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**JOURNAL**

**AND**



**PROCEEDINGS**

**OF THE**

**HOUSE OF ASSEMBLY.**

**1841.**

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## PROCLAMATION.

BY HIS EXCELLENCY LIEUTENANT-GENERAL

**SIR COLIN CAMPBELL,**

*Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant-Governor and Commander in Chief in and over Her Majesty's Province of Nova Scotia, and its Dependencies, &c. &c. &c.*

C. Campbell.

**W**HEREAS, the General Assembly of this Province stands prorogued until Thursday, the 9th July next:

I have thought fit further to prorogue the said General Assembly until Thursday the 10th September next—of which all persons concerned are desired to take notice and govern themselves accordingly.

*Given under my Hand and Seal at Arms at Halifax, this 15th day of June, in the third year of Her Majesty's Reign, and in the Year of Our Lord 1840.*

By His Excellency's Command,

**RUPERT D GEORGE.**

GOD SAVE THE QUEEN.

## PROCLAMATION.

BY HIS EXCELLENCY LIEUTENANT GENERAL

**SIR COLIN CAMPBELL,**

*Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant-Governor and Commander in Chief in and over Her Majesty's Province Nova-Scotia, and its Dependencies, &c. &c. &c.*

C. Campbell.

**W**HEREAS, the General Assembly of this Province stands prorogued until Thursday the 10th September next:

I have thought fit further to prorogue the said General Assembly until Thursday, the 15th October next—of which all persons concerned are desired to take notice and govern themselves accordingly

*Given under my Hand and Seal at Arms at Halifax, this 8th day of August, in the third year of Her Majesty's Reign, and in the Year of our Lord 1840.*

By His Excellency's Command,

**RUPERT D. GEORGE.**

GOD SAVE THE QUEEN.



# PROCLAMATION.

BY HIS EXCELLENCY LIEUTENANT-GENERAL

**SIR COLIN CAMPBELL,**

*Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant-Governor and Commander in Chief in and over Her Majesty's Province of Nova-Scotia, and its Dependencies, &c. &c. &c.*

C. Campbell.

**W**HEREAS, the General Assembly of this Province stands Prorogued until Thursday the 15th day of October next:

I have thought fit further to prorogue the said General Assembly until Thursday the 12th day of November next—of which all persons concerned are desired to take notice and govern themselves accordingly.

*Given under my Hand and Seal at Arms at Halifax, this 26th day of September, in the fourth year of Her Majesty's Reign, and in the year of Our Lord 1840.*

By His Excellency's Command,  
**RUPERT D. GEORGE.**

GOD SAVE THE QUEEN.

# PROCLAMATION.

BY HIS EXCELLENCY THE RIGHT HONORABLE

**LUCIUS BENTINCK,**

**VISCOUNT FALKLAND,**

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

Falkland.

**W**HEREAS, I have thought fit to Dissolve the General Assembly of this Province which now stands prorogued to Thursday the twelfth day of November next; I do for that purpose, publish this Proclamation; and accordingly, by these presents, do Dissolve the said General Assembly.

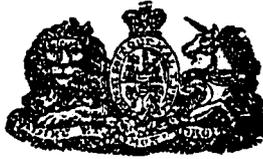
And I do hereby notify the Members of the Legislative Council, as well as the Representatives of this Her Majesty's Province, severally, as they are returned from the Counties and Townships, that they are discharged from further attendance on the said General Assembly.

And by these presents, I further declare that I have this day given Orders to issue Writs, in due form, for calling a new General Assembly,—which Writs will bear teste this twenty-first day of October, and be returnable on Wednesday the Twenty-third Day of December next.

*Given under my Hand and Seal at Arms at Halifax, this 21st day of October, in the fourth year of Her Majesty's Reign, and in the Year of Our Lord 1840.*

By His Excellency's Command,  
**RUPERT D. GEORGE.**

GOD SAVE THE QUEEN.



## PROCLAMATION.

BY HIS EXCELLENCY THE RIGHT HONORABLE

LUCIUS BENTINCK,

VISCOUNT FALKLAND,

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

Falkland.

**W**HEREAS the Writs issued for the Election of Members to serve in General Assembly, and which bear teste the Twenty-first day of October last, are made returnable at Halifax on Wednesday the Twenty-third day of the present Month of December :

And whereas, the attendance of the Members chosen or to be chosen for the respective Counties and Townships within the Province, is not required on the said Twenty-third day of December :

I have thought fit to prorogue the Meeting of the General Assembly until Wednesday, the third day of February next, *then to meet for the dispatch of business*—of which the Members of the Legislative Council and House of Assembly, and all persons concerned, are required to take notice and govern themselves accordingly.

*Given under my Hand and Seal at Arms at Halifax,  
this 15th day of December, A. D. 1840, in the  
fourth year of Her Majesty's Reign.*

By His Excellency's Command,

RUPERT D. GEORGE.

GOD SAVE THE QUEEN.

**JOURNAL AND PROCEEDINGS**  
 OF  
**THE HOUSE OF ASSEMBLY,**  
 OF  
**THE PROVINCE OF NOVA-SCOTIA.**

SESS. 1841.

*Begun and holden at Halifax, on Wednesday, the Third day of February, in the year of Our Lord One Thousand Eight Hundred and Forty-one, in the Fourth Year of the Reign of Our Sovereign Lady VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and of the United Church of England and Ireland, on Earth the Supreme Head.*



**H**IS Excellency Sir COLIN CAMPBELL, the late Lieutenant-Governor, having, by his Proclamations, dated the 15th June, 8th August, and 26th September, 1840, (hereunto annexed) prorogued the last General Assembly, and His Excellency the Right Honorable The VISCOUNT FALKLAND, Lieutenant-Governor, having, by his Proclamation, dated 21st October, 1840, (also hereunto annexed) dissolved the same General Assembly, and called a new one, and having appointed the same to meet and sit at Halifax this day, being the Third day of February, in the year of our Lord 1841.—The following are the names of the Members returned by the Sheriffs of the several Counties within this Province, to represent the same in the said General Assembly, summoned to meet as before mentioned, viz :—

**MEMBERS RETURNED BY THE SHERIFFS.**

*County of Halifax.*—Joseph Howe, William Annand.  
*Colchester.*—Samuel G. W. Archibald.  
*Pictou.*—John Holmes, Henry Blackadar.  
*Cumberland.*—Gaius Lewis, Stephen Fulton.  
*Hants.*—Benjamin Smith, George McKay.  
*King's.*—Thomas A. S. Dewolf, Samuel Chipman.  
*Annapolis.*—Samuel B. Chipman.  
*Digby.*—James B. Holdsworth.  
*Yarmouth.*—Herbert Huntington.  
*Shelburne.*—Gilbert McKenna.  
*Queen's.*—James R. Dewolf, Samuel P. Fairbanks.  
*Lunenburg.*—John Creighton, Edward Zwicker.  
*Sydney.*—Richard J. Forrestall, William A. Henry.  
*Guysborough.*—William F. DesBarres, John J. Marshall.  
*Cape-Breton.*—James B. Uniacke.  
*Richmond.*—James McKeagney.  
*Inverness.*—William Young, James Turnbull

List of Members  
 returned

*Township*

WEDNESDAY, 3d FEBRUARY, 1841.

*Township of Halifax.*—James McNab, Thomas Forrester.  
*Truro.*—Alexander L. Archibald.  
*Onslow.*—Alexander M. Upham.  
*Londonderry.*—G. W. McLellan.  
*Pictou.*—Henry Hatton.  
*Amherst.*—Robert McGowan Dickey.  
*Windsor.*—Henry Goudge.  
*Newport.*—Ichabod Dimock.  
*Falmouth.*—Lewis J. Payzant.  
*Cornwallis.*—Mayhew Beckwith.  
*Horton.*—William Johnson.  
*Granville.*—Stephen S. Thorne.  
*Annapolis.*—Henry Gates.  
*Digby.*—Charles Budd.  
*Clare.*—Anselm F. Comeau.  
*Yarmouth.*—Reuben Clements.  
*Argyle.*—John Rider.  
*Shelburne.*—Peter Spearwater, Junior.  
*Barrington.*—John W. Homer.  
*Liverpool.*—William B. Taylor.  
*Lunenburg.*—John Heckman.  
*Sydney.*—Edmund M. Dodd.  
*Arichat.*—Henry Martell.

In virtue of a Commission from His Excellency the Lieutenant-Governor to the Honorable S. G. W. ARCHIBALD, J. W. JOHNSTON and PETER McNAB—a copy of which is as followeth:—

BY HIS EXCELLENCY THE RIGHT HONORABLE

LUCIUS BENTINCK,

VISCOUNT FALKLAND,

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

Know Ye, that I, the said Lieutenant-Governor, by virtue of the power and authority in me vested, have constituted and appointed, and do, by these presents, constitute and appoint, the Honorable S. G. W. ARCHIBALD, J. W. JOHNSTON and PETER McNAB, or either of them, to be a Commissioner or Commissioners to tender and administer the usual State Oaths, according to Law, to all and every person and persons who is, are, or shall be, elected a Member of the House of Assembly, in this Province, giving them, or either of them, full power and authority to perform the matters hereinbefore mentioned, ratifying and confirming all and whatsoever the said Commissioners, or either of them, shall do and perform in this behalf.

*Given under my Hand and Seal at Arms, at Halifax, this second day of February, 1841, in the Fourth Year of Her Majesty's Reign.*

By His Excellency's Command,

RUPERT D. GEORGE.

Oaths administered to Members

Two of the said Commissioners, viz:—The Hon. S. G. W. Archibald, Attorney General, and the Hon. James W. Johnston, Solicitor General, came between eleven and twelve of



WEDNESDAY, 3d FEBRUARY, 1841.

while upholding the dignity and privileges of this House, with all due respect to those of the other branches of the Legislature. In maintaining the authority of the Chair, and preserving the order of this Assembly, I hope to have on all occasions your cordial support; and I am well assured that no one will be more ready to set an example in this respect than the learned and Honorable Gentleman who has been for the moment my rival."

House attend Gov. Mr. Speaker Elect, with the House, then went to attend His Excellency in the Council Chamber, where Mr. Speaker Elect was presented to His Excellency by the Honorable The Attorney General, who addressed His Excellency as followeth:

*May it please your Lordship;*

Speaker presented The House of Assembly, agreeably to your Lordship's command, have proceeded to the choice of a Speaker, and have elected the Honorable Joseph Howe, Member for the County of Halifax, to that Office, and, by their direction, I beg leave to present him for the approbation of your Lordship.

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

Speaker reports approval and his claim of privileges of House The House being returned, and Mr. Speaker having taken the Chair, Mr. Speaker reported that the House had attended His Excellency in the Council Chamber, where His Excellency had been pleased to approve of the choice the House had made of him to be their Speaker; and that he had thereupon addressed His Excellency to the following effect:

*May it please your Excellency;*

Your Excellency's ready approval of the choice which the House of Assembly have made of myself to be their Speaker, emboldens me to hope that in all their future acts they may have the good fortune to secure your Excellency's approbation. It now becomes my duty, in the name of the Representatives of the People, most respectfully to demand all their accustomed rights and privileges, that they may have freedom of speech in their debates—that they and their servants may be free from arrest, during their attendance upon Parliament—that I, as their Speaker, may have free access to your Excellency—and that if, in the discharge of my duties, any errors are committed, they may be attributed by your Excellency to my youth and inexperience, and not to the Body over which I have the honor to preside.

Bill presented to amend election Act Mr. Goudge, pursuant to leave given, presented a Bill to amend the Act for regulating Elections of Members to serve in General Assembly, and the same was read a first time, and ordered to be read a second time.

Report of His Excellency's Speech Mr. Speaker then reported that His Excellency had, in the Council Chamber, been pleased to make a Speech to both Houses of the Provincial Parliament, of which Mr. Speaker said he had, for greater accuracy, obtained a copy, which he read to the House as followeth:

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

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

I HAVE called you together at the earliest opportunity after the close of the General Election, being desirous of placing myself on the first favorable occasion in direct communication with the Legislature of the Province, the Government of which I have been appointed to administer, because I feel that in my endeavours to discharge faithfully the arduous duties entailed on me by the confidence of my Sovereign, your co-operation and support will be of the utmost importance, and productive of the best results.

I believe it to be indispensable to the prosperity of Nova-Scotia, that a sufficient degree of reciprocal confidence should exist between the three Branches of the Legislature, to insure from each a fair and candid construction of the acts of the other constituent powers,

powers, as well as to induce, on the part of those to whom, by the constitution, the exercise of the purely Legislative functions of the Government is specially confided, a disposition to aid the Representative of the Crown in his efforts to give effect to the beneficent intentions of the Queen: to establish and preserve such a feeling of mutual reliance, is therefore the object of my extreme solicitude, nor have I any other than a sanguine expectation that the course I shall pursue, of maintaining inviolate the Royal Prerogative, the beneficial influence of which on the interests of the subject time has demonstrated, while I conscientiously exert it, whenever my duty to Her Majesty admits of my so doing, in accordance with the wishes of the Community in general: making the authority with which I am invested conducive to the furtherance of measures adapted to draw forth the resources and meet the wants of the Country, my labors to that end being shared by those enjoying the public confidence and best qualified to judge of the public interests, will produce general harmony, and secure to me, from the British Subjects of this Province, that sympathy and assistance which I deem necessary to enable me to do my duty to the Throne, by promoting their welfare, and thereby strengthening those bonds of loyalty and affection to our Sovereign and attachment to the Parent State, by which it is my happiness to feel assured that all Nova-Scotians are now united.

Since your last Meeting it has pleased Divine Providence to bless with Offspring the union of our Gracious Monarch and her august Consort: you will, I am confident, participate in those sentiments of exultation and gratitude, felt by your fellow subjects at Home, at the birth of a Princess Royal, as at an event calculated to add to the stability of the Throne, and contribute to the domestic felicity of our beloved Royal Mistress.

I rejoice to have it in my power to congratulate you on the flourishing state of the Province in general.—It will be found, on reference to Returns which I have directed to be submitted to you, that Trade has progressively increased, and that a proportionate augmentation has taken place in the Revenue, while the thriving condition of the mercantile interest has had an advantageous effect on the Agricultural Districts of the Country.

I have thought it expedient to retain in activity, to the latest period authorized by your Acts, the vessels manned, and fitted out, for the protection of the Fisheries: it will at all times be one of the most interesting and imperative of my duties to unite with you in fostering this important branch of industry, regarding it not only as a source of commercial wealth, but as affording the means of subsistence, and I trust of comfort to a brave, loyal and valuable class of our fellow subjects.

We have to be grateful for a harvest which, if not superabundant, has been at least an average one, and I have the satisfaction to learn from all quarters that the grain, grown, is of very superior quality. I perceive, on referring to the Journals, that you have entered on an enquiry as to the best mode of affording encouragement to the Agriculturist: I shall have much pleasure in contributing to the successful action of any measure you may decide on, as calculated to stimulate the enterprize of the Farmer, lead to a more scientific system of cultivation, and a reward equivalent to his meritorious exertions.

I have to acquaint you that all matters commended to the attention of the Executive, by the Legislature, at the close of the last Session, have been duly cared for, and all correspondence relating thereto will be communicated to both Houses without delay.

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

The Accounts to the 31st December are ready for your inspection. I trust you will find that the money voted by you has been honestly appropriated and judiciously applied to the purposes for which it was granted. The Estimates for the current year will be laid before you; they have been prepared with every attention to economy consistent with a proper regard for the exigencies of the public service.

It is a ground for the indulgence of encouraging anticipations as regards the future, that you enter on your Parliamentary duties with no greater amount of Debt than existed four years ago, while the increase of the Revenue places at your disposal means far more ample than your predecessors enjoyed, both of diminishing this burthen, and of effecting necessary public improvements; of these one of the most essential which we can contem-

WEDNESDAY, 3d FEBRUARY, 1841.

plate is the amelioration of the great Lines of Communication between this port and the eastern and western extremities of the Province. I am convinced you will judge it of the first consequence that these highways should be kept in a proper condition, not only because they are, by the accommodation they afford, a prime source of the welfare of the Agricultural Classes, and of the internal prosperity of Nova-Scotia, but because it has latterly become a matter of great national interest that the supervision exercised over their management should be an efficient and an active one.

The British Government, ever anxious to facilitate the intercourse between the Mother Country and her trans-atlantic Offspring, after having expended a very large sum in establishing a line of Steam Ships from Liverpool to our Provincial Capital, "in the confident expectation that the Colonies, on their part, would not be unwilling to improve the local communication," has proposed a plan for the more expeditious conveyance of Mails and Passengers between Halifax and Quebec, as well as between Halifax and New Brunswick; I have been instructed to ask your aid in furtherance of this object, and, after the Resolution passed by the House in the last Session, pledging itself with regard to the expenses of the Post Office, and the liberality of the Imperial Parliament, I feel certain the appeal will not be made in vain, but that, as anticipated by the Secretary of State, copies of whose letters will be placed on your table, "the exertions made by Great-Britain for the purpose of "keeping up a regular and rapid intercourse between the Countries, will be met by a corresponding feeling on the part of the Colony."

I am enabled, by the assistance of my Council, to offer you a measure conceived with the design of meeting the wishes of the Home Administration, nor do I doubt the readiness with which you will give a favorable reception to this Bill, while I feel certain that you will make such pecuniary provision for keeping the Roads in repair as the public funds will admit of, and as is commensurate with the utility and importance of the end in view.

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

Among the various subjects which have been brought under my notice, since my arrival in this Colony, the means of more generally diffusing instruction among the people has engaged my most serious attention.

It is deeply to be lamented that, in a country, the population of which is inferior to no other race in physical attributes, and where the necessaries of life are so easily obtained, that a moderate degree of industry raises a man above want, while, by the constitution of society, any one endowed with knowledge and diligence may arrive at the highest social distinction, education should be so difficult of attainment, that the majority of the inhabitants are in consequence deprived of the advantages otherwise open to them by the nature of the institutions under which they live—society itself is retarded in its progress—man's individual happiness marred, and his usefulness in his relations with his fellow creatures impaired by the want of that inestimable blessing. My examination into the working of the system at present established here, has convinced me that this inconvenience is universally felt and generally complained of, while however the extent of the evil is acknowledged by all, a diversity of opinion everywhere prevails as to the mode in which it is to be remedied, each class apprehending having to suffer from the imposition of an undue share of the sacrifice necessary to be made for its removal; the difficulties by which the question is surrounded in consequence of this conflict of opinions, as well as from the local peculiarities of certain Districts, and the variety of religious tenets prevailing in Nova-Scotia, are such as to prevent my being able to propose to you, in the hope of its determination, any measure worthy of adoption.

Your knowledge of the necessities of your several constituencies, and of the different interests of the classes into which they are divided, eminently qualifies you to deliberate on the means of mitigating the privation under which they now suffer, with regard to moral culture, and of bringing about, in this respect, a vast improvement in the condition of the great body of the people in the manner least likely to bear oppressively on any portion

tion of the community.—In recommending to your regard a subject of such momentous interest, I consider it my duty not to withhold the expression of my belief, that any Legislative Act in reference to it, to be satisfactory in its operation, must be based on the principle of general assessment, while I beg to assure you of my very zealous concurrence in any attempt you may make to ameliorate a state of things which I sincerely deplore.

A Committee of Her Majesty's Council being now engaged in revising the Criminal Law, I trust, on the receipt of the report of that Committee, to have it in my power to offer you a Bill embodying all the necessary improvements.

A matter of great public concern, and which has already been much canvassed, will probably again furnish ground for debate, during the present Session—I allude to the Judiciary of the Province—a declaration by the Legislature of the necessity of a change in this department, and an assertion of the principle on which that change should be founded, would be met on the part of the Executive by a sincere desire to act in concert with the wishes of Parliament.

In addition to the measure relating to the Highways, of which I have already spoken, a Bill for the re-construction of the Court of Marriage and Divorce, and another for the Incorporation of the Town of Halifax, will be submitted for your approbation.

In the preparation of these Acts, every anxiety has been felt, both by myself and by those who have assisted me to frame them, that the provisions therein contained should correspond to the exigencies of Society, as established among us. It will be for you to say whether this purpose has been accomplished, and to determine whether they shall become Law. Although the tranquility and happiness of this Country, to promote which, my best energies will hereafter be devoted, and to which I think these, or some similar enactments, would contribute, are too near my heart for me to disguise my earnest hope that they may be deemed in the main well suited to effect the ends contemplated by those who devised them, I both expect and desire that they should be subjected to the most ample discussion and searching investigation, alike as to their principles and details.

The House then proceeded to the choice of Officers; and thereupon,

*Resolved*, That John Whidden, Esquire, Clerk of the House of Representatives in General Assembly, be re-sworn to the said office.

*Resolved*, That James Finlayson Gray, Esquire, Clerk Assistant, be re-sworn to the said office.

And they respectively took the Oaths of Office accordingly.

*Resolved*, That Mr. Matthew Forrester be the Sergeant at Arms.

The House then, upon several persons being proposed to fill the office of Assistant Sergeant at Arms, proceeded to ballot for one for that office, and Mr. John Jennings having a majority of votes,

*Resolved*, That Mr. John Jennings be the Assistant Sergeant at Arms.

*Resolved*, That Mr. John Gibbs be the Messenger to this House.

Mr. Chipman moved that the House do come to the following Resolution:

*Resolved*, That the Rev. Dr. Twining, the Rev. Mr. Scott, the Rev. Mr. Sheldon, and the Rev. Mr. Churchill, be requested to officiate as Chaplains to this House, weekly, in succession, during the sittings thereof: which, being seconded,

The Hon. Mr. Dewolf moved, as an amendment to said proposed Resolution, to leave out the words "the Rev. Mr. Sheldon and the Rev. Mr. Churchill," and to insert the word "and" between the words "Twining" and "the": which, being seconded and put, and the House dividing thereon, there appeared, for the motion, seventeen; against it, thirty.

For the motion,

Hon Attorney General Mr Marshall  
Mr McKenna Mr Turnbull  
Hon Mr McNab Hon Mr Dewolf  
Mr DesBarres Mr Zwicker  
Mr Heckman Mr Fairbanks  
Mr J R Dewolf Mr Hatton  
Mr McKay Mr Creighton  
Mr Dimock Mr Taylor  
Mr Blackadar Mr Holmes

Mr McLellan  
Mr Forrester  
Mr Johnson  
Mr Comeau  
Mr Homer  
Mr Payzant  
Mr Holdsworth  
Mr Forrestall  
Mr McKeagney  
Mr Gates

Against the motion,

Mr Budd  
Mr Thorne  
Mr Dickey  
Mr Fulton  
Mr Beckwith  
Mr Martell  
Mr Smith  
Mr Lewis  
Mr Upham  
Mr Rider  
Mr Annand  
Mr Clements  
Mr Archibald  
Mr Goudge  
Mr Spearwater  
Mr Young  
Mr Huntington  
Mr Henry  
Mr S Chipman  
Mr S B Chipman

Choice of Officers

Clerk re-sworn

Assistant Clerk re-sworn

Sergeant at Arms appointed

Assistant Sergeant at Arms balloted for

Messenger

Motion for appointment of Chaplains

Amendment proposed

Negatived

So it passed in the negative.

Mr.

WEDNESDAY, 3d FEBRUARY, 1841.

Another amendt.  
proposed

Mr. Dickey then moved, that the proposed Resolution be amended, by leaving out the words "the Rev. Mr. Scott, the Rev. Mr. Sheldon, and the Rev. Mr. Churchill"; also, that the word "Chaplains" be left out, and the word "Chaplain" inserted instead thereof; and that the words "weekly in succession" be also left out: which, being seconded and put, and the House dividing thereon, there appeared, for the motion, sixteen; against it, twenty-eight.

Negatived

For the motion,		Against the motion,		
Mr Holmes	Mr Fulton	Mr Johnson	Mr Beckwith	Mr Goudge
Mr Zwickler	Mr Dickey	Mr Comeau	Mr Martell	Hon Mr McNab
Mr Heckman	Mr Budd	Mr Homer	Mr Dimock	Mr Fairbanks
Mr J R Dewolf	Mr Marshall	Mr Payzant	Mr Lewis	Mr Huntington
Mr McKay	Mr Halton	Mr Holdsworth	Mr Upham	Mr DesBarres
Mr Smith	Mr Thorne	Mr McKeagney	Mr McKenna	Mr Henry
Mr Blackadar	Mr Creighton	Mr Gates	Mr Rider	Mr Young
Mr Turnbull	Mr Taylor	Mr Forrester	Mr Annand	Mr S Chipman
		Mr Spearwater	Mr Archibald	Mr S B Chipman
		Mr McLellan		

So it passed in the negative.

Amendment carried

Mr. Young then moved, that an amendment be made to the proposed Resolution, by leaving out the words "and the Rev. Mr. Churchill," and inserting instead thereof, the words "the Rev. Mr. Marshall and the Rev. Mr. Dease": which, being seconded and put, and the House dividing thereon, there appeared, for the motion, thirty-two; against it, twelve.

For the motion,		Against the motion,		
Mr S B Chipman	Hon Mr McNab	Mr Homer	Mr Creighton	
Mr Spearwater	Mr Upham	Mr Turnbull	Mr Halton	
Mr Archibald	Mr Zwickler	Mr McKeagney	Mr Marshall	
Mr Huntington	Mr Forrester	Mr Payzant	Mr Dickey	
Mr Goudge	Mr Lewis	Mr Holdsworth	Mr Budd	
Mr DesBarres	Mr Heckman	Mr Gates	Mr Thorne	
Mr S Chipman	Mr J R Dewolf	Mr Clements	Mr Blackadar	
Mr Annand	Mr Martell	Mr Johnson	Mr Fulton	
Mr Young	Mr Dimock	Mr Comeau	Mr Smith	
Mr Rider	Mr Beckwith	Mr Henry	Mr McKay	
Mr McKenna	Mr McLellan		Mr Holmes	
			Mr Fairbanks	

So it passed in the affirmative.

Res. as amended

And the Resolution, so amended, being put,  
*Resolved*, That the Rev. Dr. Twining, the Rev. Mr. Scott, the Rev. Mr. Sheldon, the Rev. Mr. Marshall, and the Rev. Mr. Dease, be requested to officiate as Chaplains to this House, weekly, in succession, during the sittings thereof.

*Ordered*, That the Clerk do communicate the Resolution to the Reverend Gentlemen therein named.

Com. to answer  
Speech of Lt. Gov.

*Ordered*, That Mr. Young, Mr. Huntington, Mr. S. Chipman, Mr. DesBarres, and Mr. Goudge, be a Committee to prepare an Address in answer to His Excellency's Speech.

Com. of Privileges

*Ordered*, That the Hon. The Attorney General, the Hon. Mr. Dodd, Mr. Young, Mr. Henry, the Hon. Mr. Uniacke, Mr. Fairbanks and Mr. Huntington, be a Committee of Privileges.

Com. on Expiring  
Laws

*Ordered*, That Mr. DesBarres, Mr. Turnbull and Mr. Creighton, be a Committee to examine and report on the Expiring Laws.

Com. on Public  
Accounts

*Ordered*, That Mr. Forrester, the Hon. Mr. McNab, Mr. Goudge, Mr. Taylor and Mr. Homer, be a Committee of this House for the purpose of examining the Public Accounts, jointly, with a Committee of the Legislative Council, and that the Clerk do acquaint the Council therewith.

Order limiting time  
for Private Pets.

*Ordered*, That no Petition of a private nature be received after Monday, the first day of March next, unless by special leave of the House.

Then the House adjourned until To-morrow, at three of the clock.

Thursday,

THURSDAY, 4th FEBRUARY, 1841.

Thursday, 4th February, 1841.

## PRAYERS.

Mr. Young reported from the Committee appointed to prepare an Address in answer to His Excellency's Speech, that the Committee had drawn up an Address accordingly; and he read the same in his place, and afterwards delivered it in at the Clerk's Table, where it was again read, and is as followeth:

Report from Com. to prepare address in answer to Speech

TO HIS EXCELLENCY THE RIGHT HONORABLE

LUCIUS BENTINCK,

VISCOUNT FALKLAND,

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

THE HUMBLE ADDRESS OF THE HOUSE OF REPRESENTATIVES IN GENERAL ASSEMBLY.

*May it please your Excellency;—*

WE, Her Majesty's dutiful subjects, the Representatives of Her Majesty's loyal People of Nova Scotia, thank your Excellency for the Speech with which you were pleased to open the present Session, and trust that the combined action of the three Branches of the Legislature and their harmonious co-operation for the Public good, will produce, under your Excellency's intelligent and impartial guidance, the beneficial results which your Excellency anticipates, and the experience of the Mother Country entitles us to expect. Your Excellency may be assured that in no part of the Empire is there a warmer feeling of attachment to British Institutions, and a more earnest desire to maintain the Royal Prerogative, while guarding and preserving the rights of the People, than in this Province.

Address

The most effectual means of securing the co-operation of the Commons, will be at all times a conviction that the British principle has been observed, and your Excellency surrounded by advisers enjoying the public confidence.

The Birth of a Princess Royal has been hailed with the liveliest pleasure by the inhabitants of this Colony, who, in common with their fellow subjects at home, regard this event as a signal blessing conferred by Divine Providence upon Her Majesty and her august Consort, and contributing to the security of the Throne.

The prosperous condition of the Trade, Agriculture, and other leading departments of the Provincial industry, is matter of sincere congratulation. The harvest has yielded the means of subsistence in abundance, and the Revenue, without any material change or augmentation of duties, is progressively increasing.—A proof at once of the expansion of our commerce, and of the growing comfort and capacity of consumption among the people.

We concur in your Excellency's desire to discover the best mode of encouraging our Agriculture, by applying the aids of scientific inquiry, and enlightening and stimulating the farming class by the same means that have been so successful in older Countries, and trust that some general measure may be found practicable for this important object, during the present Session.

We thank your Excellency for having employed the means put at the disposal of Government for the protection of our Fisheries, and participate in your Excellency's anxiety to foster this extensive and valuable branch of industry, by such aids as it may be in the power of the Legislature, guided by past experience, to afford to the numerous and meritorious body engaged in it.

We thank your Excellency for having caused the Public Accounts to be prepared for our inspection, as we will be enabled thereby to proceed to that duty without delay; and

C

we

THURSDAY, 4th FEBRUARY, 1841.

we can assure your Excellency of our disposition to provide for the necessary support of Her Majesty's Government.

The Correspondence which your Excellency proposes to submit to us, will receive our respectful attention.

We are sensible of the great advantages we enjoy in the command of more ample means for improving our internal communications, and the vast importance both in a provincial and national point of view, of having the great lines stretching from the capital to the eastern and western extremities of the Province, formed on the best routes and kept in efficient and perfect repair. The system by which our highways would be most economically and skilfully managed, and the large sums voted for this service, from time to time, most judiciously expended, has frequently engaged the attention of the Legislature; and we assure your Excellency that we will examine and consider the Bill which your Excellency refers to, with every disposition to concur in any well digested and practical measure.

The anxiety your Excellency expresses to diffuse more generally among the people the blessings of Education, we entirely sympathise in, and regret that the difficulties your Excellency has pointed out are inseparable from any plan that can be devised for removing the evils so universally and justly deplored. We are most solicitous to introduce into this Province a permanent and comprehensive system by which the children of all classes should receive the elements of instruction, and the intellectual and moral condition of the people would be elevated and improved. Whether it be possible at present to raise the very large sum that would be annually required, in such way as would be acceptable to our constituents, or would comport with the public obligations, is a question that will engage our most earnest attention; and we have to thank your Excellency for the assurance of your cordial and zealous assistance in such measure as we may be able to carry into effect for extending and improving the present Law.

We will be happy to consider the Bills for the consolidation and amendment of the Criminal Law—the Incorporation of the Town of Halifax, and the re-construction of the Court of Marriage and Divorce, so soon as they are submitted for our approval.

We will probably embrace an early opportunity of declaring our opinions on the proposed changes in the Judicatory of the Province, and will not fail to communicate them to your Excellency, that the Government may be aware how far we acquiesce in, or dissent from, the views of our predecessors.

We beg to assure your Excellency of our anxiety to co-operate with you at all times in the amelioration of our Laws and Institutions, and in the grateful task of assimilating them still more closely to those of the Parent State. The various measures that may be submitted to us we will subject to the discussion and ample inquiry your Excellency has invited, and trust that when improved and perfected by the action of the Legislature, they will largely promote the public weal, and distinguish your Excellency's administration in the way that we are sure will be most acceptable to your heart, by securing the tranquillity and happiness of the people committed to your care.

The House then proceeded to the consideration of said Address, and the same was read clause by clause; and the several clauses were respectively agreed to by the House; and thereupon,

*Resolved*, That the said Address do pass.

*Ordered*, That the Address be engrossed.

*Resolved*, That the Address be presented to His Excellency by the whole House.

*Ordered*, That the Committee who prepared the Address to His Excellency the Lieutenant-Governor, be a Committee to wait on His Excellency, to know his pleasure when he will be attended by the House, with the Address.

Address passed to be presented by whole House

Com. to wait on Gov. to know when he will receive House

Petition from Freeholders of Granville against return of Mr. Thorne

A Petition of James Clark and others, Freeholders of the Township of Granville, was presented by Mr. Huntington and read, setting forth that at the late Election for a Representative of that Township, in General Assembly, James Delap, Esquire, was a Candidate, in opposition to Stephen S. Thorne, Esquire, the returned Member;—that the Sheriff, conducting said Election, had refused to receive for Mr. Delap, the votes of persons offering

THURSDAY, 4th FEBRUARY, 1841.

ing to take the Oath of qualification, by Law prescribed, and had, during the Election, as well as on a subsequent scrutiny, conducted the business partially, and with unfairness towards Mr. Delap; and that the majority for Mr. Thorne had been obtained by riotous and violent proceedings on the part of those who supported him, and by the reception of the votes of persons not legally qualified, and praying that the election and return of Mr. Thorne, the sitting Member, may be set aside, and declared null and void.

*Ordered*, that the Petition do lie on the Table.

On motion, *resolved*, that this House will, on Monday next, the 8th instant, at 12 of the clock, take into consideration the said Petition, complaining of an undue Election for the Township of Granville.

Order for taking  
Petition into consi-  
deration

MEMORANDUM.—In pursuance of the Act for regulating the Trials of Controverted Elections, or returns of Members to serve in General Assembly, the like notices, as in former cases, were sent to the several parties, with orders for their attendance, by themselves, their Counsel or Agents, at the time on which the said Petition was ordered to be taken into consideration.

Notices sent to par-  
ties

Mr. Speaker laid before the House, a Return from the Sheriff of the County of Annapolis, of the proceedings had before him and his Assistants, upon a scrutiny of the late Election for the Township of Granville, in said County, sent to the House, according to Law.

Scrutiny on Gran-  
ville Election laid  
before House

*Ordered*, That the said Return do lie upon the Table.

A Message from the Council, by Mr. Halliburton:

Mr. Speaker,

The Council have appointed Mr. Smith, Mr. Starr, and Mr. Rudolf a Committee to join the Committee of this Honorable House, to examine the Public Accounts.

Council's appoint-  
ment of Com. on  
Public Accounts

And then the Messenger withdrew.

A Petition of Alexander Primrose, Esquire, a Candidate at the late Election of Representatives in General Assembly, for the County of Inverness.—Also, five other Petitions of Freeholders of said County, were presented by the Hon. Mr. Dewolf and read, setting forth that at said Election several Freeholders of said County had offered to vote—some for the said Alexander Primrose alone—and others for him and Mr. Turnbull—one of the returned Members, and that the Sheriff had refused to receive such votes, upon the ground that Mr. Primrose was not duly qualified, by Law, as a Candidate at such Election, and had therein acted judicially, and not ministerially, as he was bound to do, and praying, therefore, that the Election for said County, and the return of the Members, made by said Sheriff, may be set aside, and declared null and void.

Petition of A. Prim-  
rose against return  
of sitting Member  
for Inverness.

*Ordered*, That the Petitions do lie on the Table.

On motion, *resolved*, that this House will, on Monday next, the 8th instant, at two of the clock, take into consideration the said Petitions, complaining of an undue Election for the County of Inverness.

Order for taking  
Petition into consi-  
deration

MEMORANDUM.—In pursuance of the Act for regulating the Trials of Controverted Elections, or Returns of Members to serve in General Assembly, the like notices, as in former cases, were sent to the several parties, with orders for their attendance, by themselves, their Counsel or Agents, at the time on which the said Petitions were ordered to be taken into consideration.

Notices to parties

Then the House adjourned until To-morrow, at twelve of the clock.

Friday,

Friday, 5th February, 1841.

## PRAYERS.

Report from Committee appointed to ascertain when Gov. would receive House with Address

Mr. Young reported from the Committee appointed to wait on His Excellency the Lieutenant-Governor, to know his pleasure when he would receive the Address of the House, in answer to His Excellency's Speech, that the Committee had, pursuant to order, waited on His Excellency, and that His Excellency was pleased to appoint to-day, at three of the clock, at Government House.

Committee to revise Highway labor Acts

On motion of the Hon. Mr. Dodd, *resolved*, that a Committee be appointed to consider and revise the Laws relating to Statute Labor to be performed on the Roads and Bridges, and to report such amendments as may be necessary, by Bill or otherwise.

The Hon. Mr. Dodd then moved that the said Committee be composed of a Member from each County: which, being seconded,

The Hon. Mr. Dewolf moved, that the question be amended by leaving out the words "a Member from each County," and inserting instead thereof, the words "five Members": which, being seconded and put, passed in the negative.

The main question being then put, was agreed to by the House.

Committee named

*Ordered*, That the Hon. Mr. Dodd, Mr. Annand, Mr. McLellan, Mr. Holmes, Mr. Forrestall, Mr. Marshall, Mr. Martell, Mr. Turnbull, Mr. Smith, Mr. S. Chipman, Mr. Dickey, Mr. S. B. Chipman, Mr. Holdsworth, Mr. Huntington, Mr. McKenna, Mr. Zwicker and Mr. J. R. Dewolf, be a Committee accordingly.

Mr. Goudge then moved the following Resolution:

Proposition for General assessment for Highway labor

*Resolved*, That the said Committee be instructed to report, within ten days, a Bill founded upon the principle of General Assessment upon Real and Personal Estate, with proper provisions, for obtaining the labour or pecuniary compensation by the labour of such persons as may not have any known property, but be liable to labour: which, being seconded,

Mr. J. R. Dewolf moved, as an amendment of the proposed Resolution, to leave out all the words thereof after the word "days": which, being seconded and put, and the House dividing thereon, there appeared, for the amendment, forty; against it, four.

Amendment to leave out Assessment

## For the amendment,

## Against the amendment,

Mr S Chipman  
Mr Fairbanks  
Mr Smith  
Hon Mr McNab  
Mr Dickey  
Mr Heckman  
Hon Mr Dewolf  
Mr DesBarres  
Hon Mr Dodd  
Mr Henry

Mr Dimock  
Mr McKay  
Mr Fulton  
Mr Annand  
Mr Young  
Mr Holmes  
Mr S B Chipman  
Mr Archibald  
Mr Lewis  
Mr Turnbull

Mr Zwicker  
Mr McLellan  
Mr Rider  
Mr Upham  
Mr Beckwith  
Mr Comeau  
Mr Forrestall  
Hon Mr Uniacke  
Mr Payzant  
Mr Martell

Mr Halton  
Mr Spearwater  
Mr McKenna  
Mr Budd  
Mr Johnson  
Mr Taylor  
Mr Blackadar  
Mr J R Dewolf  
Mr Clements  
Mr Forrester

Mr Huntington  
Mr Goudge  
Mr Marshall  
Mr Homer

So it passed in the affirmative.

Carried

The Resolution, as amended, being then put, was agreed to by the House.

Committee to report in 10 days

*Ordered*, That the said Committee do report within ten days.

On motion of Mr. Young, *resolved*, that a Committee be appointed to consider the best mode of encouraging our Agriculture, with leave to report by Bill or otherwise.

Committee formed on Agriculture

*Ordered*, That Mr. Young, Mr. Annand, Mr. Upham, Mr. Holmes, Mr. Henry, Mr. Marshall, Mr. McKeagney, Hon. Mr. Dodd, Mr. Smith, Hon. Mr. Dewolf, Mr. Gates, Mr. Lewis, Mr. Holdsworth, Mr. Huntington, Mr. Spearwater, Mr. Zwicker and Mr. J. R. Dewolf, be a Committee for the above purpose.

House attend Gov. with Address

Mr. Speaker and the House attended His Excellency the Lieutenant-Governor with their Address to him, pursuant to the order of yesterday,

Report of H. E's reply to Address

And being returned,

Mr. Speaker reported that His Excellency was pleased to make this reply to the Address of the House:

Mr.

FRIDAY, SATURDAY and MONDAY, 5th, 6th and 8th FEBRUARY, 1841.

“ Mr. Speaker, and Gentlemen ;

“ I beg you will accept my thanks for your Address, and for the assurance therein contained—that the co-operation of the Commons of Nova-Scotia will be secured to me by the course I have declared I shall pursue, of availing myself, in the conduct of the affairs of the Province, of the assistance of those enjoying the confidence of the Country, and best qualified to judge of the public interests.”

Then the House adjourned until To-morrow, at twelve of the clock.

Saturday, 6th February, 1841.

PRAYERS.

A Petition of Daniel Durland, was presented by Mr. S. B. Chipman, and read, praying aid in maintaining a Public House in the Wilderness, on the Road from Annapolis to Liverpool, there being no house within ten miles thereof, and but little travelling; and thereupon,

Petition of Dnrl. Durland for aid to Public House on road from Annapolis to Liverpool

Mr. Goudge moved that the Petition be withdrawn: which, being seconded,

Motion for withdrawal

Mr. J. R. Dewolf moved, as an amendment to the question, that the word “ withdrawn” be left out, and the words “ referred to a Select Committee, to examine and report upon :” which, being seconded and put, passed in the affirmative.

Amendment for reference to Sel. Com.

Ordered, That the Petition be referred to Mr. Smith, Mr. S. Chipman and Mr. Dickey, to examine and report upon to this House.

A Petition of Peter Starritt and others, was presented by Mr. S. B. Chipman and read, praying aid in the erection of an additional Pier or Breakwater at Marshall's Cove, in Wilmot, County of Annapolis.

Petition for aid to Breakwater at Marshall's Cove, Wilmot

On motion of Mr. Huntington, resolved, that a Select Committee be appointed to examine and report upon all Petitions and other matters relating to Navigation Securities.

Committee on Navigation Securities

Ordered, That Mr. Huntington, the Hon. Mr. Uniacke, Mr. Smith, Mr. DesBarres and Mr. Upham, be a Committee for the above purpose.

Ordered, That the foregoing Petition of Peter Starritt and others, be referred to the said Committee.

Petition referred to Committee

A Bill to amend the Act for regulating Elections of Members to serve in General Assembly, was read a second time; and thereupon,

Bill to amend Election law read 2d time

The Hon. Mr. Dodd moved that the further consideration of the Bill be deferred until this day three months: which, being seconded and put, passed in the affirmative.

Deferred 3 months

Ordered, That the further consideration of the Bill be deferred until this day three months.

Then the House adjourned until Monday next, at twelve of the clock.

Monday, 8th February, 1841.

PRAYERS.

The House being met at twelve of the clock, the Serjeant at Arms was directed to go to the places adjacent, and require the immediate attendance of the Members, on the business of the House; who, having returned, and reported that he had done so, the House was counted, and forty-eight Members being present, (exclusive of Mr. Speaker, and Mr. Thorne, the sitting Member,) and all other previous measures prescribed by the Act of the General Assembly, made and passed in the second year of Her present Majesty's Reign, entitled, “ An Act for regulating the Trials of Controverted Elections, or returns of Members to serve in General Assembly,” having been taken, and James Delap, Esquire, one of the Petitioners, and Agent for the other Petitioners, and the sitting Member being in attendance, at the Bar of the House, the doors of the House were locked, and the Order of the Day for taking into consideration the Petition of James Clark and others, complaining of an undue

House proceed to choose Granville Election Com.

MONDAY, 8th FEBRUARY, 1841.

Election for the Township of Granville was read, whereupon, the House proceeded to ballot for a Select Committee, to try the merits of the return and election of Stephen S. Thorne, Esquire, the sitting Member for the Township of Granville, in the manner prescribed by said Act, when the following names of fifteen Members present, (and not appearing to be under the disqualifications mentioned in said Act) were drawn, viz :—Mr. Lewis, Mr. Creighton, Mr. Huntington, Mr. Spearwater, Mr. Taylor, Mr. Heckman, Mr. Beckwith, the Hon. Mr. Dodd, Mr. Marshall, Mr. Annand, Mr. Budd, Mr. Rider, Mr. Forrester, the Hon. Mr. Uniacke, and the Hon. the Attorney General, whereupon the Hon. the Attorney General offered and verified under Oath, an excuse against serving on said Committee, and the substance of his allegations in excuse, so verified upon Oath as aforesaid, being taken down by the Clerk, is as follows :—“Samuel G. W. Archibald, of Halifax, in the County of Halifax, Esquire, Member for the County of Colchester, maketh Oath, and saith—that he hath lately suffered much from a severe paralytic attack from which he hath not yet fully recovered, although his health is gradually improving. This Deponent also saith that his own opinion, and the opinion of his Medical Attendant, is, that he could not, without great and manifest detriment to his health, serve on an Election Committee, the confinement of which would not only retard his improvement but might subject him to another attack of the same nature ; and this Deponent further saith that this Affidavit is made, and his excuse from serving sought solely from the reasons herein stated.”—Whereupon the sense of the House being taken, as to whether the said the Hon. the Attorney General should be excused from serving upon the said Committee, it was resolved in the affirmative, and he was excused accordingly ; and thereupon the House proceeded to ballot for another Member to serve on said Committee, in the place of the Hon. the Attorney General, so excused as aforesaid, and the name of Mr. Zwicker was drawn, who, not appearing to be under any of the disqualifications mentioned in the aforesaid Act, was added to the number so drawn as aforesaid ; and Lists of the fifteen Members so drawn having been given to the said James Delap, and to Mr. Thorne the sitting Member, respectively, they withdrew with the Clerk Assistant, in order to reduce the same pursuant to said Act.

List of names drawn delivered to parties.

Petition from Clements for revision of pickled & smoked fish Acts

Ref. to Sel. Com.

A Petition of Gilbert F. Ditmars and others, Inhabitants of Clements, was presented by Mr. Gates and read, praying an amendment of the Law relating to the Inspecting of Pickled and Smoked Fish.

*Ordered,* That the Petition be referred to Mr. Creighton, Mr. Clements, Mr. Taylor, Mr. Marshall, Mr. Homer, Mr. Holdsworth, and Mr. Martell, to examine and report upon the subject matter thereof, generally, by Bill or otherwise.

Petition of W. McMillan & al. for Breakwater at Lewis Head  
Ref. to Com. on Navigation Securities

A Petition of W. McMillan and others, Inhabitants of Lewishead, was presented by Mr. Spearwater and read, praying aid towards re-building a Pier or Breakwater at that place, carried away by a recent Storm.

*Ordered,* That the Petition be referred to the Committee on Navigation Securities.

Marriage and Divorce Bill presented

The Hon. the Attorney General, pursuant to leave given, presented a Bill concerning the Court of Marriage and Divorce, and the same was read a first time and ordered to be read a second time.

List of Granville Election Committee returned

The Clerk Assistant, delivered in to the House, the names of the seven Members remaining after the number drawn by ballot, this day, in regard to the Election for the Township of Granville, had been reduced, according to law, by the parties alternately striking off names therefrom ; and the names of the said seven Members, so delivered in, being read, are as followeth, viz :—Mr. Taylor, Mr. Beckwith, Hon. Mr. Dodd, Mr. Marshall, Mr. Rider, Mr. Forrester, and Mr. Zwicker, who, thereupon, were duly sworn by the Clerk, at the Table of the House, “well and truly to try the merits of the Petition referred to them, and a true Judgment to give according to the evidence,” pursuant to the Provisions of the Statute.

Names of Committee

Committee sworn

Order for meeting of Committee

*Ordered,* That the said Select Committee, so formed, do meet this day at three of the clock, in one of the Committee Rooms of this House, for the purpose of hearing and determining

termining the merits of the election and return of Mr. Thorne, taken this day into consideration.

*Ordered,* That the Petition of James Clark and others, and the proceedings upon the Scrutiny of the Granville Election, returned to this House, be referred to the said Select Committee.

Petition & Scrutiny of Granville Election referred to Com.

A Petition of C. E. Leonard and others, Members of the Agricultural Society for the County of Cape Breton, was presented by the Hon. Mr. Dodd and read, praying aid towards the encouragement of the objects of their Institution.

Petition of Cape Breton Agricultural Society

Referred to Com. on Agriculture

*Ordered,* That the Petition be referred to the Committee on Agriculture.

At two of the clock (being the time appointed for considering the Petitions of Alexander Primrose and of certain Freeholders of the County of Inverness, against the election and return of Mr. Young and Mr. Turnbull, the sitting Members for the County of Inverness) the Serjeant at Arms was directed to go to the places adjacent and require the immediate attendance of the Members on the business of the House, who having returned and reported that he had done so, the House was counted, and forty-seven Members being present, (exclusive of Mr. Speaker, and Mr. Young and Mr. Turnbull, the sitting Members) and all other previous measures prescribed by the Act of the General Assembly, made and passed in the second year of Her present Majesty's Reign, entitled, "An Act for regulating the Trials of Controverted Elections or returns of Members to serve in General Assembly" having been taken, and the Petitioner, Alexander Primrose, and the sitting Members, with their respective Counsel, being in attendance at the Bar of the House, the doors of the House were locked, and the Order of the Day for taking into consideration the several Petitions complaining of an undue Election for the County of Inverness was read, whereupon the House proceeded to ballot for a Select Committee to try the merits of the return and election of William Young and James Turnbull, Esquires, the sitting Members for the County of Inverness, in the manner prescribed by said Act, when the following names of fifteen Members present (and not appearing to be under the disqualifications mentioned in said Act) were drawn, viz:—Mr. Heckman, Mr. Holmes, Mr. Budd, Mr. Payzant, Mr. Creighton, Mr. Dickey, Mr. S. Chipman, Mr. J. R. Dewolf, Mr. Spearwater, Mr. Lewis, Mr. Upham, Mr. McLellan, Mr. Henry, Mr. Huntington, and Mr. S. B. Chipman; and thereupon Lists of the fifteen Members, so chosen by lot, were given to the respective Counsel of the Petitioners, and the sitting Members, who then withdrew with the Clerk Assistant, in order to reduce the same pursuant to said Act.

House proceed to ballot for Inverness Election Com.

List of names drawn delivered to Parties

A Petition of Cornelius Craig, was presented by Mr. Spearwater and read, praying further aid towards keeping up the Ferry at the mouth of Sable River, in the County of Shelburne.

Pet. of Cons. Craig for aid to Sable River Ferry

*Ordered,* That the Petition be referred to the Committee on Navigation Securities.

Ref. to Com. on Navigation Securities

A Petition of Thomas O'Brien and others, Inhabitants of Beaver River, Cedar Lake and Salmon River, in the Lower or North-western part of the County of Digby, was presented by Mr. Huntington and read, praying that the District inhabited by them, may be annexed to the County of Yarmouth.

Petition from Nth. Western part of Digby County praying for annexation to Yarmouth Leave to bring in Bill thereon granted

*Ordered,* That the Petition do lie on the Table, and that Mr. Huntington have leave to bring in a Bill pursuant to the prayer thereof.

A Petition of William Weeks, was presented by Mr. Dickey and read, praying aid in running a Packet between Bay Verte and Prince Edward Island, touching at Bedeque and Charlotte Town, once in each fortnight, during the Summer.

Petition of Wm. Weeks for aid to Packet between Bay Verte & Prince Edward Island

*Ordered,* That the Petition be referred to the Committee on Navigation Securities.

Ref. to Com. on Nav. Securities Pet. of Overseers of Poor of Pictou for expenses of Transient Paupers.

A Petition of James Primrose and William Corbet, overseer of the Poor of the Township of Pictou for the year 1840, was presented by Mr. Blackadar and read, praying re-embursment of the expenses of transient paupers.

*Ordered,* That Mr. Clements, Mr. Forrester, Mr. Dickey, Mr. Beckwith and Mr. Dimock,

be

MONDAY, 8th FEBRUARY, 1841.

Ref. to Com. on expenses of Transient Poor  
Pct. of Overseers of Pictou referred thereto

be a Committee to examine and report upon all Petitions in reference to the expenses of transient Paupers.

*Ordered*, That the foregoing Petition of Overseers of the Poor of Pictou be referred to the said Committee.

List of Inverness Election Com returned

The Clerk Assistant, delivered in to the House, the names of the seven members remaining after the number drawn by ballot, this day, in regard to the Election for the County of Inverness, had been reduced according to Law, by the Council for the parties alternately striking off names therefrom. And the names of the said seven Members so delivered in, being read, are as follows, viz: Mr. Heckman, Mr. Budd, Mr. Payzant, Mr. Creighton, Mr. Spearwater, Mr. Lewis, and Mr. Upham; who, thereupon, were duly sworn by the Clerk at the Table of the House, "well and truly to try the merits of the Petition referred to them, and a true Judgment to give according to the evidence," pursuant to the provisions of the Statutes.

Names of Com.  
Com. sworn

Order for Meeting of Com.

*Ordered*, That the said Select Committee so formed, do meet, to-morrow, at ten of the clock, in one of the Committee Rooms of this House, for the purpose of hearing and determining the merits of the Election, and Return of William Young and James Turnbull, taken this day into consideration.

Pet. relative to Inverness Election ref. to Com.

*Ordered*, That the Petitions of Alexander Primrose, and of others, Freeholders of the County of Iverness, complaining of an undue Election and return of the sitting members for that County, be referred to the said Select Committee.

Petition for further aid to Breakwater at Mitighon River, Clare

A Petition of Gilbert R. Tucker and others, Inhabitants of Mitighen, in Clare, was presented by Mr. Comeau and read, praying further aid toward extending the Breakwater at Mitighen River.

Ref. to Com. on Nav. Sec.  
Pet. for reimbursement of Ovs. of Poor, Minudie, for expenses of transient Poor  
Ref. to Com. on Tran. Poor

*Ordered*, That the Petition be referred to the Committee on Navigation Securities.

A Petition of John C. McKay, was presented by Mr. Dickey and read, praying reimbursement of a sum of money expended by the Overseers of the Poor of the District of Minudie in the County of Cumberland, in maintaining a Transient Pauper.

*Ordered*, That the Petition be referred to the Committee appointed this day to examine and report upon Petitions in reference to the expenses of Transient Paupers.

Cor. rel. to Light Houses laid before House

The Hon. Mr. Dodd, by command of His Excellency the Lieutenant Governor, presented Copy of Correspondence in relation to the proposed Light Houses in the Basin of Mines and on the Eastern Coast, with a plan, shewing the proposed Sites for Light Houses on Isle Hante and Partridge Island; and the said Copy of Correspondence was read by the Clerk.

(See Appendix, No. 1.)

Ref. to Com. on Nav. Sec.

*Ordered*, That the said Copy of Correspondence and Plan be referred to the Committee on Navigation Securities.

Pet. for aid to Harbour at Blk. Rock;

A Petition of Richard Lee and others, Inhabitants of King's County, was presented by Mr. Chipman and read, praying aid in the making a safe Harbor at Black Rock Settlement in Cornwallis.

Ref. to Com. on Nav. Sec.

*Ordered*, That the Petition be referred to the Committee on Navigation Securities.

Bill prstd. to amd. Elct. Polls Bill

Mr. Blackadar, pursuant to leave given, presented a Bill to amend the Act for establishing the times and places of holding the Polls at Elections of Representatives, and the same was read a first time.

Ref. to Sel. Com.

*Ordered*, That the Bill be referred to Mr. Blackadar, Mr. Forrestall, Mr. Goudge, Mr. McKenna and Mr. S. Chipman, to examine and report thereon, with amendments generally, if necessary, with regard to the times and places of holding Polls at Elections of Representatives.

Com. on Trade & Manufactures appointed

On motion of Mr. Young, *resolved*, that a Select Committee be appointed to examine into, and report upon, all matters relating to the Trade and Manufactures of the Province.

*Ordered*,

*Ordered,* That Mr. Young, Mr. Huntington, the Hon. Mr. Dodd, Mr. Fairbanks, Mr. Goudge, Mr. Annand and Mr. Marshall, be a Committee for the above purpose. Com. named

On motion of the Hon. Mr. Uniacke, *resolved,* that a Select Committee be appointed to examine into, and report upon, all matters connected with the Coast and Deep-sea Fisheries of the Province. Com. on Coast. and Deep sea Fisheries appointed

*Ordered,* That the Hon. Mr. Uniacke, Mr. DesBarres, Mr. Spearwater, Mr. Clements, and Mr. Marshall, be a Committee for the above purpose. Com. named

The Hon. Mr. Dodd, Chairman of the Select Committee on the Granville Election, reported that he was directed by the Committee to ask for leave to adjourn over to Tuesday the 16th instant, at ten of the clock. Granville Election Com. adjourn over

*Ordered,* That the Committee have leave accordingly.

The Hon. the Attorney General, by command of His Excellency the Lieutenant-Governor, presented Copies of several Despatches, and other Papers, which were read by the Clerk as followeth : Papers & Despatches laid before House on various Subjects viz. :

1. Lord John Russell's Despatch, No. 33, 9th February, 1840, respecting the Acts for Incorporating the Marine Insurance Company in Halifax—concerning Goods exported and for granting Drawbacks—for granting a Bounty on Chocolate. Marine Ins. Cy. Incorporation Drawback and Chocolate Bounty Acts  
(See Appendix, No. 2.)
2. Order of the Queen in Council, approving of Eight Acts, passed in 1839, dated 5th March, 1840. Order of Queen in Council allowing eight Acts  
(See Appendix, No. 3.)
3. Despatch from Lord J. Russell, No. 43, 27th April, acknowledging the Address of the Governor, Council and Assembly, on the Queen's Marriage. Address on Queen's Marriage  
(See Appendix, No. 4.)
4. Despatch from Lord J. Russell, No. 65, 16th June, 1840, relating to four Acts, passed in the last Session, for Incorporating the Trustees of Queen's College—relating to the Mirè Grant—for granting a Drawback on Foreign Wheat Flour—for appointing a New Board of Governors for Dalhousie College. Queen's College, Mire Grant, Foreign Wheat flour Drawback, and Dalhousie College Acts  
(See Appendix, No. 5.)
5. Order of the Queen, in Council, of 15th June, confirming the Quadrennial Bill. Quadrennial Bill  
(See Appendix, No. 6.)
6. Despatch of Lord J. Russell, No. 56, 18th June, 1840, in reply to the Address of the Council and Assembly, relative to the Timber Deck Load Law. Timber Deck load law  
(See Appendix, No. 7.)
7. Order of the Queen, in Council, 3d October, 1840, approving of various Acts passed in the last Session. Confirmation of various Acts  
(See Appendix, No. 8.)
8. Despatch of Lord J. Russell, 8th November, No. 14, relative to the measures in progress for allowing the Trade between Nova-Scotia and New-Brunswick in Articles the produce of either Province, to be carried on under the Coasting regulations. Trade between Nova Scotia & N. Brunswick  
(See Appendix, No. 9.)
9. Despatch of Lord J. Russell, No. 16, 17th November, 1840, relative to Mr. Cunard's Tender for running Mail Coaches between Halifax and Pictou. Mr. Cunard's tender for carrying Mails from Halifax to Pictou  
(See Appendix, No. 10.)
10. Order of the Queen in Council, of 8th December, 1840, confirming various Acts, passed in the last Session. Confirmation of various Acts  
(See Appendix, No. 11.)
11. Despatches of Lord J. Russell of 24th August and 23d December, 1840, relative to the improvement of the Mail Routes of Communication. Mail Routes  
(See Appendix, No. 12.)

*Ordered,* That the Despatch relative to Mr. Cunard's Tender for running Mail Coaches between Halifax and Pictou; and the Despatches relative to the improvement of Mail Routes, Despatches, &c. relative to Mail Routes &c.

- Referred to Select Committee Routes, be referred to the Hon. Mr. Uniacke, the Hon. the Attorney General, Mr. Blackadar, Mr. Huntington and Mr. Goudge, to examine and report upon to this House.  
*Ordered*, That the several other Despatches and Papers do lie on the Table.
- Despatch, &c. on Crown Lands presented The Hon. Mr. Dewolf, by command of His Excellency the Lieutenant-Governor, presented a Copy of a Despatch from Lord J. Russell, Colonial Secretary, to His Excellency the Lieutenant-Governor, dated 16th October last, with a Correspondence on the subject of the disposal of Crown Lands in this Province, and the same were read by the Clerk.  
(*See Appendix, No. 13.*)
- Ref. to Sel. Com. *Ordered*, That the said Despatch and accompanying Correspondence, be referred to Mr. Fairbanks, Mr. Young, the Hon. Mr. Uniacke, Mr. DesBarres, and the Hon. Mr. Dewolf, to examine and report upon to this House, with power to send for persons and papers.  
Then the House adjourned until to To-morrow, at eleven of the clock.

Tuesday, 9th February, 1841.

PRAYERS.

- Proceedings upon Falmouth Election Scrutiny presented Mr. Speaker laid before the House the proceedings had before the Sheriff of the County of Hants and his Assistants, upon a scrutiny, consequent upon the late Election for the Township of Falmouth, received by him from the said Sheriff, pursuant to the Statute.  
*Ordered*, That the same do lie on the Table.
- Marriage and Divorce Bill read 2d time & committed Petitions of Overseers of Poor Newport & Pet. of E. B. Cutting for Overseers of Poor Amherst for reimbursement of expenses of Transient Paupers Ref to Com. on Transient Poor Com. on Trade &c. increased A Bill concerning the Court of Marriage and Divorce, was read a second time.  
*Ordered*, That the Bill be committed to a Committee of the whole House.  
Two Petitions of Overseers of the Poor for the Township of Newport, were presented by Mr. Smith; and a Petition of E. B. Cutting, on behalf of the Overseers of the Poor for the Township of Amherst, was presented by Mr. Dickey—and the said several Petitions were read, respectively praying re-imbursment of the expenses of Transient Paupers.  
*Ordered*, That the Petitions be referred to the Select Committee on the claims for expenses of Transient Paupers.  
*Ordered*, That the Hon. Mr. McNab and Mr. Turnbull, be added to the Committee on Trade and Manufactures.
- Civil List Bill presented Mr. Goudge, pursuant to leave given, presented a Bill to provide for the Civil List of Nova-Scotia, and to commute the Casual and Territorial Revenues, and the same was read a first time, and ordered to be read a second time.
- Leave to bring in Judicatory Bill Mr. Young moved for leave to bring in a Bill for the regulation of the Judicatory of the Province: which, being seconded and put, was agreed to by the House.  
*Ordered* accordingly.
- Treasurer's Account Current presented The Hon. Mr. Dewolf, by command of His Excellency the Lieutenant-Governor, presented an Account from Mr. Treasurer Wallace, of all Monies received into, and payments made from, the Provincial Treasury between the 1st January and 31st December, 1840, and the same was read.  
(*See Appendix, No. 14.*)  
*Ordered*, That the Account be referred to the Committee appointed to examine and report upon the Public Accounts.
- Ref. to Com. on Public Accounts Registrar of Deeds Bill presented Mr. Goudge, pursuant to leave given, presented a Bill concerning the Registrars of Deeds throughout this Province, and the same was read a first time, and ordered to be read a second time.
- Pet. of J. Cunningham, Esq for compensation for ser- A Petition of John Cunningham, Esquire, one of the Justices of the Inferior Court of Common Pleas, for the County of Sydney, was presented by Mr. Henry, and read praying compensation

TUESDAY, 9th FEBRUARY, 1841.

compensation for services performed by him in that capacity, in attending from a long distance upon the discharge of Insolvent Debtors, and otherwise.

*Ordered*, That the Petition be referred to Mr. DesBarres, Mr. Huntington and Mr. Marshall, to examine and report upon the merits thereof to this House.

A Petition of Justices of the Peace for the County of Colchester, and of Jurors of the Grand Inquest of that County, was presented by the Hon. the Attorney General and read, praying such alteration of the Law for laying out Highways, under proceedings in the Courts of Sessions of the Peace, as that the appeal from the decision of three persons appointed under the Statute, may not be had, subject to the finding of a Jury, but to that of five persons, to be appointed by the Court for that purpose.

*Ordered*, That the Petition be referred to the Hon. the Attorney General, Mr. Johnson, Mr. Forrestall, Mr. Fairbanks and Mr. Huntington, to examine into, and report upon, the the subject thereof, by Bill or otherwise.

A Petition of Amos Lovett, of Chester, Innkeeper, was presented by Mr. Zwicker and read, praying a return of Duties upon certain quantities of Spirits and Wine, procured by him in Halifax, and lost, from the casks in which the same were contained, having been stove in by some evil minded person or persons, in his cellar at Chester.

*Ordered*, That the Petition be referred to the Committee on Trade.

Mr. Huntington, pursuant to leave given, presented a Bill to authorise the appointment of a new Board of Governors of the Dalhousie College at Halifax, and the same was read a first time, and ordered to be read a second time.

A Message from the Council, by Mr. Halliburton :

Mr. Speaker,

The Council desire a Conference, by Committee, with a Committee of this Honorable House, on the General State of the Province.

And then the Messenger withdrew.

On motion of Mr. Young, *resolved*, that this House do agree to the Conference desired by the Council.

*Ordered*, That Mr. Young, Mr. Blackadar, Mr. Goudge, Mr. Creighton and Mr. Upham, do manage the said Conference.

*Ordered*, That the Clerk do acquaint the Council that this House agree to the Conference desired by the Council, and that the Committee of this House are ready to meet the Committee of the Council upon such Conference.

So the Managers went to the Conference,

And being returned,

Mr. Young reported that the Managers had been at the Conference, and that the Committee of the Council had communicated to the said Managers Copies in writing of two Resolutions of the Council, which he read in his place ; and afterwards delivered the same in at the Clerk's Table, where they were again read as followeth :

“ *Legislative Council Chamber, 9th February, 1841.* ”

*Resolved*, That a Conference be desired with the House of Assembly, by Committee, on the General State of the Province.

*Resolved*, That at such Conference, the Committee of this House do request the House of Assembly will join this House in an Address to Her Majesty, congratulating Her Majesty upon the auspicious event of the Birth of the Princess Royal, and that the House of Assembly will appoint a Committee to join the Committee of this House for the purpose of preparing such Address.

JOHN C. HALLIBURTON, C. L. C.”

*Ordered*, That the said Copies of Resolutions do lie on the Table.

On motion of Mr. Young, *resolved*, that this House do join the Legislative Council in an Address to Her Majesty, congratulating Her Majesty upon the auspicious event of the Birth of the Princess Royal.

*Ordered*,  
Resolution of House to join in Address to Queen on birth of Princess Royal

VICES in attending to discharge of Insolvent Debtors  
Ref. to Sel. Com.

Pet. from Colchester for revision of Law for laying out new Roads

Ref. to Sel. Com.

Pet. of Amos Lovett for return of Duties

Ref. to Com. on Trade  
Bill presented to appoint a new board of Governors for Dalhousie College

Message from Council

Desire conference on General State of Province

Conference agreed

Com. of Conference

Conference held and reported

Resolutions of Council requesting House to join in Address to Queen on birth of Princess Royal

Com. to join Com. of Council in preparing Address

*Ordered,* That the Committee who managed the Conference be a Committee to join the Committee of the Council in preparing said Address.

Further Com. of Conference requested

*Ordered,* That a further Conference be desired with the Council, by Committee, on the subject of the last Conference, and that the same Committee of this House do manage such Conference, and communicate the foregoing Resolution and Order to the Committee of the Council.

Message from Council agreeing to Conference

*Ordered,* That the Clerk do request said Conference.

A Message from the Council, by Mr. Halliburton :

Mr. Speaker,

The Council agree to the Conference desired by this Honorable House, by Committee, on the subject of the last Conference, and the Committee of the Council are ready to meet the Committee of this House.

And then the Messenger withdrew.

So the Managers went to the Conference, and being returned.

Conference held and reported

Mr. Young reported that the Managers had been at the Conference, and had communicated to the Committee of the Council the Resolution and Order, pursuant to the Instructions of the House.

Despatch announcing birth of Princess Royal laid before House

The Hon. the Attorney General, by command of His Excellency the Lieutenant Governor, presented a Copy of a Despatch, received by His Excellency from the Right Honorable Her Majesty's Principal Secretary of State for the Colonies—which was read, and is as followeth :

“ CIRCULAR.

*Downing Street, 23rd. November, 1840.*

MY LORD—

I have the Honor to acquaint your Lordship that on the 21st inst. at 10 minutes before 2 o'clock, P. M. the Queen was safely delivered of an Infant Princess.

By the blessing of Divine Providence, Her Majesty's recovery has advanced without interruption, in the most satisfactory manner.

I have, &c.

J. RUSSELL.

(Signed.)

The Right Honourable VISCOUNT FALKLAND, &c. &c. &c.”

*Ordered,* That the said Copy of Despatch do lie on the Table.

Then the House adjourned until To-morrow, at twelve of the clock.

*Wednesday, 10th February, 1841.*

PRAYERS.

Dalhousie College Bill read 2d time & committed

A Bill to authorize the appointment of a new Board of Governors of the Dalhousie College at Halifax, was read a second time.

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

Petition for aid to clear out Ship Harbour

A Petition of Conrad Marks and others, Inhabitants of Ship Harbour, was presented by Mr. Annand and read, praying aid in removing obstructions at the head of the entrance of Ship Harbour River, to facilitate the rafting of Lumber, Cordwood, &c. :—and thereupon,

The Hon. Mr. Dewolf moved, that the Petition be referred to the Committee on Navigation Securities ; which, being seconded,

Motion to refer to Com. on Nav. Sec.

Mr. Dickey moved, as an amendment to the question, to leave out all the words thereof after the word “ Petition,” and to insert instead of the words so left out, the words “ be withdrawn :” which, being seconded and put, passed in the affirmative.

Amendment that Petition be withdrawn carried  
Petition withdrawn

*Ordered,* That the Petition be withdrawn.

Pet. of Richd. Nugent for aid to Agricultural Paper in Halifax

A Petition of Richard Nugent, was presented by Mr. Annand and read, praying aid in the establishing at Halifax a cheap Monthly Agricultural Journal, to be called “ The Colonial Farmer.”

*Ordered,* That the Petition do lie on the Table.

On

WEDNESDAY, 10th FEBRUARY, 1841.

On motion of Mr. Goudge, *resolved*, that the Bill to provide for the Civil List of Nova-Scotland, and to commute the Casual and Territorial Revenues, be read a second time on Friday next, the 12th inst. Civil List Bill made Order of Day

The Hon. Mr. Uniacke, pursuant to leave given, presented a Bill for improving the Administration of Justice in Criminal Cases in this Province, and the same was read a first time, and ordered to be read a second time. Criminal Justice Bill presented

The Hon. Mr. Uniacke, also pursuant to leave given, presented a Bill to amend the Law relating to Burning or Destroying Buildings and Ships, and the same was read a first time, and ordered to be read a second time. Arson Bill presented

The Hon. Mr. Uniacke, also pursuant to leave given, presented a Bill to amend the Law relative to offences against the person, and the same was read a first time, and ordered to be read a second time. Bill presented relating to offences against the person

The Hon. Mr. Uniacke, also pursuant to leave given, presented a Bill to amend the Laws relating to Robbery, Burglary and Larceny, and the same was read a first time, and ordered to be read a second time. Bill presented rel. to Robbery &c.

Mr. S. Chipman, pursuant to leave given, presented a Bill to amend An Act for Incorporating the Trustees of the Queen's College at Horton, and the same was read a first time and ordered to be read a second time. Bill to change the name of Queen's College presented

A Petition of the Executive Committee of the Nova-Scotia Baptist Education Society, was presented by Mr. S. Chipman and read, praying that An Act may be passed for changing the name of the Queen's College at Horton to that of Acadia College. Petition for changing name of Queen's College Horton

*Ordered*, That the Petition do lie on the Table.

