland, being read, it was

ORDERED, To be discharged, and that the same be referred to a Select Committee of two Members to report thereon; and that the Honorable the Attorney General and the Honorable Mr. Chandler be appointed for that purpose.

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 collection of County and Parish rates, 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 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. insert the words “under the hands of such Clerks respectively, and the seal of the Court.”

At B. in Section II. expunge the words “and seals.”

At C. in same Section expunge the words “and seals.”

At D. in Section IV. expunge the words “and such complaint under oath shall be deemed and taken in all Courts of Law in this Province *prima facie* evidence of all and every of the facts therein stated.”

At E. expunge the fifth section, and alter the enumeration of the subsequent sections accordingly.

At F. in Section VI. expunge the words “no assessor shall,” and insert the words “no assessors shall in the whole.”

At G. expunge the word “assessor,” and insert the word “assessors.”

At H. in Section IX. expunge the word “first.”

At I. in same section insert the words “at which Town or Parish Officers are appointed.”

At J. in Section XI. expunge the word “Lists,” and insert the word “Suits.”

At K. in Section XII. insert the words "the operation of."

At L. insert the words "the operation of."

At M. expunge the words, "are hereby repealed," and insert the words "is hereby suspended while this Act shall continue and be in force."

At N. insert a new section as follows:—

"XIII. Provided always and be it enacted, That when any Clerk of the Peace, Assessors or Collector, may have neglected to perform any of their said duties within the time prescribed by this Act, it shall nevertheless be lawful for such Clerk, Assessors or Collector to perform such duty after the time so prescribed, and all such subsequent proceedings shall be held and deemed good and valid to all intents and purposes as if done within the said prescribed period."

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

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

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

A Bill to limit the granting of licences for the sale of spirituous liquors in the County of Carleton:

A Bill to establish a Boundary line between the Counties of Westmorland and Saint John, and King's and Queen's Counties: and

A Bill to amend an Act to incorporate the Saint Andrews and Quebec Rail Road Company: and

With Resolutions of Appropriations, dated the third, ninth, eleventh and thirteenth days of February instant.

Read a first time, the Resolutions of Appropriation, dated third, ninth, eleventh and thirteenth of February instant.

ORDERED, That the same be referred to the Committee of the whole House upon Resolutions of Appropriation.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to incorporate the Grand Falls Mill and Manufacturing 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 the report of the Select Committee thereon, had made some progress therein, and asked leave to sit again on Thursday next.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to incorporate the Shugamock Lake Company, 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 recommended that the further consideration thereof should be postponed for three months.

ORDERED, That the report be received; and it was

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 in addition to and in amendment of an Act, intituled "An Act to increase the number of Constables in 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 into consideration of the said Bill, had made some progress therein, and asked leave to sit again on Thursday next.

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

The Honorable Mr. Peters, from the Select Committee to whom were referred all Bills relating to Corporations, presented a further 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, further report, that they have had under consideration a Bill to incorporate the Acadian Company, and have prepared an amendment to the said Bill, which they recommend to the adoption of the House.

HARRY PETERS, Chairman.

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

RESOLVED, That a Select Committee of three Members be appointed to investigate and report upon the contingent accounts of this House for the present Session.

ORDERED, That the Honorable Messrs. Cunard, Robinson and Botsford, do compose that Committee.

Read a first time, the Bill to limit the granting of licences for the sale of spirituous liquors in the County of Carleton.

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

Read a first time, the Bill to amend an Act to incorporate the Saint Andrews and Quebec Rail Road Company.

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

Read a first time, the Bill to establish a Boundary line between the Counties of Westmorland and Saint John, and King's and Queen's Counties.

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

The Honorable the Attorney General, by leave, presented a Petition from James Hendricks and fifty other persons, Inhabitants of the City of Saint John, praying that the

the Bill which has been sent up to this House by the Assembly, intituled "A Bill for the more effectual prevention of fires within the City of Saint John," may not become a Law.

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

The Honorable Mr. Black, by leave, presented a Petition from Lieutenant Colonel Turner, late Inspecting Field Officer in this Province, stating his case for the favorable consideration of the Legislature.

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

The Honorable Mr. Allanshaw, by leave, presented a Petition from Stewart Seelye, James Davidson and other Inhabitants of Charlotte County, praying that a sum of money may be granted to the Committee of Management of the Baptist Seminary.

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

The Honorable Mr. Botsford, by leave, presented a Petition, from John Hayes, Sylvester Z. Earle and other Inhabitants of Kings County, with a similar prayer : also

A Petition from John W. Smith, and other Inhabitants of the Parish of Portland, praying that the Laws now in force in the Towns of Fredericton and Saint Andrews, respecting the appointment of Firewards, may be extended to the said Parish.

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

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 15th February, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Cunard.

Mr. Allanshaw.

Mr. Saunders.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill to provide for the collection of County and Parish Rates, as amended, was read a third time and passed; and it was

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 amend an Act to incorporate the Saint Andrews and Quebec Rail Road Company, was read a second time; and it was

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

Pursuant to the Order of the Day, the Bill to limit the granting of licences for the sale of spirituous liquors in the County of Carleton, was read a second time; and it was

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

Pursuant to the Order of the Day, the Bill to establish a Boundary line between the Counties of Westmorland and Saint John, and King's and Queen's Counties, was read a third time; and it was

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the same 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 explain and amend an Act to incorporate the Saint John Mechanics Whale Fishing Company.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and that the said 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 the Act for the more effectual recovery of fines imposed upon Jurors and Officers attending the Courts of Justice in this Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

The Honorable Mr. Baillie, by direction of His Excellency the Lieutenant Governor, lays before the House a copy of the report and award of the Commissioners of Lower Canada, Nova Scotia, Prince Edward Island and New Brunswick, on the subject of Light Houses on Saint Paul and Scatterie Islands.

The Honorable Mr. Baillie, by leave, presented a Petition from John M'Grath, praying for pecuniary aid under peculiar circumstances of distress.

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

The Honorable Mr. Saunders, by leave, presented a Petition from Richard Ketchum, and other Magistrates, Merchants and Farmers, praying an Act may pass to authorize an assessment on the County of Carleton to build a Lock up House near the Tobique River in the said County.

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

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

A Bill to erect part of the County of Gloucester into a separate and distinct County :

A Bill to extend the Gaol Limits in the County of Carleton :

A Bill to amend the Act incorporating the Restook lower Mill Company : and

A Bill relating to Bank Notes ;

And that the Assembly had agreed to the amendments made by this House to the following Bills :—

A Bill to amend an Act to authorize certain persons to build a Bridge across the Kennebecasis River in the Parishes of Hampton and Kingston, in King's County :

A Bill for continuing the General Assembly in this Province, in case of the demise of the Crown : and

A Bill to incorporate sundry persons by the name of the President, Directors and Company of the Saint George's Bank.

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to incorporate the Acadian 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 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 the Preamble, insert the words " in the Parishes of Pennfield and Saint George."

At B. expunge the words " with the exception of the Parishes of West Isles, Campo Bello and Grand Manan."

At C. in Section I. insert the words, "for the purpose of erecting Mills and necessary works therewith connected, in the Parishes of Pennfield and Saint George, in the County of Charlotte, for the manufacture of Lumber and other purposes, and for carrying on and managing the same."

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

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 authorize the Justices of the Peace for the County of Carleton, to assess the said County for the erection of a Lock up 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 said Bill, had made some progress therein, and asked leave to sit again to-morrow.

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, for the more effectual prevention of Fires within the City of Saint John, being read, it was

ORDERED,

ORDERED, To be discharged, and that the House be put into a Committee of the whole on Monday next, to take the same 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 relating to insolvent confined Debtors.”

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 had made certain amendments thereto, which they recommend to the adoption of the House.

ORDERED, That the report be received;

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

At A. in Section I. expunge the words “the said recited Act relating to insolvent confined Debtors,” and insert the words “an Act made and passed in the sixth year of His present Majesty’s Reign, intituled ‘An Act relating to insolvent confined Debtors.’”

At B. expunge the second section and alter the number of the following section accordingly.

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

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

On motion—The House was put into a Committee of the whole, to take into further consideration the Bill to make provision for the payment of a portion of the expenses of maintaining certain Light Houses and establishments in the Gulf of Saint Lawrence.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

A Petition from the Overseers of the Poor of Saint George’s Parish, praying for a sum of money to reimburse them for expenses incurred in support of indigent Emigrants:

A Petition from William Harley, an old Soldier, praying for Legislative aid: and

A Petition from John Baldwin, an old Soldier, with a similar prayer:

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

The Honorable Mr. Chandler, by leave, presented a Petition from the Mayor, Aldermen and Commonalty of the City of Saint John, praying a Provincial Grant towards assisting them to extend the Breakwater in the Harbour, and to aid them in extending a Breakwater on the Sand Point or Bar in Carleton.

ORDERED,

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

Read a first time, the Bill to erect part of the County of Gloucester into a separate and distinct County.

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

Read a first time, the Bill to extend the Gaol Limits in the County of Carleton.

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

Read a first time, the Bill to amend the Act to incorporate the Restook lower Mill Company.

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

Read a first time, the Bill relating to Bank Notes.

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

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 16th February, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Cunard.

Mr. Allanshaw.

Mr. Saunders.

Mr. Botsford.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill to incorporate the Acadian Company, as amended, was read a third time and passed; and it was

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 amend an Act, intituled "An Act relating to insolvent confined Debtors," as amended, was read a third time and passed; and it was

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 amend the Act for the more effectual recovery of fines imposed upon Jurors and Officers attending the Courts of Justice in this Province, was read a third time and passed; and it was

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 explain and amend an Act to incorporate

porate the Saint John Mechanics Whale Fishing Company, was read a third time and passed; and it was

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 erect part of the County of Gloucester into a separate and distinct County, was read a second time; and it was

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 extend the Gaol limits in the County of Carleton, was read a second time; and it was

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 the Act incorporating the Restook lower Mill Company, was read a second time; and it was

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 relating to Bank Notes, was read a second time; and it was

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

Message from the Assembly, by Mr. Wyer, that they had agreed to the following Bills, with amendments, to which they desire the concurrence of this House:—

An Act to enable the Governor and Trustees of the Madras School to sell certain land in Fredericton: and

An Act to enable the Rector, Church Wardens and Vestry of Trinity Church in the Parish of Saint John in the City of Saint John, to sell certain land in the said City;

And that the Assembly had agreed to the amendments made by this House to the Bill to regulate the exportation of Lumber.

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 an Act to increase the number of Constables in the City of Saint John.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and 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 "by the said recited Act of Assembly, they are empowered to appoint, and the number to be annually elected by the Charter

of the said City," and insert the words "which may be elected or appointed under and by virtue of the Charter of the said City, or any Act of Assembly now in force."

At B. expunge the words "the said recited Act," and insert the words "An Act made and passed in the fifty sixth year of the Reign of King George the Third, intituled 'An Act to increase the number of Constables in the City of Saint John.'"

At C. in Section II. expunge the words "appointed under this Act or under the said recited Act, or elected under the said Charter," and insert the words "in the said City, whether elected under the Charter, or appointed by virtue of this or any other Act of Assembly."

At D. in Section III. expunge the words "or any two Justices of the Peace in the County of Saint John."

At E. expunge the words "or in any part of the said County."

At F. expunge the words "or such two Justices."

At G. expunge the words "or in the County of Saint John."

At H. expunge the words "or such two Justices in that County."

At I. expunge the words "or in the said County."

At K. expunge the words "or any two such Justices aforesaid."

At L. expunge the words "or the said County," and insert the words "and the vicinity of the City of Saint John, shall for the purpose of this Act be deemed to include each of the Parishes in the County of Saint John, immediately adjoining the said City; and any two Justices of the Peace in the County of Saint John shall, under like circumstances have like power and authority to appoint persons residing in the said County to act as special Constables for the said County."

At M. insert the word "respectively."

At N. expunge the words "or the said County," and insert as follows "or in the County of Saint John as the case may be."

At O. in Section IV. insert the words "in regard to the said City and its vicinity."

At P. insert the words "regard to."

At Q. in Section V. insert the word "respectively."

At R. in Section VI. expunge the words "on conviction."

At S. in the title, expunge the words "in addition to and in amendment of an Act, intituled 'An Act to increase," and insert the words "to provide for increasing."

At T. insert the words "and for appointing special Constables in the City and County of Saint John."

The said amendments being read a second time, and the question of concurrence put thereon, they were severally agreed to by the House; and it was

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 regulate Banking 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, and recommend that the further consideration of the said Bill be postponed for three months.

ORDERED,

ORDERED, That the report be received; and it was

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 establish a Boundary line between the Counties of Westmorland and Saint John, and King's and Queen's Counties.

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, 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 amend an Act to incorporate the Saint Andrews and Quebec Rail Road Company.

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. Botsford, from the Select Committee to whom was referred the Bill relating to the Great Roads of Communication through this Province, presented a report.

ORDERED, That the report be received;

And the same was then read by the Clerk as follows:—

The Select Committee to whom was referred the Bill relating to the Great Roads of Communication through this Province, report, that they have examined the said Bill, and prepared certain amendments to the same, 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 same into consideration.

The Honorable Mr. Peters, from the Select Committee to whom was referred the Bill to repeal all the Acts now in force relating to Parish Schools, and to make other provisions respecting the same, presented a report.

ORDERED, That the report be received;

And the same was then read by the Clerk as follows:—

The Select Committee to whom was referred the the Bill to repeal all the Acts now in force relating to Parish Schools, and to make other provisions respecting the same, report, that they have had the said Bill under consideration, and prepared certain amendments thereto, which they recommend to the adoption of the House.

HARRY PETERS, *Chairman.*

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

The Honorable the President moved for leave to bring in a Bill in addition to the Acts relating to the public registry of Deeds in this Province.

Leave granted.

The said Bill being brought in, was read a first time.

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

The Honorable the President moved for leave to bring in a Bill further to amend the Act relating to Highways.

Leave granted.

The said Bill being brought in, 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, upon Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the third day of February instant, and recommend 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 third day of February instant, 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 to authorize the Justices of the Peace for the County of Carleton to assess the said County for the erection of a Lock up House at Tobique 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.

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 for the County of York to levy an assessment for the building a new Gaol 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 the further consideration of the said Bill, 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 12 o'clock.

FRIDAY,

FRIDAY, 17th February, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Cunard.

Mr. Allanshaw.

Mr. Saunders.

Mr. Botsford.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill in addition to and in amendment of an Act, intituled "An Act to increase the number of Constables in the City of Saint John," as amended, was read a third time and passed; and it was

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 for the County of Carleton to assess the said County for the erection of a Lock up House at Tobique in the said County, was read a third time and passed; and it was

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 to incorporate the Saint Andrews and Quebec Rail Road Company, was read a third time and passed; and it was

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

Pursuant to the Order of the Day, the Bill in addition to the Acts relating to the public registry of Deeds in this Province, was read a second time; and it was

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

Pursuant to the Order of the Day, the Bill further to amend the Act relating to Highways, was read a second time; and it was

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the same 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 repeal all the Acts now in force relating to Parish Schools, and to make other provisions respecting the same, and the report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

H H

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 relating to the Great Roads of Communication through this Province, 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 had made certain amendments thereto, which they recommended to the adoption of the House.

ORDERED, That the report be received to-morrow.

Pursuant the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to establish a Boundary line between the Counties of Westmorland and Saint John, and King's and Queen's Counties.

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 had made certain amendments thereto, which they recommend 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 words “thence a due north course by the magnet until it strikes the division line between the Counties of Westmorland and Kent,” and insert the words “thence following the line run from the said birch tree, by Deputy Surveyor Stiles, in the autumn of the year one thousand eight hundred and thirty six, a course north by the magnet of that year, and a prolongation of such line northwardly until it intersects the southern boundary line of the County of Kent or Northumberland, as the case may be.”

At B. insert a new Section as follows :—

“ II. And be it enacted, That all the lands which may lie to the eastward of the said line, and which before the passing of this Act formed a part of the said County of Saint John, shall be included in and form a part of the Parish of Hopewell in the County of Westmorland, to all intents and purposes whatsoever.”

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

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 amend the Act incorporating the Restook lower Mill Company.

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 recommend the same without amendment to the adoption of the House.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill relating to Bank 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 without amendment to the adoption of the House.

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

The Honorable Mr. Cunard, from the Select Committee to whom was referred the Bill in addition to and in amendment of the laws now in force regulating elections of Representatives to serve in General Assembly in this Province, presented a report.

ORDERED, That the report be received.

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

The Committee to whom was referred the Bill in addition to and in amendment of the laws now in force regulating elections of Representatives to serve in General Assembly in this Province, report, that have they had the said Bill under consideration, and have prepared certain amendments to the said Bill, which they recommend to the adoption of the House.

JO. CUNARD, *Chairman.*

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

The Honorable Mr. Chandler, from the Select Committee to whom was referred the Bill to authorize the Mayor, Aldermen and Commonalty of the City of Saint John to widen the Bridge between the said City and Parish of Portland, presented a report.

ORDERED, That the report be received.