A Petition of the Cornwallis Agricultural Society, in Kings' County, was also presented by Mr. S. Chipman and read, praying the Establishment of a Central Board of Agriculture, supported from the Provincial Treasury, with pecuniary aid to the Petitioning Society. Pet. of Cornwallis Agricultural Society

*Ordered*, That the Petition be referred to the Committee on Agriculture. Ref to Com. on Agriculture

Mr. McLellan, pursuant to leave given, presented a Bill to prevent non-residents from offering as Candidates for representation in General Assembly, and the same was read a first time, and ordered to be read a second time. Bill to prevent non-residents being Members presented

A Bill concerning the Registrars of Deeds throughout this Province, was read a second time. Registrars' Bill read 2d time & committed

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

A Petition of the Trustees of the National School at Halifax, was presented by Mr. Forrester and read, praying for continued aid to that Institution. Pet. of Trustees of National School Halifax

On motion of Mr. Huntington, *resolved*, that a Committee be appointed to whom shall be referred, and who shall examine and report upon, all matters connected with Education. Com. on Education appointed

*Ordered*, That Mr. Young, Mr. Fairbanks, Mr. Annand, Mr. Upham, Mr. Blackadar, Mr. Forrestall, Mr. DesBarres, Mr. Martell, the Hon. Mr. Dodd, Mr. Lewis, Mr. Smith, the Hon. Mr. Dewolf, Mr. S. B. Chipman, Mr. Holdsworth, Mr. Clements, Mr. McKenna, and Mr. Creighton, be a Committee for the above purpose. Com named

*Ordered*, That a Petition of the Trustees of the National School at Halifax, this day presented, be referred to the said Committee. National School Pet. ref. thereto

On motion of Mr. Young, *resolved*, that a Committee be appointed to wait upon His Excellency the Lieutenant-Governor, to know his pleasure, whether he will join the Legislative Council and this House in the proposed Address to Her Majesty, congratulating Her Majesty on the Birth of the Princess Royal. Com. to wait on Gov. to know if he will join in Address to Queen on birth of Princess Royal

*Ordered*, That the Committee appointed to join the Committee of the Council in preparing said Address, be a Committee for the above purpose. Com. therefor

Sheriff's Bill presented

Mr. S. Chipman, pursuant to leave given, presented a Bill relating to the appointments of Sheriffs, and the same was read a first time, and ordered to be read a second time.

Then the House adjourned until To-morrow, at twelve of the Clock.

Thursday, 11th February, 1841.

PRAYERS.

Petition against assessment for Education

A Petition of Leonard Weston and others, Freeholders and Tax-payers of the Township of Yarmouth, was presented by Mr. Clements and read, praying that Assessment and Taxation may not form the basis of any system to be adopted for the encouragement of Common Schools, and the advancement of General Education.

*Ordered,* That the Petition be referred to the Committee on Education.

Ref. to Com. on Education

Petition of A. Lawson for return of Duties paid upon types, &c.

A Petition of Alexander Lawson, Proprietor and Publisher of the Yarmouth Herald, Newspaper, published at Yarmouth, in this Province, was presented by Mr. Clements and read, praying a return of Duties paid by him upon the importation of Printing Types and other Printing Apparatus from Boston, in the United States of America.

*Ordered,* That the Petition be referred to the Committee on Trade and Manufactures.

Criminal Law Bills and

A Bill for improving the Administration of Justice in Criminal Cases in this Province.

A Bill to amend the Law relating to burning or destroying Buildings and Ships.

A Bill for amending the Law relative to offences against the Person.

A Bill to amend the Laws relating to Robbery, Burglary and Larceny; and

A Bill to amend an Act for Incorporating the Trustees of the Queen's College at Horton, were severally read a second time.

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

Queen's College Bill read 2d time & committed

Pet. of Andw. Henderson for aid to Albion Academy Ref to Com. on Education

A Petition of Andrew Henderson, Teacher of the Albion Academy, near Annapolis Royal, was presented by Mr. Gates and read, praying continued aid towards that Institution.

*Ordered,* That the Petition be referred to the Committee on Education.

Motion for Com. on subject of reporting debates

On motion of Mr. Henry, *resolved,* that it is the opinion of this House, that the present system of reporting the Debates and Proceedings of this House is not such as to give satisfaction, and that a Committee be appointed to obtain information as to the best means of obtaining correct reports in future, and to report thereon to this House.

*Ordered;* That Mr. Henry, the Hon. Mr. Dodd and Mr. Fairbanks, be a Committee for the above purpose.

Com. named

Pet. for extension of Post Communication in Cape Breton

A Petition of John Munro, of St. Ann's, in Cape-Breton, Merchant, was presented by the Hon. Mr. Dodd and read, stating the great loss and inconvenience suffered by the Inhabitants of that place from the want of a Post Communication with Sydney, and praying a grant of money for the employment of a Mail Carrier between Big Harbour and St. Ann's; and thereupon,

On motion of the Hon. Mr. Dodd, *resolved,* that a Committee be appointed to examine into, and report upon, all matters connected with the Post Office Department.

*Ordered;* That Mr. Young, the Hon. Mr. Dodd, Mr. DesBarres, Mr. Chipman, the Hon. Mr. Uniacke, Mr. Huntington, and the Hon. Mr. Dewolf, be a Committee for that purpose.

Post Office Com. formed

Pet. referred to Com.

*Ordered,* That the above mentioned Petition of John Munro be referred to the said Committee.

Com. of whole on General State of Province.

On motion of Mr. McLellan, the House resolved itself into a Committee to consider the General State of the Province.

Mr. Speaker left the Chair,

Mr. Clements took the Chair of the Committee,

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had made some progress.

Then the House adjourned until To-morrow, at twelve of the clock.

Friday.

Friday, 12th February, 1841.

## PRAYERS.

Two Petitions of Andrew Frost and others, and E. B. Moody and others, Inhabitants of the Township of Argyle, were presented by Mr. Rider and read, respectively praying aid in the erection of a Bridge over the Argyle River, at a place called the Narrows or Ferry—the same to be a Drawbridge; and a Petition of James Hobbs and others, Inhabitants of the head of Argyle River, was also presented by Mr. Rider and read, praying that no aid may be granted for such undertaking, as the erection of a Bridge on the proposed site would prove injurious to the Inhabitants on the River, above the same, by obstructing the Navigation, and otherwise.

Pet. for and against Bridge over Argyle River

*Ordered*, That the several Petitions be referred to Mr. Huntington, Mr. S. B. Chipman and Mr. J. R. Dewolf, to examine into the matter thereof, and report thereon to this House.

Refd. to Sel. Com.

A Petition of Edmund Crowell, resident on the Seal Islands, was presented by Mr. McKenna and read, praying a continuance of the aid heretofore granted towards his establishment there, for the purpose of assisting Ships in distress, and succouring shipwrecked Seamen.

Pet. of E. Crowell of Seal Islands

*Ordered*, That the Petition be referred to the Committee on Navigation Securities.

Refd. to Com. on Nav. Securities.

Mr. S. B. Chipman, pursuant to leave given, presented a Bill for imposing a Tax on Dogs—and the same was read a first time, and ordered to be read a second time.

Bill presented for Taxing Dogs

On motion, the House resolved itself into a Committee to consider further the General State of the Province.

Com. of whole on Genl. State of Province

Mr. Speaker left the Chair,

Mr. Clements took the Chair of the Committee,

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had made further progress.

The Order of the Day being read,

*Ordered*, That the Bill to provide for the Civil List of Nova-Scotia, and to commute the Casual and Territorial Revenues, be read a second time, To-morrow.

Order of Day 2d reading of Civil List Bill postponed

Then the House adjourned until To-morrow, at twelve of the clock.

Saturday, 13th February, 1841.

## PRAYERS.

A Bill relating to the appointments of Sheriffs; also,

A Bill for imposing a Tax on Dogs—were severally read a second time.

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

Sheriff's Bill And Dog Tax Bill read 2d time and committed

The Hon. the Attorney General, by command of His Excellency the Lieutenant-Governor, presented an Estimate of the expense of the Civil Government of the Province, for the year 1841—and the same was read, and ordered to lie on the Table.

Estimate for 1841 presented

On motion of the Hon. Mr. McNab, *resolved*, that a Supply be granted to Her Majesty.

Supply granted

*Ordered*, That this House do, on Monday next, the 15th inst., resolve itself into a Committee, to consider of the Supply granted to Her Majesty.

Made Order of Day

*Ordered*, That the Estimate of the expense of the Civil Government, for the present year, be referred to the Committee of Supply.

Estimate refd. to Com. of Supply

The Hon. Mr. McNab, by command of His Excellency the Lieutenant-Governor, presented Returns of Criminal Trials which have taken place in the several Courts of General Sessions of the Peace, during the years 1835, 1836, 1837, 1838 and 1839, in the several Counties following, viz:—Halifax, Hants, King's, Annapolis, Digby, Yarmouth, Queen's Lunenburg,

Returns of Criminal Trials in Sessions

SATURDAY, 13th FEBRUARY, 1841.

Lunenburg, Pictou, Guysborough, Sydney, Cape-Breton, Richmond and Inverness—and the same were read.

*Ordered*, That the Returns do lie on the Table.

Report from Com.  
to prepare Address  
to Her Majesty

Lt.-Gov. joins in  
Address

Address reported

Mr. Young reported from the joint Committee appointed to prepare an Address of congratulation to Her Majesty, on the birth of the Princess Royal, that the Committee of this House had, pursuant to order, waited upon His Excellency the Lieutenant-Governor, to know his pleasure if he would join in said Address, and that His Excellency was pleased to signify to the Committee his pleasure so to do.

Mr. Young, also from the same Committee, reported the Address agreed upon by His Excellency and the Joint Committee, which he read in his place, and afterwards delivered it in at the Clerk's Table, where it was again read, and is as followeth :

### TO THE QUEEN'S MOST EXCELLENT MAJESTY.

*The Joint Address of His Excellency the Right Honorable Lucius Bentinck VISCOUNT FALKLAND, G. C. H. Lieutenant-Governor and Commander in Chief, in and over Her Majesty's Province of Nova-Scotia, and its Dependencies, &c. &c. &c.—of the Honorable Legislative Council of the Province of Nova-Scotia, and of the House of Assembly of the said Province, in their several Legislative capacities, now convened in General Assembly at Halifax.*

MAY IT PLEASE YOUR MAJESTY :

We, the Lieutenant-Governor, Legislative Council and House of Assembly, now convened in General Assembly, affectionately attached to Your Royal Person and Government, most humbly and respectfully beg leave to present to Your Majesty our cordial congratulations on the Birth of a Princess Royal, assuring Your Majesty that, although the intelligence of that auspicious event has diffused happiness throughout the whole circle of Your Majesty's Dominions, in no portion of those Dominions has it been welcomed with more delight and enthusiasm than in Your Majesty's Loyal Province of Nova-Scotia.

That the Sceptre in Your Royal Hands may be long swayed by Your Majesty over the subjects of Your extensive Empire, ever acknowledging with willing hearts its mild and benignant influence, and enhancing, by the exhibition of their own contentment and happiness, the domestic felicity of Your Majesty and Your August Consort—and that our most remote posterity may be ruled by a Monarch of Your illustrious line, is our sincere and fervent prayer.

Address agreed to

*Resolved*, That this House do agree to the said Address.

Same Com. to join  
in waiting on Lt.  
Governor therewith

*Ordered*, That the same Committee of this House, who joined in preparing said Address, be a Committee to join a Committee of the Council to wait upon His Excellency the Lieutenant-Governor therewith.

Conference to be  
held with Council  
to communicate the  
above

*Resolved*, That a Conference be desired with the Council, by Committee, on the subject of said Address, and that on such Conference the Committee of this House do communicate to the Committee of the Council the substance of the foregoing Resolution and Order of this House, in reference to said Address.

*Ordered*, That the Clerk do request such Conference.

Petition of Pictou  
Agricultural So-  
ciety

A Petition of John W. Harris, President, and Edward Smith, Vice President of the Pictou Agricultural Society, was presented by Mr. Holmes and read, praying aid to County Agricultural Societies, and setting forth the disadvantages that would attend the formation of a Provincial Central Board of Agriculture.

Refd. to Com. on  
Agriculture

*Ordered*, That the Petition be referred to the Committee on Agriculture.

Pet. from Pugwash  
relative to Mail  
Com.

A Petition of Henry G. Pineo and others, Inhabitants of Pugwash, in the County of Cumberland, was presented by Mr. Fulton and read, setting forth the disadvantages they experience from the Mail from Halifax arriving there on Friday and not returning until the next

SATURDAY, 13th FEBRUARY, 1841.

next week ; and the Mail from New Brunswick arriving at Wallace on Friday and not reaching Pugwash until the following Thursday, and praying aid in remedy thereof.

*Ordered*, That the Petition be referred to the Committee on the Post Office Department.

Refil. to Post Office Com.

Mr. Creighton, Chairman of the Select Committee appointed to try and determine the merits of the Petitions of Alexander Primrose and others, against the election and return of William Young and James Turnbull, Esquires, for the County of Inverness, reported finally from the said Committee ; and he read the Report in his place, and afterwards delivered it in at the Clerk's Table where it was again read and is as followeth :

Final Report from Inverness Election Com.

The Select Committee drawn, struck and sworn, to try the merits of the Petitions of Alexander Primrose and others, against the election and return of William Young and James Turnbull, Esquires, the sitting Members for the County of Inverness, have agreed to report, and do report, as follows, that is to say :

That Alexander Primrose, Esquire, the Petitioner against the Election and Return of William Young and James Turnbull, Esquires, sitting Members for the County of Inverness, was not, at the time he offered himself as a Candidate at the Election of two Members to represent the said County, held at Margaree, on the Twenty-fifth day of November last, duly qualified as the Law directs—the Deed or Conveyance under which he claimed such right not having been registered six Calendar Months prior to the teste of the Writ for holding such Election.

That the said Alexander Primrose having, as such Candidate, declined taking the Candidate's Oath in the form prescribed by the Act, passed in the Second Year of the Reign of our Sovereign Lady Queen Victoria, entitled, An Act for regulating Elections of Members to serve in General Assembly, when questioned as to his qualification by one of the Electors for the said County of Inverness, at the opening of the Poll on the day aforesaid, became thereby disqualified to become such Candidate ; and that George Craigie Lawrence, Esquire, the High Sheriff of the said County of Inverness, was fully justified, under the said Act, in not recognizing him as such Candidate at the said Election, and that, had he permitted the said Alexander Primrose to take any other Oath than the one prescribed in the third Section of the said Act, he would have been guilty of a violation of his duty as such Sheriff.

That the said William Young and James Turnbull, Esquires, the sitting Members for the County of Inverness, have been duly elected and returned as such, and are entitled to retain their seats.

And lastly, that this Committee do find, and do report, that the Petition of the said Alexander Primrose against the Election and Return of the said sitting Members, is frivolous and vexatious, and that the opposition to such Petition was not frivolous and vexatious.

*Ordered*, That the said Report do lie on the Table, and be entered on the Journals of this House.

A Petition of Edward H. Harrington, Sheriff of the County of Sydney, was presented by Mr. Forrestall and read, setting forth the great distance he has to travel to warn Grand and Petit Jurors to attend the Courts, for which the Grand Jury refuse him compensation ; and praying that such enactment may be made as will secure to him a reasonable remuneration in the premises, and be a guide to Grand Juries in future.

Pet. of Sheriff of Sydney County for compensation for summoning Juries

*Ordered*, That the Petition be referred to Mr. Forrestall, Mr. Goudge and Mr. Turnbull, to examine into the merits thereof, and to report thereon by Bill or otherwise.

Refd. to Com.

On motion of Mr. Young, *resolved*, that this House will, on Tuesday next, the 16th inst. resolve itself into a Committee on the consideration of the Judicatory of the Province.

Judicatory made Order of Day

Mr. Dickey, pursuant to leave given, presented a Bill for the suppression of Lotteries, and the same was read a first time, and ordered to be read a second time.

Bill presented for suppression of Lotteries

Mr. DesBarres reported from the Committee on the Expiring Laws ; and thereupon presented sixty-one Bills, viz :

Report from Com. on Expiring Laws 61 continuing Bills, viz. Copartners

A Bill to revive and continue the Acts for affording relief to Co-partners, in certain cases.

Bank of Nova Scotia	A Bill to continue the Act to amend the Act to Incorporate sundry persons by the name of the President, Directors and Company, of the Bank of Nova-Scotia.
Windsor Landing	A Bill to continue the Act to repeal the Act to regulate the Public Landing at Windsor, and to substitute other provisions in lieu thereof.
Lunenburg Fire Engine	A Bill to continue the Act to enable the Inhabitants of the Town of Lunenburg to procure a Fire Engine, with other utensils and materials, necessary for extinguishing Fires.
Supervisors Public Grounds	A Bill to continue the Acts for appointing Supervisors to take charge of Public Grounds, and for other purposes.
Lunenburg Grammar School	A Bill to continue the Act for the regulation and management of the Combined Common and Grammar School at Lunenburg.
Militia	A Bill to continue the Acts in force respecting the Militia of the Province.
Fishermen's Nets	A Bill to continue the Act to prevent damage to the Nets of Fishermen, by Coasting Vessels.
Wickwire Dyke Rates	A Bill to continue the Act relative to the assessment of Dyke Rates for the new or Wickwire Dyke in Horton.
Halifax Firewards	A Bill to continue certain Acts in force respecting Firewards and Fires in Halifax.
Survey of Timber and Lumber	A Bill to continue the Act to regulate the survey of Timber and Lumber, and to repeal certain Acts now in force.
Poor	A Bill to continue the Act in amendment of the Act for the settlement of the Poor in the several Townships within this Province.
Shubenacadie Fishery	A Bill to continue the Act for regulating the Fishery in the River Shubenacadie.
Lunenburg Fisheries	A Bill to continue the Act to prevent Injuries to the Fisheries within the County of Lunenburg, by Mill Dams or any other obstruction.
Annapolis Academy	A Bill to continue the Act to provide for the regulation and management of the Grammar School or Academy at Annapolis.
Billetting Troops	A Bill to continue the Act, entitled, An Act to provide for the accommodation and billeting of His Majesty's Troops, or of the Militia, when on their march from one part of the Province to another, and also the Acts in amendment thereof.
County and District Rates	A Bill to continue the Act to direct and ascertain the mode of Assessing County and District Rates and for other purposes, and the Acts in amendment thereof.
Sable Island	A Bill to continue the Act for the better regulation of Sable Island, in this Province.
Monopolising Cord Wood	A Bill to continue the Act to suspend the operation of the Act to prevent Forestalling, Regrating, and Monopolising of Cordwood in the Town of Halifax.
Highways	A Bill to continue the Act in amendment of the Act relating to Highways, Roads and Bridges.
Halifax Pilotage	A Bill to continue the Act to regulate the Pilotage of Vessels at the Port of Halifax, and the several Acts in amendment thereof and additional thereto.
Killing of Bears, &c.	A Bill to continue the Act to encourage the killing of Bears, Loup Cerviers, and Wild Cats.
Writs of Attachment	A Bill to continue the Act to restrain the issuing Writs of Attachment in Certain Cases.
Stealing of Dogs, &c.	A Bill to continue the Act to make the stealing of Dogs, Beasts and Birds, Larceny.
Guysborough rear Blocks	A Bill to continue the Act to enable the Proprietors of Land in the rear Blocks or Divisions of Land in the Township of Guysborough, to open Roads through the same.
Sea Manure Queen's County	A Bill to continue the Act to authorize the Sessions of the Peace for the County of Queen's County, to make regulations for the gathering of Sea Manure in the said County.
Pictou Poor's rates	A Bill to continue the Act respecting the Collection of Poores' Rates of Pictou.
Bite of Animals	A Bill to continue the Act to provide against the occurrence of Diseases from the Bite of Animals.
Pugwash Harbor	A Bill to continue the Act to preserve and regulate the Navigation of the Harbour of Pugwash.
Sydney Pilotage	A Bill to continue the Act to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape-Breton, and the Acts in amendment thereof.
Marriage Licenses	A Bill to continue the Act relating to Marriage Licenses.
Extension of Laws to Cape Breton	A Bill to continue the Act in amendment of an Act, made and passed in the first and second years of His late Majesty's Reign, entitled, An Act to extend the Laws and Ordinances of the Province of Nova-Scotia to the Island of Cape-Breton.

A Bill to continue the Act to amend an Act for establishing a Public School in the Town of Halifax.	Halifax Public School
A Bill to continue the Act to prevent the spreading of Contagious Diseases, and for the performance of Quarantine.	Quarantine
A Bill to continue the Act more effectually to provide against the introduction of Infectious or Contagious Diseases, and the spreading thereof in this Province, and the Act in amendment thereof.	Infectious diseases
A Bill to continue the Act additional concerning Nuisances.	Nuisances
A Bill to continue the Act for the Summary Trial of Actions, and the Acts in amendment thereof.	Summary Trials
A Bill to continue the Act for the Summary Trial of Actions in the Island of Cape-Breton.	Summary Trials Cape Breton
A Bill to continue the Act to regulate certain Landings in the County of King's County.	King's County Landings
A Bill to continue the Act concerning Malicious Injuries to Property.	Malicious Injuries to Property
A Bill to continue the Act to encourage the Importation of improved breeds of Cattle into this Province.	Importation of Cattle
A Bill to continue the Act for establishing a Harbour Master at Bridgeport, in the Island of Cape-Breton.	Harbour Master Bridgeport
A Bill to continue the Act in further amendment of, and additional to, the Acts relating to Trespasses.	Trespasses
A Bill to continue the Act to authorise the sale of Coals by Weight.	Sale of Coals by weight
A Bill to continue the Act in addition to, and in amendment of, the Act to prevent Nuisances by Hedges, Weirs and other Incumbrances, obstructing the passage of Fish in the Rivers of this Province.	River nuisances
A Bill to continue the several Acts concerning the Bridewell and Police in Halifax.	Bridewell and Police Office Halifax
A Bill to continue an Act relating the Court of Commissioners at Halifax.	Hx. Comms. Court
A Bill to continue the Act to prevent Disorderly Riding, and to regulate the Driving of Carriages on the Streets of Halifax or other Towns, or on the Public Roads of this Province, and for repealing certain Acts therein mentioned.	Disorderly Riding
A Bill to continue the Act to regulate the Fees of the Constable of the Court of Commissioners at Halifax.	Comms. Court Constable's fees
A Bill to continue the Act for the better preservation of the Property of the Inhabitants of the Town of Halifax, by providing for a sufficient Watch at Night.	Hx. Night Watch
A Bill to continue the Act in addition to the Act for regulating the Rates and Prices of Carriages.	Price of Carriages
A Bill to continue the Act concerning the Terms of the Supreme Court at Halifax.	Terms of Sup. Court Halifax
A Bill to continue the Act concerning the Inferior Courts of Common Pleas within this Province.	Com. Pleas
A Bill to continue the Act for the encouragement of Schools, and the Acts to amend the same.	Schools
A Bill to continue the Act respecting the Trial of Issues in the Supreme Court, and for regulating the times of holding the Circuits of the said Court, and the Acts in amendment thereof.	Circuit Courts
A Bill to continue the Act relating to Passengers from Great Britain and Ireland, and the Acts in amendment thereof.	Passengers
A Bill to continue the Act for regulating the exportation of Red or Smoked Herrings.	Exportation of Smoked Herrings
A Bill to continue the Acts in force relative to the Inspection of Pickled Fish.	Pickled fish inspection
A Bill to continue the Act for the regulation of the Fisheries at Chedabucto Bay.	Chedabucto Bay Fisheries
A Bill to continue the Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges, and the Acts in amendment thereof; and	Expenditure of Road Monies
A Bill to continue the Act to regulate the Weighing of Beef, and the Act in amendment thereof.	Beef weighing
And the said Bills were severally read a first time.	Bills read 1st time
<i>Ordered</i> , That the Bill to continue the Act for the regulation of the Fisheries at Chedabucto Bay, be referred to Mr. Marshall, Mr. McKenna and Mr. Martell, to examine and report upon to the House, with amendments or otherwise.	Chedabucto Bay fisheries Bill ref. to Sel. Com.
	<i>Ordered</i> ,

- Road Expenditure Bill referred to Sel. Com.** *Ordered,* That the Bill to continue the Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges, and the Acts in amendment thereof, be referred to Mr. Dickey, Mr. Smith and Mr. Blackadar, to examine and report upon, to this House with amendments, or otherwise.
- Weighing of Beef Bill referred to Sel. Com.** *Ordered,* That the Bill to continue the Act to regulate the Weighing of Beef, and Act in amendment thereof, be referred to Mr. Smith, Mr. S. Chipman and Mr. Payzant, to examine and report upon to this House with amendments, or otherwise.
- Other Bills read 2d time** *Ordered,* That the several other Bills be read a second time.
- Pet. for extension of Limits of North Sydney** A Petition of S. G. Archibald and others, Inhabitants of Sydney, C. B. was presented by the Hon. Mr. Dodd and read, praying a certain extension of the limits of the Township of North Sydney.
- Leave to bring in Bill thereon** *Ordered,* That the Petition do lie on the Table, and that the Hon. Mr. Dodd have leave to bring in a Bill pursuant to the prayer thereof.
- Pet. for Post Communication to Folly Mountain** A Petition of James B. Smith and others, of Folly Mountain Settlement, in the County of Colchester, was presented by the Hon. the Attorney-General and read, praying an extension of the Post Communication to that place.
- Referred to Post Office Com.** *Ordered,* That the Petition be referred to the Committee on the Post-Office Department.
- Pet. of Mechanics' Institute Sydney C. B.** A Petition of N. H. Martin, President of the Mechanics' Institute at Sydney, C. B. was presented by the Hon. Mr. Dodd and read, praying further aid towards the objects of that Association.
- Ref. to Com. on Education** *Ordered,* That the Petition be referred to the Committee on Education.
- Change of Com. on Pet. respecting Bridge across Argyle River** *Ordered,* That Mr. Budd be substituted for Mr. Huntington, on the Select Committee upon the several Petitions presented to this House on Friday last, the 12th inst., relative to the proposed Bridge across the Narrows of Argyle River.
- Com. on Bills** On motion, the House resolved itself into a Committee on the consideration of Bills committed.
- Mr. Speaker left the Chair,  
Mr. Smith took the Chair of the Committee,  
Mr. Speaker resumed the Chair.
- Report Dalhousie College Bill and Queen's College Bill without amendment** The Chairman reported from the Committee that they had gone through the Bill to authorise the appointment of a new Board of Governors of the Dalhousie College at Halifax; and the Bill to amend an Act for Incorporating the Trustees of the Queen's College at Horton, and had directed him to report the said Bills to the House, severally, without any amendment. That the Committee had also gone through the Bill for improving the Administration of Justice in Criminal Cases in this Province; and the Bill to amend the Law relating to burning or destroying Buildings and Ships, and had made sundry amendments to the said Bills respectively, which they had directed him to report to the House, with the Bills; and he afterwards delivered the several Bills and amendments in at the Clerk's Table.
- Criminal Justice Bill and Arson Bill with amendments** The Chairman also acquainted the House that he was directed by the Committee to move for leave to sit again on the consideration of Bills—which the House agreed to. The amendments to the last two mentioned Bills reported from the Committee, being read, were agreed to by the House.
- Ordered,* That the Bills, with the amendments, be engrossed.
- Motion to defer Queen's College Bill negatived** Mr. Holmes then moved that the further consideration of the Bill to amend an Act for Incorporating the Trustees of the Queen's College at Horton, be deferred until this day three months: which, being seconded and put, and the House dividing thereon, there appeared, for the motion, six; against it, thirty-six.

For the motion,

Hon Mr Uniacke  
Mr Blackadar  
Mr Dickey  
Mr Holmes  
Mr Fulton  
Mr Halton

Mr S I Chipman  
Mr S Chipman  
Mr McKay  
Hon Mr McNab  
Mr Henry  
Mr Clements  
Mr Smith  
Mr Lewis  
Mr Zwicker

Against the motion,

Mr DesBarres  
Mr Creighton  
Mr Payzant  
Mr Young  
Mr Heckman  
Mr Annand  
Mr Taylor  
Mr Dimock  
Mr Martell

Mr Rider  
Hon Mr Dodd  
Mr Upham  
Mr Gates  
Hon Atty General  
Mr Budd  
Mr Thorne  
Hon Mr Dewolf  
Mr Johnson

Mr McLellan  
Mr Fairbanks  
Mr Turnbull  
Mr J R Dewolf  
Mr Archibald  
Mr Forrestall  
Mr Forrester  
Mr Goudge  
Mr Beckwith

So it passed in the negative.

Ordered, That the Bills reported without amendment be engrossed.

Bills to be engross-  
ed

The Order of the Day being read,

Ordered, That the Bill to provide for the Civil List, &c. be read a second time on Monday next.

Civil List Bill made  
order of Day

Then the House adjourned until Monday next, at twelve of the clock.

Monday, 15th February, 1841.

PRAYERS.

An engrossed Bill for improving the Administration of Justice in Criminal Cases in this Province, was read a third time; and thereupon,

Engrossed Criminal  
Justice Bill read 3d  
time

On motion of the Hon. Mr. McNab, resolved, that the Bill be amended by leaving out of the eighth and eleventh Sections thereof the words "and if a male, to be once twice or thrice, publicly or privately whipped, (if the Court shall so think fit,) in addition to such imprisonment."

Amended

And the Bill being so amended,

Resolved, That the Bill do pass, and that the title be, An Act for improving the Administration of Justice in Criminal Cases in this Province.

Passed

An engrossed Bill to amend the Law relating to burning or destroying Buildings and Ships, was read a third time.

Engrossed Arson  
Bill read 3d time

Resolved, That the Bill do pass, and that the title be, An Act to amend the Law relating to burning or destroying Buildings and Ships.

Passed

An engrossed Bill to authorise the appointment of a new Board of Governors of the Dalhousie College at Halifax, was read a third time; and thereupon,

Engrossed Dalhou-  
sie College Bill  
read 3d time  
Riders added

Mr. Young moved, that the following engrossed clauses be added to the Bill by way of Rider:

"And be it enacted, That the said College shall be deemed and taken to be an University, with all and every the usual privileges of such Institutions; and that the Students in the said College shall have liberty and faculty of taking the Degrees of Bachelor, Master and Doctor, in the several Arts and Faculties at the appointed times, and shall have liberty, within themselves, of performing all Scholastic Exercises for the conferring of such Degrees, in such manner as shall be directed by the Statutes, Rules and Ordinances, of the said College.

Power of Confer-  
ring degrees

And be it enacted, That no religious tests or subscriptions shall be required of the Professors, Scholars, Graduates, Students or Officers, of the said College, but that all the privileges and advantages thereof shall be open and free to all and every person and persons whomsoever, without regard to religious persuasion; and that it shall and may be lawful for the Governors of said College to select as Professors, and other Teachers or Officers, competent persons, of any religious persuasion whatsoever":

No Religious tests

Which motion being seconded, (and the said proposed clauses having been read a first and second time,) was put, and passed in the affirmative.

And the said clauses having been accordingly added to the Bill,

Resolved, That the Bill do pass, and that the title be, An Act to authorise the appointment of a new Board of Governors of the Dalhousie College at Halifax.

Passed

MONDAY, 15th FEBRUARY, 1841.

Engrossed Queen's  
College Bill read  
3d time  
Passed

An engrossed Bill to amend an Act for Incorporating the Trustees of the Queen's College at Horton, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to amend an Act for Incorporating the Trustees of the Queen's College at Horton.

*Ordered*, That the Clerk do carry the said four Bills to the Council and desire their concurrence.

Bills sent to Coun-  
cil

Bills read 2d time  
Lotteries  
Copartners

A Bill for the suppression of Lotteries.

A Bill to revive and continue the Acts for affording relief to Co-partners, in certain cases.

Bank of Nova Sco-  
tia

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

Windsor Landing

A Bill to continue the Act to repeal the Act to regulate the Public Landing at Windsor, and to substitute other provisions in lieu thereof.

Lunenburg Fire  
Engine

A Bill to continue the Act to enable the Inhabitants of the Town of Lunenburg to procure a Fire Engine, with other utensils and materials, necessary for extinguishing Fires.

Supervisors Public  
Grounds

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

Lunenburg G ram-  
mar School

A Bill to continue the Act for the regulation and management of the Combined Common and Grammar School at Lunenburg.

Militia

A Bill to continue the Acts in force respecting the Militia of the Province.

Fishermen's Nets

A Bill to continue the Act to prevent damage to the Nets of Fishermen, by Coasting Vessels.

Wickwire Dike  
Rates

A Bill to continue the Act relative to the assessment of Dyke Rates for the new or Wickwire Dyke in Horton.

Halifax Firewards  
Survey of Timber  
and Lumber

A Bill to continue certain Acts in force respecting Firewards and Fires in Halifax.

A Bill to continue the Act to regulate the survey of Timber and Lumber, and to repeal certain Acts now in force.

Poor

A Bill to continue the Act in amendment of the Act for the settlement of the Poor in the several Townships within this Province.

Shubenacadie  
Fishery  
Lunenburg Fish-  
eries

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

A Bill to continue the Act to prevent Injuries to the Fisheries within the County of Lunenburg, by Mill Dams or any other obstruction.

Annapolis Academy

A Bill to continue the Act to provide for the regulation and management of the Grammar School or Academy at Annapolis.

Billeting Troops

A Bill to continue the Act, entitled, An Act to provide for the accommodation and billeting of His Majesty's Troops, or of the Militia, when on their march from one part of the Province to another, and also the Acts in amendment thereof.

County and District  
Rates

A Bill to continue the Act to direct and ascertain the mode of Assessing County and District Rates and for other purposes, and the Acts in amendment thereof.

Sable Island

A Bill to continue the Act for the better regulation of Sable Island, in this Province.

Monopolising Cord  
Wood

A Bill to continue the Act to suspend the operation of the Act to prevent Forestalling, Regrating, and Monopolising of Cordwood in the Town of Halifax.

Highways

A Bill to continue the Act in amendment of the Act relating to Highways, Roads and Bridges.

Halifax Pilotage

A Bill to continue the Act to regulate the Pilotage of Vessels at the Port of Halifax, and the several Acts in amendment thereof and additional thereto.

Killing of Bears, &c.

A Bill to continue the Act to encourage the killing of Bears, Loup Cerviers, and Wild Cats.

Writs of Attach-  
ment  
Stealing of Dogs,  
&c.  
Guysborough rear  
Blocks  
Sea Manure  
Queen's County

A Bill to continue the Act to restrain the issuing Writs of Attachment in Certain Cases.

A Bill to continue the Act to make the stealing of Dogs, Beasts and Birds, Larceny.

A Bill to continue the Act to enable the Proprietors of Land in the rear Blocks or Divisions of Land in the Township of Guysborough, to open Roads through the same.

A Bill to continue the Act to authorize the Sessions of the Peace for the County of Queen's County, to make regulations for the gathering of Sea Manure in the said County.

A Bill to continue the Act respecting the Collection of Poores' Rates of Pictou.	Pictou Poor's rates
A Bill to continue the Act to provide against the occurrence of Diseases from the Bite of Animals.	Bite of Animals
A Bill to continue the Act to preserve and regulate the Navigation of the Harbour of Pugwash.	Pugwash Harbor
A Bill to continue the Act to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape-Breton, and the Acts in amendment thereof.	Sydney Pilotage
A Bill to continue the Act relating to Marriage Licenses.	Marriage Licenses
A Bill to continue the Act in amendment of an Act, made and passed in the first and second years of His late Majesty's Reign, entitled, An Act to extend the Laws and Ordinances of the Province of Nova-Scotia to the Island of Cape-Breton.	Extension of Laws to Cape Breton
A Bill to continue the Act to amend an Act for establishing a Public School in the Town of Halifax.	Halifax Public School
A Bill to continue the Act to prevent the spreading of Contagious Diseases, and for the performance of Quarantine.	Quarantine
A Bill to continue the Act more effectually to provide against the introduction of Infectious or Contagious Diseases, and the spreading thereof in this Province, and the Act in amendment thereof.	Infectious diseases
A Bill to continue the Act additional concerning Nuisances.	Nuisances
A Bill to continue the Act for the Summary Trial of Actions, and the Acts in amendment thereof.	Summary Trials
A Bill to continue the Act for the Summary Trial of Actions in the Island of Cape-Breton.	Summary Trials Cape Breton
A Bill to continue the Act to regulate certain Landings in the County of King's County.	King's County Landings
A Bill to continue the Act concerning Malicious Injuries to Property.	Malicious Injuries to Property
A Bill to continue the Act to encourage the Importation of improved breeds of Cattle into this Province.	Importation of Cattle
A Bill to continue the Act for establishing a Harbour Master at Bridgeport, in the Island of Cape-Breton.	Harbour Master Bridgeport
A Bill to continue the Act in further amendment of, and additional to, the Acts relating to Trespasses.	Trespasses
A Bill to continue the Act to authorise the sale of Coals by Weight.	Sale of Coals by weight
A Bill to continue the Act in addition to, and in amendment of, the Act to prevent Nuisances by Hedges, Wears and other Incumbrances, obstructing the passage of Fish in the Rivers of this Province.	River nuisances
A Bill to continue the several Acts concerning the Bridewell and Police in Halifax.	Bridewell and Police Office Halifax
A Bill to continue an Act relating to the Court of Commissioners at Halifax.	Hx. Commrs. Court
A Bill to continue the Act to prevent Disorderly Riding, and to regulate the Driving of Carriages on the Streets of Halifax or other Towns, or on the Public Roads of this Province, and for repealing certain Acts therein mentioned.	Disorderly Riding
A Bill to continue the Act to regulate the Fees of the Constable of the Court of Commissioners at Halifax.	Commrs. Court Constable's fees
A Bill to continue the Act for the better preservation of the Property of the Inhabitants of the Town of Halifax, by providing for a sufficient Watch at Night.	Hx. Night Watch
A Bill to continue the Act in addition to the Act for regulating the Rates and Prices of Carriages.	Price of Carriages
A Bill to continue the Act concerning the Terms of the Supreme Court at Halifax.	Terms of Sup. Court Halifax
A Bill to continue the Act concerning the Inferior Courts of Common Pleas within this Province.	Com. Pleas
A Bill to continue the Act for the encouragement of Schools, and the Acts to amend the same.	Schools
A Bill to continue the Act respecting the Trial of Issues in the Supreme Court, and for regulating the times of holding the Circuits of the said Court, and the Acts in amendment thereof.	Circuit Courts
A Bill to continue the Act relating to Passengers from Great Britain and Ireland, and the Acts in amendment thereof.	Passengers

MONDAY, 15th FEBRUARY, 1841.

Exportation of  
Smoked Herrings  
Pickled fish inspec-  
tion

A Bill to continue the Act for regulating the exportation of Red or Smoked Herrings.  
A Bill to continue the Acts in force relative to the Inspection of Pickled Fish.  
Were severally read a second time.

Two last Bills re-  
ferred to Pickled  
Fish Committee

*Ordered,* That the two last mentioned Bills be referred to the Select Committee appointed on Monday last, the 8th inst., on the subject of the Inspection of Pickled and Smoked Fish.

The other Bills  
Committed

*Ordered,* That the several other Bills be committed to a Committee of the whole House.

Pet. for aid to  
Guysboro' Packet

A Petition of Francis Cook and others, Inhabitants of Guysborough and Manchester, was presented by Mr. DesBarres and read, praying a continuance of the aid granted towards the running of a Packet between Guysborough and Arichat.

*Ordered,* That the Petition do lie on the Table.

Petition of James  
Chandley in regard  
to seizure of his  
vessel

A Petition of James Chandley, of Horton, was presented by the Hon. Mr. Dewolf and read, praying reimbursement of loss sustained by him, in consequence of the seizure and detention of his vessel in the Bay of Fundy by one of the Revenue Cutters—said vessel being bound from St. John, N. B. to Windsor, having on board some barrels of Flour, and having been restored to Petitioner (after a detention at Digby) upon payment of a sum of money; several articles of her Cabin Furniture and Provisions having, in the mean time, been taken from her.

Ref to Sel. Com.

*Ordered,* That the Petition be referred to Mr. Turnbull, Mr. Fairbanks and Mr. Dickey, to examine into the merits thereof, and to report thereon to this House, with power to send for persons and papers.

Returns of Crimi-  
nal Trials referred  
to Sel. Com.

*Ordered,* That the Returns of Criminal Trials in the Courts of Sessions of the Peace, presented on Saturday last, be referred to Mr. Young, the Hon. the Attorney General and Mr. DesBarres, to examine and report thereon to this House.

Council agree to  
Conference on Ad-  
dress

A Message from the Council, by Mr. Halliburton :

Mr. Speaker,

The Council agree to the Conference desired by this Honorable House, by Committee, on the subject of the Address of Congratulation to Her Majesty; and the Committee of the Council are now ready to meet the Committee of this Honorable House.

Conference held  
and reported

And then the Messenger withdrew.

*Ordered,* That the Committee of this House, who joined in preparing the Address, do manage said Conference.

So they went to the Conference,

And being returned, Mr. Young reported that the Managers had been at the Conference, and had complied with the order of the House.

Council desire fur-  
ther Conference on  
Address

A Message from the Council, by Mr. Halliburton :

Mr. Speaker,

The Council desire a further Conference with this Honorable House, by Committee, on the subject of the last Conference.

And then the Messenger withdrew.

Agreed to and held

On motion, *resolved,* that the Conference desired by the Council be agreed to by this House.

*Ordered,* That the Clerk do acquaint the Council therewith, and that the Committee of this House are ready to meet the Committee of the Council.

*Ordered,* That the Committee who managed the last Conference, on behalf of this House, do manage this Conference.

So they went to the Conference,

Report that Coun-  
cil have agreed to  
Address

And being returned, Mr. Young reported that the Managers had been at the Conference, and had, thereupon, received from the Committee of the Council a written paper, which he read in his place, and afterwards delivered the same in at the Clerk's Table, where it was again read, as followeth :

“Legislative

MONDAY and TUESDAY, 15th and 16th FEBRUARY, 1841.

"Legislative Council Chamber, 15th February, 1841.

Resolved, That this House do agree to the Address congratulating Her Majesty on the birth of the Princess Royal.

Ordered, That the same Committee of this Honorable House, who joined in preparing said Address, be a Committee to join a Committee of the House of Assembly to wait upon His Excellency the Lieutenant-Governor therewith.

JOHN C. HALLIBURTON, c. l. c."

Ordered, That the Paper do lie on the Table.

On motion the House resolved itself into the Committee on Bills.

Mr. Speaker left the Chair,

Mr. Smith took the Chair of the Committee,

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had gone through the Bill for amending the Law relative to Offences against the Person, and had made sundry amendments thereto, which they had directed him to report to the House with the Bill, and he thereupon delivered the Bill and amendments in at the Clerk's Table.

House go into Committee on Bills

Bill reported rel. to Offences against the Person with amds.

The Chairman also acquainted the House that he was directed by the Committee to move for leave to sit again, on the consideration of Bills, which the House agreed to.

The amendments reported from the Committee having been read, were agreed to by the House.

Amdts. agreed to

Ordered, That the Bill, with the amendments, be engrossed.

Bill to be engrossed

The Orders of the Day being read,

Orders of Day

Ordered, That the Bill to provide for the Civil List, &c., be read a second time To-morrow.

Civil List Bill & Com. of Supply Postponed

Ordered, That this House do, To-morrow, resolve itself into the Committee of Supply.

Then the House adjourned until To-morrow, at twelve of the clock.

Tuesday, 16th February, 1841.

PRAYERS.

A Petition of J. W. Weeks, Sheriff of the County of Cape Breton, was presented by the Hon. Mr. Uniacke and read, praying compensation for extra services performed by him in executing Crown and Criminal Process, summoning Grand and Petit Jurors, &c.

Pet. of Sheriff of Cape Breton

Ordered, That the Petition be referred to the Select Committee on the Petition of E. H. Harrington, Sheriff of the County of Sydney, to examine and report upon.

Refd. to Com. Com. on Pet. of Sheriff of County of Sydney

The Hon. Mr. Dodd, Chairman of the Granville Election Committee, by direction of the Committee, moved that they have the leave of the House to adjourn over until Friday next, which, upon the question being put, was agreed to by the House.

Granville Election Com. leave to adjourn

On motion, the House resolved itself into a Committee on Bills.

Com. on Bills

Mr. Speaker left the Chair,

Mr. Smith took the Chair of the Committee,

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had gone through the Bill to amend the Laws relating to Robbery, Burglary and Larceny, and the Bill concerning the Registrars of Deeds, throughout this Province, and had made sundry amendments to the said Bills respectively, which they had directed him to report to the House, with the said Bills; and that the Committee had under consideration the Bill for imposing a Tax upon Dogs, and recommend that the same be referred to a Select Committee, to examine and report thereon to the House; and he afterwards delivered the Bills and amendments in at the Clerk's Table.

Report Criminal Robbery Bill amd. Registrars Bill with amds. Dog tax Bill to Sel. Com.

The Chairman also acquainted the House, that he was directed by the Committee to move for leave to sit again, on the consideration of Bills, which the House agreed to.

TUESDAY, 16th FEBRUARY, 1841.

The amendments reported from the Committee to the two first mentioned Bills, being read, were respectively agreed to by the House.

Bills to be engrossed  
Dog Tax Bill referred to Sel. Com.

*Ordered*, That the Bills, with the amendments, be engrossed.

*Ordered*, That the Bill for imposing a Tax upon Dogs be referred to Mr. S. B. Chipman, Mr. Dodd and Mr. Young, to examine and report thereon to this House, with amendments or otherwise.

Bill to amend Hx.  
Gas Light Company Act presented

The Hon. Mr. Uniacke, pursuant to leave given, presented a Bill to amend the Act to Incorporate the Halifax Gas Light and Water Company, and the same was read a first time, and ordered to be read a second time.

Pet. of W. C. Delaney and Freeholders of the County of Richmond against return for that County

A Petition of William C. Delaney, a Freeholder in the County of Richmond, and late a Candidate at the Election holden for the said County; and a Petition of Peter DeCarteret and others, Freeholders and Electors of said County, were presented by Mr. Turnbull and read, respectively setting forth that, at said Election, the Petitioner, William C. Delaney, of Isle Madame, Esquire, and James McKeagney, of Sydney, Esquire, (the sitting Member) were severally offered to the Constituency of the County, as Candidates; that at said Election the adherents and supporters of Mr. Delaney conducted themselves in a quiet and peaceable manner, while the friends and adherents of Mr. McKeagney, at times, appeared with menaces and riotous conduct, and interrupted the proceedings; that Youths under age, Men from the County of Cape Breton, possessing no Freehold in the County of Richmond, wandering Indians, of the Forest, and others, not duly qualified, voted for Mr. McKeagney, and took the Oath of qualification; and that, at the close of the Poll, Mr. McKeagney had a nominal majority of six, and was accordingly declared duly elected; that the said William C. Delaney having demanded a scrutiny, the same was conducted according to Law, until Mr. McKeagney voluntarily withdrew therefrom, but that Mr. Delaney persisting in the said scrutiny, it was found, upon the close thereof, that he had upwards of one hundred good votes over those given for Mr. McKeagney, which could be sustained; and praying that the conflicting claims of said Candidates may be investigated by this Honorable House, and such decision had thereupon, as Justice and the Law may allow.

*Ordered*, That the Petitions do lie on the Table.

Time fixed for considering Richmond Election Petitions

On motion, *resolved*, that this House will, on Monday next, the 22d inst., at one of the clock, take into consideration the said Petitions, complaining of an undue Election for the County of Richmond.

Notices sent to Parties

**MEMORANDUM.**—In pursuance of the "Act for regulating the Trials of Controverted Elections, or Returns of Members, to serve in General Assembly," the like notices, as in former cases, were sent to the several parties, with orders for their attendance, by themselves, their Counsel or Agents, at the time on which the said Petitions were ordered to be taken into consideration.

School Returns and reports presented

The Hon. Mr. McNab, by command of His Excellency the Lieutenant-Governor, presented several Returns of the Common and Combined Grammar and Common-Schools throughout the Province, with Abstracts thereof; and also, Reports of various Boards of Commissioners of Schools; and the said Abstracts and Reports were read.

(See Appendix, No. 15.)

Referred to Education Com.

*Ordered*, That the several Returns, Abstracts and Reports, be referred to the Committee on Education.

Pictou Poors' Rates Bill presented

Mr. Blackadar, pursuant to leave given, presented a Bill respecting the number of Assessors of Poors' Rates for Pictou, and the same was read a first time, and ordered to be read a second time.

Orders of Day Postponed  
Civil List Bill

The Orders of the Day being read,

*Ordered*, That the Bill to provide for the Civil List, &c., be read a second time, To-morrow.

Com. of Supply

*Ordered*, That this House do, To-morrow, resolve itself into a Committee of Supply.

*Ordered*,

TUESDAY and WEDNESDAY, 16th and 17th FEBRUARY, 1841.

*Ordered*, That this House do, To-morrow, resolve itself into a Committee on the consideration of the Judicatory of the Province. Judicatory

Then the House adjourned until To-morrow, at twelve of the Clock.

Wednesday, 17th February, 1841.

PRAYERS.

A Bill to amend the Act to Incorporate the Halifax Gas Light and Water Company ; and A Bill respecting the number of Assessors of Poors' Rates for Pictou, were read a second time.

Gas Light Bill & Pictou Poors' Rates Bill  
Read 2d time & committed

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

An engrossed Bill concerning the Registrars of Deeds throughout this Province, was read a third time.

Engrossed Registrars Bill read 3d time  
Passed

*Resolved*, That the Bill do pass, and that the title be, An Act concerning the Registrars of Deeds throughout this Province.

An engrossed Bill for amending the Law relative to Offences against the Person, was read a third time.

Engrossed Bill relative to Offences against the Person  
Read 3d time  
Passed

*Resolved*, That the Bill do pass, and that the title be, An Act for amending the Law relative to Offences against the Person.

*Ordered*, That the Clerk do carry the Bills to the Council and desire their concurrence.

Bills sent to Council

A Petition of Trustees of the Grammar School or Academy at Annapolis, was presented by Mr. Gates and read, praying increased aid to that Institution.

Pet. for aid to Annapolis Academy

*Ordered*, That the Petition be referred to the Committee on Education.

Ref. to Com. on Education

A Petition of the Trustees of the Common and Combined Grammar School in the Town of Sydney, Cape-Breton, was presented by the Hon. Mr. Dodd and read, praying a continuance of the aid to that Institution.

Pet. for aid to Grammar School at Sydney, C. B.

*Ordered*, That the Petition be referred to the Committee on Education.

Ref. to Com. on Education

On motion the House resolved itself into a Committee on Bills.

House in Com. on Bills

Mr. Speaker left the Chair,

Mr. Smith took the Chair of the Committee,

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had gone through the Bill to revive and continue the Acts for affording relief to Co-partners, in certain cases; the Bill to continue the Act to amend the Act to Incorporate sundry persons by the name of the President, Directors and Company, of the Bank of Nova-Scotia; the Bill to continue the Act to repeal the Act to regulate the Public Landing at Windsor, and to substitute other provisions in lieu thereof; the Bill to continue the Act to enable the Inhabitants of the Town of Lunenburg to procure a Fire Engine, with other Utensils and Materials, necessary for extinguishing Fires; the Bill to continue the Acts for appointing Supervisors to take charge of Public Grounds, and for other purposes; the Bill to continue the Act to prevent damage to the Nets of Fishermen by Coasting Vessels; the Bill to continue the Act relative to the assessment of Dyke Rates for the New or Wickwire Dyke in Horton; the Bill to continue the Act to regulate the Survey of Timber and Lumber, and to repeal certain Acts now in force; the Bill to continue the Act in amendment of the Act for the settlement of the Poor in the several Townships within this Province; the Bill to continue the Act for regulating the Fishery in the River Shubenacadie; the Bill to continue the Act to prevent injuries to the Fisheries within the County of Lunenburg by Mill Dams or any other obstruction; the Bill to continue the Acts, entitled, An Act to provide for the Accommodation and Billetting of His Majesty's Troops or of the Militia, when on their march from one part of the Province to another, and also the Acts in amendment thereof; the Bill to continue the Act for the better regulation of Sable Island, in this Province; the Bill to continue the Act to encourage

Report of \$1 Continuing Bills viz. Copartners

Nova Scotia Bank

Public Landings

Windsor

Lunenburg Fire

Engine

Supervisors of Public

Grounds

Nets of Fishermen

Wickwire Dike

Survey of Timber

& Lumber

Settlement of Poor

Shubenacadie Fish-

eries

Lunenburg Fish-

eries

Billetting of Troops

& Militia

Sable Island

Sable Island

encourage

Killing Bears  
Restraining Attach-  
ments  
Stealing of Dogs,  
&c.  
Guysboro Roads  
through back lands  
Queen's County  
Sea Manure

Poors' Rates of  
Pictou  
Pugwash Harbor  
Sydney C. B. Pilot-  
age  
Marriage Licences  
Extension of Laws  
to Cape Breton

Hx. Grammar  
School  
Summary Trials  
Summary Trials  
in Cape Breton  
Landings in Kings  
County  
Importation of im-  
proved breeds of  
Cattle  
Harbor Master  
Bridgeport  
Sale of Coals by  
weight  
Nuisances in Ri-  
vers  
Also Halifax Gas  
Light Bill  
Lotteries Bill  
Pictou Poors' Rates  
Bill and Sheriff's  
Bill  
Severally without  
amendment

Motion to defer  
Sheriff's appoint-  
ments Bill 3 months.  
Division thereon

Motion carried  
Sheriff's Bill defer-  
red  
Other Bills to be  
engrossed

Bill presented to a-  
mend passenger  
Act

Bill presented for  
repair of Great  
Roads

Orders of Day  
postponed, viz :

courage the killing of Bears, Loup Cerviers and Wild Cats; the Bill to continue the Act to restrain the issuing Writs of Attachment in certain cases; the Bill to continue the Act to make the stealing of Dogs, Beasts and Birds, Larceny; the Bill to continue the Act to enable the Proprietors of Land, in the rear blocks or divisions of Land, in the Township of Guysborough, to open Roads through the same; the Bill to continue the Act to authorise the Sessions of the Peace, for the County of Queen's County, to make regulations for the gathering of Sea Manure, in the said County; the Bill to continue the Act respecting the collection of Poors' Rates of Pictou; the Bill to continue the Act to preserve and regulate the Navigation of the Harbor of Pugwash; the Bill to continue the Act to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape Breton, and the Acts in amendment thereof; the Bill to continue the Act relating to Marriage Licences; the Bill to continue the Act in amendment of an Act made and passed in the first and second years of His late Majesty's Reign, entitled, An Act to extend the Laws and Ordinances of the Province of Nova-Scotia to the Island of Cape Breton; the Bill to continue the Act to amend an Act for establishing a Public School in the Town of Halifax; the Bill to continue the Act for the Summary Trial of Actions, and the Acts in amendment thereof; the Bill to continue the Act for the Summary Trial of Actions in the Island of Cape Breton; the Bill to continue the Act to regulate certain Landings in the County of Kings County; the Bill to continue the Act to encourage the importation of improved breeds of Cattle into this Province; the Bill to continue the Act for establishing a Harbor Master at Bridgeport, in the Island of Cape Breton; the Bill to continue the Act to authorize the Sale of Coals by weight; the Bill to continue the Act in addition to, and in amendment of, the Act to prevent Nuisances, by Hedges, Wears and other Incumbrances, obstructing the passage of Fish in the Rivers of this Province; the Bill to amend the Act to Incorporate the Halifax Gas Light and Water Company; the Bill for the Suppression of Lotteries; the Bill respecting the number of Assessors of Poors' Rates for Pictou, and the Bill relating to the appointments of Sheriffs, and had directed him to report the said Bills to the House, severally, without any amendments, and he thereupon delivered the Bills in at the Clerk's Table.

The Chairman also acquainted the House that he was directed by the Committee to move for leave to sit again on the consideration of Bills, which the House agreed to.

The Hon. the Attorney General moved that the further consideration of the Bill relating to the appointment of Sheriffs, be deferred until this day three months: which, being seconded and put, and the House dividing thereon, there appeared, for the motion, Twenty-seven; against it, Eighteen.

For the motion,

Mr Holmes  
Mr Turnbull  
Mr Fairbanks  
Hon Mr McNab  
Mr DesBarres  
Hon Mr Dodd  
Hon Attorney General  
Mr Dickey  
Mr Smith

Mr Zwickler  
Mr McKay  
Mr Marshall  
Hon Mr Dewolf  
Mr Forrestall  
Mr Fulton  
Mr Forrester  
Mr J. R. Dewolf  
Mr McKeagney

Mr Budd  
Hon Mr Uniacke.  
Mr Heckman  
Mr Johnson  
Mr Hatton  
Mr Beckwith  
Mr Thorne  
Mr Taylor  
Mr Blackadar.

Against the motion,

Mr Holdsworth  
Mr Spearwater.  
Mr Clements  
Mr Payzant  
Mr Dimock  
Mr S B Chipman.  
Mr Lewis  
Mr Upham  
Mr McLellan

Mr Rider  
Mr Homer  
Mr Huntington  
Mr McKenna  
Mr S Chipman.  
Mr Annand  
Mr Martell  
Mr Comeau,  
Mr Goudge

So it passed in the affirmative.

*Ordered,* That the further consideration of the Bill relating to the appointments of Sheriffs, be deferred until this day three months.

*Ordered,* That the said several other Bills, reported from the Committee, be engrossed.

The Hon. the Attorney General, pursuant to leave given, presented a Bill further to amend the Act relating to Passengers from Great Britain and Ireland, arriving in this Province, and the same was read a first time, and ordered to be read a second time.

The Hon. Mr. Dodd, pursuant to leave given, presented a Bill to provide for the improvement and repair of the Great Roads, East and West of the Capital, and the same was read a first time, and ordered to be read a second time.

The Orders of the Day being read,

*Ordered,*

WEDNESDAY and THURSDAY, 17th and 18th FEBRUARY, 1841.

*Ordered*, That the Bill to provide for the Civil List, &c. be read a second time To-morrow. 2d reading of Civil List Bill.

*Ordered*, That this House do, To-morrow, resolve itself into the Committee of Supply. Com of Supply

*Ordered*, That this House do, To-morrow, resolve itself into a Committee on the consideration of the Judicatory of the Province. Com. of whole on Judicatory

Then the House adjourned until To-morrow, at twelve of the clock.

Thursday, 18th February, 1841.

PRAYERS.

An engrossed Bill to amend the Laws relating to Robbery, Burglary und Larceny, was read a third time. Engrossed Robbery Bill read 3d time &

*Resolved*, That the Bill do pass, and that the title be, An Act to amend the Laws relating to Robbery, Burglary and Larceny. Passed

An engrossed Bill for the Suppression of Lotteries, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act for the Suppression of Lotteries. Engrossed Lotteries Bill read 3d time & passed

An engrossed Bill to amend the Act to Incorporate the Halifax Gas Light and Water Company, was read a third time. Engrossed Halifax Gas Light Bill read 3d time & passed.

*Resolved*, That the Bill do pass, and that the title be, An Act to amend the Act to Incorporate the Halifax Gas Light and Water Company.

An engrossed Bill respecting the number of Assessors of Poors' Rates for Pictou, was read a third time. Engrossed Pictou Poor's Rates Bill read 3d time and passed

*Resolved*, That the Bill do pass, and that the title be, An Act respecting the number of Assessors of Poors' Rates for Pictou.

*Ordered*, That the Clerk do carry the Bills to the Council, and desire their concurrence. Bills sent to Council

A Bill further to amend the Act relating to Passengers from Great Britain and Ireland arriving in this Province, was read a second time. Bill to amend Passengers Act read 2d time & committed

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

The Hon. Mr. Dodd, by command of His Excellency the Lieutenant-Governor, presented an account of Receipts and Payments of Her Majesty's Casual Revenue, for the year ending 31st December, 1840—and the same was read. Account of casual Revenue presented

(See Appendix, No. 16.)

*Ordered*, That the Account do lie on the Table.

The Hon. Mr. Dodd, also by command of His Excellency the Lieutenant-Governor, presented an Account of the expenditure of sums granted by the Act of 1840, for the improvement of the Great Roads, with reports of the various Commissioners who expended the same—and the said account was read. Accounts & Reports of expenditure on Great Roads presented

(See Appendix No. 17.)

*Ordered*, That the Account and Reports do lie on the Table.

The Hon. Mr. Uniacke, by command of His Excellency the Lieutenant-Governor, presented the Blue Book for the year 1839—and the same was ordered to lie on the Table. Blue Book presented

On motion the House resolved itself into a Committee on Bills.

Mr. Speaker left the Chair,

Mr. Smith took the Chair of the Committee,

Mr. Speaker resumed the Chair.

House in Committee on Bills

The Chairman reported from the Committee that they had gone through the Bill further to amend the Act relating to Passengers from Great Britain and Ireland arriving in this Province, and had made amendments thereto, which they had directed him to report to the House with the Bill; and that the Committee had also had under consideration the Bill to

Report Bill to amend Passengers Act with amendments.

THURSDAY, 18th FEBRUARY, 1841.

- And to defer Bill to continue Passengers Acts
- continue the Act relating to Passengers from Great Britain and Ireland, and the Acts in amendment thereof, and had agreed to recommend to the House to defer the further consideration thereof until this day three months—and he afterwards delivered the Bills and amendments in at the Clerk's Table.
- The Chairman also acquainted the House that he was directed by the Committee to move for leave to sit again on the consideration of Bills committed—which the House agreed to.
- The amendments reported from the Committee to the Bill further to amend the Act relating to Passengers, &c., were read and agreed to by the House.
- Ordered*, That the Bill, with the amendments, be engrossed.
- Ordered*, That the further consideration of the Bill to continue the Acts relating to Passengers, &c., be deferred until this day three months.
- Bill presented to amend Registry Acts
- The Hon. Mr. Dodd, pursuant to leave given, presented a Bill further to amend the Acts respecting the Registry of Deeds—and the same was read a first time, and ordered to be read a second time.
- Message from Council
- A Message from the Council, by Mr. Halliburton:  
Mr. Speaker,
- The Council have agreed to the Bill, entitled, An Act to authorise the appointment of a new Board of Governors of the Dalhousie College at Halifax, without any amendment; and have agreed to the Bill, entitled, An Act to amend an Act for Incorporating the Trustees of the Queen's College at Horton, with amendments—to which they desire the concurrence of this Honorable House.
- And then the Messenger withdrew.
- The amendments of the Council to the Bill, entitled, An Act to amend an Act for Incorporating the Trustees of the Queen's College at Horton, were read a first and second time, and considered by the House; and thereupon,
- Resolved*, That the said amendments be agreed to by this House.
- Ordered*, That the Clerk do carry the Bill and amendments to the Council, and acquaint them that this House have agreed to the amendments.
- Amendments to Queen's College Bill agreed to and sent to Council
- The Orders of the Day being read,
- Ordered*, That the Bill to provide for the Civil List, &c. be read a second time To-morrow.
- Ordered*, That this House do, on Monday next, the 22d inst., resolve itself into a Committee on the consideration of the Judicatory of the Province.
- Orders of day Civil List Bill 2d reading postponed
- Judicatory postponed until Monday
- Com. of Supply
- The House then, pursuant to order, resolved itself into a Committee to consider of the Supply granted to Her Majesty.
- Mr. Speaker left the Chair,  
Mr. Clements took the Chair of the Committee,  
Mr. Speaker resumed the Chair.
- Report resolutions viz.
- The Chairman reported from the Committee that they had come to sundry Resolutions, which they had directed him to report to the House; and he delivered the same in at the Clerk's Table.
- The Chairman also acquainted the House, that he was directed by the Committee to move for leave to sit again—which the House agreed to.
- The said Resolutions were then read as followeth:
1. *Resolved*, That the sum of Two Hundred Pounds be granted and paid to the Speaker of the House of Assembly, in full for his Salary as Speaker during the present year.
2. *Resolved*, That the sum of Six Hundred Pounds be granted and paid to the Treasurer of the Province, for his Salary, and as Comptroller and Auditor of Public Accounts, and in lieu of Office Rent, Clerks, and all other contingent expenses, for the present year.
3. *Resolved*, That the sum of Two Hundred Pounds be granted and paid to the Clerk of the House of Assembly, for his services in the present year.

£200 Speaker of Assembly

£600 Treasurer

£200 Clerk of House

*Resolved*,

THURSDAY, 18th FEBRUARY, 1841.

4. *Resolved*, That the sum of Twenty-five Pounds be granted and paid to the Clerk of the House of Assembly, to be by him paid to the Chaplains who may attend the House of Assembly, during the present Session. £25 Chaplains of House X
5. *Resolved*, That the sum of One Hundred Pounds be granted and paid to the Clerk Assistant of the House of Assembly, for his services for this Session. £100 Clerk Assistant of House X
6. *Resolved*, That the sum of Fifty Pounds be granted and paid to Matthew Forrester, for his services as Sergeant at Arms to the House of Assembly for this Session. £50 Sergeant at Arms
7. *Resolved*, That the sum of Thirty Pounds be granted and paid to John Jennings, for his services as Assistant Sergeant at Arms to the House of Assembly for this Session. £30 Assistant Sergeant at Arms
8. *Resolved*, That the sum of Forty Pounds be granted and paid to the Messenger of the Governor, Lieutenant-Governor, or Commander in Chief for the time being, and the Executive and Legislative Councils for the present year. £50 Messenger of Governor, &c.
9. *Resolved*, That the sum of Thirty Pounds be granted and paid to John Gibbs, for his services as Messenger to the House of Assembly, during the present Session. £30 Messenger to House
10. *Resolved*, That the sum of Forty-five Pounds be granted and paid to the Clerk of the Commissioners of the Revenue, for his services for the present year. £45 Clerk of Commissioners of Revenue
11. *Resolved*, That the sum of Two Hundred Pounds be granted and paid to the Gauger and Weigher, for the Collector of Impost and Excise for the District of Halifax, for his services for the present year. £200 Gauger and Weigher
12. *Resolved*, That there be granted and paid, on the Certificate of the Commissioners of the Revenue, at the rate of Seven Shillings and Six Pence per day to such person or persons as shall be employed, during the present year, by the Collector of Impost and Excise for the District of Halifax, as Extra Waiter or Waiters for the Port of Halifax; Five Shillings per day to such Extra Waiter or Waiters when unemployed, and at the rate of Five Shillings per day to Temporary Waiters. Allowance to Waiters
13. *Resolved*, That that the sum of Sixty Pounds be granted and paid to the Keeper of the Assembly House, and Council Chamber, and Law Library, for the present year. £60 Keeper of Assembly and Law Library, &c.
14. *Resolved*, That the sum of One Hundred and Fifty Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor, to be applied in such way as he may deem most proper for the relief of the Indians of this Province. £150 Indians
15. *Resolved*, That the sum of Fifty Pounds be granted and paid to the Owners of the Packet running between Windsor and Partridge Island, to encourage the running of the said Packet between the said places, under such regulations as may be made and ordered by the Justices in their Sessions for the County of Hants, for the present year. £50 Parrsboro' Packet
15. *Resolved*, That the sum of Fifty Pounds be granted to such person or persons as will run a proper Packet between Guysborough and Arichat, touching occasionally at Fox Island and Canso, under such regulations as shall be established by the General Sessions of the Peace for the County of Guysborough, to be paid upon the Certificate of the said General Sessions that such Packet has been properly kept and run during the present year; Provided, that the Judge or Judges of the Supreme Court shall be taken, without charge, if required, from Guysborough to Arichat, and from Arichat to Guysborough, on their Circuit to Cape-Breton. £50 Guysboro' Packet
17. *Resolved*, That the sum of Four Hundred Pounds be granted and paid to the Commissioners of Sable Island, for the support of that Establishment for the present year. £400 Commrs. of Sable Island
18. *Resolved*, That the sum of One Hundred and Fifty Pounds be granted and paid towards supporting and maintaining the Steam Boat between Pictou, Prince Edward's Island and Miramichi, for the present year, upon the same conditions as last year, and upon condition that the Mail shall be weekly transported in the Boat during the same year between the same places. £150 Steam Boat between Pictou and Prince Edward's Island &c.
19. *Resolved*, That the sum of Fifty Pounds be granted and paid to Doctors Grigor and Sterling, in aid of the Halifax Dispensary for the present year; Provided they keep, during the year, a sufficient quantity of Vaccine Matter. £50 Halifax Dispensary
20. *Resolved*, That the sum of Twenty Pounds be granted to aid the Inhabitants of Douglas, at the mouth of the River Shubenacadie, in supporting a suitable Boat or Scow, to run between Londonderry and that place; the said Boat to be run under the regulations of the General £20 Douglas & Londonderry Ferry

General Sessions for the County of Hants, to be paid by Warrant from His Excellency the Lieutenant-Governor upon Certificate from said Sessions that said Boat has been running at least twice a week for six months, to the satisfaction of the said Sessions under their regulations.

£20 Ferry at Gut of Canso

21. *Resolved*, That the sum of Twenty Pounds be granted and paid to aid the Inhabitants of Cape-Breton in supporting a suitable Boat or Scow, to run between McMillan's Point, in Cape-Breton, and Auld's Cove, in the County of Sydney—the said Boat or Scow to be placed under the regulation of the General Sessions for the County of Inverness.

£10 each to Ferry-men Shubenacadie

22. *Resolved*, That the sum of Ten Pounds be granted and paid to each of the two Licensed Ferrymen at the mouth of the Shubenacadie, in the Counties of Colchester and Hants, for the transportation of Horses and Carriages across that River—the same to be paid on the Certificate of the General or Special Sessions of each County respectively, that such Ferry has been duly attended, and proper Boats procured and used.

£10 C. Craig Ferry Sable River

23. *Resolved*, That the sum of Ten Pounds be granted and paid to Cornelius Craig, to enable him to keep up the Ferry across the Narrows at the entrance of Sable River, in the County of Shelburne.

£10 R. Carter ferry Gut of Canso

24. *Resolved*, That the sum of Ten Pounds be granted and paid to Richard Carter, to enable him to run a suitable Ferry Boat or Scow between his Landing on the western side of the Gut of Canso, and David M'Pherson's, on the eastern side thereof—the said Ferry Boat or Scow to be run under the regulation of the General Sessions for the County of Guysborough.

25. *Resolved*, That the sum of One Pound per day be granted and paid to each and every of the Members of the House of Assembly, for their attendance in General Assembly for the present Session—to be paid on the Certificate of the Speaker; also, the Travelling charges as heretofore—provided that no member shall receive pay for more than forty days' attendance.

The said several Resolutions being then again read, were agreed to by the House.

Then the House adjourned until To-morrow, at two of the clock.

Friday, 19th February, 1841.

PRAYERS.

Pet. of Sheriff of Hants for remuneration for attending Election Com.

A Petition of Charles T. Wilkins, Sheriff of the County of Hants, was presented by Mr. Goudge and read, praying remuneration of his expenses for attendance upon an Election Committee, by order of the Hon. the Speaker of the House of Assembly, in the year 1833.

Ref. to Sel. Com.

*Ordered*, That the Petition be referred to Mr. Fairbanks, Mr. Homer and Mr. Dickey, to examine into the merits thereof, and to report thereon to this House.

Pet. from Amherst for Law to assess for Town house

A Petition of Elisha B. Cutten, Chairman of a Town Meeting in the Township of Amherst, was presented by Mr. Dickey and read, praying on behalf of said Township, by direction of those assembled at such Meeting, that a Law may be passed for assessing the Inhabitants of said Township for the erection of a Public Town House.

*Ordered*, That the Petition do lie on the Table.

Engrossed Bill to amend Passengers Act and re-committed

An engrossed Bill further to amend the Act relating to Passengers from Great Britain and Ireland, arriving in this Province, was read a third time; and thereupon,

On motion of the Hon. the Attorney General, *resolved*, that the Bill be re-committed to a Committee of the whole House.

Continuing Bill Public Landings, Windsor, read 3d time Re-committed

An engrossed Bill to continue the Act to repeal the Act to regulate the Public Landing at Windsor, and to substitute other provisions in lieu thereof, was read a third time; and thereupon,

On motion of Mr. Goudge, *resolved*, that the Bill be re-committed to a Committee of the whole House.

Continuing Bill Summary Trials Cape Breton read 3d time

An engrossed Bill to continue the Act for the Summary Trial of Actions in the County of Cape-Breton, was read a third time; and thereupon, On.

On motion of the Hon. Mr. Dodd, *resolved*, that the Bill be re-committed to a Committee of the whole House. Committed

An engrossed Bill to revive and continue the Acts for affording relief to Co-partners in certain cases, was read a third time. 29 Continuing Bills passed as engrossed, viz: Copartners

*Resolved*, That the Bill do pass, and that the title be, An Act to revive and continue the Acts for affording relief to Co-partners in certain cases.

An engrossed Bill to continue the Act to amend the Act to Incorporate sundry Persons by the name of the President, Directors, and Company of the Bank of Nova-Scotia, was read a third time. Nova Scotia Bank

*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act to amend the Act to Incorporate sundry Persons by the name of the President, Directors, and Company of the Bank of Nova-Scotia.

An engrossed Bill to continue the Act to enable the Inhabitants of the Town of Lunenburg to procure a Fire Engine, with other Utensils and Materials necessary for extinguishing Fires, was read a third time. Lunenburg Fire Engine

*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act to enable the Inhabitants of the Town of Lunenburg to procure a Fire Engine, with other Utensils and Materials necessary for extinguishing Fires.

An Engrossed Bill to continue the Acts for appointing Supervisors to take charge of Public Grounds, and for other purposes, was read a third time. Supervisors of Public Grounds

*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Acts for appointing Supervisors to take charge of Public Grounds, and for other purposes.

An engrossed Bill to continue the Act to prevent damage to the Nets of Fishermen, by Coasting Vessels, was read a third time. Nets of Fishermen

*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act to prevent damage to the Nets of Fishermen, by Coasting Vessels.

An engrossed Bill to continue the Act relative to the assessment of Dyke Rates for the new or Wickwire Dyke in Horton, was read a third time. Wickwire Dyke Rates

*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act relative to the assessment of Dyke Rates for the new or Wickwire Dyke in Horton.