The said report was then read by the Clerk, and is as follows:—

The Committee to whom was referred the Bill to authorize the Mayor, Aldermen and Commonalty of the City of Saint John to widen the Bridge between the said City and Parish of Portland, report, that they have had the said Bill under consideration, and have prepared an amendment thereto, which they recommend to the adoption of the House.

E. B. CHANDLER, *Chairman.*

ORDERED, That the House be put into a Committee of the whole to-morrow, to take the same 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 extend the Gaol Limits in the County of Carleton.

The

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to authorize the Justices of the Peace for the County of York, to levy an assessment for the building of a new Gaol 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 recommend the same without amendment to the adoption of the House.

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

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 18th February, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Peters.

Mr. Cunard.

Mr. Allanshaw.

Mr. Saunders.

Mr. Botsford.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill to establish a Boundary line between the Counties of Westmorland and Saint John, and King's and Queen's Counties, as amended, was read a third time and passed; and it was

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 for the County of York to levy an assessment for the building a new Gaol in the said County, was read a third time and passed; and it was

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 extend the Gaol limits in the County of Carleton, was read a third time and passed; and it was

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 Bill to amend the Act incorporating the Restook lower Mill Company, was read a third time and passed; and it was

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 relating to Bank Notes, was read a third time and passed; and it was

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 report of the Committee of the whole House upon the Bill relating to the Great Roads of communication through this Province, was received.

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

At A. in Section I. expunge the word “repeal,” and insert the word “amend.”

At B. add the words “except so far as any of the said Acts may repeal the whole or any part of any other Acts.”

At C. in Section II. insert the word “continued.”

At D. in Section II. expunge the remainder of the Section, and insert as follows “Saint John by way of the Nerepis, be by the following line or route, that is to say, from the Market House in Fredericton by the present route to the mouth of the Oromocto River, thence across the said River, and through the field of John Hazen, Esquire, to the Great Road in rear of the said field, thence to Vaughan’s Point, thence across the inlet at the head of the South Bay to the point where the said Great Road divides into two branches, one of which leads to John Harding’s on the Manawagonis Road, and from thence by the present route to the Carleton Ferry, and the other to Lovett’s Point opposite to Indian Town.

“That the road leading from Gage Town to the Nerepis road be by the following line or route, that is to say, from the Court House in Gage Town along the present Highway, leading towards Dingee’s Mill until it meets the Road leading from Gage Town to the Nerepis Great Road, thence through the Summer Hill and Coot Hill Settlements, until it meets the aforesaid Nerepis road, leading from Fredericton to Saint John.

“That the Great Road leading from Saint John to Saint Andrews be by the following line or route, that is to say, from Carleton to Musquash, thence to Magaguadavic, thence to Digdeguash, thence to Chamcook, and thence to Saint Andrews.

“That the Great Road from Fredericton to Saint Andrews, be by the following line or route, that is to say, from the Market House in Fredericton, by the residence of the Honorable Thomas Baillie, through the Hanwell Settlement, thence to the River Magaguadavic, near Brockway’s, thence by the Flume Ridge to M’Farlane’s Mills on the River Digdeguash, thence to Connick’s, thence to Gilman’s, and thence to Saint Andrews.

“That the Great Road from Connick’s at Waweig in the County of Charlotte to the lower Bridge over the River Saint Croix, be by the following line or route, that is to say, from Connick’s at Waweig, round the head of Oak Point Bay, and thence through the Town of Saint Stephens to the lower Bridge over the River Saint Croix.

“That the Great Road from the City of Saint John to the Nova Scotia line, be by the following line or route, that is to say, from the City of Saint John to the Bridge over Hammond River near Ketchum’s, thence by the present route to Hampton Ferry, thence to Sussex, and through that Parish to Alexander M’Leod’s, thence by the new road round the Portage Hill, to where it joins the old road near Leak’s Farm, thence to the new Bridge over the Petticodiac River, thence along the said River to the Bend, thence through the Portage between Petticodiac and Memramcook Rivers, thence across Memramcook River, by the Bridge, to the Court House in Dorchester, thence through the Portage to Sackville, thence by the road leading over the Great Marsh, to the Missiguash, the Boundary line of the Province, to join the Post road of Nova Scotia.

“That the Great Road leading from the Bend of the Petticodiac River in the County of Westmoreland to Shediac, be by the following line or route, that is to say, from the Bend of the Petticodiac River by the present road to Shediac.

“The Great Road from Dorchester to Chatham to commence at the angle of the line of the Great Road from Saint John to the Nova Scotia line, on the East side of the Memramcook River Bridge thence by the present line of road to the Ferry over the River Richibucto near George Platt’s, thence following the present line of Road by the head of Daigle’s Creek to Napan, and from thence to the Village of Chatham through the Chatham’s Joint Stock Company lot.

“That the road from Hopewell in the County of Westmorland to Salisbury, be by the following line or route, that is to say, commencing at Isaac Dorn’s, and extending thence by the present road to John Calhoun’s, thence to M’Latchey’s, Creek in Hillsborough, thence by the road as now travelled to George Colpitt’s in Coverdale and thence to the Great Road near Alexander Wright’s.

“That the road from Fredericton to the Finger Board, be by the following line or route, that is to say, from the Market House in Fredericton, across the River Saint John, to the lower side of the Nashwaak, thence to the Parish of Haugerville, thence following the present road through that Parish, and the Parishes of Sheffield and Canning to William Colwell’s Farm, thence across the Jemseg, and following the new line of road, lately explored by William Foshay and John Earle, crossing the Washademoak Lake at White’s Point, to the old road, thence by the present route to the Finger Board, on the Great Road from Saint John to the Nova Scotia line.

“That the road from Saint John to the head of Bellisle, be by the following line or route, that is to say, from the forks of the road on the Great Marsh near Saint John, through the Moose path road, by Charles Clark’s, and the Honorable William Black’s Farm, thence by the same road to Gondola Point, thence crossing the River Kennebecasis to George Burgess’ Farm, thence following the road to the eastward of Bates’ Mill Pond, and through the Middle Land Settlement by way of Lewis Pickett’s to the Gutherie road so called, thence by the road last mentioned to the head

head of Bellisle Bay, meeting there the Great Road leading from Fredericton to the Finger Board.

“That the Great Road leading from Fredericton to Newcastle and thence to Restigouche, be by the following line or route, that is to say, crossing the River Saint John at Fredericton to the upper Ferry commonly called Everitt's Ferry, thence northeasterly or thereabouts through the woods to Atherton's on the west side of the Nashwaak, agreeably to the line as near as may be explored and recommended by Alexander Goodfellow, David Crocker and Robert Wasson, the Commissioners appointed by His Excellency the Lieutenant Governor, to examine the road from Swim's Ferry on the south west Miramichi to Fredericton, in pursuance of a Resolution of the House of Assembly in the Session of one thousand eight hundred and thirty five, thence up the Nashwaak following the courses recommended by the said Commissioners, as near as may be, to M'Pherson's, thence crossing the Nashwaak at M'Laggan's Mills, about two miles below M'Leod's, thence across the Portage to Boies Town, also agreeably to the line recommended by the said Commissioners in their report, and laid out, opened, and made by the Supervisors on that road, viz. Goodfellow and Crocker, the last year, thence from Boies Town on the south side of the south west Branch of the River Miramichi, down to Hunter's or Bliss' Farm, thence crossing the said Branch of the River Miramichi to the north side, thence down on the last mentioned side till it strikes the new road at or below Swim's Ferry, thence to continue down on the same side of the said River, following the new road to the lower end of the straight line below Decantlin's, thence to Doak's and M'Laggan's Mills on Bartholomew's River, thence to Indian Town, thence following the road as at present made and travelled to the north west Branch of the Miramichi River, to a little above or to the north of Beaubear's Point, thence crossing the said north west Branch, to Newcastle, thence to Alexander Goodfellow's Farm, thence through the woods agreeably to the road at present travelled to Forein's, and from thence to Campbelltown as follows, on the present line from Forein's to the Shire Town at Bathurst, and from thence to cross the middle River of Bathurst from the public landing near Joseph Read's, Wharf, and continue in a direct line to Deacon's landing, from thence to Tattigouche Bridge, and from thence to Armstrong's Bridge, thence to cross at the mouth of the Jacquet River, and to continue to Benjamin's Bridge, and pass near to M'Pherson's house, thence to the River Charlo, at or near the head of the tide, thence to cross at the mouth of Eel River, thence on the present laid out line to Dalhousie, and from thence on to Campbelltown, to terminate immediately opposite the entrance of the Kempt Canada Road.

“That the road leading from Fredericton to the Canada line, be by the following line or route, that is to say, from the Market House in Fredericton on the west side of the River Saint John to Burgoyne's Ferry, thence across the River Saint John to the east side of the said River, thence on the east side of the said River to Pennington's Bridge on the Great Road leading to Joseph Woolverton's in the Parish of Northampton, thence across the said River Saint John to Mr. Fraser's lower Farm in Woodstock, thence to the Garrison at Presqu' Isle, thence across the lower Presqu' Isle Creek, near the mouth of the River Restook, thence across the said
River

River near its mouth, thence to the Grand Falls, and from thence to the Canada line through the Madawaska Settlement.

“That the Great Road leading from Woodstock to Houlton, be by the following line or route, that is to say, from the Great Road leading to the Canada line at Woodstock corner through the Richmond Settlement to the American Line to meet the Bangor road through Houlton.”

At E. in Section VI. insert the words “and for the purpose of making any alteration they may deem necessary, such Supervisors respectively shall have power and authority, and they are hereby authorized to enter upon the lands of any proprietor or proprietors through which it may be thought desirable to make any alterations, in order to make the necessary exploration and survey preparatory to such alteration, doing no unnecessary damage thereto.”

At F. in Section VII. expunge the word “fourteen,” and insert the words “not less than ten.”

At G. expunge the words “in the Shire Town of the County, and also in six or more of the most public places in the Parish or Parishes through which the road intended to be made pass,” and insert “in the neighbourhood where the work is to be done.”

At H. expunge the word “ten,” and insert the word “twenty.”

At I. expunge the IX. Section, and alter the enumeration of the subsequent sections accordingly.

At J. in Section XII. expunge the words “the nearest,” and insert “a.”

At K. in Section XIII. expunge the remainder of the section, and insert “through any improved lands without the consent of the owner or owners thereof, or agreeing with, or paying to him, her or them the value of the said improved land, so to be laid out into such public road, with such damages as he, she or they may sustain by the said road, and in case they cannot agree, then the true value to be set and appraised by five disinterested Freeholders, to be nominated and appointed by two Justices of the Peace, on the oath of such Freeholders, which oath any one of the said Justices is hereby authorised and required to administer, and the amount of such value and damages, with the incidental expenses, shall be defrayed by the Supervisors of the respective Districts out of the monies to be granted for the use of the said Great Roads.”

At L. in Section XIV. insert the words “value and.”

At M. in Section XIX. insert the words “and such appointments shall be made, during the first week in April in each and every year.”

At N. expunge the word “District,” and insert the word “Province.”

At O. insert the words “for the remainder of the year.”

At P. expunge the words “qualified in all respects as is hereinbefore set forth.”

At Q. expunge the word “District,” and insert the word “Province.”

At R. add a new section as follows:—

“XXI. Provided always and be it enacted, That all Acts and proceedings which may have been done and had, under and by virtue of any of the said Acts hereinbefore repealed, shall be and remain valid and effectual, notwithstanding such repeal.”

The said amendments being read a second time, and the question of concurrence put

put on each, they were severally agreed to by the House; and it was

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill further to amend the Act relating to Highways.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended 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.

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 the Act relating to the public registry of Deeds.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill in addition to and in amendment of the laws now in force regulating Elections of Representatives to serve in General Assembly 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 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.

Message from the Assembly, by Mr. Wyer, with a Bill, intituled "A Bill relating to the Herring Fisheries in the County of Charlotte," to which they desire the concurrence of this House;

And with several Resolutions of Appropriation, dated the fourteenth, sixteenth and seventeenth days of February, instant, to which they desire the concurrence of this House.

The amendment sent up from the Assembly, to the Bill to enable the Governor and Trustees of the Madras School to sell certain land in Fredericton, was read as follows:—

At A. in Section I. after the word "dispose," insert "at Public Auction, thirty days previous notice of such Auction, stating the time and place thereof, being first given in the Royal Gazette."

The same was again read by the Clerk;

And the question of concurrence being put thereon, it was agreed to by the House.

K K

ORDERED,

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House thereof.

The amendment sent up by the Assembly, to the Bill to enable the Rector, Church Wardens and Vestry of Trinity Church in the Parish of Saint John, in the City of Saint John, to sell certain Land in the said City, was read a second time as follows:—

At A. expunge the words “for such price or prices as they may be able to get therefor,” and insert the words “to the highest bidder at public auction, thirty days notice of the time and place of such sale being first given in one or more of the newspapers published in the City of Saint John.”

The same was again read by the Clerk;

And the question of concurrence being put thereon, it was agreed to by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House thereof.

Read a first time, the Bill relating to the Herring Fisheries in the County of Charlotte.

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

Read a first time, the Resolutions of Appropriation, dated the fourteenth, sixteenth and seventeenth days of February instant.

ORDERED, That the same be referred to the Committee of the whole House upon Resolutions of Appropriation.

On motion—The House was put into a Committee of the whole, upon Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the Resolutions of Appropriation dated the ninth day of February instant, they had made some progress therein, and asked leave to sit again.

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

Adjourned until Monday next at 12 o'clock.

MONDAY, 20th February, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Baillic.

Mr. Peters.

Mr. Cunard.

Mr. Allanshaw.

Mr. Robinson.

Mr. Saunders.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

The

The Honorable the President informed the House that he had directed Stephen Miller, Esquire, a Master in Chancery, to attend this House, for the purpose of carrying Messages to the Assembly, in the room of the late Charles S. Putnam, Esquire, deceased.

Pursuant to the Order of the Day, the Bill relating to the Great Roads of Communication through this Province, as amended, was read a third time and passed; and it was

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 in addition to the Acts relating to the public registry of Deeds in this Province, was read a third time and passed; and it was

ORDERED, That the title be "An Act in addition to the Acts relating to the public registry of Deeds in this Province."

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

Pursuant to the Order of the Day, the Bill further to amend the Act relating to Highways, was read a third time and passed, and it was

ORDERED, That the title be "An Act further to amend the Act relating to Highways."

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council had passed this Bill, and desire their concurrence thereto.

RESOLVED, That a Select Committee of three Members be appointed to whom shall be referred all Accounts and Petitions presented, relating to the support of sick, indigent and distressed Emigrants, to report thereon; and that the Honorable Messrs. Peters, Botsford and Chandler be appointed a Committee for that purpose.

The Honorable Mr. Peters, by leave, presented a Petition from Michael M'Guin, praying for Legislative aid for teaching a School in the Parish of Portland.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill in addition to and in amendment of the Laws now in force regulating Elections of Representatives to serve in General Assembly 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 Chairman reported, that the Committee had gone into the further consideration of the said Bill, had made further progress therein, and asked leave to sit again to-morrow.

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

Message

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

A Bill to increase the Capital Stock of the Saint John Bridge Company ; and

A Bill to appropriate a part of the public Revenue to the payment of the Ordinary Services of the Province.

And that the Assembly had agreed to the amendments made by this House to the following Bills :—

A Bill to incorporate the Acadian Company :

A Bill to amend an Act, intituled “An Act relating to insolvent confined Debtors :” and

A Bill to provide for the collection of County and Parish Rates ;

And that the Assembly had agreed to the Resolutions of Appropriation dated the 18th day of February instant, to which they desire the concurrence of this House.

Pursuant to the Order of the Day, the Bill relating to the Herring Fisheries in the County of Charlotte, was read a second time; and it was

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

Pursuant to the Order of the Day, the Bill to make provision for the payment of a portion of the expenses of maintaining certain Light Houses and establishments in the Gulf of Saint Lawrence, was read a third time and passed; and it was

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 it was

RESOLVED, unanimously, That the urgency and importance of the measures in regard to the Commerce of these North American Colonies, and the cause of humanity, have alone induced this House to pass the “ Bill to make provision for the payment of a portion of the expenses of maintaining certain Light Houses and establishments in the Gulf of Saint Lawrence,” notwithstanding the objection arising from the circumstance, that the only authority, under which the Commissioners on the part of this Province by whom the award was made upon which the Bill is founded appear to have acted, is a Resolution of the House of Assembly of the 14th March last; which proceeding this House will not consent shall be drawn into precedent for the future.

On motion—The House was put into a Committee of the whole, to take into consideration the Bill to erect part of the County of Gloucester into a separate and distinct 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, had made some progress therein, and asked leave to sit again to-morrow.

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

Read a first time, the Bill to increase the Capital Stock of the Saint John Bridge Company.

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

Read

Read a first time, the Bill to appropriate a part of the public Revenue to the payment of the Ordinary Services of the Province.

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

Read a first time, the Resolutions of Appropriation dated the 18th day of February instant.

ORDERED, That the same be referred to the Committee of the whole House upon Resolutions of Appropriation.

Adjourned until To-morrow at 11 o'clock.

TUESDAY, 21st February, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Cunard.

Mr. Allanshaw.

Mr. Robinson.

Mr. Saunders.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill to increase the Capital Stock of the Saint John Bridge Company, was read a second time; and it was

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 appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province, was read a second time; and it was

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 erect part of the County of Gloucester into a separate and distinct County.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

The Chairman reported that the Committee having the said Bill under consideration, an amendment was moved to the eighth section, to wit:—to expunge the words "one Member," and insert the words "two Members."

Upon which the Committee divided as follows:—

CONTENT.
 Mr. Baillie.
 Mr. Peters.
 Mr. Cunard.
 Mr. Attorney General.
 Mr. Lee.

NON CONTENT.
 The Chief Justice.
 Mr. Black.
 Mr. Shore.
 Mr. Allanshaw.
 Mr. Robinson.
 Mr. Saunders.
 Mr. Botsford.
 Mr. Chandler.

And it was decided in the negative.

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

ORDERED, That the report be received, and that the Bill 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 in addition to and in amendment of the Laws now in force 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 the further consideration of the said Bill, 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.

WEDNESDAY, 22d February, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Peters.

Mr. Cunard.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill to erect part of the County of Gloucester into a separate and distinct County, was read a third time and passed; and it was

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

sideration the Bill to authorize His Majesty's Justices of the Peace of the County of Gloucester to assess the said County for the erecting of a gaol within the same, and for other purposes therein mentioned.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into the consideration of the said Bill, 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 Committee of the whole, to take into further consideration the Bill in addition to and in amendment of the Laws now in force 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 through the Bill, and had made certain amendments thereto, which they recommend 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 several Sections of the Bill except the last, and insert as follows :

“ Whereas it is desirable to lessen the number of polling days in holding Elections in this Province, and also to define the several places for polling in the respective Counties;

“ I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, that the tenth section of an Act made and passed in the thirty first year of the Reign of His Majesty King George the Third, intituled ‘ An Act for regulating Elections of Representatives in General Assembly, and for limiting the duration of Assemblies in this Province,’ be and the same is hereby repealed; and in lieu thereof,

“ II. Be it further enacted, that every Poll, which at any Election hereafter holden in any County of this Province shall be demanded, shall commence on the day the same shall be demanded, and shall be duly and regularly proceeded in from day to day, (Sundays and intervening days as hereinafter provided excepted,) without delay or other adjournment, in order that all voters present may have an opportunity of being polled, and in case any Candidate or two Electors at such Election shall on the first day of holding the Poll so require, the Poll shall be removed and held at the several places hereinafter appointed in each County; and if the said Poll shall continue unto the eighth polling day inclusive, the same shall on that day be finally closed at or before the hour of three o'clock in the afternoon, and the Sheriff at every such Election shall immediately or on the day next after the final close of the Poll truly and publicly declare the name or names of the person or persons who shall have the majority of votes on such Poll, and shall forthwith make a return of such person or persons, unless the Sheriff upon a scrutiny being demanded by any Candidate or any two or more Electors shall deem it necessary to grant the same

same, in which case it shall and may be lawful for him so to do and to proceed thereupon, but so as that in all cases of an Election every Sheriff having the return of a writ of Election shall close such scrutiny, and make his return upon such writ, on or before the day on which such writ is returnable.

“III. And be it further enacted, that the following polling in the respective Counties, shall be and the same are hereby declared to be the places at which the Poll in the respective Counties shall be held, in case the removal of the Poll be demanded as hereinbefore provided, to wit :

“IN THE COUNTY OF YORK.

“First day.—At the County Court House in the Shire Town.

“Second day.—In the upper part of the Parish of Kingsclear.

“Third day.—In the upper part of the Parish of Queensbury.

“Fourth day.—In the upper part of the Parish of Southampton.

“Fifth day.—On the Keswick Ridge in the Parish of Douglas.

“Sixth day.—On the Nashwaak in the Parish of Saint Mary’s.

“Seventh and eighth days.—At the County Court House in the Shire Town.

“IN THE COUNTY OF WESTMORLAND.

“First day.—At the Court House in the Shire Town.

“Second day (allowing one week day to intervene).—At or near William Hamilton’s in Hopewell.

“Third day.—In Moncton near the Bend of Petitcodiac River.

“Fourth day.—In Barachois Settlement in Shediac Parish.

“Fifth day.—At Bay Verte.

“Sixth day.—In the upper part of Sackville Parish.

“Seventh and eighth days.—At the Court House in the Shire Town.

“IN THE COUNTY OF KENT.

“First day.—At the Court House in the Shire Town.

“Second day.—At or near the Ferry over the Great Buctouche River.

“Third and fourth days.—At or near the Ferry over Cocagne River.

“Fifth day.—At Kichibouguac near Raymond’s Mills.

“Sixth, seventh and eighth days.—At the Court House in the Shire Town.

“IN AND FOR THE CITY OF SAINT JOHN.

“First and second days.—At the Court House in the said City.

“Third day.—In Carleton.

“Fourth, fifth, sixth, seventh and eighth days.—At the Court House in the said City.

“IN AND FOR THE COUNTY OF SAINT JOHN.

“First and second days.—At the Court House in the City of Saint John.

“Third day.—In Carleton.

“Fourth day.—At Loch Lomond.

“Fifth day.—At Quaco.

“Sixth day (allowing one week day to intervene).—At the Court House in the said City.

“Seventh and eighth days.—At the same place.

“IN

“ IN AND FOR THE COUNTY OF SUNBURY.

- “ First and second days.—At the Court House in Burton.
- “ Third day.—At or near Tilley’s in Sheffield.
- “ Fourth day.—At or near Thomas Hartt’s on the north branch of the Oromocto.
- “ Fifth, sixth, seventh and eighth days.—At the Court House in Burton.

“ IN AND FOR KING’S COUNTY.

- “ First day.—At the Court House in Kingston.
- “ Second day.—At or near Harding’s in the Parish of Westfield.
- “ Third day.—At or near Gillis’ in the Parish of Springfield.
- “ Fourth day.—At or near Roache’s in the Parish of Sussex.
- “ Fifth day.—At or near De Boo’s in the Parish of Upham.
- “ Sixth day.—At or near Hampton Ferry.
- “ Seventh and eighth days.—At the Court House in Kingston.

“ IN AND FOR THE COUNTY OF CHARLOTTE.

- “ First day.—At the Court House in Saint Andrews.
- “ Second day.—At or near the head of Oak Bay in the Parish of Saint David’s.
- “ Third day.—In the Parish of Saint Stephen’s.
- “ Fourth day (allowing one week day to intervene).—At or near Digdeguash Mills in the Parish of Saint Patrick.
- “ Fifth and sixth days.—At or near the lower Falls in the Parish of Saint George.
- “ Seventh and eighth days.—At the Court House in Saint Andrews.

“ IN QUEEN’S COUNTY.

- “ First day.—At the County Court House in Gagetown.
- “ Second day.—At or near White’s Point on the Grand Lake.
- “ Third day.—At or near O’Leary’s, mouth of Salmon River.
- “ Fourth day.—At or near White’s Point on the Washademoak.
- “ Fifth day.—At Robert Golding’s, Parish of Wickham.
- “ Sixth day.—At or near the half way House, Nerepis Road.
- “ Seventh and eighth days.—At the County Court House in Gagetown.

“ IN AND FOR THE COUNTY OF GLOUCESTER.

- “ First day.—At the Court House in Bathurst.
- “ Second and third days (allowing one week day to intervene).—At or near the French Chapel in Carraquet.
- “ Fourth and fifth days (allowing two week days to intervene).—In the Town of Dalhousie.
- “ Seventh and eighth days (allowing one week day to intervene).—At the Court House in Bathurst.

“ IN AND FOR THE COUNTY OF NORTHUMBERLAND.

- “ First day.—At the Court House in Shire Town.
- “ Second day.—At lower Negowack.
- “ Third day (allowing one week day to intervene).—At Bay du Vin, at or near Williston Settlement.
- “ Fourth day.—At the Town of Chatham.
- “ Fifth day.—At or near Cuppage and White’s in Northesk.
- “ Sixth day.—At or near the Forks on Cain’s River.

“ Seventh day.—At Boise Town.

“ Eighth day (allowing two week days to intervene).—At the Court House in the Shire Town.

“ IN AND FOR THE COUNTY OF CARLETON.

“ First day.—At the Court House in the Shire Town.

“ Second day.—At or near Beguaguimick in the Parish of Brighton.

“ Third day.—At or near Munquat in the Parish of Kent.

“ Fourth day.—At or near Everitt's in the Parish of Andover.

“ Fifth day (allowing one week day to intervene).—At or near Thibedeaux's, near Green River in the Parish of Madawaska.

“ Sixth day (allowing two week days to intervene).—At the Court House in the Shire Town.

“ Seventh and eighth days.—At the same place.

“ IV. And be it enacted, That when any new County shall be erected in this Province, either wholly or in part from any of the said Counties, the Election for such new County shall be held at the Shire Town during the whole number of polling days, until otherwise provided for by Law, and if any of the places hereinbefore established for taking the Poll, should happen to fall within the limits of such new County, the same shall cease to be places for such polling, and the Poll instead thereof shall be held in the Shire Town of the County for which such days and places were originally fixed; provided always, that where any such polling days revert to the Shire Town in manner aforesaid, the same shall be held from day to day without any week day intervening.

“ V. Provided always and be it enacted, that if at any time in the course of holding such Poll all opposition should be withdrawn by consent or resignation of Candidates, then the said Sheriff shall and may finally close such Poll after giving one hour's public notice or proclamation thereof.”

At B. expunge “ XXVIII.” and insert “ VI.”

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to increase the Capital Stock of the Saint John Bridge Company.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and the Bill be read a third time tomorrow.

On motion—The House was put into Committee of the whole, to take into further consideration the Bill to repeal all the Acts now in force relating to Parish Schools, and to make other provisions respecting the same, 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 the further consideration of the said Bill, 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 a Committee of the whole, to take into consideration the Bill relating to the Herring Fisheries in the County of Charlotte.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

The Honorable Mr. Saunders enters.

On motion—The House was put into a Committee of the whole, to take into further consideration the Bill to incorporate the Grand Falls Mill and Manufacturing Company.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and recommended that the further consideration of the same should be postponed for three months.

ORDERED, That the report be received; and it was

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 repeal all the Laws now in force relating to the establishment of a Tender to be made in all payments in the Province, and to make other provision for the same.

The Honorable Mr. Shore took the Chair.

A Message being announced, the Chairman left the Chair, and the House formed.

Message from the Assembly, by Mr. Allen, that the Assembly have agreed to the amendments made by this House to the following Bills:—

A Bill in addition to and in amendment of an Act, intituled “An Act to increase the number of Constables in the City of Saint John:” and

A Bill to establish a boundary line between the Counties of Westmorland and Saint John, and King’s and Queen’s Counties:

and also

With the following Bills and Resolutions of Appropriations, to which they desire the concurrence of this House:—

A Bill to amend the Act to provide for the collection of the Revenue of the Province:

A Bill to facilitate the recovery of possession of lands, tenements and premises from

from tenants holding over the term or neglecting to pay the rent agreeably to the terms of the demise :

A Bill to suspend the laws now in force for the organization and regulation of the Militia : and

Resolutions of Appropriation dated the 21st February instant.

The House was again put into a Committee of the whole, to take into further consideration the Bill to repeal all the laws now in force relating to the establishment of a tender to be made in all payments in the Province, and to make other provisions for the same.

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, as the opinion of the Committee, that the further consideration of the Bill should be postponed for three months—

Whereupon the Committee divided as follows:—

CONTENT.	NON CONTENT.
The Chief Justice.	Mr. Black.
Mr. Shore.	Mr. Baillie.
Mr. Botsford.	Mr. Peters.
Mr. Lee.	Mr. Cunard.
Mr. Chandler.	Mr. Allanshaw.
	Mr. Robinson.
	Mr. Saunders.
	Mr. Attorney General.

And it was decided in the negative.

The Chairman further reported, that the Committee had made some further progress, 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, 23d February, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

<i>Mr. Black.</i>	<i>Mr. Shore.</i>
<i>Mr. Baillie.</i>	<i>Mr. Peters.</i>
<i>Mr. Cunard.</i>	<i>Mr. Allanshaw.</i>
<i>Mr. Robinson.</i>	<i>Mr. Saunders.</i>
<i>Mr. Botsford.</i>	<i>Mr. Attorney General.</i>
<i>Mr. Lee.</i>	<i>Mr. Chandler.</i>

PRAYERS.

Read a first time, the Bill to amend the Act to provide for the collection of the Revenue of the Province.

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

Read a first time, the Bill to facilitate the recovery of possession of lands, tenements and premises from Tenants holding over the term or neglecting to pay the rent agreeably to the terms of the demise.

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

Read a first time, the Bill to suspend the laws now in force for the organization and regulation of the Militia.

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

Read a first time, the Resolutions of Appropriation dated the 21st February instant.

ORDERED, That the same be referred to the Committee of the whole House on Resolutions of Appropriation.

Pursuant to the Order of the Day, the Bill relating to the Herring Fisheries in the County of Charlotte, was read a third time and passed; and it was

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 increase the Capital Stock of the Saint John Bridge Company, was read a third time and passed; and it was

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 repeal all the Acts now in force relating to Parish Schools, and to make other provisions respecting the same.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and 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 VI. expunge the words “Justices of the Peace of the respective Counties,” and insert the words “Trustees of Schools of the respective Parishes mentioned in such schedule.”

At B. in same Section, insert the words “provided that no more than three female schools shall be included in any such certificate or schedule in any one Parish.”

At C. expunge the words “Justices of the Peace of the County,” and insert the word “Trustees.”

At D. in Section X. expunge the words “and that diligent inquiry should from time to time be made to ascertain whether any of the persons to whom Parish licenses have heretofore been granted or shall be hereafter granted, are or may be unfit to take charge of a Parish School by reason of immorality, intemperance, disloyal principles or deficiency of literary acquirements.”

At E. in same Section, expunge the words "or boards."

At Ee. expunge the words "or districts."

At F. in same Section, expunge the remainder of the Section.

At G. expunge Section XI. and alter the enumeration of the subsequent Sections accordingly.

At Gg. expunge the words "or districts."

At H. expunge Section XIII. and alter the enumeration of the subsequent Sections accordingly.

At I. in Section XIV. insert the word "said."

At J. in same Section, expunge the words "by this Act repealed," and insert the words "hereinbefore repealed."

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to authorize His Majesty's Justices of the Peace of the County of Gloucester to assess the said County for the erecting of a gaol within the same, and for other purposes 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 said Bill, and recommended that the further consideration thereof should be postponed for three months.

ORDERED, That the report be received; and it was

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to repeal all the laws now in force relating to the establishment of a tender to be made in all payments in the Province, and to make other 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 through the said Bill, and 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 I. expunge the remainder of the Section, and insert "and an Act made and passed in the fifty eighth year of the same reign, intituled 'An Act in addition to an Act, intituled, An Act for establishing a tender to be made in all payments in this Province,' and an Act made and passed in the second Session of the General Assembly held in the fifth year of the reign of his present Majesty, intituled 'An Act in addition to the laws now in force for establishing a legal tender in all payments to be made in this Province,' be and the same are hereby repealed."

The

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

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

On motion—The House was put into a Committee of the whole, to take into consideration the Bill for the more effectual prevention of Fires within the City of Saint John.

The Honorable Mr. Shore took the Chair.

A Message being announced, the Chairman left the Chair, and the House formed.

Message from the Assembly, by Mr. Wyer, that they have agreed to the amendments made by this House to the Bill relating to the Great Roads of Communication through this Province.

The House was again put into a Committee of the whole, to take into consideration the Bill for the more effectual prevention of Fires 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 into the consideration of the said Bill, had made some progress therein, and asked leave to sit again on Saturday next.

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 authorize the Mayor, Aldermen and Commonalty of the City of Saint John to widen the Bridge between the said City and Parish of Portland, and the report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and 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 “between the City of Saint John and Parish of Portland.”

At B. insert the words “lying partly in the said City and partly in the said Parish.”

At C. expunge the word “forty,” and insert the words “not less than forty nor more than fifty.”

At D. add the following proviso:—“Provided always, that nothing herein contained shall extend or be construed to extend to authorize the said Mayor, Aldermen and Commonalty in any manner to stop, hinder or diminish the passing of the water, or any boats, timber, logs or other thing whatever, into or out of the Mill pond on the eastern side of the said Mill bridge, in any flood gates, sluice, flume, or other channel or passage now used for such purposes, through or under the said Mill bridge, without the consent of the proprietor of the said Mill pond.”

At E. expunge Section II. and insert the following:—

“II.