An engrossed Bill to continue the Act to regulate the survey of Timber and Lumber, and to repeal certain Acts now in force, was read a third time. Timber and Lumber

*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act to regulate the survey of Timber and Lumber, and to repeal certain Acts now in force.

An engrossed Bill to continue the Act in amendment of the Act for the Settlement of the Poor in the several Townships within this Province, was read a third time. Poor

*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act in amendment of the Act for the Settlement of the Poor in the several Townships within this Province.

An engrossed Bill to continue the Act for regulating the Fishery in the River Shubenacadie, was read a third time. Shubenacadie Fishery

*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act for regulating the Fishery in the River Shubenacadie.

An engrossed Bill to continue the Act to prevent injuries to the Fisheries within the County of Lunenburg, by Mill Dams, or any other obstruction, was read a third time. Lunenburg Fisheries

*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act to prevent injuries to the Fisheries within the County of Lunenburg, by Mill Dams, or any other obstruction.

An engrossed Bill to continue the Act, entitled, An Act to provide for the accommodation and billeting of His Majesty's Troops, or of the Militia, when on their march from one part of the Province to another, and also the Acts in amendment thereof, was read a third time. Billeting of Troops, &c.

*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act, entitled, An Act to provide for the accommodation and billeting of His Majesty's Troops, or of the Militia, when on their march from one part of the Province to another, and also the Acts in amendment thereof.

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- Sable Island  
An engrossed Bill to continue the Act for the better regulation of Sable Island in this Province, was read a third time.  
*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act for the better regulation of Sable Island in this Province.
- Killing of Bears, &c.  
An engrossed Bill to continue the Act to encourage the killing of Bears, Loup Cerviers and Wild Cats, was read a third time.  
*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act to encourage the killing of Bears, Loup Cerviers and Wild Cats.
- Restraining Writs of Attachment  
An engrossed Bill to continue the Act to restrain the issuing Writs of Attachment, in certain cases, was read a third time.  
*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act to restrain the issuing of Writs of Attachment, in certain cases.
- Stealing of Dogs, &c.  
An engrossed Bill to continue the Act to make the stealing of Dogs, Beasts and Birds, Larceny, was read a third time.  
*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act to make the stealing of Dogs, Beasts and Birds, Larceny.
- Guysboro' Town Lots  
An engrossed Bill to continue the Act to enable the Proprietors of Land, in the rear Blocks or Divisions of Land, in the Township of Guysborough, to open Roads through the same, was read a third time.  
*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act to enable the Proprietors of Land, in the rear Blocks or Divisions of Land, in the Township of Guysborough, to open Roads through the same.
- Queen's County Sea Manure  
An engrossed Bill to continue the Act to authorize the Sessions of the Peace for the County of Queen's County, to make regulations for the gathering of Sea Manure, in the said County, was read a third time.  
*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act to authorize the Sessions of the Peace for the County of Queen's County to make regulations for the gathering of Sea Manure in the said County.
- Poors' Rates, Pictou  
An engrossed Bill to continue the Act respecting the collection of Poors' Rates of Pictou, was read a third time.  
*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act respecting the collection of Poors' Rates of Pictou.
- Pugwash Harbor  
An engrossed Bill to continue the Act to preserve and regulate the Navigation of the Harbor of Pugwash, was read a third time.  
*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act to preserve and regulate the Navigation of the Harbor of Pugwash.
- Sydney, C. B. Pilotage  
An engrossed Bill to continue the Act to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape-Breton, and the Acts in amendment thereof, was read a third time.  
*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape-Breton, and the Acts in amendment thereof.
- Marriage Licenses  
An engrossed Bill to continue the Act relating to Marriage Licenses, was read a third time.  
*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act relating to Marriage Licenses.
- Extension of Laws to Cape-Breton  
An engrossed Bill to continue the Act in amendment of an Act made and passed in the first and second years of His late Majesty's Reign, to extend the Laws and Ordinances of the Province of Nova Scotia to the Island of Cape-Breton, was read a third time.  
*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act in amendment of an Act made and passed in the first and second years of His late Majesty's Reign, to extend the Laws and Ordinances of the Province of Nova Scotia to the Island of Cape-Breton.
- Halifax Grammar School  
An engrossed Bill to continue the Act to amend an Act for establishing a Public School in the Town of Halifax, was read a third time.

*Resolved*,

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- Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act to amend an Act for establishing a Public School in the Town of Halifax.
- An engrossed Bill to continue the Act for the Summary Trial of Actions, and the Acts in amendment thereof, was read a third time. Summary Trials
- Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act for the Summary Trial of Actions, and the Acts in amendment thereof.
- An engrossed Bill to continue the Act to regulate certain Landings in the County of King's County, was read a third time. Landings in King's County
- Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act to regulate certain Landings in the County of King's County.
- An engrossed Bill to continue the Act to encourage the importation of Improved Breeds of Cattle into this Province, was read a third time. Importation of Cattle
- Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act to encourage the importation of Improved Breeds of Cattle into this Province.
- An engrossed Bill to continue the Act for establishing a Harbor Master at Bridgeport, in the Island of Cape-Breton, was read a third time. Harbour Master Bridgeport
- Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act for establishing a Harbor Master at Bridgeport, in the Island of Cape-Breton.
- An engrossed Bill to continue the Act to authorize the sale of Coals by Weight, was read a third time. Sale of Coals by Weight
- Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act to authorize the sale of Coals by Weight.
- An engrossed Bill to continue the Act to prevent Nuisances, by Hedges, Wears and other Incumbrances, obstructing the passage of Fish in the Rivers of this Province, was read a third time. River Nuisances
- Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act to prevent Nuisances, by Hedges, Wears and other Incumbrances, obstructing the passage of Fish in the Rivers of this Province.
- Ordered*, That the Clerk do carry the said several Bills to the Council, and desire their concurrence. Bills sent to Council
- Mr. Young, from the Joint Committee appointed by the Legislative Council and this House, to wait upon His Excellency the Lieutenant-Governor with the Joint Address of the three Branches of the Legislature to Her Majesty, of Congratulation on the birth of the Princess Royal, reported that the said Joint Committee had attended His Excellency, pursuant to order, and that His Excellency had signed said Address, and been graciously pleased to say that he would transmit the same, to be laid at the foot of the Throne. Report from Joint Com. on Address to H. M. that Lt. Gov. had signed and would forward the same
- The Hon. Mr. McNab presented to the House an aggregate list of Articles purchased for the use of the Halifax Asylum for the Poor, during the year 1840; also, an account of the Paupers admitted into the Asylum during said year, distinguishing Halifax from the Transient; and an account of the Funds received for said Asylum during the same year, and from whence received. Poor-House Accts. presented
- (See Appendix, No. 18.)
- Ordered*, That the Accounts do lie on the Table.
- A Petition of the Halifax Mechanics' Institute was presented by the Hon. Mr. McNab and read, praying continued aid thereto. Pet. of Halifax Mechanics' Institute
- Ordered*, That the Petition be referred to the Committee on Education.
- A Petition of James Croskill and others, Grocers and Confectioners of the Town of Halifax, was presented by the Hon. Mr. McNab and read, praying protection for their Manufactures against the importation from the United States of Syrups made from Lemons, Oranges, Raspberries, and other Fruits. Pet. of Grocers and Confectioners for protection in Manufacture of Syrups
- Ordered*, That the Petition be referred to the Committee on Trade and Manufactures. Ref. to Com. on Trade

FRIDAY, 19th FEBRUARY, 1841.

Registry Bill read  
2d time and com-  
mitted

A Bill further to amend the Acts respecting the Registry of Deeds, was read a second time.

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

Non-resident Can-  
didate's Bill read  
2d time

A Bill to prevent non-residents from offering as Candidates for Representation in General Assembly, was read a second time; and thereupon,

Mr. Goudge moved that the further consideration of the Bill be deferred to this day three months: which, being seconded and put, and the House dividing thereon, passed in the affirmative.

*Ordered* accordingly.

Pet. of King's Cty.  
Agricultural Soc'y.

A Petition of the King's County Agricultural Society, was presented by the Hon Mr. Dewolf and read, setting forth the advantages that would accrue from the establishment of a Provincial Agricultural Society, or Board of Agriculture, and of Agricultural Societies in different parts of the Country, and praying aid to effect the same, with pecuniary grants therefor.

*Ordered,* That the Petition be referred to the Committee on Agriculture.

Ref. to Com. on  
AgricultureBill presented mak-  
ing Lands liable to  
Debts

Mr. DesBarres, pursuant to leave given, presented a Bill for making Lands and Tenements liable to the payment of Debts, and to repeal the Acts now in force, and the same was read a first time, and ordered to be read a second time.

Pet. of Ministers,  
&c. of Baptist  
Churches for aid to  
Common School  
Education  
Ref. to Com. on E-  
ducation

A Petition of the Rev. Theodore Harding and others, Ministers and Messengers composing the Nova-Scotia Baptist Association, was presented by Mr. Lewis and read, praying that this House will devise some effectual plan for the more extensive dissemination of public instruction and improvement of Common Schools.

*Ordered,* That the Petition be referred to the Committee on Education.

Pet. of W. F. New-  
man for return of  
duty

A Petition of William F. Newman, of Halifax, Tinsmith, was presented by the Hon. Mr. Uniacke and read, praying a return of Duties paid by him upon the importation from the United States of Machinery for manufacturing Tin Ware.

*Ordered,* That the Petition be referred to the Committee on Trade and Manufactures.

Ref. to Com. on  
Trade

Com. on Bills

On motion the House resolved itself into a Committee on Bills.

Mr. Speaker left the Chair,

Mr. Smith took the Chair of the Committee,

Mr. Speaker resumed the Chair.

Report Registry  
Bill without am.

The Chairman reported from the Committee that they had gone through the Bill further to amend the Acts respecting the Registry of Deeds, and had directed him to report the same to the House, without any amendment; and had also gone through the engrossed Bill to continue the Act for the Summary Trial of Actions in the Island of Cape-Breton, and had made amendments thereto, which they had directed him to report to the House with the Bill; and he afterwards delivered the Bills and amendments in at the Clerk's Table.

The Chairman also acquainted the House, that he was directed by the Committee to move for leave to sit again, on the consideration of Bills—which the House agreed to.

The amendments to the engrossed Bill to continue the Act for the Summary Trial of Actions in the Island of Cape-Breton, were read and agreed to by the House.

And Cape Breton  
Summary Trial  
Bill with amts.

Bills to be engross'd

*Ordered,* That the Bill with the amendments, be re-ingrossed.

*Ordered,* That the Bill reported without amendment, be engrossed.

Returns of Civil &  
Criminal Trials

The Hon. Mr. McNab, by command of His Excellency the Lieutenant-Governor, presented General Returns of Civil and Criminal Trials in the Supreme Court in the years 1835, 1836, 1837, 1838 and 1839; and they were referred to the Select Committee on the Returns of Criminal Trials in the Courts of General Sessions of the Peace.

Returns of compen-  
sation to Out-port  
Collectors and  
Guagers

The Hon. Mr. McNab also by command of His Excellency the Lieutenant-Governor, presented a Return, shewing the amount of compensation made or allowed to the Out-port Collectors of Provincial Duties, and to Out-port Guagers, in the years 1835, 1836, 1837, 1838,

1838.

FRIDAY and SATURDAY, 19th and 20th FEBRUARY, 1841.

1838 and 1839; also, shewing the value of Goods imported into the several Out-ports upon which such compensation is charged, and the same was read.

(See Appendix, No. 19.)

Ordered, That the Return do lie on the Table.

Mr. Henry reported from the Select Committee appointed to enquire into, and report upon, the best system of obtaining correct reports of the Debates of this House; and he read the Report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.

Report from Com. on Reporting Debates of House

(See Appendix No. 20.)

Ordered, That the Report do lie on the Table.

The Order of the Day being read,

Ordered, That the Bill to provide for the Civil List, &c. be read a second time To-morrow.

Order of Day Civil List Bill postponed

Then the House adjourned until To-morrow, at two of the clock.

Saturday, 20th February, 1841.

PRAYERS.

A Petition of George W. Brown and others, was presented by Mr. Huntington and read, praying aid in the erection of a Breakwater at Green Cove, on the Bay Shore, in the Township of Yarmouth.

Pet. for aid to Breakwater at Green Cove Yarmouth Ref. to Com. on Nav. Sec.

Ordered, That the Petition be referred to the Committee on Navigation Securities.

A Petition of John Bingay and others, Firewardens of the Town of Yarmouth, was presented by Mr. Huntington and read, praying a return of Duties paid, on the importation from Boston, in the United States, into Yarmouth, of four Fire Engines, for the protection of the Town against Fire.

Petition from Firewardens of Yarmouth for return of Duty

Ordered, That the Petition be referred to the Committee on Trade and Manufactures.

Ref. to Com. on Trade

A Petition of James R. Lovett and others, Inhabitants of the Town of Annapolis Royal, and its vicinity, was presented by Mr. S. B. Chipman and read, praying such aid to the Annapolis Academy as will place it upon the footing of similar Institutions.

Pet. for aid to Annapolis Academy

Ordered, That the Petition be referred to the Committee on Education.

Ref. to Com. on Education

A Petition of Freeholders and others, of Chezetcook, in the County of Halifax, was presented by Mr. Annand and read, praying aid in the erection of a Dike at that place, to reclaim a Tract of Marsh Land.

Pet. for aid in erecting Dyke at Chezetcook

Ordered, That the Petition be referred to Mr. Huntington, Mr. Annand and Mr. DesBarres, to examine into the merits thereof and report thereon to this House.

Ref. to Sel. Com.

A Petition of E. N. B. Moody and others, Merchants and Shipowners of the Port of Yarmouth, was presented by Mr. Clements and read, praying a Grant of Money to enable them to place Buoys on certain Rocks and Ledges at the entrance of Yarmouth Harbor, and to erect a Beacon on Buller's Point.

Pet. for aid to place Buoys in Yarmouth

Ordered, That the Petition be referred to the Committee on Navigation Securities.

Ref. to Com. on Nav. Sec.

A Petition of Zachariah Chipman and others, Freeholders in the County of Yarmouth, was presented by Mr. Huntington and read, praying more permanent and increased aid to the Baptist College and Academy at Horton, with an alteration in the College Charter.

Pet. for aid to Baptist College at Horton

Ordered, That the Petition be referred to the Committee on Education.

Ref. to Com. on Education

A Petition of John C. Phillips, Secretary of the River Philip Agricultural Society in the County of Cumberland, on behalf of the Society, and by its direction, was presented by Mr. Fulton and read, setting forth, that in the unanimous opinion of the Society, the investing of a Provincial Grant in the hands of an Agricultural Board to be formed in Halifax,

Petition from River Philip Agricultural Society

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would not be beneficial; and that monies granted should be divided by this House among Societies in each County, according to its Agricultural resources, and praying aid accordingly.

Refil. to Com. on  
Agriculture

*Ordered*, That the Petition be referred to the Committee on Agriculture.

Registry Bill read  
3d time and passed

An engrossed Bill further to amend the Acts respecting the Registry of Deeds, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act further to amend the Acts respecting the Registry of Deeds.

Cape Breton Sum-  
mary Trials Bill  
read 4th time and  
passed

A re-ingrossed Bill to continue the Act for the Summary Trial of Actions in the Island of Cape-Breton, was read a fourth time.

*Resolved*, That the Bill do pass, and that the title be, An Act to continue and amend the Act for the Summary Trial of Actions in the Island of Cape-Breton.

Bills sent to Coun-  
cil

*Ordered*, That the Clerk do carry the Bills to the Council and desire their concurrence.

Land & Tenements  
Bill read 2d time &  
Committed

A Bill for making Lands and Tenements liable for the Payment of Debts, and to repeal the Acts now in force, was read a second time.

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

Petition of R. Hich-  
ins of Seal Islands  
Dismissed

A Petition of Richard Hichins was presented by Mr. McKenna and read, praying aid towards keeping Boats on Seal Islands for the relief of Shipwrecked Seamen, and succouring Vessels in distress; and thereupon,

On motion of Mr. Huntington, *resolved*, that the Petition be dismissed.

Pet of Settlements  
in Colchester for e-  
qualization of Re-  
presentation.

A Petition of Samuel Chambers and others, residing in the Settlements of New Annan and Tatamagouche, in the County of Colchester, was presented by the Hon. the Attorney General and read, praying that an Act may be passed to equalise the Representation of said County, either by giving Four County Members, or by opening up the Franchise of the Township of Onslow to the Settlements of Tatamagouche, New Annan and Earl Town—of Londonderry to the Settlements on the Southward and Westward, and of Truro to Stewiacke, and other Settlements adjoining.

*Ordered*, That the Petition do lie on the Table.

Pet. from Settle-  
ments in Colchester  
for fair division of  
Road Money.

Three Petitions of Inhabitants of Earl Town, of New Annan, and of Tatamagouche, all in the Township of Sterling and County of Colchester, were presented by the Hon. the Attorney General and read, respectively setting forth that said Township hath not received a fair proportion of the Provincial money granted for Roads, in relation to the other Townships of the County, taking into consideration the extent of Country, the new Settlements, and the bad state of the Roads, and praying remedy thereof.

*Ordered*, That the Petitions do lie on the Table.

Pet. for aid to  
Bridgetown Gram-  
mer School

A Petition of Thomas Spurr and others, was presented by Mr. Thorne and read, praying a continuance of the aid granted to the Combined Common and Grammar School at Bridgetown, in the County of Annapolis.

Pet. for aid to New  
Caledonia Acade-  
my  
Ref. to Com. on E-  
ducation

A Petition of Richard Halfyard and others, was also presented by Mr. Thorne and read, praying the same aid to the New Caledonia Academy in Granville, as is granted to other Academies in the County of Annapolis.

*Ordered*, That the Petitions be referred to the Committee on Education.

Pet. of A. Torrey,  
Impost and Excise  
Officer at Windsor

A Petition of Asa Torrey, Collector of Impost and Excise for the County of Hants, was presented by Mr. Goudge and read, setting forth his services in that capacity, and the inadequacy of his compensation; also, the necessity of more efficient means being adopted for securing the payment of the duties more generally in the different Ports and places in the Basin of Mines, by establishing Water Guards, and praying a favorable consideration of the premises.

*Ordered*, That the Petition be referred to the Committee on Trade and Manufactures.

Ref. to Com. on  
Trade, &c.

A Petition of Samuel Archibald was presented by the Hon. the Attorney General and read,

SATURDAY, 20th FEBRUARY, 1841.

read, praying payment of over-expenditures made by him as Road Commissioner in opening the new line of road from Truro to Salmon River, and in repairing the old Post road from Gay's River to Pictou County line.

Another Petition of the said Samuel Archibald was also presented by the Hon. the Attorney General and read, setting forth that, in opening the aforesaid new line of road, he had found it expedient, for the prevention of expence and delay, to contract with certain persons for the purchase of their Lands through which the road ran, instead of proceeding to have the same laid off in the manner prescribed by Law, and praying a grant of the amount of his liability for such purchases.

*Ordered,* That the Petitions do lie on the Table.

A Petition of Hector McNeil, of Sydney, C. B., Mail Carrier between that Town and the Gut of Canso, was presented by the Hon. Mr. Dodd and read, setting forth the inadequacy of the Salary given for the performance of the duties of that employment, and praying an increased allowance.

*Ordered,* That the Petition be referred to the Committee on the Post Office Department.

A Petition of Samuel Campbell and others, Inhabitants of Clare, was presented by Mr. Comeau and read, praying aid to extend the Breakwater at Whale Cove further into the Sea.

*Ordered,* That the Petition be referred to the Committee on Navigation Securities.

A Petition of the Hon. Michael Tobin, Senior, and others, Trustees of the Seminary of Saint Mary, established in Halifax, was presented by the Hon. Mr. McNab and read, praying on behalf of the numerous body of Roman Catholics throughout this Province, that Saint Mary's Seminary may be endowed with the usual and necessary chartered rights and privileges, and that aid may be granted towards the support of the Institution.

*Ordered,* That the Petition be referred to the Hon. Mr. McNab, Mr. Young and Mr. Forrester, with leave to report thereon, by Bill or otherwise.

A Petition of John Janvrin and others, Merchants, Shipowners, and Fishermen, resident in the County of Richmond, was presented by Mr. Martell and read, setting forth the depressed state of the Coast and Bank Fisheries, and praying for remedy thereof, that Bounties may be granted on the catch of Merchantable Fish, and on the Tonnage of Vessels employed in the Bank Fisheries.

*Ordered,* That the Petition be referred to the Select Committee on the Deep-sea and Coast Fisheries, and that Mr. Martell be added to the Committee.

On motion the House resolved itself into a Committee on Bills.

Mr. Speaker left the Chair,

Mr. Smith took the Chair of the Committee,

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had gone through the Bill for making Lands and Tenements liable to the payment of Debts, and had directed him to report said Bill to the House without any amendment, and he delivered the Bill in at the Clerk's Table.

The Chairman also acquainted the House that he was directed by the Committee to move for leave to sit again, on the consideration of Bills, which the House agreed to.

*Ordered,* That the Bill be engrossed.

The Order of the Day being read,

*Ordered,* That the Bill to provide for the Civil List, &c., be read a second time, on Monday next.

Then the House adjourned until Monday next, at twelve of the clock.

Pet. from Samuel Archibald Road Commr. for over-expenditure on Eastern Road and For Grant of purchase Money of Lands

Pet. from Mail Carrier in Cape Breton for increase of allowance

Pet. for aid to Breakwater at Whale Cove

Ref. to Com. on Sec.

Pet. for Charter & aid to St. Mary's Seminary Halifax

Ref. to Sel. Com.

Pet. for Bounties on Fisheries

Ref to Com. on Fisheries

Com. on Bills

Report Lands and Tenements Bill without amendment Bill to be engrossed

Order of Day, 2d reading of Civil List Bill postponed

Monday,

MONDAY, 22d FEBRUARY, 1841.

Monday, 22d February, 1841.

## PRAYERS.

Pet. from Yarmouth  
against taxation for  
Schools

Ref. to Com. on Ed.

A Petition of James B. Dane and others, Freeholders and Rate Payers of the Township of Yarmouth, was presented by Mr. Clements and read, praying that the system of Assessment and Taxation may not be adopted for the support of Common Schools.

*Ordered,* That the Petition be referred to the Committee on Education.

Com. on Beef  
weighing Bill have  
leave to send for  
persons & papers

*Ordered,* That the Select Committee to whom was referred the Bill to continue the Act to regulate the Weighing of Beef, &c., have power to send for persons and papers.

Pets. of S. Archibald  
ref. to Sel. Com.

*Ordered,* That the Petitions of Samuel Archibald, presented on Saturday last, be referred to Mr. Smith, Mr. Dickey and Mr. Fulton, to examine and report thereon to this House.

House ballot for  
Com. to try Coun-  
ty of Richmond E-  
lection

At one of the clock (being the time appointed for considering the Petitions of William C. Delaney and Peter DeCarteret and others, against the election and return of Mr. McKeagney, the sitting Member for the County of Richmond,) the Serjeant at Arms was directed to go to the places adjacent and require the immediate attendance of the Members on the business of the House, who having returned and reported that he had so done, the House was counted, and forty-six Members being present, (exclusive of Mr. Speaker, and Mr. McKeagney, the sitting Member) and all other previous measures prescribed by the Act of the General Assembly, made and passed in the second year of the Reign of Her present Majesty, entitled, "An Act for regulating the Trials of Controverted Elections or returns of Members to serve in General Assembly" having been taken, and the Counsel for the Petitioners, and the sitting Member respectively being in attendance at the Bar of the House, the doors of the House were locked, and the Order of the Day for considering said Petitions was read—whereupon, the House proceeded to ballot for a Select Committee, to try the merits of the election and return of James McKeagney, Esquire, sitting Member for the County of Richmond, in the manner prescribed by said Act, when the following names of Members present, (not disqualified to serve under said Act, without being excused in the manner provided thereby,) were drawn, viz:—Mr. Johnson, Mr. Fairbanks, Mr. Huntington, Mr. Creighton, Mr. Heckman, Mr. Payzant, Mr. Budd, Mr. Gates, Mr. Fulton, Hon. Mr. Dewolf, Mr. Lewis, Mr. Hatton, Hon. Mr. McNab, Mr. Young—whereupon Mr. Young offered and verified under Oath an excuse for not serving on said Committee, and the substance of his allegations so made in excuse, being taken down by the Clerk, is as followeth:—William Young, of Halifax, Esquire, Member for the County of Inverness, maketh oath and saith, that his brother and partner in business, George R. Young, Esquire, is Counsel for the sitting Member for the County of Richmond, and therefore this deponent feels disqualified to sit on the Committee to be drawn for trying the merits of such Election."—Whereupon Mr. Speaker took the sense of the House, whether Mr. Young should be excused from serving upon the said Select Committee; and it being resolved in the affirmative, he was excused accordingly: and the House then proceeding further in said ballot, the names of Mr. McLellan and Mr. Comeau were drawn, and the doors were unlocked, and Lists of the fifteen Members so chosen by lot were delivered to the respective Counsel of the Petitioners and sitting Member, who withdrew with the Clerk Assistant, in order to reduce the said number to seven, in the manner prescribed by said Act.

Names drawn

Mr. Young excused

Report from Com.  
of Pub. Accounts

Mr. Forrester reported from the Committee appointed to join a Committee of the Legislative Council to examine the Public Accounts; and he read the Report in his place, and afterwards delivered it in at the Clerk's Table.

(See Appendix No. 21.)

*Ordered,* That the Report do lie on the Table.

Lists of Sel. Com.  
on Richmond Elec-  
tion delivered in

The Clerk Assistant delivered in the names of the seven Members remaining, after the number drawn by ballot this day in regard to the Election for the County of Richmond, had been reduced according to Law, by the parties alternately striking off names therefrom; and

and the names of the said seven Members, so delivered in, being read by the Clerk, are as follow, viz :—Mr. Johnston, Mr. Creighton, Mr. Heckman, Mr. Budd, Mr. Gates, Mr. McLellan and Mr. Comeau, who thereupon were duly sworn by the Clerk at the Table of the House “well and truly to try the merits of the Petitions referred to them, and a true judgment to give according to the evidence,” pursuant to the provisions of the Statute.

Names struck

*Ordered*, That the said Select Committee, so formed, do meet this day at three of the Clock, in one of the Committee Rooms of this House, for the purpose of hearing and determining the merits of the election and return of Mr. McKeagney, taken this day into consideration.

Order for Meeting of Com.

*Ordered*, That the Petitions of William C. Delaney and of Peter DeCarteret and others, be referred to the said Select Committee.

Petitions ref. to Sel. Com.

A Petition of Samuel Chesley and others, Freeholders and Inhabitants of Granville, in the County of Annapolis, was presented by Mr. J. R. Dewolf and read, controverting the statements contained in the Petition of James Clark and others, in reference to the Election for the Township of Granville, and praying that the allegations of this Petition may be referred to said Select Committee.

Pet. from Granville denying statements in Pet. against return of Mr. Thorne

*Ordered*, That the Petition be referred to the Committee on the Granville Election.

Ref. to Granville Election Com.

A Petition of John Blinkhorn and others, Inhabitants of Advocate Harbor, Three Sisters, and Apple River, was presented by Mr. Fulton and read, praying that an increased allowance may be paid to the Mail Carrier between Parrsborough and Advocate Harbor, or that he may have the additional carriage of the Mail from Parrsborough to Amherst, at the sum now paid for both.

Pet. relative to Mail carriage in Parrsborough

*Ordered*, That the Petition be referred to the Committee on the Post Office Department.

Ref. to Post Office Department

A Message from the Council, by Mr. Halliburton :

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act for Incorporating the Trustees of the Queen's College at Horton, as amended.

Message from Council Have agreed to Queen's College Bill as amended

And then the Messenger withdrew.

Mr. Huntington, pursuant to leave given on a former day, presented a Bill for altering the Northern Line of the County of Yarmouth—and the same was read a first time, and ordered to be read a second time, and to be published in the Royal Gazette and Nova Scotian Newspapers at Halifax.

Bill presented for altering Yarmouth County Line

The Orders of the Day being read,

*Ordered*, That this House do, To-morrow, resolve itself into a Committee on the consideration of the Judicatory of the Province.

Orders of Day Judiciary postponed

*Ordered*, That the Bill to provide for the Civil List of Nova Scotia, and to commute the Casual and Territorial Revenues, be now read a second time; and the same was read a second time accordingly.

Civil List Bill read 2d time

The usual question being then propounded from the Chair, that the Bill be committed to a Committee of the whole House :

Question of Commitment

The Hon. the Attorney General moved, as an amendment to the question, to leave out all the words thereof, except the word “that,” and to insert after the word “that,” the words following, viz :

Motion of amendment to defer Bill 3 months for reasons

“Whereas, His Excellency the Lieutenant-Governor has signified to this House that His Excellency has positive instructions from Her Majesty's Government not to submit to the Assembly Her Majesty's Casual and Territorial Revenue for a Civil List, to be granted in lieu thereof, and that His Excellency is not at liberty to consider of any proposal by the Assembly on the subject.—*Resolved therefore*, that under these circumstances, any Act of Legislation by this House would be inexpedient and unavailing, and that the further consideration of the Bill be deferred until this day three months:” which, being seconded and put, and the House dividing thereon, there appeared, for the motion, twenty-three; against it, twenty-six.

Negatived

M

For

For the motion,		Against the motion,	
Mr Blackadar	Mr Zwicker	Mr Forrester	Mr Young
Mr Annand	Mr Thorne	Mr Forrestall	Mr S Chipman
Hon Mr Uniacke	Mr Fulton	Mr Turnbull	Mr S B Chipman
Hon Mr McNab	Hon Mr Dewolf	Mr Marshall	Mr Huntington
Hon Mr Dodd	Mr Heckman	Mr Martell	Mr McKenna
Hon Atty General	Mr Archibald	Mr Payzant	Mr Lewis
Mr Creighton	Mr Taylor	Mr Clements	Mr Henry
Mr Fairbanks	Mr Budd	Mr Homer	Mr McKeagney
Mr Holmes	Mr Halton	Mr McLellan	Mr Upham
Mr DesBarres	Mr Johnson	Mr Holdsworth	Mr Comeau
Mr Spearwater	Mr J R Dewolf	Mr Dimock	Mr Goudge
Mr Dickey		Mr Smith	Mr Gates
		Mr McKay	Mr Rider

So it passed in the negative.

Another amend-  
ment for Address to  
H. M. on subject of  
Casual Revenue

The Hon. Mr. Dodd then moved, as an amendment to the main question of committal of the Bill, to leave out all the words thereof except the word "that," and to insert before the word "that" the word "Resolved," and after the word "that" the words "a Select Committee be appointed to prepare an Address to Her Majesty, praying that Her Majesty will be graciously pleased to grant this Assembly the control of Her Casual and Territorial Revenues, upon a suitable Civil List being provided for the support of Her Majesty's Government:" which, being seconded and put, and the House dividing thereon, there appeared, for the motion, twenty-eight; against it, twenty one.

For the motion,			Against the motion,	
Mr Upham	Mr Holmes	Mr Martell	Mr Forrester	Mr McKay
Mr Annand	Mr DesBarres	Hon Mr Dewolf	Mr Rider	Mr S Chipman
Mr Blackadar	Mr Dickey	Mr Archibald	Mr Young	Mr Goudge
Hon Mr Uniacke	Mr Marshall	Mr Taylor	Mr McKenna	Mr Huntington
Mr Forrestall	Mr Zwicker	Mr Heckman	Mr Homer	Mr Lewis
Hon Mr McNab	Mr Thorne	Mr Budd	Mr Clements	Mr Henry
Hon Mr Dodd	Mr Fulton	Mr Halton	Mr Payzant	Mr McKeagney
Hon Atty General	Mr Spearwater	Mr Johnson	Mr McLellan	Mr Comeau
Mr Creighton	Mr Turnbull	Mr J R Dewolf	Mr Holdsworth	Mr S B Chipman
Mr Fairbanks			Mr Dimock	Mr Gates
			Mr Smith	

Carried

So it passed in the affirmative.

Resolution as  
amended

The main question being so amended,

*Resolved*, That a Select Committee be appointed to prepare an Address to Her Majesty, praying that Her Majesty will be graciously pleased to grant this Assembly the control of Her Casual and Territorial Revenues, upon a suitable Civil List being provided for the support of Her Majesty's Government.

Leave to Richmond  
Election Com. to  
adjourn over

Mr. Creighton, Chairman of the Select Committee appointed this day to try and determine the merits of the return for the County of Richmond, by direction of the Committee, moved that they have the leave of the House to adjourn over until Wednesday next—which, upon the question being put, was agreed to by the House.

Then the House adjourned until To-morrow, at twelve of the clock.

Tuesday, 23d February, 1841.

PRAYERS.

Sheriff of Rich-  
mond to return  
Scrutiny

On motion of Mr. Creighton, *resolved*, that the Sheriff of the County of Richmond be requested to send forthwith, to this House, the proceedings and documents taken by him on the scrutiny held on the late Election for the said County.

*Ordered*, That the Clerk do communicate the foregoing Resolution to the said Sheriff.

Leave to Granville  
Election Com. to  
adjourn

The Hon. Mr. Dodd, Chairman of the Granville Election Committee, by direction of the Committee, moved that they have leave to adjourn over until Thursday next, which, upon the question being put thereon, was agreed to by the House, and ordered accordingly.

On motion of Mr. Holmes, *resolved*, that the Report of the Committee on reporting for this

this House be adopted, and a Committee be appointed with Instructions from this House to carry out the Report of the Committee, and the views of this House.

Com. to arrange for having debates reported

*Ordered*, That the same Committee who reported upon the foregoing subject, be a Committee under the above Resolution.

A Petition of Jeremiah Calneck, an Overseer of the Poor for the Township of Granville, was presented by Mr. Thorne and read, praying reimbursement of the expenses of Transient Paupers, Citizens of the United States of America, unavoidably supported by the Overseers of that Township.

Pet. from Overseers of Poor, Granville for expenses of Transient Poor

*Ordered*, That the Petition be referred to the Committee appointed on the claims for reimbursement of the expenses of Transient Paupers.

Ref. to Transient Pauper Com.

*Ordered*, That Mr. Fairbanks, Mr. Forrestall and Mr. Dodd, be a Committee to prepare and report to this House an Address to Her Most Gracious Majesty, on the subject of the Casual and Territorial Revenues of the Crown, and the Civil List of this Province, pursuant to the Resolution of yesterday.

Com. to prepare Address to Her Majesty on Casual Revenue

Mr. Young reported from the Select Committee to whom were referred the returns of Civil and Criminal Trials throughout the Province, for the years 1835, 1836, 1837, 1838, and 1839, and thereupon presented abstracts thereof, which were read.

Report from Com. on returns of Trials

(See Appendix, No. 22.)

*Ordered*, That the Abstracts do lie on the Table.

A Petition of Archibald Scott and others, Inhabitants of Nine Mile River, and other places adjacent, was presented by Mr. Smith; and a Petition of Adam Esson and others, Inhabitants of Halifax and elsewhere, was presented by Mr. Annand, and the said Petitions were read, respectively setting forth the advantages that would accrue from opening the proposed new line of Road from Sackville to Scott's, on the Great Eastern Road, and praying that the restriction imposed upon a Grant for that service may be removed.

Pet. rel. to Road from Sackville to Scott's.

*Ordered*, That the Petitions be referred to the Committee appointed on the Despatches relative to the Mail Routes of the Province.

Ref. to Com.

A Petition of Dr's. Gregor and Stirling, was presented by the Hon. Mr. McNab and read, praying continued aid to the Halifax Dispensary under their charge, which, during the past year, has afforded Medical aid and Medicines to eleven hundred cases.

Pet. for aid to Halifax Dispensary

*Ordered*, That the Petition be referred to the Committee of Supply.

Pet. ref. to Com. of Supply

A Petition of John Stiles, Editor and Proprietor of a Newspaper published at Pictou, under the title of "The Mechanic and Farmer," was presented by Mr. Young and read, setting forth his intention to devote that paper solely to Agricultural information, and praying aid therein.

Pet. of J. Stiles Proprietor of Mechanic & Farmer Newspaper

*Ordered*, That the Petition be referred to the Committee on Agriculture.

Ref. to Com. on Agriculture

A Message from the Council, by Mr. Halliburton:

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act to amend the Act to Incorporate the Halifax Gas Light and Water Company, without any amendment.

Council agree to Gas Light Bill

And then the Messenger withdrew.

The Order of the Day being read,

The House resolved itself into a Committee on the consideration of the Judicatory of the Province.

Order of Day House go into Com. on Judicatory

Mr. Speaker left the Chair,

Mr. Clements took the Chair of the Committee,

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had come to three Resolutions, which they had directed him to report to the House; and he delivered the same in at the Clerk's Table, where they were read as follow:—

Report 3 Resolutions

*Resolved*,

Inf. Courts Com.  
Pleas to be abolish-  
ed with provision  
for Judges  
Two terms of Sup.  
Court to be in each  
County  
Number of Assist-  
ant Justices of Sup.  
Court to be increas-  
ed  
Trials to be trans-  
ferred from Inf.  
Court & Sessions  
to Sup. Court  
Amdt. moved to 1st  
Resolution to ex-  
cept Cape Breton

1. *Resolved*, That it is the opinion of this Committee, that the Inferior Courts of Com-  
mon Pleas ought to be abolished, and suitable provision made for the First Justices thereof.

2. *Resolved*, That it is the opinion of this Committee, that two Terms or Sittings of the  
Supreme Court should be held every year, in every County of the Province, at such con-  
venient time as may be hereafter determined on.

3. *Resolved*, That it is the opinion of this Committee, that the number of Assistant Justi-  
ces of the Supreme Court should be increased to four, and that all Trials of Causes should  
be transferred from the Inferior Courts of Common Pleas, and the Courts of General Ses-  
sions of the Peace, to the Supreme Court.

The first Resolution having been read a second time,

The Hon. Mr. Dodd moved, by way of amendment of said Resolution, to add at the end  
thereof the words following, viz: "except in the Island of Cape Breton:" which, being se-  
conded and put, and the House dividing thereon, there appeared, for the motion, six; a-  
gainst it, thirty-eight.

For the motion,

Mr Fairbanks  
Mr Blackadar  
Hon Mr Uniacke  
Mr Holmes  
Hon Mr Dodd  
Mr Thorne

Mr Huntington  
Mr McLellan  
Mr Spearwater  
Mr Goudge  
Mr Clements  
Mr Marshall  
Mr Comeau  
Mr Hatton  
Mr Creighton  
Mr Holdsworth

Against the motion,

Mr Taylor  
Mr Johnson  
Mr Beckwith  
Mr Smith  
Mr Forrester  
Mr Hickman  
Mr Zwicker  
Mr Young  
Mr S Chipman  
Mr Annand

Mr McKenna  
Mr Rider  
Mr Dimock  
Mr Dickey  
Mr McKay  
Mr Payzant  
Mr Fulton  
Mr Turnbull  
Mr DesBarres

Mr Forrestall  
Hon Mr Dewolf  
Hon Mr McNab  
Mr Archibald  
Mr S B Chipman  
Mr Upham  
Mr Martell  
Mr Henry  
Mr Gates

Amdt. negativel  
Resolution agreed  
to upon Division

So it passed in the negative.

The question being then put, that the Resolution be agreed to, the House divided there-  
on, when there appeared for agreeing to the original Resolution, thirty-nine; against it,  
five.

For the Resolution,

Mr Fairbanks  
Mr Blackadar  
Mr Thorne  
Mr Huntington  
Mr McLellan  
Mr Spearwater  
Mr Goudge  
Mr Clements  
Mr Marshall  
Mr Comeau

Mr Hatton  
Mr Creighton  
Mr Holdsworth  
Mr Taylor  
Mr Johnson  
Mr Beckwith  
Mr Smith  
Mr Martell  
Mr Henry  
Mr Annand

Mr Forrester  
Mr Young  
Mr McKenna  
Mr Rider  
Mr Dimock  
Mr Dickey  
Mr McKay  
Mr Payzant  
Mr Fulton  
Mr Turnbull

Against the Resolution,

Mr DesBarres  
Mr Forrestall  
Hon Mr Dewolf  
Hon Mr McNab  
Mr Archibald  
Mr S B Chipman  
Mr Upham  
Mr Gates  
Mr S Chipman

Mr Zwicker  
Mr Holmes  
Mr Heckman  
Hon Mr Dodd  
Hon Mr Uniacke

2d & 3d Resoluti-  
ons agreed to

So it passed in the affirmative; and the Resolution was accordingly agreed to.

The second and third Resolutions being then read a second time, were severally agreed  
to.

Then the House adjourned until To-morrow, at two of the clock.

Wednesday, 24th February, 1841.

PRAYERS.

Com. on warming  
Rooms of Province  
Building

On motion of Mr. Huntington, *resolved*, that a Committee be appointed to enquire into  
and report to this House, the best method of warming the several Rooms of the Province  
Building, either by heated air or otherwise.

*Ordered*, That Mr. Huntington, Mr. Fairbanks and Mr. DesBarres, be a Committee for  
the above purpose.

Eng. Lands Bill  
read 3d time and  
passed

An engrossed Bill for making Lands and Tenements liable to the payment of Debts, and  
to repeal the Acts now in force, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act for making Lands and Te-  
nements liable to the payment of Debts, and to repeal the Acts now in force.

Sent to Council

*Ordered*, That the Clerk do carry the Bills to the Council and desire their concurrence.

Mr.

Mr. S. B. Chipman, pursuant to leave given, presented a Bill for enabling the Inhabitants of Wilmot, in the County of Annapolis, to return a Member to the General Assembly; and the same was read a first time, and ordered to be read a second time.

Wilmot Representation Bill presented

A Petition of J. McCully and others, Freeholders of the County of Cumberland, was presented by Mr. Lewis and read, setting forth, that during the late Election for that County, the Honorable Daniel McFarlane, one of the Members of Her Majesty's Legislative Council, personally appeared upon the hustings in Amherst, on the first day of polling, and proposed Stephen Fulton, Esquire, to represent the said County, and made use of heated intemperate language, to persuade the Freeholders present to vote for the said Stephen Fulton, Esquire; and that he also remained at the hustings during the polling at Amherst, River Philip, and at Wallace, publicly endeavouring to influence the Electors to vote for the said Stephen Fulton, Esquire, addressing the Freeholders assembled at Wallace; and praying that such measures may be taken as will in future insure the purity of popular Elections, by preventing the interference of persons belonging to the second branch of the Legislature, and protect the sacred rights and immunities of the Petitioners.

Petition from Cumberland relative to conduct of Hon. D. McFarlane at County Election

On motion of Mr. Lewis, *resolved*, that the Petition be referred to the Committee of Privileges, to examine and report upon.

Ref. to Com. of Privileges

A Message from the Council, by Mr. Halliburton:

Mr. Speaker,

The Council have agreed, without any amendment, to the Bills following, viz:

A Bill, entitled, An Act respecting the number of Assessors of Poors' Rates for Pictou.

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

A Bill, entitled, An Act to continue the Act to enable the Inhabitants of the Town of Lunenburg to procure a Fire Engine, with other Utensils and Materials necessary for extinguishing Fires.

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

A Bill, entitled, An Act to continue the Act to prevent damage to the Nets of Fishermen, by Coasting Vessels.

A Bill, entitled, An Act to continue the Act relative to the assessment of Dyke Rates for the new or Wickwire Dyke in Horton.

A Bill, entitled, An Act to continue the Act to regulate the survey of Timber and Lumber, and to repeal certain Acts now in force.

A Bill, entitled, An Act to continue the Act in amendment of the Act for the Settlement of the Poor in the several Townships within this Province.

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

A Bill, entitled, An Act to continue the Act to prevent injuries to the Fisheries within the County of Lunenburg, by Mill Dams, or any other obstruction.

A Bill, entitled, An Act to continue the Act, entitled, An Act to provide for the accommodation and billeting of His Majesty's Troops, or of the Militia, when on their march from one part of the Province to another, and also the Acts in amendment thereof.

A Bill, entitled, An Act to continue the Act for the better regulation of Sable Island in this Province.

A Bill, entitled, An Act to continue the Act to encourage the killing of Bears, Loup Cerviers and Wild Cats.

A Bill, entitled, An Act to continue the Act to restrain the issuing Writs of Attachment, in certain cases.

A Bill, entitled, An Act to continue the Act to make the stealing of Dogs, Beasts and Birds, Larceny.

A Bill, entitled, An Act to continue the Act to enable the Proprietors of Land, in the rear Blocks or Divisions of Land, in the Township of Guysborough, to open Roads through the same.

Message from Council who agree without amdt. to Pictou Poor's Rates Bills and 23 continuing Bills viz. Bank of Nova Scotia Fire Engine Lunenburg

Supervisors of Public Grounds

Fishermen's Nets

Wickwire Dike

Survey of Timber & Lumber

Settlement of Poor

Shubenacadie Fishery

Lunenburg Fisheries

Billeting of Troops, &c.

Sable Island

Killing of Bears, &c.

Writs of Attachment

Stealing of Dogs, &c.

Guysborough Town Lots

Sea Manure Queen's County	A Bill, entitled, An Act to continue the Act to authorize the Sessions of the Peace for the County of Queen's County, to make regulations for the gathering of Sea Manure, in the said County.
Pictou Poor's rates	A Bill, entitled, An Act to continue the Act respecting the collection of Poors' Rates of Pictou.
Sydney Pilotage	A Bill, entitled, An Act to continue the Act to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape-Breton, and the Acts in amendment thereof.
Pugwash Harbor,	A Bill, entitled, An Act to continue the Act to preserve and regulate the Navigation of the Harbor of Pugwash.
Marriage Licenses	A Bill, entitled, An Act to continue the Act relating to Marriage Licenses.
Extension of Laws to Cape Breton	A Bill, entitled, An Act to continue the Act in amendment of an Act made and passed in the first and second years of His late Majesty's Reign, entitled, An Act to extend the Laws and Ordinances of the Province of Nova Scotia to the Island of Cape-Breton.
Halifax Grammar School	A Bill, entitled, An Act to continue the Act to amend an Act for establishing a Public School in the Town of Halifax.
Summary Trials	A Bill, entitled, An Act to continue the Act for the Summary Trial of Actions, and the Acts in amendment thereof.
Landings in King's County	A Bill, entitled, An Act to continue the Act to regulate certain Landings in the County of King's County.
Importation of Cat- tle	A Bill, entitled, An Act to continue the Act to encourage the importation of Improved Breeds of Cattle into this Province.
Harbor Master Bridgeport	A Bill, entitled, An Act to continue the Act for establishing a Harbor Master at Bridgeport, in the Island of Cape-Breton.
Sale of Coals by Weight	A Bill, entitled, An Act to continue the Act to authorize the sale of Coals by Weight.
River Nuisances	A Bill, entitled, An Act to continue the Act in addition to, and in amendment of, the Act to prevent Nuisances, by Hedges, Wears and other Incumbrances, obstructing the passage of Fish in the Rivers of this Province.
Council agree to Co-partners Bill with amnds.	The Council have also agreed to the Bill, entitled, An Act to revive and continue the Acts for affording relief to Co-partners in certain cases, with amendments—to which they desire the concurrence of this Honorable House.
Amlds. read 1st time	And then the Messenger withdrew. The amendments of the Council to the Co-partnership Bill were read a first time, and ordered to be read a second time.
Pet. from Colches- ter Scientific Soci- ety Ref. to Com. on E- ducation	A Petition of Office Bearers of the Colchester Library and Scientific Society was pre- sented by Mr. Archibald and read, praying aid towards the objects of that Institution. <i>Ordered,</i> That the Petition be referred to the Committee on Education.
Pet of W. Fraser for aid towards Grist Mill	A Petition of William Fraser, residing at the Pine Tree Gut, in the County of Pictou, was presented by Mr. Blackadar and read, praying aid to re-commence the building of a Saw Mill and Grist Mill—the dam, and partial erection of which, had been destroyed by a freshet; and thereupon, On motion of Mr. Goudge, <i>resolved,</i> that the Petition be withdrawn.
Withdrawn	
Pet. against system requiring unanimi- ty in Juries in Civil Cases	A Petition of Robert Brown and others, Inhabitants of Halifax, was presented by Mr. Forrester and read, setting forth the inconveniencies attending the present Law, requiring unanimity in Juries giving verdicts in Civil Cases, and praying remedy theref, either by a- dopting the system of the Scottish Courts, or otherwise; and thereupon, Mr. Forrester moved, that the Petition be referred to a Select Committee to report upon: which, being seconded, Mr. Goudge moved, by way of amendment to the question, to leave out all the words thereof after the word "be," and to insert instead thereof the word "withdrawn": which, being seconded and put, passed in the affirmative. The main question, as amended, being then put, <i>Ordered,</i> That the Petition be withdrawn.
Withdrawn	
Pet. of J. Ferguson for return of Duties	A Petition of John Ferguson, of Halifax, Merchant, was presented by Mr. Upham and read

WEDNESDAY and THURSDAY, 24th and 25th FEBRUARY, 1841.

read, praying a return of Duties lately paid by him upon the importation from Boston, in the United States, of a quantity of Printing Apparatus, for the purpose of publishing a Weekly Paper, under the patronage of the Baptist Denomination.

*Ordered*, That the Petition be referred to the Committee on Trade and Manufactures.

Ref. to Com. on Trade

A Petition of James R. Lovett, of Annapolis, Merchant, was presented by the Hon. Mr. Uniacke and read, praying a drawback or return of Duties paid by him upon the Importation from St. John, N. B., of Foreign Wheaten Flour, which had been there entered for the use of the Fisheries, and which he had wished to enter at Annapolis for the same use, but was prevented by the alleged operation of a Colonial Statute.

Pet of James R. Lovett for return of duty on flour

*Ordered*, That the petition be referred to the Hon. Mr. Uniacke, Mr. Huntington and Mr. Goudge, to report thereon, and generally, upon the subject matter thereof to this House

Ref. to Sel. Com.

A Petition of W. B. McLeod and others, of the County of Sydney, was presented by Mr. Henry and read, praying aid towards extending and securing the new Arisaig Pier, and paying an over-expenditure thereon.

Pet. for aid to Arisaig Pier

*Ordered*, That the Petition be referred to the Committee on Navigation Securities.

Ref. to Com. on Nav. Sec.

A Petition of Inhabitants of Herring Cove, Ferguson's Cove, and other places on the western side of Halifax Harbor, was presented by Mr. Forrester and read, praying aid to open a Road, passable for man and horse, between the said Coves, and distance of two miles; and thereupon,

Pet. for opening Road between Herring and Ferguson's Coves

Mr. Forrester moved, that the Petition be referred to the Committee of Supply: which, being seconded,

Motion to ref. to Com. of Sup.

Mr. Huntington moved, by way of amendment to the question, to leave out all the words thereof after the word "to," and to insert instead thereof the words "the Members for the Town of Halifax, to provide for the object thereof:" which, being seconded and put, passed in the affirmative.

Am. to refer to Members of Town of Hx. carried

The main question, as amended, being then put.

*Ordered*, That the Petition be referred to the members of the Town of Halifax, to provide for the object thereof.

On motion, *resolved*, that this House do now resolve itself into a Committee to consider of Ways and Means for raising the Supply granted to Her Majesty; and accordingly,

House go into Com. on Ways & Means

The House resolved itself into the Committee.

Mr. Speaker left the Chair,

Mr. Clements took the Chair of the Committee,

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had made some progress in the business referred to them, and had directed him to move for leave to sit again—which the House agreed to.

Then the House adjourned until To-morrow, at twelve of the clock.

Thursday, 25th February, 1841.

#### PRAYERS.

A Petition of Samuel Albro and others, inhabitants of Dartmouth, was presented by Mr. Annand and read, praying authority to lease a part of the Dartmouth Common, fronting on the Harbor of Halifax—the proceeds of such leasing to be applied to the improvement of the Common.

Pet. for Act to lease part of Dartmouth Common

*Ordered*, That the Petition do lie on the Table, and that Mr. Annand have leave to bring in a Bill, pursuant to the prayer thereof.

Leave given to bring in Bill

Four Petitions of inhabitants of the County of Shelburne, were presented by Mr. McKenna and read, praying aid in the establishment of an Academy at Shelburne.

Pet. for aid to establish Academy at Shelburne

*Ordered*, That the Petitions be referred to the Committee on Education.

Ref. to Com. on Education

- Pet. from Hillsburgh Agricultural Society  
Ref. to Com. on Agriculture
- A Petition of the Committee of the Hillsburgh Agricultural Society, for the County of Digby, was presented by Mr. Holdsworth and read, praying aid towards introducing new Stock and Farming Implements into the several Counties of the Province.  
*Ordered*, That the Petition be referred to the Committee on Agriculture.
- Pet. for continued aid to Digby Academy  
Ref. to Com. on Education
- A Petition of Cereno U. Jones and others, inhabitants of the County of Digby, was presented by Mr. Holdsworth and read, praying aid towards the continuance of the Academy in the Town of Digby.  
*Ordered*, That the Petition be referred to the Committee on Education.
- Pet. from Colored Population at Port Latour for aid to School thereat  
Ref. to Com. on Education
- A Petition of John Fells and Thomas Tasco and others, colored persons, residing at Port LaTour, in the Township of Barrington, and County of Shelburne, was presented by Mr. McKenna and read, praying aid towards the establishment of a School adapted to their peculiar situation.  
*Ordered*, That the Petition be referred to the Committee on Education.
- Pet. for aid to complete Breakwater at Gates' Mountain Wilmot  
Ref. to Com. on Nav. Sec.
- A Petition of the Wilmot Pier Company and others, was presented by Mr. S. B. Chipman and read, praying aid in addition to subscriptions for completing the Breakwater at Gates' Mountain, in Wilmot.  
*Ordered*, That the Petition be referred to the Committee on Navigation Securities.
- Pet. of Trustees of Yarmouth Academy for further aid  
Ref. to Com. on Education
- A Petition of the Trustees of the Yarmouth Academy, was presented by Mr. Clements and read, praying a grant of a certain sum of money in aid of that Institution for a term of years.  
*Ordered*, That the Petitions be referred to the Committee on Education.
- Pet. of Overseers of Poor Wilmot for expenses of Transient Pauper  
Ref. to Transient Pauper Com.
- A Petition of Overseers of the Poor for the Township of Wilmot, was presented by Mr. S. B. Chipman and read, praying re-imbusement of the expenses of a Transient Pauper.  
*Ordered*, That the Petition be referred to the Committee on the claims for the expenses of Transient Paupers.
- Pet. of R. Nickerson for continued aid to his Inn
- A Petition of Reuben Nickerson, was presented by Mr. McKenna and read, praying a continuance of the aid heretofore granted him in keeping up an establishment for the reception of Travellers on the barren Road between Barrington and Shelburne; and thereupon,  
Mr. Goudge moved, that the Petition be withdrawn: which, being seconded,  
The Hon. Mr. Dewolf moved, as an amendment to the question, to leave out the word "withdrawn," and to insert instead thereof the words "referred to the Committee on the Petition of Daniel Durland to report upon": which, being seconded and put, passed in the affirmative.  
The question, as amended, being then put,  
*Ordered*, That the Petition be referred to the Committee on the Petition of Daniel Durland to report upon.
- Motion for withdrawal Amendment for ref. to Sel. Com. carried
- Petition ref. to Sel. Com.
- A Petition of John Bennison and others, inhabitants of Argyle, was presented by Mr. Rider and read, praying aid in the establishment of a Library, for which they have raised a subscription; and thereupon,  
Mr. Rider moved, that the Petition be referred to the Committee on Education: which, being seconded,  
The Hon. Mr. Dewolf moved, as an amendment to the question, to leave out all the words thereof after the word "be," and to insert instead thereof the word "withdrawn": which, being seconded and put, passed in the affirmative.  
The question, as amended, being then put,  
*Ordered*, That the Petition be withdrawn.
- Pet. for aid to Library Argyle
- Motion to ref. to Com. on Education
- Am. for withdrawal carried
- Pet. withdrawn
- Pets. of B. Dewolf of N. Calkin and of James Elderkin for returns of Duties
- A Petition of Benjamin Dewolf, Esquire, also, a Petition of Nathaniel Calkin, and a Petition of James Elderkin, all of Windsor, were presented by Mr. Goudge and read, respectively praying a drawback of Duties by them paid upon the importation of Foreign Wheaten Flour into that Port.  
*Ordered*,

THURSDAY, 25th FEBRUARY, 1841.

*Ordered,* That the Petitions be referred to the Committee on the Petition of James R. Lovett, to examine into the respective merits thereof, and to report thereon to this House. Refd. to Com. on Pet. of J. R. Lovett

A Petition of John Stevenson and others, inhabitants of the Township of Windsor, was presented by Mr. Goudge and read, complaining of the Windsor Turf Club using the Highway leading from Windsor to Newport Ferry, as a Race Course, to the great inconvenience of persons travelling thereon, and praying a remedy therefor. Pet. complaining of Windsor Turf Club using Highway as a Race Course

*Ordered,* That the Petition do lie on the Table.

A Petition of Francis Carter Pike, of Windsor, Surgeon, was presented by Mr. Goudge and read, praying compensation for Medical attendance and Medicines furnished by him, under the direction of the President of the Board of Health for Hants County, towards the relief and cure of persons arriving in said County on board of Vessels, they being afflicted with the Small Pox—the same being necessary to prevent the spreading of the disease, which had thereby been prevented. Pet. of Dr. F. C. Pike for compensation for attendance on Transient Sick

*Ordered,* That the Petition be referred to the Hon. Mr. Dewolf, Mr. Taylor and the Hon. Mr. McNab, to examine into the merits thereof, and to report thereon to this House. Refd. to Sel. Com.

A Petition of Overseers of the Poor for the Township of Aylesford, was presented by Mr. S. Chipman and read, praying re-imbusement of the expenses of a transient pauper. Pet. of Overseers Aylesford

*Ordered,* That the Petition be referred to the Committee on the claims for expenses of Transient Paupers. Refd. to Transient Pauper Com.

Two Petitions of Inhabitants of Argyle, were presented by Mr. Rider and read, respectively, praying that resort may be not had to direct taxation by assessment for the support of Common School Education, but that the present system may be maintained, or an increased allowance therefor be obtained by imposing additional duties on such articles of Impost as can best bear it. Pet. from Argyle against assessment for Education

*Ordered,* That the Petitions be referred to the Committee on Education. Ref. to Com. on Education

The Hon. Mr. McNab pursuant to leave given, presented a Bill to Incorporate the Town of Halifax—and the same was read a first time. Bill presented to Incorporate Halifax

*Ordered,* That the Bill be read a second time and be printed. To be printed

The Hon. Mr. McNab, by command of His Excellency the Lieutenant-Governor, presented a Copy of Communication from the Central Board of Health at Halifax, to His Excellency the Lieutenant-Governor, recommended by His Excellency to the immediate consideration of this House: and the same was read, and is as followeth, Communication from Central Board of Health relating to Vaccinatio and Small Pox recommended by His Excellency

[Copy.]

CENTRAL BOARD OF HEALTH, 22nd, February, 1841.

*May it please your Excellency:*

The Central Board of Health respectfully submit the following Minutes for your Excellency's consideration.

The Health Wardens for the Town of Halifax have visited their several Wards during the last week, in order to ascertain the number of persons who have either not been vaccinated or had the Small Pox; have reported that there are in their respective Wards, upwards of eleven hundred persons unprotected from the contagion of Small Pox, and that during the last two days, one death and four fresh cases of Small Pox have been reported; and in neighbourhoods where a number of poor children reside, that have not been vaccinated, and as a general vaccination of the Poor is the only means likely to prevent that loathsome disease becoming general in the Town and throughout the Province; and as this Board has considered that the Medical gentlemen of the Town give gratuitously to the Poor, a large portion of their time and medicine; therefore *resolved*, that it be recommended to His Excellency the Lieutenant-Governor, that the Medical Health Wardens of their respective Wards be requested to vaccinate all the Poor within such Wards, for which this Board conceives they should be paid such sums as may be deemed proper by your Excellency

THURSDAY, 25th FEBRUARY, 1841.

cellency for each poor person vaccinated, the Accounts to be verified by Certificates of the other Health Wardens of each Ward.

The Board further recommend that a Bill should be passed rendering it obligatory upon each head or master of a family, to cause all members of his family to be vaccinated; and further, the Board most respectfully request that His Excellency will take means that funds may be placed at the disposal of the Board to enable them to defray the contingent expenses, and for the service of their Secretary for the last six years, including a sum sufficient to liquidate the outstanding accounts, amounting to upwards of Ten Pounds. By Order of the Board.

(Signed) JAMES C. HUME, M. D. Sec'y.

Communication referred to Com. of Supply

On motion, *resolved*, that the said copy of Communication and Recommendation be referred to the Committee of Supply.

Res. for Vaccinating the Poor of Halifax

On motion of the Hon. Mr. McNab, *resolved*, that His Excellency the Lieutenant-Governor be authorised to provide for the immediate vaccination of the Poor of the Town of Halifax, to prevent the spread of the Small Pox, and that this House will provide for the necessary expenses incurred, not exceeding Two Hundred Pounds.

Pet. for aid to Mechanics' Institute

A Petition of the Rev. James Smith, of Stewiacke, in the County of Colchester, was presented by the Hon. the Attorney-General and read, praying aid towards a Mechanics' Institute established by him, and now in successful operation at that place; and thereupon,

The Hon. the Attorney-General moved that the Petition be referred to the Committee on Education: which, being seconded and put, and the House dividing thereon, there appeared for the motion, seventeen; against it, twelve.

So it passed in the affirmative.

Refd. to Com. on Education

*Ordered*, That the Petition be referred to the Committee on Education.

Judiciary Bill presented

The Hon. the Attorney-General, pursuant to leave given, presented a Bill to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein, and the same was read a first time, and ordered to be read a second time.

Message from Council

A Message from the Council, by Mr. Halliburton:

Mr. Speaker,

Council have passed a Bill to amend Petite Plaister Company Act and desire concurrence

The Council have passed a Bill, entitled, An Act in addition to, and amendment of, an Act to Incorporate the Petite Plaister and Mills Company, to which Bill they desire the concurrence of this Honorable House.

Council agree to Registry Bill and Cape-Breton Summary Trials Bill without amdt.

The Council have also agreed to the Bill, entitled, An Act further to amend the Acts respecting the Registry of Deeds; and to the Bill, entitled, An Act to continue and amend the Act for the Summary Trial of Actions in the Island of Cape Breton, severally, without amendment.

Agree to Lotteries Bill with amdt.

The Council have also agreed to the Bill, entitled, An Act for the Suppression of Lotteries, with an amendment, to which they desire the concurrence of this Honorable House. And then the Messenger withdrew.

Council's Petite Plaister Company Bill read

The engrossed Bill from the Council, entitled, An Act in addition to, and amendment of, an Act, entitled, An Act to Incorporate the Petite Plaister and Mills Company, was read a first time, and ordered to be read a second time.

Council's amdt. to Lotteries Bill agreed to

The amendment proposed by the Council to the Bill, entitled, An Act for the Suppression of Lotteries, was read a first and second time, and considered by the House, and is as followeth:

"At the end of the Bill add the following clause:

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

*Resolved*, That the amendment be agreed to by this House.

*Ordered*, That the Clerk do carry the Bill and amendment to the Council, and acquaint them that this House have agreed to the amendment.

A

WEDNESDAY and THURSDAY, 25th and 26th FEBRUARY, 1841.

A Petition of Samuel Mack, of Mill's Village, in Queen's County, was presented by Mr. Annand and read, complaining of the exaction of a sum of money from him, by order of the Court of Sessions of the Peace of that County, in relation to a Mill Dam, a part of which had been promised to be returned to him, but which had not yet been done, and praying relief. Pet. of S. Mack

*Ordered*, That the Petition be withdrawn. Withdrawn

Mr. McLellan moved, that this House resolve itself into a Committee on the consideration of paying off a part of the Funded Debt of the Province: which, being seconded and put, and the House dividing thereon, there appeared, for the motion, twenty; against it, twenty. Motion for Com. of whole on paying part of Funded Debt

For the motion,  
*Mr Clements*      *Mr McKenna*  
*Mr S B Chipman*   *Mr Johnson*  
*Mr Holmes*        *Mr Forrester*  
*Mr Huntington*   *Mr McLellan*  
*Mr Martell*        *Mr McKay*  
*Mr Lewis*         *Mr Goudge*  
*Mr Dickey*         *Mr Fulton*  
*Mr Gates*         *Mr Comeau*  
*Mr Spearwater*   *Mr Budd*  
*Mr Rider*          *Mr S Chipman*

Against the motion,  
*Mr J R Dewolf*    *Mr Smith*  
*Mr Creighton*    *Mr Dimock*  
*Mr Hallon*        *Hon Atty General*  
*Mr Marshall*     *Mr Archibald*  
*Mr Taylor*        *Mr DesBarres*  
*Mr Zwicker*      *Mr Fairbanks*  
*Mr Forrestall*    *Mr Henry*  
*Mr Holmes*       *Mr Blackadar*  
*Mr Heckman*     *Mr Upham*  
*Hon Mr Dewolf*   *Mr Annand*

House divide thereon equally

Whereupon, Mr. Speaker gave his casting vote for the motion, and it passed in the affirmative. Speaker's casting vote for motion

And accordingly, the House resolved itself into the said Committee. House go into the Com.

Mr. Speaker left the Chair,

Mr. Clements took the Chair of the Committee,

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had come to a Resolution, which they had directed him to report to the House—and he thereupon delivered the same in at the Clerk's Table. Res. reported for paying off £5000

The said Resolution being read, is as followeth:

*Resolved*, That it is the opinion of this Committee, that His Excellency the Lieutenant-Governor be requested to cause Five Thousand Pounds of the Funded Debt of the Province, bearing an interest of five per cent. per annum, to be paid off as soon as the notice required by Law can be given to the creditors.

And the said Resolution having been again read, was agreed to by the House. Agreed to

On motion, the House resolved itself into a Committee to consider the General State of the Province. House go into Com. on Gen. State of Province

Mr. Speaker left the Chair,

Mr. Clements took the Chair of the Committee,

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had made some progress.

Then the House adjourned until To-morrow, at twelve of the clock.

Friday, 26th February, 1841.

PRAYERS.

A Bill to Incorporate the Town of Halifax; and

A Bill to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein, were severally read a second time. Halifax Incorporation Bill and Judiciary Bill read 2d time and comtd.

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

The engrossed Bill from the Council, entitled, An Act in addition to, and amendment of, an Act, entitled, An Act to Incorporate the Petite Plaister and Mills Company, was read a second time. Council's Bill to amend Petite Plaister Co. Act read 2d time and

*Ordered*;

FRIDAY, 26th FEBRUARY, 1841.

- Refd. to Sel. Com. *Ordered*, That the Bill be referred to Mr. Creighton, Mr. Huntington and Mr. Smith, to examine and report thereon.
- Pet. for aid to clear out Cockmagun River A Petition of William Salter and others, of Newport, was presented by Mr. McKay and read, praying aid towards removing obstructions from the Cockmagun River, in that Township.
- Refd. to Sel. Com. *Ordered*, That the Petition be referred to Mr. Huntington, Mr. McLellan, Mr. Annand, Mr. Dickey and Mr. Holdsworth, to examine and report upon.
- Pet. of H. Sibley for return of duty on Flour A Petition of Henry Sibley, was presented by the Hon. Attorney General and read, praying a return of Duties paid by him upon the importation of Foreign Wheat Flour.
- Refd. to Sel. Com. *Ordered*, That the Petition be referred to the Committee on the Petition of James R. Lovett, to examine and report upon.
- Bill presented to amend Parrsborough Division Act The Hon. Mr. Dewolf, pursuant to leave given, presented a Bill to amend the Act to divide the Township of Parrsborough, and to annex parts thereof to the Counties of Colchester and Cumberland respectively—and the same was read a first time, and ordered to be read a second time.
- Returns of Deaf & Dumb presented The Hon. Mr. Dewolf, by command of His Excellency the Lieutenant-Governor, presented returns from several Counties of the number of deaf and dumb persons therein, with other particulars relating to the same, and also an abstract thereof—and the said abstract was read.
- (See Appendix No. 23.)
- Com. on Seminary for Deaf and Dumb On motion of the Hon. Mr. Dewolf, *resolved*, that a Select Committee be appointed on the subject of a Seminary for the instruction of Deaf and Dumb Persons in this Province, to report thereon.
- Returns referred to Com. *Ordered*, That the Hon. Mr. Dewolf, Mr. Lewis, Mr. Gates, Mr. Forrester and Mr. Budd, be a Committee for that purpose.
- Ordered*, That the foregoing Returns and Abstract on that subject be referred to the said Committee.
- Pet. for Seminary for Deaf and Dumb A Petition of John Simson and others, Inhabitants of Horton, was presented by the Hon. Mr. Dewolf and read, praying that a Seminary may be established in some central place in this Province for the instruction of Deaf and Dumb Persons.
- Refd. to Committee *Ordered*, That the Petition be referred to the Committee last above named.
- Pet. of Trustees of Lunenburg Public School A Petition of the Trustees of the Public School in the Town of Lunenburg, was presented by Mr. Creighton and read, praying aid for that Institution.
- Refd. to Com. on Education *Ordered*, That the Petition be referred to the Committee on Education.
- Pet. of Messrs. Pernette of LaHave Ferry A Petition of John Pernette and Charles Pernette was presented by Mr. Creighton and read praying compensation for conveying the Mails by Ferry across the River LaHave.
- Refd. to Post Office Com. *Ordered*, That the Petition be referred to the Committee on the Post-Office Department.
- Report from Com. on Pet. of W. Salter and others Mr. Huntington reported from the Select Committee appointed this day on the Petition of William Salter and others; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read, containing among other things a recommendation that the Petition be referred to the consideration of the Members of the County of Hants, to provide such sum to improve a Causeway therein mentioned, out of the Road Grant, as shall to them appear necessary.
- (See Appendix, No. 24.)
- Adopted On motion, *resolved*, that the Report be received and adopted by the House.
- Report of amds. from Sel. Com. on Polls at Elections Bill Bill read 2d time with amds. Mr. Blackadar from the Select Committee to whom was referred the Bill to amend the Act for establishing the times and places of holding the Polls at Elections of Representatives, reported that the Committee had made some amendments to the Bill; and he delivered the Bill and amendments in at the Clerk's Table, where the Bill was read a second time with the amendments.

*Ordered*,

*Ordered*, That the Bill and amendments be committed to a Committee of the whole House. Committed

A Message from the Council, by Mr. Halliburton :

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act for the Suppression of Lotteries, as amended.

And then the Messenger withdrew.

Message from Council agreeing to amended Lotteries Bill

On motion, the House resolved itself into a Committee to consider the General State of the Province.

Com. of whole on state of Pro.

Mr. Speaker left the Chair,

Mr. Clements took the Chair of the Committee,

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had made some progress.

Mr. Goudge moved that the House do come to a Resolution as followeth :

*Resolved*, That it is inexpedient hereafter to continue the practice of sending up the Appropriations in detail to the Legislative Council, but that such Appropriations should be incorporated in one or more Bills before being sent from this House : which, being seconded and put, and the House dividing thereon, there appeared, for the motion, six ; against it, forty-one :

Resolution moved against sending Money Votes to Council

For the motion,

- Mr Homer
- Mr Goudge
- Mr Huntington
- Mr Lewis
- Mr S B Chipman
- Mr Clements

Against the motion,

- |                  |               |               |                |
|------------------|---------------|---------------|----------------|
| Mr Annand        | Hon Mr Dodd   | Mr McKay      | Mr Comeau      |
| Hon Atty General | Mr Young      | Mr Rider      | Mr Heckman     |
| Mr Fairbanks     | Mr Holdsworth | Mr Forrestall | Mr Creighton   |
| Mr S Chipman     | Hon Mr Dewolf | Mr Martell    | Mr Dickey      |
| Mr Gates         | Mr Johnson    | Mr Budd       | Hon Mr Uniacke |
| Mr Henry         | Mr Forrester  | Mr Spearwater | Mr Holmes      |
| Mr Blackadar     | Hon Mr McNab  | Mr Turnbull   | Mr McLellan    |
| Mr Upham         | Mr Dimock     | Mr Beckwith   | Mr Thorne      |
| Mr Smith         | Mr Archibald  | Mr Halton     |                |
| Mr DesBarres     | Mr Zwickler   | Mr Taylor     |                |
| Mr Payzant       | Mr Fulton     | Mr Marshall   |                |

So it passed in the negative.

Negatived

Then the House adjourned until To-morrow, at twelve of the clock.

Saturday, 27th February, 1841.

PRAYERS.

The Bill to amend the Act to divide the Township of Parrsborough, &c. was read a second time.

Bill to amend Parrsboro' division Act read 2d time & committed

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

A Petition of Inhabitants of the County of Cumberland was presented by Mr. Dickey ; and six other Petitions of Inhabitants of said County, were presented by Mr. Fulton, and the same were read, respectively setting forth the deep interest the Petitioners felt in the Education of the rising generation, and their opinion that the general education of the people is not likely to be promoted by the multiplication of Colleges, and that two such Institutions are abundantly sufficient for the present population of Nova-Scotia ; and praying the rejection of any application for the Incorporation of the Horton Academy, or any similar Institution into a College, and that any funds desired to be appropriated in that way, may be divided among the different County Schools.