“ II. And be it further enacted, That as well the value of the land or flats over which such extension of breadth shall pass as the value of all buildings and improvements of the owner or owners thereof, and his or their lessee or lessees, which may be injured, required to be removed, or otherwise deteriorated in value, or the damage to be sustained thereby, shall be paid for by the said Mayor, Aldermen and Commonalty, to be ascertained as follows, to wit: if the said Mayor, Aldermen and Commonalty cannot agree with any such owner or owners, lessee or lessees, as to the amount of compensation to be paid to them or any one or more of them respectively, then and in such case such compensation shall be ascertained by five indifferent persons, two to be chosen by each party, which four persons will choose a fifth; the valuation of which five persons or any three of them made in writing under their hands and seals shall be taken to be the true compensation to be paid by the said Mayor, Aldermen and Commonalty to and received by the person or persons submitting to such reference, provided such award shall be made and ready to be delivered to the parties within fourteen days after the date of the same submission; and in case of the refusal of any such owner or owners, lessee or lessees, with whom a private agreement cannot be made as aforesaid, to nominate and appoint two persons to make such valuation, or in case of the failure of the said arbitrators to make any valuation as aforesaid under their hands and seals or the hands and seals of any three of them as aforesaid within fourteen days after they shall have been chosen and appointed as aforesaid, it shall and may be lawful for the said Mayor, Aldermen and Commonalty to make application to any two Justices of the Peace for the City and County of Saint John, who are hereby required to issue a warrant directed to the High Sheriff of the said City and County, commanding him to summon a Jury of twelve disinterested freeholders of the County of Saint John, not being resident within the said City, well and truly to assess such compensation so to be made to such person or persons respectively so refusing to agree with the said Mayor, Aldermen and Commonalty, or submit to such reference, or in which no award shall have been made as aforesaid; which Jury so summoned shall assess the amount of compensation to be paid to such person or persons respectively; and the said Mayor, Aldermen and Commonalty shall in all cases pay or tender to be paid to the parties severally interested the full amount of the compensation to be agreed upon or found in either of the ways above mentioned, before they the said Mayor, Aldermen and Commonalty shall be entitled to take possession or proceed with the work of widening the said Bridge.”

At F. in Section III. expunge the words “ or his deputy.”

At G. expunge the words “ or his deputy.”

At H. expunge the words “ or his deputy.”

At I. expunge the words “ or his deputy.”

At K. insert the words “ and in like manner, in case of arbitration, all the expenses attending the arbitration shall be paid by the said Mayor, Aldermen and Commonalty.”

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

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

The Honorable Mr. Peters, from the Select Committee to whom were referred all
Accounts

Accounts and Petitions presented to this House relating to the support of sick, indigent and distressed Emigrants, 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 Accounts and Petitions presented, relating to the support of sick, indigent and distressed Emigrants, report, that they have examined the several Petitions referred to them, with the accounts in detail which accompany the same, and find that the charges are all moderate and reasonable; and although the names of the various Emigrants to whom relief has been extended are not specified agreeably to the terms of the Resolution of the House of the twelfth March last, yet your Committee on a careful consideration of the subject are fully satisfied that such expenditures were strictly within the spirit and meaning of the Emigrant Act, they therefore recommend the Resolutions of Appropriation to the adoption of the House.

HARRY PETERS, *Chairman.*

ORDERED, That the said report be referred to the Committee of the whole House upon Resolutions of Appropriation.

The Honorable Mr. Shore, by leave, presented a Petition from Thomas O. Miles, George Hayward, George B. Covert, James Hazen, and sundry other inhabitants of the County of Sunbury, praying a grant of money may pass to the Committee of Management for the Baptist Seminary in Fredericton, in aid of that establishment.

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

On motion—The House was put into a Committee of the whole, on 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 February instant, and recommend that the House should concur in the same with the following exceptions, which the Committee recommend should not be concurred in :—

The sum of thirty eight pounds eleven shillings to John Hammond, D. J. M'Laughlin, and Hugh M'Kay, owners of the late steamer Royal Tar, to refund light monies paid at the Treasurer's office, Saint John, on sundry entries of that vessel at Saint John in one thousand eight hundred and thirty six; to be taken from the Light House fund :

The sum of fifteen pounds to Thomas Crawford for teaching a school in the Parish of Portland in one thousand eight hundred and thirty four and one thousand eight hundred and thirty five :

The sum of five hundred pounds to Jarvis Ring, Aaron Hartt and others, the Committee of Management for the New Brunswick Baptist Education Society, to assist them in discharging the debt incurred in the purchase of land and the erection of the Seminary established in Fredericton :

The sum of one hundred pounds to the Reverend J. Dunphy, James Gallagher, and the Wardens of Saint Malichi's Church in Saint John, in aid of individual subscription.

scription, towards the support and establishment of a free school at that place for poor and indigent children : and

The sum of sixteen pounds thirteen shillings and fourpence to Matthew Carruthers, a licenced schoolmaster, for teaching a school in the Parish of Newcastle for ten months in the years one thousand eight hundred and thirty two and one thousand eight hundred and thirty three.

The Chairman further reported, that on the question whether the foregoing Resolution of Appropriation of five hundred pounds in favor of the Committee of Management for the New Brunswick Baptist Education Society should be concurred in the Committee divided :—

CONTENT.
Mr. Robinson.
Mr. Saunders.
Mr. Attorney General.
Mr. Chandler.

NON CONTENT.
The Chief Justice.
Mr. Black.
Mr. Shore.
Mr. Baillie.
Mr. Peters.
Mr. Cunard.
Mr. Allanshaw.
Mr. Lee.

And it was decided in the negative.

The Chairman further reported, that he was directed by the Committee to ask leave to sit again.

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

The Resolutions of appropriation dated the ninth February instant, were then concurred in by the House with the exceptions above entered, which were not concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have agreed to the Resolutions of appropriation dated the ninth February instant with the exceptions before mentioned.

Adjourned until To-morrow at 11 o'clock.

FRIDAY, 24th February, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Cunard.

Mr. Allanshaw.

Mr. Saunders.

Mr. Botsford.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill to repeal all the Laws now in force relating to Parish Schools, and to make other provisions respecting the same, as amended, was read a third time and passed ; and it was

ORDERED,

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

Pursuant to the Order of the Day, the Bill to repeal all the Laws now in force relating to the establishment of a Tender to be made in all payments in the Province, and to make other provision for the same, as amended, was read a third time and passed; and it was

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 Mayor, Aldermen and Commonalty of the City of Saint John to widen the Bridge between the said City and Parish of Portland, as amended, was read a third time and passed; and it was

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 amend the Act to provide for the collection of the Revenue of the Province, was read a second time; and it was

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 facilitate the recovery of possession of lands, tenements and premises from tenants holding over the term or neglecting to pay the rent agreeably to the terms of the demise, was read a second time.

Pursuant to the Order of the Day, the Bill to suspend the laws now in force for the organization and regulation of the Militia, was read a second time; and it was

On motion—**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, on Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

A Message being announced, the Chairman left the Chair, and the House formed.

Message from the Assembly, by Mr. Wyer, with the following Bills and Resolutions of Appropriation, to which they desire the concurrence of this House:—

A Bill to explain an Act, intituled "An Act to appropriate a part of the public Revenue for the services therein mentioned:"

A Bill for the relief of John Cunningham, a person confined to the Gaol limits in the City of Saint John for debt:

A Bill imposing duties upon certain articles imported into this Province: and Resolutions of Appropriation dated 23d February instant.

The House was again put into a Committee of the whole, on Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

A

A Message being announced, the Chairman left the Chair, and the House formed.

Message from the Assembly, by Mr. Wyer, that they have agreed to the Bill in addition to the Acts relating to the public registry of Deeds in this Province, without amendment.

The House was again put into a Committee of the whole, on 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 eleventh, thirteenth, fourteenth and sixteenth February instant, and recommended that the House should concur in the same with certain exceptions, which the Committee recommended should not be concurred in.

The Chairman further reported, that he was directed by the Committee to ask leave to sit again.

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

Whereupon the Resolutions of Appropriation dated the eleventh, thirteenth, fourteenth and sixteenth February instant, were severally concurred in by the House, with the following exceptions, which were not concurred in, viz. :—

To Robert Rankin and Company of Saint John, the sum of eight pounds thirteen shillings and fourpence, being excess of duty paid at the Treasurer's office, Saint John, on passengers per the Brig Mayflower in September last; also twenty nine pounds fourteen shillings and twopence, being excess of duty paid as above at Saint John, on passengers per the Brig Thomas Tyson, in July last; the same to be taken from the Emigrant fund :

To Jane Davidson, a licenced Schoolmistress in Nelson, County of Northumberland, the sum of ten pounds for teaching a School in the year one thousand eight hundred and thirty four :

To James Moran, of Saint Martin's, County of Saint John, the sum of fifty pounds, being for a bounty allowed for erecting an Oat Mill in that Parish :

To Willard Broad, the sum of twenty seven pounds eight shillings and fourpence, being return of duty on ninety five barrels of Flour imported *via* Saint Andrews, destroyed by the great fire in the year one thousand eight hundred and twenty five :

To John Earle, Thomas Cox and John M'Lean, Commissioners for exploring the shoal at the entrance of the Grand Lake, the sum of seventeen pounds sixteen shillings and fourpence, being the amount of expenses incurred :

To David Sadler, a licenced teacher, the sum of ten pounds for teaching a school in the Parish of Chatham for a period of six months, ending thirty first July one thousand eight hundred and thirty five: and

To the Mayor, Aldermen and Commonalty of the City of Saint John, the sum of five hundred pounds in aid of monies to be advanced by them for the heavy expenses to which they will be subject in excavating and improving Union Street in that City.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have agreed to the several Resolutions of Appropriation dated the eleventh, thirteenth, fourteenth and sixteenth February instant, with the exceptions herein before stated.

Pursuant

Pursuant to the Order of the Day, the Bill in addition to and in amendment of the laws now in force regulating elections of Representatives to serve in General Assembly in this Province, as amended, was read a third time and passed; and it was

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.

Read a first time, the Bill to explain an Act, intituled "An Act to appropriate a part of the public revenue for the services therein mentioned."

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

Read a first time, the Bill for the relief of John Cunningham, a person confined to the Gaol Limits in the City of Saint John for debt.

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

Read a first time, the Bill imposing duties upon certain articles imported into this Province.

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

Read a first time, the Resolutions of Appropriation dated twenty third February instant.

ORDERED, That the same be referred to the Committee of the whole House on Resolutions of Appropriation.

The Honorable Mr. Black, by leave, presented a Petition from Craven Calverly and thirty eight others, praying that the Legislature may not interfere in behalf of John Cunningham, a confined debtor at Saint John.

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

The Honorable Mr. Chandler, by leave, presented a Petition from John Robertson, Crookshank and Walker, Thomas Barlow, and others, creditors of John Cunningham, praying that a Bill may pass for the relief of the said John Cunningham, a confined debtor in Saint John.

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

Adjourned until to-morrow at 11 o'clock.

SATURDAY, 25th February, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Cunard.

Mr. Allanshaw.

Mr. Saunders.

Mr. Botsford.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill to explain an Act, intituled "An Act

to appropriate a part of the public revenue for the services therein mentioned," was read a second time; and it was

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

Pursuant to the Order of the Day, the Bill imposing duties upon certain articles imported into this Province, was read a second time; and it was

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

Pursuant to the Order of the Day, the Bill for the relief of John Cunningham, a person confined to the Gaol limits in the City of Saint John for debt, was read a second time; and it was

ORDERED, That the House be put into a Committee of the whole on Monday next, to take the same 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 for the more effectual prevention of Fires within the City of Saint John, 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 to the same, which they recommend 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. insert the word "six."

At B. in Section IV. insert the words "in front of or opposite to such windows or doors, and where any two such buildings constructed of stone or brick shall adjoin each other, the division or party wall between them shall be carried up and remain two feet at the least above the roof of the highest building which shall adjoin such party wall."

The said amendments being read a second time, and the question of concurrence put thereon, they were severally concurred in by the House; and it was

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to amend the Act to provide for the collection of the Revenue of the Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

The Honorable Mr. Cunard, by leave, presented a Petition from the Harbour Master

Master and Port Wardens of Bathurst, praying for a grant of money to assist in removing a ship grounded on the shoals abreast of the harbour.

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

The Honorable Mr. Allanshaw, by leave, presented a Petition from Robert V. Hanson, of Saint George in the County of Charlotte, praying remuneration for building a Bridge across the Magaguadavic River on the line of the Great Road from Saint John to Saint Andrews.

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

On motion—The House was put into a Committee of the whole, upon Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the seventeenth, eighteenth, twenty first and twenty third February instant, and recommended that the House should concur therein, with certain exceptions, which they recommended should not be concurred in.

ORDERED, That the report be received.

Whereupon the Resolutions of Appropriation dated the seventeenth, eighteenth, twenty first and twenty third of February instant, were concurred in by the House, with the exception of the following grants, viz. :—

To Thomas Wyer and the Committee appointed to report upon the subject of the Herring Fisheries in the vicinity of Grand Manan, the sum of one hundred and five pounds three shillings and twopence, being the expenses incurred in the prosecuting the investigation :

To James Whitney of Saint John, the sum of two hundred and twelve pounds seventeen shillings and fourpence, being for a return of Provincial duties paid on a steam engine imported from the United States for a steam boat to ply on the River Saint John, for the reasons stated in his Petition :

To William Chipman, the sum of twenty nine pounds for drawback on rum and sugar, and interest on the same, exported from Indian Island to Cornwallis, Nova Scotia, in June in the year one thousand eight hundred and nineteen ; the whole amount of duties on said articles having been paid with interest to the late Attorney General Uniacke, to the twenty fourth of November one thousand eight hundred and thirty six : and

To Thomas Phillips, Lewis Huestis and Isaac Lawrence, the sum of fifty pounds to remunerate them for their services in exploring the River Saint John between Frederickton and the Grand Falls, agreeably to a Resolution of the Assembly at the last Session.

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 seventeenth, eighteenth, twenty first and twenty third of February instant, with the exceptions herein before entered.

Adjourned until Monday next at 11 o'clock.

MONDAY,

MONDAY, 27th February, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Allanshaw.

Mr. Cunard.

Mr. Saunders.

Mr. Botsford.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill for the more effectual prevention of Fires within the City of Saint John, as amended, was read a third time and passed; and it was

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 amend the Act to provide for the collection of the Revenue of the Province, was read a third time and passed; and it was

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 Committee of the whole, to take into further consideration the Bill to continue the Acts relating to Firewards in the Town of Fredericton, 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 had made certain amendments thereto, which they recommend 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 the Title, insert the words “and amend.”

At B. in Section I. insert the words “together with this Act.”

At C. add a new Section, as follows:—

“II. And whereas it is found expedient more clearly to define the extent and limits of the Town of Fredericton and its immediate vicinity, mentioned in the said recited Acts; Be it further enacted, that a line commencing at the River Saint John on the line dividing the Parishes of Fredericton and Kingsclear, thence along the said line until it intersects the prolongation of the rear line of the third range of Pasture lots, thence along the said rear line and its prolongation south forty six degrees east by the magnet until it strikes the River Saint John, shall for all the purposes of the said recited Acts and of this Act be deemed and considered the extent and limits of the Town of Fredericton and its immediate vicinity.”

The

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill for the relief of John Cunningham, a person confined to the Gaol limits in the City of Saint John for debt.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received ; and it was

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

Message from the Assembly, by Mr. Wyer, that the Assembly had agreed to the amendments made by this House to the following Bills :—

A Bill to authorize the Mayor, Aldermen and Commonalty of the City of Saint John to widen the Bridge between the said City and Parish of Portland :

A Bill to repeal all the laws now in force relating to the establishment of a Tender to be made in all payments in this Province, and to make other provision for the same :

A Bill to repeal all the Acts now in force relating to Parish Schools, and to make other provisions respecting the same ;

and with

Resolutions of Appropriation dated the 24th day of February instant, to which they desire the concurrence of this House.

Pursuant to the Order of the Day, the Bill to continue the Acts relating to Firewards in the Town of Fredericton, as amended, was read a third time and passed ; and it was

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.

Message from the Assembly, by Mr. Street, that they had agreed to the amendments made by this House to the Bill in addition to and in amendment of the laws now in force regulating Elections of Representatives to serve in General Assembly in this Province, with certain amendments, to which they desire the concurrence of this House.

On motion—The said amendments were read a first time as follows :—

At A. in III. Section, expunge the words “ the Forks in Cain’s River,” and insert “ Bartholomews River in the Parish of Blackville.”

At B. same Section, expunge the words “ Boise Town,” and insert “ or near Robert Doak’s present residence in the upper part of the Parish of Blissfield.”

At C. same Section, expunge the word “ two,” and insert “ one.”

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

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House thereof.

Message from the Assembly, by Mr. Allen, that the Assembly have agreed to the amendments made by this House to the following Bills:—

A Bill to continue the Acts relating to Firewards in the Town of Fredericton: and
A Bill for the more effectual prevention of Fires within the City of Saint John.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to explain an Act, intituled "An Act 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 into consideration of the said Bill, and recommended that the further consideration of the same should be postponed for three months.

ORDERED, That the report be received; and it was

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

The Honorable Mr. Cunard, from the Select Committee to whom was referred that part of the Right Honorable Lord Glenelg's Despatch of the 5th of September last, which relates to the establishment of an efficient office of audit within the Province, and also the remuneration of officers whose allowances are charged on the Civil List, presented a report.

ORDERED, That the report be received;

And the same was then read by the Clerk as follows:—

The Committee to whom was referred that part of the Right Honorable Lord Glenelg's Despatch of the 5th September last, which relates to the establishment of an efficient Office of Audit within the Province, and also to the remuneration of officers whose allowances are charged on the Civil List, report, that they fully accord with the views expressed by the Right Honorable Lord Glenelg in regard to the establishment of an Office of Audit within the Province, for all Provincial purposes connected with such an office, and are of opinion that one competent person, of active official habits, having no other official situation and giving undivided attention to the duties of the office, could more effectually perform the same than a board composed of several members.

Your Committee after a careful consideration of the relative duties and responsibilities of the several public functionaries whose allowances are charged on the Civil List, have agreed upon and prepared the subjoined scale of salaries. The amounts thus proposed by your Committee are in lieu of fees, and they recommend that all fees which may still be collected, should be paid into the Provincial Treasury as part of the ordinary revenues.

JO. CUNARD, *Chairman.*

PROPOSED

PROPOSED SCALE OF SALARIES.

	Currency.
Lieutenant Governor, - - - - -	£3,500
Chief Justice, - - - - -	1,200
Three Puisne Judges, each £900, - - - - -	2,700
(Exclusive of travelling charges and chamber fees, to be paid to Judges performing the duty.)	
Attorney General, - - - - -	750
Solicitor General, - - - - -	250
Provincial Secretary, - - - - -	£900
Three Clerks, - - - - -	450
Stationery and printing forms, - - - - -	100
	— 1,450
Private Secretary to Lieutenant Governor, - - - - -	200
Commissioner of Crown Lands, - - - - -	900
Receiver General, - - - - -	300
Contemplated Office of Audit.—The Auditor, - - - - -	£600
One Clerk and expenses of Office, - - - - -	250
	— 850
	— £12,100

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

Read a first time, the Resolutions of Appropriation dated the twenty fourth day of February instant.

ORDERED, That the same be referred to the Committee of the whole House on Resolutions of Appropriation.

Pursuant the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill imposing duties upon certain articles imported into this Province.

The Honorable Mr. Peters 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.

On motion—The House was put into a Committee of the whole, on Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the twenty fourth day of February instant, and recommend that the House should concur therein with an exception, which the Committee recommended should not be concurred in.

The Chairman further reported, that in the Committee, on the question whether the Resolution granting to E. Barlow and Sons the sum of one thousand eight hundred and

and fifty pounds, being the amount advanced by them towards the expenses of the Deputation from the House of Assembly to England, should be concurred in, the Committee divided.

CONTENT.

The Chief Justice.
Mr. Black.
Mr. Shore.
Mr. Peters.
Mr. Saunders.
Mr. Botsford.
Mr. Chandler.

NON CONTENT.

Mr. Cunard.
Mr. Allanshaw.

And it was carried in the affirmative.

ORDERED, That the report be received.

Whereupon the Resolutions of Appropriation dated the twenty fourth of February instant, were concurred in by the House with the exception of the following grant, viz. :—

To L. Donaldson, one of the Commissioners of Light Houses for the Bay of Fundy, the sum of fifty pounds as a compensation for services hitherto rendered the Province by the annual reduction on the consumption of oil, and the improved system introduced in the construction of the lanterns attached to the various Light Houses under the direction of the two sets of Commissioners on the Coast ; to be taken from the Light House fund.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have agreed to the Resolutions of appropriation dated the twenty fourth of February instant, with the exception before mentioned.

On motion—The House was put into a Committee of the whole, to take into consideration the Bill to appropriate a part of the public revenue to the payment of the ordinary services of the Province.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same 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 presently.

Read a third time and passed the said Bill ; and it was

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.

Adjourned until To-morrow at 11 o'clock.

TUESDAY,

TUESDAY, 28th February, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.^s

Mr. Cunard.

Mr. Allanshaw.

Mr. Saunders.

Mr. Botsford.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill imposing duties upon certain articles imported into this Province, was read a third time and passed; and it was

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.

The Honorable the President laid before the House, a communication from Henry Bliss, Esquire, the Province Agent in England, acknowledging the receipt of copies of certain Resolutions of this House, passed in March last, with copies of a correspondence had between him and Lord John Russell, and Mr. Birch, the Clerk of the Parliaments.

The same were read by the Clerk and are as follows:—

King's Bench Walk, Temple, London, 2d November, 1836.

MY DEAR SIR,

I have the honor to acknowledge the receipt of a copy of the Journals of the Legislative Council for the last Session, containing among other things the Resolutions, copies of which have before been received from you and acknowledged by me, and which present the thanks of that Body to the Right Honorable Lord John Russell, His Majesty's Secretary of State for the Home Department, for furnishing the Legislative Council with the Lords' Journals—to Mr. Birch, the Deputy Clerk of Parliaments, for a copy of the Standing Orders of the House of Lords—and to me also for my exertions in these matters, with a request to communicate those Resolutions to the persons so addressed. Those communications I have accordingly made, and have received answers, of which copies are most respectfully annexed.

For myself, I beg to assure you that I feel highly honored and obliged by this most flattering mark of the approbation of the Legislative Council, whose esteem it has always been my care to deserve, and whose present good opinion will greatly encourage my future exertions.

Since I last addressed you, I have sent the Journals of the Legislative Council to the Library of the House of Lords. The receipt of these Journals you will find acknowledged in Mr. Birch's letter on behalf of the Library Committee of that House, requesting me to convey to you their thanks for this present.

I have the honor to remain, my dear Sir,

With the greatest respect,

Yours very truly and faithfully,

HENRY BLISS.

The Hon. Chief Justice Chipman, President of H. M. Council,
&c. &c. &c.

R 2

(Copy.)

(Copy.)

DEAR SIR,

I am directed by the Library Committee of the House of Lords to acknowledge the receipt of the Journals of the Legislative Council of New Brunswick, presented by the President through you to the House of Lords, and to request that you will convey to the President their thanks for the present.

Allow me at the same time to express my personal acknowledgments of the honor done me by the Resolution of the Legislative Council, authorizing you to communicate to me their thanks for the Standing Orders of the House of Lords.

I have the honor to be, dear Sir,

Your truly obliged,

(Signed)

J. W. BIRCH,

HOUSE OF LORDS, August 17, 1836.

Deputy Clerk of Parliaments.

(Copy.)

King's Bench Walk, Temple, London, 31st October, 1836.

MY LORD,

Some time ago I had the honor to transmit to Your Lordship a copy of a Resolution of the Legislative Council of the Province of New Brunswick, presenting their thanks to Your Lordship for the Lords' Journals, which had been given to the Legislative Council by Your Lordship's recommendation.

As Your Lordship may possibly have never received this communication, or in consequence of many public engagements may have been hitherto prevented from returning an answer, I now most respectfully enclose another copy of that Resolution of thanks, which the Legislative Council instructed me to communicate to Your Lordship, and shall feel greatly obliged by your enabling me to inform them that this their acknowledgments of Your Lordship's most obliging recommendation has been received.

I have the honor to be, my Lord,

With the greatest respect,

Your most obedient and humble servant,

(Signed)

HENRY BLISS.

The Rt. Hon. Lord John Russell, H. M. Principal Secretary
of State for the Home Department, &c. &c. &c.

(Copy.)

Whitehall, 1st November, 1836.

SIR,

I am directed by Lord John Russell to acknowledge the receipt of your letter of the 31st October, enclosing a copy of a Resolution of the Legislative Council of the Province of New Brunswick, presenting their thanks to Lord John Russell for the Lords' Journals, which were furnished for the use of the Council upon His Lordship's recommendation; and I am to request you to assure the Legislative Council of the Province of New Brunswick, that Lord John Russell has much satisfaction in learning that these documents are considered by the Council a valuable acquisition.

I have the honor to be, Sir,

Your obedient servant,

(Signed)

J. M. PHILLIPS.

Henry Bliss, Esquire, King's Bench Walk, Temple.

Pursuant

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the report of the Select Committee on that part of the Right Honorable Lord Glenelg's Despatch of the 5th of September last, which relates to the establishment of an efficient Office of Audit within the Province and also to the remuneration of officers whose allowances are charged on the Civil List.

The Honorable Mr. Cunard took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received ; and it was

On motion—RESOLVED, That a copy of the report of the Select Committee to whom was referred that part of the Right Honorable Lord Glenelg's Despatch of the 5th September last, which relates to the establishment of an efficient Office of Audit within the Province, and also to the remuneration of officers whose allowances are charged on the Civil List, be transmitted to the Colonial Department as containing the opinion of this House upon the subject matters of the said report ; and that such copy be presented to His Excellency the Lieutenant Governor, with a request that His Excellency will be pleased to transmit the same to His Majesty's Secretary of State for the Colonies.

Message from the Assembly, by Mr. Allen, with the following Resolution :—

House of Assembly, 28th February, 1837.

RESOLVED, That a Message be sent to the Legislative Council, to put them in mind that the Bill, intituled " A Bill for the support of the Civil Government in this Province," does belong to this House to be presented to His Excellency the Lieutenant Governor, and to desire that it may be sent down to this House.

CHAS. P. WETMORE, Clerk.

The Honorable Mr. Cunard, from the Select Committee appointed to examine and report upon the Contingent Accounts of this House, presented their report.

ORDERED, That the report be received ;

And the same was then read by the Clerk as follows :—

The Select Committee appointed to examine the contingencies of this Honorable House, beg leave to report, that they have had under their consideration the accounts of the Clerk for the last year, and find that they are accompanied by the requisite vouchers and are satisfactory ; that there remains a balance of forty five pounds five shillings and threepence in his hands, to be applied together with the further sum of forty pounds, which your Committee recommend to be placed at the disposal of the Clerk, in liquidating such contingencies as have arisen during the Session, the amount of which cannot now be ascertained ; the said sums to be accounted for at the next sitting of the Legislature. Your Committee also recommend the sum of fifty pounds for the purchase of books. Your Committee have also carefully examined the contingencies of the present Session, which are made up of the following items, and they recommend the same to be allowed.

JO. CUNARD, Chairman.

No. 1.

No. 1.	Robert Rankin and Company, Stationery,	£190	18	11		
	Less charged for Sword returned,	-	104	15	0	
			<hr/>		£86	3 11
No. 2.	William Reynolds, Stationery,	-	-	-	4	19 0
" 3.	Justin Spahn, Sundries,	-	-	-	6	13 9
" 4.	Richard Dunn, Repairs, &c.	-	-	-	3	2 6
" 5.	Thomas Aitkins, ditto,	-	-	-	2	4 11
" 6.	Barker and Babbit, Sundries,	-	-	-	0	17 7
" 7.	John Simpson, Royal Gazette,	-	-	-	0	16 0
" 8.	Thomas Carey, Quebec Mercury,	-	-	-	1	10 0
" 9.	Robert Wier, Montreal Herald, two years,	-	-	-	2	10 0
" 10.	Gossip and Coade, Times,	-	-	-	1	2 6
" 11.	George Gurnett, Toronto Courier,	-	-	-	1	5 0
" 12.	Francis Beverly, Bookbinding, Stationery, &c.	-	-	-	30	0 7
" 13.	James Biggs, Sleigh hire,	-	-	-	90	0 0
" 14.	W. B. Phair, Postages,	-	-	-	44	5 2
" 15.	Watts and Brannen, Services during the recess,	-	-	-	2	10 0
" 16.	John Simpson, Printing,	-	-	-	129	2 6
" 17.	William Watts, Sundries,	-	-	-	2	18 0
	Superintending printing Journal, Index, &c.	-	-	-	40	0 0
			<hr/>		£450	1 5

Message from the Assembly, by Mr. Allen, with the following Resolution of Appropriation, dated the twenty fourth of February instant, 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 thirty nine pounds eleven shillings, being for contingencies of the present Session.

The said Resolution being read, was concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House thereof.

Message from the Assembly, by Mr. Wyer, with a Bill, intituled "A Bill to appropriate a part of the public revenue for the services therein mentioned," to which they desire the concurrence of this House.

Read the said Bill 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.

Read the said Bill 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. 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 to the adoption of the House.

ORDERED,

ORDERED, That the report be received, and that the said Bill be read a third time.

Read a third time and passed the said Bill; and it was

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.

Message from the Assembly, by Mr. Wyer, with a Bill, intituled "A Bill to provide for opening and repairing Roads and erecting Bridges throughout the Province."

Read the said Bill 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.

Read the said Bill a second time.

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

ORDERED, That the Master in Chancery do take down to the Assembly, the Bill for the support of the Civil Government of this Province.

Dissentient.

To the Resolution for granting one thousand eight hundred and fifty pounds to E. Barlow and Sons, towards the expenses of the Delegation—as that sum for the purpose is enormous, and, in my opinion, a lavish expenditure of the money of the Province, particularly as it applies to the last Delegation only;

that this extravagant amount is thus voted, one thousand pounds of which I conceive ought to have been ample for the most liberal expenditure for the term occupied by the Delegation, being only five or six months,

JO. CUNARD.

Adjourned until To-morrow at 11 o'clock.

WEDNESDAY, 1st March, 1837.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Baillie.

Mr. Cunard.

Mr. Allanshaw.

Mr. Robinson.

Mr. Saunders.

Mr. Botsford.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill to provide for opening and repairing Roads and erecting Bridges throughout this Province, was read a third time and passed; and it was

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

On motion, made and seconded, it was

RESOLVED, That the following words in the protestation of the Honorable Joseph Cunard, entered yesterday, be expunged :

“ there having been the sum of one thousand two hundred pounds in addition, voted by the Assembly on account of the present Delegation, passed at the same time as the one thousand eight hundred and fifty pounds, but withdrawn on a subsequent day ; and further, because * while * * * * *

* * * * * the Assembly for reasons best known to themselves have not provided for the immediate relief of the sufferers in the north eastern parts of the Province, thousands of whom dependent almost exclusively upon agriculture for subsistence, are suffering great privations in consequence of the extensive failure of the crops, and many are in danger of starvation if not immediately relieved ; and while such distress prevails, unrelieved, the Legislature cannot without, in my opinion, a dereliction of duty, thus wantonly vote away such a sum of money for the expenses of the late Delegation.

“ What makes this grant to the amount the more improper is the circumstance that Messrs. Barlows, to whom it is made, have a surplus (out of the one thousand pounds in advance included in the contingent Bill of one thousand eight hundred and thirty three) in their possession from the expenses of the first Delegation ; which Delegation did not exceed in its demand for expenses within about one thousand one hundred pounds of the last, and at that rate of advance four to five thousand pounds may be contemplated for the Delegation in progress.”

The Honorable Mr. Cunard, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with a copy of the report of the Select Committee to whom was referred that part of the Right Honorable Lord Glenelg's Despatch relating to the establishment of an efficient Office of Audit, and also to the remuneration of Officers whose allowances are charged on the Civil List, with a request that His Excellency would transmit the same to His Majesty's Secretary of State for the Colonies, report, that they have attended to that duty, and that His Excellency was pleased to say the request of the House should be complied with.

The House was adjourned during pleasure.

After some time the House resumed.

His Excellency the Lieutenant Governor came to the Council Chamber, and by Message commanded the attendance of the House of Assembly.

The House of Assembly attended accordingly.