Pets. from Cumberland against Charters to Colleges

*Ordered*, That the Petitions be referred to the Committee on Education.

Ref. to Com. on Education

A Petition of Samuel Patterson, of Pugwash, in the County of Cumberland, Surgeon, was presented by Mr. Fulton and read, praying compensation for Medical Attendance and Medicines

Pet. of Dr. Patterson for Medical expense of Paupers

- Medicines furnished to one Mrs. Read and her daughter, poor persons residing at that place, seized with an Epidemic Fever.  
*Ordered*, That the Petition be referred to the Select Committee on the Petitions relating to expenses of Transient Paupers.
- Ref. to Pauper Committee**  
 A Petition of William Palmer Moffat, of Amherst, in the County of Cumberland, was presented by Mr. Fulton and read, praying compensation for his services and expenses as a Member of the Board of Land Commission for that County; and thereupon,  
 Mr. Fulton moved, that the Petition be referred to a Select Committee to examine and report upon: which being, seconded,  
 Mr. J. R. Dewolf moved, as an amendment to the question, to leave out all the words thereof, after the word "be," and to insert in place thereof, the word "withdrawn:" which, being seconded and put, passed in the affirmative.  
 The question, as amended, being then put,  
*Ordered*, That the Petition be withdrawn.
- Pet. withdrawn**
- Pet. of J. Howitt for return of Duty on lost Brandy**  
 A Petition of John Hewitt, of Tatamagouche, Innkeeper, was presented by the Hon. the Attorney General and read, praying a grant of the amount of Duty paid upon a Hogshead of Brandy, which was lost by the bursting of the cask, when being conveyed from Halifax to Tatamagouche.  
*Ordered*, That the Petition be referred to the Committee on Trade and Manufactures.
- Ref. to Com. on Trade & Manufactures**
- Pet. of W. H. Davies of Albion Iron Foundry**  
 A Petition of William H. Davies, of the Albion Iron Foundry, on the East River of Pictou, Engineer, was presented by the Hon. Attorney General and read, setting forth his services and outlay of capital in working said Foundry, manufacturing Steam Engines, &c., and praying pecuniary relief and testimonial for his services.  
*Ordered*, That the Petition be referred to the Committee on Trade and Manufactures.
- Ref. to Com. on Trade**
- Pet. of Miners at Albion Mines for aid to Library**  
 A Petition of Miners and others, resident at the Albion Mines, in the County of Pictou, was presented by Mr. Holmes and read, praying aid in the establishment of a Library; and thereupon,  
 Mr. Holmes moved that the Petition be referred to the Committee on Education: which, being seconded,  
 The Hon. Mr. Dewolf moved, by way of amendment to the question, that the words thereof after the word "be," should be left out, and the word "withdrawn" substituted for those so left out: which, being seconded and put, passed in the affirmative.  
 The question, as amended, being then put,  
*Ordered*, That the Petition be withdrawn.
- Motion to refer to Com. on Education**
- Am. moved to withdraw**  
**Passed**
- Pet. withdrawn**
- Pet. of Agent for Colonial Church Society for diffusion of Education**  
 A Petition of Cavie Richardson, Agent in this Province for the Colonial Church Society, was presented by the Hon. Mr. Dodd and read, praying that some Law may be enacted by which Education may be more widely disseminated over this Province, and the number of Common Schools increased, and placed upon a better and more respectable footing.  
*Ordered*, That the Petition be referred to the Committee on Education.
- Ref. to Com. on Education**
- Pet. for Law to guard lake Porter Bridge**  
 A Petition of Alexander Taylor and others, Inhabitants of the Eastward of Lake Porter Bridge, was presented by Mr. Annand and read, praying a grant to replace the Bridge, and that an Act may be passed for the safety of said Bridge, and to prevent Shallops running against the same.  
*Ordered*, That the Petition do lie on the Table, and that Mr. Annand have leave to bring in a Bill pursuant to the prayer thereof.
- Leave to bring in Bill**
- Report from Com. on Pets. of S. Archibald**  
 Mr. Smith reported from the Select Committee on the Petitions of Samuel Archibald, and he read the report in his place, recommending payment of the sums prayed for in the Petitions, and then delivered the report in at the Clerk's Table, where it was again read.  
 (See Appendix No. 25.)  
*Resolved*, That the Report and Petitions be referred to the Committee of Supply.
- Ref. to Com. of Supply**

**SATURDAY, 27th FEBRUARY, 1841.**

The Hon. Mr. Dodd, pursuant to leave given on a former day, presented a Bill to set off North Sydney as a separate Township, and the same was read a first time, and ordered to be read a second time.

Bill presented to set off North Sydney as a Township.

A Petition of James P. Brown, of Truro, at the Black Rock Ferry, was presented by Mr. Archibald and read, stating the loss of the Ferry Boat at that place, and praying a grant to replace the same.

Pet of J. P. Brown for Grant to replace Ferry Boat at Black Rock Ferry

*Ordered,* That the Petition be referred to Mr. Smith, Mr. Clements and Mr. Lewis, to examine and report upon.

Ref. to Sel. Com.

The Hon. Mr. Uniacke, by command of His Excellency the Lieutenant-Governor, presented copies of Communications and Papers relating to a Survey of the proposed Bay Verte Canal, and the establishment of a new Steam Communication between this Province and New Brunswick; and the same were read as followeth:

Papers presented relating to Survey of Bay Verte Canal & Steam Boat Communication with New Brunswick

[Copy.]

*Government House, Fredericton, New-Brunswick,  
31st March, 1840.*

SIR,

I have the honor to transmit two Resolutions of the House of Assembly of this Province, one appropriating £350 annually, for five years, for the purpose of encouraging a weekly Steam Communication between this Province, Nova-Scotia, and Prince Edward Island; the other granting £1000 for an exploration and survey of a line for a Canal to connect the Bay of Fundy with the Gulph of St. Lawrence, to which I beg leave to solicit your Excellency's attention, and to request that you will bring the subject matter under the consideration of the Legislature of the Province under your government.

March 23 1840

March 26 1840

I have, &c.

(Signed)

J. HARVEY.

His Excellency Sir COLIN CAMPBELL, K.C.B., Lieutenant Governor, &c. &c. &c.

[Copy.]

*New-Brunswick, House of Assembly,  
March 23rd. 1840.*

*Resolved,* That there be granted to His Excellency the Lieutenant Governor or Commander in Chief for the time being, the sum of Three Hundred and Fifty Pounds annually, for the next five years, from the 10th day of May, 1841, for the purpose of encouraging a weekly Steam Communication between Miramichi, New-Brunswick, Charlotte Town, Prince Edward Island, and Pictou, Nova-Scotia; Provided that a good and efficient Boat, of not less than Eighty Horse power, be, by the period above named, put upon that line, and that the same do run regularly, not less than once a week between the above mentioned places, between the 10th May, and the 20th November, each year during the same term (going and returning within the week) and proceeding up the River Mirimichi as high as the town of Newcastle each trip, both on the arrival and departure of the said Boat, to discharge and receive freight and passengers, touching at Douglass-town for the same purpose, both on her arrival and departure, and stopping at each of those places each time not less than half an hour; which sum shall be paid annually to such person or persons as may run such Boat, by warrant under the hand and seal of His Excellency the Lieutenant Governor, only on its being certified to him by Commissioners, to be by His Excellency appointed, to superintend such Steam Navigation in this Province, that a good and efficient Boat of the power aforesaid has been put on said line, and that the conditions of this grant have been for the year, for which the grant is applied to be paid in all respects complied with.

(Signed)

CHARLES P. WETMORE, Clerk.

SATURDAY, 27th FEBRUARY, 1841.

(Copy)

New-Brunswick, House of Assembly,  
March 26th, 1840.

*Resolved*, That there be granted to His Excellency the Lieutenant-Governor or Commander in Chief, a sum not exceeding One Thousand Pounds, towards defraying the expense of a new survey, exploration and estimate, of a line of Canal to connect the Bay of Fundy with the Gulph of St. Lawrence; and also, to report an opinion as to the propriety of substituting a Rail-road for the proposed Canal; Provided that the neighboring Provinces contribute a fair proportion of the expense of such survey.

(Signed)

CHARLES P. WETMORE, Clerk.

[Copy]

Government-House, Fredericton, N. B.  
Dec. 19th, 1840.

MY LORD,

With reference to my communication to Sir Colin Campbell, of 31st March last, relative to the proposed survey, by a properly qualified person, of the best line for a Canal or Rail-road, to connect the waters of the Bay of Fundy with those of the Gulph of St. Lawrence, I have the honor to invite from your Lordship as early information as it may be in your Excellency's power to afford, after the meeting of the Nova-Scotia Legislature, with respect to the extent to which co-operation may be expected from the Legislature of that Province, in aid of an object in which the interests of Her Majesty's subjects, resident therein, are believed to be involved in a degree scarcely, if at all inferior, to those of New-Brunswick.

I have, &amp;c.

(Signed)

J. HARVEY.

His Excellency the Right Honorable Lord VISCOUNT FALKLAND, &amp;c. &amp;c. &amp;c.

*Ordered*, That the papers do lie on the Table.Letter & account of  
expenses of survey  
of Line for Bay  
Verte Canal

The Hon. Mr. Uniacke, also by command of His Excellency, presented a copy of a letter from the Hon. James S. Morse to the Hon. Provincial Secretary, relative to a survey of a new line for the said Bay Verte Canal, with a plan, and an account of the expenses of such survey, and the said letter and account were read.

*(See Appendix, No. 26.)*

Ref. to Sel. Com.

*Ordered*, That the letter and account be referred to Mr. Annand, Mr. Clements and Mr. Goudge, to report upon.

Pet. from Inverness  
against taxati-  
on for Schools

A Petition of Allan Cameron and others, Inhabitants of the County of Inverness, was presented by the Hon. Mr. Uniacke and read, praying that the system of Taxation by Assessment for the support of Common Schools may not be adopted.

Ref. to Com. on  
Education*Ordered*, That the Petition be referred to the Committee on Education.Pet for aid to regu-  
late the Fisheries in  
St. Peter's Bay

A Petition of C. Hubert and others, was presented by the Hon. Mr. Uniacke and read, praying that the Act for the regulation of the Fisheries in Chedabucto Bay may be extended to the waters of St. Peter's Bay and L'Ardoise, in the Island of Cape Breton, and that a due fulfilment of the same may be enforced by the presence of a Revenue Cutter.

Ref. to Fishery  
Com. with leave to  
report by Bill

*Ordered*, That the Petition be referred to the Committee on the Deep Sea and Coast Fisheries, with leave to report by Bill or otherwise.

Pet. of Danl. Galla-  
gher

A Petition of Daniel Gallagher, of Ketch Harbor, Fisherman, was presented by the Hon. Mr. Uniacke and read, setting forth the losses he has sustained in the prosecution of the Deep Sea and Shore Fisheries for several years past, and praying relief.

Ref to Com. on  
Fisheries

*Ordered*, That the Petition be referred to the Committee on the Deep Sea and Coast Fisheries.

Pet of Rev. J.  
Courteau for aid to  
School for the  
French

A Petition of the Rev. J. Courteau was presented by the Hon. Mr. Uniacke and read, praying

praying that provision may be made for the support of a School, under the direction of a Teacher for children of French extraction in the County of Inverness.

*Ordered,* That the Petition be referred to the Committee on Education.

Refd. to Com. on Education

A Petition of Bernard L. Kirkpatrick, of New Glasgow, in the County of Pictou, Merchant, was presented by the Hon. Mr. Uniacke and read, praying aid to encourage the running of a new Steam-boat, to be established between Pictou and New Glasgow, as a Ferry boat.

Pet. of B. L. Kirkpatrick for aid to run Steam Boat at Pictou

*Ordered,* That the Petition be referred to the Committee on Navigation Securities.

Ref. to Com. on Nav. Sec.

The Hon. Mr. Uniacke, by command of His Excellency the Lieutenant-Governor, presented Accounts of the disbursements of three Schooners employed during the past year, for the Protection of the Fisheries and Revenue of the Province, with a Letter from Edward Wallace, Esq., to the Hon. the Provincial Secretary, accompanying the same, and they were read.

Accounts of Expenses of Revenue Cutters presented

(See Appendix, No. 27.)

*Ordered,* That the Accounts and Letter do lie on the Table.

A Petition of the Executive Committee of the Royal Acadian School at Halifax, was presented by Mr. Forrester and read, praying a continuance of the aid hitherto granted to that useful Institution.

Pet. for aid to Acadian School

*Ordered,* That the Petition be referred to the Committee on Education.

Refd. to Com. on Education

A Petition of John Speakman and others, Inhabitants of Dalhousie Settlement, was presented by Mr. Forrester and read, praying aid towards the repair and improvement of certain portions of the Great Road from Halifax to Annapolis, through that Settlement.

Pet. for aid to Dalhousie Road

*Ordered,* That the Petition be referred to Mr. Forrester, Mr. Smith, and the Hon. Mr. Uniacke, to examine into the merits thereof, and report thereon.

Refd. to Sel. Com.

A Petition of Thomas McGuire, was presented by Mr. Forrester and read, praying that Petitioner may receive an allowance for teaching a School in the Town of Halifax, which he had been prevented from receiving through some informality.

Pet. of T. McGuire

*Ordered,* That the Petition be referred to the Committee on Education.

Ref. to Com. on Education

A Petition of A. P. Ross and others, Proprietors of the Steam Boat Albion, plying as a Ferry Boat between Pictou and the Albion Mines Rail-road, was presented by Mr. S. Chipman and read, praying that if a Grant should be made in aid of the proposed Steam Boat of Bernard L. Kirkpatrick on that line of Ferry, that Petitioners may receive the same aid in support of their establishment.

Pet. of Proprietors of Steam Boat Albion at Pictou

*Ordered,* That the Petition be referred to the Committee on Navigation Securities, to be considered in connection with the Petition of Bernard L. Kirkpatrick, this day referred to the same Committee.

Ref. to Com. on Nav. Sec.

A Petition of A. B. Patterson and others, was presented by Mr. S. Chipman and read, praying aid towards the erection of a Breakwater, near the French Cross at Aylesford, on the Bay Shore, King's County.

Pet. for aid to Breakwater in Aylesford

*Ordered,* That the Petition be referred to the Committee on Navigation Securities.

Refd. to Committee on Nav. Sec.

A Petition of Elkanah Morton and others of Cornwallis, was presented by Mr. S. Chipman and read, praying some Enactments to better regulate the mode of Weighing Beef.

Pet. as to weighing Beef

*Ordered,* That the Petition be referred to the Committee to whom was referred the Bill to continue the Act to regulate the Weighing of Beef.

Ref. to Com.

A Petition of the Committee of the Antigonishe Mechanics' Institution, was presented by Mr. Henry and read, praying aid in procuring Apparatus for the objects of the Society.

Petition for aid to Mechanics' Institute Antigonishe  
Ref. to Com. on Education

*Ordered,* That the Petition be referred to the Committee on Education.

A Petition of William Palmer Moffat, of Amherst, was presented by Mr. Lewis and read, praying aid on the publication of Elementary Books for the use of Schools.

Pet. of W. P. Moffat for aid in Publishing Elementary Works

*Ordered,* That the Petition be referred to the Committee on Education.

Ref. to Com. on Education

Pet. of Donald  
McKenzie Adjutant  
of Militia Guysbo-  
rough for further  
allowance

Refl. to Sel. Com.

A Petition of Donald McKenzie, Adjutant of the second Battalion of the Guysborough Regiment of Militia, commanded by Lieut. Col. W. F. DesBarres, was presented by Mr. Forrestall and read, praying further remuneration than is allowed by Law; for the arduous services by him performed in the execution of his duties.

*Ordered*, That the Petition be referred to Mr. Archibald, Mr. Chipman and Mr. Smith, to examine and report upon.

Pet. of Inhabitants  
of LaHave for aid  
to Road

Ref. to Lunenburg  
Members

A Petition of William Slocomb, M. D. and others, Inhabitants of Upper LaHave, in the County of Lunenburg, was presented by Mr. Forrester and read, praying aid towards establishing a more direct line of Communication from Liverpool to the Halifax Road, at the head of Mahone Bay, and particularly a grant for the purpose of opening a part thereof from Mahone Bay to LaHave Bridge.

On motion of Mr. Forrester, *resolved*, that the Petition be referred to the Members for the Town and County of Lunenburg.

Pet. of J. Whitney  
for continued aid  
for carrying Mails  
between Digby &  
St. John N. B.  
Refl. to Post Office  
Com.

A Petition of James Whitney, was presented by Mr. Budd and read, praying a continuance of the aid granted for conveying the Mails between Digby and Saint John New Brunswick.

*Ordered*, That the Petition be referred to the Committee on the Post Office Department.

Pet. for aid to Post  
Communication  
Cornwallis  
Ref. to Com. on  
Post Office

A Petition of John Wells and others, of Cornwallis, was presented by Mr. Beckwith and read, praying an extension of the Post Office Communication through certain parts of that Township.

*Ordered*, That the Petition be referred to the Committee on the Post Office Department.

Pet. for aid to  
Bridge over Cole  
Harbour River

Ref. to Members  
for Guysborough

A Petition of George Tanner and others, Freeholders and Inhabitants of the Settlements of Cole Harbour, Torbay, Molasses Harbour and White Head, was presented by Mr. Marshall and read, praying aid towards erecting a Bridge over Cole Harbour River; and thereupon,

On motion of Mr. J. R. Dewolf, *resolved*, that the Petition be referred to the Members of the County of Guysborough to provide for the object thereof.

Pet. for Survey of  
Broad Cove Big  
River Inverness

Ref. to Com. on  
Nav. Sec.

A Petition of Freeholders and others, of Broad Cove, in the County of Inverness, was presented by Mr. Turnbull and read, praying that a survey may be made of Broad Cove, Big River, to ascertain the propriety of directing its course of discharge through the Ponds at Broad Cove, so as to form a safe Harbour.

*Ordered*, That the Petition be referred to the Committee on Navigation Securities.

Pet. of S. Cunard  
& Co. for Draw-  
back on Horses

Ref. to Com. on  
Mail Routes

A Petition of S. Cunard & Co., was presented by Mr. Blackadar and read, setting forth that Petitioners have it in contemplation to import a number of Horses, Carriages and Harness, from the United States of America, for the purpose of establishing a Line of Mail Coaches between Halifax and Pictou, and praying a remittance of the Colonial and Imperial Duties on such importations.

*Ordered*, That the Petition be referred to the Committee on the subject of the Mail Routes.

Pet. of E. Whit-  
more for exclusive  
right to Manufac-  
ture Wool Cards

A Petition of Elizabeth Whitmore, of Halifax, widow, was presented by Mr. Forrestall and read, praying an exclusive right in establishing a Manufactory for making Wool Cards, in this Province.

*Ordered*, That the Petition do lie on the Table.

Pet. for aid to  
Wheat and Oat  
Mill at Spencer's  
Brook  
Ref. to Com. on  
Agriculture

A Petition of Inhabitants of Advocate Harbour and Spencer's Island, was presented by Mr. Lewis and read, praying aid towards the erection of an Oat and Wheat Mill at Spencer's Brook, in that vicinity.

*Ordered*, That the Petition be referred to the Committee on Agriculture.

Pet for Act to as-  
sess pews of Bap-  
tist Meeting House  
Amherst

A Petition of Abraham Seaman, Junior, and others, Pew-holders in the Baptist Meeting House in Amherst, County of Cumberland, was presented by Mr. Lewis and read, praying that an Act may be passed for raising money by assessment on the Pews of said Meeting House, for the repairs of the Building.

*Ordered*,

SATURDAY, 27th FEBRUARY, 1841.

*Ordered*, That the Petition do lie on the Table, and that Mr. Lewis have leave to bring in a Bill pursuant to the prayer thereof.

Leave to bring in Bill

A Petition of Edward McLatchy and others, Trustees of the Wentworth School District, in the Township of Windsor, was presented by Mr. Goudge and read, praying that the allowance for a Combined Common and Grammar School may be made to a Teacher from whom it had been withheld on account of some informality.

Pet. for allowance to Schoolmasters of Wentworth School District Windsor  
Ref. to Com. on Education

*Ordered*, That the Petition be referred to the Committee on Education.

A Petition of Theodore S. Harding, was presented by Mr. Goudge and read, praying a return of Duty on Flour by him imported into Windsor.

Pet. of T. S. Harding for return of Duties on Flour

*Ordered*, That the Petition be referred to the Committee on the Petition of James R. Lovett.

Refd. to Com.

A Petition of Overseers of the Poor for the Township of Guysborough, was presented by Mr. DesBarres and read, praying re-imbursment of the expenses of a Transient Pauper.

Pet. of Overseers of Poor Guysboro' for expenses of Transient Paupers

*Ordered*, That the Petition be referred to the Committee on the claims for the expenses of Transient Paupers.

Refd. to Transient Pauper Com.

A Petition of Inhabitants of the County of Guysborough, was presented by Mr. DesBarres and read, praying aid in the extension of the Post Communication between Guysborough and the Gut of Canso.

Pet. for aid to Post Communication from Guysborough to Gut of Canso  
Ref. to Com. on Post Office

*Ordered*, That the Petition be referred to the Committee on the Post Office Department.

A Petition of the Rev. Dr. Willis, on behalf of the African School in Halifax, was presented by Mr. Forrester and read, praying further aid to that Institution.

Pet. for aid to African School Hx.  
Ref. to Com. on Education

*Ordered*, That the Petition be referred to the Committee on Education.

A Petition of the President and Committee of the Halifax Mechanics' Library, was presented by Mr. Forrester and read, praying further aid towards that Institution.

Pet. for aid to Hx. Mechanics' Library  
Ref. to Com. on Education

*Ordered*, That the Petition be referred to the Committee on Education.

A Petition of Inhabitants of Wallace, in the County of Cumberland, was presented by Mr. Fulton and read, praying aid in regard to the Post Communication.

Pet. from Wallace for aid to Post Communication  
Ref. to Post Office Com.

*Ordered*, That the Petition be referred to the Committee on the Post Office Department.

A Petition of Inhabitants of Minudie and other places, in the County of Cumberland, was presented by Mr. Fulton and read, praying aid towards the Post Communication in that County.

Pet. for aid to Post Communication Minudie  
Ref. to Post Office Com.

*Ordered*, That the Petition be referred to the Committee on the Post Office Department.

A Petition of the Revd. Fitzgerald Uniacke, was presented by the Hon. Mr. McNab and read, praying continued aid for the Schools under his charge, in the North Suburbs of the Town of Halifax.

Pet. of Rev. R. F. Uniacke for aid to Schools in North Suburbs Hx.  
Ref. to Com. on Education

*Ordered*, That the Petition be referred to the Committee on Education.

The Hon. Mr. McNab, pursuant to leave given on a former day, presented a Bill for Incorporating the Trustees of the Saint Mary's College at Halifax; and the same was read a first time, and ordered to be read a second time.

St. Mary's College Bill presented

A Petition of William B. Oxley and others, of Pugwash, was presented by Mr. Lewis and read, praying that regulations may be made as regards Pilotage, in the Harbor of Pugwash.

Pet. for Act to regulate Pugwash Pilotage

*Ordered*, That the Petition do lie on the Table, and that Mr. Lewis have leave to bring in a Bill, pursuant to the prayer thereof.

Leave to bring in Bill

A Petition of James Everitt and others, of Saint Mary's Bay, in the County of Digby, was presented by Mr. Budd and read, praying aid towards the Expense of erecting a School House at that place.

Pet for aid to School House at St. Mary's Bay, Digby  
Ref. to Com. on Education

*Ordered*, That the Petition be referred to the Committee on Education.

A

Pets. for aid to  
Breakwater at St.  
Mary's Bay Digby

A Petition of Christopher Specht and others, Inhabitants of the Township of Digby, was presented by Mr. Budd and read, praying aid towards building a Public Wharf or Breakwater between Sissabou and the Head of St. Mary's Bay.

Ref. to Com. on  
Nav. Sec.

A Petition of James Everitt and others, was presented by Mr. Budd and read, praying assistance towards completing a Wharf or Breakwater on Saint Mary's Bay.

*Ordered,* That the Petitions be referred to the Committee on Navigation Securities.

Judiciary Bill made  
Order of Day

On motion of the Hon. Mr. Dodd, *resolved*, that this House do, on Tuesday next, the 2d inst., resolve itself into a Committee on the consideration of the Bill to improve the Administration of the Law, &c.

Gov. requested to  
lay before House  
List of Office Hold-  
ers, &c.

On motion of Mr. Chipman, *resolved*, that His Excellency the Lieutenant-Governor be respectfully requested to cause to be laid before this House, at the commencement of its next Session, the names of the several persons holding offices of emolument under Government, or by deputation from persons so holding office, designating the County or District where held, the number of offices enjoyed by each, and the amount of income derived severally therefrom.

Then the House adjourned until Monday next, at twelve of the clock.

*Monday, 1st March, 1841.*

PRAYERS.

Bill for settlement  
of Estates of De-  
ceased persons pre-  
sented

Mr. DesBarres, pursuant to leave given, presented a Bill (prepared by the Clerk under a Resolution of the last preceding Session of the General Assembly, of the 27th March, 1840,) concerning Courts of Probate, and the settlement and distribution of the Estates of deceased persons; and the same was read a first time; and ordered to be read a second time.

Seal Fisheries Bill  
presented

Mr. Young, pursuant to leave given, presented a Bill to revive and continue the Act for encouraging the Seal Fisheries of this Province; and the same was read a first time, and ordered to be read a second time.

Pet. of D. Moore  
for reimbursement  
of loss in building  
Bridge  
Motion to with-  
draw

A Petition of David Moore, was presented by Mr. Annand and read, praying reimbursement of a loss sustained in regard to a Contract for furnishing Timber for a Bridge; and thereupon,

Am. to refer to  
Com. negatived

Mr. S. B. Chipman moved that the Petition be withdrawn: which, being seconded, Mr. Annand moved, as an amendment to the question, that the word "withdrawn" be left out, and the words "referred to a Select Committee, to report thereon," be substituted therefor: which, being seconded and put, passed in the negative.

Pet. withdrawn

The main question, as amended, being then put.

*Ordered,* That the Petition be withdrawn.

Pet. of J. Archibald  
for remuneration  
for losses in keep-  
ing Inn on Musque-  
doboit Road

A Petition of Jonathan Archibald, of Musquedoboit, was presented by Mr. Annand and read, praying remuneration for losses sustained by him in establishing a House of Entertainment for Travellers, in 1828, under encouragement of a vote of the Legislature, on the then new Road through Musquedoboit to Guysborough, which line of Road was shortly afterwards abandoned; and thereupon,

Motion to ref. to  
Sel. Com.

Mr. Annand moved that the Petition be referred to a Select Committee, to report upon: which, being seconded,

Amdt. to withdraw  
Negatived

Mr. Goudge moved, by way of amendment to the question, that all the words thereof after the word "be," should be left out, and the word "withdrawn" substituted for the words so left out: which, being seconded and put, passed in the negative.

Main question ear-  
ried

The main question being then put, passed in the affirmative.

Ref. to Sel. Com.

*Ordered,* That the Petition be referred to Mr. Homer, Mr. Forrestall and Mr. Smith, to examine and report upon to this House.

Bill for abolishing  
arrest under Mesne  
Process, &c.

The Hon. Mr. Uniacke, pursuant to leave given, presented a Bill for abolishing arrest under Mesne Process in civil actions, except in certain cases, and for extending the remedies

MONDAY, 1st MARCH, 1841.

dies of Creditors against the property of Debtors—and the same was read a first time, and ordered to be read a second time.

Four Petitions of David Reed, James Lennerton, John Mosher and John Duncan, all of Windsor, in the County of Hants, were presented by Mr. Goudge and read, respectively praying a return of duties paid upon foreign Wheat Flour imported into Windsor.

Pet. of D. Reed & others for returns of Duties on Flour

*Ordered*, That the Petitions be referred to the Select Committee on the Petition of James R. Lovett to examine and report upon.

Ref. to Com. on Pet. of J. R. Lovett

A Petition of Thomas R. Pattillo, of Liverpool, in Queen's County, was presented by Mr. J. R. Dewolf and read, praying re-imbusement of the expenses of certain suits instituted by him as Clerk of Licenses for that County, for breach of the laws relating to the Retail of Spirituous Liquors, and in which he had failed upon Appeals, owing to informalities on the part of the Justices before whom the proceedings were originally commenced.

Pet. of Thos. R. Pattillo for reimbursement of expenses of Law Suits by him as clerk of Licenses Liverpool

*Ordered*, That the Petition be referred to Mr. Fairbanks, Mr. J. R. Dewolf and Mr. Taylor with leave to report by Bill or otherwise.

Ref. to Members from Queen's Cy. with leave to report by Bill

A Petition of Abel Parker and others, of Cornwallis, was presented by Mr. S. Chipman and read, praying the adoption of a more effectual and permanent method for the support and regulation of Common Schools in general, either by a General Assessment or otherwise.

Pet. of A. Parker & al. Cornwallis in favor of assessment for Schools

*Ordered*, That the Petition be referred to the Committee on Education.

Ref. to Com. on Education

A Petition of the Overseers of the Poor of the Township of Cornwallis, was presented by Mr. S. Chipman and read, praying re-imbursment of the expense of providing for and removing certain Transient Paupers.

Pet. of Overseers of Poor Cornwallis for expenses of Transient Poor

*Ordered*, That the Petition be referred to the Committee on the claims for expenses of Transient Paupers.

Ref. to Com. on Transient Poor

A Petition of the Executive Committee of the Nova-Scotia Baptist Education Society was presented by Mr. S. Chipman and read, praying further pecuniary aid towards the College and Academy at Horton.

Pet. of N. S. Baptist Education Society for aid to Horton College  
Ref. to Com. on Education

*Ordered*, That the Petition be referred to the Committee on Education.

A Petition of Inhabitants of the Township of Digby, residing at Weymouth, and on the south side Saint Mary's Bay and Back Settlements, was presented by Mr. Budd and read, praying that the western part of said Township may be set off as a separate Township, by the name of Weymouth.

Pet. for setting off part of Weymouth as separate township

*Ordered*, That the Petition do lie on the Table.

A Petition of Trustees of the Roman Catholic Poor School, in Halifax, was presented by the Hon. Mr. McNab and read, praying a continuance of aid to that Institution.

Pet. for aid to Roman Catholic Poor School Halifax  
Ref. to Com. on Education

*Ordered*, That the Petition be referred to the Committee on Education.

A Petition of the Committee for the Infant School in Halifax, was presented by the Hon. Mr. McNab and read, praying continued aid to that Institution.

Pet. for aid to Infant School Halifax  
Ref. to Com. on Education

*Ordered*, That the Petition be referred to the Committee on Education.

A Petition of Robert Lawson, of Halifax, Merchant, was presented by the Hon. Mr. McNab and read, praying a return of duties paid upon the importation of Machinery from the United States for the purposes of a Grist Mill.

Pet. of Robt. Lawson for return of Duties on Mill Machinery  
Ref. to Com. on Trade, &c.

*Ordered*, That the Petition be referred to the Committee on Trade and Manufactures.

A Petition of George Campbell and others, Merchants, and other Inhabitants residing in the County of Pictou, was presented by Mr. Blackadar and read, praying a revision and amendment of the Acts relating to the Inspection of Beef and Pork, salted for Exportation.

Pet. from Pictou for amendment of Beef & Pork exportation Act

*Ordered*, That the Petition do lie on the Table, and that Mr. Blackadar have leave to bring in a Bill pursuant to the prayer thereof.

Leave to bring in Bill

MONDAY, 1st MARCH, 1841.

Pet. for aid to  
Landing places at  
Granville Ferry

A Petition of J. W. Ruggles and others, Inhabitants of Annapolis and Granville, was presented by Mr. Thorne and read, praying aid in the Establishment of more permanent Slips or landing places at the Ferry from Annapolis Royal to Granville.

Ref. to Com on  
Navigation Sec.

*Ordered.* That the Petition be referred to the Committee on Navigation Securities.

Pet. of H. McDou-  
ald, Pilot, Pictou,  
for compensation  
for detention on  
board Vessel having  
Small Pox on board  
Ref. to Com. on  
Pet. of Dr. Pike

A Petition of Hugh McDonald, was presented by Mr. Blackadar and read, praying compensation for being detained on board of a Vessel from the United States in the Harbor of Pictou, in consequence of small-pox on board thereof, he being a licensed Pilot.

On motion of Mr. Blackadar, *resolved*, that the Petition be referred to the Select Committee, on the Petition of Dr. F. Carter Pike of Windsor, who are also to examine and report upon the merits of this Petition.

Report from Com.  
on Council's Bill to  
amend Petite Plais-  
ter Cy. Act.

Mr. Creighton from the Select Committee on the engrossed Bill from the Council, entitled, An Act in addition to, and amendment of, An Act to Incorporate the Petite Plaster and Mills Company, reported that the Committee had examined said Bill, and heard evidence in respect of the details thereof, and recommend the Bill to the House without any amendment; and he thereupon delivered the Bill in at the Clerk's Table.

Bill read 2d time &  
agreed to

*Ordered,* That the Bill be read a second time.

And the Bill having been read a second time, and considered by the House,

*Resolved,* That the Bill be agreed to by this House.

Sent to Council

*Ordered,* That the Clerk do carry the Bill to the Council and acquaint them that this House have agreed thereto.

Pet. of Inhabitants  
of Weymouth a-  
gainst annexation  
to County Yar-  
mouth

A Petition of Cereno U. Jones and others, Inhabitants of Weymouth, in the County of Digby, was presented by Mr. Comeau and read, praying that the Western portion of said County may not be dismembered from the County of Digby and attached to the County of Yarmouth, as sought by a Petition presented on a former day.

*Ordered,* That the Petition do lie on the Table.

Pet. for aid to  
School House Back  
Settlement Gran-  
ville

A Petition of Russell Chesley and others, Inhabitants of the Eastern part of Granville, and of the Western part of Wilmot, residing in the Settlement near the North Mountain, called the Back Settlement, was presented by Mr. Thorne and read, praying aid in the erection of a School House at that place.

*Ordered,* That the Petition be referred to the Committee on Education.

Ref. to Com. on  
Education.

Bill to set off North  
Sydney as separate  
Township read 2d  
time & committed  
Wilmot Represent-  
ation Bill read 2d  
time  
Motion to defer  
carried

A Bill to set off North Sydney as a separate Township, was read a second time.

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

A Bill for enabling the Inhabitants of Wilmot, in the County of Annapolis, to return a Member to the General Assembly, was read a second time; and thereupon,

Mr. Fairbanks moved that the further consideration of the Bill be deferred until this day three months: which, being seconded and put, and the House dividing thereon, passed in the affirmative.

Bill deferred

*Ordered,* That the further consideration of the Bill be deferred to this day three months.

Pet. of English &  
Blackadar for re-  
turn of Duty on  
Printing Press  
Ref. to Com. on  
Trade, &c.

A Petition of Messrs. English & Blackadar, Printers, of Halifax, was presented by Mr. Annand and read, praying a return of duty paid by them upon the importation of a Printing Press in the year 1839.

*Ordered,* That the Petition be referred to the Committee on Trade and Manufactures.

Pet. from Cape  
Breton for Repeal  
of the Union

A Petition of N. H. Martin and others, Members of a Committee appointed at a General Meeting of the Inhabitants of the County of Cape-Breton, was presented by the Hon. Mr. Uniacke and read, praying that the Island of Cape-Breton may be under a separate and distinct Government, detached from that of Nova-Scotia.

*Ordered,* That the Petition do lie on the Table.

Pet. of Overseers  
of Poor Windsor  
for expenses of  
Transient Poor  
Ref. to Com on  
Transient Poor

A Petition of Overseers of the Poor for the Township of Windsor was presented by Mr. Goudge and read, praying reimbursment of the expenses of Transient Paupers.

*Ordered,* That the Petition be referred to the Committee on the claims for the expenses of Transient Paupers.

MONDAY, 1st MARCH, 1841.

A Petition of Alexander Thompson, of Antigonish, was presented by Mr. Forrestall and read, praying an increase of the allowance for carrying the Mails between Antigonish and the Gut of Canso.

*Ordered*, That the Petition be referred to the Committee on the Post Office Department.

A Bill for Incorporating the Trustees of the Saint Mary's College, at Halifax, was read a second time; and thereupon,

Mr. Dickey moved that the further consideration of the Bill be deferred to this day three months: which, being seconded and put, passed in the negative.

The usual question being then put that the Bill be committed to a Committee of the whole House, the House divided thereon, when there appeared for so committing the Bill, thirty-eight; against it, four:

For committing the Bill,			Against it,	
Mr Annand	Mr Homer	Mr Henry	Mr Hatton	Mr Creighton
Mr Forrester	Mr S;B Chipman	Mr DesBarres	Mr J R Dewolf	Mr Holmes
Mr S Chipman	Mr Johnson	Mr Forrestall	Mr Lewis	Mr Fulton
Mr Zwicker	Mr Young	Mr Budd	Hon Mr Dewolf	Mr Dickey
Mr Payzant	Mr Dimock	Mr Heckman	Mr Taylor	
Hon Mr McNab	Mr Smith	Mr McLellan.	Mr Clements	
Mr Beckwith	Mr Spearwater	Mr Martell	Mr Holdsworth	
Hon Atty General	Mr Comeau	Mr McKay	Mr Huntington	
Mr Fairbanks	Mr Rider	Mr Upham		
Mr Gates	Mr McKenna	Mr Blackadar		

So it passed in the affirmative.

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

Bill Committed

On motion the House resolved itself into a Committee on the consideration of Bills.

Com. on Bills

Mr. Speaker left the Chair,

Mr. Smith took the Chair of the Committee,

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had gone through the Bill concerning the Court of Marriage and Divorce; and the Bill for Incorporating the Trustees of the Saint Mary's College, and had made amendments to the said Bills respectively, which they had directed him to report to the House with the Bill; that the Committee had also gone through the Bill to amend the Act to divide the Township of Parrsborough, and to annex parts thereof to the Counties of Colchester and Cumberland respectively, and had directed him to report the said Bill to the House without any amendment—and he afterwards delivered the Bills and amendments in at the Clerk's Table.

Report Marriage & Divorce Bill & St. Mary's College Bill with amtds. and Bill to amend Parrsborough division Act without amdt.

The Chairman also acquainted the House that he was directed by the Committee to move for leave to sit again, which the House agreed to.

The amendments to the said Bills reported from the Committee were read, and respectively agreed to by the House.

Amtds. agreed to

*Ordered*, That the Bills with the amendments be engrossed.

*Ordered*, That the Bill reported without amendment be engrossed.

Bills to be engrossed

The amendments proposed by the Council to the Bill, entitled, An Act to revive and continue the Acts for affording relief to Co-partners, in certain cases, were read a second time, and considered by the House; and thereupon,

Councils amendments to Copartner Bill disagreed to

*Resolved*, That the said amendments be not agreed to by this House.

*Ordered*, That the Clerk do carry the Bill and amendments to the Council, and inform them that this House have not agreed to the said amendments.

Sent to Council

A Petition of Desiré Boudrot of Descouse, in the County of Richmond, was presented by Mr. Martell and read, praying that certain articles imported by him from Boston, and, in his absence, seized by the Collector of Colonial Duties for want of entry, may be restored to him, there having been no intention on his part to evade payment of the duties.

Pet. of D. Boudrot for return of articles seized

*Ordered*, That the Petition be referred to the Committee on Trade and Manufactures.

Ref. to Com. on Trade, &c.

Pet. of James Spike for return of Duties on Printing Press  
Ref. to Com on Trade  
Bill presented to Incorporate Genl. Mining Association

A Petition of James Spike, of Halifax, Printer, was presented by the Hon. Mr. McNab and read, praying a return of duties paid by him upon the importation of a Printing Press.  
*Ordered*, That the Petition be referred to the Committee on Trade and Manufactures.

The Hon. Mr. Dodd, pursuant to leave given, presented a Bill to Incorporate the General Mining Association, and the same was read a first time, and ordered to be read a second time.

Private Pts. made Order of Day

On motion of the Hon. Mr. Dodd, *resolved*, that this House will, on Friday next, proceed to the consideration of Private Petitions.

Resolution moved for collection of Monies paid out under Relief Act

Mr. McLellan moved that the House do come to a Resolution as followeth :

*Resolved*, That His Excellency the Lieutenant-Governor be respectfully requested to carry into effect the fourteenth Section of the Act, passed in 1837, entitled, An Act to afford relief to Poor Settlers in this Province, on the first opportunity of money being granted : which, being seconded,

Amdt. thereto to call upon County Treasurer to pay over sums collected carried

Mr. Dodd moved, as an amendment to the Resolution, to leave out all the words thereof after the words "Resolved that," and in place of the words so left out to insert the following : " the Treasurers of the different Counties of this Province, or other persons authorized to collect the same, who have received any sums of money whatever, under and by virtue of the Act, passed in the year 1837, entitled, An Act to afford relief to Poor Settlers in this Province, be called upon to pay the same without delay into the Provincial Treasury : " which, being seconded and put, passed in the affirmative.

Am. Resolution passed

The question, as amended, being then put,  
*Resolved*, That the Treasurers of the different Counties of this Province, or other persons authorised to collect the same, who have received any sums of money whatever, under and by virtue of the Act, passed in the year 1837, entitled, An Act to afford relief to Poor Settlers in this Province be called upon to pay the same without delay into the Provincial Treasury.

Then the House adjourned until To-morrow, at Twelve of the Clock.

Tuesday, 2d March, 1841.

PRAYERS.

Richmond Election Com. adjourn over

Mr. Creighton, the Chairman of the Select Committee on the Controverted Election for the County of Richmond, reported that the Committee had directed him to move for leave to adjourn over until Monday next : which, upon the question put thereon, was agreed to by the House.

*Ordered* accordingly.

Engrossed Bill to amend Parrsboro' Division Act read 3d time

An engrossed Bill to amend the Act to divide the Township of Parrsborough, and to annex parts thereof to the Counties of Colchester and Cumberland respectively, was read a third time.

Passed

*Resolved*, That the Bill do pass, and that the title be, An Act to amend the Act to divide the Township of Parrsborough, and to annex parts thereof to the Counties of Colchester and Cumberland respectively.

Engrossed Marriage & Divorce Bill read 3d time

An engrossed Bill concerning the Court of Marriage and Divorce, was read a third time.

Passed Bills sent to Council

*Resolved*, That the Bill do pass, and that the title be, An Act concerning the Court of Marriage and Divorce.

Bills read 2d time viz.

*Ordered*, That the Clerk do carry the Bills to the Council and desire their concurrence.

Settlement of Estates of Persons deceased

A Bill concerning Courts of Probate and the Settlement and Distribution of the Estates of deceased persons.

Seal Fisheries Arrest on Mesne Process

A Bill to revive and continue the Act for encouraging the Seal Fisheries of the Province.

A Bill for abolishing Arrest on Mesne Process in Civil Actions, except in certain cases, and for extending the remedies of Creditors against the property of Debtors ; and

<p>A Bill to Incorporate the General Mining Association. Were severally read a second time. <i>Ordered</i>, That the Bills be committed to a Committee of the whole House.</p>	<p>Gen. Mining Association Bills committed</p>
<p><i>Ordered</i>, That Mr. Dickey have leave to bring in a Bill in addition to, and amendment of, the Acts relating to Highways, Roads and Bridges.</p>	<p>Leave to bring in Bill to amend Highway Act</p>
<p>A Petition of James Flemming, of Halifax, was, by special leave of the House, presented by Mr. Annand and read, praying that he may be permitted to import from the United States of America Horses and Carriages free of duty, for the use of Travellers.</p>	<p>Pet. of J. Flemming for Importation of Horses, &amp;c. from United States Duty Free</p>
<p><i>Ordered</i>, That the Petition be referred to the Select Committee on the Mail Routes.</p>	<p>Ref. to Com. on Mail Routes</p>
<p>A Petition of James Geddes and others, was presented by Mr. Spearwater and read, praying aid, in addition to private subscriptions, towards erecting a Bridge across Clyde River, in the County of Shelburne, at the Falls; and thereupon,</p>	<p>Pet. of J. Geddes &amp; al. for aid to Bridge over Clyde River Shelburne</p>
<p>Mr. Fulton moved that the Petition be referred to the Members from the County of Shelburne: which, being seconded,</p>	<p>Motion to ref. to Members from County</p>
<p>Mr. Spearwater moved that the question be amended, by leaving out all the words thereof after the word "Petition," and by inserting the words "do lie on the Table," instead of the words so left out: which, being seconded and put, passed in the affirmative.</p>	<p>Am. to lie on the Table carried</p>
<p>The question, as amended, being then put,</p>	
<p><i>Ordered</i>, That the Petition do lie on the Table.</p>	
<p>Mr. Smith, pursuant to leave given, presented a Bill to equalize the Representation of the County of Hants, and the same was read a first time, and ordered to be read a second time.</p>	<p>Bill presented to equalize the Representation of Hants</p>
<p>The Order of the Day being read for the Committee on the Bill to improve the Administration of the Law, &amp;c.</p>	<p>Order of Day Judiciary Bill</p>
<p>The House resolved itself into the Committee.</p>	
<p>Mr. Speaker left the Chair,</p>	
<p>Mr. Smith took the Chair of the Committee,</p>	
<p>Mr. Speaker resumed the Chair.</p>	
<p>The Chairman reported from the Committee that they had made some progress in the business referred to them, and had directed him to move for leave to sit again, which the House agreed to.</p>	<p>Progress Reported</p>
<p>On motion of Mr. Young, <i>resolved</i>, that a Select Committee be appointed to take into consideration the best and most convenient times for holding the Terms of the Supreme Court and the Courts of General Sessions of the Peace respectively, throughout this Province, and to report the same to this House.</p>	<p>Sel. Com. to enquire as to times for holding Courts</p>
<p><i>Ordered</i>, That the Hon. the Attorney General, Mr. Henry, the Hon. Mr. Dodd, Mr. Fairbanks and Mr. S. B. Chipman, be a Committee for the foregoing purpose.</p>	<p>Com. named</p>
<p>Mr. Annand, pursuant to leave given, presented a Bill for regulating the Dartmouth Common, and the same was read a first time, and ordered to be read a second time.</p>	<p>Bill presented for regulating Dartmouth Common</p>
<p>On motion, <i>resolved</i>, that this House will, on Monday next, the 8th inst., resolve itself into a Committee on the consideration of the Bill to Incorporate the Town of Halifax.</p>	<p>Halifax Incorporation Bill made Order of Day</p>
<p>Then the House adjourned until To-morrow, at twelve of the clock.</p>	

*Wednesday, 3d March, 1841.*

PRAYERS.

An engrossed Bill for Incorporating the Trustees of the Saint Mary's College at Halifax, was read a third time.

S

*Resolved,*

Engrossed St. Mary's College Bill read 3d time

WEDNESDAY, 3d MARCH, 1841:

- Passed *Resolved*, That the Bill do pass, and that the title be, An Act for Incorporating the Trustees of the Saint Mary's College at Halifax.  
*Ordered*, That the Clerk do carry the Bill to the Council and desire their concurrence.
- Dartmouth Common Bill read 2d time & committed  
A Bill for regulating the Dartmouth Common, was read a second time.  
*Ordered*, That the Bill be committed to a Committee of the whole House.
- Com. on Bills  
On motion, the House resolved itself into a Committee on Bills.  
Mr. Speaker left the Chair,  
Mr. Archibald took the Chair of the Committee,  
Mr. Speaker resumed the Chair.
- Recommend Polls Bill to be deferred Report North Sydney Township Seal Fisheries General Mining Association and Dartmouth Common Bills without amdt.  
The Chairman reported from the Committee that they had considered the Bill to amend the Act for establishing the times and places of holding the Polls at Elections of Representatives, with the proposed amendments thereto referred to the Committee, and had agreed to recommend to the House to defer the further consideration of the same to this day three months; that the Committee had gone through the Bill to set off North Sydney as a separate Township; the Bill to revive and continue the Act for encouraging the Seal Fisheries of this Province; the Bill to Incorporate the General Mining Association; and the Bill for regulating the Dartmouth Common, and had directed him to report the said Bills to the House, severally, without any amendment; and he afterwards delivered the several Bills, and the amendments to the first mentioned Bill, in at the Clerk's Table.  
The Chairman also acquainted the House that he was directed by the Committee to move for leave to sit again, which the House agreed to.
- Polls Bill deferred  
*Ordered*, That the further consideration of the Bill to amend the Act for establishing the times and places of holding the Polls at Elections of Representatives, with the proposed amendments thereto, be deferred until this day three months.
- Bills to be engrossed Papers laid before House by Lt. Gov. viz. Accts. of expenses in preventing spread of Small Pox at Digby and Halifax  
*Ordered*, That the Bills reported without amendment be engrossed.
- Pet. of J. Ross for bal. claimed for carrying Mails from Halifax to Pictou and Pet. of Colchester Agricultural Society  
The Hon. Attorney General, by command of His Excellency the Lieutenant-Governor, presented  
Accounts of expenses incurred in preventing the spreading of Small Pox at Digby, with representations to His Excellency relative thereto; also, an Account of expense incurred at Halifax in preventing the spread of the Small Pox, with a Letter from the Clerk of the Peace there to the Hon. the Provincial Secretary, relative thereto.  
Also, a Petition of John Ross, of Truro, to His Excellency, praying payment of a balance claimed by him, to be due for carrying the Mail between Halifax and Pictou.  
And a Petition of the Colchester Agricultural Society, to His Excellency, praying the passing of some Legislative Enactment for organizing an Agricultural Society in each County, and the opening of the proposed new Eastern Line of Road from Sackville Bridge to Scott's, in Dartmouth, and that it may be recommended to the Legislature to grant sums of money to promote the organization of County Agricultural Societies.  
And the said Papers were respectively read.
- Small Pox Papers ref. to Sel. Com. with leave to report by Bill  
*Ordered*, That the Accounts and Papers relative to the prevention of the spread of Small Pox, be referred to Mr. Fairbanks, Mr. Johnson and Mr. Turnbull, to examine the same; and also, to consider generally the subject of the prevention of the Small Pox, with power to send for persons and papers, and to report by Bill or otherwise.
- Pet. of J. Ross Refd. to Sel. Com. Pet. of Colchester Agricultural Society Ref. to Com. on Agriculture  
*Ordered*, That the Petition of John Ross be referred to Mr. Forrestall, Mr. S. Chipman and Mr. Marshall, to examine into the merits thereof, and report thereon to this House.
- Report from Com. on Pet. of C. T. Wilkins  
*Ordered*, That the Petition of the Colchester Agricultural Society, be referred to the Committee on Agriculture.
- Mr. Fairbanks reported from the Select Committee, to whom was referred the Petition of Charles T. Wilkins, Esq. Sheriff of the County of Hants; and he read the report in his place, and delivered it in at the Clerk's Table, where it was again read.  
(See Appendix, No. 28.)  
*Ordered*, That the Report do lie on the Table.

Mr.

WEDNESDAY, 3d MARCH, 1841.

Mr. Fairbanks, pursuant to leave given, presented a Bill to extend to the Town of Port Medway, in Queen's County, the Act relating to Commissioners of Highways in Halifax and certain other places, and the same was read a first time, and ordered to be read a second time.

Bill presented to extend Hx. Highway Comms. Act to Port Medway in Queen's County

The Hon. Mr. Dodd, by command of His Excellency the Lieutenant-Governor, presented Petitions to His Excellency, from Inhabitants of the Island of Cape Breton, praying aid (in addition to subscriptions of private Individuals) towards the construction of a Navigable Canal across the Isthmus of St. Peter, in said Island, to connect the waters of the Bras d'Or Lake with St. Peters Bay.

Pets. from Cape Breton for aid to connect Bras d'Or Lake with St. Peter's Bay

Also, a communication from Colonel Smelt, Commandant, to His Excellency, dated 12th February, 1841, on the subject of a drawback of the Colonial Duties, on Wines consumed by the Officers in Garrison in this Province; with a Copy of a Despatch from Lord Howick, to His Excellency Lieutenant-General Sir Colin Campbell, dated 26th Sept. 1839, on the same subject.

Communication, &c. on subject of Drawback on Officers Wines

And the said several papers being read, were ordered to lie on the Table.

The Hon. Mr. Dodd, Chairman of the Granville Election Committee, reported finally from the said Committee; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read, and is as followeth:

Final Report from Granville Election Com.

The Committee drawn, struck and sworn, to try the merits of the Petition of James Clark and others, against the Election and return of Stephen S. Thorne, Esq. sitting Member for the Township of Granville, have agreed to report, and do report as follows, that is to say:

That the Petitioners by their Counsel, first submitted for the consideration of the Committee two points; first, that the conduct of the Sheriff in the Election had been partial; and secondly, that the Election at Bridgetown had been attended by such riotous proceedings, as to avoid the Election. That after hearing Counsel and evidence on these points, the Committee were unanimously of opinion that the Petitioners had made out no case on either of these points.

That the Committee were also unanimously of opinion, that unless the Petitioners could shew partiality or violation of the Law, on the part of the Sheriff, in the conduct of the Scrutiny, they could not abandon the Scrutiny, without at the same time abandoning the further investigation of the Votes remaining unscrutinized. Whereupon the Counsel for the Petitioners withdrew from further contest.

The Committee therefore do report, that Stephen S. Thorne, Esq. sitting Member for the Township of Granville, has been duly elected and returned, and is entitled to retain his seat as such.

And the Committee lastly do find and report, that the Petition referred to them, is not frivolous or vexatious, and that the opposition thereto is not frivolous or vexatious.

Committee-Room, 3rd March, 1841.

EDMUND M. DODD, Chairman.

*Ordered*, That the Report do lie on the Table, and be entered on the Journals of this House.

Report to be entered on Journals

Mr. S. B. Chipman from the Select Committee on the Bill, for imposing a Tax on Dogs, reported that the Committee had considered said Bill, and had made sundry amendments thereto, which he delivered in with the Bill at the Clerks Table, where the amendments were read.

Report from Com. on Dog Tax Bill

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

Bill and am.dts. re-committed

A Petition of James Beddo and others, Freeholders and Inhabitants of the Township of Uniacke, in the County of Hants, was presented by the Hon. Mr. Uniacke and read, stating that they have strong grounds for believing, that the report made by Daniel Wier, Esq., on the proposed alteration of the Main Post Road between Mount Uniacke and the County line, between the Counties of Hants and Halifax, could not have been founded on accurate

Pet. from J. Beddo & al on subject of proposed Road from Mount Uniacke to Hx. County Line

accurate information, and that a vastly superior improvement might be made at a much less expense, and praying investigation.

Ref. to Sel. Com.

*Ordered*, That the Petition be referred to Mr. Blackadar, Mr. S. Chipman, and Mr. Taylor, to examine into the subject matter thereof, and to report thereon to this House.

Report from Com. on Pet. of Donald McKenzie

Mr. Archibald reported from the Select Committee, to whom was referred the Petition of Donald McKenzie, Adjutant of the second Battalion of Guysborough Militia; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read, stating that the Committee had considered said Petition, and are of opinion that the allowance provided by law, is sufficient remuneration for his services as Adjutant of such Militia.

Report adopted

On motion, *resolved*, that the Report be received and adopted by this House.

Pet of Wm. Fraser & al. for Act to shut up Old Road in County of Pictou

A Petition of William Fraser and others, Inhabitants of the Salt Springs Settlement, at the West River, in the County of Pictou, was presented by Mr. Holmes and read, praying that An Act may be passed to enable them to enclose and shut up an old road in that Settlement, a new road having been opened near the same.

Leave to bring in Bill

*Ordered*, That the Petition do lie on the Table, and that Mr. Holmes have leave to bring in a Bill pursuant to the prayer thereof.

Then the House adjourned until To-morrow, at Twelve of the Clock.

Thursday, 4th March, 1841.

PRAYERS.

Engrossed Dartmouth Common Bill read 3d time & passed

An engrossed Bill for regulating the Dartmouth Common, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act for regulating the Dartmouth Common.

*Ordered*, That the Clerk do carry the Bill to the Council and desire their concurrence.

Pet. of Hants Agricultural Society

A Petition of the Hants Agricultural Society was, by special leave of the House, presented by Mr. Goudge and read, praying a grant of a sum of money to be expended in the introduction of Stock and Seeds, and for other purposes, in aid of the subscriptions of the Members of the Society.

*Ordered*, That the Petition do lie on the Table.

Pet. of Messrs. Arneson & Trennaman Proprietors of Eastern Coach against Drawback on Importation of Horses, &c.

A Petition of Thomas Arneson and Samuel Trennaman, was, by special leave of the House, presented by Mr. Goudge and read, setting forth that they have for several years been engaged in conducting a line of Stage Coaches between Pictou and Halifax, having for a great part of that period carried the Mails—and having, at a great expense, purchased Horses and imported Carriages, which they have now on hand, and offering to convey the Mails and Passengers upon certain terms—offering also to dispose of their establishment upon reasonable terms, should it be considered that the Mails and Passengers can be conveyed on more reasonable conditions than they offer, the travelling not being sufficient to keep up two lines of Stage Coaches—and praying that no grant or allowance of drawback, or otherwise, may be made to induce any Foreign Company to compete with them upon unequal terms.

Ref. to Com. on Mail Routes

*Ordered*, That the Petition be referred to the Committee on the Mail Routes.

Pets. for return of Duties on Flour

A Petition of John Davison, of Windsor; a Petition of Ezra Churchill, of Falmouth; and a Petition of Peleg Holmes, Senior, of Horton, were, by special leave, presented by Mr. Goudge and read, respectively praying a drawback or return of duties paid by them upon the importation of Foreign Flour.

Ref. to Com. on Pet. of J. R. Lovett

*Ordered*, That the Petitions be referred to the Select Committee on the Petition of James R. Lovett, to examine and report upon.

A Petition of Zebulon Phinney and others, Inhabitants of the Eastern Section of the County

THURSDAY, 4th MARCH, 1841.

County of Annapolis, was, by special leave, presented by Mr. S. B. Chipman and read, praying that a Law may be passed for establishing a Registry of Deeds and Court of Probate in that section of the County, &c.

*Ordered*, That the Petition be referred to Mr. Goudge, Mr. S. B. Chipman and Mr. Turnbull, with leave to report thereon by Bill or otherwise.

A Petition of Inhabitants of the Township of Hillsborough and Clements, was, by special leave, presented by Mr. Holdsworth and read, praying aid in removing obstructions from the West Branch of Bear River, for the purpose of floating down logs and timber of various kinds; and thereupon,

On motion of Mr. Annand, *resolved*, that the Petition be withdrawn.

A Petition of Seth Coffin and others, Inhabitants of the Township of Barrington, was presented by Mr. Homer and read, praying that a Light-House may be erected either on Baccaro Point or Cape Sable Island.

*Ordered*, That the Petition be referred to the Committee on Navigation Securities.

A Petition of Josiah Coffin and others, Inhabitants of the Township of Barrington, was, by special leave, presented by Mr. Homer and read, praying that they may be enabled by Law to erect a building for the purpose of a Court and Lock-up House, and other public purposes, either by County assessment or otherwise, and that they may have the privilege of holding the Court in that place alternately with Shelburne.

*Ordered*, That the Petition be referred to the Members from the County of Shelburne, with leave to report by Bill or otherwise.

A Bill to provide for the improvement and repair of the great Roads, east and west of the Capital, was read a second time.

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

*Ordered*, That the Petition of E. B. Cutten, Chairman of a Town Meeting in Amherst, praying that a Law may be passed to assess the Inhabitants of that Township for the erection of a Public Town House, presented to this House on the 19th of February last, be referred to the Members from the County of Cumberland, to report thereon by Bill or otherwise.

A Message from the Council, by Mr. Halliburton:

Mr. Speaker,

The Council do not adhere to their 1st, 2nd, 3rd, and 5th amendments to the Bill, entitled, An Act to revive and continue the Acts for affording relief to Co-partners in certain cases, but adhere to their fourth amendment to said Bill.

And then the Messenger withdrew.

On motion, the House resolved itself into the Committee of Ways and Means.

Mr. Speaker left the Chair,

Mr. Clements took the Chair of the Committee,

Mr. Speaker resumed the Chair.

Mr. Chapman reported from the Committee, that they had come to four Resolutions, which they had directed him to report to the House; and he delivered the same in at the Clerk's Table.

The Chairman also acquainted the House that he was directed by the Committee to move for leave to sit again, which the House agreed to.

The said Resolutions were then read, and are as follow:

1. *Resolved*, That it is the opinion of this Committee, that the system of Revenue now existing be continued for the present year, with the exceptions to be hereafter enumerated.

2. *Resolved*, That it is the opinion of this Committee, that a specific duty of one half penny per lb. should be imposed on all Butter and Lard imported into this Province, whether British or Foreign Produce, in place of the present Colonial *ad valorem* duty of five per cent.

Petition for Registry of Deeds and Court of Probate in Eastern part of County of Annapolis

Ref. to Com. with leave to report by Bill

Pet. for aid to clear out Bear River

Withdrawn

Pet. for Light House on Baccaro Point or Cape Sable

Ref. to Com. on Nav. Sec.

Pet. for Lock up House Barrington

Leave to bring in Bill

Great Roads Bill read 2d time &

Committed

Pet. for Town House Amherst ref. to Cumberland Members with leave to report by Bill

Message from Council adhering to 4th amdt. to Co-partners Bill and not adhering to others

Com. on Ways and Means

Report Resolutions viz.

Duties to be as heretofore with exceptions

Butter and Lard

- Apples 3. *Resolved*, That it is the opinion of this Committee, that the duty on Apples imported should be two shillings per barrel, instead of four shillings as at present.
- License Duties 4. *Resolved*, That it is the opinion of this Committee, that the several duties imposed upon Licensed Houses and Shops, should be respectively continued from the 31st March next, at the amount and rates as at present, both in the Town of Halifax and elsewhere in this Province.
- 1st and 2d Resolutions agreed to The first and second Resolutions being then again read, were agreed to by the House.
- Motion not to receive 3d Resolution carried The third Resolution being again read, Mr. S. B. Chipman moved that the same be not received by the House: which, being seconded and put, and the House dividing thereon, there appeared, for the motion, twenty-three; against it, seventeen.
- 3d Resolution not received 4th resolution agreed to So it passed in the affirmative.
- Ordered*, That the said third Resolution be not received by the House.
- The fourth Resolution being then again read, was agreed to by the House,
- Ordered*, That Mr. Young, Mr. Fairbanks, the Hon. Mr. Dewolf, the Hon. Mr. Uniacke and the Hon. Mr. McNab, be a Committee to prepare and report Bills in accordance with the three foregoing Resolutions agreed to by this House.
- Pet. of Western Stage Coach Company for Draw-back on Horses A Petition of the Western Stage Coach Company, signed C. H. Belcher, Superintendent at Halifax, was, by special leave, presented by the Hon. Mr. Dewolf and read, setting forth that the Company having it in contemplation to make several alterations in the present Line between Halifax and Annapolis, are desirous of importing from the United States of America from fifty to sixty Horses, to carry out such their intentions, and praying that this House will be pleased to remit to them the duties payable on the same; and thereupon,
- Motion to ref. to Com. on Mail Routes The Hon. Mr. Dewolf moved that the Petition be referred to the Select Committee on the Mail Routes: which, being seconded,
- Am. to withdraw negatived Mr. S. Chipman moved, by way of amendment to the question, that all the words thereof, after the word "be" should be left out, and the word "withdrawn" substituted therefor: which, being seconded and put, passed in the negative.
- The main question being then put,
- Resolved*, That the Petition be referred to the Select Committee on the Mail Routes.
- Pet. of E. H. Cutler Sheriff Annapolis for expenses attending Granville Election Com. A Petition of Edward H. Cutler, Sheriff of the County of Annapolis, was presented by Mr. S. B. Chipman and read, setting forth that the Petition presented against the return of Stephen S. Thorne, Esq., sitting member for Granville, contained serious charges against the Petitioner as returning Officer, for improper conduct on his part during the Election. That a Copy of the Petition had been transmitted to this Petitioner by the Select Committee appointed to try the merits of the Election; and in order to shew that such charges were groundless, Petitioner was under the necessity of attending before the Committee with several witnesses: that the Committee having reported that the charges were groundless, Petitioner prays re-imbusement of his expenses in attending said Committee with his witnesses; and thereupon,
- Motion to withdraw Am. to ref. to Sel. Com. carried Mr. Forrester moved that the Petition be withdrawn: which, being seconded, Mr. Dickey moved, as an amendment to the question, to leave out the word "withdrawn," and instead thereof, to insert the words "referred to a Select Committee to report upon:" which, being seconded and put, passed in the affirmative.
- The question as amended, being then put,
- Resolved*, That the Petition be referred to a Select Committee to report upon.
- Ordered*, That Mr. Huntington, Mr. Forrestall and Mr. Goudge, be a Committee for that purpose.
- Ref. to Sel. Com. Com. named Then the House adjourned until to-morrow, at one of the Clock.

Friday, 5th March, 1841.

PRAYERS.

Engrossed North Sydney Bill read 3d time and passed

An engrossed Bill to set off North Sydney as a separate Township, was read a third time.

*Resolved*,

*Resolved*, That the Bill do pass, and that the title be, An Act to set off North Sydney as a separate Township.

*Ordered*, That the Clerk do carry the Bill to the Council and desire their concurrence. Sent to Council

A Bill to extend to the Town of Port Medway, in Queen's County, the Act relating to Commissioners of Highways in Halifax and certain other places, was read a second time. Port Medway Streets Bill read 2d time & committed

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

A Petition of Ezra Stevens and others, Inhabitants of the Back Settlement of Onslow, was, by special leave, presented by the Hon. Attorney General and read, praying an extension of the Mail Communication from Wallace Harbor to Tatamagouche Road, near Robinson's. Pet. for extension of Mail from Wallace Harbor to Tatamagouche road Refd. to Post Office Com.

*Ordered*, That the Petition be referred to the Committee on the Post Office Department.

Mr. Marshall, pursuant to leave given, presented a Bill further to amend the Acts for the Summary Trial of Actions, and the same was read a first time, and ordered to be read a second time. Bill presented to amend Summary Trial Act

A Petition of Joseph Read and Job Seaman, was, by special leave, presented by Mr. Lewis and read, praying a drawback or return of Duties on Foreign Wheat Flour imported into Minudie, in the County of Cumberland. Pet. for return of Duties on Flour at Minudie

*Ordered*, That the Petition be referred to the Select Committee on the Petition of James R. Lovett. Ref. to Com. on Pet. of J. R. Lovett

A Message from the Council, by Mr. Halliburton:

Mr. Speaker,

Message from Council

The Council have passed a Bill, entitled, An Act to abolish the punishment of Pillory, cutting the ears of Offenders, and Whipping, and to substitute Imprisonment in lieu thereof, to which Bill they desire the concurrence of this Honorable House. Have passed Bill to abolish Pillory, &c.

The Council have agreed to the following Bills, viz:

A Bill, entitled, An Act for improving the Administration of Justice in Criminal Cases in this Province. Have agreed to Criminal Law Bills with amendments

A Bill, entitled, An Act to amend the Law relating to burning or destroying Buildings and Ships.

A Bill, entitled, An Act, for amending the Law relative to Offences against the Person; and

A Bill, entitled, An Act to amend the Laws relating to Robbery, Burglary and Larceny, with amendments to the said Bills respectively—to which amendments they desire the concurrence of this Honorable House.

And then the Messenger withdrew.

The engrossed Bill from the Council to abolish the punishment of Pillory, &c., was read a first time, and ordered to be read a second time. Council's Pillory Bill read 1st time

The amendments of the Council to the four Criminal Law Bills were respectively read a first time, and ordered to be read a second time. Amnts. from Council to Criminal Law Bills read 1st time

An engrossed Bill to revive and continue the Act for encouraging the Seal Fisheries of this Province, was read a third time; and thereupon, Engrossed Seal Fisheries Bill read 3d time

Mr. McLellan moved that the further consideration of the Bill be deferred to this day three months: which, being seconded and put, and the House dividing thereon, there appeared, for the motion, seventeen; against it, twenty-nine. Motion to defer Bill Divison on Motion Negatived

For the motion.

Against the motion,

Mr Lewis  
Mr Fairbanks  
Mr Upham  
Mr Dimock  
Mr S. B. Chipman  
Mr Comeau  
Mr S. Chipman  
Mr Goudge  
Mr McLellan

Mr Dickey  
Mr Fulton  
Mr Clements  
Mr Beckwith  
Mr Rider  
Mr Huntington  
Mr Johnson  
Mr Payzant

Mr Forrestall  
Mr Forrester  
Mr Marshall  
Mr Turnbull  
Mr Holdsworth  
Mr J. R. Dewolf  
Mr Budd  
Mr Holmes  
Mr Taylor  
Mr Halton

Mr McKeagney  
Mr Henry  
Mr Thorne  
Mr Zwicker  
Mr Spearwater  
Mr Heckman  
Mr Annand  
Hon Mr Dewolf  
Hon Mr Dodd  
Mr Martell

Mr McKenna  
Mr Young  
Mr Gates  
Mr DesBarres  
Hon Mr McNab  
Mr Blackadar  
Mr Archibald  
Hon Mr Uniacke  
Hon Atty General

So it passed in the negative.

*Resolved*,

- Bill passed *Resolved*, That the Bill do pass, and that the title be, An Act to revive and continue the Act to encourage the Seal Fisheries of this Province.
- Sent to Council *Ordered*, That the Clerk do carry the Bill to the Council, and desire their concurrence.
- Bill presented to amend Marine Insurance Companies Acts Mr. Young, pursuant to leave given, presented a Bill to amend the several Acts for Incorporating the Nova-Scotia Marine Insurance Company, the Halifax Marine Insurance Company, and the Union Marine Insurance Company, of Nova-Scotia; and the same was read a first time, and ordered to be read a second time.
- House go into Com. of Supply On motion, the House resolved itself into a Committee of Supply.  
Mr. Speaker left the Chair,  
Mr. Clements took the Chair of the Committee,  
Mr. Speaker resumed the Chair.
- Resolution reported The Chairman reported from the Committee that they had come to a Resolution which they had directed him to report to the House, and he delivered the same in at the Clerk's Table.  
The Chairman also acquainted the House that he was directed by the Committee to move for leave to sit again, which the House agreed to.  
The said Resolution being then read, is as followeth :
- £24,000 for Road service of which £6,000 at disposal of Gov. for Main Roads *Resolved*, That it is the opinion of this Committee, that the sum of Twenty-four Thousand Pounds should be granted for the service of Roads and Bridges for the present year—Six Thousand Pounds thereof to be placed at the disposal of His Excellency the Lieutenant-Governor for the improvement and repair of the Main Roads from Halifax to Pictou, and Annapolis.
- Agreed to The said Resolution being then read a second time, was agreed to by the House.
- Order of Day Private Petitions postponed The Order of the day for the consideration of Private Petitions being read,  
*Ordered*, That Private Petitions be considered to-morrow.

Then the House adjourned until to-morrow, at One of the Clock.

*Saturday, 6th March, 1841.*

- Com. appointed to to consider of means for checking smuggling Com. named On motion of the Hon. Mr. Uniacke, *resolved*, that a Select Committee be appointed for the purpose of considering and reporting whether any and what regulations can be made for further checking Illicit Trade.  
*Ordered*, That the Hon. Mr. Uniacke, Mr. Huntington and Mr. Fairbanks, be a Committee for the above purpose.
- Pet. for Light House on Horton Bluff A Petition of Abel Colefleet and Ezra Churchill, Mariners and Ship owners, was presented by Mr. Goudge and read, praying that a Light-House may be placed on Horton Bluff, and not on Partridge Island, both in the Basin of Mines.  
*Ordered*, That the Petition be referred to the Committee on Navigation Securities.
- Ref. to Com. on Nav. Sec. An engrossed Bill from the Council, entitled, An Act to abolish the punishment of Pillory, cutting the ears of Offenders, and Whipping, and to substitute Imprisonment in lieu thereof, was read a second time.  
*Ordered*, That the Bill be committed to a Committee of the whole House.
- Council's Criminal Punishment Bill read 2d time & committed A Bill further to amend the Acts for the Summary Trial of Actions, was read a second time; and thereupon,  
Mr. Goudge moved, that the further consideration of the Bill be deferred until this day three months: which, being seconded and put, and the House dividing thereon, passed in the affirmative.
- Summary Trials Amdt Bill read 2d time Motion to defer carried *Ordered*, That the further consideration of the Bill be deferred until this day three months.
- Bill deferred

The

SATURDAY, 6th MARCH, 1841.

The Bill to amend the several Acts for Incorporating the Nova-Scotia Marine Insurance Company, &c., was read a second time.

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

The amendments of the Council to the Bill, entitled, An Act for improving the Administration of Justice, in Criminal Cases, in this Province, were read a second time, and considered by the House; and thereupon,

*Resolved*, That the said amendments be agreed to by this House.

The amendments of the Council to the Bill, entitled, An Act to amend the Law relating to burning or destroying Buildings and Ships, were read a second time, and considered by the House; and thereupon,

*Resolved*, That the said amendments be agreed to by this House.

The amendments of the Council to the Bill, entitled, An Act for amending the Law, relative to Offences against the Person, were read a second time, and considered by the House; and thereupon,

*Resolved*, That the said amendments be agreed to by this House.

The amendments of the Council to the Bill, entitled, An Act to amend the Law relating to Robbery, Burglary and Larceny, were read a second time, and considered by the House; and thereupon,

*Resolved*, That the first, second, and third amendments be agreed to by this House.

The Hon. Mr. Uniacke then moved that the fourth amendment be not agreed to by this House: which, being seconded, and the said fourth amendment being again read, is as followeth:

“10th Clause.—At the end add the following Proviso: Provided always, and be it further enacted, That as far as the same is essential to the offence of Burglary, the night shall be considered and is hereby declared to commence at nine of the clock in the evening of each day, and to conclude at six of the clock of the morning of the next succeeding day.”

And the question being put, and the House dividing thereon, it passed in the affirmative.

*Resolved therefore*, That the said fourth amendment be not agreed to by this House.

*Resolved*, That the several other remaining amendments be agreed to by this House.

*Ordered*, That the Clerk do carry the said four Bills to the Council, with the amendments, and acquaint them that this House have agreed to the said amendments respectively, with the exception of the fourth amendment to the last foregoing Bill, and that this House have not agreed to the said fourth amendment.

A Petition of Richard D. West and others, was presented by Mr. Beckwith and read, praying a grant of money for the erection of a Low Water Wharf or Pier at Hall's Harbor, on the shore of the Bay of Fundy, in Cornwallis, in aid of Steam Communication between this Province and New Brunswick, in connexion with the Mail Routes.

*Ordered*, That the Petition be referred to the Committee on Navigation Securities.

The Hon. Attorney-General, by command of His Excellency the Lieutenant-Governor, presented a copy of Despatch from Lord John Russell to His Excellency the Lieutenant-Governor, dated 30th October, 1840, with copies of several accompanying papers, on the subject of the Act of the General Assembly, passed last Session, for preventing illegal overholding and detainer of Real Estate, and the same were read.

(See Appendix, No. 29.)

*Ordered*, That the Papers do lie on the Table.

Mr. Holmes, pursuant to leave given on a former day, presented a Bill to enable the Proprietors to shut up an old road at West River of Pictou, and the same was read a first time, and ordered to be read a second time.

Mr. Smith, from the Select Committee on the Petitions of Daniel Durland and Reuben Nickerson, reported unfavorably to the prayer of said Petitions respectively; and he read

Bill to amend Marine Insurance Company Acts read 2d time and committed

Council's amts. to Criminal Justice Bill read 2d time

Agreed to

Councils amts. to Arson Bill read 2d time

Agreed to

Council's amts. to Bill relative to Offences against the Person read 2d time

Agreed to

Council's amts. to Robbery Bill read 2d time

Agreed to in part

Motion not to agree in part carried

4th amdt. disagreed to  
Other amts. agreed to

Bills and amts. sent to Council

Pet. for aid to Pier at Hall's Harbor Cornwallis

Refr. to Committee on Nav. Sec.

Despatch &c. relative to Overholding Act

Bill to shut Old Road West River Pictou

Report from Com. on Pets. of D. Durland and R. Nickerson.

the report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.

(See Appendix, No. 30.)

Adopted

On motion of Mr. Archibald, *resolved*, that the Report be received and adopted.

Pet. from Argyle  
against Bridge over  
Narrows

The Hon. Mr. Dodd, by command of His Excellency the Lieutenant-Governor, presented a Petition from certain Inhabitants at the head of Argyle River, to His Excellency, praying that a Bridge may not be erected over the Narrows of said River—and the same was read.

Ref. to Com.

*Ordered*, That the Petition be referred to the Select Committee to whom were referred other Petitions of Inhabitants of Argyle on the same subject.

Report from Com.  
on Agriculture  
Bill for encouraging  
Agriculture

Mr. Young reported from the Committee on Agriculture, and thereupon presented a Bill for the encouragement of Agriculture and Rural Economy in this Province—and the same was read a first time, and ordered to be read a second time.

Bill to assess Bap-  
tist Meeting House  
Cornwallis

Mr. Beckwith, pursuant to leave given, presented a Bill to authorize the Congregation of the Baptist Meeting-House at Pleasant Valley, in Cornwallis, to raise Monies from the Pews of the said Meeting-House, for the repairing and ornamenting thereof, and the same was read a first time, and ordered to be read a second time.

Pet. for Act to as-  
sess Baptist Meet-  
ing House Corn-  
wallis

A Petition of Abel Parker and others, Members of the second Baptist Church in Cornwallis, Pleasant Valley, and Proprietors of the Baptist Meeting-House at that place, was, by special leave, presented by Mr. S. Chipman and read, praying that an Act may be passed to authorise assessment upon the Pews of said Meeting-House for the repairing thereof, and other purposes.

*Ordered*, That the Petition do lie on the Table.

Bill to regulate  
Granville Common

Mr. Thorne, pursuant to leave given, presented a Bill for the better administration of the Fishing privileges, and the Common, in the Township of Granville, and for appointing Trustees for the management of the same—and the said Bill was read a first time, and ordered to be read a second time.

Report from Com.  
on Pets. of E. H.  
Harrington & J.  
W. Weeks  
Bill to authorise as-  
sessments to pay  
Sheriffs  
Pet. of D. Smith  
for return of Du-  
ties on flour

Mr. Forrestall reported from the Select Committee on the Petitions of Edward H. Harrington and Joshua W. Weeks, and thereupon presented a Bill to enable Grand Juries and Courts of Session to make compensation to Sheriffs in certain cases—and the same was read a first time, and ordered to be read a second time.

A Petition of David Smith, of Falmouth, in the County of Hants, was, by special leave, presented by Mr. Goudge and read, praying a drawback or return of Duties paid by him upon Foreign Flour imported.

Ref. to Com. on  
Pet. of J. R. Lovett

*Ordered*, That the Petition be referred to the Select Committee on the Petition of James R. Lovett.

Report from Com  
on Court Circuits

The Hon. Attorney General reported from the Select Committee on the times for holding the Supreme Court and General Sessions of the Peace, throughout the Province; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.

(See Appendix, No. 31.)

Ref. to Com. on  
Bills

*Ordered*, That the Report be referred to the Committee of the whole House, to be considered with the Bill to improve the Administration of the Law, &c.

Pet. for increased  
allowance for car-  
rying Mails from  
Antigonish to Guys-  
boro?

A Petition of R. M. Cutler and others, was presented by Mr. DesBarres and read, praying an increase of allowance for conveying the Mail from Antigonish to Guysborough, in order that a Stage Coach may be run for that purpose, and the accommodation of Travellers.

Ref to Com. on  
Post Office

*Ordered*, That the Petition be referred to the Committee on the Post-Office Department.

Mr. Annand, pursuant to leave given on a former day, presented a Bill for the protection of Lake Porter Bridge—and the same was read a first time, and ordered to be read a second time.

A Petition of Joseph Campbell and others, Inhabitants of the Baddeck and Middle River Settlements, in the County of Cape Breton, was, by special leave, presented by the Hon. Mr. Uniacke and read, praying that those, with the adjacent Settlements, may be erected into a separate and distinct County.

Pet. from part of Cape Breton County to be set off as separate County.

*Ordered*, That the Petition do lie on the Table, and be published.

Ord. to be published

The Order of the Day, for the consideration of private Petitions, being read.

Private Pts. postponed

*Ordered*, That private Petitions be considered on Monday next.

Then the House adjourned until Monday next, at twelve of the clock.

Monday, 8th March, 1841.

PRAYERS.

An engrossed Bill to Incorporate the General Mining Association, was read a third time.

Engrossed Mining Incorporation Bill read 3d time Passed

*Resolved*, That the Bill do pass, and that the title be, An Act to Incorporate the General Mining Association.

Sent to Council

*Ordered*, That the Clerk do carry the Bill to the Council and desire their concurrence.

A Bill to enable the Proprietors to shut up an old Road at West River of Pictou.

Bill to shut up old road Pictou Cornwallis Baptist Meeting House Bill

A Bill to authorize the Congregation of the Baptist Meeting House, at Pleasant Valley, in Cornwallis, to raise Monies from the Pews of said Meeting House, for the repairing and ornamenting thereof; and,

A Bill for the protection of Lake Porter Bridge,

Lake Porter Bridge Bill Read 2d time & committed

Were severally read a second time.

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

Mr. Dickey, pursuant to leave given, presented a Bill in addition to, and amendment of, the Act relating to Highways, Roads and Bridges—and the same was read a first time, and ordered to be read a second time.

Bill presented to amend Highway Act

*Ordered*, That the Clerk do now carry to the Council the Resolution for granting the sum of £24,000 for the service of Roads and Bridges, and the Resolutions for granting Monies, passed in this House, on the 18th February last, (excepting the usual votes not generally sent to the Council, and the Resolution for granting £150 for maintaining a Steam Boat between Pictou, Prince Edward's Island and Miramichi,) and desire the concurrence of the Council to those so sent to them.

Money Votes sent to Council

A Message from the Council, by Mr. Halliburton :

Mr. Speaker,

Message from Council

The Council have agreed to the Bill, entitled, An Act to divide the Township of Parrsborough, and to annex parts thereof to the Counties of Colchester and Cumberland respectively, without any amendment.

Agreeing to Bill to amend Parrsboro' division Act without amtds.

And then the Messenger withdrew.

The Order of the Day being read for considering, in Committee of the whole House, the Bill to Incorporate the Town of Halifax.

Order of Day Com. of whole on Halifax Incorporation Bill House go into the Committee

The House resolved itself into the said Committee.

Mr. Speaker left the Chair,

Mr. Smith took the Chair of the Committee,

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had made some progress in the consideration of said Bill, and had directed him to move for leave to sit again, on the consideration thereof—which the House agreed to.

Progress reported

*Ordered*, That this House do again, To-morrow, resolve itself into a Committee on the further consideration of the Bill to Incorporate the Town of Halifax.

Further Order for Com. thereon

The Order of the Day being read for the consideration of private Petitions,

Order of Day Private Petitions postponed

*Ordered*,

MONDAY and TUESDAY, 8th and 9th MARCH, 1841.

*Ordered*, That this House do, To-morrow, proceed to the consideration of private Petitions.

Then the House adjourned until To-morrow, at twelve of the clock.

Tuesday, 9th March, 1841.

PRAYERS.

Three Petitions of Edward M. Tobin, James Crawley and Edward M. Marshall, all of Digby, Merchants, were, by special leave, presented by Mr. Budd and read, respectively praying returns of duties upon Foreign Wheat Flour, imported into that place.

*Ordered*, That the Petitions be referred to the Select Committee on the Petition of James R. Lovett.

A Petition of James H. FitzRandolph was, by special leave, presented by Mr. Holdsworth and read, praying a return of duty upon Foreign Wheat Flour, by him imported into Digby.

*Ordered*, That the Petition be referred to the Select Committee on the Petition of James R. Lovett.

A Petition of Charles Martin, of Falmouth, was, by special leave, presented by Mr. Goudge and read, praying a return of duty upon Foreign Wheat Flour, by him imported into that place.

*Ordered*, That the Petition be referred to the Select Committee on the Petition of James R. Lovett.

A Petition of James Gouseley and others, Colored Persons, Trustees for a place of Divine Worship near Liverpool, in Queen's County, under the Superintendance of the Wesleyan Methodist Missionary Society, was, by special leave, presented by Mr. Fairbanks and read, praying aid in the erection of a Chapel for Divine Worship; and thereupon,

Mr. Huntington moved that the Petition be withdrawn: which, being seconded and put, and the House dividing thereon, there appeared for the motion, sixteen; against it, eighteen.

So it passed in the negative.

Mr. Fairbanks then moved that the Petition be referred to the Committee of Supply: which, being seconded,

Mr. Huntington moved, by way of amendment of the question, to leave out all the words thereof after the words "that the," and to insert instead of the words so left out the following "further consideration of the Petition be deferred until this day three months:" which, being seconded and put, and the House dividing thereon, there appeared for the amendment, twenty-one; against it, twenty-three. So it passed in the negative.

The main question being then put, the House divided thereon, and there appeared for the affirmative, twenty-four; against it, twenty; and accordingly,

*Ordered*, That the Petition be referred to the Committee of Supply.

Mr. Fairbanks reported from the Select Committee on the Petition of Thomas R. Patillo, and thereupon presented a Bill to enable the Grand Jury of the County of Queen's to assess the Inhabitants for certain expenses incurred by the Clerk of Licenses, in prosecuting persons for a breach of the Law regulating the retail of Spirituous Liquors—and the same was read a first time, and ordered to be read a second time.

Mr. Dickey reported from the Select Committee on the Petition of E. B. Cutten unfavorably to the prayer thereof; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.

(See Appendix No. 32.)

On motion, *resolved*, that the Report be received and adopted by the House.

A Message from the Council, by Mr. Halliburton:

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act for improving the Administration of;

Pets. for return of Duty on flour presented & ref. to Sel. Com.

Pet. from Colored persons near Liverpool for aid to erect Chapel

Motion for withdrawal negatived

Motion to ref. to Com. of Supply

Amdt. to defer negatived

Reference to Com. of Sup. carried

Report from Com. on Pet. of T. R. Patillo and Bill presented for assessment of Queen's County to indemnify Clerk of Licenses

Report from Com. on Pet. of E. B. Cutten unfavourably

Report adopted

Message from Council Council agree to three Criminal Bills as amended

TUESDAY and WEDNESDAY, 9th and 10th MARCH, 1841.

of Justice in Criminal Cases in this Province; the Bill, entitled, An Act to amend the Law relating to burning or destroying Buildings and Ships; and the Bill, entitled, An Act for amending the Law relative to Offences against the Person, severally, as amended.

The Council do not adhere to the fourth amendment proposed by them to the Bill, entitled, An Act to amend the Laws relating to Robbery, Burglary and Larceny.

The Council have agreed to the Bill, entitled, An Act concerning the Court of Marriage and Divorce, with an amendment—to which they desire the concurrence of this Honorable House.

And then the Messenger withdrew.

*Resolved*, That the Bill, entitled, An Act to amend the Laws relating to Robbery, Burglary and Larceny do finally pass this House, as amended by the amendments of the Council, agreed to by this House.

*Ordered*, That the Clerk do carry the Bill to the Council, and acquaint them with the foregoing Resolution.

The amendment of the Council to the Bill, entitled, An Act concerning the Court of Marriage and Divorce, was read a first time, and ordered to be read a second time.

The Order of the Day for the further consideration of the Bill to Incorporate the Town of Halifax, in Committee of the whole House, being read,

The House resolved itself into the said Committee.

Mr. Speaker left the Chair,

Mr. Smith took the Chair of the Committee,

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had made further progress in the business referred to them, and that he was directed by the Committee to move for leave to sit again, on the consideration of said Bill.

*Ordered*, That this House do again, to-morrow, resolve itself into a Committee on the consideration of the Bill to Incorporate the Town of Halifax.

The Order of the Day for the consideration of Private Petitions being read,

*Ordered*, That this House will, to-morrow, proceed to the consideration of Private Petitions.

Then the House adjourned until to-morrow, at Twelve of the Clock.

Wednesday, 10th March, 1841.

PRAYERS.

A Bill to enable the Grand Jury of the County of Queen's to assess the Inhabitants for certain expenses incurred by the Clerk of Licences in prosecuting Persons for a breach of the Law regulating the retail of Spirituous Liquors, was read a second time.

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

Mr. Lewis, pursuant to leave given on a former day, presented a Bill to amend the Act to preserve and regulate the Navigation of the Harbour of Pugwash, and the same was read a first time, and ordered to be read a second time.

Mr. Lewis, pursuant to leave given, presented a Bill for enforcing performance of engagements in aid of Public Works, and the same was read a first time, and ordered to be read a second time.

On motion of the Hon. Mr. Dodd, *resolved*, that the sum of Five Hundred Pounds, granted by the Act passed in the last Session of the General Assembly, entitled, An Act for applying certain Monies therein mentioned for the improvement of the Great Roads in this Province, for the road from Margaree by Ross', to Middle River, shall be applied as follows, that is to say—£416, part thereof for the same road from Margaree by Ross', towards Middle River to Cape-Breton County Line, and the residue, £84, on the Main Post Road from Middle River to Baddeck.

Do not adhere to 4th amdt. to Robbery Bill

Agree to Divorce Bill with amtds.

Amended Robbery Bill passed

And sent to Council

Amendt. of Council to Divorce Bill read 1st time

Order of Day Com. on Halifax Incorporation Bill House in the Com.

Progress reported

Further order thereon

Order on Private Petitions postponed

Queen's County Assessment Bill read 2d time and committed

Bill presented to amend Pugwash Harbor Act

Bill presented to enforce engagements for Public Works

Change of Appropriation for Road in Cape Breton

*Ordered*, That the Clerk do carry the Resolution to the Council, and desire their concurrence.

Bill presented concerning Representation of Colchester

The Hon. the Attorney General, pursuant to leave given, presented a Bill concerning the Representation of the County of Colchester, and the same was read a first time, and ordered to be read a second time.

Sheriff's Compensation Bill read 2d time

A Bill to enable Grand Juries and Courts of Session to make compensation to Sheriffs, in certain cases, was read a second time; and thereupon,

Motion to defer negatived

Mr. McLellan moved, that the further consideration of the Bill be deferred to this day three months: which, being seconded and put, and the House dividing thereon, there appeared, for the motion, eight; against it, twenty-six:

For the motion,

*Mr Payzant*  
*Mr S B Chipman*  
*Mr Lewis*  
*Mr McLellan*  
*Mr McKay*  
*Mr Huntington*  
*Mr Beckwith*  
*Mr Forrester*

*Mr Clements*  
*Mr Thorne*  
*Mr Taylor*  
*Mr Halton*  
*Mr Creighton*  
*Mr Marshall*  
*Mr Holmes*  
*Mr Gates*  
*Mr Goudge*

Against the motion,

*Mr Fulton*  
*Mr Heckman*  
*Mr Dimock*  
*Mr Forrestall*  
*Mr S Chipman*  
*Hon Mr Dewolf*  
*Mr Dickey*  
*Hon Mr Dodd*  
*Mr Archibald*

*Mr DesBarres*  
*Mr Rider*  
*Mr Fairbanks*  
*Hon Mr Uniacke*  
*Mr Blackadar*  
*Mr Smith*  
*Mr McKeagney*  
*Mr Young*

So it passed in the negative.

Bill committed

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

Bill presented to amend Juries Act

The Hon. Mr. Uniacke, pursuant to leave given, presented a Bill further to amend the Act for the regulation of Juries—and the same was read a first time, and ordered to be read a second time.

Granville Common Bill read 2d time

A Bill for the better Administration of the Fishing privileges, and the Common, in the Township of Granville, and for appointing Trustees for the management of the same, was read a second time.

And committed

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

Order of Day Halifax Incorporation Bill House go into Com. thereon

The Order of the Day for the further consideration of the Bill to Incorporate the Town of Halifax, in Committee of the whole House—being read,

The House resolved itself into the said Committee,

Mr. Speaker left the Chair,

Mr. Smith took the Chair of the Committee,

Mr. Speaker resumed the Chair.

Bill reported with amendments.

The Chairman reported from the Committee, that they had gone through the Bill to Incorporate the Town of Halifax, and had made sundry amendments thereto, which they had directed him to report to the House, with the Bill—and he delivered the Bill and amendments in at the Clerk's Table.

The Chairman also acquainted the House, that he was directed by the Committee to move for leave to sit again, which the House agreed to.

Amendts. agreed to

The amendments reported to the Bill being then read, were agreed to by the House.

*Ordered*, That the Bill with the amendments be engrossed.

Order of Day Private Petitions postponed

The Order of the Day for the consideration of Private Petitions, being read,  
*Ordered*, That this House do, To-morrow, proceed to the consideration of Private Petitions.

Then the House adjourned until To-morrow, at two of the clock.

*Thursday, 11th March, 1841.*

PRAYERS.

Bills read 2d time, viz: Pugwash Harbor Bill

A Bill to amend the Act to preserve and regulate the Navigation of the Harbor of Pugwash; and

THURSDAY, 11th MARCH, 1841.

A Bill for enforcing performance of engagements in aid of Public Works, were severally read a second time.	And Bill to enforce engagements for Public Works Bills committed
<i>Ordered</i> , That the Bills be committed to a Committee of the whole House.	
A Petition of Botsford Viets and Nehemiah F. Longley, of Digby, Merchants, was, by special leave, presented by Mr. Holdsworth and read, praying a return of duty upon Foreign Wheat Flour by them imported into that place.	Pet. for drawback on Flour
<i>Ordered</i> , That the Petition be referred to the Select Committee on the Petition of James R. Lovett.	Ref. to Sel. Com.
Mr. Lewis, pursuant to leave given on a former day, presented a Bill to authorize the Congregation of the Baptist Meeting-House in Amherst, to raise Money from the Pews of the said Meeting House for the repairing and ornamenting thereof—and the same was read a first time, and ordered to be read a second time.	Bill presented to assess Meeting House in Amherst
A Message from the Council, by Mr. Halliburton:	Message from Council
Mr. Speaker,	
The Council have passed a Bill, entitled, An Act to prevent a failure of Justice by reason of variances between Records and Writings, produced in evidence in support thereof—to which Bill they desire the concurrence of this Honorable House.	Have passed Bill for amending variances in Records
The Council have agreed to the Bill, entitled, An Act to revive and continue the Act to encourage the Seal Fisheries of this Province, without any amendment.	Agree to Seal Bounty Bill
The Council have agreed to the Bill, entitled, An Act to Incorporate the General Mining Association, with an amendment—to which they desire the concurrence of this Honorable House.	Agree to Bill to incorporate Mining Association
The Council have agreed to the Bill, entitled, An Act for making Lands and Tenements liable for the payment of Debts, and to repeal the Acts now in force, with several amendments—to which amendments they desire the concurrence of this Honorable House.	And Lands Bill with amendts.
And then the Messenger withdrew.	
On motion, the House resolved itself into a Committee on Bills.	
Mr. Speaker left the Chair,	Com. of whole on Bills
Mr. Smith took the Chair of the Committee,	
Mr. Speaker resumed the Chair.	
The Chairman reported from the Committee, that they had gone through the Bill to extend to the Town of Port Medway in Queen's County, the Act relating to Commissioners of Highways in Halifax and certain other places; and the Bill to enable the Proprietors to shut up an old Road at West River of Pictou, and had directed him to report the said Bills to the House, severally, without any amendment; and that the Committee had also gone through the Bill to continue the Act to repeal the Act to regulate the Public Landing at Windsor, and had made some amendments thereto—which they had directed him to report to the House with the Bill; and he afterwards delivered the Bills and amendments in at the Clerk's Table.	Report without amendt. Port Medway Streets Bill & Pictou Old Road Bill
The Chairman also acquainted the House, that he was directed by the Committee to move for leave to sit again—which the House agreed to	With amendts. Windsor Landing Bill
The amendments to the last mentioned Bill being read, were agreed to by the House.	
<i>Ordered</i> , That the Bill with the amendments be engrossed.	
<i>Ordered</i> , That the Bills reported without amendment be engrossed.	Bills to be engrossed
Mr. Huntington pursuant to leave given, presented a Bill for regulating the Currency of the Province, and the same was read a first time, and ordered to be read a second time.	Bill to regulate Currency presented
The Order of the Day for the consideration of Private Petitions, being read.	
<i>Ordered</i> , That this House proceed to the consideration of Private Petitions, to-morrow.	Order of Day Private Petitions postponed
Then the House adjourned until To-morrow, at eleven of the Clock.	

Friday,

FRIDAY, 12th MARCH, 1841.

Friday, 12th March, 1841.

## PRAYERS.

Engrossed Bills  
Read 3d time and  
passed viz.  
Port Medway  
Streets Bill

An engrossed Bill to extend to the Town of Port Medway, in Queen's County, the Act relating to Commissioners of Highways in Halifax, and certain other places, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to extend to the Town of Port Medway, in Queen's County, the Act relating to Commissioners of Highways in Halifax, and certain other places.

Bill to shut up Old  
Road Pictou

An engrossed Bill to enable the Proprietors to shut up an old road at West River of Pictou, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to enable the Proprietors to shut up an old road at West River of Pictou.

Windsor Public  
Landing Bill

An engrossed Bill to continue the Act to repeal the Act to regulate the Public Landing at Windsor, and to substitute other provisions in lieu thereof, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to continue and amend the Act to repeal the Act to regulate the Public Landing at Windsor, and to substitute other provisions in lieu thereof.

Sent to Council.

*Ordered*, That the Clerk do carry the Bills, to the Council, and desire their concurrence.

Council's variances  
Bill read 1st time

The engrossed Bill from the Council, entitled, An Act to prevent a failure of Justice, by reason of variances between Records and Writings, produced in evidence in support thereof, was read a first time, and ordered to be read a second time.

Amtd. of Council to  
Bill to incorporate  
Mining Co. agreed  
to

The amendment proposed by the Council to the Bill, entitled, An Act to Incorporate the General Mining Association, was read a first and second time, and is as followeth :

"Between the 12th and 14th Clauses insert the following Clause :

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

And the said amendment having been considered by the House,

On motion of the Hon. Mr. Dodd, *resolved*, that the said amendment be agreed to.

*Ordered*, That the Clerk do carry the Bill and amendment to the Council, and acquaint them that this House have agreed to said amendment.

Amtds. of Council  
to Lands Bill read  
1st time

The amendments proposed by the Council to the Bill, entitled, an Act for making Lands and Tenements liable to the payment of Debts, and to repeal the Acts now in force—were read a first time, and ordered to be read, a second time.

Petition from Doug-  
las—Post Commu-  
nication

A Petition of James Thompson, Senior, and others, Inhabitants of the Nine Mile District, in Douglas, County of Hants, was, by special leave, presented by Mr. Smith and read, praying an extension of the Mail Communication to that Settlement.

Ref. to Post Office  
Com.

*Ordered*, That the Petition be referred to the Select Committee on the Post Office Department.

Scrutiny on Rich-  
mond Election laid  
before House

Mr. Speaker laid before the House the papers and proceedings had and taken by the Sheriff of the County of Richmond upon the Scrutiny of the late Election for that County, received from the Sheriff of the County.

Ref. to Election  
Com.

*Ordered*, That the same be referred to the Select Committee appointed to try and determine the merits and return of the Election for said County.

Message from  
Council.  
Agree to 15 money  
Resolutions

A Message from the Council, by Mr. Halliburton :

Mr. Speaker,

The Council have agreed to twelve Resolutions of this Honorable House for granting the following sums of money for respective services, viz :

£24,000 for Roads and Bridges, for the present year.

150 for relief of Indians.

50 for the Parrsborough Packet.

- £50 for the Guysborough Packet.
- 400 for the Sable Island Establishment.
- 50 for the Halifax Dispensary.
- 20 for the Douglas Ferry.
- 20 for a Ferry at the Gut of Canso.
- 20 for the Shubenacadie Ferry.
- 10 to C. Craig, for Ferry at Sable River, County of Shelburne.
- 10 to R. Carter, for a Ferry at Gut of Canso.
- 1 per day, &c. to Members of Assembly, &c.

And to the Resolution for changing the appropriation of £500 for the Main Post Road in Cape-Breton.

And then the Messenger withdrew.

On motion, the House resolved itself into a Committee on the further consideration of Bills. House go into Com. on Bills

Mr. Speaker left the Chair,  
Mr. Smith took the Chair of the Committee,  
Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had gone through the Bill to improve the Administration of the Law, &c., and had made several amendments thereto, which they had directed him to report to the House with the Bill—and he delivered the Bill and amendments in at the Clerk's Table. Judiciary Bill reported with amds.

The Chairman also acquainted the House that he was directed by the Committee to move for leave to sit again on the consideration of Bills, which the House agreed to.

The amendments reported to the Bill being then read, were agreed to by the House. Amdts. agreed to Bill to be engrossed

*Ordered*, That the Bill, with the amendments, be engrossed.

A Message from the Council, by Mr. Halliburton:

Message from Council

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act to amend the Laws relating to Robbery, Burglary and Larceny; and

Agree to Bill to amend Robbery laws, &c. and Bill to Incorporate Mining Association as amended

The Bill, entitled, An Act to Incorporate the General Mining Association, severally, as amended.

And then the Messenger withdrew.

The Hon. Mr. Uniacke, from the Committee on the Deep Sea and Coast Fisheries, reported and presented a Bill for the regulation of the Fisheries in the County of Richmond—and the same was read a first time, and ordered to be read a second time. Bill reported to regulate Fisheries in County of Richmond

The Hon. Mr. Uniacke, pursuant to leave given, presented a Bill to prevent inconveniences arising from delay of Causes after issue joined—and the same was read a first time, and ordered to be read a second time. Nonsuit Bill presented

A Petition of Ronald M'Eachern and others, was, by special leave, presented by Mr. Henry and read, praying an increase of allowance for conveyance of the Mail between Antigonishe and Cape George. Pet. for Mail extension Antigonishe

*Ordered*, That the Petition be referred to the Committee on the Post Office Department. Ref. to Post Office Com.

A Petition of Hugh M'Donald and others, of the District of Saint Mary, in the County of Guysborough, was, by special leave, presented by Mr. DesBarres and read, praying an increase of allowance for conveyance of the Mail between Sherbrooke and Antigonishe. Pet. for Mail extension St. Mary's Guysboro'

*Ordered*, That the Petition be referred to the Committee on the Post Office Department. Ref. to Post Office Com.

The Order of the Day being read,

*Ordered*, That this House do, to-morrow, proceed to the consideration of Private Petitions. Order of Day Private Petitions postponed

Then the House adjourned until To-morrow, at twelve of the clock.

SATURDAY, 13th MARCH, 1841.

*Saturday, 13th March, 1841.*

## PRAYERS.

Richmond Fisheries  
Bill and  
Nonsuit Bill read  
2d time and com-  
mitted

A Bill for the regulation of the Fisheries in the County of Richmond; and  
A Bill to prevent inconveniencies arising from delay of Causes after issue joined, were  
severally read a second time.

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

Report on Pet. of  
J. Cunningham un-  
favourably

Mr. DesBarres reported from the Select Committee on the Petition of John Cunningham unfavorably to the prayer of the Petition; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.

(See Appendix, No. 33.)

Adopted

On motion, *resolved*, that the Report be received and adopted.

Pet. for opening  
Road from Sack-  
ville to Scott's

A Petition of William B. T. Piers and others, was, by special leave, presented by Mr. Annand and read, praying that the proposed line of road from Sackville to Scott's, on the Main Eastern Road, may be opened, and the restriction on the grant for that purpose removed.

*Ordered*, That the Petition be referred to the Select Committee on the Mail Routes.

Accounts of expen-  
ses of Criminal pro-  
secutions in Cape  
Breton presented

The Hon. Mr. Dodd, by command of His Excellency the Lieutenant-Governor, presented Accounts of Expenses of Criminal Prosecutions, and proceedings in the Counties of Richmond and Cape-Breton, with the recommendation of His Excellency, that the House should provide for payment thereof—and the same being read,

*Ordered*, That the Accounts be referred to Mr. Turnbull, Mr. Forrestall, and Mr. Beckwith, to examine and report thereon.

Ref. to Sel. Com.

Letter from Dr.  
McCulloch on sub-  
ject Museum pre-  
sented

The Hon. Mr. Dodd, also by command of His Excellency the Lieutenant-Governor, presented a communication, addressed to His Excellency, from the Rev. Dr. McCulloch, relative to a Museum of Objects of Natural History collected in this Province—and the same was read.

(See Appendix, No. 34.)

Ref. to Sel. Com.

*Ordered*, That the same be referred to Mr. Young, Mr. Huntington and Mr. Forrester, to examine and report upon.

Copy of Despatch  
from Colonial Se-  
cretary relative to  
reports of cases be-  
fore the Privy  
Council presented

The Hon. the Attorney General, by command of His Excellency the Lieutenant-Governor, presented a Copy of Despatch from the Right Honorable Lord John Russell, Her Majesty's Principal Secretary of State for the Colonies, to His Excellency, recommended by His Excellency to the House—and the same was read as followeth:

(Copy.)

(Circular.)

*Downing-Street, 4th September, 1840.*

SIR—I have the honor to acquaint you that, with the view of contributing to the efficiency of the Judicial Committee of the Privy Council, as a Court of Appeal, and of promoting the due Administration of Justice in the Foreign Possessions of the Crown, Her Majesty's Government consider it proper to furnish the Colonial Judges and other Legal Functionaries with Copies of the Printed Reports of the proceedings before the Judicial Committee on appeal cases, referred for their adjudication.

I accordingly transmit herewith, for the use of the Judges and the Law Officers of the Colony under your Government, six Copies of these Reports; and I have to direct you to take the necessary steps for obtaining, out of the Colonial Revenue, and remitting to me, the sum of £9 9, in re-payment of the price of these Copies, the expense of which has, in the first instance, been defrayed out of the Funds of the Colonial Office.

I have, &c.

(Signed)

J. RUSSELL.

The LIEUTENANT-GOVERNOR of Nova-Scotia.

On motion, *resolved*, that the said Copy of Despatch be referred to the Committee of Supply.

Ref. to Com. of  
Supply

A

SATURDAY, 13th MARCH, 1841.

A Petition of Michael Donney, (Chief) and others, Indians of the Bras d'Or Lake, in the Island of Cape-Breton, was, by special leave, presented by the Hon. Mr. Dodd and read, praying aid to replace the fabric of a Chapel for Divine Worship, which had been by them erected and partially completed, and afterwards destroyed by a violent gale of wind.

Pet. from Indians of Bras d'Or C. B. for aid to Chapel

*Ordered,* That the Petition be referred to the Committee of Supply.

Ref. to Com. of Sup.

A Petition of William Hope and others, Inhabitants of the Townships of Shelburne and Barrington, was, by special leave, presented by Mr. Fairbanks and read, praying that a Bridge may not be erected across the Falls of Clyde River.

Pet. against Bridge over Clyde River Shelburne

*Ordered,* That the Petition be referred to the Members from the County of Shelburne.

Ref. to Members of County

The Hon. Mr. McNab, by command of His Excellency the Lieutenant-Governor, presented Accounts of expenses incurred at the Waterloo Hospital in Halifax, on account of poor persons afflicted with Small Pox, recommended by His Excellency for payment thereof.

Accounts of expenses of Small Pox in Halifax presented

*Ordered,* That the Accounts be referred to the Select Committee formerly appointed on the subject of like expenses.

Ref. to Sel. Com.

A Petition of James Marshall and others, Inhabitants of the County of Guysborough, was, by special leave, presented by Mr. Marshall and read, praying aid to explore and survey a new line of Road from the Narrows, on the Milford Haven River, towards the Gut of Canso; and thereupon,

Pet. from Guysboro' for aid to survey new Road to Gut of Canso

Mr. Marshall moved that the Petition be referred to the Committee of Supply: which, being seconded and put, passed in the negative.

Motion to ref. to Com of Supply negatived

*Ordered,* That the Petition do lie on the Table.

Mr. Young reported from the Select Committee appointed to prepare the Revenue and License Bills, and thereupon presented

Bills reported from Com. on Revenue laws viz. Impost Bill

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

Duties regulation Bill

A Bill to continue the Act for the general regulation of the Colonial Duties.

Brawbacks Bill

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

Prevention of Suggling Bill  
Importation regulation Bill

A Bill to continue the several Acts for the prevention of Smuggling.

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

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

General Licenses Bill

A Bill to continue and amend the Act for granting Duties on Licenses for the sale of Spirituous Liquors, and the Act to alter the same.

Halifax License Bill

A Bill to continue the Act for granting Duties on Licenses for the sale of Spirituous Liquors, and for Sales by Auction in Halifax, and the Act to alter the same.

And the same were severally read a first time, and ordered to be read a second time.

The Hon. Mr. Dewolf reported from the Select Committee on the Petitions of Francis Carter Pike and Hugh McDonald—and he delivered the Report in at the Clerk's Table, where the same was read.

Report from Com. on Pets. of Dr. Pike & al.

(See Appendix, No. 35.)

*Ordered,* That the Report and Petitions be referred to the Committee of Supply.

Ref. to Com. of Sup.

A Petition of James O'Gorman and others, Inhabitants of the County of Guysborough, was, by special leave, presented by Mr. DesBarres and read, praying an extension of the Post Communication between Guysborough and the Gut of Canso.

Pet. for Mail extension Guysboro'

*Ordered,* That the Petition be referred to the Committee on the Post-Office Department.

Ref. to Com. on Post Office

Mr. Forrestall moved that the House do come to a Resolution as followeth:

Resolution proposed to ballot for Com. on division of Road Money

*Resolved,* That a Committee of five Members be selected, by ballot, in the same manner that Committees are drawn to try Controverted Elections, to agree upon and report a scale of division of the Road Monies, whose report shall, in all cases, be final, except when rejected by a majority of two thirds of the Members present; Provided always, that there shall

SATURDAY, 13th MARCH, 1841.

shall not be on any such Committee more than one Member from any one County; and provided further, that such Committee shall consist of two Members from the Eastern section of the Province, and two from the Westward section—which Committee of four, so chosen, shall have power to choose a fifth, to be selected from either of the Members for the Town of Halifax: which, being seconded,

Scale of division  
moved in amdt.

Mr. Goudge moved, as an amendment of the Resolution, to eave out all the words thereof after the words "Resolved that," and to insert instead of the words so left out the following: "the sum of Eighteen Thousand Pounds granted for the Road and Bridge service for the present year, exclusive of Six Thousand Pounds for the Great Road service, be divided as follows:

Inverness	£1,200 0	King's	£1,200 0
Cape-Breton	1,200 0	Lunenburg	1,000 0
Richmond	950 0	Annapolis	962 10
Guysborough	900 0	Digby	962 10
Sydney	900 0	Queen's	850 0
Pictou	1,000 0	Shelburne	962 10
Colchester	1,000 0	Yarmouth	962 10
Halifax	1,350 0		
Cumberland	1,250 0		£18,000"
Hants	1,350 0		

Amdt. negatived

Another Scale  
moved in amdt.

Which, being seconded and put, and the House dividing thereon, passed in the negative. Mr. Upham then moved that the proposed original Resolution be amended by leaving out all the words thereof after the words "Resolved that," and inserting the following instead of those so left out, viz: "the sum of Eighteen Thousand Pounds granted for the service of Roads and Bridges for the present year, be applied as follows:

Halifax	£1,600	Hants	£1,000
Colchester	1,200	King's	900
Pictou	1,250	Annapolis	825
Cumberland	1,300	Digby	850
Guysborough	1,000	Yarmouth	850
Sydney	1,000	Shelburne	975
Inverness	1,050	Queen's	950
Cape-Breton	1,100		
Richmond	950		£18,000"
Lunenburg	1,200		

Passed

Which, being seconded and put, and the House dividing thereon, there appeared for the amendment, twenty-six; against it, twenty-four:

For the amendment,			Against the amendment,	
<i>Mr Blackadar</i>	<i>Mr Heckman</i>	<i>Mr Fairbanks</i>	<i>Mr Budd</i>	<i>Mr McKeagney</i>
<i>Mr Archibald</i>	<i>Mr Dickey</i>	<i>Mr Forrester</i>	<i>Mr Thorne</i>	<i>Hon Mr Dodd</i>
<i>Hon Mr McNab</i>	<i>Mr Holmes</i>	<i>Mr J R Dewolf</i>	<i>Mr Holdsworth</i>	<i>Mr Martell</i>
<i>Mr Homer</i>	<i>Mr Henry</i>	<i>Mr McKenna</i>	<i>Mr Rider</i>	<i>Hon Mr Uniacke</i>
<i>Mr DesBarres</i>	<i>Mr McLellan</i>	<i>Mr Hatton</i>	<i>Mr Turnbull</i>	<i>Mr Young</i>
<i>Mr Annand</i>	<i>Mr Fulton</i>	<i>Mr Creighton</i>	<i>Mr Clements</i>	<i>Mr Beckwith</i>
<i>Hon Atty General</i>	<i>Mr Upham</i>	<i>Mr Lewis</i>	<i>Mr Payzant</i>	<i>Mr S B Chipman</i>
<i>Mr Zwicker</i>	<i>Mr Taylor</i>	<i>Mr Spearwater</i>	<i>Mr Comeau</i>	<i>Mr Huntington</i>
<i>Mr Marshall</i>	<i>Mr Forrestall</i>		<i>Mr McKay</i>	<i>Mr Gates</i>
			<i>Mr Dimock</i>	<i>Mr S Chipman</i>
			<i>Mr Smith</i>	<i>Mr Johnson</i>
			<i>Hon Mr Dewolf</i>	<i>Mr Goudge</i>

So it passed in the affirmative.

The Resolution, as amended, was then agreed to by the House.

Pet. for separate  
Parish in Town-  
ship of Sydney C.  
B.

A Petition of John Murphy and others, of Low Point, in the Township of Sydney, C. B. was presented by the Hon. Mr. Dodd and read, praying that their Settlement may be set off and constituted a separate Parish, by the name of Kilkenny.

*Ordered,* That the Petition do lie on the Table.

SATURDAY and MONDAY, 13th and 15th MARCH, 1841.

A Petition of Alexander McDonell and others, of the County of Inverness, was presented by Mr. Young and read, praying that no Law may be passed for maintaining of Common Schools by assessment.

Pet. from Inverness against assessment for Education

*Ordered,* That the Petition be referred to the Committee on Education.

Ref. to Com. Education

A Petition of John Mackinnon and others, Settlers in the vicinity of George's River, in the County of Cape-Breton, was, by special leave, presented by the Hon. Mr. Dodd and read, praying aid to erect a Bridge across said River.

Pet. for aid to bridge over George's River C. B.

*Resolved,* That the Petition be referred to the Committee of Supply.

Ref. to Com. of Supply

A Petition of Jean LeBlanc and others, Inhabitants of Cheticamp and Margaree, in the Island of Cape-Breton, County of Inverness, was, by special leave, presented by the Hon. Mr. Uniacke and read, praying aid to the Seal and Cod Fisheries.

Pet. from Inverness for aid to Seal Fisheries

*Ordered,* That the Petition do lie on the Table.

A Petition of Jean LeBlanc and others, was also, by special leave, presented by the Hon. Mr. Uniacke and read, complaining of the mode of expending monies granted for the Road Service in the County of Inverness, and praying that a better system may be adopted.

Pet. rel. to expenditure of Road Money in Inverness

*Ordered,* That the Petition do lie on the Table.

A Petition of William Watson and others, Inhabitants of Baddeck and Settlements adjoining, was, by special leave, presented by the Hon. Mr. Uniacke and read, praying aid in the erection of a Bridge at the forks of Baddeck River.

Pet. for aid to bridge over Baddeck River

*Resolved,* That the Petition be referred to the Committee of Supply.

The Order of the Day being read,  
*Ordered,* That this House do, on Monday next, proceed to the consideration of Private Petitions.

Order of Day Private Petitions postponed

Then the House adjourned until Monday next, at twelve of the clock.

Monday, 15th March, 1841.

PRAYERS.

Mr. Huntington moved that the Resolution, passed on Saturday last, for dividing the sum of £18,000 for the Road and Bridge Service, be rescinded: which, being seconded and put, and the House dividing thereon, there appeared, for the motion, twenty-seven; against it, twenty-two:

Motion to rescind division of Road Money passed on Saturday

For the motion,  
Mr Goudge  
Mr Payzant  
Mr S Chipman  
Mr Young  
Mr Beckwith  
Hon Mr Dewolf  
Mr S B Chipman  
Hon Mr Dodd  
Mr Dimock

Mr Huntington  
Mr McKeagney  
Mr Smith  
Mr McKenna  
Mr McKay  
Mr Homer  
Mr Rider  
Mr Clements  
Mr Thorne

Mr Budd  
Mr Turnbull  
Mr Martell  
Hon Mr Uniacke  
Mr Gates  
Mr Spearwater  
Mr Comeau  
Mr Holdsworth  
Mr Johnson

Against the motion,  
Mr Forrester  
Mr Creighton  
Mr J R Dewolf  
Mr Hatton  
Mr Forrestall  
Mr Dickey  
Mr Taylor  
Mr Blackadar  
Mr McLellan  
Mr Archibald  
Mr Fulton

Mr Heckman  
Mr Lewis  
Mr Marshall  
Mr DesBarres  
Mr Annand  
Mr Zwicker  
Mr Holmes  
Mr Upham  
Mr Henry  
Hon Atty General  
Mr Fairbanks

So it passed in the affirmative.  
*Resolved* accordingly.

Carried

The Hon. Mr. Dodd, by command of His Excellency the Lieutenant-Governor, presented Accounts of expences of a Transient Pauper Seaman, incurred at Sydney, C. B., by order of the Magistrates there—and the same were read.

Expenses of Transient Paupers at Sydney C. B.

*Ordered,* That the Accounts be referred to the Committee on the claims for reimbursement of the expenses of Transient Paupers.

Ref. to Sel. Com.

Mr. Huntington moved that the House do come to the following Resolution :

X

*Resolved,*

MONDAY, 15th MARCH, 1841.

Scale of division of  
Road money moved

*Resolved*, That the sum of £18,000, granted for the service of Roads and Bridges for the present year, exclusive of the £6,000 appropriated for the Great Road Service, be divided as follows :

Cape-Breton	£1,200	King's	£1,200
Inverness	1,200	Lunenburg	1,000
Richmond	950	Annapolis	1,000
Sydney	950	Digby	1,000
Guysborough	950	Queen's	950
Pictou	1,000	Shelburne	1,000
Colchester	1,000	Yarmouth	1,000
Halifax	1,300		
Cumberland	1,000		
Hants	1,300		
			£18,000

Carried on division

Which, being seconded and put, and the House dividing thereon, there appeared, for the motion, twenty-seven ; against it, twenty-two.

For the motion,

Mr S Chipman	Mr Dimock	Mr Thorne
Mr Goudge	Mr Huntington	Mr Budd
Hon Mr Dewolf	Mr Gates	Mr Turnbull
Mr S B Chipman	Mr Smith	Mr Martell
Hon Mr Uniacke	Mr McKenna	Mr Spearwater
Hon Mr Dodd	Mr McKay	Mr Comeau
Mr Young	Mr McKeagney	Mr Holdsworth
Mr Payzant	Mr Homer	Mr Johnson
Mr Beckwith	Mr Rider	Mr J R Dewolf

Against the motion,

Mr Forrester	Mr Heckman
Mr Fairbanks	Mr Marshall
Mr Halton	Mr Holmes
Mr Creighton	Mr Annand
Mr Dickey	Mr Zwicker
Mr Taylor	Hon Atty General
Mr Henry	Mr Upham
Mr McLellan	Mr Archibald
Mr Fulton	Mr DesBarres
Mr Lewis	Hon Mr McNab
Mr Forrestall	Mr Blackadar

So it passed in the affirmative.

Resolved accordingly.

Pet. for Post Office  
at New Glasgow

A Petition of George McLeod and others, of New Glasgow, in the County of Pictou, was, by special leave, presented by Mr. Holmes and read, praying the establishment of a Branch Post Office at that place.

Ref. to Post Office  
Com.

*Ordered*, That the Petition be referred to the Committee on the Post Office Department.

Report on Petition  
of James Brown

Mr. Smith reported from the Select Committee on the Petition of James Brown, unfavorably to the prayer of the Petition ; and he read the Report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.

(See Appendix No. 36.)

Adopted

On motion, *resolved*, that the Report be received and adopted by this House.

Message from  
Council

A Message from the Council, by Mr. Halliburton :

Mr. Speaker,

Agree to St. Ma-  
ry's College Bill  
with Amdts.

The Council have agreed to the Bill, entitled, An Act for Incorporating the Trustees of the Saint Mary's College, at Halifax, with amendments—to which they desire the concurrence of this Honorable House.

And then the Messenger withdrew.

Engrossed Halifax  
Incorporation Bill  
read 3d time

An engrossed Bill to Incorporate the Town of Halifax, was read a third time ; and thereupon,

Mr. Forrester moved that the Bill be amended as follows :

Motion to amend  
Bill by removing  
am. of household  
qualification

8th Clause.—18th and 19th lines—Leave out the words "entire and separate," where they twice occur ; and leave out all the words between the word "shop," in the 19th line, and the word "and," in the 25th line, and insert instead of the words so lastly to be left out, the following—"for which he is rated to the poor" : which, being seconded and put, and the House dividing thereon, there appeared, for the motion, eleven ; against it, thirty-six :

Negatived

For the amendment,

Mr McKeagney  
Mr Comeau  
Mr Rider  
Mr S Chipman  
Mr Goudge  
Mr Huntington  
Mr Clements  
Mr McLellan  
Mr Gates  
Mr Forrester  
Mr Payzant

Mr Annand  
Hon Mr Dewolf  
Mr Fairbanks  
Mr DesBarres  
Mr McKay  
Hon Mr McNab  
Hon Mr Uniacke  
Mr Turnbull  
Mr Smith

Against the amendment,

Hon Atty General  
Mr Dickey  
Mr Marshall  
Mr Taylor  
Mr J R Dewolf  
Mr Lewis  
Mr Budd  
Mr Beckwith  
Mr Heckman

Mr Creighton  
Mr Hatton  
Mr Martell  
Mr Spearwater  
Mr Zwicker  
Mr Holmes  
Mr McKenna  
Mr Thorne  
Mr Fulton

Mr Dimock  
Mr Upham  
Mr Young  
Mr Archibald  
Mr Blackadar  
Mr Holdsworth  
Mr S B Chipman  
Mr Johnson  
Mr Homer

So it passed in the negative.

Mr. Forrester then moved that the Bill be amended in the nineteenth Clause, by leaving out the word "fifty," and inserting instead thereof the word "thirty," and leaving out the words "one thousand," and inserting instead thereof the words "five hundred": which, being seconded and put, and the House dividing thereon, there appeared, for the motion, twelve; against it, thirty-seven:

Motion to amend Bill by lowering qualification for Aldermen and Mayor  
Negatived

For the amendment,

Mr Annand  
Mr McKeagney  
Mr Comeau  
Mr Rider  
Mr S Chipman  
Mr Goudge  
Mr Huntington  
Mr Clements  
Mr McLellan  
Mr Gates  
Mr Forrester  
Mr Payzant

Hon Mr Dodd  
Mr Forrestall  
Mr Dickey  
Mr Marshall  
Mr Taylor  
Mr J R Dewolf  
Mr Lewis  
Mr Budd  
Mr Beckwith  
Mr Heckman  
Mr Creighton  
Mr Hatton  
Mr Martell

Against the amendment,

Mr Holmes  
Mr Zwicker  
Mr Spearwater  
Mr McKenna  
Mr Thorne  
Mr Fulton  
Mr Dimock  
Mr Upham  
Mr Young  
Mr Archibald  
Mr Blackadar  
Mr Holdsworth  
Mr S B Chipman

Mr Johnson  
Mr Homer  
Hon Mr Dewolf  
Mr Fairbanks  
Mr DesBarres  
Mr McKay  
Hon Mr McNab  
Hon Mr Uniacke  
Mr Turnbull  
Mr Smith  
Hon Atty General

So it passed in the negative.

Mr. Forrester then moved that the Bill be amended in the twentieth clause, by leaving out the word "five," and inserting instead thereof the word "three:" which, being seconded and put, and the House dividing thereon, passed in the negative.

Mr. Forrester then moved that the Bill be amended in the eightieth clause thereof, by leaving out the word "three," following the words "John Liddell, Esquire, the sum of" and before the word "hundred," and inserting instead thereof the word "two:" which, being seconded and put, and the House dividing thereon, there appeared, for the motion, twenty-four; against it, twenty-five.

Motion to amend Bill by lowering qualification of Common Council as to amount of personal property  
Negatived  
Motion to amend Bill by lessening amount of Mr. Liddell's retiring pension  
Negatived

For the amendment,

Mr Archibald  
Mr Homer  
Mr McKay  
Mr S B Chipman  
Mr Comeau  
Mr Rider  
Mr Annand  
Mr S Chipman  
Mr Goudge  
Mr Huntington  
Mr McKeagney  
Mr Clements

Mr McLellan  
Mr Gates  
Mr Smith  
Mr Upham  
Mr Payzant  
Mr McKenna  
Mr Dimock  
Mr Forrester  
Mr Holdsworth  
Mr Spearwater  
Mr Lewis  
Mr Beckwith

Against the amendment,

Mr Taylor  
Mr J R Dewolf  
Mr Forrestall  
Mr Budd  
Mr Heckman  
Mr Creighton  
Mr Hatton  
Mr Martell  
Mr Dickey  
Mr Zwicker  
Mr Holmes  
Mr Marshall  
Mr Thorne

Mr Fulton  
Mr Turnbull  
Mr Young  
Hon. Mr McNab  
Hon. Atty. General  
Mr Johnson  
Hon Mr Uniacke  
Mr DesBarres  
Mr Fairbanks  
Mr Blackadar  
Hon Mr Dodd  
Hon Mr Dewolf

So it passed in the negative.

Mr. Annand then moved that the Bill be amended in the said eightieth clause, by leaving out the words "three hundred," after the words "John Liddell, Esquire, the sum of," and inserting the words "two hundred and one" in place thereof: which, being seconded,

Mr. Fulton moved that the question be amended, by leaving out therefrom the words "two hundred and one," and inserting instead thereof the words "two hundred and fifty": which, being also seconded,

The main question was first put, the smaller sum being therein proposed, and the House dividing thereon, there appeared, for the motion, twenty-one: against it, twenty-eight.

Motions to amend by lessening Mr. Liddell's retiring pension

The smallest sum negatived

MONDAY, 15th MARCH, 1841.

## For the motion,

Mr Homer  
Mr McKay  
Mr S B Chipman  
Mr Comeau  
Mr Rider  
Mr Annand  
Mr S Chipman  
Mr Goudge  
Mr McKeagney  
Mr Clements  
Mr McLellan

Mr Gates  
Mr Smith  
Mr Upham  
Mr Payzant  
Mr McKenna  
Mr Dimock  
Mr Holdsworth  
Mr Spearwater  
Mr Lewis  
Mr Beckwith

## Against the motion,

Mr Archibald  
Mr Huntington  
Mr Forrester  
Mr Taylor  
Mr J R Dewolf  
Mr Forrestall  
Mr Budd  
Mr Heckman  
Mr Creighton  
Mr Halton

Mr Martell  
Mr Dickey  
Mr Zwicker  
Mr Holmes  
Mr Marshall  
Mr Thorne  
Mr Fulton  
Mr Turnbull  
Mr Young

Hon Mr McNab  
Hon Atty General  
Mr Johnson  
Hon Mr Uniacke  
Mr Des Barres  
Mr Fairbanks  
Mr Blackadar  
Hon Mr Dodd  
Hon Mr Dewolf

So it passed in the negative.

Am. for £250 instead of £300 carried

The amendment to the question, as proposed by Mr. Fulton, being then put, and the House dividing thereon, there appeared, for the amendment, twenty-nine; against it, nineteen.

## For the amendment,

Mr Archibald  
Mr Blackadar  
The Hon Atty General  
Hon Mr McNab  
Mr Comeau  
Hon Mr Dewolf  
Mr Rider  
Hon Mr Dodd  
Mr Annand  
Mr Fairbanks

Mr Des Barres  
Hon Mr Uniacke  
Mr Marshall  
Mr Holmes  
Mr Johnson  
Mr Young  
Mr Upham  
Mr Turnbull  
Mr Thorne  
Mr Fulton

Mr Zwicker  
Mr Dickey  
Mr Martell  
Mr Forrestall  
Mr Holdsworth  
Mr McKenna  
Mr Spearwater  
Mr Taylor  
Mr J R Dewolf

## Against the amendment,

Mr McKay  
Mr Gates  
Mr S Chipman  
Mr Homer  
Mr S B Chipman  
Mr Huntington  
Mr Goudge  
Mr Clements  
Mr Smith  
Mr McLellan

Mr McKeagney  
Mr Payzant  
Mr Dimock  
Mr Forrester  
Mr Halton  
Mr Creighton  
Mr Heckman  
Mr Budd  
Mr Lewis

So it passed in the affirmative.

£250 substituted as pension for Mr. Liddell

The question as amended being then put,  
*Resolved*, That the Bill be amended in the eightieth Clause, by leaving out the words "Three Hundred" after the words "John Liddell, Esquire, the sum of," and inserting the words "Two Hundred and Fifty" in place thereof.

And the said amendment was thereupon made.

Motion to defer consideration of Bill 3 months

Mr. S. Chipman moved that the further consideration of the Bill be deferred until this day three months: which, being seconded,

Presentment of Grand Jury relative to Bill

The Hon. Mr. Uniacke, by command of His Excellency the Lieutenant-Governor, presented a paper writing, headed "Court of General Quarter Sessions of the Peace, March Term, 1841," and signed "Halifax, 15th March, 1841, James S. Clarke, Clerk of the Peace," with another paper thereto annexed, purporting to be a Presentment of the Grand Jury of the County of Halifax, relative to the Bill, before the House, to Incorporate the Town of Halifax—and the said Papers were read.

(See Appendix No. 37.)

*Ordered*, That the Papers do lie on the Table.

Motion to defer negatived

The question was then put upon the motion, that the further consideration of the Bill be deferred until this day three months, and the House dividing thereon, there appeared for the motion, eight; against it, thirty-eight:

## For the motion,

Mr Clements  
Mr S Chipman  
Mr Payzant  
Mr Thorne  
Mr Budd  
Mr Heckman  
Mr Beckwith  
Mr Halton

Mr Goudge  
Mr Lewis  
Mr Spearwater  
Mr Holdsworth  
Mr Turnbull  
Mr Taylor  
Mr Young  
Mr Creighton  
Mr Zwicker  
Mr Annand

## Against the motion,

Mr Smith  
Mr McKeagney  
Mr S B Chipman  
Mr Dimock  
Mr Martell  
Mr Johnson  
Mr Holmes  
Mr Gates  
Mr Homer  
Mr Marshall

Mr Forrester  
Mr McKenna  
Mr Forrestall  
Mr Dickey  
Mr Upham  
Mr Fulton  
Mr McLellan  
Mr Des Barres  
Mr Blackadar

Hon Atty General  
Hon Mr McNab  
Mr Comeau  
Hon Mr Dewolf  
Hon Mr Uniacke  
Mr Fairbanks  
Mr McKay  
Mr Huntington  
Mr Archibald

So it passed in the negative.

Rider added to allow passing of any other act this Session

The following engrossed Clause was then, on motion of the Hon. Attorney-General, passed and added to the Bill, by way of rider.

*And be it enacted*, That this Act may be amended by any Act or Acts to be passed in this present Session of the General Assembly.

Mr. Chipman moved that the following Clause do pass, and be added to the Bill by way of rider.

*And*

MONDAY and TUESDAY, 15th and 16th MARCH, 1841.

And be it enacted, That no person holding the office of Mayor, Alderman or Council-man, for the City of Halifax, shall hereafter be capable of being elected or taking his seat as a Member of the House of Assembly while holding such office:

Which being seconded and put, and the House dividing thereon, there appeared for the motion, ten; against it thirty-six:

For the motion,

Mr Clements  
Mr Gales  
Mr S Chipman  
Mr Payzant  
Mr Thorne  
Mr Upham  
Mr Budd  
Mr Spearwater  
Mr Beckwith  
Mr Hatton

Against the motion,

Mr Heckman	Mr Forrestall	Mr Holmes
Mr Goudge	Mr Dickey	Mr Homer
Mr Lewis	Mr Fullon	Mr Blackadar
Mr Holdsworth	Mr McLellan	Hon Atty General
Mr Turnbull	Mr DesBarres	Hon Mr McNab
Mr Taylor	Mr Annand	Mr Comeau
Mr Young	Mr Smith	Hon Mr Dewolf
Mr Creighton	Mr McKeagney	Hon Mr Uniacke
Mr Zwicker	Mr S B Chipman	Mr Fairbanks
Mr Marshall	Mr Dimock	Mr McKay
Mr Forrester	Mr Martell	Mr Huntington
Mr McKenna	Mr Johnson	Mr Archibald

Motion to add clause disqualifying Mayor &c. from being Members of Assembly negatived

So it passed in the negative.

Mr. Huntington moved that the Bill be amended in the eighteenth Clause by leaving out the word "three" after the words "David Shaw Clarke, Esquire, the sum of," and inserting the word "two" instead of the said word "three:" which, being seconded and put, and the House dividing thereon, passed in the negative.

Motion to reduce Mr. Clarke's Pension negatived

Resolved, That the Bill do pass, and that the title be, An Act to Incorporate the Town of Halifax.

Incorporation Bill passed

Ordered, That the Clerk do carry the Bill, to the Council, and desire their concurrence.

Sent to Council

On motion of the Hon. Mr. Uniacke, resolved, that a Select Committee be appointed to consider and revise the Militia Laws, and to report by Bill or otherwise.

Coin. to revise Militia Laws

Ordered, That the Hon. Mr. Uniacke, Mr. Smith, Mr. DesBarres, Mr. S. Chipman and Mr. Huntington, be a Committee for the above purpose.

Mr. McLellan, pursuant to leave given, presented a Bill to diminish the expence of Suits at Law, in certain cases—and the same was read a first time, and ordered to be read a second time.

Bill presented to reduce law expences

The Order of the Day being read,

Ordered, That this House do proceed to the consideration of Private Petitions to-morrow.

Order of Day Private Petitions postponed

Then the House adjourned until to-morrow, at Twelve of the Clock.

Tuesday, 16th March, 1841.

PRAYERS.

Mr. Archibald moved that the Resolution, passed yesterday, for dividing the sum of £18,000, out of the Monies granted this year for the Road and Bridge Service, be rescinded: which, being seconded and put, and the House dividing thereon, there appeared for the motion, twenty-two; against it, twenty-six:

Motion to rescind Road scale passed yesterday

For the motion,

Mr Henry	Mr Holmes
Mr DesBarres	Mr Forrestall
Mr Blackadar	Mr Fullon
Hon. Mr McNab	Mr Dickey
Mr Fairbanks	Mr Creighton
Mr Annand	Mr McLellan
Mr Archibald	Mr Forrester
Mr Upham	Mr Hatton
Mr Zwicker	Mr Marshall
Mr Lewis	Mr Taylor
Mr Heckman	Mr J R Dewolf

Against the motion,

Mr Spearwater	Mr McKeagney
Mr Turnbull	Mr Payzant
Hon Mr Dewolf	Mr Young
Mr Comeau	Mr Clements
Mr Rider	Mr McKenna
Mr Holdsworth	Mr Dimock
Mr Martell	Hon Mr Uniacke
Mr Thorne	Mr Smith
Mr Budd	Mr Goudge
Mr Beckwith	Mr McKay
Mr Johnson	Mr Huntington
Mr Homer	Mr S B Chipman
Mr Gales	Mr S Chipman

So it passed in the negative.

Negatived

TUESDAY, 16th MARCH, 1841.

Revenue and License Bills read 2d time and committed viz.

Impost

Duties regulation

Drawbacks

Prevention of

Smuggling

Warehousing

Importation Regulations

General Licenses

Halifax Licenses

Am. of Council to St. Mary's College Bill agreed to

The following Bills were severally read a second time, viz :  
A Bill to continue and amend the Act for granting Colonial Duties of Impost for the support of Her Majesty's Government within this Province, and for promoting the Agriculture, Commerce, and Fisheries thereof.

A Bill to continue the Act for the general regulation of the Colonial Duties.

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

A Bill to continue the several Acts for the prevention of Smuggling.

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

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

A Bill to continue and amend the Act for granting Duties on Licenses for the sale of Spirituous Liquors, and the Act to alter the same.

A Bill to continue the Act for granting Duties on Licenses for the sale of Spirituous Liquors, and for Sales by Auction in Halifax, and the Act to alter the same.

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

The amendments proposed by the Council to the Bill, entitled, An Act for Incorporating the Trustees of the Saint Mary's College at Halifax, were read and considered by the House, and are as follow :

In the Preamble.—1st line—After the word "persons," insert the words "professing the Roman Catholic Religion."

10th line—Leave out the word "there."

17th line—Leave out the words "on said ground and premises."

27th line—Leave out the words "such a," and insert the words "the said."

41st line—Leave out the words "and sound," and insert the word "on."

43rd line—Leave out the words "thus avoiding," and insert the word "whereby."

46th line—After the word "Countries," insert the words "will be avoided."

At the end of the Bill insert the following clause :

*And be it enacted*, That this Act shall not go into operation, or be of any force and effect, until Her Majesty's pleasure shall be made known thereon."

On motion, *resolved*, that the said amendments be agreed to.

*Ordered*, That the Clerk do carry the Bill and amendments to the Council, and acquaint them that this House have agreed to said amendments.

Sent to Council

Judiciary Bill engrossed read 3d time Passed

An engrossed Bill to improve the Administration of the Law, &c. was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expencè of the Judiciary therein.

*Ordered*, That the Clerk do carry the Bill to the Council and desire their concurrence.

Sent to Council

Report from Com. on Mail Routes

The Hon. Mr. Uniacke reported from the Select Committee on the subject of the Mail Routes; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.

(See Appendix, No. 38.)

*Ordered*, That the Report do lie on the Table.

Report from Com. on expenses of Small Pox

Mr. Fairbanks reported from the Select Committee to whom were referred several Accounts of expences incurred in the prevention and cure of Small Pox at Halifax and Digby; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.

(See Appendix, No. 39.)

*Ordered*, That the Report and Accounts be referred to the Committee of Supply.

Ref. to Com. of Supply

Final Report from Richmond Election Com.

Mr. Creighton, Chairman of the County of Richmond Election Committee, reported finally from the said Committee; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read, and is as followeth :

The Committee drawn, struck and sworn, to try the merits of the Petitions of William C. Delaney and others, against the Election and return of James McKeagney, Esquire, sitting Member

Member for the County of Richmond, have agreed to report and do report as follows, that is to say :

That the proceedings of the Returning Officer at the late Election for the County of Richmond were not conducted in conformity to the provisions of the Act, made and passed in the second year of the Reign of Her present Majesty Queen Victoria, entitled, An Act for regulating Elections of Members to serve in General Assembly, inasmuch as the said Returning Officer, throughout the whole of the said Election, omitted taking down in the Poll Book the qualification of the respective Electors polled at such Election, and the description of property on which they claimed a right to give their votes, and their titles thereto, when questioned as to their qualifications respectively ; thereby depriving the Candidate objecting to such votes, and the Freeholders of the said County of Richmond, of the benefit and advantage which was intended to be conferred by the said Act before mentioned, which intended to confine the testimony to be afterwards given on any scrutiny to the Freehold on which each Elector professed to give his vote, and thereby rendering it impossible for the said Returning Officer to administer, legally, the form of Oath required by the said Act.

The Committee do therefore report that the said Election for the said County of Richmond is null and void and that a writ ought to issue for electing one Member to serve in General Assembly for the said County.

And lastly, the Committee do find and do report, that the Petitions referred to the Committee are not frivolous or vexatious, nor is the opposition thereto frivolous or vexatious.

Committee Room, 16th March, 1841.

JOHN CREIGHTON, Chairman.

*Ordered,* That the Report do lie on the Table, and be entered on the Journals of this House.

The Hon. Mr. McNab, by command of His Excellency the Lieutenant-Governor, presented certain Accounts shewing the state of the funds available for the purposes of the Annapolis Academy, furnished by the Trustees thereof.

*Ordered,* That the Accounts do lie on the Table.

The Hon. Mr. McNab, also by command of His Excellency, presented a copy of Letter from the Hon. Provincial Secretary of New Brunswick to the Hon. the Provincial Secretary of this Province, dated 6th February, 1841, with a copy of the Report of the Provincial Treasurer of New Brunswick, on the proposed regulations concerning the Coasting Trade between this Province and New Brunswick ; also, copies of regulations proposed by the Board of Customs at London in regard to said Coasting Trade, with a copy of a Communication from the Custom-House at Halifax, N. S., dated 26th August, 1839, addressed to the Honorable the Commissioners of Her Majesty's Customs, London, accompanied by a Communication from the Committee of Trade and Manufactures at Halifax to the Honorable the Collector of Her Majesty's Customs at Halifax, dated 23d August, 1839, on the same subject—and the same were read.

(See Appendix, No. 40.)

*Ordered,* That the said several Papers do lie on the Table.

A Petition of John L. Brown, of Horton, in King's County, was, by special leave presented by the Hon. Mr. Dewolf and read, praying a return of duty upon certain Foreign Wheat Flour imported by him.

*Ordered,* That the Petitions be referred to the Select Committee on the Petition of James R. Lovett.

A Bill for the encouragement of Agriculture and Rural Economy in this Province, was read a second time.

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

On motion of Mr. Young, *resolved,* that the said Bill be considered in Committee of the whole House To-morrow.

On motion, the House resolved itself into the Committee on Bills.

Mr.

Omission of returning Officer

Election void  
Writ to be issued for new Election

Petitions and opposition thereto not frivolous or vexatious

Report to be entered on Journals

Account of Funds of Annapolis Academy presented

Papers relative to Coasting trade with New Brunswick presented

Pet. for return of duty on flour

Ref. to Com.

Agricultural Bill read 2d time & committed

Made Order of Day for to-morrow in Com. of whole

Com. on Bills

TUESDAY and WEDNESDAY, 16th and 17th MARCH, 1841.

Mr. Speaker left the Chair,  
Mr. Smith took the Chair of the Committee,  
Mr. Speaker resumed the Chair.

Report with amds.  
Council's Pillory  
Bill  
Cornwallis Bap-  
tist Meeting House  
Bill  
Granville Common  
Bill  
Lake Porter  
Bridge Bill  
Pugwash Harbor  
Bill  
Public engage-  
ments Bill  
Nonsuit Bill  
With amds.  
Dog Bill  
Great Roads Bill  
Marine Insurance  
Companies amds.  
Bill  
Sheriff's Compens-  
ation Bill.

The Chairman reported from the Committee, that they had gone through the engrossed Bill from the Council, entitled, An Act to abolish the punishment of Pillory, cutting the Ears of Offenders and Whipping, and to substitute imprisonment in lieu thereof; the Bill to authorise the Congregation of the Baptist Meeting House at Pleasant Valley, in Cornwallis, to raise Monies, &c.; the Bill for the better Administration of the Fishing Privileges, and the Common, in the Township of Granville, &c.; the Bill for the protection of Lake Porter Bridge; the Bill to amend the Act to preserve and regulate the Navigation of the Harbor of Pugwash; the Bill for enforcing performance of engagements in aid of Public Works; and the Bill to prevent Inconveniences arising from delay of Causes, after issue joined; and had directed him to report the said Bills to the House, severally, without any amendment:—That the House had also gone through the Bill for imposing a Tax on Dogs; the Bill to provide for the improvement and repair of the Great Roads, East and West of the Capital; the Bill to amend the several Acts for Incorporating the Nova-Scotia Marine Insurance Company, &c.; and the Bill to enable Grand Juries and Courts of Session to make compensation to Sheriffs, in certain cases; and had made several amendments to the said Bills respectively—which they had directed him to report to the House with the Bills; and he afterwards delivered the Bills and amendments in at the Clerk's Table.

The Chairman also acquainted the House, that he was directed by the Committee to move for leave to sit again—which the House agreed to.

Amdts. agreed to

The several amendments reported from the Committee to the various Bills, being respectively read, were agreed to by the House.

Bills to be engrossed  
Council's Bill to be  
read 3d time  
Bills to be engrossed

*Ordered,* That the Bills with the amendments be engrossed.

*Ordered,* That the engrossed Bill from the Council reported without amendment, be read a third time.

*Ordered,* That the several other Bills, reported without amendment, be engrossed.

Order of Day  
Private Petitions  
to be postponed

The Order of the Day being read,

*Ordered,* That this House proceed to the consideration of Private Petitions To-morrow.

Then the House adjourned until To-morrow, at twelve of the clock.

Wednesday, 17th March, 1841.

PRAYERS.

Council's Pillory  
Bill read 3d time &  
agreed to

The engrossed Bill from the Council, entitled, An Act to abolish the punishment of Pillory, Cutting the Ears of Offenders, and Whipping, and to substitute Imprisonment in lieu thereof, was read a third time; and thereupon,

*Resolved,* That the Bill be agreed to by this House.

Sent back to Coun-  
cil

*Ordered,* That the Clerk do carry the Bill to the Council, and acquaint them that this House have agreed thereto without amendment.

Engrossed Bills  
read 3d time viz.  
Great Roads Bill

An engrossed Bill to provide for the improvement and repair of the Great Roads East and West of the Capital, was read a third time.

*Resolved,* That the Bill do pass, and that the title be, An Act to provide for the improvement and repair of the Great Roads East and West of the Capital.

Passed

Sheriff's Bill

An engrossed Bill to make compensation to Sheriffs in certain cases, was read a third time

Passed

*Resolved,* That the Bill do pass, and that the title be, An Act to make compensation to Sheriffs, in certain cases.