His Excellency gave his assent to the following Bills :—

A Bill imposing duties upon certain articles imported into this Province :

A Bill to appropriate a part of the public Revenue to the payment of the ordinary services of the Province :

A Bill to appropriate a part of the public Revenue for the services therein mentioned :

A Bill to provide for opening and repairing Roads, and erecting Bridges throughout the Province :

A Bill to amend the Act to provide for the collection of the Revenue of the Province :

A

A Bill relating to the Great Roads of Communication through this Province :

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

A Bill to repeal all the Acts now in force relating to Parish Schools, and to make other provisions respecting the same :

A Bill to authorize the Mayor, Aldermen and Commonalty of the City of Saint John to widen the Bridge between the said City and Parish of Portland :

A Bill for the more effectual prevention of Fires within the City of Saint John :

A Bill to provide for increasing the number of Constables in the City of Saint John, and for appointing special Constables in the City and County of Saint John :

An Act for the amendment of the Law and the better advancement of Justice :

An Act in addition to the Acts relating to the public registry of Deeds in this Province :

A Bill to amend the Act for the more effectual recovery of Fines imposed upon Jurors and Officers attending the Courts of Justice in this Province :

A Bill to repeal an Act made and passed in the third year of His Majesty's Reign in amendment of an Act for the better securing the navigation of the inner Bay of Passamaquoddy :

A Bill to amend an Act, intituled "An Act to authorize the Grand Jurors in the several Counties within this Province to inspect the public Accounts :"

A Bill to continue several Acts for the establishment and regulation of Boards of Health in the several Counties of this Province :

A Bill in amendment of an Act, intituled "An Act to authorize the Justices of the Peace in and for the City and County of Saint John to erect a Building in the said City for a common Gaol and House of Correction, and to raise a sum of money for erecting and completing the same :"

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

A Bill in amendment of an Act, intituled "An Act to prevent Nuisances within the City of Saint John, and Parish of Portland in the County of Saint John :"

A Bill to authorize the Justices of the Peace in General Sessions in certain Counties in this Province to exempt the Acadian French from the assessment of poor rates :

A Bill in addition to the Laws now in force for the protection of the Fisheries in the Counties of Northumberland, Kent and Gloucester :

A Bill to alter the additional Terms of the Inferior Court of Common Pleas for the County of Kent :

A Bill for erecting a part of the Parishes of Saint Mary's and Douglas, in the County of York, into a separate and distinct Town or Parish :

A Bill to amend an Act to authorize certain persons to build a Bridge across the Kennebecasis River in the Parishes of Hampton and Kingston, in King's County :

A Bill to regulate the exportation of Lumber :

A Bill to authorize the Justices of the Peace for the County of Carleton to assess the said County for the erection of a lock-up House at Tobique in the said County :

A Bill to authorize the Justices of the Peace for the County of York to levy an assessment for the building a new Gaol in the said County :

A

An Act to enable the Rector, Church Wardens and Vestry of Trinity Church in the Parish of Saint John, in the City of Saint John, to sell certain Land in the said City :

An Act to enable the Governor and Trustees of the Madras School to sell certain Land in Fredericton :

A Bill to extend the Gaol Limits in the County of Carleton :

A Bill relating to Bank notes :

A Bill to amend an Act, intituled "An Act relating to insolvent confined Debtors :"

A Bill to make provision for the payment of a portion of the expenses of maintaining Light Houses and Establishments in the Gulf of Saint Lawrence :

A Bill to establish a Boundary Line between the Counties of Westmorland and Saint John, and King's and Queen's Counties :

A Bill relating to the Herring Fisheries in the County of Charlotte :

A Bill to continue and amend the Acts relating to Firewards in the Town of Fredericton :

A Bill to amend an Act to incorporate the Saint Andrews and Quebec Rail Road Company :

A Bill to increase the Capital Stock of the Saint John Bridge Company :

A Bill to explain and amend an Act to incorporate the Saint John Mechanics' Whale Fishing Company :

A Bill to amend the Act incorporating the Restook Lower Mill Company :

A Bill to incorporate *The Acadian Company* :

A Bill to incorporate *The Fredericton Mill Company* :

A Bill to incorporate *The Salmon River Mill Company* :

A Bill to incorporate *The Sheffield Mill and Land Company* :

A Bill to incorporate *The Salmon Falls Bridge Company* :

A Bill to incorporate certain persons by the name of *The President, Trustees and Proprietors of the Saint Stephen's Academy* :

A Bill to incorporate *The Campo Bello Mill and Manufacturing Company* :

A Bill for the incorporation of *The Saint John and Saint Croix River Canal Company* :

A Bill for the incorporation of *The Salmon River Coal Company* :

A Bill to incorporate *The Washademoak Mill Company* :

A Bill to incorporate *The Nashwaak Mill and Manufacturing Company* :

A Bill to incorporate *The Nashwaaksis Manufacturing Company* :

A Bill to incorporate sundry persons by the name of *The New Brunswick Marine Assurance Company* ;

And likewise to the following Bills, having suspending clauses :—

A Bill in addition to and in amendment of the Laws now in force regulating Elections of Representatives to serve in General Assembly in this Province :

A Bill to incorporate sundry persons by the name of *The President, Directors and Company of the Bank of Fredericton* :

A Bill to incorporate sundry persons by the name of *The President, Directors and Company of the Saint George's Bank* :

A Bill for continuing the General Assembly in this Province in case of the demise of the Crown :

A Bill to repeal all the Laws now in force relating to the establishment of a Tender to be made in all payments in this Province, and to make other provision for the same :
 A Bill to erect part of the County of Gloucester into a separate and distinct County ;
 And as regards the Bill, intituled " A Bill for the support of the Civil Government of the Province," His Excellency was pleased to reserve the same for His Majesty's consideration.

His Excellency then was pleased to deliver the following Speech :—

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

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

" Having given my assent to the Bills of the present Session, with the exception of that for providing for the Civil Government of the Province, it only remains for me to terminate your labours by closing this Session; in doing so, however, I cannot refrain from expressing my regret, that my recommendation to put a suspending clause to that Bill has not been adopted. Had such a clause been added, it might by this time have received the consideration of His Majesty's Government, and this important question have been finally settled with a full understanding of all its bearings. As it is, and viewing as I do the serious objections which I have already stated, and in which I consider the welfare of so many of His Majesty's subjects to be materially involved, I deem it may imperative duty to withhold my assent, and to reserve the Bill for the opinion and decision of His Majesty."

After which the President of the Council, the Honorable Mr. Chief Justice Chipman, by His Excellency's command, declared the General Assembly to be prorogued until the first Tuesday in May next.

WM. TYNG PETERS, *Clerk.*



APPENDIX.

No. 1.

[See Journal 12th January, 1837.]

PROVINCE OF LOWER CANADA.

LEGISLATIVE COUNCIL, Monday, 14th March, 1836.

THE Honorable Mr. Bell, from the Special Committee to whom had been referred the Bill, intituled "An Act to establish a Post Office in this Province, and to provide for the future management of the same," made a Report, which he delivered in at the Table.

ORDERED, That the question of concurrence be put on the said Report on the next sitting day.

Legislative Council, Tuesday, 15th March, 1836.

The order of the day being read for the question of concurrence being put on the Report made by the the Special Committee to whom was referred the Bill, intituled "An Act to establish a Post Office in this Province, and to provide for the future management of the same."

The said Report being then read, was agreed to by the House, and is as follows:

The Committee having taken the said Bill into consideration, and examined the Deputy Post Master General on the subject of the same, are of opinion, that it is inexpedient to proceed any further thereon during the present Session, and recommend that an humble Address be presented to His Majesty, praying that His Majesty's Government might be pleased to take the subject again into their consideration.

ORDERED, That the following Address to His Most Excellent Majesty be adopted:

TO THE KING'S MOST EXCELLENT MAJESTY.

MAY IT PLEASE YOUR MAJESTY,

We, the Legislative Council of the Province of Lower Canada, in Provincial Parliament assembled, having had under our consideration the Despatch of Your Majesty's Principal Secretary of State for the Colonial Department, addressed to His Excellency Lord Aylmer, late Governor in Chief of this Province, dated the

5th

5th of October, 1834, with the draft of a Bill for the regulation of the Post Office in this Province, which accompanied the same, and also the Bill founded thereon, and sent up by the Assembly for the concurrence of this House during the present Session, again approach Your Majesty, humbly to represent, that having carefully examined the plans detailed in the above mentioned Bills for the control and regulation of the Post Office Department, and maturely considered the subject, we have been led to the conclusion that it would be exceedingly difficult, if not impracticable, to provide for such a degree of concert and harmony of design and action, in the separate Post Office Establishments of the several Provinces in connexion with us, as would appear essential to attain the purpose of these measures. Among Legislative Bodies, composed of the Representatives of communities naturally influenced by local circumstances or sectional interests, varying and conflicting views respecting particular regulations and arrangements, must unavoidably occur and produce delay and embarrassment, and this inconvenience was probably felt or foreseen in a neighbouring Country, where, notwithstanding a keen regard for State rights, the power to legislate for the entire control and management of this Department is delegated to the Federal Government.

The Post Office being intended for the safe, speedy and regular conveyance of Letters, not to and from places within the limits of each separate Province merely, but to and from places within one part of Your Majesty's Dominions, to places within another part of the same however remote, the proposal to vest the right of separate legislation in each of the Colonial Legislatures, even under the restrictions provided in the draft of the Bill prepared in England, is one of a grave character involving important consequences.

The intervention of the Imperial Parliament was found necessary to adjust a division of Revenue between Lower and Upper Canada, and with this instance before us, it is difficult to conceive that the five North American Provinces will spontaneously concur in the various regulations and arrangements essential to insure the steady and uniform action of the Post Office Department, or amicably dispose of the intricate questions which will undoubtedly arise, if the several Provinces be left to legislate independently in this matter.

The Bill prepared in England has now been some time before the respective Legislatures, and we are not aware that any one of them has offered to adhere to the general provisions of the measure.

If the object were merely to establish and regulate a Post Office for the limits of this Province, there would be but little to amend in the Bill proposed to us by the Assembly, but viewing the institution as essential to the encouragement and convenience of Commerce, and eminently calculated to strengthen the ties which connect the several portions of Your Majesty's Dominions, we are of opinion, that it would be more advantageous to the inhabitants of this Province, and in particular more effectually provide for the regular, safe and speedy transmission of the correspondence, both public and private, to and from the same, if the Imperial Parliament should still continue to preserve in its own hands the exclusive power of legislating for the government and management of the Post Office as well in Lower Canada, as in all other parts of the Empire.

For

For these reasons, the Legislative Council have deemed it advisable to withhold its concurrence to the Bill sent up from the House of Assembly, of which a printed copy is herewith transmitted, and to bring the question again under the consideration of Your Majesty's Government.

If it should be thought expedient to sanction the establishment of independent local Post Offices in the several Provinces, and be determined not to persist in the plan for regulating the management of the Department therein, in conformity with the provisions of the Bill prepared in England, we venture, with all humility, to suggest to Your Majesty, that it would be desirable, in order to satisfy the reasonable wishes of the people of this Province, that the following propositions should be acceded to on the part of the Imperial Parliament and Legislature, and that corresponding modifications of the Laws and Regulations of the Post Office should be with all convenient speed effected.

1st. The Provincial Government and Legislature should be authorized to demand and receive all the requisite information respecting the Department in this Province from the Post Master General's Deputy residing therein, and having charge of the Department.

2nd. The Accounts of the Department for the whole of the North American Colonies should be annually submitted to the Provincial Legislature in lucid form and order, and in sufficient detail.

3rd. The privilege of franking, as exercised by the Imperial Parliament, should be accorded to the members of the Provincial Legislature.

4th. Your Majesty's Representative should have authority to remove or suspend the resident Deputy of the Post General on the joint Address of the two Branches of the Provincial Parliament.

5th. The principal Officers employed in the management of the Department in this Province should be placed upon moderate but adequate fixed salaries, and the Postage of Newspapers, Pamphlets and every thing else carried by the Post, should merge in the Revenue of the Department.

6th. A just and equitable proportion of the excess of Continental postage, if any, beyond the necessary expenditure of the Department, should be allotted to the several North American Provinces; the proportion to be based either on the provision contained in the Bill prepared in England, or on the population of the said Provinces.

7th. Such alterations and modifications of the rates of Postage, the establishment of Post Routes and Post Offices, and such other arrangements for the regulation and management of the Department, as the several Legislatures by joint Address of both Branches thereof to Your Majesty, shall from time to time show to have become reasonable and expedient.

ORDERED, That the following Address be presented to His Excellency the Governor-in-Chief.

TO HIS EXCELLENCY THE RIGHT HONORABLE ARCHIBALD, EARL OF GOSFORD, BARON OF WORLINGHAM, &c. &c.

May it please Your Excellency,

We, His Majesty's dutiful and loyal subjects, the Legislative Council of Lower Canada, in Provincial Parliament assembled, beg leave to approach Your Excellency, with our respectful request, that you will be pleased to lay at the foot of the Throne, in such way as Your Excellency may deem fit, our humble Address to the King's Most Excellent Majesty, respecting the regulation of a Post Office in this Province.

ORDERED, That the said Addresses be presented to His Excellency the Governor in Chief by the whole House.

ORDERED, That two hundred copies of the Address to the King with the Report and Evidence on the said Bill be printed.

LEGISLATIVE COUNCIL.

Committee Room, Wednesday, 17th February, 1836.

Special Committee to whom is referred the Post Office Bill.

P R E S E N T :

*Messrs. Debartzch,
Bell,
Viger,
Moffatt.*

Read the Order of Reference.

Mr. Bell called to the Chair.

Adjourned to the call of the Chair.

Saturday 12th March, 1836.

P R E S E N T :

*Messrs. Felton,
Bell,
Moffatt.*

Mr. Bell in the Chair.

T. A. Stayner, Esquire, Deputy Post Master General, called in, and examined.

Q.—1. Are you the Deputy Post Master General of British North America, and how long have you held this appointment?

Answer.—I am considered Deputy Post Master General of British North America, by the Post Office Department in London. By the original letter of appointment I am created Deputy Post Master General of British North America. In the Commission which followed, I am called Deputy Post Master General of the Canadas, New Brunswick and their dependencies. I am, in fact, the only Deputy Post Master General in British North America. My appointment took place the 12th December, 1827. My Commission bears date the 5th April, 1828. Q.

Q.—2. Does your authority extend over the Department in the five Provinces, or how many of them ?

A.—2. For a number of years Mr. Howe who holds the Commission of Post Master of Halifax, has acted as Deputy Post Master General in the Provinces of Nova Scotia, New Brunswick and Prince Edward Island, under specific instructions from the Post Master General; but in matters affecting conjointly the above Provinces and the Canadas, it is understood that he is to defer to my authority. I may observe that the accounts of all the Provinces come to Quebec to be examined and compiled.

Q.—3. Is there a Chief Officer in each of the other Provinces, and are those Officers respectively under the immediate control of the Department in London, or subject to any intermediate authority ?

A.—3. There is not a Chief Officer in each Province—Mr. Howe, as I have observed, has for many years acted as Deputy Post Master General over the three Lower Provinces, but besides him and myself, there are no persons who can be called Chief Officers in these Provinces. The duties in all the Provinces are conducted under orders from the Post Master General upon one uniform plan—for example, the same Tariff of postage prevails from Halifax in Nova Scotia to Amherstburgh in Upper Canada, and the postage on a letter is rated as if the whole distance lay in one Province or Country.

Q.—4. Have you perused and considered the Bill passed by the Assembly, “To establish a Post Office in this Province, and to provide for the future management of the same ?”

A.—4. I have.

Q.—5. You are doubtless, also, acquainted with the provisions of a Bill prepared in England in the year 1834, “for the management and regulation of the Post Office,” in the several North American Provinces, and which Bill has been recommended to the adoption of the said Provinces respectively ?

A.—5. I am.

Q.—6. The Bill passed by the Assembly vests the management of the Post Office in this Province in an Officer to be appointed by the Provincial Executive,—amenable to the Provincial Authorities but wholly independent of any authority out of the Province. The Bill prepared in England proposes to vest the management in the Post Master General of the Empire to be exercised by Deputies in conformity with the provisions of the Bill. Will you state to the Committee, which of these arrangements would ensure the most efficient administration of the department in the Colony, combined with security, celerity and punctuality, in its intercourse with the neighbouring Provinces, the United States and the Mother Country ? In answering this question be pleased to refer to the powers conferred on the Post Master General to be appointed under the Bill passed by the Assembly, in Sections 4 and 31.

A.—6. The two Bills are the very reverse of each other in principle. I consider *that* drafted in England to be based on a sound principle and in conformity to the Imperial Act, dated 4th March, 1834—the *other* to be constructed on an unsound principle, and in contradiction both to the letter and spirit of the Imperial Statute. The former of these Bills, judiciously modified, will secure to the Colony the advantages

tages contemplated in the question of the Committee—the latter cannot! As the question before me is of a very comprehensive character, I must crave permission, in order to do justice to the views I entertain, to reply to it somewhat at length.

The Bill prepared in England is based upon a plan which is calculated to secure to the people of this Colony, a cheap, safe and uninterrupted Post intercourse, as well within the limits of this Province, as with the sister Provinces—with the Parent State, and with other Countries. The Committee is aware that in order to insure a unity of purpose and of action in the Post establishment throughout these Provinces, a Bill exactly similar in its provisions to that now alluded to was submitted to each of the Provinces—these Bills, one and all, consider the Provinces *in reference to the Postage rates* as if they were but one Province or Country: (an immense advantage, which, in the course of this reply, I will endeavour to exemplify.) The management of the Department in each and all of the Provinces is intrusted to one head, the Post Master General of the Empire! this is indispensably necessary, and forms part of the system—for it requires very little argument to shew, that, in arranging the interior concerns of such a Department as the Post Office, the benefits of which are to be diffused over several Provinces, there should be but one regulating power: separate powers would inevitably conflict on vital points—endless collisions in the arrangements between those powers would be arising—there would be no supreme authority to refer to, and the consequences may be more readily imagined than described:—in fact it must be evident to any one acquainted with Post Office economy, that the machine could not be kept in motion. I speak advisedly when I say, that these considerations, which were deliberately and maturely weighed, induced His Majesty's Government to recommend to the Provinces the adoption of the Bill sent out by Mr. Secretary Rice, and that it was under the expectation that this Bill, or one similar in its principles, would be adopted, that the Imperial Act, dated the 4th March, 1834, which *conditionally* repeals portions of the Acts 9th Queen Anne, and the 5th of George the Third, was passed.

I beg to cite the particular Section of the Act upon which my opinion is now required by the Committee, which exemplifies more distinctly what I mean by saying that, in relation to postage rates—the Provinces are considered as one Country.

“ Provided always and be it further enacted, that no letter or packet sent or conveyed by the Post from places within this Province to places within any of His Majesty's Provinces and Dominions in North America, or from places within His Majesty's other Dominions or Provinces in North America, to places within this Province, shall be charged or chargeable with, or subject or liable to pay any distinct or separate rate or rates for the conveyance of such Letter or Packet within this Province; but the same shall be liable to and charged with postage according to the whole distance between the places from and to which such Letter or Packet shall be sent, as if such conveyance had been to and from places entirely within this Province.”