Lake Porter  
Bridge Bill  
Passed

An engrossed Bill for the protection of Lake Porter Bridge, was read a third time.

*Resolved,* That the Bill do pass, and that the title be, An Act for the protection of Lake Porter Bridge.

Nonsuit Bill

An engrossed Bill to prevent inconveniences arising from delay of Causes after issue joined, was read a third time.

*Resolved,*

WEDNESDAY, 17th MARCH, 1841.

<i>Resolved</i> , That the Bill do pass, and that the title be, An Act to prevent inconveniencies arising from delay of Causes after issue joined.	Passed
An engrossed Bill for imposing a Tax on Dogs, was read a third time.	
<i>Resolved</i> , That the Bill do pass, and that the title be, An Act for making regulations to prevent Dogs going at large, in certain cases.	Dog Bill
<i>Ordered</i> , That the Clerk do carry the Bills to the Council and desire their concurrence.	Bills sent to Council
A Bill to authorize the Congregation of the Baptist Meeting-House in Amherst to raise Money, &c.	Bills read 2d time Amherst Baptist Meeting House Bill
A Bill for regulating the Currency of the Province; and	Currency Bill
The engrossed Bill from the Council, entitled, An Act to prevent a failure of Justice, by reason of variances between Records and Writings produced in evidence in support thereof, were severally read a second time.	Council's variance Bill
<i>Ordered</i> , That the Bills be committed to a Committee of the whole House.	Committed
On motion, the House resolved itself into a Committee on Bills.	Com. on Bills
Mr. Speaker left the Chair,	
Mr. Clements took the Chair of the Committee,	
Mr. Speaker resumed the Chair.	
The Chairman reported from the Committee that they had gone through the engrossed Bill from the Council, entitled, An Act to prevent a failure of Justice by reason of variances between Records and Writings produced in evidence in support thereof; and the Bill for the regulation of the Fisheries in the County of Richmond, and had directed him to report the said Bills to the House, severally, without any amendment—and he delivered the Bills in at the Clerk's Table.	Pass Council's variance Bill And Richmond Fisheries Bill without amtds.
The Chairman also acquainted the House, that he was directed by the Committee to move for leave to sit again—which the House agreed to.	
<i>Ordered</i> , That the last mentioned Bill, reported without amendment, be engrossed.	Bill to be engrossed
<i>Ordered</i> , That the engrossed Bill from the Council, reported from the Committee without amendment, be now read a third time—and the same was read a third time accordingly.	Council's variance Bill read 3d time & agreed to
<i>Resolved</i> , That this House do agree to the said Bill.	
<i>Ordered</i> , That the Clerk do carry the Bill to the Council, and acquaint them that this House have agreed thereto, without amendment.	Sent to Council
Mr. Smith, pursuant to leave given, presented a Bill to extend to the Village of Maitland, in the County of Hants, the provisions of the Act relating to Commissioners of Highways in Halifax, and certain other places—and the same was read a first time, and ordered to be read a second time.	Bill presented to extend Halifax Streets Act to Maitland in Hants.
Mr. Dickey, from the Select Committee on the Bill to continue the Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges, reported that the Committee had made some amendments to the Bill—which he delivered in at the Clerk's Table, with the amendments; and thereupon,	Com. on Bill to continue Road expenditure Act report amtds.
The Bill was read a second time, with the amendments.	Bill read 2d time with amtds.
<i>Ordered</i> , That the Bill and amendments be committed to a Committee of the whole House.	Committed
A Message from the Council, by Mr. Halliburton:	Message from Council
Mr. Speaker,	
The Council have agreed to the Bill, entitled, An Act for Incorporating the Trustees of the Saint Mary's College at Halifax, as amended.	Agree to amended St. Mary's College Bill
The Council have agreed to the Bill, entitled, An Act to extend to the Town of Port Medway, in Queen's County, the Act relating to Commissioners of Highways in Halifax, and certain other places, without any amendment.	Agree to Port Medway Streets Bill without amtd.
The Council have agreed to the Bill, entitled, An Act for regulating the Dartmouth Common, with amendments—to which they desire the concurrence of this Honorable House.	Agree to Dartmouth Common Bill with amtds.
And then the Messenger withdrew.	

WEDNESDAY, 17th MARCH, 1841.

House go into  
Com. of Supply

On motion, the House resolved itself into the Committee of Supply.

Mr. Speaker left the Chair,  
Mr. Clements took the Chair of the Committee,  
Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had come to a Resolution, which they had directed him to report to the House—and he delivered the same in at the Clerk's Table.

The Chairman also acquainted the House, that he was directed by the Committee to move for leave to sit again, which the House agreed to.

The Resolution reported from the Committee being then read, is as followeth:

Resolution for  
bounty of £500 on  
line Stage Couches  
for Passengers  
& Mails to Pictou

*Resolved*, That the sum of Five Hundred Pounds be granted to any Contractor, who shall enter into an agreement, duly guarded, and with an adequate penalty, after the same shall have been properly advertised, to convey the ordinary Mails and Passengers in thirteen hours, with well appointed Horses and Carriages, thrice each week from Halifax to Pictou, from the 1st May to 1st November, and twice a week for the rest of the year, and to forward the British Steam Mails and Passengers twice each month between the same places—such contract to be made for a period of not less than seven years.

Agreed to

And the said Resolution having been read a second time, was agreed to by the House.

*Ordered*, That the Clerk do carry the Resolution to the Council and desire their concurrence.

Papers presented by  
command  
Statement of Sav-  
ings Bank

The Hon. Mr. Uniacke, by command of His Excellency the Lieutenant-Governor, presented a detailed Statement of the Halifax Savings' Bank, to 31st December, 1840—and the same was read.

(See Appendix, No. 41.)

*Ordered*, That the Statement do lie on the Table.

Pet. for Continu-  
ance of Digby Re-  
venue Boat  
Ref. to Com. on  
Nav. Sec.

Also, a Petition from George H. McColla, acting Sub-Collector of Her Majesty's Customs at the Port of Digby, to His Excellency, praying a continuance of the Revenue Boat at that Port, supported by Legislative grant—and the same was read, and referred to the Committee on Navigation Securities.

Post Office Accts.  
for 1840.

Also, the Accounts and Statements of the Deputy Post-Master General at Halifax, with reference to the Receipts and Expenditure of the past year—and the same were read.

(See Appendix, No. 42.)

*Ordered*, That the Accounts, &c. be referred to the Committee on the Post-Office Department.

Ref. to Post Office  
Com.Letter and Report  
from Mr. McKen-  
zie of new line of  
road from Halifax  
to Pictou

Also, a Letter from John G. McKenzie Road Surveyor, to the Hon. the Provincial Secretary, dated 13th June, 1840, with a report from him upon the most direct and best line of Road from Halifax, through Musquedobit, to the Albion Mines, New Glasgow and Pictou, made agreeably to instructions from His Excellency the late Lieutenant-Governor—and a Petition from Inhabitants of Musquodobit, to His Excellency the present Lieutenant-Governor, praying the immediate completion of said Road, more particularly noticing the advantage that would thereby accrue from the more speedy transmission of the Mails by means thereof, from Halifax to Quebec, via Pictou—and the same were read. For the Letter and Report,

(See Appendix, No. 43.)

*Ordered*, That the Letter, Report and Petition, do lie on the Table.

Letter and Estimate  
of repairs to Bridge  
at Bridgetown

Also, a Letter from Thomas Randall to the Hon. the Provincial Secretary, dated 2nd March, 1841, with an estimate of certain repairs required to the Bridge at Bridgetown, in the County of Annapolis, amounting to £304 10s. 2d—and the same were read and ordered to lie on the Table.

Letter relative to  
Revenue boat at  
Sydney C. B.

Also, a Letter from C. E. Leonard, Collector of Provincial Duties at Sydney, C. B., to the Hon. Provincial Secretary, dated 2d February, 1841, with reference to the expenditure in protection of the Revenue, and the necessity of Boats therefor—and the same was read.

(See Appendix No. 44.)

*Ordered*, That the Letter be referred to the Committee on Navigation Securities.

Ref. to Com. on  
Nav. Sec.

Also,

WEDNESDAY, 17th MARCH, 1841.

Also, a Letter from Edward Wallace, Adjutant General of Militia, to the Hon. Provincial Secretary, dated, Halifax, 15th March, 1841, with accounts of expences for Stationary for his Office, for the year 1840, amounting to £11 16 0.

Expenses of Adjutant General of Militia

Ordered to lie on the Table.

Also, a Copy of a Report of the American Institute on Francis' Life Boats, October, 1840, and a recommendation of His Excellency the Lieutenant-Governor to the consideration of the House, whether it would not be advisable to provide for the purchase of one or more of those Boats, for the purpose of trying their efficacy at Sable Island, St. Paul's and Scattarie—and the same being read, were referred to the Committee on Navigation Securities.

Report of American Institute as to Life Boats

Ref. to Com. on Nav. Sec.

Also, a Petition from certain Freeholders and Inhabitants of the County of Inverness, to His Excellency, against the adoption of a system of Taxation, by assessment, for the support of Common Schools—and the same was read, and referred to the Committee of Education.

Pet. from Inverness against assessment for Education  
Ref. to Com. on Education

Also, a Memorandum shewing the respective amounts of over-expenditure on Roads and Bridges, in 1840: which, being read,

Memo. of over-expenditure on roads

Ordered, That Mr. Fairbanks, Mr. Dickey and Mr. S. Chipman, be a Committee, on the subject of over-expenditures on Roads and Bridges, to examine into and report thereon, and that said Memorandum be referred to them.

Com. on over-expenditure

The Hon. Mr. Uniacke, also by command of His Excellency, presented a Copy of a Despatch from His Excellency the Lieutenant-Governor of Prince Edward Island, with accompanying papers relative to the erection of Light Houses on the Coasts of that Island—and the same were read, and are as follow:

Copy of Despatch & papers from Prince Edward Island relative to Light Houses

“Government House, Prince Edward Island,  
1st March, 1841.

MY LORD,—

I have the honor to transmit to your Lordship the Copy of a Resolution which has been presented to me by the House of Assembly of this Colony, with reference to the erection of Light Houses on the North Cape and Eastern Coast of this Island, together with a Copy of the Address to myself, which accompanied the Resolution.

The advantages of Light Houses in the situations referred to by the Assembly, to shipping trading in the Gulf of St. Lawrence, must be obvious; and I beg leave to request that your Lordship will be pleased to bring the subject matter of the Resolution under the consideration of the Legislature of the Province, under your Government.

I have the honor to be,

&c. &c. &c.

[Signed]

CHAS. A. FITZROY.

Copy.

To His Excellency Sir CHARLES AUGUSTUS FITZROY, K. H. Lieutenant-Governor and Commander in Chief in and over Her Majesty's Island Prince Edward, and the Territories thereunto adjacent, Chancellor and Vice Admiral of the same, &c. &c. &c.

May it please your Excellency—

The House of Assembly having, on the 11th instant, adopted a Resolution on the expediency of erecting Light Houses on some of the most eligible points on the Coasts of this Island, most respectfully request that your Excellency will be pleased to give effect to the said Resolution, by entering, at your earliest convenience, into communication with the various Governments therein referred to on the subject.

[Signed]

WILLIAM COOPER, Speaker.

House of Assembly, 18th February, 1841.

Copy.

Copy.

House of Assembly, February 11th, 1841.

Resolution reported from the Committee on the State of the Colony.

*Whereas*, the erection of Light Houses on the North Cape, in Prince County, being one of the principal Headlands on the Coasts of this Island, and on Cape Bear or Wood Islands, or such other place on the Coast of this Island, as may be most eligible for the safety of Navigation within the eastern end of the Straits of Northumberland, would tend greatly to the preservation of the Vessels and Crews of the Shipping of this and the neighbouring Colonies, and also of Great Britain and the United States.

*Therefore Resolved*, That it be recommended to the House to address His Excellency the Lieutenant-Governor, respectfully requesting that he will be pleased to enter into communication with the Imperial Government, and with the Government of the adjacent Colonies, and also, with the Governor General of British North America, relative to the Government of the United States, in order to ascertain how far those Governments may be willing to contribute a portion of the funds necessary to defray the cost and maintenance of such erections.

I certify this to be a true copy of the Resolutions reported to, and adopted by, the House of Assembly.

[Signed]

WM. CULLEN, Clerk.

*Ordered*, That the said Copy of a Despatch and other Papers be referred to the Committee on Navigation Securities.

Order of Day  
Private Petitions  
postponed

The Order of the Day for the consideration of Private Petitions, being read.

*Ordered*, That this House do proceed to the consideration of Private Petitions, to-morrow.

Order of Day  
Com. of whole on  
Agricultural Bill

The Order of the Day for consideration of the Bill for the encouragement of Agriculture, &c., in Committee of the whole House, being read,

The House resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Smith took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Report progress

The Chairman reported from the Committee that they had made some progress in the consideration of the Bill referred to them, and had directed him to move for leave to sit again on the consideration thereof—which the House agreed to.

Agricultural Bill  
made Order of Day

*Ordered*, That the Bill for the encouragement of Agriculture, &c., be further considered in Committee of the whole House to-morrow.

Then the House adjourned until To-morrow, at twelve of the Clock.

Thursday, 18th March, 1841.

Engrossed Bills  
read 3d time and  
passed, viz:  
Marine Insurance  
Companies

PRAYERS.

An engrossed Bill to amend the several Acts for Incorporating the Nova-Scotia Marine Insurance Company—the Halifax Marine Insurance Company, &c., was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to amend the several Acts for Incorporating the Nova-Scotia Marine Insurance Company and the Halifax Marine Insurance Company.

Baptist Meeting  
House Cornwallis

An engrossed Bill to authorise the Congregation of the Baptist Meeting House at Pleasant Valley, in Cornwallis, to raise Money from the Pews of the said Meeting House, for the repairing and ornamenting thereof, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to authorise the Congregation of the Baptist Meeting House at Pleasant Valley, in Cornwallis, to raise Money from the Pews of the said Meeting House, for the repairing and ornamenting thereof.

Granville Common,  
&c.

An engrossed Bill for the better Administration of the Fishing Privileges, and the Com-

mon.

THURSDAY, 18th MARCH, 1841.

mon, in the Township of Granville, and for appointing Trustees for the management of the same, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act for the better Administration of the Fishing Privileges, and the Common, in the Township of Granville, and for appointing Trustees for the management of the same.

An engrossed Bill to amend the Act to preserve and regulate the Navigation of the Harbor of Pugwash, was read a third time. Pugwash Harbor

*Resolved*, That the Bill do pass, and that the title be, An Act to amend the Act to preserve and regulate the Navigation of the Harbour of Pugwash.

An engrossed Bill for enforcing performance of engagements in aid of Public Works, was read a third time. Public Subscriptions

*Resolved*, That the Bill do pass, and that the title be, An Act for enforcing performance of engagements in aid of Public Works.

An engrossed Bill for the regulation of the Fisheries in the County of Richmond, was read a third time. Richmond Fisheries

*Resolved*, That the Bill do pass, and that the title be, An Act for the regulation of the Fisheries in the County of Richmond.

*Ordered*, That the Clerk do carry the Bills to the Council, and desire their concurrence. Bills sent to Council

A Bill to extend to the Village of Maitland, in the County of Hants, the provisions of the Act relating to Commissioners of Highways in Halifax, and certain other places, was read a second time. Maitland Highway Comrs. Bill read 2d time and committed

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

The amendments proposed by the Council to the Bill, entitled, An Act for regulating the Dartmouth Common, were read a first time, and ordered to be read a second time. Council's amds. to Dartmouth Common Bill read, &c.

A Petition of Abner Saunders, one of the Overseers of the Poor for the Township of Annapolis, was, by special leave, presented by Mr. Gates and read, praying re-imbursment of the expences of certain Transient Paupers in that Township. Pet of A. Saunders for expences of Transient Poor

*Ordered*, That the Petition be referred to the Select Committee on claims for the expences of Transient Paupers. Ref. to Transient Poor Com.

A Petition of the Overseers of the Poor for the Township of Annapolis, was, by special leave, presented by Mr. Gates and read, praying that a Law may be passed empowering the Overseers of the Poor for Annapolis to keep all Paupers of said Township in such place or places as the Overseers may think fit. Pet. of Overseers of Poor Annapolis for Law relative to Poor

*Ordered*, That the Petition be referred to Mr. Gates, Mr. Dickey and Mr. McLellan, to consider and report thereon, by Bill or otherwise. Ref. to Sel. Com.

A Petition of Richard Meagher, was, by special leave, presented by the Hon. Mr. Uniacke and read, setting forth the loss of Petitioner's leg by the fall of a piece of Timber in the course of taking down the Belfry of the Market Building, in Halifax, and praying compensation. Pet. of R. Meagher for compensation for loss of leg

*Ordered*, That the Petition be referred to Mr. Forrester, Mr. Dickey and Mr. Holdsworth, to examine into its merits and report thereon. Ref. to Sel. Com.

The Hon. Mr. Uniacke, by command of His Excellency the Lieutenant-Governor, presented a Plan and Estimates for the erection of a Public Hospital in the Town of Halifax—and the same were ordered to lie on the Table. Plan, &c. of Public Hospital laid before House

Mr. Smith reported from the Select Committee on the Petition of Jonathan Archibald; and he read the report in his place, and delivered it in at the Clerk's Table. Report from Com. on Pet. J. Archibald

(See Appendix, No. 45.)

*Ordered*, That the Report and Petition be referred to the Committee of Supply. Ref. to Com. of Supply

The Order of the Day for the further consideration of the Bill for the encouragement of Agriculture, &c., in Committee of the whole House, being read, Order of day Com. of whole on Agricultural Bill

House in Com.

The House resolved itself into such Committee.

Mr. Speaker left the Chair,  
Mr. Smith took the Chair of the Committee,  
Mr. Speaker resumed the Chair.

Report Bill with  
amds.

The Chairman reported from the Committee, that they had gone through the said Bill for the encouragement of Agriculture, &c., and had made some amendments thereto, which they had directed him to report to the House with the Bill; and he delivered the Bill and amendments in at the Clerk's Table.

Motion for recom-  
mittal negatived

Mr. Goudge moved that the Bill be re-committed for the purpose of substituting Fifty Pounds, as the sum to be raised by a Central County Society, instead of £20 as provided in the last Proviso of the 6th Clause of the Bill : which, being seconded and put, and the House dividing thereon, there appeared, for the motion, nine ; against it, thirty-two.

For the motion,

Mr Huntington  
Mr S B Chipman  
Mr Goudge  
Mr Holdsworth  
Mr Dickey  
Mr Gates  
Mr Clements  
Mr Rider  
Mr Comeau

Mr Smith  
Mr Forrester  
Mr Henry  
Mr Fairbanks  
Mr Blackadar  
Mr Young  
Mr Des Barres  
Mr S Chipman  
Hon Mr Dodd  
Mr McKay  
Mr Zwicker

Against the motion,

Mr McLellan  
Mr Johnson  
Mr Beckwith  
Mr Fulton  
Mr Upham  
Mr Dimock  
Hon Mr Dewolf  
Mr Spearwater  
Mr Lewis  
Mr Heckman  
Mr Archibald

Mr Martell  
Mr Turnbull  
Mr Thorne  
Mr Budd  
Mr Holmes  
Mr J R Dewolf  
Mr Taylor  
Mr Marshall  
Mr Annand  
Mr Forrestall

So it passed in the negative.

Motion to defer  
Bill negatived

Mr. Huntington then moved that the further consideration of the Bill be deferred until this day three months : which, being seconded and put, and the House dividing thereon, there appeared, for the motion, eight ; against it, thirty-four.

For the motion,

Mr Huntington  
Mr S B Chipman  
Mr Goudge  
Mr Clements  
Mr Spearwater  
Mr Heckman  
Mr Rider  
Mr Comeau

Mr Smith  
Mr McKay  
Mr J R Dewolf  
Mr Forrestall  
Hon Mr Dodd  
Mr Forrester  
Mr Henry  
Mr Fairbanks  
Mr Blackadar

Against the motion,

Mr Young  
Mr S Chipman  
Mr Des Barres  
Mr Holdsworth  
Mr Zwicker  
Mr McLellan  
Mr Beckwith  
Mr Johnson  
Mr Fulton

Mr Upham  
Mr Dimock  
Hon Mr Dewolf  
Mr Gates  
Mr Lewis  
Mr Dickey  
Mr Archibald  
Mr Hatton

Mr Martell  
Mr Turnbull  
Mr Thorne  
Mr Budd  
Mr Holmes  
Mr Annand  
Mr Taylor  
Mr Marshall

So it passed in the negative.

Another Motion for  
re-committal nega-  
tived

Mr. Huntington then moved that the Bill be re-committed to a Committee of the whole House, for the purpose of inserting therein the following Clause :

"And be it enacted, That nothing in this Act shall be construed to prevent the sum of £75 being drawn from the Treasury, and expended on the Roads in any County where the said sum of £75 shall not be drawn by the Agricultural Societies to be formed within one year after the passing of this Act."

Which, being seconded and put, and the House dividing thereon, there appeared, for the motion, ten ; against it, thirty-two.

For the motion,

Mr Huntington  
Mr S B Chipman  
Mr Goudge  
Mr Clements  
Mr Spearwater  
Mr Heckman  
Mr Rider  
Mr Comeau  
Mr Gates  
Mr Dickey

Mr Smith  
Mr McKay  
Mr J R Dewolf  
Mr Forrestall  
Hon Mr Dodd  
Mr Forrester  
Mr Henry  
Mr Fairbanks  
Mr Blackadar  
Mr Young  
Mr S Chipman

Against the motion,

Mr Des Barres  
Mr Holdsworth  
Mr Zwicker  
Mr McLellan  
Mr Beckwith  
Mr Johnson  
Mr Henry  
Mr Upham  
Mr Dimock  
Hon Mr Dewolf  
Mr Lewis

Mr Archibald  
Mr Hatton  
Mr Martell  
Mr Turnbull  
Mr Thorne  
Mr Budd  
Mr Holmes  
Mr Annand  
Mr Taylor  
Mr Marshall

So it passed in the negative.

Another motion for  
re-committal nega-  
tived

Mr. Dickey then moved that the Bill be re-committed for the purpose of striking out all such portions thereof as relates to the establishment of a Central Board of Agriculture at

Halifax

Halifax : which, being seconded and put, and the House dividing thereon, there appeared, for the motion, eleven ; against it, thirty-one.

For the motion,

Mr Huntington  
Mr S B Chipman  
Mr Goudge  
Mr Clements  
Mr Spearwater  
Mr Heckman  
Mr Rider  
Mr Comeau  
Mr Gates  
Mr Dickey  
Mr Fulton

Mr Smith  
Mr McKay  
Mr J R Dewolf  
Mr Forrestall  
Hon Mr Dodd  
Mr Forrester  
Mr Henry  
Mr Fairbanks  
Mr Blackadar  
Mr Young  
Mr S Chipman.

Against the motion,

Mr DesBarres  
Mr Holdsworth  
Mr Zwickler  
Mr McLellan  
Mr Beckwith  
Mr Johnson  
Mr Upham  
Mr Dimock  
Hon Mr Dewolf  
Mr Lewis

Mr Archibald  
Mr Halton  
Mr Martell  
Mr Turnbull  
Mr Thorne  
Mr Budd  
Mr Holmes  
Mr Annand  
Mr Taylor  
Mr Marshall

So it passed in the negative.

The amendments reported to the Bill, were then read, and agreed to by the House.

Ordered, That the Bill with the amendments be engrossed.

Amts. agreed to Bill, &c. to be engrossed

The Hon. Mr. Dodd, by command of His Excellency the Lieutenant-Governor, presented Extract of a Despatch from Lord John Russell, to His Excellency the Lieutenant-Governor, dated 26th December, 1840, in relation to the Act for Incorporating the St. Peter's Canal Company, passed in the last Session of the General Assembly—and the same was read.

Extract of Despatch rel. to St. Peter's Canal Company Act

(See Appendix No. 46.)

Ordered, That the said Extract of Despatch do lie on the Table.

Mr. Fairbanks reported from the Select Committee appointed on the 23d February last, to prepare an Address to Her Majesty, on the subject of the Casual and Territorial Revenues of the Crown, and the Civil List of this Province, that the Committee had prepared a Draft of such Address ; and he read the same in his place, and afterwards delivered it in at the Clerk's Table, where it was again read, as follows :

Report from Com. to prepare Civil List Address

### TO THE QUEEN'S MOST EXCELLENT MAJESTY.

THE HUMBLE ADDRESS OF THE HOUSE OF ASSEMBLY OF THE PROVINCE OF NOVA-SCOTIA.

*May it please your Majesty :*

We, your Majesty's dutiful and loyal Subjects, the Representatives of the People of Nova-Scotia, humbly approach your Majesty with the renewed assurance of our attachment and fidelity to your Majesty's Person and Government.

Address

The offer of your Majesty's Casual and Territorial Revenues in this Colony, in exchange for a suitable Civil List, has been, for several Sessions past, the subject of anxious discussion in the House of Assembly, and although the measures hitherto adopted have either failed to meet the approbation of your Majesty, or been arrested by a want of concurrence in another Branch of the Legislature, we were not without hopes that, during the present Session, a more acceptable arrangement would have led to the final settlement of a question earnestly desired by all parties in this Province.

The House of Assembly have, however, felt themselves precluded from entering again upon the subject, by an intimation from His Excellency the Lieutenant-Governor that he had no authority to renew the former tender of those Revenues, nor was he at liberty to sanction any measure for their commutation.

We beg to assure Your Majesty that we entertain every disposition to provide liberally for the Public services of this Province ; and as far as its resources extend, to relieve Your Majesty's Government from all charges relating to its internal concerns, which might add to the burthens of the Parent Country. To accomplish this object, it is essential that the proceeds of Your Majesty's Casual and Territorial Revenues of this Colony should be at the disposal of the Provincial Legislature. Their right to control and appropriate them upon a compliance with certain conditions has been hitherto asserted, and fully recognized

cognized, and we deem it essential to the best interests of the Colony that such right should be perfected.

We therefore humbly solicit Your Majesty again to place the Representatives of the people of Nova Scotia in a position to renew their deliberations upon this important matter, offering to Your Majesty a sincere pledge that it shall be our earnest eadeavour so to dispose of it as to afford satisfaction to Your Majesty, whilst we are not forgetful of the high duties which are imposed upon us by a watchful and enlightened constituency.

*Ordered*, That the said Draft of Address do lie on the Table.

Annapolis Representation Bill presented

Mr. S. B. Chipman, pursuant to leave given, presented a Bill to equalize the representation of the County of Annapolis—and the same was read a first time, and ordered to be read a second time.

Pet. relative to Light House sites

A Petition of Nicholas Beckwith and others, Mariners, residing on and about the shores of Windsor River, was, by special leave of the House, presented by Mr. Goudge and read, praying that a Light House may not be erected on Partridge Island, in the Basin of Mines, but that one may be erected on Horton Bluff, and another at the Brick-kilns, for Cobequid Bay.

Refil. to Com. on Nav. Securities

*Ordered*, That the Petition be referred to the Committee on Navigation Securities.

Egerton Poores' Rates Bill presented

Mr. Blackadar, pursuant to leave given, presented a Bill to extend to the Township of Egerton the Act respecting the Collectors of Poores' Rates of Pictou, and to amend the said Act; and the same was read a first time, and ordered to be read a second time.

Order of Day Private Petitions postponed

The Order of the Day for the consideration of Private Petitions being read,

*Ordered*, That this House do, to-morrow, proceed to the consideration of Private Petitions.

Then the House adjourned until To-morrow, at twelve of the Clock.

*Friday, 19th March, 1841.*

PRAYERS.

Engrossed Agricultural Bill read 3d time and passed

An engrossed Bill, for the encouragement of Agriculture and Rural Economy in this Province, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act for the encouragement of Agriculture and Rural Economy in this Province.

*Ordered*, That the Clerk do carry the Bill to the Council, and desire their concurrence.

Egerton Poores' Rates Bill read 2d time and committed

A Bill to extend to the Township of Egerton, the Act respecting the Collectors of Poor's Rates of Pictou, and to amend the said Act, was read a second time.

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

Representation Bills made Order of Day

*Ordered*, That the several Bills relating to the Representation of the Counties of Colchester, Hants and Annapolis, respectively, be read a second time to-morrow.

Pet. of Delegates of Cumberland Temperance Societies for Law to prohibit importation of Ardent Spirits, &c. Refil. to Sel. Com.

A Petition of Delegates from Temperance Societies in the County of Cumberland, and other Inhabitants of said County, was presented by Mr. Lewis and read, praying that Legislative Enactments may be passed, prohibiting the Importation of Ardent Spirits, and the licensing of Public Houses for the sale thereof.

On motion, *resolved*, that the Petition be referred to Mr. Lewis, Mr. Dickey and Mr. Beckwith, to report upon.

Acct. of J. Howe & Son for Government Printing, &c.

The Hon. Mr. Dodd, by command of His Excellency the Lieutenant-Governor, presented Accounts of Messrs. J. Howe & Son, for Printing for Government and the Legislature; and the same were referred to Mr. Blackadar, Mr. DesBarres and Mr. Goudge, to examine and report upon.

Mr.

FRIDAY, 19th MARCH, 1841.

Mr. Gates reported from the Select Committee on the Petition of the Overseers of the Poor for the Township of Annapolis, presented yesterday; and he read the report in his place, and afterwards delivered the same in at the Clerk's Table, where it was again read.

Report from Com. on Pet. of Overseers of Poor Annapolis

(See Appendix No. 47.)

On motion of Mr. Dickey, *resolved*, that the report be received and adopted by this House.

Adopted

Mr. Clements reported from the Select Committee on the several Petitions and claims for re-imbursment of the Expenses of Transient Paupers; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.

Report from Com. on Transient Poor expenses

(See Appendix No. 48.)

*Ordered*, That the Report and Petitions be referred to the Committee of Supply.

Refd. to Com. of Supply

On motion, the House resolved itself into the Committee on Bills.

Com. on Bills

Mr. Speaker left the Chair,

Mr. Smith took the Chair of the Committee,

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had gone through the Bill to continue and amend the Act for granting Colonial Duties of Impost, &c. and had made amendments thereto, which they had directed him to report to the House with the Bill; that they had also gone through the Bill to continue the Act for the general regulation of the Colonial Duties; the Bill to continue the Act concerning Goods exported, and for granting Drawbacks; the Bill to continue the several Acts for the prevention of Smuggling; the Bill to continue and amend the Act for the Warehousing of Goods; the Bill to continue and amend the Act for regulating the Importation of Goods; the Bill to continue the Act for granting Duties on Licences for the sale of Spirituous Liquors, and for Sales by Auction in Halifax, and the Act to alter the same, and had directed him to report the said Bills to the House, severally, without any amendment—that they had also gone through the Bill to continue and amend the Act for granting Duties on Licences for the sale of Spirituous Liquors, and the Act to alter the same, and had made an amendment thereto, which they had directed him to report to the House with the Bill—that the Committee had also gone through the Bill to continue the Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges, and the Acts in amendment thereof; the Bill to enable the Grand Jury of the County of Queen's to assess the Inhabitants, &c.; the Bill to extend to the Village of Maitland, in the County of Hants, the provisions of the Act relating to Commissioners of Highways, &c.; and the Bill to authorize the Congregation of the Meeting-House in Amherst to raise Monies, &c., and had directed him to report the said Bills to the House, severally, without any amendment; and that the Committee had under consideration the Bill concerning Courts of Probate, &c., and had directed him to report that it be recommended to the House to refer the said Bill to a Select Committee, to examine and report upon; and he afterwards delivered the several Bills and amendments in at the Clerk's Table.

Report with amds. Impost Duties Bill Without amdt. Revenue Bills, viz. Colonial Duties Regulations

Drawbacks Smuggling Warehousing Importation Halifax Licence Duties

And General Licences-duties with amds

Also without amds. Bill to continue Road expenditure Act Queen's Cy. Assessment Bill Maitland Streets Bill Amherst Baptist Meeting House Bill

Probate Courts Bill to be ref. to Sel. Com.

The Chairman also acquainted the House, that he was directed by the Committee to move for leave to sit again—which the House agreed to.

Mr. Dickey moved that the further consideraton of the Bill to authorise the Congregation of the Baptist Meeting-House in Amherst to raise Monies, &c. be deferred until this day three months: which, being seconded and put, and the House dividing thereon, there appeared for the motion, twenty-two; against it, twenty:

Motion to defer Amherst Baptist Meeting House Bill carried

FRIDAY, 19th MARCH, 1841.

## For the motion,

Mr Blackadar	Mr Clements
Mr McKay	Mr Fulton
Mr Holmes	Mr Spearwater
Mr DesBarres	Mr Zwicker
Hon Mr Dodd	Mr Rider
Mr McKenna	Mr Heckman
Hon Mr Dewolf	Mr Thorne
Mr Martell	Mr Hatton
Mr Dickey	Mr Budd
Mr Gales	Mr J R Dewolf
Mr Marshall	Mr Taylor

## Against the motion,

Mr Comeau	Mr Lewis
Mr Holdsworth	Mr Young
Mr Archibald	Mr Johnson
Mr Huntington	Mr Homer
Mr S Chipman	Mr Fairbanks
Mr Turnbull	Mr Annand
Mr McLellan	Mr S B Chipman
Mr Dimock	Mr Forrester
Mr Upham	Hon Mr McNab
Mr Beckwith	Mr Goudge

So it passed in the affirmative.

Ordered accordingly.

Bill deferred  
Bills to be engrossed  
Amdts. agreed to

*Ordered*, That the several other Bills, reported without amendment, be engrossed. The amendments reported from the Committee to other Bills being then read, were respectively agreed to.

Bills to be engrossed  
Probate Courts  
Bill ref. to Sel. Com.

*Ordered*, That the Bills with the amendments be engrossed.

*Ordered*, That the Bill concerning Courts of Probate, &c. be referred to Mr. DesBarres, the Hon. Mr. Dodd, Mr. Young, Mr. Fairbanks and Mr. Huntington, to examine and report upon.

Report from Com. on Road over-expenditure

Mr. Fairbanks reported from the Select Committee on over-expenditures upon Roads; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.

(See Appendix No. 49.)

Received adopted and ref. in part to Com. of Supply

*Ordered*, That the Report be received and adopted, and that the part thereof relating to the expence of survey of road from Musquedoboit to Pictou, made by direction of His Excellency the Lieutenant-Governor, be referred to the Committee of Supply.

Report from Com. on Education  
Amdts School Bill

Mr. Young reported from the Committee on Education, that they had considered the several subjects referred to them, and had prepared several amendments to the Acts concerning Schools, which they recommend to the House to be adopted; and he read the same in his place, and afterwards delivered them in at the Clerk's Table.

Ref. to Com. on Bills

*Ordered*, That the amendments be referred to the Committee of the whole House on on Bills, to be considered with the Bill for continuing the School Acts.

Returns of flour entered for Fisheries

The Hon. Mr. Dodd, by command of His Excellency the Lieutenant-Governor, presented several Returns of the quantities of Flour entered at different Ports of the Province for the use of the Fisheries.

*Ordered*, That the Returns do lie on the Table.

Order for presentation of Scales of sub-division of Road money

On motion of the Hon. Mr. Dodd, *resolved*, that the several Members from the respective Counties do prepare and report to the House on or before Thursday next, the 25th inst., Scales of Sub-division of the respective sums allotted to each County out of the sum of £18,000, part of the sum of £24,000, granted for the service of Roads and Bridges for the present year.

Ordinary Road Petitions ref. to Members

*Ordered*, That the several ordinary Petitions, praying aids for Roads and Bridges, presented this Session, (and, by the course and practice of the House, placed on the file of Road Petitions without being entered upon the Journal at the time of presentation,) be referred to the several Members from the Counties respectively from which such Petitions have been sent.

For a list of which Petitions,

(See Appendix No. 50.)

Resolution relative to New Writ for Richmond Election

On motion of Mr. Martell, *resolved*, that Mr. Speaker do request His Excellency the Lieutenant-Governor to issue a Writ for the Election of a Member to represent the County of Richmond in General Assembly, instead of James McKeagney, Esquire, whose Election has been declared null and void by a Select Committee of this House.

The

FRIDAY and SATURDAY, 19th and 20th MARCH, 1841.

The Order of the Day being read,	
The House proceeded to the consideration of Private Petitions.	Order of Day Private Petitions considered
The Petition of Inhabitants of the Township of Digby residing at Weymouth, and on the south side of St. Mary's Bay and back Settlements, praying that the Western part of said Township may be set off as a separate Township, by the name of Weymouth, was read ; and thereupon,	Pet. from Weymouth, &c. to be set off as separate Township
<i>Ordered,</i> That Mr. Budd have leave to bring in a Bill pursuant to the prayer of the Petition.	Leave to bring in Bill
The Petition of James Geddes and others, praying aid towards the erection of a Bridge at the Falls of Clyde River in the County of Shelburne, was read ; and thereupon,	Pet. for aid to Clyde River Bridge
Mr. Spearwater moved that the Petition be referred to the Committee of Supply : which, being seconded and put, passed in the negative.	Motion to refer to Supply negatived
<i>Ordered,</i> That the Petition be withdrawn.	Pet. withdrawn
The Petition of Charles T. Wilkins, Sheriff of the County of Hants, and the report of the Select Committee thereon, were read ; and thereupon,	Pet. of Sheriff Wilkins
On motion of Mr. Goudge, <i>resolved,</i> that the Petition and Report be referred to the Committee of Supply.	Ref. to Com. of Sup.
On motion, the Communication of Col. Smelt, and the accompanying Papers relative to Drawback upon Wines consumed by Officers of the Garrison, were read,	Papers relative to Drawback on Officer's Wines
<i>Ordered,</i> That the same be referred to the Committee of Supply.	Ref. to Com. of Supply
Then the House adjourned until To-morrow, at two of the clock.	

Saturday, 20th March, 1841.

## PRAYERS.

An engrossed Bill to continue the Act for the general regulation of the Colonial Duties, was read a third time.	Engrossed Bills read 3d time and passed, viz: Colonial Duties Regulation
<i>Resolved,</i> That the Bill do pass, and that the title be, An Act to continue the Act for the general regulation of the Colonial Duties.	
An engrossed Bill to continue the Act concerning Goods exported, and for granting Drawbacks, was read a third time.	Drawbacks
<i>Resolved,</i> That the Bill do pass, and that the title be, An Act to continue the Act concerning Goods exported, and for granting Drawbacks.	
An engrossed Bill to continue the several Acts for the prevention of Smuggling, was read a third time.	Smuggling
<i>Resolved,</i> That the Bill do pass, and that the title be, An Act to continue the several Acts for the prevention of Smuggling,	
An engrossed Bill to continue and amend the Act for the Warehousing of Goods, was read a third time.	Warehouses
<i>Resolved,</i> That the Bill do pass, and that the title be, An Act to continue and amend the Act for the Warehousing of Goods.	
An engrossed Bill to continue and amend the Act for regulating the Importation of Goods, was read a third time.	Importation
<i>Resolved,</i> That the Bill do pass, and that the title be, An Act to continue and amend the Act for regulating the Importation of Goods.	General Licence Duties
An engrossed Bill to continue and amend the Act for granting Duties on Licences for the Sale of Spirituous Liquors, and the Act to alter the same, was read a third time.	
<i>Resolved,</i> That the Bill do pass, and that the title be, An Act to continue and amend the Act for granting Duties on Licences for the sale of Spirituous Liquors, and the Act to alter the same.	Halifax Licence Duties
An engrossed Bill to continue the Act for granting Duties on Licences for the sale of Spirituous	

Spiruous Liquors, and for Sales by Auction, in Halifax, and the Act to alter the same, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act for granting Duties on Licences for the sale of Spiruous Liquors, and for Sales by Auction, in Halifax, and the Act to alter the same,

Road expenditure

An engrossed Bill to continue the Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges, and the Acts in amendment thereof, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act for regulating the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges, and the Acts in amendment thereof.

Queen's County assessment

An engrossed Bill to enable the Grand Jury of the County of Queen's to assess the Inhabitants for certain expenses incurred by the Clerk of Licenses in prosecuting Persons for a breach of the Law regulating the Retail of Spiruous Liquors, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to enable the Grand Jury of the County of Queen's to assess the Inhabitants for certain expenses incurred by the Clerk of Licenses in prosecuting Persons for a breach of the Law regulating the Retail of Spiruous Liquors.

Maitland Streets Bill

An engrossed Bill to extend to the Village of Maitland, in the County of Hants, the provisions of the Act relating to Commissioners of Highways in Halifax, and certain other places, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to extend to the Village of Maitland, in the County of Hants, the provisions of the Act relating to Commissioners of Highways in Halifax, and certain other places.

Engrossed Impost Bill read 3d time

An engrossed Bill to continue and amend the Act for granting Colonial Duties of Impost, &c. was read a third time; and thereupon,

Motion to recommend negatived

Mr. McLellan moved that the Bill be re-committed to a Committee of the whole House, for the purpose of laying an additional duty of one half-penny per pound on all Beef and Pork imported into this Province, whereon the duty of twelve shillings per hundred pounds shall not have been paid: which, being seconded and put, and the House dividing thereon, there appeared for the motion, twelve; against it, twenty-six:

For the motion,

Against the motion,

Mr Lewis  
Mr Dickey  
Mr Dimock  
Mr McKay  
Mr Smith  
Mr Beckwith  
Mr Johnson  
Mr Payzant  
Mr Gates

Mr McLellan  
Mr Forrestall  
Mr S Chipman

Mr Forrester  
Mr J R Dewolf  
Mr Hollisworth  
Mr Zwicker  
Mr Halton  
Mr Taylor  
Mr Archibald  
Mr Thorne  
Mr Huntington

Mr McKenna  
Mr Heckman  
Mr Spearwater  
Mr Goudge  
Mr Annand  
Mr Comeau  
Mr Clements  
Mr Homer  
Mr Upham

Mr Fulton  
Mr Budd  
Mr Fairbanks  
Mr Blackadar  
Mr DesBarres  
Mr Young  
The Hon Atty General  
Mr S B Chipman

So it passed in the negative.

Bill passed

*Resolved*, That the Bill do pass, and that the title be, An Act to continue and amend the Act for granting Colonial Duties of Impost, for the support of Her Majesty's Government within this Province, and for promoting the Agriculture, Commerce, and Fisheries thereof.

Bills sent to Council

*Ordered*, That the Clerk do carry the said several Bills to the Council and desire their concurrence.

Order of day Representation Bills Colchester Representation Bill read 2d time Pet. presented in favour of Bill

The Order of the Day for the second reading of the Representation Bills, being read.

The Bill concerning the representation of the County of Colchester, was read a second time; and thereupon,

The Hon. the Attorney General General, by special leave, presented a Petition of William Rutherford and others, praying an equalization of the Representation of the County of Colchester; and the same was read, and ordered to lie on the Table.

Motion to commit Bill

The Hon. Attorney General then moved that the Bill be committed to a Committee of the whole House: which, being seconded,

Amdt. moved to defer Bill

Mr. Goudge moved, as an amendment to the question, to leave out all the words thereof, after the word "that," and to insert instead thereof the words "the further consideration of the

the Bill be deferred until this day three months :” which, being seconded and put, and the House dividing thereon, there appeared, for the amendment, twenty-six ; against it, eighteen.

**For the Amendment,**

Mr Comeau  
Hon Mr McNab  
Mr Fairbanks  
Mr Young  
Mr Goudge  
Mr Clements  
Mr Upham  
Mr Lewis  
Mr Homer

Mr Dimock  
Mr Holmes  
Mr Spearwater  
Mr Zwickler  
Mr Thorne  
Mr McLellan  
Mr Beckwith  
Mr Johnson  
Hon Mr Dewolf

Mr Taylor  
Mr Budd  
Mr Blackadar  
Mr J R Dewolf  
Mr Martell  
Mr Turnbull  
Mr S Chipman  
Mr Payzant

**Against the Amendment,**

Mr Forrester  
Mr Hatton  
Mr Holdsworth  
Mr Dickey  
Hon Mr Uniacke  
Mr Forrestall  
Mr Smith  
Mr McKenna  
Mr Fulton

Mr McKay  
Mr Huntington  
Hon Atty General  
Mr DesBarres  
Mr S B Chipman  
Mr Henry  
Mr Annand  
Mr Gates  
Mr Archibald

So it passed in the affirmative.

*Ordered,* That the further consideration of the Bill be deferred until this day three months.

The Bill to equalize the Representation of the County of Hants, was read a second time ; and thereupon,

Four Petitions of Arthur M. Cochran and others, of William Blois and others, of Richard Smith and others ; and of Henry Miller and others, Freeholders, and other Inhabitants of Douglas, and the Eastern Section of the County of Hants, were presented by Mr. Smith, and respectively read, praying an equalization of the Representation of the County of Hants.

*Ordered,* That the Petitions do lie on the Table.

Mr. Goudge moved that the further consideration of the Bill be deferred until this day three months : which, being seconded and put, and the House dividing thereon, there appeared, for the motion, twenty-four ; against it, sixteen.

Motion to deter Bill

**For the motion,**

Mr Fairbanks  
Hon Mr McNab  
Mr Comeau  
Mr Goudge  
Mr Young  
Mr Upham  
Mr Lewis  
Mr Homer

Mr Dimock  
Mr Spearwater  
Mr Zwickler  
Mr Marshall  
Mr Thorne  
Mr McLellan  
Mr Beckwith  
Mr Johnson

Hon Mr Dewolf  
Mr Taylor  
Mr Budd  
Mr Blackadar  
Mr Clements  
Mr Heckman  
Mr Payzant  
Mr J R Dewolf

**Against the motion,**

Mr Forrester  
Mr Forrestall  
Mr Hatton  
Mr Holdsworth  
Mr Huntington  
Mr Holmes  
Mr Dickey  
Mr Smith

Mr McKenna  
Mr Fulton  
Mr McKay  
Mr Archibald  
Hon Atty General  
Mr S B Chipman  
Mr Gates  
Mr Annand

So it passed in the affirmative.

*Ordered,* That the further consideration of the Bill be deferred until this day three months.

Carried & Bill deferred

The Bill to equalize the Representation of the County of Annapolis, was read a second time ; and thereupon,

Annapolis representation Bill

Mr. S. B. Chipman moved for leave to withdraw the said Bill : which, being seconded and put, passed in the affirmative—and the Bill was withdrawn accordingly.

Withdrawn

The amendment of the Council to the Bill, entitled, An Act concerning the Court of Marriage and Divorce, was read a first and second time, and considered by the House, and is as followeth :

Amdt. of Council to Divorce Court Bill considered

“ 3d Clause—21st line—after the word “ proper” insert the words “ or to separate the parties from bed and board only.”

The Hon. the Attorney-General moved that the said amendment be agreed to by this House : which, being seconded,

Motion to agree thereto

Mr. Young moved, by way of amendment, to insert the word “ not” before the word “ agreed :” which, being seconded and put, passed in the affirmative.

Amdt. to negative agreement carried

*Resolved,* That the amendment be not agreed to.

Amdt. not agreed to

The Hon. Mr. Uniacke, by command of His Excellency the Lieutenant-Governor, presented a representation of Justices of the Peace of the County of Guysborough, setting forth the rapid spreading of Small Pox in that County, and the necessity of a sum of money being granted and applied in the vaccination of the Children of Poor Persons—and the same was read.

Statement of spread of Small Pox Guysborough

SATURDAY and MONDAY, 20th and 22d MARCH, 1841.

- Ref. to Sel. Com. *Ordered*, That the same be referred to Mr. Fairbanks, Mr. Huntington and Mr. DesBarres, to examine and report upon.
- Copy of Despatch notifying allowance of Gov. to Act regulating importation of Goods The Hon. Mr. Uniacke also, by command of His Excellency, presented a Copy of an Order of Her Majesty in Council, leaving to its operation the Act of last Session, entitled, An Act to continue and amend the Act for regulating the Importation of Goods, and the same was read.
- (See Appendix No. 51.)
- Ordered*, That the same do lie on the Table.
- Pet. from Richmond County C. B. favouring repeal of Union with Nova-Scotia A Petition of Isaac Le Visconte and others of the County of Richmond, was presented by the Honorable Mr. Uniacke and read, praying that any representation against the separation of Cape Breton from the Government of Nova-Scotia, may not be attended to without due consideration; the Petition expressing an opinion in favour of such separation.
- Ordered*, That the Petition do lie on the Table.
- Pet. from Richmond against the Repeal A Petition of Charles Forman Harrington and others, of the County of Richmond, was presented by Mr. Young and read, praying that the Island of Cape Breton may not be disconnected from Nova-Scotia in regard to its Government.
- Ordered*, That the Petition do lie on the Table.
- School Bill made Order of Day On motion of Mr. Young, *resolved*, that the Bill to continue the School Acts, be considered in Committee of the whole House on Monday next.
- Pet. of W. Lawson for drawback of Duties on Flour A Petition of William Lawson, junior, was, by special leave, presented by the Hon. Mr. Uniacke and read, praying a return of duty paid by him on Foreign Flour imported.
- Ordered*, That the Petition be referred to the Select Committee on the Petition of James R. Lovett.
- Ref. to Sel. Com. A Petition of John Allen Chipman, was, by special leave, presented by Mr. S. Chipman and read, praying a Return of Duty on Foreign Flour, imported by him.
- Ordered*, That the Petition be referred to the Select Committee on the Petition of James R. Lovett.

Then the House adjourned until Monday next, at eleven of the Clock.

Monday, 22d March, 1841.

PRAYERS.

- Report from Com. as to Bridge across Argyle River Mr. Budd reported from the Select Committee on the several Petitions, relative to a Bridge proposed to be built across the Narrows of Argyle River in the County of Yarmouth; and read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.
- (See Appendix No. 52.)
- Resolved*, That the Report be received and adopted.
- Adopted Mr. Huntington reported from the Select Committee, on the Petition of Edward H. Cutler, Sheriff of the County of Annapolis, unfavorably to the prayer of the Petition; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.
- (See Appendix No. 53.)
- Resolved*, That the Report be received and adopted.
- Adopted A Petition of Thomas Page, acting Overseer of the Poor for Pugwash in the County of Cumberland, was, by special leave, presented by Mr. Lewis and read, praying reimbursement of the Expenses of two Transient Paupers.
- Ref. to Com. of Supply On motion, *resolved*, that the Petition be referred to the Committee of Supply.
- Law expenses Bill read 2d time A Bill to diminish the expense of Suits at Law, in certain cases, was read a second time; and thereupon,
- Mr.

MONDAY, 22d MARCH, 1841.

Mr. Fairbanks moved that the further consideration of the Bill be deferred until this day three months: which, being seconded and put, and the House dividing thereon, passed in the affirmative.

*Ordered*, That the further consideration of the Bill be deferred until this day three months. And deferred three months

Mr. Goudge, pursuant to leave given, presented a Bill to prevent the Misuser of the Roads in this Province; and the same was read a first time, and ordered to be read a second time. Bill presented to prevent Misuser of Roads

Mr. Annand reported from the Select Committee, to whom was referred the application of the Hon. James S. Morse to His Excellency the Lieutenant-Governor, for payment of a sum of money advanced by him to William McKay, Surveyor, for Expense incurred in making an exploration of the most eligible route of the proposed Canal, for uniting the waters of the Bay of Fundy with those of the St. Lawrence, submitted to this House by command of His Excellency the Lieutenant-Governor; and he read the Report in his place, recommending payment of the sum so advanced—and afterwards delivered the Report in at the Clerk's Table, where it was again read. Report from Sel. Com. on expenses of Survey of line of Bay Verte Canal

(See Appendix No. 54.)

On motion, *resolved*, that the Report be referred to the Committee of Supply. Ref. to Com. of Supply

A Message from the Council, by Mr. Halliburton:

Mr. Speaker,

The Council request a Conference by Committee on the subject of the Judiciary Bill. Message from Council  
And then the Messenger withdrew. Report Conference on Judiciary Bill

On motion, *resolved*, that this House do agree to the Conference desired by the Council. Conference agreed to

*Ordered*, That the Clerk do acquaint the Council thereof, and that the Managers of the Conference, on the part of this House, are ready to meet the Committee of Conference of the Council.

*Ordered*, That Mr. Young, Mr. DesBarres, and Mr. Fairbanks, do manage the Conference.

So they went to the Conference.

And being returned, Mr. Young reported that the Managers had been at the Conference, and stated the substance of the Conference to the House. Held & reported

A Message from the Council, by Mr. Halliburton:

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the Expense of the Judiciary therein, with amendments—to which amendments they desire the concurrence of this Honorable House. Message from Council

And then the Messenger withdrew.

A Message from the Council, by Mr. Halliburton:

Mr. Speaker,

The Council have passed a Bill, entitled, An Act in amendment of the Act relating to the Merchant Seamen of this Province—to which Bill they desire the concurrence of this Honorable House. Have passed Bill to amend Merchant Seaman Act

The Council have agreed to the Bill, entitled, An Act to enable Grand Juries and Courts of Session to make compensation to Sheriffs, in certain cases; to the Bill, entitled, An Act for the protection of Lake Porter Bridge; and to the Bill, entitled, An Act to provide for the improvement and repair of the Great Roads East and West of the Capital, severally, without any amendment. Have agreed to Sheriff's compensation Bill  
Lake Porter Bridge Bill and  
Great Roads Bill  
without amtds.

And then the Messenger withdrew.

The Order of the Day being read,

The House resolved itself into a Committee on the consideration of the Bill to continue the Act for the encouragement of Schools, &c. Order of Day Com. of whole on School Bill

Mr.

MONDAY and TUESDAY, 22d and 23d MARCH, 1841.

Mr. Speaker left the Chair.

Mr. Smith took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Report Progress

The Chairman reported from the Committee that they had made some progress in the Bill referred to them, and had directed him to move for leave to sit again—which the House agreed to.

School Bill made further order of Day

*Ordered*, That this House do again, to-morrow, resolve itself into a Committee on the consideration of the School Bill.

Bill presented to regulate packing of Salted Beef Pork, &c.

Mr. Blackadar, pursuant to leave given, presented a Bill to regulate the packing and inspecting of salted Beef and Pork for Exportation and Home Consumption, and for repealing the Acts now in force—and the same was read a first time, and ordered to be read a second time.

Resolution to request Gov. to furnish papers, &c. relative to annexation of Cape Breton to Nova Scotia

On motion of Mr. Young, *resolved*, that His Excellency the Lieutenant-Governor be respectfully requested to direct copies to be laid upon the Table of this House of the Royal Proclamation of 1763, annexing the Islands of St. John and Cape-Breton to Nova Scotia; of the Act of Assembly relating thereto, passed in 1766; of the Royal Proclamation or Commission of 1784, granting Cape-Breton a Constitution; of the Address of the Council and House of Assembly of Nova Scotia, for its re-annexation in 1817, and the correspondence between my Lord Bathurst and Sir James Kempt, in relation thereto; of the Memorial of the Inhabitants of Sydney to Lord Glenelg, in or about the year 1837, and of His Lordship's reply, or such parts thereof, with such other Documents on the same subject, as may be within His Excellency's control.

Report from Com. on Beef Weighing Bill

Mr. Smith, from the Select Committee to whom was referred the Bill to continue the Act to regulate the Weighing of Beef, and the Act in amendment thereof, reported that the Committee had considered said Bill, and prepared some amendments thereto, which they submit to the House with the Bill; and thereupon,

Bill and amts. read 2d time & committed

The Bill was read a second time, with the amendments.

*Ordered*, That the Bill and amendments be committed to a Committee of the whole House.

Then the House adjourned until To-morrow, at eleven of the Clock.

Tuesday, 23d March, 1841.

PRAYERS.

Report from Com. on Pet. of Inhabitants of Dalhousie

Mr. Forrester reported favorably from the Select Committee on the Petition of John Speakman and others, Inhabitants of Dalhousie, presented to the House on the 27th Feb. last; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.

(See Appendix No. 55.)

Adopted Ref. in part to Supply

*Resolved*, That the report be received and adopted.

*Ordered*, That such part of the report as recommends a separate grant of Money for the Dalhousie road, together with the Petition, be referred to the Committee of Supply.

Mr. Annand, pursuant to leave given, presented a Bill to provide for opening the new road between Chester road and Margaret's Bay—and the same was read a first time, and ordered to be read a second time.

Resolution for change of Road appropriations in Shelburne

On motion of Mr. Spearwater, *resolved*, that the sum of Five Pounds granted in the last Session of the General Assembly for the repair of the road from Peter Perry's to Round Bay Bridge, in the Township of Shelburne, and remaining undrawn from the Treasury, be applied to the repair of the road from Benjamin Perry's to Round Bay Bridge aforesaid; and that the sum of Eight Pounds granted last Session for the repair of the road from Carlton Village to William Doane's, in the said Township, remaining also undrawn from the Treasury

Treasury, be applied to the road from Carlton Village to the Post road in the Township of Shelburne aforesaid; and that the sum of Seven Pounds, granted in the year of our Lord One Thousand Eight Hundred and Thirty-nine, for the repair of the road from Holden's Bars to Crowell's Brook, in the said Township, also remaining undrawn from the Treasury, be appropriated for the repair of the road from David M'Kay's to the west end of Jordan Bridge, in said Township.

*Ordered*, That the Clerk do carry the Resolution to the Council, and desire their concurrence. Sent to Council

A Petition of William R. Ruggles, of Annapolis Royal, was, by special leave, presented by Mr. Budd and read, praying a return of Duties paid by him upon the importation of Foreign Wheat Flour at that Port. Pet of W. R. Ruggles for return of Duty on Flour

*Ordered*, That the Petition be referred to the Select Committee on the Petition of James R. Lovett. Ref. to Com.

A Bill to regulate the packing and inspecting of Salted Beef and Pork, &c., was read a second time. Salted Beef & Pork Bill read 2d time & committed

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

The Hon. Mr. Dodd, pursuant to leave given, presented a Bill to confirm the past proceedings of the Prothonotary and Clerk of the Crown for the County of Cape Breton, and the same was read a first time, and ordered to be read a second time. Bill presented to confirm legal proceedings in Cape Breton

Mr. Fairbanks reported from the Select Committee on the Representation of the Magistrates at Guysborough, transmitted to this House by His Excellency the Lieutenant-Governor, on the subject of the Small Pox prevailing at that place; and he read the Report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read. Report from Com. on Guysboro' Small Pox papers

(See Appendix No. 56.)

*Resolved*, That the Report be adopted, and that such part thereof as relates to a Grant of Money, be referred to the Committee of Supply. Adopted & ref. to Com of Supply

The Hon. Mr. Uniacke reported from the Select Committee on Navigation Securities, and he read the Report in his place, and delivered it in at the Clerk's Table, where it was again read. Report from Com. on Nav. Sec.

(See Appendix No. 57.)

*Ordered*, That the Report be referred to the Committee of Supply. Ref. to Com. of Supply

On motion of Mr. Heckman, *resolved*, that the Sum of Ten Pounds, remaining unexpended from the Grant for re-building LaHave Bridge, be paid to John Wile, the Contractor, for building said Bridge, for certain extra work performed by him in raising the Road at each end of the said Bridge. Resolution for payment of Balance of LaHave Bridge Vote to John Wile

*Ordered*, That the Clerk do carry the Resolution to the Council, and desire their concurrence. Sent to Council

A Bill to prevent the Misuser of the Roads in this Province, was read a second time—and thereupon. Road Misuser Bill read 2d time

The Hon. Mr. Uniacke moved that the further consideration of the Bill be deferred until this day three months: which, being seconded and put, and the House dividing thereon, there appeared, for the motion, sixteen; against it, fourteen. Motion to defer carried

So it passed in the affirmative.

*Ordered*, That the further consideration of the Bill be deferred until this day three months. Bill deferred

The Order of the Day being read,

The House resolved itself into Committee on the further consideration of the Bill to continue the School Acts. Order of Day Com. on School Bill.

TUESDAY and WEDNESDAY, 23d and 24th MARCH, 1841.

Mr. Speaker left the Chair,  
Mr. Smith took the Chair of the Committee,  
Mr. Speaker resumed the Chair.

Report progress

The Chairman reported from the Committee that they had made some further progress in the consideration of the Bill referred to them, and had directed him to move for leave to sit again, on the consideration thereof, which the House agreed to.

Made further Order of Day

*Ordered*, That this House do again, To-morrow, resolve itself into a Committee on the further consideration of the Bill to continue the School Acts.

Then the House adjourned until To-morrow, at eleven of the clock.

Wednesday, 24th March, 1841.

PRAYERS.

Chester Roads Bill and

Bill to confirm legal proceedings in Cape Breton read 2d time & committed

Councils amendments to Judiciary Bill read and agreed to in part

A Bill to provide for opening the New Road between the Chester Road and Margaret's Bay ; and,

The Bill to confirm the past proceedings of the Prothonotary and Clerk of the Crown for the County of Cape Breton—were severally read a second time.

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

On motion of the Hon. the Attorney General, the amendments proposed by the Council to the Bill, entitled, An Act to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein, were read a first and second time, and considered by the House—and thereupon,

*Resolved*, That the first amendment be agreed to.

On motion of Mr. Zwicker, *resolved*, that the amendments proposed to the 4th, 6th, 8th, 9th, 10th and 11th lines of the twenty-second Clause of the Bill be not agreed to.

*Resolved*, That the remainder of the amendments proposed to said 22d Clause be agreed to.

Mr. Blackadar then moved that the amendments proposed to the 23d Clause be not agreed to : which, being seconded,

The Hon. Mr. Dodd moved, by way of amendment to the question, that the word "not" be left out : which, being seconded and put, and the House dividing thereon, there appeared, for the amendment twenty ; against it, nineteen.

So it passed in the affirmative.

The question, as amended, being then put,

*Resolved*, That the amendment proposed to the 23d Clause be agreed to.

On motion of Mr. Young, *resolved*, that the amendment proposed to the 31st Clause be not agreed to.

*Resolved*, That the last amendment proposed by the Council, to the Bill, be agreed to.

Motion to send Judiciary Bill to Council

The Hon. the Attorney General then moved that the Clerk do now carry to the Council the Bill and amendments, and do acquaint the Council that this House have agreed to said amendments, with the exception of the amendments proposed to the 4th, 6th, 8th, 9th, 10th and 11th lines of the twenty-second Clause of the Bill, and the amendment proposed to the 31st Clause thereof, and have not agreed to those last mentioned amendments : which, being seconded,

Amtd. to defer Bill negatived

The Hon. Mr. Dodd moved, by way of amendment to the question, that all the words thereof, after the word "that" be left out, and the following words inserted, instead of those so left out, viz : "the further consideration of the Bill and amendments be deferred until the next Session, inasmuch as the provisions of the Bill extend to, and include the, Island of Cape Breton, and require further consideration in that respect:" which, being seconded and put, passed in the negative.

Mr.

WEDNESDAY, 24th MARCH, 1841.

Mr. Huntington then moved, by way of amendment to the original question, that the words thereof, after the word "that" be left out, and the words "the further consideration of the said Bill and amendments be deferred until this day three months," be inserted instead of the words so left out: which, being seconded and put, and the House dividing thereon, there appeared, for the amendment, nine; against it, thirty-seven.

For the amendment,

Mr Homer  
Mr Lewis  
Mr Huntington  
Mr Clements  
Mr Spearwater  
Mr Heckman  
Mr Comeau  
Mr Budd  
Mr J R Dewolf

Against the amendment,

Mr Dickey	Mr Turnbull	Mr Henry
Mr Payzant	Mr Johnson	Mr McKenna
Mr Thorne	Mr McLellan	Mr Upham
Mr Forrester	Hon Mr Dewolf	Mr S B Chipman
Mr Martell	Mr Smith	Mr Marshall
Mr Hailton	Hon Mr Uniacke	Hon Mr Dodd
Mr Annand	Mr Holdsworth	Hon. Atty. General
Mr Fairbanks	Mr Fulton	Hon Mr McNab
Mr Creighton	Mr Archibald	Mr DesBarres
Mr Taylor	Mr Gates	Mr S Chipman
Mr McKay	Mr Young	Mr Blackadar
Mr Beckwith	Mr Dimock	Mr Goudge
Mr Forrestall		

Another amdt. to defer Bill negatived on division

So it passed in the negative.

The question, as originally proposed, being then put,

*Ordered*, That the Clerk do now carry the Bill and amendments to the Council, and acquaint them that this House have agreed to their amendments to said Bill, with the exception of the amendments proposed to the 4th, 6th, 8th, 9th, 10th, and 11th lines of the 22nd Clause thereof, and the amendment proposed to the 31st Clause thereof, and have not agreed to those last mentioned amendments.

Bill, &c. sent to Council

On motion of the Hon. the Attorney General, *resolved*, that the Clerk do now carry to the Council the Bill, entitled, An Act concerning the Court of Marriage and Divorce, with the amendment proposed by the Council thereto, and acquaint the Council that this House have not agreed to said amendment.

Marriage and Divorce Bill & amts. sent back to Council

The Hon. Mr. Uniacke reported from the Select Committee to whom were referred the several Petitions of James R. Lovett, and many others, praying a Return of Duties upon Foreign Wheat Flour imported, and thereupon presented a Bill for granting a Return of certain Duties paid on Foreign Wheat Flour; and the same was read a first time, and ordered to be read a second time.

Report from Com. on Pets. of J. R. Lovett & al. for Drawbacks on Flour viz. Bill to return Duties

The Hon. Mr. Uniacke, pursuant to leave given, presented a Bill to repeal the Acts for preventing persons leaving the Province without a pass; and the same was read a first time, and ordered to be read a second time.

Bill to repeal Pass Act presented

A Petition of Donald Ross and others, of Earl Town, in the County of Colchester, was presented by the Hon. the Attorney General and read, praying an equalization of the representation of said County, by its being allowed four County Members instead of one County and three Township Members, as at present.

Pet. for regulation of Colchester representation

*Ordered*, That the Petition do lie on the Table.

Mr. Heckman, pursuant to leave given, presented a Bill to provide Hay Scales and Weights and Measures for the Township of Lunenburg; and the same was read a first time, and ordered to be read a second time.

Bill presented to provide Hay Scales at Lunenburg

The engrossed Bill from the Council, entitled, An Act in amendment of the Act relating to the Merchant Seamen of this Province, was read a first time; and thereupon,

Council's Merchant Seamen Act read 2d time  
House cannot consider Bill

*Resolved*, That this House cannot consider said Bill, as it contains the establishment of a Table of Fees to be paid to various officers.

On motion of the Hon. the Attorney General, *resolved*, that no Bill be presented after Saturday the 27th inst., unless by special order of the House.

Saturday 27th inst. last day for Bills

The Hon. Mr. Dodd, pursuant to leave given, presented a Bill for facilitating the recovery of Seamen's wages; and the same was read a first time, and ordered to be read a second time.

Bill as to recovery of Seaman's wages presented and read 1st time

A

Pet. of Duncan  
McMillan praying  
investigation into  
charges.

A Petition of Duncan McMillan, was, by special leave, presented by Mr. Marshall and read, complaining that he had been removed from the offices of Seizing Officer and Collector of Light Duties at the Gut of Canso, as a defaulter in the latter situation, without due investigation of the charges against him, and praying that an investigation of such charges may be had, and redress afforded him.

*Ordered,* That the Petition do lie on the Table.

Message from  
Council

A Message from the Council by Mr. Halliburton:

Mr. Speaker,

The Council have agreed to two Resolutions of this Hon. House for changing certain appropriations of Monies heretofore granted for the service of Roads and Bridges, in the Counties of Shelburne and Lunenburg.

Agree to Resolutions change of appropriations Shelburne & Lunenburg and to Bills to regulate expenditure of Road Monies

To assess Queen's County for expenses of Clerk of License

To extend to Maitland Comms. Streets Act

To regulate Richmond fisheries

To authorise raising monies on Pews of Meeting House Pleasant Valley Cornwallis for repairs &c.

To set off North Sydney Township

To impose Colonial Duties

To continue Col. Duties regulation Act

To continue Drawback Bill

To continue Acts for prevention of Smuggling

To continue Warehousing Act

To continue Act regulating importations

General Licensed Houses Act

Halifax License Bill

Council have passed Cornwallis

Town House Bill

Agree to Dog regulation Bill with

amdt.

And to Nonsuit Bill with amdt.

Ask Conference on Resolution for

bounty to Eastern Mail Contractor

The Council have agreed to the Bill, entitled, An Act to continue the Act to regulate the Expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges, and the Acts in amendment thereof; the Bill, entitled, an Act to enable the Grand Jury of the County of Queen's to Assess the Inhabitants for certain Expenses incurred by the Clerk of Licenses, in prosecuting persons for the breach of the law regulating the Retail of Spirituous Liquors; the Bill, entitled, An Act to extend to the village of Maitland, in the County of Hants, the provisions of the Act relating to Commissioners of Highways in Halifax, and certain other places; the Bill, entitled, An Act for the regulation of the Fisheries in the County of Richmond; the Bill, entitled, An Act to authorise the Congregation of the Baptist Meeting House at Pleasant Valley in Cornwallis, to raise Money from the Pews of the said Meeting House for the Repairing and Ornamenting thereof; the Bill, entitled, An Act to set off North Sydney as a separate Township; the Bill, entitled, An Act to continue and amend the Act for granting Colonial Duties of Impost for the support of Her Majesty's Government within this Province, and for promoting the Agriculture, Commerce, and Fisheries thereof; the Bill, entitled, An Act to continue the Act for the general regulations of the Colonial Duties; the Bill, entitled, An Act to continue the Act concerning Goods exported, and for granting Drawbacks; the Bill, entitled, An Act to continue the several Acts for the prevention of Smuggling; the Bill, entitled, An Act to continue and amend the Act for the Warehousing of Goods; the Bill, entitled, An Act to continue and amend the Act for regulating the Importation of Goods; the Bill, entitled, An Act to continue and amend the Act for granting Duties on Licenses for the Sale of Spirituous Liquors, and the Act to alter the same; the Bill, entitled, An Act to continue the Act for granting Duties on Licenses for the Sale of Spirituous Liquors, and for Sales by Auction, in Halifax, and the Act to alter the same.

The Council have passed a Bill, entitled, An Act to amend the Act to enable the Inhabitants of Cornwallis to provide a Public Town House for that Township—to which Bill they desire the concurrence of this Honorable House.

The Council have agreed to the Bill, entitled, An Act for making regulations to prevent Dogs going at large, in certain cases, with an amendment; and to the Bill, entitled, An Act to prevent inconveniencies arising from delay of causes after Issue joined, with several amendments—to which amendments to the said Bills, respectively, they desire the concurrence of this Honorable House.

The Council desire a Conference by Committee with a Committee of this Honorable House on the subject of the Resolution of this Honorable House, granting the sum of £500 to any Contractor for carrying the Mails and Passengers by the Steamers between Halifax and Pictou.

And then the Messenger withdrew.

On motion, *resolved*, that this House do agree to the Conference desired by the Council, and that the Clerk do acquaint the Council therewith.

*Ordered*, That the Hon Mr. Uniacke, the Hon. Attorney General, Mr. Blackadar, Mr. Huntington and Mr. Goudge, be a Committee to manage said Conference.

So they went to the Conference; and being returned,

The Hon. Mr. Uniacke reported, that the Managers had been at the Conference, and he stated the substance of the Conference to the House.

Conference agreed to

Com. of Conference

Conference held:

Reported

The

WEDNESDAY, 24th MARCH, 1841.

The amendments proposed by the Council to the Bill, entitled, An Act to prevent inconveniencies arising from delay of causes after Issue joined, were read a first and second time, and considered by the House; and thereupon,

Council's amendt.  
Non-suit Bill not agreed to

On motion, *resolved*, that the said amendments be not agreed to by this House.

*Ordered*, That the Clerk do carry the Bill and amendments back to the Council, and acquaint them that this House have not agreed to said amendments.

The amendment proposed by the Council to the Bill, entitled, An Act for making regulations to prevent Dogs going at large, in certain cases, was read a first and second time, and is as followeth:

Amendment of Council to Dog regulation Bill to add continuing clause

At the end of the Bill add the following clause:

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

And the said amendment having been considered by the House; *resolved*, that this House do agree to said amendment.

Amendt. agreed to

*Ordered*, That the Clerk do carry the Bill and amendment back to the Council, and acquaint them that this House have agreed to said amendment.

The Hon. Mr. McNab, pursuant to leave given, presented a Bill to increase the usefulness of the Savings' Bank at Halifax—and the same was read a first time, and ordered to be read a second time.

Savings' Bank Bill presented

Mr. Budd, pursuant to leave given on a former day, presented a Bill to set off Weymouth into a separate Township—and the same was read a first time, and ordered to be read a second time.

Bill presented to make Weymouth Township

A Message from the Council by Mr. Halliburton:

Mr. Speaker,

The Council do not adhere to the amendments proposed by them to the 4th, 6th, 8th, 9th, 10th, and 11th lines of the 22d clause of the Bill, entitled, An Act to improve the Administration of the Law, and to reduce the number of Courts of Justice, within this Province, and to diminish the expense of the Judiciary therein, nor to the amendment proposed by them to the 31st clause of said Bill—which said amendments have not been agreed to by this Honorable House.

Message from the Council

Do not adhere to amdt. to Judiciary Bill

The Council have passed a Bill, entitled, An Act to alter and amend the Act to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein.

Council have passed Bill to amend Judiciary Bill

And then the Messenger withdrew.

The engrossed Bill from the Council, entitled, An Act to alter and amend the Act to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein—was read a first time and ordered to be read a second time.

Councils Judiciary amdt. Bill read 1st time

A Message from the Council by Mr. Halliburton:

Mr. Speaker,

The Council have agreed to the Resolution of this Honorable House, for granting the sum of £500 to such person as may contract for carrying the Mails and Passengers by the English Steamers between Halifax and Pictou.

Message from Council

Have agreed to vote of bounty to Mail Contractor

And then the Messenger withdrew.

The Order of the Day for the further consideration of the Bill to continue the Act for the encouragement of Schools, in Committee of the whole House, being read,

Order of Day School Bill

The House resolved itself into such Committee.

House go into Com thereon

Mr. Speaker left the Chair,

Mr. Smith took the Chair of the Committee,

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had gone through the said Bill,

Report School Bill to with amdt.

to continue the Act for the encouragement of Schools, and the Acts to amend the same, and had made several amendments thereto, which they had directed him to report to the House with the Bill; and he delivered the Bill and amendments in at the Clerks Table.

Motion to re-commit negatived

Mr. Goudge moved that the Bill be re-committed for the purpose of striking out all such parts thereof as relate to the Establishment of a central Board at Halifax, and the appointment of a Secretary thereto: which, being seconded and put, and the House dividing thereon, there appeared for the motion, nineteen; against it, twenty-six.

For the motion,

Mr S B Chipman Mr Henry  
Mr Clements Mr Thorne  
Mr McKay Mr McLellan  
Mr Rider Mr Budd  
Mr Fullon Mr Payzant  
Mr Homer  
Mr Dimock  
Mr Comeau  
Mr Smith  
Mr Gates  
Mr Goudge  
Mr Dickey  
Mr Spearwater

Against the motion,

Hon Mr McNab Mr Heckman  
Mr Johnson Mr McKenna  
Mr S Chipman Mr Forrestall  
Mr Fairbanks Mr Lewis  
Mr Beckwith Mr Holdsworth  
Mr Annand Mr Martell  
Mr DesBarres Mr Marshall  
Mr Young Mr Hatton  
Hon Mr Dewolf Mr Taylor  
Mr Blackadar Mr Creighton  
Mr Upham Mr Turnbull  
Hon Mr Uniacke Mr Forrester  
Mr Holmes Mr Zwicker

So it passed in the negative.

Another motion to re-commit negatived

Mr. Dickey then moved that the Bill be re-committed, for the purpose of striking out all such parts thereof, as make provision for Academies in the different Counties: which, being seconded and put, and the House dividing thereon, there appeared for the motion, eleven; against it, thirty-four.

For the motion,

Mr McKay  
Mr Rider  
Mr Fullon  
Mr Dimock  
Mr Smith  
Mr Goudge  
Mr Dickey  
Mr Thorne  
Mr McLellan  
Mr Lewis  
Mr Payzant

Against the motion,

Mr S B Chipman Mr Beckwith Mr Martell  
Mr Clements Mr Annand Mr Marshall  
Mr Homer Mr DesBarres Mr Hatton  
Mr Comeau Mr Young Mr Taylor  
Mr Gates Hon Mr Dewolf Mr Creighton  
Mr Spearwater Mr Blackadar Mr Turnbull  
Mr Huntington Mr Upham Mr Forrester  
Mr Henry Hon Mr Uniacke Mr Zwicker  
Mr Budd Mr Holmes  
Hon Mr McNab Mr Heckman  
Mr Johnson Mr McKenna  
Mr Chipman Mr Forrestall  
Mr Fairbanks Mr Holdsworth

So it passed in the negative.

Another motion to re-commit negatived

Mr. Henry then moved that the House do come to the following Resolution, viz:

*Resolved*, That the more effectually to disseminate the blessings of Education in this Province, the principal of Assessment should, to a limited extent, be in future adopted, and that a sum equal to that annually granted by the Legislature, for the purposes of Common School Education in each County of the Province, should be raised by the Inhabitants thereof by Assessment, and that no County shall receive the Legislative grant until the same shall have been raised, and that the Bill for continuing the School Acts be re-committed for the purpose of introducing therein, the clauses for carrying out the foregoing system.

Which, being seconded and put, and the House dividing thereon, there appeared for the motion, twelve; against it, thirty-three.

For the motion,

Hon. Mr McNab  
Mr Rider  
Mr Young  
Mr DesBarres  
Mr Annand  
Mr Huntington  
Mr Goudge  
Hon Mr Uniacke  
Mr Henry  
Mr Forrestall  
Mr Holdsworth  
Mr Creighton

Against the motion,

Mr S B Chipman Mr Thorne Mr Holmes  
Mr Clements Mr McLellan Mr Heckman  
Mr McKay Mr Budd Mr McKenna  
Mr Fullon Mr Payzant Mr Lewis  
Mr Homer Mr Johnson Mr Martell  
Mr Dimock Mr Chipman Mr Marshall  
Mr Comeau Mr Fairbanks Mr Hatton  
Mr Smith Mr Beckwith Mr Taylor  
Mr Gates Hon Mr Dewolf Mr Turnbull  
Mr Dickey Mr Blackadar Mr Forrester  
Mr Spearwater Mr Upham Mr Zwicker

So it passed in the negative.

Mr. Forrestall then moved that the Bill be re-committed with a view to a more just division of the Common School Monies among the different Counties: which, being seconded and put, and the House dividing thereon, there appeared for the motion, nine; against it, thirty-six.

Another motion to re-commit negativ'd

For the motion,

Mr Rider  
Mr Thorne  
Mr Huntington  
Mr Clements  
Mr Forrestall  
Mr McLellan  
Mr Holdsworth  
Mr Budd  
Mr Henry

Against the motion,

Mr S Chipman	Hon Mr McNab	Mr Holmes
Mr McKay	Mr Johnson	Mr Beckman
Mr Fulton	Mr S B Chipman	Mr McKenna
Mr Homer	Mr Fairbanks	Mr Lewis
Mr Dimock	Mr Beckwith	Mr Martell
Mr Comeau	Mr Annand	Mr Marshall
Mr Smith	Mr Young	Mr Halton
Mr Gates	Mr DesBarres	Mr Taylor
Mr Goudge	Hon Mr Dewolf	Mr Creighton
Mr Dickey	Mr Blackadar	Mr Turnbull
Mr Spearwater	Mr Upham	Mr Forrestall
Mr Payzant	Hon Mr Uniacke	Mr Zwicker

So it passed in the negative.

Mr. Huntington then moved that the Bill be re-committed, for the purpose of considering of the insertion of the following Scale of Division of Monies, appropriated for Common Schools in place of the one now in the Bill, viz:

Another motion to re-commit negativ'd

Halifax	£415	Lunenburg	£414
Colchester	338	Guysboro'	244
Pictou	604	Cape-Breron	474
Hants	339	Richmond	254
King's	339	Digby	324
Annapolis	344	Inverness	474
Yarmouth	320	Cumberland	334
Queen's	228	Sydney	334
Shelburne	224		

Which, being seconded and put, and the House dividing thereon, passed in the negative.

Mr. Huntington then moved that the Bill be re-committed, for the purpose of dividing the grant for Common Schools upon the principal of Population: which, being seconded and put, and the House dividing thereon, passed in the negative.

Another motion to re-commit negativ'd

Mr. Huntington then moved that the Bill be re-committed, for the purpose of dividing the grant for Common Schools upon the principle of population, except as regards the Town of Halifax: which, being seconded and put, and the House dividing thereon, there appeared for the motion, seventeen; against it, twenty-eight.

Another motion to re-commit negativ'd

For the motion,

Mr McLellan  
Mr Rider  
Mr Comeau  
Mr Blackadar  
Mr Young  
Mr S B Chipman  
Mr Huntington  
Mr Holmes  
Mr Clements  
Mr Henry  
Mr Forrestall  
Mr Turnbull  
Mr Holdsworth  
Mr Budd

Mr Forrester  
Mr Halton  
Hon Mr Uniacke

Against the motion,

Mr McKay	Mr Fairbanks
Mr Fulton	Mr Beckwith
Mr Homer	Mr Annand
Mr Dickey	Mr DesBarres
Mr Smith	Hon Mr Dewolf
Mr Gales	Mr Upham
Mr Goudge	Mr Heckman
Mr Dimock	Mr McKenna
Mr Spearwater	Mr Lewis
Mr Thorne	Mr Martell
Mr Payzant	Mr Marshall
Hon Mr McNab	Mr Taylor
Mr Johnson	Mr Creighton
Mr S Chipman	Mr Zwicker

So it passed in the negative.

The amendments reported from the Committee to the said Bill being then read, were agreed to by the House.

Amnts. agreed to

Ordered, That the Bill, with the amendments, be engrossed.

Bill, &c. to be engrossed

On motion of Mr. Smith, resolved, that this House do, to-morrow, resolve itself into the Committee, further to consider of the Supply granted to Her Majesty.

Com. of Supply made Order of Day

Then the House adjourned until To-morrow, at twelve of the clock.

Thursday,

THURSDAY, 25th MARCH, 1841.

Thursday, 25th March, 1841.

## PRAYERS.

Engrossed School  
Bills read 3d time  
Passed

An engrossed Bill to continue the School Acts, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act for the encouragement of Schools, and to alter and amend the same.

Sent to Council

*Ordered*, That the Clerk do carry the Bill to the Council, and desire their concurrence.Councils Cornwallis  
Town House Bill  
read 1st time, &c.  
Bills read 2d time  
viz.

The engrossed Bill from the Council, entitled, An Act to enable the Inhabitants of Cornwallis to provide a Public Town House for that Township, was read a first time, and ordered to be read a second time.

Council's Amd. Ju-  
diciary Bill  
Flour Duties re-  
turn Bill  
Bill to repeal Pass  
Acts  
Lunenburg Hay  
Scales Bill  
Seamens' Wages  
Bill  
Savings' Banks Bill  
Weymouth Town-  
ship Bill  
Bills committed

The engrossed Bill from the Council, entitled, An Act to alter and amend the Act to improve the Administration of the Law, &amp;c.

A Bill for granting a return of certain Duties paid on Foreign Wheat Flour.

A Bill to repeal the Acts for preventing persons leaving the Province without a Pass.

A Bill to provide Hay Scales, &amp;c., for the Township of Lunenburg.

A Bill for facilitating the recovery of Seamen's wages.

A Bill to increase the usefulness of the Saving's Bank at Halifax; and

A Bill to set off Weymouth into a separate Township, were severally read a second time.

*Ordered*, That the Bills be committed to a Committee of the whole House.Report on Pets. of  
Sessions and Grand  
Jury of Colchester  
as to laying out  
roads

The Hon. the Attorney General reported from the Select Committee on the Petition of the Court of General Sessions, and Grand Jury of the County of Colchester, in reference to the laying out of new roads; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.

*(See Appendix No. 58.)*

Report adopted

*Resolved*, That the Report be received and adopted.Bill presented con-  
cerning Bank Notes

Mr. Forrester, pursuant to leave given, presented a Bill to amend the Act concerning Notes, purporting to be Bank Notes, for restraining the circulation thereof, and for other purposes—and the same was read a first time, and ordered to be read a second time.

Bill presented to a-  
mend Yarmouth  
Fire Engines Act

Mr. Huntington, pursuant to leave given, presented a Bill to amend the Act for providing Fire Engines for the Town of Yarmouth, and for other purposes—and the same was read a first time, and ordered to be read a second time.

Report from Com.  
on Trade and Ma-  
nufactures

Mr. Young reported from the Select Committee on Trade and Manufactures; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.

*(See Appendix No. 59.)*

Adopted

*Resolved*, That the Report be received and adopted.Ref. in part to  
Com. of Supply*Ordered*, That such parts of the Report as recommend the granting of Monies, be referred to the Committee of Supply.Resolution for fur-  
ther information as  
to Crown LandsOn motion of Mr. Fairbanks, *resolved*, that the following information, being required to enable the Committee appointed to consider the subject of Crown Lands, to proceed in the performance of that duty, His Excellency the Lieutenant-Governor be respectfully requested to cause the same to be laid before this House.

Whether any and what reports have been furnished the Government by the Land Boards throughout the Province, touching the ungranted Lands therein, their quality and description—and if any, an Abstract thereof.

Whether any applications have been made for the purchase of ungranted Lands actually and bonâ fide occupied and improved by subjects of Her Majesty, under the terms of the Act for establishing regulations for the future disposal of Crown Lands in this Province; and whether any order or orders have passed fixing the price of such Lands, and the amount per acre; and if such price has not been fixed, the reason to be assigned therefor.

Whether

Whether any applications have been made since the same Act has been passed, for ungranted Lands not occupied—and what order or orders have passed for fixing the price thereof.

Whether any difference has been made in the orders, fixing the price, either of occupied or unoccupied Lands, since the receipt of the Despatch of Lord John Russell, dated 16th October, 1840.

Whether any Lands have been applied for, or disposed of, since the receipt of said Despatch—and, at what rates.

What interpretation the Government have put upon said Despatch, as to the price of occupied or unoccupied Lands, respectively.

A statement of the Sales of Crown Lands for the year 1839 and 1840, shewing the amount received therefor, and how the same has been appropriated.

The amendments proposed by the Council to the Bill, entitled, An Act for making Lands and Tenements liable to the payment of Debts, &c. were read a second time, and considered by the House, and are as follow :

Councils amtds. to Lands and Tenements Bill

2d Clause—Leave out this Clause.

3d Clause—Leave out this Clause.

6th Clause—27th line—after the word "shall," leave out the remainder of the Clause, and insert instead thereof, the following words—"have been obtained and registered at least one year before the levy of such execution."

8th Clause—15th line—after the word "Fees" insert the words "and other necessary expenses."

30th Line—after the word "thereon" insert the words "and other necessary expenses."

12th Clause—Leave out this Clause.

13th Clause—Leave out this Clause.

20th Clause—9th and 10th lines—Leave out the words "another or alias execution," and insert instead the words "other and pluries executions."

16th Line—after the word "Fees," insert the words "and other necessary expenses."

*Resolved*, That the amendments, as to the second and third Clauses of the Bill, be agreed to.

Amendts. to 2d & 3d clauses agreed to

Mr. S. Chipman moved that the amendment to the sixth Clause be not agreed to : which, being seconded and put, and the House dividing thereon, passed in the negative.

Motion not to agree to amendt. to 6th clause negatived

It was then moved that the amendment be agreed to : which, being seconded and put, and the House dividing thereon, there appeared for the motion, fifteen ; against it, twelve :

Amendts. to 6th clause agreed to

For the motion,

Against the motion,

Mr Forrester  
Mr Huntington  
Mr Fairbanks  
Hon Mr Dodd  
Hon Atty General  
Mr Young  
Mr S B Chipman  
Mr McLellan

Mr Henry  
Mr Payzant  
Mr Heckman  
Mr Hollisworth  
Mr Holmes  
Mr Comeau  
Mr Creighton

Mr Fulton  
Mr McKay  
Mr Smith  
Mr Budd  
Mr Dimock  
Mr Clements

Mr Lewis  
Mr S Chipman  
Mr Archibald  
Mr DesBarres  
Mr Blackadar  
Mr Goudge

So it passed in the affirmative.

*Ordered*, That the said amendment to the sixth Clause be agreed to.

*Resolved*, That the amendments as to the eighth and twelfth Clauses be agreed to

Amendts t 8th & 12th clauses agreed to

On motion of Mr. DesBarres, *resolved*, that the amendment proposed as to the thirteenth Clause of the Bill be amended as followeth :

Amendt. to 13th clause amended

In the amendment omit all the words before the word "this" in the said amendment, and instead thereof insert the words "at the end of"—and after the word "Clause," in the said amendment, add the following words, that is to say—"add the following proviso, viz: And provided also, that the party against whose title such informality, irregularity, or defect as aforesaid, may be alleged and proved, shall have been for one year at least in the actual possession of the Lands and Premises that have been levied upon and sold in execution as aforesaid.

The remaining amendments were then agreed to.

Other amendts agreed to

On motion of Mr. DesBarres, *resolved*, that a Conference, by Committee, be desired with the

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Resolution for conference on subject of amendts. to Lands Tenement Bill Instructions to Com. of Conference

the Council on the subject of said amendments, and that on such Conference the Committee of this House do state that the Bill, as it is now concurred in, with the exception of one very material Clause, has swept away all the unnecessary, perplexing, and cumbersome forms which embarrass the proceedings for making Lands and Tenements liable to the payment of Debts, and which are mixed up with so many technical requirements and legal niceties, as to render it almost impossible to make a perfect title under the Statutes now in force. That although many hundreds, if not thousands, of properties in Land are held by this species of title throughout the Province, and the possessors hold the same, by purchase at Sheriff's Sale without fraud or collusion, still, the title by which they hold is, in nineteen cases, perhaps out of twenty, so defective, by reason of some one or more of the numerous requisitions in the Statutes having been not strictly complied with, that it would be impossible for them to defend their possessions as against the original owner or persons claiming under him in a Court of Law. The thirteenth Clause in the Bill, as it was passed by the House, is intended to remedy the evil, and was guarded by a Proviso, that it should only apply where the purchaser at a Sheriff's Sale should have actually paid the purchase money. The House, in an amendment by them proposed to the amendment of the Council to this Clause, have guarded it still further, by a Proviso, that it shall apply only to a party in actual possession for one year at least, and they have made the amendment, because they conceive the advantages of such Clause in quieting bonâ fide possessors, and confirming titles, to be infinitely greater than the evils it may, perhaps, in some few in cases, occasion. It seems to the House, inequitable, to have such possessions exposed to the danger of being disturbed, for want of some one or more of the technical niceties and forms which the Legislative Council and Assembly have concurred, by this Bill, in condemning, having substituted therefor an improved and simpler mode of proceeding in such cases, which the House are anxious to carry into effect by the thirteenth Clause, as amended, being agreed to, and the Bill thereupon receiving the assent of both Houses.

*Ordered*, That the Clerk do request such Conference.

Message from Council

A Message from the Council, by Mr. Halliburton :  
Mr. Speaker,

Agree to Mar. Ins. Cy's. amendt. Bill without amendt. Do not adhere to amendt. to Marriage & Divorce Bill but agree to Bill Adhere to amendt to Non-suit Bill

The Council have agreed to the Bill, entitled, An Act to amend the several Acts for Incorporating the Nova-Scotia Marine Insurance Company, and the Halifax Marine Insurance Company, without amendment.

The Council do not adhere to their amendment to the Bill, entitled, An Act concerning the Court of Marriage and Divorce, but have agreed to the Bill.

The Council adhere to their amendments to the Bill, entitled, An Act to prevent inconveniencies arising from delay of Causes, after issue joined.

Agree to Dog Bill as amended

The Council have agreed to the Bill, entitled, An Act for making regulations to prevent Dogs going at large, in certain cases, as amended.

Agree to Agricultural Bill with amendt.

The Council have agreed to the Bill, entitled, An Act for the encouragement of Agriculture and Rural Economy in this Province, with an amendment—to which they desire the concurrence of this Honorable House.

And then the Messenger withdrew.

Council's amendt. to Agricultural Bill agreed to

The amendment proposed by the Council to the Bill, entitled, An Act for the encouragement of Agriculture, &c. was read a first and second time, and considered by the House, and is as followeth :

“1st Clause.—5th line—leave out the words “consent and.”

*Resolved*, That the said amendment be agreed to.

Sent to Council

*Ordered*, That the Clerk do carry the Bill and amendment to the Council, and acquaint them that this House have agreed to the said amendment.

Message from Council

A Message from the Council, by Mr. Halliburton :

Mr. Speaker,

The Council agree to the Conference desired by this Honorable House on the amendments

THURSDAY, 25th MARCH, 1841.

ments proposed by the Council to the Lands and Tenements Bill; and the Committee of the Council are now ready to meet the Committee of this Honorable House.

And then the Messenger withdrew.

*Ordered*, That Mr. DesBarres, the Hon. the Attorney General, and the Hon. Mr. Dodd, do manage said Conference.

So they went to the Conference,

And being returned, Mr. DesBarres reported that the Managers had been at the Conference, and had complied with the instructions given them by the House.

The Order of the Day for the presentation of Scales of Sub-division of Road Money being read,

*Ordered*, That the said Scales be presented to-morrow.

The Order of the Day for the Committee of Supply being read,

The House resolved into the said Committee.

Mr. Speaker left the Chair.

Mr. Clements took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had come to several Resolutions, which they had directed him to report to the House; and that the Committee had directed him to move for leave to sit again—which the House agreed to.

*Ordered*, That the said Resolutions be reported at a future day.

A Message from the Council, by Mr. Halliburton:

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expence of the Judiciary therein; and,

The Bill, entitled, An Act for the encouragement of Agriculture and Rural Economy in this Province, severally, as amended.

And then the Messenger withdrew.

The Hon. Mr. Dodd, by command of His Excellency the Lieutenant-Governor, presented a Communication relative to the annexation of Cape Breton, in reference to a Resolution of the House, requesting Papers and Documents relative thereto—and the same was read by the Clerk, as followeth:

*Relative to the annexation of Cape-Breton to Nova-Scotia.*

Papers requested by the Assembly.

Furnished, or why not.

- |  |   |
|--|---|
| 1. Royal Proclamation of 1763,   | Not on Record.  |
| 2. Act of the Legislature, passed in 1766,   | See Paper No. 1.  |
| 3. Royal Proclamation of 1784.   | Not on Record.  |
| 4. Address of the Council and House of Assembly, in 1817, praying for the annexation of the Island.            | No Trace can be discovered of any such Address.   |
| 5. Correspondence between Lord Bathurst and Sir James Kempt.   | Lord Bathurst's Despatch of 15th August, 1820, (No. 2.) Sir James Kempt's Despatches of 31st October and 24th December, 1820, (Nos. 3 & 4.) |
| 6. Memorial of the Inhabitants of Sydney to Lord Glenelg, in or about the year 1833, and His Lordship's reply. | The Memorial was sent direct from Sydney, and there is no Copy of it in the Secretary's Office. No. 5 is a copy of Lord Stanley's reply.    |
| 7. Such other Documents on the subject as may be within His Excellency's control,                              | Lord Sydney's Despatch to Governor Parr, dated 29th May, 1784, (No. 6;) Sir James Kempt's Proclamation, dated 9th October, 1820, (No. 7.)   |

25th March, 1841.

The

THURSDAY and FRIDAY, 25th and 26th MARCH, 1841.

Papers relative to  
annexation of Cape  
Breton presented

The Hon. Mr. Dodd, also by the like command, presented copies of certain Documents and papers referred to in the said report, viz :

An Act of the Legislature, passed in 1766 ; Lord Bathurst's Despatch of 15th August, 1820 ; Sir James Kempt's Despatches of 31st Oct. and 24th Dec. 1820 ; Lord Stanley's reply to the Memorial of the Inhabitants of Sydney to Lord Glenelg in or about the year 1833 ; Lord Sydney's Despatch to Governor Parr, dated 29th May, 1784 ; and Sir James Kempt's Proclamation dated 9th October, 1820—and the said Documents and Papers were read by the Clerk.

(See Appendix No. 60.)

Ordered, That the Communication, Documents and Papers, do lie on the Table.

Then the House adjourned until To-morrow, at twelve of the clock.

Friday, 26th March, 1841.

PRAYERS.

The engrossed Bill from the Council, entitled, An Act to enable the Inhabitants of Cornwallis to provide a Public Town House for that Township ; also,

A Bill to amend the Act concerning Notes purporting to be Bank Notes, &c.; and,

A Bill to amend the Act for providing Fire Engines for the Town of Yarmouth, were read a second time.

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

The Hon. Mr. Dewolf, by command of His Excellency the Lieutenant-Governor, presented a Communication, which was read, and is as followeth :

"The Lieutenant-Governor has received no Despatches, relative to the settlement of the Civil List, since his arrival in the Colony.

Lord Falkland's Instructions do not allow of his either originating or entertaining any measure on this subject: these Instructions the Lieutenant-Governor does not conceive himself at liberty to submit to the House."

Ordered, That the Communication do lie on the Table.

Mr. Marshall, from the Select Committee on the Bill to continue the Act for the regulation of the Fisheries at Chedabucto Bay, reported the Bill, without amendment—and the same was read a second time.

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

On motion of the Hon. Mr. Dodd, resolved, that this House do, on Tuesday next, the 30th instant, proceed to the consideration of the Address to Her Majesty, reported from the Select Committee, on the subject of the Civil List, and the Casual and Territorial Revenues of the Crown.

A Message from the Council, by Mr. Halliburton :

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act to Incorporate the Town of Halifax, with amendments—to which they desire the concurrence of this Honorable House.

And then the Messenger withdrew.

The Hon. the Attorney General moved that the Chairman of the Committee of Supply do now report the Resolutions of yesterday : which, being seconded and put, and the House dividing thereon, there appeared, for the motion, twenty-three ; against it, twenty-three.

Whereupon, Mr. Speaker gave his casting vote against the motion, and it passed in the negative.

On motion, the House resolved itself into a Committee on Bills.

Mr. Speaker left the Chair,

Mr. Smith took the Chair of the Committee,

Mr. Speaker resumed the Chair.

The

Bills read 2d time  
and committed, viz :  
Council's Cornwallis  
Town House  
Bill  
Bank Notes Bill  
Yarmouth Fire En-  
gine Bill

Communication  
from Lt. Gov.  
on subject of Civil  
List

Report from Com.  
on Chedabucto Bay  
Fishery Bill

Bill committed

Civil List Address  
made Order of Day

Message from  
Council  
Agree to the Incor-  
poration Bill with  
amendts

Motion to bring up  
Reports from Com.  
of Supply  
Division thereon

Speaker gives  
casting vote against  
motion

Com. on Bills

FRIDAY and SATURDAY, 26th and 27th MARCH, 1841.

The Chairman reported from the Committee that they had gone through the Bill to continue the Act for the regulation of the Fisheries at Chedabucto Bay ; the Bill to continue the Act to regulate the Weighing of Beef, and the Act in amendment thereof ; the Bill for granting a return of certain Duties paid on Foreign Wheat Flour ; and the Bill to provide Hay Scales, and Weights and Measures, for the Township of Lunenburg, and had directed him to report the said Bills to the House, severally, without amendment ; that the Committee had also gone through the Bill to repeal the Acts for preventing persons leaving the Province without a Pass ; the Bill for facilitating the recovery of Seamen's Wages ; the engrossed Bill from the Council, entitled, An Act to enable the Inhabitants of Cornwallis to provide a Public Town House for that Township ; and the Bill to amend the Act for providing Fire Engines for the Town of Yarmouth, and for other purposes, and had made amendments to the said Bills respectively, which they had directed him to report to the House with the Bills ; that the Committee had also had under consideration the engrossed Bill from the Council, entitled, An Act to alter and amend the Act to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein, and had agreed to recommend to the House to defer the further consideration thereof until this day three months ; and he afterwards delivered the several Bills and amendments in at the Clerk's Table.

Report without amds.  
Chedabucto Bay Fisheries Bill  
Beef Weighing Bill  
Flour Drawback Bill and Lunenburg Hay Scales Bill  
With amds.  
Bill to repeal Pass Act  
Seamen's Wages Bill  
Council's Cornwallis Town House Bill and Yarmouth Fire Engine Bill  
Recommend that Bill to amend Judiciary Act be deferred

The Chairman also acquainted the House that he was directed by the Committee to move for leave to sit again—which the House agreed to.

The several amendments to the Bills reported with amendments, being read a first and second time, were respectively agreed to by the House.

Amdts. to Bills agreed to

*Ordered*, That the amendments to the engrossed Bill from the Council, entitled, An Act to enable the Inhabitants of Cornwallis to provide a Public Town House for that Township be engrossed, and be read a third time, to-morrow.

Amdts to Council's Cornwallis Town House Bill to be engrossed

*Ordered*, That the several other Bills reported with amendments be engrossed.

*Ordered*, That the Bills reported without amendment be engrossed.

Bills to be engrossed

On motion, *resolved*, that the Report in relation to the engrossed Bill from the Council, entitled, An Act to alter and amend the Act to improve the Administration of the Law, &c. be considered at a future day.

Report on Councils Judiciary amdt. Bill postponed

Mr. Holdsworth, pursuant to leave given, presented a Bill to amend the Act to regulate certain Landings in the County of Digby—and the same was read a first time, and ordered to be read a second time.

Digby Landings. Bill presented

The Order of the Day being read,

*Ordered*, That the Scales of Sub-division of Road Money be presented to-morrow.

Order of Day presentation of Road Scales postponed

Then the House adjourned until To-morrow, at Twelve of the Clock.

Saturday, 27th March, 1841.

#### PRAYERS.

The engrossed amendment to the engrossed Bill from the Council, entitled, An Act to amend the Act to enable the Inhabitants of Cornwallis to provide a Public Town House for that Township, was read a third time, and is as followeth :

Engrossed Amdts. to Council's Cornwallis Town House Bill read 3d time

At the end of the Bill add the following Preamble and Clause :

And Whereas, by the said Act, an Assessment was directed to be made upon the said Township of Cornwallis, of a sum not exceeding Two Hundred Pounds, for building such Town House, and an Assessment has been made to the amount of One Hundred and Fifty Pounds, which may be found to be inadequate for the purpose, and doubts exist whether, by the said Act, a further Assessment can be made :

Amendment

Be it therefore enacted, That it shall and may be lawful for the Grand Jury and Court of General Sessions of the Peace, for the County of Kings, at the next Term or Sitting of the

SATURDAY, 27th MARCH, 1841.

the said Court, or at any subsequent Term, to direct such further sum to be Assessed upon the said Township, to be appropriated towards the building of such Town House, (if an additional sum be found to be necessary,) so that the whole amount assessed shall not exceed the sum of Two Hundred Pounds, and the Commission allowed by Law for collecting the same.

Passed  
Sent to Council

*Resolved*, That the said amendment do pass.

*Ordered*, That the Clerk do carry the Bill and amendment to the Council, and acquaint them that this House have agreed to the Bill, with said amendment, to which they desire the concurrence of the Council.

Engrossed Chedabucto Bay Fisheries Bill read 3d time  
Passed

An engrossed Bill to continue the Act for the regulation of the Fisheries at Chedabucto Bay, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act for the regulation of the Fisheries at Chedabucto Bay.

Engrossed Beef Weighing Bill read 3d time  
Passed

An engrossed Bill to continue the Act to regulate the Weighing of Beef, and the Act in amendment thereof, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to continue and amend the Act to regulate the Weighing of Beef, and the Act in amendment thereof.

Engrossed Pass Act Repeal Bill read 3d time  
Title altered and Passed

An Engrossed Bill to repeal the Acts for preventing Persons leaving the Province without a Pass, was read a third time.

*Resolved*, That that the Bill do pass, and that the title be, An Act to alter and amend the Act for preventing persons leaving the Province without a Pass.

Engrossed Lunenburg Hay Scales Bill read 3d time  
Passed

An engrossed Bill to provide Hay Scales, and Weights and Measures, for the Township of Lunenburg, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to provide Hay Scales, and Weights and Measures, for the Township of Lunenburg.

Engrossed Yarmouth Fire Engines Bill read 3d time  
Passed

An engrossed Bill to amend the Act for providing Fire Engines for the Town of Yarmouth, and for other purposes, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to amend the Act for providing Fire Engines for the Town of Yarmouth, and for other purposes.

Engrossed Seamen's Wages Bill read 3d time

An engrossed Bill for facilitating the recovery of Seamen's Wages, was read a third time—and thereupon,

On motion of Mr. Young, the following engrossed Clause was passed, and added to the Bill, by way of Rider, viz :

Rider added

*And be it enacted*, That in case a Bill, now before the Legislature, entitled, An Act to Incorporate the Town of Halifax, shall pass into a Law, then, and in such case, as soon as the Mayor's Court, in such Bill mentioned, shall be established, and in operation, all the powers and duties hereby conferred upon two Justices of the Peace, shall be exercised by such Mayor's Court within the jurisdiction of such Court ; and any Writ, Order or Warrant, herein mentioned and referred to, shall be issued from, and made by, such Court, and such Writs and Warrants, in all cases, be directed to the City Marshal, and be signed by the City Clerk.

*Resolved*, That the Bill do pass, and that the title be, An Act for facilitating the recovery of Seamen's Wages.

Passed  
Sent to Council

*Ordered*, That the Clerk do carry the Bills to the Council and desire their concurrence.

Report from Com. on Pet of Josiah Coffin & al. viz. Barrington Lock up House Bill

Mr. Homer, from the Select Committee of Members from the County of Shelburne, to whom was referred the Petition of Josiah Coffin and others, reported and presented a Bill to provide a Lock-up-House and Town House at Barrington, in the County of Shelburne, and the same was read a first time, and ordered to be read a second time.

Pet. of N. S. Baptist Education Society

A Petition of Members of the Executive Committee of the Nova-Scotia Baptist Education Society, was, by special leave, presented by Mr. S. Chipman and read, calling attention to the Accounts of said Institution, and praying a favorable consideration of the objects of the Society.

*Ordered*, That the Petition do lie on the Table.

Mr.

SATURDAY, 27th MARCH, 1841.

Mr. DesBarres, from the Select Committee on the Bill concerning Courts of Probate, &c., reported that the Committee had considered the Bill, and had prepared certain amendments thereto, which they recommend to the House, with the Bill, and he delivered the Bill and amendments in at the Clerk's Table, where the amendments were read.

*Ordered*, That the Bill be again referred to a Committee of the whole House, with the amendments.

A Message from the Council by Mr. Halliburton:

Mr. Speaker,

The Council have not not agreed to the amendment proposed by this Honorable House to the amendment of the Council to the 13th clause of the Bill, entitled, An Act for making Lands and Tenements liable for the payment of debts, and to repeal the Acts now in force.

And then the Messenger withdrew.

*Ordered*, That the Chairman of the Committee of Supply do now report the several Resolutions from the Committee of Thursday last; and thereupon, Mr. Clements reported the said Resolutions—which were read, and are as follow:

1. *Resolved*, That the sum of One Hundred and Fifty Pounds be granted and applied towards opening the new line of Road from Onslow to Tatamagouche, and Fifty Pounds towards completing the alteration round Birch Hill, near Bass river, in the Township of Londonderry.

2. *Resolved*, That the sum of Seventy Pounds be granted and applied to repair the Road from Ratchford's River to Robert Spicer's; and the further sum of One Hundred and Thirty Pounds to build a Bridge near Pugwash, in the County of Cumberland.

3. *Resolved*, That the sum of Two Hundred Pounds be granted and applied for the repair and improvement of the Main Post Road from Lunenburg to LaHave.

4. *Resolved*, That the sum of Three Hundred Pounds be granted and paid to aid in completing the new Road from Margaret's Bay to the new Chester Road—to be drawn when the sum of Seven Hundred Pounds is expended out of the Road Monies of the County of Halifax, upon the same service.

5. *Resolved*, That the sum of Two Hundred and Fifty Pounds be granted to the Inhabitants of the County of Pictou, to be applied in the following manner: the sum of One Hundred and Fifty Pounds in building a new Bridge at River John, on the Main Post Road from Pictou to the County of Cumberland; and the sum of One Hundred Pounds in aid of erecting a new Bridge across the East River of Pictou, opposite New Glasgow.

6. *Resolved*, That the Sum of Fifty Pounds be granted and applied on the new explored line of Road on the Main Road from Antigonish to Guysboro' County line, in Sydney County, and a further sum of Fifty Pounds on said new line, from Sydney County line to Guysboro'.

7. *Resolved*, That the sum of Five Hundred and Fifty Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor to complete the opening of a section of the new Eastern Road, between Upper Musquedoboit and Saint Mary's, on Taylor and McKenzie's Survey.

8. *Resolved*, That the sum of Seventy-two Pounds Fourteen Shillings and Three Pence be granted and paid to the Firewardens of the Town of Yarmouth, being a Return of Duties on two Fire Engines imported by them, pursuant to the report of the Committee thereon.

9. *Resolved*, That the Sum of Eleven Pounds Eight Shillings and Nine Pence be granted and paid to Alexander Lawson, as a Return of Duties on Printing Apparatus, agreeably to the report of the Committee.

10. *Resolved*, That the sum of Nineteen Pounds Seventeen Shillings and Nine Pence be granted and paid to John Ferguson, being a Return of Duties on a Printing Press imported by him, pursuant to the report of the Committee thereon.

11. *Resolved*, That the sum of Four Pounds Sixteen Shillings and Three Pence be granted and paid to Messrs. English & Blackadar, being a Return of Duties on a Printing Press imported by them, pursuant to the report of the Committee thereon.

Report from Com. on Probate Courts Bill  
Amdts. thereto

Bill to be re-committed

Message from Council  
Do not agree to amdt. of House to Councils amdt. to 13th clause of Lands and Tenements Bill

Resolutions reported from Com. of Supply viz.

£200 Colchester Roads

£200 Cumberland Roads

£200 Lunenburg Roads

£300 Margaret's Bay Road

£250 Pictou Roads

£100 Sydney and Guysboro' Roads

£550 New Guysboro' Road

£72 14 3 Yarmouth Firewards

£11 8 9 A. Lawson

£19 17 9 John Ferguson

£4 16 3 English & Blackadar

*Resolved*,

- £6 13 4 J. Spike  
12. *Resolved*, That the sum of Six Pounds Thirteen Shillings and Four Pence be granted and paid to James Spike, being a Return of Duties on Printing Apparatus imported by him, pursuant to the report of the Committee thereon.
- £17 0 5 Amos Lovett  
13. *Resolved*, That the sum of Seventeen Pounds and five pence be granted and paid to Amos Lovett, being amount of Duties on Liquors staved in his Cellar.
- £41 8 11 Robert Lawson  
14. *Resolved*, That the sum of Forty-one Pounds Three Shillings and Eleven Pence be granted and paid to Robert Lawson, being a Return of Duties on Mill Machinery imported by him, pursuant to the report of the Committee thereon.
- £22 Asa Torrey  
15. *Resolved*, That the sum of Twenty-two Pounds be granted and paid to Asa Torrey, Esq. pursuant to the report of the Committee on his Petition.
- £191 19 0 Halifax and Digby Small Pox expenses  
16. *Resolved*, That the sum of One Hundred and Ninety-one Pounds and Nineteen Shillings be granted and placed at the disposal of His Excellency the Lieutenant-Governor to defray certain expenses incurred the past year in the County of Digby and Town of Halifax, in arresting the progress of Small Pox—such sum to be paid over to the respective Claimants, upon the terms mentioned in the report of the Committee thereon.
- £80 19 0 expenses of Surveying Musquedoboit Road  
17. *Resolved*, That the sum of Thirty Pounds and Eighteen Shillings be granted and placed at the disposal of His Excellency the Lieutenant-Governor, to defray the expense of Surveying the Road from Musquedoboit to Pictou.
- £47 1 0 Overseers of Poor Pictou  
18. *Resolved*, That the sum of Forty-seven Pounds and One Shilling be granted and paid to the Overseers of the Poor for the Township of Pictou, agreeably to the report of the Committee on the subject of Transient Poor.
- £28 8 8 Amherst Overseers  
19. *Resolved*, That the sum of Twenty-eight Pounds Eight Shillings and Eight Pence be granted and paid to the Overseers of the Poor for the Township of Amherst, agreeably to the report of the Committee on the subject of the Transient Poor.
- £34 8 0 Newport Overseers  
20. *Resolved*, That the sum of Thirty-four Pounds and Eight Shillings be granted and paid to the Overseers of the Poor for the Township of Newport, pursuant to the report of the Committee on subject of the Transient Poor.
- £8 12 11 Minudie Overseers  
21. *Resolved*, That the sum of Eight Pounds Twelve Shillings and Eleven Pence be granted and paid to the Overseers of the Poor for the District of Minudie, pursuant to the report of the Committee on the subject of the Transient Poor.
- £8 0 0 Granville Overseers  
22. *Resolved*, That the sum of Three Pounds be granted and paid to the Overseers of the Poor for the Township of Granville, pursuant to the report of the Committee on the subject of the Transient Poor.
- £16 2 0 Thos. Page  
23. *Resolved*, That the sum of Sixteen Pounds and Two Shillings be granted and paid to defray the expenses incurred by Thomas Page, Overseer of the Poor for the District of Pugwash, for keeping Transient Paupers as per Account.
- £28 2 8 Wilmot Overseers  
24. *Resolved*, That the sum of Twenty-three Pounds Two Shillings and Three Pence be granted and paid to the Overseers of the Poor for the Township of Wilmot, Fifteen Pounds of which to be paid to Doctor Fitch, pursuant to the report of the Committee on Transient Poor.
- £600 Transient Poor Halifax  
25. *Resolved*, That the sum of Six Hundred Pounds be granted for the support of the Transient Poor for the present year, to be paid to the Commissioners of the Poor at Halifax.
- £8 3 6 Aylesford Overseers  
26. *Resolved*, That the sum of Three Pounds Three Shillings and Six Pence be granted and paid to the Overseers of the Poor for the Township of Aylesford, pursuant to the report of the Committee on the subject of Transient Poor.
- £6 12 6 Guysboro' Overseers  
27. *Resolved*, That the sum of Six Pounds Twelve Shillings and Six Pence be granted and paid to the Overseers of the Poor for the Township of Guysborough, agreeably to the Report of the Committee on the subject of Transient Poor.
- £17 5 6 Cornwallis Overseers  
28. *Resolved*, That the sum of Seventeen Pounds Five Shillings and Six Pence be granted and paid to the Overseers of the Poor for the Township of Cornwallis, for the support of Transient Paupers, agreeably to the report of the Committee.
- £7 7 6 Overseers Windsor  
29. *Resolved*, That the sum of Seven Pounds Seven Shillings and Six Pence be granted and paid to the Overseers of the Poor for the Township of Windsor, for the support of Transient Paupers, agreeably to the report of the Committee.

*Resolved,*

30. *Resolved*, That the sum of Nine Pounds and a Penny be granted and paid to John Bourinet, for the support of a Transient Pauper, at Sydney, Cape Breton, agreeably to the report of the Committee. £9 0 1 John Bourinet

31. *Resolved*, That the sum of Two Pounds Thirteen Shillings and Nine Pence be granted and paid to the Overseers of the Poor for the Township of Annapolis, agreeably to the report of the Committee respecting Transient Paupers. £2 13 9 Overseers of Poor Annapolis

32. *Resolved*, That the sum of Three Hundred Pounds be granted and paid to the Nova-Scotia Baptist Education Society, in aid of the Institutions at Horton for the present year. £300 Horton College

33. *Resolved*, That the sum of Three Hundred Pounds be granted and paid to the Trustees of Saint Mary's College, or Seminary, at Halifax, in aid of such College, or Seminary for the present year. £300 St. Mary's College

34. *Resolved*, That the sum of Seven Pounds and Ten Shillings be granted and paid to Hugh McDonald, for services performed under the direction of the Board of Health of Pictou, pursuant to the report of the Committee on this subject. £7 10 0 H. McDonald

35. *Resolved*, That the sum of Thirty One Pounds Six Shillings and a Penny be granted and paid to Doctor F. C. Pike, for services performed under the direction of the Health Officer at Windsor, agreeably to the report of the Committee on the subject of Health. £31 6 1 Dr. Pyke

Mr. Huntington moved that the first Resolution granting £200 for Roads in the County of Colchester, be not received by the House: which, being seconded and put, and the House dividing thereon, there appeared, for the motion, seventeen; against it, twenty-four: Motion not to receive Colchester Road Vote Negatived

For the motion,

Against the motion,

Mr S Chipman  
Mr Clements  
Mr Rider  
Hon Mr Uniacke  
Mr Huntington  
Mr Gates  
Mr Goudge  
Mr Beckwith  
Mr Comeau

Mr Homer  
Mr McKenna  
Mr Budd  
Mr Payzant  
Mr S B Chipman  
Mr Martell  
Mr Holdsworth  
Mr Spearwater

Mr Lewis  
Mr Forrester  
Mr Dickey  
Mr J R Dewolf  
Mr Forrestall  
Mr DesBarres  
Mr Creighton  
Mr Taylor

Mr Hatton  
Mr McLellan  
Mr Johnson  
Mr Thorne  
Mr Fulton  
Hon Atty General  
Mr Heckman  
Mr Smith

Hon Mr Dewolf  
Mr Dimock  
Mr Holmes  
Mr Annand  
Hon Mr McNab  
Mr McKay  
Mr Blackadar  
Mr Henry

So it passed in the negative.

The Resolution was then agreed to by the House.

Mr. Goudge moved that the second Resolution granting £200 for Roads in the County of Cumberland, be not received by the House: which, being seconded and put, and the House dividing thereon, there appeared, for the motion, nineteen; against it, twenty-three. Resolution agreed to Motion not to receive Cumberland Road Vote Negatived

So it passed in the negative.

The Resolution was then agreed to by the House.

Mr. Goudge moved that the third Resolution granting £200 for Roads in the County of Lunenburg, be not received by the House: which, being seconded and put, and the House dividing thereon, there appeared, for the motion, fifteen; against it, twenty-nine. Resolution agreed to Motion not to receive Lunenburg Road Vote Negatived

For the motion,

Against the motion,

Mr S Chipman  
Mr Clements  
Mr Rider  
Mr Huntington  
Mr Gates  
Mr Goudge  
Mr Beckwith  
Mr Comeau

Mr Homer  
Mr McKenna  
Mr Budd  
Mr Payzant  
Mr S B Chipman  
Mr Martell  
Mr Holdsworth

Mr Lewis  
Mr Forrester  
Mr Dickey  
Mr J R Dewolf  
Mr Forrestall  
Mr DesBarres  
Mr Creighton  
Mr Taylor  
Mr Hatton  
Mr McLellan

Mr Johnson  
Mr Thorne  
Mr Fulton  
Hon. Atty. General  
Mr Heckman  
Mr Smith  
Hon Mr Dewolf  
Mr Dimock  
Mr Holmes  
Mr Annand

Hon. Mr McNab  
Mr McKay  
Mr Blackadar  
Mr Henry  
Hon Mr Uniacke  
Mr Spearwater  
Mr Young  
Hon Mr Dodd  
Mr Zwicker

So it passed in the negative.

The Resolution was then agreed to by the House.

Mr. Huntington moved that the fourth Resolution granting £300 for Roads in the County of Halifax, be not received by the House: which, being seconded and put, and the House dividing thereon, there appeared, for the motion, twenty; against it, twenty-four. Resolution agreed to Motion not to receive Halifax Road Vote Negatived

So it passed in the negative.

The Resolution was then agreed to by the House.

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Motion not to receive Pictou Road Vote  
Negatived

Mr. Huntington then moved that the fifth Resolution granting £250 for Roads in the County of Pictou, be not received by the House: which, being seconded and put, and the House dividing thereon, there appeared, for the motion, fifteen; against it, twenty-nine:

For the motion,

Mr S Chipman  
Mr Clements  
Mr Huntington  
Mr Gates  
Mr Goudge  
Mr Beckwith  
Mr Comeau  
Mr Homer

Mr McKenna  
Mr Budd  
Mr Payzant  
Mr Martell  
Mr Turnbull  
Mr Spearwater  
Mr Holdsworth

Against the motion,

Mr Lewis  
Mr Forrester  
Mr Dickey  
Mr J R Dewolf  
Mr Forrestall  
Mr DesBarres  
Mr Creighton  
Mr Taylor  
Mr Hatton

Mr McLellan  
Mr Johnson  
Mr Thorne  
Mr Fulton  
Hon Atty General  
Mr Heckman  
Mr Smith  
Hon Mr Dewolf  
Mr Dimock

Mr Holmes  
Mr Annand  
Hon Mr McNab  
Mr McKay  
Mr Blackadar  
Mr Henry  
Hon Mr Uniacke  
Mr S B Chipman  
Mr Rider

So it passed in the negative.

Vote agreed to

The Resolution was then agreed to by the House.

Motion not to receive Sydney and Guysboro' Road Vote

Mr. Goudge moved that the sixth Resolution granting Monies for Roads connected with the Counties of Sydney and Guysborough, be not received by the House: which, being seconded and put, and the House dividing thereon, there appeared, for the motion, twenty-one; against it, twenty-four.

Negatived

So it passed in the negative.

Vote agreed to

The Resolution was then agreed to by the House.

Motion not to receive Vote for New Great Eastern Road

Mr. Goudge moved that the seventh Resolution granting £550 for the new Eastern road from Musquedoboit towards Guysborough, be not received by the House: which, being seconded and put, and the House dividing thereon, passed in the affirmative.

Carried

*Ordered*, That the said Resolution be not received by the House.

Vote not received  
Motion for recommitting Baptist Academy Vote for the purpose of increasing amount, &c.

Mr. Chipman moved that the thirty-second Resolution for granting £300 to the Nova-Scotia Baptist Education Society, for the present year, be re-committed for the purpose of considering whether the sum of £500 should be substituted therein for the sum of £300, and the grant made for four years instead of one: which, being seconded and put, and the House dividing thereon, there appeared, for the motion, eighteen; against it, twenty-seven:

Negatived

For the motion.

Hon Mr McNab  
Mr S B Chipman  
Mr Lewis  
Mr S Chipman  
Mr Upham  
Mr Gates  
Mr Dimock  
Hon Mr Dewolf  
Hon Mr Dodd

Mr Beckwith  
Mr Smith  
Mr Huntington  
Mr Johnson  
Mr Payzant  
Mr Holdsworth  
Mr McLellan  
Mr Rider  
Mr Clements

Against the motion,

Mr McKay  
Mr Spearwater  
Mr Thorne  
Mr Taylor  
Mr Hatton  
Mr Marshall  
Mr Creighton  
Hon Mr Uniacke  
Mr Dickey

Mr Budd  
Mr Henry  
Mr Martell  
Mr Forrestall  
Mr Comeau  
Mr Fulton  
Mr Heckman  
Mr Fairbanks  
Mr Goudge

Mr Holmes  
Mr Zwicker  
Mr DesBarres  
Mr Turnbull  
Mr Young  
Mr Archibald  
Mr Annand  
Mr Blackadar  
Mr Forrester

So it passed in the negative.

Vote agreed to

The Resolution was then agreed to by the House.

Other Votes agreed to  
Sent to Council

The several other Resolutions were then agreed to by the House.

*Ordered*, That the Clerk do carry the Resolutions agreed to by this House to the Council, and desire their concurrence thereto.

Com. of Supply

On motion, the House resolved itself into the Committee of Supply.

Mr. Speaker left the Chair;

Mr. Clements took the Chair of the Committee,

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had come to several Resolutions, which they had directed him to report to the House.

The Chairman also acquainted the House, that he was directed by the Committee to move for leave to sit again—which the House agreed to.

Chairman reports Resolutions (except two)

*Ordered*, That the Chairman of the Committee do now report the said Resolutions, (with the exception of the Resolutions for granting Monies for the erection of a Light House at the North entrance of the Gut of Canso, and to Reuben Nickerson; and thereupon,

Mr. Clements, the Chairman of the Committee, reported nineteen Resolutions, which were read, and are as follow:

*Resolved*,

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1. *Resolved*, That the sum of Seven Pounds and Fifteen Shillings be granted and paid to Charles T. Wilkins, Sheriff of Hants, pursuant to the report of the Committee on his Petition. £7 15 0 Chas. T. Wilkins
2. *Resolved*, That a sum, not exceeding Sixty Pounds, be granted and placed at the disposal of His Excellency the Lieutenant-Governor, to provide for such expenses as may be incurred in the County of Guysborough in arresting the progress of the Small Pox—such sum to be paid only on the terms specified in the Report of the Committee. £60 Guysboro' Small Pox expenses
3. *Resolved*, That the sum of Five Hundred Pounds be granted and paid in each and every year, for three years, in lieu of the sum of Three Hundred Pounds granted for the same period in the Session of 1839, to such person or persons as shall establish and run a suitable Steam Boat between Halifax and the Western Sea Ports—the same to be paid on its being certified to the satisfaction of His Excellency the Lieutenant-Governor that a Boat has plied between Halifax and Yarmouth nine months in each year, touching at intermediate Ports. £500 annually for 3 years to Western Steamers
4. *Resolved*, That the Sum of Thirty-nine Pounds and Fifteen Shillings be granted to pay the Salary of the Female Teacher of the African School at Halifax, for the present year. £39 15 0 African School
5. *Resolved*, That the sum of Seven Hundred Pounds be granted (in addition to the Three Hundred Pounds granted last year) and placed at the disposal of His Excellency the Lieutenant-Governor to build a Light-House in the Basin of Mines, conformably with the recommendation of the Committee on Light-Houses. £700 Light House Basin of Mines
6. *Resolved*, That His Excellency the Lieutenant-Governor be authorised to draw by Warrant on the Treasury for one third of the amount subscribed by the Inhabitants to build an addition to the Breakwater at Meteghan River, in the Township of Clare, on proof to his satisfaction of the amount of such subscription having been expended thereon; provided the amount of the Provincial allowance does not exceed Fifty Pounds. £50 Meteghan Breakwater
7. *Resolved*, That such sum shall be placed at the disposal of the Governor Lieutenant-Governor or Commander in Chief for the time being, as will suffice to pay to the Inhabitants a sum in aid of building a Breakwater at Specht's Cove, equal to one third of any amount, which shall be satisfactorily proved to His Excellency to have been subscribed by the Inhabitants, and actually expended on the said Breakwater; provided the sum hereby granted shall not exceed Fifty Pounds. £50 Breakwater Specht's Cove
8. *Resolved*, That such sum shall be granted and placed at the disposal of the Governor, Lieutenant-Governor or Commander in Chief for the time being, as will suffice to pay to the Inhabitants a sum in aid of building a Breakwater at Canady's Creek, equal to one third of any amount which shall be satisfactorily proved to His Excellency to have been subscribed by the Inhabitants, and actually expended on the said Breakwater; provided that the sum hereby granted shall not exceed One Hundred Pounds. £100 Breakwater Canady's Creek
9. *Resolved*, That the sum of One Hundred Pounds be granted to aid the Inhabitants of the Township of Aylesford in the erection of a Breakwater at the French Cross, on the South Shore of the Bay of Fundy, in that Township, to be drawn when it shall be satisfactorily made appear to His Excellency the Lieutenant-Governor that the sum of Two Hundred Pounds has been raised by private contribution, and expended on said work, and that the use of the Pier has been secured to the Public. £100 Breakwater French Cross Aylesford
10. *Resolved*, That the sum of Fifty Pounds be granted and paid to aid the Inhabitants of the Township of Clare to build an addition to the Breakwater at Whale Cove, in said Township, when it shall be proved to the satisfaction of His Excellency, that One Hundred and Fifty Pounds have been subscribed and expended on said Breakwater. £50 Breakwater Whale Cove
11. *Resolved*, That the sum of Forty-three Pounds be granted and paid to aid the Inhabitants of Broad Cove, County of Inverness, to build a Breakwater, and to divert the course of Broad Cove River, when it shall be proved to the satisfaction of His Excellency that One Hundred and Twenty-nine Pounds has been subscribed and expended by the Inhabitants on such undertaking. £43 Breakwater Broad Cove
12. *Resolved*, That the sum of Fifty Pounds be granted and paid to the Inhabitants of Lewishead, in the County of Shelburne, to enable them to re-build a Breakwater, when it shall

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shall be certified to His Excellency the Lieutenant-Governor that One Hundred and Fifty Pounds has been expended in that work—One Hundred Pounds thereof raised by private subscription.

£100 Breakwater  
Green's Cove

13. *Resolved*, That the sum of One Hundred Pounds be granted and paid to aid the Inhabitants to build a Breakwater at Green's Cove, in the County of Yarmouth, when it shall be proved to the satisfaction of His Excellency the Lieutenant-Governor, that Three Hundred Pounds has been subscribed and expended on said Breakwater, and the Site conveyed to the Public.

£70 Breakwater  
Gates' Mountain

14. *Resolved*, That the sum of Seventy Pounds be granted and paid to aid the Inhabitants to complete the Breakwater at Gates' Mountain, when it shall be proved to the satisfaction of His Excellency the Lieutenant-Governor that Two Hundred and Eight Pounds has been subscribed and expended on said Breakwater.

£33 Breakwater  
Marshall's Cove

15. *Resolved*, That such sum be placed at the disposal of His Excellency the Lieutenant-Governor as will suffice to pay to the Inhabitants a sum in aid of Building a Breakwater at Marshall's Cove, in the County of Annapolis, equal to one third of any amount, which shall be satisfactorily proved to His Excellency to have been subscribed by the Inhabitants, and actually expended on the said Breakwater; provided the sum hereby granted shall not exceed Thirty-three Pounds.

£90 Revenue Boat  
Sydney C. B.

16. *Resolved*, That the sum of Sixty Pounds be granted and placed at the disposal of the Lieutenant-Governor, or Commander in Chief for the time being, to enable him to procure a suitable Revenue Boat at Sydney, in the County of Cape-Breton; and a further sum of Thirty Pounds, to enable him to employ such Boat as heretofore.

£300 Life Boats

17. *Resolved*, That the sum not exceeding Three Hundred Pounds be granted and placed at the disposal of the Lieutenant-Governor, or Commander in Chief for the time being, to enable him to procure two of Francis' Life Boats, one of which shall be stationed at Seal Islands, and the other at the Island of St. Paul's or Scattarie, in conformity with the report of the Committee.

£60 Revenue Boat  
Digby

18. *Resolved*, That the sum of Sixty Pounds be granted and placed at the disposal of the Lieutenant-Governor, or Commander in Chief for the time being, for the purpose of continuing the Revenue Boat at the entrance of Annapolis River during the present year, under the direction of the Collector of Customs at Digby.

£20 Bay Verte  
Packet

19. *Resolved*, That the sum of Twenty Pounds be granted and paid to W. Weeks, or any person who will run a Packet Boat between the Bay of Verte and Prince Edward Island, when it shall be made to appear satisfactorily to His Excellency the Lieutenant-Governor, or Commander in Chief for the time being, that such Packet Boat has been run agreeably to such regulations as may be established by the Justices in Sessions for the County of Cumberland.

Resolutions agreed  
to

The said Resolutions being then read a second time, were, upon the question severally put thereon, agreed to by the House.

Order of Day  
Presentation of  
Road Scales postponed

The Order of the Day being read,  
*Ordered*, That the several Scales of Subdivision of Road Money be presented on Monday next.

Then the House adjourned until Monday next, at one of the clock.

Monday, 29th March, 1841.

Amdts. of House to  
Council's amdts to  
Lands and Tenements  
Bill re-considered

The amendment proposed by this House to the amendment proposed by the Council to the Bill, entitled, An Act for making Lands and Tenements liable to the payment of Debts, and for repealing the Acts now in force, not agreed to by the Council, were read and considered—and thereupon,

House adhere

*Resolved*, That this House do adhere to their said amendments.

Bill, &c. sent back  
to Council

*Ordered*, That the Clerk do carry the Bill and amendment to the Council, and acquaint them with the above Resolution.

A Message from His Excellency the Lieutenant-Governor by the Gentleman Usher of the Black Rod :	Message from Lt. Gov. commanding attendance of House
Mr. Speaker;	
His Excellency the Lieutenant-Governor commands this Honorable House to attend His Excellency immediately in the Council Chamber.	
Accordingly, Mr. Speaker, with the House, attended His Excellency in the Council Chamber, and being returned,	House attend His Excellency
Mr. Speaker reported that the House had attended His Excellency in the Council Chamber, when His Excellency was pleased to give his assent to the several Bills following, viz :	Gov. assents to Bills viz :
A Bill, entitled, An Act to abolish the punishment of Pillory, cutting the ears of Offenders, and Whipping, and to substitute Imprisonment in-lieu thereof.	Pillory
A Bill, entitled, An Act to prevent a failure of Justice, by reason of variances between Records and Writings produced in evidence in support thereof.	Variances in Records
A Bill, entitled, An Act in addition to, and amendment of, an Act, entitled, An Act to incorporate the Petite Plaister and Mills Company, and the Acts passed in amendment thereof.	Petite Plaister Co.
A Bill, entitled, An Act to continue the Act to prevent Injuries to the Fisheries within the County of Lunenburg, by Mill Dams, or any other obstruction.	Fisheries Lunenburg
A Bill, entitled, An Act to continue the Act for the better regulation of Sable Island, in this Province.	Sable Island
A Bill, entitled, An Act to continue the Act in amendment of an Act, made and passed in the first and second years of His late Majesty's Reign, entitled, An Act to extend the Laws and Ordinances of the Province of Nova-Scotia to the Island of Cape-Breton.	Extension of Laws to C. B.
A Bill, entitled, An Act further to amend the Act respecting the Registry of Deeds.	Registry of Deeds
A Bill, entitled, An Act to amend the Act to Incorporate the Halifax Gas Light and Water Company.	Gas Light
A Bill, entitled, An Act to amend an Act for Incorporating the Trustees of Queen's College at Horton.	Queen's College
A Bill, entitled, An Act to authorize the appointment of a new Board of Governors of the Dalhousie College at Halifax.	Dalhousie College
A Bill, entitled, An Act to continue the Act for the Summary Trial of Actions, and the Acts in amendment thereof.	Summary Trial of Actions
A Bill, entitled, An Act to provide for the improvement and repair of the Great Roads East and West of the Capital.	Great Roads East and West
A Bill, entitled, An Act for amending the Law relative to offences against the Person.	Offences to Person
A Bill, entitled, An Act to continue the Act respecting the Collection of Poores' Rates of Pictou.	Poores' Rates Pictou
A Bill, entitled, An Act to amend the Law relating to burning or destroying Buildings and Ships.	Burning Buildings
A Bill, entitled, An Act to amend the Laws relating to Robbery, Burglary and Larceny.	Robbery, &c.
A Bill, entitled, An Act for Incorporating the Trustees of the Saint Mary's College at Halifax.	St. Mary's College
A Bill, entitled, An Act to extend to the Town of Port Medway, in Queen's County, the Act relating to Commissioners of Highways in Halifax, and certain other places.	Highways Port Medway
A Bill, entitled, An Act to continue the Act for establishing a Harbour Master at Bridgeport, in the Island of Cape-Breton.	Harbour Master Bridgeport
A Bill, entitled, An Act to continue the Act to amend an Act for establishing a Public School in the Town of Halifax.	Public School Halifax
A Bill, entitled, An Act to continue the Act to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape-Breton, and the Acts in amendment thereof.	Pilotage Sydney
A Bill, entitled, An Act to continue the Act to encourage the Importation of improved Breeds of Cattle into this Province.	Importation of Cattle
A Bill, entitled, An Act to continue the Act in addition to, and in amendment of, the	Nuisances

- Act to prevent Nuisances by Hedges, Wears and other Incumbrances, obstructing the passage of Fish in the Rivers of this Province.
- Killing Bears, &c. A Bill, An Act to continue the Act to encourage the killing of Bears, LoupCerviers and Wild Cats.
- Parrsborough A Bill, entitled, An Act to amend the Act to divide the Township of Parrsborough, and to annex parts thereof to the Counties of Colchester and Cumberland, respectively.
- Lunenburg Fire Engine A Bill, entitled, An Act to continue the Act to enable the Inhabitants of the Town of Lunenburg to procure a Fire Engine, with other utensils and materials, necessary for extinguishing Fires.
- Nets of Fishermen A Bill, entitled, An Act to continue the Act to prevent damage to the Nets of Fishermen, by Coasting Vessels.
- Nova Scotia Bank A Bill, entitled, An Act to continue the Act to amend the Act to Incorporate sundry persons by the name of the President, Directors and Company, of the Bank of Nova Scotia.
- Supervisors Public Grounds A Bill, entitled, An Act to continue the Acts for appointing Supervisors to take charge of Public Grounds, and for other purposes.
- Dyke Rates Horton A Bill, entitled, An Act to continue the Act relative to the assessment of Dyke Rates for the New or Wickwire Dyke in Horton.
- Timber & Lumber A Bill, entitled, An Act to continue the Act to regulate the survey of Timber and Lumber, and to repeal certain Acts now in force.
- Fisheries Shubenacadie A Bill, entitled, An Act to continue the Act for regulating the Fishery in the River Shubenacadie.
- Billeting Troops A Bill, entitled, An Act to continue the Act, entitled, An Act to provide for the accommodation and billeting of His Majesty's Troops, or of the Militia, when on their march from one part of the Province to another, and also the Acts in amendment thereof.
- Roads Guysboro' A Bill, entitled, An Act to continue the Act to enable the Proprietors of Land, in the rear Blocks or Divisions of Land, in the Township of Guysborough, to open Roads through the same.
- Sea Manure Queen's County A Bill, entitled, An Act to continue the Act to authorize the Sessions of the Peace for the County of Queen's County to make regulations for the gathering of Sea Manure in the said County.
- Pictou Assessors A Bill, entitled, An Act respecting the number of Assessors of Poores' Rates for Pictou.
- Landings King's County A Bill, entitled, An Act to continue the Act to regulate certain Landings in the County of King's County.
- Lotteries A Bill, entitled, An Act for the suppression of Lotteries.
- Criminal Justice A Bill, entitled, An Act for improving the Administration of Justice, in Criminal Cases, in this Province.
- Sheriff's compensation A Bill, entitled, An Act to enable Grand Juries and Courts of Session to make compensation to Sheriffs, in certain cases.
- Gen. Mining Association A Bill, entitled, An Act to Incorporate the General Mining Association.
- Marriage Licenses A Bill, entitled, An Act to continue the Act relating to Marriage Licenses.
- Seal Fishery A Bill, entitled, An Act to revive and continue the Act to encourage the Seal Fisheries of this Province.
- Lake Porter Bridge A Bill, entitled, An Act for the protection of Lake Porter Bridge.
- Writs of Attachment A Bill, entitled, An Act to continue the Act to restrain the issuing of Writs of Attachment, in certain cases.
- Coals A Bill, entitled, An Act to continue the Act to authorise the sale of Coals by Weight.
- Stealing Dogs, &c. A Bill, entitled, An Act to continue the Act to make the stealing of Dogs, Beasts and Birds, Larceny.
- Navigation Pugwash A Bill, entitled, An Act to continue the Act to preserve and regulate the Navigation of the Harbour of Pugwash.
- Summary Trials, C. B. A Bill, entitled, An Act to continue and amend the Act for the Summary Trial of Actions in the Island of Cape-Breton.
- Impost Duties A Bill, entitled, An Act to continue and amend the Act for granting Colonial Duties of Impost for the support of Her Majesty's Government within this Province, and for promoting the Agriculture, Commerce, and Fisheries thereof.

A Bill, entitled, An Act to continue the Act for the general regulation of the Colonial Duties.	Colonial Duties
A Bill, entitled, An Act to continue the Act concerning Goods exported, and for granting Drawbacks.	Drawbacks
A Bill, entitled, An Act to continue the several Acts for the prevention of Smuggling.	Smuggling
A Bill, entitled, An Act to continue and amend the Act for the Warehousing of Goods.	Warehousing
A Bill, entitled, An Act to continue and amend the Act for regulating the Importation of Goods.	Importation of Goods
A Bill, entitled, An Act to continue and amend the Act for granting Duties on Licences for the sale of Spirituous Liquors, and the Act to alter the same.	Licence Duties
A Bill, entitled, An Act to continue the Act for granting Duties on Licences, and for the sale of Spirituous Liquors, and for Sales by Auction, in Halifax, and the Act to alter the same.	Sales by Auction
A Bill, entitled, An Act to set off North Sydney as a separate Township.	Sydney Township
A Bill, entitled, An Act to authorize the Congregation of the Baptist Meeting House at Pleasant Valley, in Cornwallis, to raise Monies from the Pews of the said Meeting House, for the repairing and ornamenting thereof.	Meeting House Cornwallis
A Bill, entitled, An Act for the regulation of the Fisheries in the County of Richmond.	Fisheries Richmond
A Bill, entitled, An Act to extend to the Village of Maitland, in the County of Hants, the provisions of the Act relating to Commissioners of Highways in Halifax, and certain other places.	Highways Maitland
A Bill, entitled, An Act to enable the Grand Jury of the County of Queen's to assess the Inhabitants for certain expenses incurred by the Clerk of the Licenses in prosecuting Persons for a breach of the Law regulating the Retail of Spirituous Liquors.	Queen's County assessment
A Bill, entitled, An Act to continue the Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges, and the Acts in amendment thereof.	Road expenditure
A Bill, entitled, An Act to amend the several Acts for Incorporating the Nova-Scotia Marine Insurance Company, and the Halifax Marine Insurance Company.	Marine Ins. Co.
A Bill, entitled, An Act for making regulations to prevent Dogs going at large, in certain cases.	Regulation of Dog cases
A Bill, entitled, An Act concerning the Court of Marriage and Divorce.	Marriage & Divorce
A Bill, entitled, An Act to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein.	Judiciary
A Bill, entitled, An Act for the encouragement of Agriculture and Rural Economy in this Province.	Agriculture
A Bill, entitled, An Act to continue the Act in amendment of the Act for the Settlement of the Poor in the several Townships within this Province.	Settlement of Poor
The amendments proposed by the Council to the Bill, entitled, An Act to Incorporate the Town of Halifax, were read a second time, and are as follow :	Council's Ammts. to Halifax Incorporation Bill considered
14th Clause.—2d line—insert "three" instead of "five," and "second" instead of "third."	
15th Clause.—3d and 6th lines—insert "three" instead of "five," and "second" instead of "third."	
16th Clause.—At the end of the Clause add the following words " unless the outgoing Mayor shall desire to retire from the City Council, and shall, within two days after the expiration of his Mayoralty, give notice in writing of his resignation to the City Council, in which case a Councillor shall be elected by the Ward for which the Mayor elect was elected in manner herein prescribed."	
18th Clause.—21st line—insert "Blanks" for "Blank"—after "sworn" insert "the title of the Office, and"	
24th Clause.—Leave out the Proviso.	
26th Clause.—3d line—insert "five" instead of "four."	

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28th Clause.—5th line—insert “one” instead of “that,”—leave out the words “in which he may reside.”

29th Clause.—5th line—leave out “before.”

39th line—after “fide” insert “yearly.”

Last line insert “tenure” instead of “terms.”

31st Clause.—2d line—leave out “by the said Electors in the City Council,” and insert “under this Act”—leave out “on.”

32d Clause.—Last line—insert “then” instead of “they are.”

At the end of the Clause add the following Proviso “Provided that no person shall be re-elected to the Office of Mayor, until at least one year after the termination of his last occupancy of the office.”

34th Clause.—2d line—after “years” insert “or as soon thereafter as the returns of the members shall be complete.”

36th Clause.—6th line—insert “of” instead of “to”—before “Alderman” insert “City Councillor.”

7th line—insert “of” instead of “to.”

9th line—after “Pounds” insert “and the Election to any of the said Offices shall be held *primâ facie* evidence of qualification on the part of the person appointed, unless such person shall make Oath before the Mayor who is hereby authorised to administer such Oath, that he is not possessed of the qualification for the Office required by this Act, in some particular or particulars to be stated in such Oath.”

31st line—leave out “and Quarter Master General of Militia.”

37th Clause.—4th line—insert “two” instead of “four.”

41st Clause.—4th line—after “Mayor” insert “or in his absence by the presiding Alderman.”

53d Clause.—18th line—after “punish” insert “by imprisonment in the Common Gaol or House of Correction not exceeding thirty days or.”

57th Clause.—3d and 4th lines—leave out “being a Barrister of the Supreme Court of Nova-Scotia, of at least three years standing,” and insert “who shall have been enrolled an Attorney or Barrister of the Supreme Court of this Province, for at least seven years before the passing of this Act.”

58th Clause.—23d line—insert “or” instead of “of.”

29th line—insert “the new Cemetery on the Common” instead of “the Public Burial Grounds.”

At the end of the Clause add the following “Proviso.”

“Provided that nothing in this Clause contained shall affect Churches or other places of worship and the ground pertaining thereto, Glebes, School Houses, and the grounds thereto appertaining, and the Burial Grounds now in use in the said Town.”

61st Clause.—After this Clause insert the following Clause.

And be it enacted, That all appeals from Assessments of Rates, instead of being made to the Court of Sessions as prescribed by the Acts now in force, shall hereafter be made to the City Council in the same manner and under the like restrictions as directed by the said Acts.

62d Clause.—2d line—insert “a majority,” instead of “any two.”

8th line—leave out “any two.”

13th line—leave out “two.”

15th line—leave out “two.”

26th and 27th lines—leave out “any two.”

66th Clause.—5th line—leave out “sole.”

6th line—leave out “of the ward to which they belong.”

9th line—leave out “exclusive.”

73d Clause.—Leave out this Clause and insert the following :

“And be it enacted, that the Commissioners of the Poor shall once in each year at least, render to, and file in, the office of the City Clerk, an Account of all Monies received and expended by them, which Account shall be examined and audited by the City Council in the

the

the manner hereinbefore prescribed for the passing of Accounts, and subject to such Bye Laws and regulations as may be made relative thereto."

84th Clause.—2d line—insert "five" instead of four."