The Committee will perceive the important advantages which a clause of this character, (connected with a system of central management,) is calculated to afford to this Province, in its intercourse with the Sister Provinces and with other Countries. By this system of calculating postage (observing the Tariff of rates contained in this same

same Bill) a letter may be sent from Amherstburgh in Upper Canada to Prince Edward Island in the Gulf of Saint Lawrence (1600 or 1700 miles) traversing the length of four or five Provinces for 1s. 6d. and a newspaper for $\frac{1}{2}$ d.; or a letter from the Western extremity of Lower Canada to Prince Edward Island would cost 1s. 6d. and a newspaper $\frac{1}{2}$ d. Under a system of Local Post Offices, allowing that the communication could be maintained at all (a fact which I do not believe in), the expense of postage on newspapers and letters to and from the other Provinces, must be from two to four times as much as by the plan recommended from Home and contemplated by the Imperial Act which secures the control of the whole establishment in British North America to His Majesty's Post Master General. I beg to repeat that I think the principle of the Bill sent out from England sound and good—that it is in fact the only principle that can be applied to countries situated as these Provinces are—having interests in common and acknowledging dependence upon a general Government, but I think at the same time, that there are many matters of detail in the Bill which may be altered with advantage and made more suitable to the state of Society in the Country, and the actual wants and desires of the people. With these amendments, I consider that the Bill would embrace the only plan that can effectually maintain that intimate intercourse with the neighbouring Provinces and the Parent State which it must be the object of a Post Office Establishment to secure.

I shall now proceed to state specifically some of my objections to the Bill prepared by the House of Assembly—*what* I mean by saying that I consider that Bill to be based upon unsound principles—and *why* the objects it professes to have in view are unattainable by it. In the course of those observations, I shall unavoidably advert to the interests of the Sister Provinces, as well as to those of Lower Canada—I cannot otherwise treat the subject; but I think that the Committee will find that this line of argument must be followed, in order fully to expose the pernicious effects upon this Province which would result from the Bill on which my opinion is desired.

This Bill is for a *Local* Post Office Establishment; the Department is proposed to be put under the management of an officer to be appointed by the Governor—it is therefore clearly evident, that the influence of the enactments of this Bill, and the control of the officer in charge of the establishment, must be confined to the Geographical limits of the Province of Lower Canada, leaving the intercourse of that Province with the neighbouring Provinces and other countries altogether unprovided for!

I am aware that there is a clause in the Bill which professes to provide for the intercourse of the Province with the other Provinces and distant countries—this clause however contains in itself convincing proof of the impracticability of maintaining such an intercourse by a system of Local Post Offices—it is as follows:—

CLAUSE 31.

“And be it further enacted, &c. that it shall and may be lawful to and for the said Postmaster General, and he is hereby required, to make such arrangements as he shall deem expedient to cause the rates or sums payable under this Act, for the
 V 2 postage

postage of all Letters, Packets and Printed Papers which shall be sent out of this Province to any of His Majesty's Provinces in North America, or to Great Britain or Ireland, or to the United States of America, to be collected at the Post Office, at which the same may be delivered."

Here, the grand obstacle to the Establishment of Local Post Offices *amongst States acknowledging one Supreme Government and having interests in common*—an obstacle so great that Legislative wisdom has been unable to cope with it in any Country, is consigned *as a matter of mere regulation* to an executive officer, who *cannot*, as has been already shewn, possess the power of issuing an order beyond the limits of his own Province! It is evident, I think, that the British Government did not intend, and that she will never consent, that any one Province should legislate on this question to the direct and positive injury of the other Provinces, and to the endangering of her own intercourse with them all; yet it requires but few words to shew that such must be the certain consequence of an attempt to form Local Post Office Establishments.—If one Province exercises such a right, every other Province belonging to this portion of the Empire will, and indeed *must* attempt the same thing, the effect of which would be to make the communication by Post so expensive and difficult, that a moral isolation of each Province would be the result. A letter from Upper Canada to Halifax, if it could be forwarded at all, which I doubt, would cost from 4s. to 5s. instead of 1s. 6d. as by the system recommended from England; and with newspapers the difficulties of transmission, by the plan laid down, would be altogether insurmountable.

States or Provinces having interests in common, and acknowledging a Supreme Government, must have their Posts conducted upon a system of uniformity which shall pervade them all alike, and have but one controlling or regulating power for the whole. This is a principle as necessary with the Post as it is with matters of commerce and navigation, and the revenues arising therefrom—and the example of the neighbouring States, proverbially jealous of maintaining under the control of their Local Legislatures, all subjects which they can possibly deal with, is of itself a convincing proof of the correctness of my proposition. If this were not known to be a necessity identical with their position as members of one Empire, in which, in certain cases the interest of distinct portions must be made to yield to the good of the whole, it is not to be supposed that the State of New York, which it is notorious contributes to the support of the Post Office Revenue more than three or four of the other States, would consent to such a surrender of the interests of its inhabitants. To exemplify the impracticability of Local Post Offices in States situated as these Provinces are, I beg leave to furnish a case or two.

Let us suppose that the present system is done away with, and that each Province has its own Post Office Laws, and its own independent control thereof, and that an Individual in Upper Canada, say at Toronto or Amherstburgh, wishes to send a letter to a friend at Halifax.—We will suppose that he desires to pay the Postage through to Halifax. How is it to be done? The total Postage to which the letter would be liable for passing through so many Provinces, supposing the amount to be known to the Postmaster at Amherstburgh, (which is most improbable, since it is as much as Postmasters can do to know the postage rates upon one table
of

of distances) would be 4s. or 5s.—Let us suppose that this money is paid by the sender.—How are the proportionate sums due to each Province to be accounted for? Is it probable that any system of Accounts can be devised to apportion this money equitably amongst the several Provinces? or what possible check can be maintained over the Postmaster where the money was originally paid, to ensure his accounting for this money? Whether he accounts for the whole or any part of it would be entirely a matter for his own conscience to decide; but to go on with this case—Postmasters by the Bill prepared by the Assembly are to be paid by a percentage on their receipts, say 30 per cent on the first 100 dollars.—Now, is the Postmaster to charge 30 per cent. on the whole of the sum received by him, or only on that part of the postage which may be supposed due to the Province of Upper Canada? I will take it both ways, for in either the impracticability of the scheme is made equally glaring. The Postmaster from having received, and being responsible for the whole of the money, say 5s., may fairly be considered entitled to his commission upon the whole,—this would be 1s. 6d. Now if this 1s. 6d. is to be paid by the Department in Upper Canada, it will absorb the whole of the postage on the letter for passing through Upper Canada. Would Upper Canada be satisfied with such a result, or is it to be remedied by charging back upon each Province, a proportion of the Commission allowed to the Upper Canada Postmaster for mailing the letter? It must be evident to every one who takes a moment's time for consideration, that this could never be done. Reverse this way of viewing the case, and imagine an *unpaid* Letter posted at Amherstburgh, and addressed to Halifax, or Prince Edward Island, in what way is Upper Canada, Lower Canada, New Brunswick and Nova Scotia to receive its share of the postage on such a letter. The case becomes more complicated, and if possible more hopeless, if a letter from this Province or from Upper Canada is addressed to a distant Country, say to England or Gibraltar. The Act directs the Postmaster General of Lower Canada to make arrangement with those distant Countries for the collection of the postage due to this Country on letters, at the Post Office at which the same may be delivered.—I will state a case:—An unpaid Letter is put into the Post Office at Montreal, addressed to England; we have no power to send that letter further than the line which divides this Province from New Brunswick. It may either go or stay, as the Authorities in New Brunswick may determine—suppose it goes forward—New Brunswick will expect to be paid her proportion of postage on it, and so will Nova Scotia. But how are these Provinces to be paid, or what Country or Government is to be considered accountable for these various postages. Should the letter reach England, is it to be supposed that the Post Office Department in that Country could ascertain how much of the postage on the letter in question was due to Lower Canada, and how much to Nova Scotia and New Brunswick, and that it would undertake to remit to the Postmaster General of each of these Provinces its proper proportion of the postage: if the letter originated in Upper Canada, the complexity of the operation is only the more appalling—in fact it is useless to dwell upon it—no human device could ever secure a correspondence between these Provinces and other Countries under such a system.

The transmission of Newspapers under this Act is clogged with difficulties, if possible

sible more insurmountable than the Letter correspondence. Printers are required to deposit in advance, with the Postmaster General, a quarter's charge for the transmission of their papers.—In the first place it must be admitted that neither the Printer nor the Postmaster General can tell a quarter in advance, how many papers will be sent from a Printing Office—the Printer may think it sufficient to pay for 100 a week, the Postmaster General may require him to pay for 500 or 1,000; who is to decide which is proper? but admitting that there may be an agreement on this score—it becomes necessary for the Postmaster to keep an account current with each Printer, to see that he does not exceed the credit which he has secured by his deposit—but the grand difficulty of such a system will not be found to arise in the Province in which the paper is printed, it is in the other Provinces to which the papers are addressed that the chief difficulty will be encountered; for example, a Printer in Lower Canada has a number of Subscribers to his paper in Nova Scotia—well, by this system of local Post Offices, it will be necessary for him besides making his quarterly deposit in Lower Canada, to do the same with Postmasters General in New Brunswick and Nova Scotia—this would be so troublesome a task that few Printers would undertake it at all; but supposing that loath to lose his Subscribers in Nova Scotia, a printer should manage to lodge a quarter's deposit in advance in Nova Scotia, and the same in New Brunswick, the moment his credit is run out in either of these Provinces, the circulation of his papers is stopped, and he may not hear of the fact for months—these are not fanciful difficulties which I am conjuring up by way of supporting a particular view of the question, but any person who will be at the trouble of considering the subject, will be convinced that they are inevitably wound up with an imperfect system.

I might multiply examples to an infinite extent as well with regard to the transmission of Letters and Newspapers, as to conflicting mail arrangements in the different Provinces, to shew the evils attending any scheme of local Post Offices—but I should think that what I have said must suffice to prove that any attempt to introduce such a system must be pregnant with all the evils to which I have adverted. I beg to point out to the consideration of the Committee that the inland situation of Upper Canada makes her dependent upon Lower Canada and the other Provinces for her communication with the sea, and Lower Canada and Upper Canada together, during six months of the year, becomes dependent upon New Brunswick and Nova Scotia for the same accommodation. Even supposing that Lower Canada is willing to forward the Foreign correspondence of Upper Canada through her territory, there is no security that New Brunswick and Nova Scotia will keep up the chain of communication—at least these Provinces cannot be expected to do so without a specific consideration, the terms of which they will have the right to impose, for it must be borne in mind that Upper Canada, especially from her internal position, being the end of a line, has no *quid pro quo* in the way of accommodation, to offer to the Lower Provinces for this service—she is completely at the mercy of all the Provinces which lie between her and the sea.

I know that it might be said that Upper Canada and Lower Canada both have the means of keeping up their Foreign correspondence *via* the United States—that they do possess this advantage at the present moment is true—but it is merely by sufferance;

sufferance; the American Government grants the indulgence either because it is advantageous to its Revenue, or through a feeling of friendship—it matters little to the argument which—I only mean to contend that it *is* an *indulgence* which a war or a non-intercourse may at a short notice effectually close—and I need not expatiate upon the awkward condition in which the Canadas would be placed for one half the year if a non-intercourse with the United States should arise, and we not have the means of commanding a passage for our mails through the Lower Provinces.

At present we have a communication with Halifax once a week. I will for the sake of the argument suppose that a system of local Post Offices is established, and that this line by a mutual understanding is to continue. A non-intercourse with the United States occurs: the Merchants and others in the Canadas would immediately feel the necessity of more frequent communications with distant countries *via* Halifax—but how are they to be obtained? The Route is a very expensive and unproductive one. New Brunswick and Nova Scotia would have no interest in multiplying the trips, in fact the post Revenue of these Provinces would not allow of their doing it—what recourse would the Canadians have? They might indeed send expresses at their own proper cost—this would be their only resource; but even this they would have no right to do, as it would be violating the Post Office laws of the Lower Provinces.

The principle of a general control over all the Provinces, upon which the English Act is based, affords in my opinion, the only possible means of conducting the Post Office Relations of this and the other Provinces—and my opinion is of course in the same degree fixed in the belief, that any Bill or Bills of a local character must expose the whole correspondence of the country to great confusion if not to positive destruction. At the risk of repeating arguments already brought forward by me, I must observe that no legal security could be afforded to the mails by either of the Provincial Post Masters General beyond the limits of his own Province, and no guarantee against the existence of as many different conflicting and selfish systems of management as there would be controlling powers.

To myself it seems almost superfluous to argue further on the pernicious results of any attempt at legislation for local Post Offices, but I cannot refrain from observing, in a more distinct manner than perhaps I have yet done, that independent of the interruptions and delays inseparable from having various controlling powers over the Post Office in the different Provinces, one of the most desirable objects, that of *cheapness* in sending Letters and Newspapers long distances, is unattainable. For example, by the Bill prepared by the Assembly, a letter passing between the several Provinces would become liable to a fresh rate of postage upon its entering upon the territory of each Province. If it were to go but 5 miles in one Province and 5 miles in the next, the postage would be more than if it went 90 miles in any one Province, and but little less than if it were sent 180 miles; 31 miles in each of the two Provinces, in all 62 miles under a system of local Post Offices, would impose a tax greater than 300 miles under a General Post Office system—and 91 miles in each of two Provinces would cost as much as would be charged for sending a letter, under a general system, from one extremity of British America to the other. This multiplied postage is I think I have shewn could never be collected and accounted for by the several Provinces having a claim thereto, by any system of accounts that

could be devised; but supposing, for the benefit of the argument, I admit that a system of accounts could be planned to meet such a complicated procedure, the accumulation of postage would virtually operate as an interdiction of correspondence beyond the limits of each Province respectively—for instance, a Letter sent from London, Upper Canada, to Halifax, Nova Scotia, (supposing the Provinces adopted the same scale with Lower Canada,) would be liable to 4s. 3d. postage, *i. e.*

In Upper Canada,	- - - - -	1s. 3d.
In Lower Canada,	- - - - -	1s. 3d.
In New Brunswick,	- - - - -	1s. 0d.
In Nova Scotia,	- - - - -	0s. 9d.

4s. 3d.

and if sent to Prince Edward Island, about 4s. 9d. Under the provisions of the Imperial Act, and the Bill recommended in England, the same Letter would cost 1s. 6d.

A Letter from England to Upper Canada would, under a system of local Post Offices, be rated with postage to the extent of 6s. or 7s. The same Letter under the system recommended from home would cost rather more than 2s. sterling.

I should think that I had not fully met the spirit of the question to which I am now replying, if I refrained from observing, that there is no provision made in the Bill for collecting in this Province and accounting for the postage of other Countries and States. The Clause 31 merely directs the Post Master General to see that the postage of this Province (Lower Canada) is collected in the Countries to which our Letters may be sent. It says nothing whatever in reference to the Postage of other countries charged on Letters coming to this country. Yet, I conceive that one object is as necessary to be provided for as the other. At this time I, in my capacity, as Agent for the United States Post Office, collect and account for American postage—this I have managed to do by confining the business to two Offices, Montreal and Stanstead, and the Post Masters of those Offices are obliged to keep a separate account with each Post Master in the Province for every six-penny worth of American postage, charged on Letters sent to them, and even this process, confined as it is to our intercourse with one Government, is replete with difficulties which none but the managing Officers can have an idea of; and with all the care that is exercised, embarrassments and blunders, and losses are incessantly taking place, in reference to the American postage, to such an extent that at times I have been almost discouraged, and feared that the plan could not go on.

In our intercourse with the United States we merely collect *their* postage—paying our own to the lines—this affords a specimen of the process, of maintaining communication by post with countries having independent Post Office jurisdictions, in the simplest and least complicated form—but the operation is quite sufficient to convince any one acquainted with the facts of the entire impossibility of working local Post offices in these Provinces.

If I were called upon to sum up my opinion of the Bill prepared by the House of Assembly in the fewest words possible, I should say it was a Bill that *might* answer, if this Province needed no intercourse with the neighbouring Provinces, the mother country or other countries, *but it is altogether unsuited to our actual circumstances*

cumstances, and absolutely impracticable as a means of maintaining foreign correspondence.

Q.—7. Do you consider the establishments for Quebec and Montreal proposed by the Bill before the Committee adequate to the performance of the duties of the Department at the said Cities respectively; if not, state what additional assistance would be required?

A.—7. I do not understand this question, as I am not aware that specific establishments have been planned for the Post Offices of Quebec and Montreal. In clause 4 of the Bill there are certain Clerks, Book keepers and Servants designated for the proper Office of the Post Master General at Quebec, but I know of no other establishment.

Q.—8. Are the salaries and allowances fixed by the 12th Section of the Bill passed by the House of Assembly, higher or lower than the salaries and allowances now enjoyed by the Officers mentioned in the Section respectively?

A.—8. In reply to this question, I beg to say, that the salary and emoluments enjoyed by the Deputy Post Master General at present, amount to much more than the salary proposed to be allowed to the Post Master General. As regards other Officers, the Bill contemplates the payment of all Post Masters by a per centage on their receipts:—this per centage is somewhat higher than that now allowed, yet I am inclined to doubt whether in the end Post Masters would find themselves so well compensated as they are at present, for a considerable proportion of the correspondence now paid for and from which Post Masters derive a benefit, would by the new Bill go free—it is quite impossible to say how it would operate.

I am in this, as in some other answers, hazarding an opinion founded on an hypothetical admission that the Bill in question *could be worked*, a fact, however, which my experience as a Post Master forbids me to believe in.

Q.—9. There is an essential difference between the two Bills as to the manner of computing the rate of postages to and from places out of this Province. The 13th Section of the English Bill is not adopted in the Bill passed by the House of Assembly, and in fact the latter only contemplates postage distances within the Province. Suppose the other Provinces should follow the example of the Assembly, would the effect be to enhance the rates of postage on the foreign correspondence of this Province? In answering this question be pleased to give examples. For instance, the postage of a letter from Quebec to Sandwich, from Quebec to Halifax, N. S. from Quebec to New York, and from London to Quebec, according to the scale established by the 16th Section of the Act passed by the Assembly, and the same scale applied under the 13th Section of the Bill prepared in England, respectively. The Committee request that you will also state, what the effect would be on the postage of Newspapers to and from places out of this Province.

A.—9. It appears to me, that the substance of this question is in a great measure anticipated by my reply to question No. 6; there is as the Committee observes an essential difference between the two Bills, as to the manner of computing the rates of Postage to and from places out of this Province, and on this fact (connected as it is with the difference in the controlling power over the Department) is to be found the grand distinction between the two Bills. I would beg leave to place Section 13 in the English Bill, and Section 31 of the Bill proposed by the House of Assembly
in

in juxta position, and it will require very little consideration to produce a conviction that the former, by the cheapness of its rates and its security, is calculated to promote correspondence between this Province and other Provinces and States, and the latter, by its dearness and uncertainty, to check and discourage it.

I proceed as desired to shew the effect of rating letters on foreign correspondence, according to the Scale established by the 16th Section of the Act passed by the Assembly, and the same Scale applied under the 13th Section of the Bill prepared in England respectively.

EXAMPLES.

<i>By the Bill prepared by the Assembly.</i>	<i>The same scale applied to the English Bill.</i>
A Letter from Quebec to Sandwich, - - - 2s. 0d.	1s. 3d.
To Halifax, - - - - - 2s. 6d.	1s. 3d.
To New York, including American Postage, 1s. 8½d.	1s. 8½d.
To London, including English Postage, 4s. 11d.	3s. 8d.
P. E. Island, - - - - - 3s. 1½d.	1s. 3d.

As regards the effects of the two Bills on the Postage upon Newspapers, I beg leave to refer the Committee to what I have said in my answer to question No. 6, to which I beg to add that by the Bill prepared in England, a Newspaper may be sent from one extremity of British North America to the other for one half penny. By the Bill of the Assembly, I think the transmission of Newspapers between the Provinces would be put an end to; at all events the plan of Printers paying a quarter's dues in advance, in the several Provinces, could scarcely be attempted. In the 16th Section of the Assembly's Bill, there is a provision by which other persons than Printers may send Newspapers for a ½d. each.—Applying this Scale in the manner that I have done above in the case of Letters, the result would be thus:—

<i>By the Bill prepared by the Assembly.</i>	<i>The same scale applied to the English Bill.</i>
A Newspaper from Quebec to Sandwich, 1d.	½d.
To New Brunswick, - - - - - 1d.	½d.
To Halifax, - - - - - 1½d.	½d.
To P. E. Island, - - - - - 2d.	½d.

Q.—10. What arrangements exist at present with respect to the collection of United States postage in this Province. Is the arrangement reciprocal, or how is the Postage of Letters, &c. from Canada to the United States collected and accounted for.

A.—10. I desire to refer the Committee to the last paragraph, but one of my answers to question 6, to which I beg to add, that the arrangement for the collection of Postage between Canada and the United States, is not reciprocal. I am Agent for the American Post Office Department, and in that capacity *I collect* their Postage, as well on Letters coming from as going to the States; but the Americans do not collect our postage.—The Americans afford us this accommodation, and without it we could not communicate with the Mother Country through their Packets as we now do. There

There is no absolute necessity for their collecting our Postages, and no application has ever been made to ascertain whether they would be willing to do it.

Q.—11. If the Bill passed by the Assembly were to become law, could it be put into operation without an advance of money from the Provincial Chest?

A.—11. No! assuredly not.

Q.—12. In the event of the said Bill becoming law, would a sufficient Revenue in your opinion be raised under it to meet the expenses of the Department—would a larger Revenue be raised under the Bill prepared in England?

A.—12. My answer to the first portion of this question is, No! if that Bill were to become law, *and if it were possible to work it*, I am convinced the Revenue would not be sufficient by several thousand pounds a year to meet the expenses of the Department. I think that there would arise *such* a deficiency even by maintaining the routes and offices now in operation; but the House of Assembly has made a requisition for a great number of new offices—probably a hundred or more, many of them in thinly settled parts of the Province, and amongst a population little given to letter writing; these will be very burthensome. I am firmly persuaded, that at this moment if the fact could be got at (which is an impossible thing) it would be found that the postage actually accruing in Lower Canada, does not pay the expenses of collection; it is therefore evident to me that *reducing the postage rates, increasing the expenditure, and introducing extensive franking privileges* must have the effect of creating a heavy deficiency.

In reference to the latter part of the question I beg to say, that as the Bill prepared in England would encourage correspondence, and as the Staff of the Department would be less expensive, the net revenue would unquestionably be greater than by the local Bill. What I mean by the Staff of the Department being less expensive is—that the Head Quarter Establishment of a local Post Office in Lower Canada, were local Post Offices practicable, must be as numerous or nearly so as would be required for all the Provinces collectively, under a system of control management, such as is contemplated by the English Bill.

Q.—13. Has it been the custom to charge the conveyance of Letters for Soldiers and Sailors stationed in the Province at the nominal rates mentioned in the Bill prepared in England?

A.—13. It has.

Q.—14. Does not the English Bill contemplate a Deputy Post Master General for each Province?

A.—14. No! the Bill contemplates a Post Master General, (who is the Post Master General of the Empire,) whose duty it is through his Deputy or Deputies to execute his orders under the Act, but it does not contemplate a Deputy Post Master General for each Province. The Bill in its 2d Clause provides, that there shall be one Chief Office, called a General Post Office, in the Capital of each Province. The Deputy Post Master General spoken of in that same clause is intended to mean the Chief Officer representing the Post Master General in all the Provinces. I may observe, however, that the appointment of the Deputy Post Master General and Officers under him is a matter of regulation for the Post Master General.

Q.—15. What establishment do you consider to be necessary for the management of the Office at Montreal?

X 2

A.

A.—15. A Postmaster, two Clerks and three Letter Carriers.

Q.—16. Upon what principle or rule is the postage upon a Letter from London to Quebec through New York calculated?

A.—16. There is no British postage upon Letters from London to Quebec through New York. Those Letters arrive in Merchant vessels. The Post Office at New York pays the Captain two cents for each—those two cents are added to the ordinary postage from New York to the American lines—making in all 20 and $\frac{3}{4}$ cents or about 1s. 1d. Halifax currency; from the lines to Quebec the postage is 1s., total 2s. 1d. I beg to observe; that a person in London may send a Letter by Mail to go *via* Liverpool and New York to Quebec, upon payment at the time of posting of 1s. 1d. sterling. The total postage on a Letter coming by this channel from London to Quebec is 3s. 2d.; the total postage on a Letter from Quebec to London by the same channel would be 3s. 8d.

Q.—17. Upon what rule is the postage upon a Letter from Quebec to London calculated, supposing the Letter to pass through New York?

A.—17. I require payment of the British postage, which is 1s. currency to the lines; besides this, as Agent to the American Post Office, I receive the American postage, which is 18 $\frac{3}{4}$ cents or 11 $\frac{1}{2}$ d. to New York. For this expense, the Letter is taken to Liverpool, where it becomes chargeable with postage to London.

Q.—18. Are Letters from London to Quebec passing through Halifax charged with postage on the distance from Halifax to Quebec, added to English postage?

A.—18. They are.

Q.—19. Would it be practicable to forward the Letters brought to Halifax in the Falmouth Packet, intended for Lower Canada, in a separate bag from Halifax to Quebec?

A.—19. At present the bags containing all the English Letters for Canada, (both Upper and Lower Canada,) come unopened from Halifax to Quebec; at Quebec they are re-assorted and remailed. If the question is intended to ascertain if they could come in the same manner under a system of local Post Office, my answer is no! and the reason will be made apparent by referring to my answer to question No. 6.

Q.—20. If the bag containing the Letters from England through Halifax intended for Quebec could be forwarded unopened, would it not be easy to arrange with the Nova Scotia Post Office for the conveyance of the bag?

A.—20. I conceive that Nova Scotia and New Brunswick respectively would have the same right to the full postage on Letters from England addressed to the two Canadas, that they would have upon Letters originating in Nova Scotia and addressed to the two Canadas; whether the Lower Provinces would waive this right it is impossible for me to say. Perhaps in answering question No. 19, I should have stated, what is the fact, that Letters originating in Nova Scotia now come as British do, in sealed or locked bags from Halifax to Quebec.

Q.—21. Supposing the right waived by the Lower Provinces, could the mere conveyance of the bag be arranged for, at an expense less or greater than the amount of the postage to which that Province would be entitled to.

A.—21. It is a very difficult thing for me to answer such a question. All I can say is, that it cost about £40 to send an extra Mail Courier from Halifax to Quebec, and as much from Quebec to Halifax.

Q.

Q.—22. Would the postage collected on such Letters paid in Quebec calculated upon the whole distance from Halifax, cover the additional expense in conveying the bag from Halifax?

A.—22. If the question is meant to apply to Lower Canada Letters exclusively, and not to those addressed to Upper Canada, I should say that the postage calculated upon the Tariff laid down in the Bill prepared by the Assembly would not cover the expense of conveying the Bags.

Q.—23. If the postage on Letters arriving in one Province from any other British Province were paid in the Province, allowing the Letters at the rate calculated on the whole distance sent, is it probable that the loss of Revenue sustained by any one Province would be greater in proportion than that sustained by the other?

A.—23. I think the result would operate very unequally upon the different Provinces. Upper Canada being at the extremity of a long line of Post, would have *less* expenses to pay in reference to the grand route passing through all the Provinces, and *more postage* to receive, than the Lower Provinces, I may take the liberty of observing here, that an observation made by me in my answer to question No. 6, applies directly to this question; it is that there would be no check upon the postage receipts of the different Postmasters in their communications with the other Provinces. A system of central or general management provides an effectual check upon the accounts of Postmasters in all their transmission receipts. Local Post Offices must be without this check.

Q.—24. With reference to your answer to the 6th question, what amendments would you propose to the Bill prepared in England.

A.—24. I would willingly undertake this task if the Committee can allow me the time which I think would be required to do justice to it. I could not undertake to modify this Bill in question in the manner I should wish to do it in less than a fortnight.

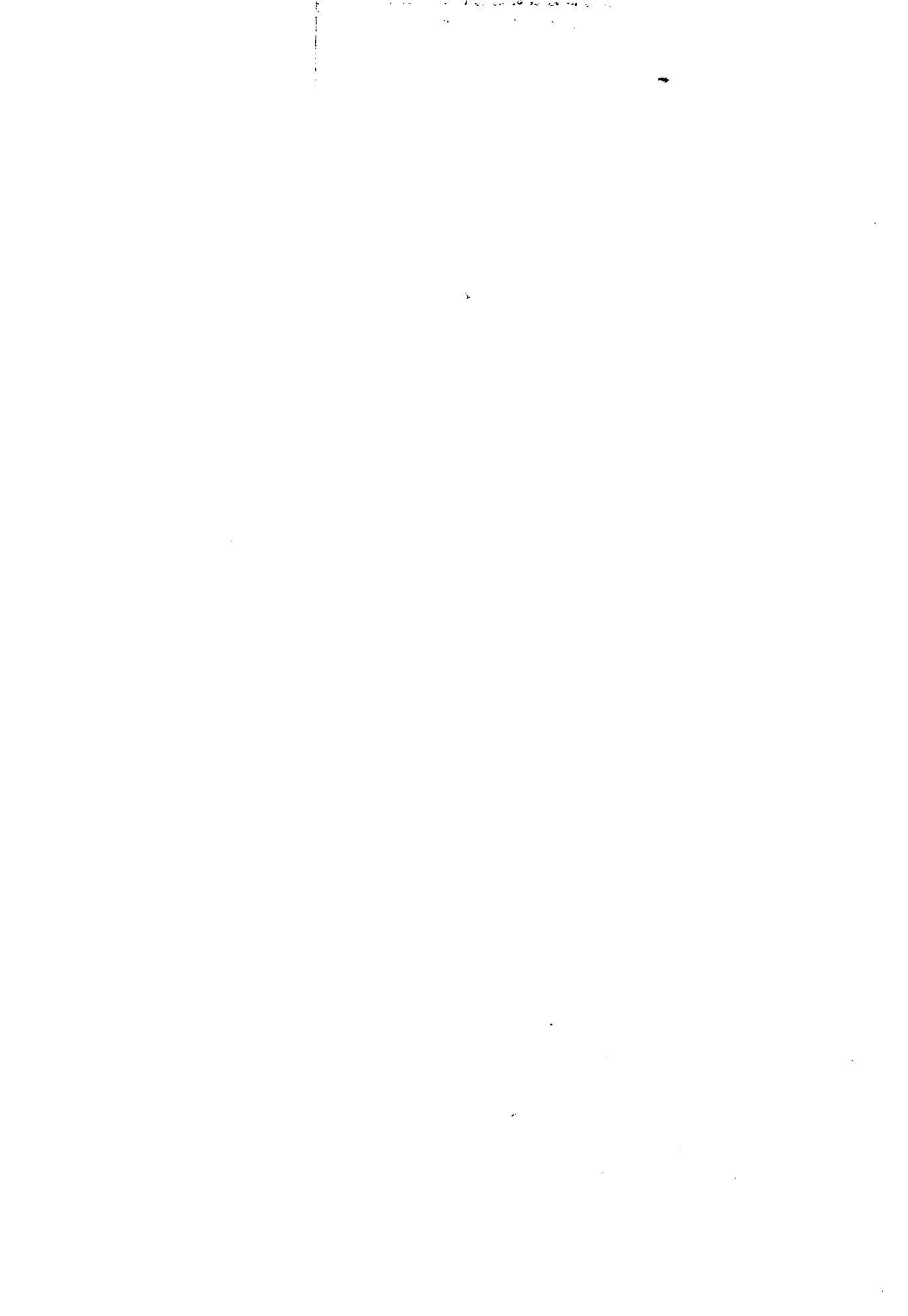
LEGISLATIVE COUNCIL, Tuesday, 15th March, 1836.

ORDERED, That a Copy of the Bill sent up from the Assembly for the concurrence of this House to establish and regulate a Post Office in this Province, together with the Report and Evidence reported from the select Committee to whom the said Bill was referred, and a Copy of the Address of this House to the King on the subject of the Post Office be, by the Speaker of this House, immediately transmitted to the Speakers of the Legislative Councils of the Provinces of Upper Canada, New Brunswick, Nova Scotia and Prince Edwards Island respectively.

Attest.

(Signed)

WM. SMITH, C. L. C.



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<i>Dated 23d January.</i> —Brought up, 72 ; read first time, committed, reported, adopted, 77 ; Assembly acquainted,	77
<i>Dated 3d February.</i> —Brought up, read first time, 118 ; committed, reported, adopted, 128 ; Assembly acquainted,	128
<i>Dated 9th February.</i> —Brought up, read first time, 118 ; committed, reported, adopted with the following exceptions :—	
To John Hammond and others,	£38 11 0
Thomas Crawford,	15 0 0
Jarvis Ring and others,	500 0 0
Rev. James Dunphy and others,	100 0 0
Matthew Carruthers,	16 0 0
Assembly acquainted thereof,	154

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<i>Dated 11th February.</i> —Brought up, read first time, 118; committed, reported, adopted with the following exceptions:—			
To Robert Rankin and Co.	£8	13	4
Jane Davidson.	10	0	0
Robert Rankin & Co.	29	14	2
James Moran,	50	0	0
Willard Broad,	27	8	4
Assembly acquainted thereof,			
<i>Dated 13th February.</i> —Brought up, read first time, 118; committed, reported, adopted, Assembly acquainted,			156
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To John Earle and others,	£17	16	4
David Saddler.	10	0	0
The Mayor, Aldermen and Commonalty of Saint John,	500	0	0
Assembly acquainted thereof,			
<i>Dated 17th February.</i> —Brought up, 137; read first time, 138; committed, reported, adopted, with the following exceptions:—			156
To Thomas Wyer and the Committee who reported on the subject of the Grandmanan herring fisheries,	£105	3	2
James Whitney,	212	17	4
William Chipman,	29	0	0
Assembly acquainted thereof,			
<i>Dated 18th February.</i> —Brought up, 140; read first time, 141; committed, reported, adopted without exception, 159; Assembly acquainted thereof,			159
<i>Dated 21st February.</i> —Brought up, 148; read first time, 149; committed, reported, adopted with the following exception:—			159
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