Amendments made on the third reading of the said Bill.

3rd Clause.—In the last line but one of the description of Ward number one, after "Eastwardly" insert "and."

In the 9th line of the description of Ward number two, insert "Southwardly" instead of "Northwardly"—last line leave out the words "on the shore of Halifax Harbor," and insert instead "thence by the Harbor to the place of beginning."

In the last line of the description of Ward number three, leave out the words "on the Harbor of Halifax," and insert instead "thence by the Harbor to the place of beginning."

In the 6th line of the description of Ward number four, insert "Northern" instead of "Southern."—In the last line leave out the words "at Noble's Wharf, on the Harbor of Halifax," and insert instead, "thence by the Harbor to the place of beginning."

In the 8th line of the description of Ward number Five, insert "two" instead of "four."

In the last line leave out the the words "at Leppert's wharf, on the Harbor of Halifax," and insert instead "thence by the Harbor to the place of beginning."

And thereupon,

The amendments, as far as the amendments proposed to the 56th Clause of the Bill inclusive, were considered by the House, and severally agreed to.

The amendment to the 57th Clause was then considered; and thereupon,

*Resolved*, That the said last mentioned amendment be not agreed to.

The amendments to the 58th, 59th, and 60th Clauses were then considered, and agreed to by the House.

*Resolved*, That this House cannot consider the amendment to the 61st Clause, as such amendment relates to Taxation.

The amendments to the 62d and 66th Clauses were then considered and agreed to.

The amendment proposed to the 73d Clause was considered, and the Hon. Attorney General moved that the amendment be agreed to: which, being seconded and put, and the House dividing thereon, there appeared, for the motion, twenty-one; against it, fifteen. So it passed in the affirmative, and the amendment was accordingly agreed to.

The remaining amendments were then considered, and agreed to.

*Ordered*, That the Clerk do carry the Bill and amendments to the Council, and acquaint them that this House have agreed to the amendments, with the exception of the amendments proposed to the fifty-seventh and sixty-first Clauses of the Bill, and that this House have not agreed to the amendment proposed to the 57th Clause, and cannot consider the amendment proposed to the sixty-first Clause of the Bill—said amendment touching Taxation.

*Ordered*, That the Chairman of the Committee of Supply do now report the two Resolutions not reported on Saturday last—and accordingly,

Mr. Clements, the Chairman of the Committee, reported the two Resolutions, which were read as followeth:

*Resolved*, That the sum of Seven Hundred Pounds be granted, in addition to Three Hundred and Fifty Pounds granted last year, and be placed at the disposal of His Excellency the Lieutenant-Governor, to build a Light House on the West side of the North entrance of the Big Gut of Canso, in conformity with the Report of the Committee on Light Houses.

*Resolved*, That the sum of Fifteen Pounds be granted and paid to Reuben Nickerson, to enable him to keep a House of Entertainment, and Stabling for Horses, for the accommodation of Travellers, on the Road from Barrington to Shelburne.

Mr. Archibald moved that the last mentioned Resolution be not received by the House: which, being seconded and put, and the House dividing thereon, there appeared, for the motion, seven; against it, thirty-two.

Amdts. up to amdts. to 57th clause agreed to  
Amdt. to 57th clause disagreed to

Amdts. to 58th, 59th & 60th clauses agreed to  
House refuse to consider amdt. to 61st clause  
Amdt. to 62d and 66th clauses agreed to  
Amdts. to 73d clause agreed to on division

Remaining amdts. agreed to

Bill and amdts. sent to Council

Resolutions reported from Com. of Supply, viz.

£700 Light House Gut of Canso

£15 R. Nickerson

Motion not to receive vote to R. Nickerson negatived on division

MONDAY, 29th MARCH, 1841.

## For the motion,

Mr Goudge  
Mr Dimock  
Mr Payzant  
Mr Smith  
Mr Dickey  
Mr Archibald  
Mr Hatton

Mr Zwicker  
Mr Turnbull  
Mr Creighton  
Mr Forrester  
Mr Marshall  
Mr Comeau  
Mr Holdsworth  
Mr Taylor  
Mr Beckwith  
Mr Thorne  
Mr Rider

## Against the motion,

Mr Forrestall  
Mr McLellan  
Mr Budd  
Mr Heckman  
Mr Upham  
Mr Gates  
Mr Spearwater  
Hon Mr Dewolf  
Mr Holmes  
Mr Annand  
Mr Clements

Mr Young  
Mr Fairbanks  
Mr McKenna  
Mr Lewis  
Hon Atty General  
Hon Mr Dodd  
Mr Huntington  
Mr Blackadar  
Mr Des Barres  
Mr S B Chipman

So it passed in the negative.

The said Resolutions were then agreed to.

*Ordered*, That the Clerk do carry the Resolutions to the Council, and desire their concurrence.

Resolutions agreed to and sent to Council

The Hon. the Attorney General, by special leave, presented a Bill to amend the Act to Incorporate the Town of Halifax, and the same was read a first time.

*Ordered, nem. con.*, that the said Bill be now read a second time.

And the same was accordingly read a second time.

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

Bill presented to amend Halifax Incorporation Act

Read 2d time & committed

Mr. Young, from the Select Committee on the Communication from the Reverend Dr. McCulloch to His Excellency the Lieutenant Governor, reported favourably to the object thereof; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.

(See Appendix No. 61.)

On Motion, *resolved*, that the Report be received and adopted.

*Ordered*, That the report and Communication be referred to the Committee of Supply.

Adopted Ref. to Com. of Supply

Pet. for Act to shut up Old Road from Antigonish to Guysborough

A Petition of John Monro and others, of the County of Sydney, was, by special leave, presented by Mr. Forrestall and read, praying that measures may be taken for authorising the shutting up of an old Road, for which a new one had been, by Law, substituted on the Main Road from Antigonish to Guysborough.

*Ordered*, That the Petition do lie on the Table, and that Mr. Forrestall have special leave to bring in a Bill pursuant to the prayer thereof.

Leave to bring in Bill

On Motion of Mr. Marshall, *resolved*, that the Petition of Duncan McMillan be referred to a Select Committee, to examine into the merits thereof and report thereon.

*Ordered*, That the Hon. Mr. McNab, Mr. Creighton and Mr. Fairbanks, be a Committee for the above purpose.

Pet. of Duncan McMillan ref. to Sel. Com. Com. named

On motion, the House resolved itself into the Committee on Bills.

Mr. Speaker left the Chair,

Mr. Smith took the Chair of the Committee,

Mr. Speaker resumed the Chair.

Com. on Bills

Report without amdt. Egerton Poor's Rates Bill Bill to confirm legal proceedings Cape Breton Weymouth Township Bill and Halifax Incorporation Amdt. Bill With amtds. Passengers Bill Savings' Bank Bill

The Chairman reported from the Committee that they had gone through the Bill, to extend to the Township of Egerton, the Act respecting the Collection of Poors' Rates of Pictou, and to amend the said Act; the Bill to confirm the past proceedings of the Prothotary and Clerk of the Crown, for the County of Cape Breton; the Bill to set off Weymouth into a separate Township, and the Bill to amend the Act to Incorporate the Town of Halifax; and had directed him to report the said Bills to the House, severally, without amendment:—that the Committee had also again gone through the Bill further to amend the Act relating to Passengers from Great Britain and Ireland, arriving in this Province; and had also gone through the Bill to increase the usefulness of the Savings' Bank at Halifax, and had made sundry amendments to the said Bills, respectively, which they had directed him to report to the House, with the Bills, and he afterwards delivered the Bills and amendments in at the Clerk's Table.

MONDAY and TUESDAY, 29th and 30th MARCH, 1841.

The Chairman also acquainted the House that he was directed by the Committee to move for leave to sit again—which the House agreed to.

*Ordered*, That the Bills reported without amendment be engrossed.

The amendments to the Bill further to amend the Act relating to Passengers, &c., were read, and agreed to.

*Ordered*, That the Bill, with the amendments, be engrossed.

*Ordered*, That the report of the Savings' Bank Bill, and amendments, be considered to-morrow.

On motion of the Hon. Mr. Dewolf, *resolved*, that His Excellency the Lieutenant-Governor be respectfully requested to direct that 400 Copies of the Judiciary Act, passed this Session, be printed, and 200 of such Copies furnished to this House.

The Order of the Day being read,

*Ordered*, That the several Scales of Sub-division of Road Money, be presented to-morrow.

Then the House adjourned until To-morrow, at Eleven of the Clock.

Tuesday, 30th March, 1841.

PRAYERS.

A Petition of David McLellan, was, by special leave, presented by Mr. Upham and read, praying payment of a debt due Petitioner from a deceased Teacher of a Common School, of which payment had been promised from the Government School Fund.

*Ordered*, That the Petition be withdrawn.

An engrossed Bill to amend the Act to Incorporate the Town of Halifax, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to amend the Act to Incorporate the Town of Halifax.

An engrossed Bill further to amend the Act relating to Passengers from Great Britain and Ireland arriving in this Province, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act respecting Passengers, coming into this Province.

An engrossed Bill to extend to the Township of Egerton the Act respecting the collection of Poors' Rates of Pictou, and to amend the said Act, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to extend to the Township of Egerton the Act respecting the collection of Poors' Rates of Pictou, and to amend the said Act.

An engrossed Bill to confirm the past proceedings of the Prothonotary and Clerk of the Crown for the County of Cape-Breton, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to confirm the past proceedings of the Prothonotary and Clerk of the Crown for the County of Cape-Breton.

An engrossed Bill to set off Weymouth into a separate Township, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to set off Weymouth into a separate Township.

*Ordered*, That the Clerk do carry the said Bills to the Council and desire their concurrence.

A Bill to provide a Lock-up House and Town House at Barrington, in the County of Shelburne, was read a second time.

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

The amendments proposed by the Council to the Bill, entitled, An Act for regulating the Dartmouth Common, were read a second time, and considered by the House, and are as follow :

Bills to be engrossed

Amnts. to Passengers Bill agreed to  
Bill, &c. to be engrossed  
Report of Savings Bank Bill postponed

Judiciary Bill to be printed

Order of Day presentation of Road Scales postponed

Pet. of David McLellan for payment of debt due him by School Master Withdrawn

Engrossed Bills read 3d time & passed, viz.  
Bill to amend Halifax Incorporation Act  
Bill to amend Passenger Act

Egerton Poors' Rates Bill

Cape Breton Prothonotary Bill

Weymouth Township Bill

Bills sent to Council

Barrington Town House Bill read 2d time & committed

Council's amnts. to Dartmouth Common Bill considered

4th Clause—At the end of this Clause insert the following Proviso: "Provided, that there shall be reserved and laid off through the said Lots, so directed to be laid out as aforesaid, a Public Road sixty feet wide, along the line of high water mark, or as near thereto as may conveniently be."

6th Clause—4th line—Leave out the words "Nine Hundred and."

At the end of the Bill add the following Clause:

"And be it enacted, That the Trustees shall annually submit an account of all Monies received and paid by them to the Inhabitants resident in the Town Plot of Dartmouth, at a Meeting to be called for that purpose, on the first Monday in March in every year, at which Meeting a Committee of three of the said Inhabitants shall be appointed to audit the account so submitted by the said Trustees, who shall make their report in writing at the next annual Meeting of the said Inhabitants.

On motion of Mr. Annand, *resolved*, that the said amendments be agreed to, with the exception of the amendment proposed to the sixth Clause of the Bill, and that the last mentioned amendment be not agreed to.

*Ordered*, That the Clerk do carry the Bill and amendments to the Council, and acquaint them with the forgoing Resolution thereon.

Pursuant to the Order of yesterday, the House proceeded to the report from the Committee of the whole House, on the Saving's Bank Bill; and thereupon,

Mr. Huntington moved that the Bill be re-committed to a Committee of the whole House, for the purpose of reducing the rate of Interest payable thereunder, on Monies hereafter to be deposited, to four per cent., instead of four and a half per cent., as provided in the Bill: which, being seconded and put, and the House dividing thereon, there appeared, for the motion, seventeen; against it, nineteen.

For the motion,

Against the motion,

Division

Mr Smith  
Mr Rider  
Mr McKenna  
Mr Marshall  
Mr Dickey  
Mr Huntington  
Mr Spearwater  
Mr Dimock  
Mr Fulton  
Mr Johnson

Mr McLellan  
Mr Payzant  
Mr Comeau  
Mr Martell  
Mr Lewis  
Mr McKay  
Mr Clements

Mr Young  
Mr Henry  
Mr Archibald  
Hon Mr Dewolf  
Mr DesBarres  
Hon Mr McNab  
Mr Blackadar  
Mr Fairbanks  
Mr Upham  
Hon Atty General

Mr Forrestall  
Mr Budd  
Mr Creighton  
Mr Taylor  
Mr Heckman  
Mr Hatton  
Mr Forrester  
Mr Holdsworth  
Mr Zwicker

Negatived

So it passed in the negative.

Amdts. agreed to

The amendments to said Bill, as reported from the Committee, were then read, and agreed to by the House.

Bill to be engrossed

*Ordered*, That the Bill, with the amendments, be engrossed.

Message from Council

A Message from the Council, by Mr. Halliburton:

Mr. Speaker,

The Council do not adhere to the amendments proposed by them to the 57th and 61st Clauses of the Bill, entitled, An Act to Incorporate the Town of Halifax.

And then the Messenger withdrew.

Do not adhere to Amdts. to Halifax Incorporation Bill disagreed to by House

*Resolved*, That the Bill, entitled, An Act to Incorporate the Town of Halifax do pass, as amended, by the amendments agreed to by this House.

Halifax Incorporation Bill passed as amended Sent to Council

*Ordered*, That the Clerk do carry the Bill to the Council, and acquaint them that this House have agreed thereto, as amended.

Message from Council

A Message from the Council by Mr. Halliburton:

Mr. Speaker,

The Council do not adhere to their proposed amendment to the sixth clause of the Bill, entitled, An Act for regulating the Dartmouth Common.

Do not adhere to amendment to 6th Clause of Dartmouth Common Bill

The Council have agreed to the Bill, entitled, An Act to continue and amend the Act to repeal the Act to regulate the Public Landings at Windsor, and to substitute other provisions

Agree to Windsor Landings Bill with amdts.

sions in lieu thereof with amendments; to which amendments they desire the concurrence of this Honorable House.

The Council have agreed to thirty-two Resolutions of this Honorable House for granting the following sums for various services, viz: And to 32 Money Votes

- £250 for Roads in the County of Colchester.
- 200 for Roads in the County of Cumberland.
- 200 for Roads in the County of Lunenburg.
- 300 for Roads in the County of Halifax.
- 100 for Roads in the Counties of Sydney and Guysborough.
- 250 for Roads in the County of Pictou.
- 72 14 3 to the Firewardens at Yarmouth.
- 11 8 9 to Alexander Lawson.
- 19 17 9 to John Ferguson.
- 4 16 3 to Messrs. English & Blackadar.
- 6 13 4 to James Spike.
- 17 0 5 to Amos Lovett.
- 41 3 11 to Robert Lawson.
- 22 0 0 to Asa Torrey.
- 191 19 0 Expenses attending the measures taken in relation to the Small Pox at Halifax and Digby.
- 30 18 0 Expense of Survey of Road from Musqueduboit towards Pictou.
- 47 1 0 to the Overseers of the Poor at Pictou.
- 28 8 8 " " Amherst.
- 34 8 0 " " Newport.
- 8 12 11 " " Minudie.
- 3 0 0 " " Granville.
- 16 2 0 " " Pugwash.
- 23 2 3 " " Wilmot.
- 3 3 6 " " Aylesford.
- 6 12 6 " " Guysborough.
- 17 5 6 " " Cornwallis.
- 7 7 6 " " Windsor.
- 2 13 9 " " Annapolis.
- 600 0 0 For Expenses of Transient Poor at Halifax.
- 9 0 1 To John Bouriniet.
- 7 10 0 To Hugh McDonald.
- 31 6 1 To Doctor F. C. Pyke.

And then the Messenger withdrew.

The Order of the day being read for the consideration of the Address to Her Majesty, on the subject of the Civil List, and the Casual and Territorial Revenues of the Crown.

*Resolved*, That the House do resolve itself into a Committee on the consideration of said Address.

Order of Day consideration of Civil List Address in Com. of whole

*Ordered*, That the said Address be referred to the Committee.

The House then resolved itself into the said Committee.

Address ref. to Com. House in Com.

Mr. Speaker left the Chair,

Mr. Smith took the Chair of the Committee,

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee, that they had considered the Address referred to them and had amended the same, and had directed him to Report such amended Address to the House, and he delivered the same in at the Clerk's Table.

Report amended Address

The said amended Address was then read by the Clerk, and is as followeth:

TUESDAY, 30th MARCH, 1841.

## TO THE QUEEN'S MOST EXCELLENT MAJESTY.

Address

THE HUMBLE ADDRESS OF THE HOUSE OF ASSEMBLY FOR THE PROVINCE OF  
NOVA-SCOTIA.*May it please Your Majesty.*

We, your Majesty's faithful and loyal subjects, the Commons of Nova-Scotia, approach your Majesty with feelings of the warmest attachment to your Royal Person, and to the Constitution which secures to us, in common with the other subjects of the Empire, the protection of our dearest rights. It is our anxious desire that the principles of British Freedom should be thoroughly incorporated into the Government of these Colonies, and that their political privileges and condition should be assimilated as nearly as possible to those of the Mother Country. These sentiments are universally diffused among the people of this Province, who are anxious that their Representatives should be invested with every right that constitutionally belongs to them, and more especially should control and distribute all the Revenues of the Colony from whatever source they may be derived. This claim was asserted by our Predecessors in the Session of 1837, as extending to the Casual and Territorial Revenues, whether arising from the Fees of Office, the Sale of Lands, or the Produce of Mines, and the amount of the old Crown Duties. It was frankly admitted by Your Majesty, as expressed in Lord Glenelg's Despatch of the 6th July, 1837, in the comprehensive and specific form in which it had been preferred by the Assembly, subject only to the conditions by which your Royal Predecessor had been pleased to qualify the corresponding concession to the People of Canada and New Brunswick. We assure your Majesty that these conditions would be cheerfully complied with by this House, who are ready to grant to your Majesty, for a period of years, an adequate Civil List, amply sufficient, in their view, for the support of the Public Officers in the style they ought to maintain, and for satisfying every reasonable claim on the liberality and justice of the Crown. Lord Glenelg's Despatch, of the 31st October, 1837, contains, and forcibly and clearly illustrates, the principles which would govern us in tendering a Civil List; and we respectfully submit that some deference is due to our opinion, derived from an intimate acquaintance with the Colony, of the Salaries that ought to be awarded to our own Officers, whose commissions and authority proceed from the Crown, but whose independence, and the firm and impartial discharge of whose public duties, are of the last importance to the people whom we represent. It is matter, therefore, of deep regret that the attempts of the late Assembly to settle this question, were, from time to time defeated, and we regarded it as one of our most important and most pleasing duties to have endeavoured, in the present Session, to effect a final accommodation, on such terms as we vainly hoped would have proved acceptable to your Majesty. We are, therefore, extremely concerned in finding that His Excellency Lord Falkland can neither originate nor entertain any measure upon this subject, and has Instructions from your Majesty's advisers thereon, which His Lordship does not feel himself at liberty to communicate. While all the Territorial and other Revenues, at the disposal of the Crown, have been surrendered to the Legislatures of Canada and New Brunswick, we cannot but feel that there is no sufficient ground for a distinction operating against the People of Nova Scotia, whose intelligence, public spirit and loyalty, entitle them to stand upon the same footing. They are able and willing to maintain their Public Officers according to their station in Society, and the habits and resources of the Colony, independently of any Fund arising from the Casual and Territorial Revenues, and as these Revenues are wholly insufficient to pay the salaries and allowances now charged upon them, and are not likely to be materially increased, we would humbly represent to your Majesty, that it concerns equally the interest and honor of the Crown, and the preservation of our own rights, to adjust a suitable Civil List, and leave us the control and appropriation of the Revenues. The offer which was made by the late Assembly in 1838, was increased in the Session of 1840, and, were the negotiation re-opened, we would not be averse to some further modifications, as respects the present incumbents, and the granting of permanent salaries to the Attorney and Solicitor General. In conclusion, we will not abandon the hope  
that

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that your Majesty will yield to our earnest representations, and will authorize your Majesty's Representative, at our next Session, to assent to a Bill, comprehending a scale of salaries acceptable to the Assembly, and surrendering to their control all the Territorial and other Revenues derived from the industry and resources of this Colony, and including therein the old Crown Duties.

Mr. Huntington moved that the said Address be not received, and the following be substituted therefor, and do pass, viz :

Motion not to receive Address and to substitute another instead

### TO THE QUEEN'S MOST EXCELLENT MAJESTY.

*Most Gracious Sovereign—*

We, your Majesty's faithful subjects, the Representatives of the people of this Province, approach your Throne with the most unfeigned and grateful sentiments of respect and devotion to your Person and Government, and consider it none of our least privileges that we are permitted to appeal to your Majesty for the redress of all complaints and grievances.

For several years past the people of this Province have been most anxious that the control, disposal, and appropriation of the Casual and Territorial Revenues of the Crown, as well as all other Revenues, should be in the Representatives of the People. These claims have been repeatedly admitted by your Majesty's Secretaries of State for the Colonies, and more particularly by Lord Glenelg, in a Despatch of the 6th July, 1837, and in another Despatch, dated 31st October, in the same year. His Lordship, in referring to the scale of Salaries he thought ought to be included in any Bill, to be passed by the Legislature on the subject, states as follows : That, "with regard to the scale of Salaries in the preceding List, I must repeat, that I am not solicitous to stipulate for any precise amount of remuneration for the various Public Officers, to be included in the Civil List. Her Majesty will expect, and indeed strictly require, that no such Officer should receive any increase of his official emoluments, by any annual grant of the Assembly,—they should therefore be fixed at once at such a rate as may be adequate to the proper maintenance of the officer. If estimated on any other principle, they could not be accepted. If estimated on that principle, they must not be rejected, even though the Assembly should differ from you in opinion as to the amount of the sum which ought to be granted to any one or more of those Officers."

After the Receipt of these Despatches, a Bill to settle the Civil List passed the Assembly, and was rejected unanimously by the Legislative Council, who had been recently formed under the authority of the Despatch above quoted ; and in such a manner, as this Assembly believes, that no satisfactory settlement of this long protracted question could be effected, for the reasons that most of those present, and all, who had been selected out of the Assembly, had, previous to their appointment, been hostile to the views of the great body of the people of the Province on this subject.

It may be further respectfully stated to your Majesty, that in the last Session of the Legislature, the Assembly passed another Bill, granting ample Salaries to the following Officers, viz :

For the present Lieutenant-Governor	£3000 Sterling.
future Lieutenant-Governor	2500
present Secretary of the Province	880
future Secretary	560
present Chief Justice, and Travelling Fees as heretofore	880
any future Chief Justice, and Travelling Fees as heretofore	750
For each Puisne Judge, and Travelling Fees as heretofore	560
the Master of the Rolls	560

In the confident hope that the Legislative Council would no longer stand in the way of a final settlement of this question, and particularly, as members who represented the opinions of the Council in the Assembly declared they would give to the subject no further opposition, and

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and only four voting in the minority. This Bill also failed in the Legislative Council—shortly after which, seven new appointments were made to that Body; and when the Legislature met in its present Session, a similar Bill was introduced, with the strongest hopes of bringing the subject to a close, when, subsequent to the introduction of the Bill, the Assembly were informed by a member of the Executive Council, and afterwards by a note from His Excellency the Lieutenant-Governor, that his instructions prevented him from entertaining any proposition on the subject. This information was in the following words: “The Lieutenant-Governor has received no Despatches relative to the settlement of the Civil List since he arrived in the Colony. Lord Falkland’s instructions do not allow of his either originating or entertaining any measure on this subject. These instructions the Lieutenant-Governor does not conceive himself at liberty to submit to the House.”

Your Majesty’s faithful Commons of this Colony have at all times been most anxious and willing to provide all necessary sums for the public service, and to relieve their Brethren at home to the full extent of their ability from Taxation towards the support of the Government of this Colony—the allegiance of whose people is not only unsullied, but who have been foremost to repel the foe. Your Majesty’s faithful Commons are therefore unwilling to believe that your Majesty can see any thing in the future prospects of this Colony that would seem to require that any portion of the Revenues should be kept from the control of the People’s Representatives, but ascribe the recent decision of your Majesty to the suggestions of individuals interested in keeping up extravagant Salaries, much beyond what we would require in a young and poor Colony.

Your Majesty’s faithful Commons had fondly hoped, that after the recent declaration of your Majesty’s Representative, that the Government of your Majesty’s North American Colonies should be hereafter conducted in accordance with the well understood wishes of the people, that no set of men would be found willing longer to protract this question, or to become the advisers of your Majesty’s Representative, without first stipulating, as a condition of their acceptance of office, that the Casual and Territorial Revenues should be surrendered to the control of the Assembly.

May it therefore please your Majesty, to give such instructions to your Majesty’s Representative in this Colony, as will enable the Legislature, at its next Session, to adjust this question in a manner that we trust will be alike satisfactory to your Majesty, and to your Majesty’s faithful subjects in this Province:

Which, being seconded and put, and the House dividing thereon, there appeared, for the motion, six; against it, thirty-three:

Division thereon

For the motion.

Mr Clements  
Mr Lewis  
Mr Forrester  
Mr Huntington  
Mr Rider  
Mr McLellan

Mr Spearwater  
Mr Beckwith  
Mr Archibald  
Mr Heckman  
Mr Taylor  
Mr Hatton  
Mr Dickey  
Mr Zwicker  
Mr Marshall

Against the motion,

Mr Forrestall  
Mr Thorne  
Mr Johnson  
Mr McKay  
Mr Henry  
Mr Turnbull  
Mr Upham  
Mr Martell

Mr Holdsworth  
Mr Dimock  
Mr Comeau  
Mr Fulton  
Mr Holmes  
Mr DesBarres  
Mr Young  
Hon Atty General

Mr Anand  
Mr Fairbanks  
Hon Mr Dewolf  
Mr Blackadar  
Mr McKenna  
Hon Mr Uniacke  
Hon Mr McNab  
Mr Smith

Negatived

Reported Address  
agreed to

So it passed in the negative.

The Address reported from the Committee was then, upon the question put thereon, agreed to by the House.

*Ordered,* That the Address be engrossed.

Com. to prepare  
Address to Lieut.  
Gov.

On motion, *resolved,* that a Committee be appointed to prepare and report an Address to His Excellency the Lieutenant-Governor, praying that His Excellency would be pleased to transmit the said Address to Her Majesty, to the Right Honorable the Secretary of State for the Colonies, to be laid at the foot of the Throne.

Com. named

*Ordered,* That Mr. Fairbanks, Mr. Young and Mr. DesBarres, be a Committee for that purpose.

Address to be pro-  
sented by whole  
House

On motion of Mr. Young, *resolved,* that the said Addresses be presented to His Excellency the Lieutenant-Governor by the whole House, and that His Excellency be respectfully requested to signify his pleasure when he will receive the House with the said Addresses.

The

TUESDAY and WEDNESDAY, 30th and 31st MARCH, 1841.

The Order of the day being read.

Ordered, That the several Scales of Sub-division of Road Money be presented to-morrow.

Order of Day  
Presentation of  
Road Scales postponed

Then the House adjourned until To-morrow, at twelve of the clock.

Wednesday, 31st March, 1841.

PRAYERS.

Mr. Creighton, from the Select Committee to whom was referred the Petition of Gilbert F. Ditmars and others, reported and presented a Bill to amend the Act for regulating the Exportation of Red or Smoked Herrings—and the same was read a first time and ordered to be read a second time.

Report from Com.  
on Pet. of G. F.  
Ditmars & al.

Bill to amend Her-  
ring exportation  
Act

Mr. Young reported from the Select Committee, appointed yesterday to prepare an Address to His Excellency the Lieutenant-Governor, in reference to the Address of this House to Her Majesty, on the subject of the Civil List and Casual Revenues, that the Committee had agreed upon an Address accordingly, which he read in his place, and delivered in at the Clerk's Table, where it was again read, and is as followeth :

Report from Com.  
to prepare Address  
to Lt. Gov. in re-  
ference to Civil  
List Address

TO HIS EXCELLENCY THE RIGHT HONORABLE

LUCIUS BENTINCK,

VISCOUNT FALKLAND.

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

THE HUMBLE ADDRESS OF THE HOUSE OF ASSEMBLY FOR THE PROVINCE OF NOVA-SCOTIA.

*May it please Your Excellency.*

The House of Assembly have passed an Address to Her Majesty on the granting of a suitable Civil List, and the surrender of the Casual and Territorial Revenues to the Assembly, and pray that Your Excellency will be pleased to transmit the same to the Right Honorable the Secretary of State for the Colonies, to be laid at the foot of the Throne.

Address

Resolved, That the Address be adopted by the House.

Adopted

Ordered, That the Address be engrossed.

To be engrossed

On motion of Mr. Goudge, resolved, that a Committee be appointed to re-consider the subject of a Return of Duties upon Foreign Flour imported during the last year, and to report further thereon.

Resolution for  
Com. to consider  
returns of Flour  
Duties

Ordered, That the Hon. Mr. Uniacke, Mr. Huntington and Mr. Goudge, be a Committee for that purpose—and that the several Petitions on that subject be referred to them.

Com. named  
Pets referd. thereto

The amendments proposed by the Council to the Bill, entitled, An Act to continue and amend the Act to repeal the Act to regulate the Public Landing at Windsor, and to substitute other provisions in lieu thereof, were read a first and second time, and considered, and are as follow :

Council's amds.  
to Windsor Land-  
ings continuing Bill  
considered

In the title.—2d line—leave out the words “ and amend.”

1st Clause.—9th & 10th lines—leave out the words “ except as hereinafter altered or amended.”

2d Clause.—Leave out this Clause.

Agreed to Bill &c. sent to Council	<p>3d Clause.—Leave out this Clause. 4th Clause.—Leave out this Clause. <i>Resolved</i>, That the said amendments be agreed to. <i>Ordered</i>, That the Clerk do carry the Bill and amendments to the Council, and acquaint them that this House have agreed to the said amendments.</p>
Message from Council Agree to Seamen's Wages Bill And to two Money Resolutions	<p>A Message from the Council by Mr. Halliburton: Mr. Speaker, The Council have agreed to the Bill, entitled, An Act for facilitating the recovery of Seamen's Wages without amendment. The Council have agreed to the Resolutions of this Honorable House for granting. £300 to the Baptist Education Society—and 300 to the St. Mary's College or Seminary. And then the Messenger withdrew.</p>
Resolution for Com. to prepare Address to Queen on subject of Sea- men's Wages Bill Com. named	<p>On motion of the Hon. Mr. Dodd, <i>resolved</i>, that a Committee be appointed to prepare and report an Address to Her Majesty on the subject of the Bill for facilitating the recovery of Seamen's Wages, praying Her Majesty's most gracious allowance thereof. <i>Ordered</i>, That the Hon. Mr. Dodd, Mr. Young and Mr. Creighton, be a Committee for the above purpose.</p>
Communication from Gov. as to time of receiving House with Civil List Addresses	<p>The Hon. the Attorney General communicated to the House, by command of His Excellency the Lieutenant-Governor, that His Excellency would receive the House with their Addresses on the subject of the Civil List and Casual Revenues, on Saturday next, the 3d April, at two of the clock, at Government House.</p>
Com. on Bills	<p>On motion, the House resolved itself into the Committee on Bills. Mr. Speaker left the Chair, Mr. Smith took the Chair of the Committee, Mr. Speaker resumed the Chair.</p>
Report Bills with amds. viz. Currency Disorderly riding	<p>The Chairman reported from the Committee, that they had gone through the Bill for regulating the Currency of the Province, and the Bill to continue the Act to prevent Disorderly Riding, &amp;c. and had made amendments to the said Bills, which they had directed him to report to the House with the Bills—that they had also gone through the Bill to continue the Act to direct and ascertain the mode of Assessing County and District Rates, and for other purposes, and the Acts in amendment thereof; the Bill to continue the Act to regulate the Pilotage of Vessels at the Port of Halifax, and the several Acts in amendment thereof and additional thereto; the Bill to continue the Act to prevent the spreading of Contagious Diseases, and for the performance of Quarantine; the Bill to continue the Act more effectually to provide against the introduction of Infectious or Contagious Diseases and the spreading thereof in this Province, and the Act in amendment thereof; the Bill to continue the Act, additional, concerning Nuisances; the Bill to continue the Act in further amendment of, and additional to, the Acts relating to Trespasses; the Bill to amend the Act to regulate certain Landings in the County of Digby, and the Bill to provide a Lock-up House and Town House, at Barrington, in the County of Shelburne, and had directed him to report the said Bills to the House, severally, without any amendment; that the Committee had also considered the Bill to provide for opening the New Road between the Chester Road and Margaret's Bay, and had directed him to report to the House, that it be recommended to defer the further consideration of said Bill until this day three months—and he afterwards delivered the several Bills and amendments in at the Clerk's Table.</p>
Bills without Ams. viz. County & District Rates Halifax Pilotage Quarantine Infectious diseases	<p>The Chairman also acquainted the House that he was directed by the Committee to move for leave to sit again, which the House agreed to.</p>
Nuisances Trespasses Digby Landings Barrington Town House	<p><i>Ordered</i>, That the report from the Committee on the Currency Bill be considered at a future day.</p>
Recommend Ches- ter Roads Bill to be deferred	<p>The amendment to the Bill to prevent Disorderly Riding, &amp;c. was read and agreed to. <i>Ordered</i>, That the Bill, with the amendments, be engrossed. <i>Ordered</i>, That the Bills, reported without amendment, be engrossed. <span style="float: right;"><i>Ordered</i>,</span></p>
Report on Curren- cy Bill postponed Amds. to disorder- ly riding Bill agreed to Bill, &c. to be en- grossed	

WEDNESDAY, 31st MARCH, 1841.

- Ordered*, That the further consideration of the Bill, to provide for opening the New Road between the Chester Road and Margaret's Bay, be deferred until this day three months. Chester Roads Bill deferred
- An engrossed Bill to increase the usefulness of the Savings' Bank at Halifax, was read a third time. Engrossed Savings' Bank Bill read 3d time
- Resolved*, That the Bill do pass, and that the title be, An Act to increase the usefulness of the Savings' Bank at Halifax. Passed
- Ordered*, That the Clerk do carry the Bill to the Council, and desire their concurrence. Sent to Council
- The Hon. Mr. Uniacke reported from the Select Committee on the Deep Sea and Coast Fisheries; and he read the Report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read. Report from Com. on Deep Sea & Coast Fisheries
- (See Appendix No. 62.)
- On motion, *resolved*, that the Report be received and adopted, and referred to the Committee of Supply. Ref. to Sup.
- A Message from the Council, by Mr. Halliburton:  
Mr. Speaker,
- The Council have passed a Bill, entitled, An Act in addition to, and amendment of, An Act passed during the present Session of the General Assembly, entitled, An Act to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the Expense of the Judiciary therein—to which Bill they desire the concurrence of this Honorable House. Message from Council
- The Council have agreed to the amendment proposed by this Honorable House to the Bill, entitled, An Act to amend the Act to enable the Inhabitants of Cornwallis to provide a Public Town House for that Township. Have passed Bill to amend Judiciary Act
- The Council have agreed to the Bill, entitled, An Act for regulating the Dartmouth Common; and to the Bill, entitled, An Act to continue the Act to repeal the Act to regulate the Public Landing at Windsor, and to substitute other provisions in lieu thereof, as amended. Have agreed to amend Cornwallis Town House Bill
- The Council desire a Conference by Committee on the General State of the Province. Have agreed to Dartmouth Common Bill & Windsor Landings Bill as amended
- And then the Messenger withdrew. Desire Conference
- On motion, *resolved*, that the Conference, as desired by the Council, be agreed to. Conference agreed to
- Ordered*, That the Hon. the Attorney General, Mr. Fairbanks and Mr. Huntington, do manage the Conference. Com. of Conference
- Ordered*, That the Clerk do acquaint the Council that this House have agreed to the Conference, and that the Managers thereof, on the part of this House, are ready to meet the Committee of the Council thereon.
- The engrossed Bill last sent from the Council was read a first time, and ordered to be read a second time. Council's Judiciary amdt. Bill read 2d time
- Resolved*, That the Bill, entitled, An Act to amend the Act to enable the Inhabitants of Cornwallis to provide a Public Town House for that Township, be agreed to, as amended. Cornwallis Town House Bill finally passed and sent to Council
- Ordered*, That the Clerk do carry the Bill and amendments to the Council, and acquaint them with the foregoing Resolution.
- On motion, the House resolved itself into the Committee of Supply. Com. of Supply ;
- Mr. Speaker left the Chair.  
Mr. Clements took the Chair of the Committee.  
Mr. Speaker resumed the Chair.
- The Chairman reported from the Committee that they had come to several Resolutions, which they had directed him to report to the House.
- The Chairman also acquainted the House, that he was directed by the Committee to move for leave to sit again—which the House agreed to.
- Ordered*, That the Report of the Resolutions be made at a future day. Report postponed
- The Order of the Day being read, Order of Day
- Ordered*,

Presentation of  
Road Scales postponed

*Ordered*, That the several Scales of Sub-division of Road Money be presented to-morrow.

Then the House adjourned until To-morrow, at twelve of the clock.

*Thursday, 1st April, 1841.*

Bill to amend Census Act presented

Mr. McLellan, pursuant to special leave given, presented a Bill for amending the Act for taking the Census of this Province, and the same was read a first time, and ordered to be read a second time.

Res. for change of appropriation in Londonderry

On motion of Mr. McLellan, *resolved*, that the sum of Three Pounds, granted in the Session of 1840, for repairing the Road from James McElmun's past John Morris' to Wm. Fletchers (which Road is now shut up) be applied and expended on the Road from Fulton's to Young's, in the Township of Londonderry.

*Ordered*, That the Clerk do carry the Resolution to the Council and desire their concurrence.

Engrossed Bills read 3d time & passed, viz. Disorderly Riding

An engrossed Bill to continue the Act to prevent Disorderly Riding, &c. was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act to prevent Disorderly Riding, and to regulate the Driving of Carriages on the Streets of Halifax, or other Towns, or on the Public Roads of this Province, and for repealing certain Acts therein mentioned.

County & District Rates

An engrossed Bill to continue the Act to direct and ascertain the mode of Assessing County and District Rates, and for other purposes, and the Acts in amendment thereof, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act to direct and ascertain the mode of Assessing County and District Rates, and for other purposes, and the Acts in amendment thereof.

Halifax Pilotage

An engrossed Bill to continue the Act to regulate the Pilotage of Vessels at the Port of Halifax, and the several Acts in amendment thereof, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act to regulate the Pilotage of Vessels at the Port of Halifax, and the several Acts in amendment thereof.

Quarantine

An engrossed Bill to continue the Act to prevent the spreading of Contagious Diseases, and for the performance of Quarantine, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act to prevent the spreading of Contagious Diseases, and for the performance of Quarantine.

Infectious Diseases

An engrossed Bill to continue the Act more effectually to provide against the introduction of Infectious or Contagious Diseases, and the spreading thereof in this Province, and the Act in amendment thereof, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act more effectually to provide against the introduction of Infectious or Contagious Diseases, and the spreading thereof in this Province, and the Act in amendment thereof.

Nuisances

An engrossed Bill to continue the Act, additional, concerning Nuisances, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act, additional, concerning Nuisances.

Trespasses

An engrossed Bill to continue the Act in further amendment of, and additional to, the Acts relating to Trespasses, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act in further amendment of, and additional to, the Acts relating to Trespasses.

Digby Landings

An engrossed Bill to amend the Act to regulate certain Landings in the County of Digby, was read a third time.

*Resolved*,

THURSDAY, 1st APRIL, 1841.

*Resolved*, That the Bill do pass, and that the title be, An Act to amend the Act to regulate certain Landings in the County of Digby.

An engrossed Bill to provide a Lock-up House and Town House at Barrington, in the County of Shelburne, was read a third time. Barrington Town House

*Resolved*, That the Bill do pass, and that the title be, An Act to provide a Lock-up House and Town House at Barrington, in the County of Shelburne.

*Ordered*, That the Clerk do carry the Bills to the Council and desire their concurrence. Bills sent to Council

A Bill to amend the Act for regulating the exportation of Red or Smoked Herrings; and The engrossed Bill from the Council, entitled, An Act in addition to, and amendment of, An Act passed during the present Session of the General Assembly, entitled, An Act to improve the Administration of the Law, &c.—were severally read a second time. Herrings exportation Bill and Council's Judiciary amdt. Bill read 2d. time & committed

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

The Hon. Mr. Dodd, by command of His Excellency the Lieutenant-Governor, presented several Papers and Returns relative to the Crown Lands in this Province, as requested by a Resolution of this House of the 25th March last; with Statements of the Hon. the Provincial Secretary, and the Commissioner of Crown Lands, referring to the same subject—and the same were read. Crown Land papers presented

(See Appendix No. 63.)

*Ordered*, That the several Papers and Returns be referred to the Select Committee on the subject of the Crown Lands of this Province. Ref. to Crown Lands Committee

A Petition of the Inhabitants of the County of Richmond, in the Island of Cape Breton, was, by special leave, presented by the Hon. Mr. Dodd and read, praying that certain Resolutions passed at a Public Meeting in that County, favoring the dis-connexion of that Island from the Government of Nova-Scotia may receive due consideration, &c. Pet. from Richmond for repeal of Union

*Ordered*, That the Petition do lie on the Table.

A Petition of John G. McKenzie, was, by special leave, presented by the Hon. Mr. Dodd and read, praying a grant of a sum of Money for the Expense incurred in opening a New Road in the County of Cape-Breton, on which he had been employed as Commissioner, the amount having been settled by arbitration, instead of the course prescribed by law. Pet. of John G. McKenzie for grant of expenses in opening New Road Cape Breton

*Ordered*, That the Petition be referred to Mr. Huntington, Mr. Creighton, and Mr. S. B. Chipman, to examine and report upon to this House. Ref. to Sel. Com.

Mr. Blackadar reported from the Select Committee on the Petition of James Beddo and others, of the Township of Uniacke, in the County of Hants, relative to the Report of Daniel Wier, Esq. Road Commissioner, as to the line of new Road between Mount Uniacke and the County line, and he delivered the Report in at the Clerk's Table, where the same was read. Report from Com. on pet. of J. Beddo & al. rel. to Road from Mount Uniacke to Halifax County line

(See Appendix No. 64.)

*Ordered*, That the Report do lie on the Table.

On motion, the House resolved itself into the Committee of Supply. Com. of Supply

Mr. Speaker left the Chair,

Mr. Clements took the Chair of the Committee,

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had come to sundry Resolutions, which they had directed him to report to the House.

The Chairman also acquainted the House, that he was directed by the Committee to move for leave to sit again—which the House agreed to.

*Ordered*, That the report of said Resolutions from the Committee be made at a future day. Report of Resolutions postponed

The Hon. the Attorney General, from the Committee of this House on the Conference desired yesterday, by the Council, on the General State of the Province, reported that the Report from Com. of Conference on General state of Province

THURSDAY and FRIDAY, 1st and 2d APRIL, 1841.

Managers had been at the Conference, and that the Committee of the Council had, thereat, made a Communication relative to the expenses of the Council: which, being in the nature of a suggestion of a grant of Money, the Managers of the Conference on the part of this House, do not consider they can report the same to this House, with a due regard to the privileges thereof.

The Order of the day being read.

*Ordered*, That the several Scales of Sub-division of Road Money be presented to-morrow.

Then the House adjourned until To-morrow, at twelve of the clock.

Friday, 2d April, 1841.

Halifax Road Bill presented

Mr. Annand, pursuant to special leave given, presented a Bill to provide for opening a new Road in the Township of Halifax—and the same was read a first time and ordered to be read a second time.

Report from Com. on Flour Draw-backs

Mr. Goudge reported from the Select Committee on the several Petitions, praying a Return of Duties paid upon Foreign Wheat Flour imported, and he read the Report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.

(See Appendix No. 65.)

Ref. to Supply

*Ordered*, That the Report and Petitions be referred to the Committee of Supply.

Pet. relative to site for St. Croix Bridge

A Petition of John Chambers and others, Inhabitants of the Townships of Newport, Douglas and Rawdon, was by Special leave presented by Mr. McKay and read, setting forth the inconveniences that would arise from the building a Bridge over the St. Croix River, at the East Marsh, near the mouth of the said River, instead of the site at Proctor's Creek, near its source; and praying that the latter place may be selected for that purpose.

*Ordered*, That the Petition do lie on the Table.

Report from Com. on Cape Breton Criminal expenses

Mr. Turnbull reported from the Select Committee on certain Accounts of Expenses attending the proceedings against persons charged with Criminal Offences in the Island of Cape-Breton, laid before the House by Command of His Excellency the Lieutenant Governor, and he delivered the Report in at the Clerk's Table, where it was read.

(See Appendix No. 66.)

Ref. to Supply

*Ordered*, That the Report and Accounts be referred to the Committee of Supply.

Pet. of E. K. Timpany for return of Duties on flour  
Ref. to Supply

A Petition of Edward K. Timpany, was, by special leave, presented by Mr. Budd and read, praying a Return of Duty upon Foreign Wheat Flour imported by him.

*Ordered*, That the Report be referred to the Committee of Supply.

Resolution for change of appropriation of Road Money Halifax County  
Sent to Council

On motion of Mr. Annand, *resolved*, that the sum of Twenty-Pounds granted in the Session of 1829, to re-build a Bridge at Porter's Lake, and remaining undrawn from the Treasury, be applied and expended in making alteration of the Road at Beech Hill, Preston.

*Ordered*, That the Clerk do carry the Resolution to the Council and desire their concurrence.

Census amdt. Bill read 2d time

A Bill for amending the Act for taking the Census of this Province was read a second time.

Committed

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

Advocate Genl. of Militia's account presented

The Hon. Mr. McNab, by command of His Excellency the Lieutenant-Governor, presented an Account of A. M. Uniacke, Esq. Advocate General of Militia, containing charges for his attendance upon a Militia Board, appointed to revise the Militia Laws, expenses of Copying, &c., and the same was read by the Clerk.

Ref. to Supply

*Ordered*, That the Account be referred to the Committee of Supply.

The

FRIDAY, 2d APRIL, 1841

The Hon. Mr. McNab, also by command of His Excellency, presented a plan and report of Exploration and Survey made by William Faulkner, by direction of Government, of a Section of the New Road from Musquedoboit to Stewiacke, with an Account of expense thereof, and the said Report and Account were read by the Clerk.

(See Appendix, No. 67.)

Ordered, That the plan and report do lie on the table, and that the Account be referred to the Committee of Supply.

On motion, the House resolved itself into the Committee upon Bills.

Mr. Speaker left the Chair,

Mr. Smith took the Chair of the Committee,

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had gone through the Bill to continue the Act for the regulation and management of the combined Common and Grammar School at Lunenburg; the Bill to continue the Act for the regulation and management of the Grammar School or Academy at Annapolis; the Bill to continue the Act to suspend the operation of the Act to prevent Forestalling, Re-grating and Monopolising of Cord Wood in the Town of Halifax; the Bill to continue the Act in amendment of the Act relating to Highways, Roads, and Bridges; and the Bill for amending the Act for taking the Census of this Province, and had directed him to report the said Bills to the House severally without any amendment.—That the Committee had also gone through the engrossed Bill from the Council, entitled, An Act in addition to, and amendment of, An Act passed during the present Session of the General Assembly, entitled, An Act to improve the Administration of the Law, &c. and had made an amendment thereto, which they had directed him to report to the House with the Bill; and that the Committee had considered the Bill for abolishing arrest on Mesne Process, &c.; the Bill to regulate the Packing and Inspecting of Salted Beef and Pork, &c.; the Bill to amend the Act concerning Notes purporting to be Bank Notes, &c.; and the Bill to amend the Act for regulating the exportation of Red or Smoked Herrings, and recommend to the House that the further consideration of the four last mentioned Bills be deferred until the next Session.

The Chairman also acquainted the House, that he was directed by the Committee to move for leave to sit again, which was agreed to by the House.

The amendment to the Engrossed Bill from the Council, was read and agreed to by the House.

Resolved, That the Bill be agreed to with the amendment.

Ordered, That the Clerk do carry the Bill and amendment to the Council, and acquaint them that this House have agreed to the said Bill with an amendment, and desire the concurrence of the Council to said amendment.

Ordered, That the Bills reported without amendment be engrossed.

Ordered, That the further consideration of the Bill for abolishing arrest on Mesne Process, &c.; the Bill to regulate the Packing and Inspecting of Salted Beef and Pork, &c.; the Bill to amend the Act concerning Notes, purporting to be Bank Notes, &c.; and the Bill to amend the Act for regulating the exportation of Red or Smoked Herrings, be deferred until the next Session.

Mr. Creighton, from the Select Committee to whom was referred the Bill to continue the Act for regulating the exportation of Red or Smoked Herrings; and the Bill to continue the Acts in force relative to the Inspection of Pickled Fish, reported that the Committee had considered the Bills, and had agreed to report them to the House without amendment, and he delivered the Bills in at the Clerk's Table.

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

On motion, the House resolved itself into a Committee on Bills.

Mr. Speaker left the Chair,

Mr. Smith took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Report, &c. of Road from Musquedoboit to Stewiacke

Acct. ref. to Supply

Com. on Bills

Report Bills without amdt. viz:  
Lunenburg Grammar School  
Annapolis Academy  
Halifax Cordwood  
Forestalling Act  
Highways

Census

Council's Judiciary amdt. Bill

Recommend Bills to be deferred, viz:  
Arrest on Mesne Process  
Beef and Pork Inspection  
Bank Notes and Herring Exportation

Amdt. to Council's Judiciary Bill agreed to

Bill, &c. agreed to and sent to Council

Bills to be engrossed

Bills deferred, viz:  
Arrest on Mesne Process  
Beef and Pork  
Bank Notes and Smoked Herrings

Report from Com. on Smoked Herring Bill and Pickled Fish Inspection Bill, viz:  
Bills without amdt.

Bills committed

Com. on Bills

The

FRIDAY, 23 APRIL, 1841.

Report Smoked  
Herrings BillAnd Pickled Fish  
Inspection Bills  
without amend.Bills to be engros-  
sedReport from Com.  
on Pet. of John  
Ross

Ref. to Supply

Message from  
Council  
Agree to Resolution  
for change of ap-  
propriation to Road  
in Londonderry  
And to 21 Money  
Votes

The Chairman reported from the Committee that they had gone through the Bill, to continue the Act for regulating the exportation of Red or Smoked Herrings; and the Bill to continue the Acts in force relative to the Inspection of Pickled Fish, and had directed him to report the said Bills to the House without any amendment; and he delivered the Bills in at the Clerk's Table.

The Chairman also acquainted the House that he was directed by the Committee to move for leave to sit again—which the House agreed to.

*Ordered*, That the said Bills reported from the Committee be engrossed.

Mr. Forrestall reported from the Committee on the Petition of John Ross—and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.

(See Appendix, No. 68.)

*Ordered*, That the Report be received and referred to the Committee of Supply.

A Message from the Council by Mr. Halliburton :

Mr. Speaker,

The Council have agreed to the Resolution of this Honorable House, for changing the appropriation of £3, granted for a Road in Londonderry.

The Council have also agreed to Twenty-one Resolutions of this Honorable House for granting the following sums of money, viz :

£ 7 15 0	To Charles T. Wilkins, Esq.
60 0 0	For expenses attending Small Pox at Guysboro'.
500 0 0	Annually, for three years, for running a Steam-Boat between Halifax and Yarmouth.
39 15 0	For a Female Teacher in the African School at Halifax.
700 0 0	For a Light House in the Basin of Mines.
50 0 0	For a Breakwater at Meteghan, in Clare.
50 0 0	For a Breakwater at Specht's Cove, Digby.
100 0 0	For a Breakwater at Canady's Creek, Cornwallis.
100 0 0	For a Breakwater in Aylesford.
50 0 0	For the Breakwater at Whale Cove, Clare.
43 0 0	For a Breakwater at Broad Cove, Inverness.
50 0 0	For a Breakwater at Lewishead, Shelburne.
100 0 0	For a Breakwater at Green Cove, Yarmouth.
70 0 0	For the Breakwater at Gates' Mountain, Wilmot.
33 0 0	For the Breakwater at Marshall's Cove, Annapolis.
60 & 30	For a Revenue Boat at Sydney, C. B.
300 0 0	For Francis' Life Boats.
60 0 0	For the Revenue Boat at Digby.
20 0 0	For a Packet between Bay Verte and Prince Edward Island.
700 0 0	For a Light House at the North entrance of the Gut of Canso.
15 0 0	To Reuben Nickerson.

And then the Messenger withdrew.

Report from Mi-  
litia Com.  
Bill for regulating  
Militia read 1st and  
2d time

The Hon. Mr. Uniacke reported from the Select Committee appointed to revise the Militia Laws; and thereupon presented a Bill for regulating the Militia—and the same was read a first time.

*Ordered*, Nem. Con., That the Bill be now read a second time—and the same was read a second time accordingly.

And committed

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

Com. on Bills.

On motion the House resolve itself into a Committee on Bills.

Mr. Speaker left the Chair,

Mr. Smith took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The

FRIDAY and SATURDAY, 2d and 3d APRIL, 1841.

The Chairman reported from the Committee that they had made some progress in the business referred to them, and had directed him to move for leave to sit again, which the House agreed to.

Then the House adjourned until eight of the clock, of this day.

The House met pursuant to adjournment.

On motion, the House resolved itself into a Committee on Bills.

Mr. Speaker left the Chair,

Mr. Smith took the Chair of the Committee,

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had gone through the Bill for regulating the Militia, and had made some amendments thereto, which they had directed him to report to the House with the Bill; and he delivered the Bill and amendments in at the Clerk's Table.

The Chairman also acquainted the House that he was directed by the Committee to move for leave to sit again—which the House agreed to.

The amendments reported to the Bill being then read, were agreed to by the House.

*Ordered*, That the Bill, with the amendments, be engrossed.

The Order of the Day being read,

*Ordered*, That the several Scales of Sub-division of Road Money be presented To-morrow.

Then the House adjourned until To-morrow, at eleven of the clock.

Com. on Bills

Report Militia Bill with amds.

Amdts. agreed to Bill, &c. to be engrossed

Order of Day

presentation of Road Scales postponed

Saturday, 3d April, 1841.

An engrossed Bill to continue the Act for the regulation and management of the Combined Common and Grammar School at Lunenburg, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act for the regulation and management of the Combined Common and Grammar School at Lunenburg.

An engrossed Bill to continue the Act for the regulation and management of the Grammar School or Academy at Annapolis, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act for the regulation and management of the Grammar School or Academy at Annapolis.

An engrossed Bill to continue the Act to suspend the operation of the Act to prevent Forestalling, Re-grating and Monopolizing, of Cord Wood, in the Town of Halifax, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act to suspend the operation of the Act to prevent Forestalling, Re-grating and Monopolizing, of Cord Wood, in the Town of Halifax.

An engrossed Bill to continue the Act in amendment of the Act relating to Highways, Roads and Bridges, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act in amendment of the Act relating to Highways, Roads and Bridges.

An engrossed Bill for amending the Act for taking the Census of this Province, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act for amending the Act for taking the Census of this Province.

An engrossed Bill to continue the Act for regulating the exportation of Red or Smoked Herrings, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act to continue the Act for regulating the exportation of Red or Smoked Herrings.

An engrossed Bill to continue the Acts in force relative to the Inspection of Pickled Fish, was read a third time.

Engrossed Bills read 3d time & passed Lunenburg Grammar School

Annapolis Academy

Halifax Cordwood Forestalling Act

Highways

Census

Exportation of Herrings

Pickled Fish Inspection

**Resolved**, That the Bill do pass, and that the title be, An Act. to continue the Acts in force relative to the Inspection of Pickled Fish.

**Ordered**, That the Clerk do carry the said several Bills to the Council, and desire their concurrence.

**Leave of absence to Mr. Fulton** **Ordered**, That Mr. Fulton have leave of absence to return home, on Wednesday next, on urgent private business.

**Leave of absence to Mr. Smith** **Ordered**, That Mr. Smith have leave of absence to return home, after Thursday next, on urgent private business.

**Leave of absence to Mr. Annand** **Ordered**, That Mr. Annand have leave of absence to return home, on Monday next, on account of sickness in his Family.

**Pet for Custom House Antigonish** A Petition of Alexander McDougall and others, Inhabitants of the County of Sydney, was presented by Mr. Forrestall and read, praying that the House would make such provision for a Sub-Collector of Customs at Antigonish, in said County, as would enable the Government to establish a Custom House there.

**Ordered**, That the Petition do lie on the Table.

**Report from Com. on Post Office** Mr. Young reported from the Committee on the Post Office; and he read the Report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.

(See Appendix No. 69.)

**Ref. to Supply** **Ordered**, That the Report be received, and referred to the Committee of Supply.

On motion, the House resolved itself into the Committee of Supply.

**Com. of Supply** Mr. Speaker left the Chair,

Mr. Clements took the Chair of the Committee,

Mr. Speaker resumed the Chair.

**Report of Resolutions postponed** The Chairman reported from the Committee that they had come to several Resolutions, which they had directed him to report to the House; and that the Committee had directed him to move for leave to sit again—which the House agreed to.

**Ordered**, That the said Resolutions be reported at a future day.

Mr. Huntington moved that the House do come to the following Resolution, viz:—

**Resolved**, That all that part of the Address on the subject of the Casual and Territorial Revenues that pledges this House to grant a greater allowance to present incumbents than inserted in the Civil List Bill, introduced during the present Session, and also, all that part of the Address that pledges this Assembly to grant permanent Salaries to the Attorney and Solicitor General, be struck out: which, being seconded,

The Hon. Mr. Uniacke moved, by way of amendment to the question, that all the words thereof, after the words "Resolved, that" be left out; and the following words inserted instead of those so left out, viz:—"this House do now wait upon His Excellency the Lieutenant-Governor with the Address to Her Majesty, on the subject of the Casual and Territorial Revenues, according to order: which, being seconded and put; and the House dividing: thereon, there appeared, for the amendment, twenty-seven; against it, sixteen.

For the amendment,

Against the amendment,

Mr Blackadar  
Hon Mr Dodd  
Hon Mr McNab  
Hon Atty General  
Mr DesBarres  
Mr Young  
Mr Dimock  
Hon Mr Dewolf  
Mr Fairbanks

Mr Smith  
Mr Forrestall  
Mr Holmes  
Mr Upham  
Mr Creighton  
Mr Marshall  
Mr McKay  
Mr Heckman  
Mr Archibald

Mr Spearwater  
Mr Turnbull  
Mr Johnson  
Mr Henry  
Mr Budd  
Mr Hatton  
Mr Beckwith  
Hon Mr Uniacke  
Mr Taylor

Mr Clements  
Mr Payzant  
Mr Gates  
Mr McLellan  
Mr Holdsworth  
Mr Martell  
Mr Forrester  
Mr Dickey

Mr Goudge  
Mr Fulton  
Mr Lewis  
Mr S Chipman  
Mr Rider  
Mr Huntington  
Mr Comeau  
Mr S B Chipman

So it passed in the affirmative.

The question, as amended, being then put,

**Resolved**, That the House do now wait upon His Excellency the Lieutenant-Governor with the Address to Her Majesty, on the subject of the Casual and Territorial Revenues, according to the Order of the Day.

Amended Resolution agreed to

And

And accordingly, Mr. Speaker and the House attended His Excellency the Lieutenant-Governor with their Address to His Excellency, and the Address to Her Majesty, on the subject of the Casual and Territorial Revenues, pursuant to order.

House attend Governor with Civil List Addresses

And, being returned, Mr. Speaker reported that the House had complied with the Order, and that His Excellency was pleased to give this answer to the Address of the House to His Excellency :

Lt. Gov's. answer to Address.

*Mr. Speaker, and Gentlemen—*

I will lose no time in forwarding to the Secretary of State the Address you have entrusted to me, and I shall be sincerely gratified, should a satisfactory settlement of the question to which that Address refers, result from its presentation to Her Majesty.

Mr. Blackadar reported from the Select Committee on the Account of Messrs. John Howe & Son, for Printing in 1840 ; and he read the Report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.

Report from Com. on Messrs. Howe's Acct. for Printing

(See Appendix No. 70.)

*Ordered,* That the Report be received; and be referred to the Committee of Supply.

Refd. to Supply.

Mr. Huntington reported from the Select Committee on the Petition of John G. McKenzie, relative to certain expenses incurred in opening a new Road from Sydney to North Sydney, in the County of Cape Breton ; and he read the Report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.

Report from Com. on Pet. of Jno. G. McKenzie.

(See Appendix No. 71.)

*Ordered,* That the Report be received, and referred to the Committee of Supply.

Refd. to Supply

On motion of Mr. Blackadar, *resolved,* that the appropriation of the sum of Three Hundred Pounds, which, in and by an Act passed in the last Session of this House, entitled, "An Act for applying certain Monies therein mentioned for the improvement of the Great Roads in this Province," is directed to be expended on the Road from Pictou, by River John, to the bounds of Cumberland, be altered, in so far as the sum of Fifty Pounds, part of the said sum, be expended in the erection of a new Bridge across River John.

Resolution for change of appropriation of Road Money Pictou

*Ordered,* That the Clerk do carry the Resolution to the Council, and desire their concurrence.

Sent to Council.

**A Message from the Council by Mr. Halliburton :**

Mr. Speaker.

Message from Council

The Council have agreed to the Resolution of this Honorable House for changing the appropriation of £20, granted for building Lake Porter Bridge.

Agree to change of appropriation to Lake Porter Bridge.

The Council have agreed to the amendment proposed by this Honorable House to the Bill, entitled, An Act in addition to, and amendment of, an Act passed during the present Session of the General Assembly, entitled, An Act to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein.

Agree to amdt. of House to Judiciary. Amdt. Bill

The Council have agreed to the Bill, entitled, An Act to continue the Act for the regulation of the Fisheries at Chedabucto Bay ; the Bill, entitled, An Act to continue the Act to regulate the Weighing of Beef, and the Act in amendment thereof ; the Bill, entitled, An Act to alter and amend the Act for preventing persons leaving the Province without a Pass ; the Bill, entitled, An Act to provide Hay Scales, and Weights and Measures, for the Township of Lunenburg ; the Bill, entitled, An Act to amend the Act for providing Fire Engines for the Town of Yarmouth, and for other purposes ; the Bill, entitled, An Act to amend the Act to incorporate the Town of Halifax ; the Bill, entitled, An Act to extend to the Township of Egerton, the Act respecting the Collectors of Poores' Rates of Pictou, and to amend the said Act ; the Bill, entitled, An Act to confirm the past proceedings of the Prothonotary and Clerk of the Crown for the County of Cape Breton ; the Bill, entitled, An Act to increase the usefulness of the Savings' Bank at Halifax ; the Bill, entitled, An Act to provide a Lock-up House and Town House at Barrington, in the County of Shelburne ;

Agree to Bills without amdt. viz: Chedabucto Bay Fisheries Bill

Beef Weighing

Passes. Lunenburg Hay Scales Yarmouth Fire Engines Halifax Incorporation

Egerton Poores' Rates

Prothonotary Cape Breton

Savings' Bank

Barrington Town House

Digby Landings	Shelburne ; the Bill, entitled, An Act to amend the Act to regulate certain Landings in the County of Digby ; the Bill, entitled, An Act to continue the Act to direct and ascertain the mode of Assessing County and District Rates, and for other purposes, and the Act in amendment thereof ; the Bill, entitled, An Act to continue the Act to prevent the spreading of Contagious Diseases, and for the performance of Quarantine ; the Bill, entitled, An Act to continue the Act in further amendment of, and additional to, the Acts relating to Trespasses ; the Bill, entitled, An Act to continue the Act more effectually to provide against the introduction of Infectious or Contagious Diseases, and the spreading thereof in this Province, and the Act in amendment thereof ; the Bill, entitled, An Act to continue the Act, additional, concerning Nuisances ; the Bill, entitled, An Act to continue the Act to prevent Disorderly Riding, and to regulate the driving of Carriages on the Streets of Halifax or other Towns, or on the Public Roads of this Province, and for repealing certain Acts therein mentioned ; the Bill, entitled, An Act to continue the Act to regulate the Pilotage of Vessels at the Port of Halifax, and the several Acts in amendment thereof, and additional thereto ; and the Bill, entitled, An Act to set off Weymouth into a separate Township, severally, without any amendment.
District Rates	
Quarantine	
Trespasses	
Infectious Diseases	
Nuisances	
Disorderly Riding	
Halifax Pilotage	
Weymouth Township With amendments to School Act	The Council have agreed to the Bill, entitled, An Act to continue the Act for the encouragement of Schools, and to alter and amend the same, with amendments, to which they desire the concurrence of this Honorable House. And then the Messenger withdrew.
Judiciary Bill passed as amended	<i>Resolved</i> , That the Bill, entitled, An Act in addition to, and amendment of, an Act passed during the present Session of the General Assembly, entitled, An Act to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the Expense of the Judiciary therein, be agreed, to as amended.
Sent to Council	<i>Ordered</i> , That the Clerk do carry the Bill to the Council, and acquaint them that this House have agreed to the same, as amended.
Council's amendments to School Bill refer- red to Com. of Privi- leges	The amendments proposed by the Council to the Bill, entitled, An Act to continue the Act for the encouragement of Schools, and to alter and amend the same, were read—and thereupon, <i>Ordered</i> , That the said amendments be referred to the Committee of Privileges, to search into Precedents, and report thereon.
Com of Supply	On motion, the House resolved itself into the Committee of Supply. Mr. Speaker left the Chair. Mr. Clements took the Chair of the Committee. Mr. Speaker resumed the Chair.
Report postponed	The Chairman reported from the Committee that they had come to several Resolutions, which they had directed him to report to the House ; and that he was directed by the Committee to move for leave to sit again—which the House agreed to. <i>Ordered</i> , That the said Resolutions be received, at a future day.
Order of Day Presentation of Road Scales postponed	The Order of the day being read, <i>Ordered</i> , That the several Scales of Sub-division of Road Monies be presented on Monday next.
	Then the House adjourned until Monday next, at eleven of the clock.

*Monday, 5th April, 1841.*

Leave of absence  
to Members

*Ordered*, That Mr. Beckwith, Mr. Budd and Mr. Thorne, have leave of absence to return home, after Wednesday next, on urgent private business.

*Ordered*, That Mr. Zwicker and Mr. S. B. Chipman, have leave of absence to return home, after Thursday next, on urgent private business.

*Ordered,*

MONDAY, 5th APRIL, 1841.

*Ordered*, That Mr. Gates have leave of absence to return home, after To-morrow, on urgent private business.

The Hon. Mr. Dodd reported from the Select Committee appointed to prepare an Address to Her Majesty, on the subject of the Bill for facilitating the recovery of Seamen's Wages, that the Committee had framed an Address accordingly, which they had directed him to report to the House; and he read the same in his place, and afterwards delivered it in at the Clerk's Table, where it was again read, and is as followeth:

Report from Com. to prepare Address to Queen on Subject of Seamen's Wages Bill

## TO THE QUEEN'S MOST EXCELLENT MAJESTY.

Address

THE HUMBLE ADDRESS OF THE HOUSE OF ASSEMBLY OF THE PROVINCE OF NOVA-SCOTIA.

*May it please your Majesty:*

The Legislative Council and House of Assembly of your Majesty's Province of Nova-Scotia have, during the present Session, passed a Bill giving a cheap and summary remedy to Seamen, in the Merchant Service, for the recovery of Wages, which Bill will, in all probability, be assented to by His Excellency the Lieutenant-Governor, and we are most anxious that the same should receive the Royal Assent.

The principal object of the Bill is to prevent Seamen resorting to the Court of Vice Admiralty for the recovery of Wages, where the demand does not exceed the sum of Twenty Pounds, and to provide a summary remedy instead thereof, which fully protects the interests of the Seaman, and at the same time affords to the Merchants and Ship Owners a less expensive and more expeditious mode of adjusting their differences, without resorting to a Court which has become the terror of the Mercantile Community, and induced them, in many instances, to submit to imposition rather than incur the delay and expence attendant upon a Suit in the Admiralty, when the parties with whom they have to litigate are in most, if not all, the cases, wholly unable to pay the expence, in case their claims are declared to be unjust.

The House of Assembly humbly conceive that this Act does not contravene the Act passed in the year 1832, or any other Imperial Statute, and it will not be maintained that the Colonial Legislature with the sanction of your Majesty cannot limit the jurisdiction of the Court of Vice Admiralty, but if any constitutional or technical difficulty should arise, so anxious are the Mercantile Community of this Province to be relieved from the oppressions and exactions they have hitherto had to contend with, then we humbly beseech your Majesty to take the proper steps for legalizing this Bill, as we are convinced it would be received as a boon by both Ship Owners and Seamen. We trust, therefore, that your Majesty will be graciously pleased to allow it to go into operation, either by giving to it the Royal Assent or by directing its provisions to be embodied in an Act of Parliament, and in that case extending it to all Vessels entering the Ports of this Province.

*Resolved*, That the Address be agreed to.

Address agreed to

*Ordered*, That the Address be engrossed.

On motion of the Hon. Mr. Dodd, *resolved*, that a Committee be appointed to wait on His Excellency the Lieutenant-Governor, with the Address to Her Majesty, on the subject of the Act for facilitating the recovery of Seamen's Wages, and respectfully request that His Excellency will be pleased to transmit the same to the Right Honorable Her Majesty's Principal Secretary of State for the Colonies, to be laid at the foot of the Throne, with his favorable recommendation.

Com. to wait on Lt.-Gov. with the Address

*Ordered*, That the same Committee who prepared and reported the Address, be a Committee for the foregoing purpose.

Same Com. therefor

An engrossed Bill for regulating the Militia, was read a third time.

*Resolved*, That the Bill do pass, and that the title be, An Act for regulating the Militia.

Engrossed Militia Bill read 3d time Passed

*Ordered*, That the Clerk do carry the Bill to the Council, and desire their concurrence.

Sent to Council

MONDAY, 5th APRIL, 1841.

- Com. on Bills On motion, the House resolved itself into the Committee on Bills.  
Mr. Speaker left the Chair,  
Mr. Smith took the Chair of the Committee,  
Mr. Speaker resumed the Chair.
- Report Halifax Roads Bill without amdr. The Chairman reported from the Committee that they had gone through the Bill to provide for opening a new Road in the Township of Halifax, and had directed him to report the Bill to the House, without any amendment; and he delivered the Bill in at the Clerk's Table.  
The Chairman also acquainted the House that he was directed by the Committee to move for leave to sit again, on the consideration of Bills—which the House agreed to.
- Bill to be engrossed *Ordered*, That the Bill, reported without amendment, be engrossed.
- Message from Council A Message from the Council, by Mr. Halliburton:  
Mr. Speaker,  
The Council have passed a Bill, entitled, An Act to alter the Law relating to the liability of Lands to the payment of debts—to which Bill they desire the concurrence of this Honorable House.
- Have passed Lands and Tenements Bill The Council have agreed to the Bill, entitled, An Act respecting Passengers coming into this Province, with amendments—to which they desire the concurrence of this Honorable House.  
And then the Messenger withdrew.
- Have agreed to Passenger Bill with amdr. The engrossed Bill from the Council, entitled, An Act to alter the Law relating to the liability of Lands to the payment of Debts, was read; and thereupon,  
*Resolved*, That this House cannot consider said Bill, as it contains a provision for fixing the amount of Fees to be taken by certain Officers.
- Council's Lands and Tenements Bill read The engrossed Bill from the Council, entitled, An Act to alter the Law relating to the liability of Lands to the payment of Debts, was read; and thereupon,  
*Resolved*, That this House cannot consider said Bill, as it contains a provision for fixing the amount of Fees to be taken by certain Officers.
- House refuse to consider same
- Motion for special leave to introduce Lands and Tenements Bill Mr. DesBarres moved for the special leave of the House to present a Bill to alter the Law for making Lands liable to the payment of Debts: which, being seconded and put, and the House dividing thereon, there appeared, for the motion, twenty-one; against it, twenty-two.
- |          |                  |               |                     |                |
|----------|------------------|---------------|---------------------|----------------|
| Division | For the motion,  |               | Against the motion, |                |
|          | Mr Archibald     | Mr Rider      | Mr McKay            | Mr Smith       |
|          | Mr Henry         | Mr Martell    | Mr Holdsworth       | Mr Comeau      |
|          | Mr Johnson       | Mr Blackadar  | Mr Beckwith         | Mr S B Chipman |
|          | Hon Mr Dodd      | Mr Dickey     | Mr Budd             | Mr Dimock      |
|          | Mr Forrestall    | Mr Fulton     | Mr Heckman          | Mr Lewis       |
|          | Mr Annand        | Mr Forrester  | Mr Gates            | Mr Zwicker     |
|          | Mr DesBarres     | Mr J R Dewolf | Mr Thorne           | Mr S Chipman   |
|          | Mr Marshall      | Mr Halton     | Mr McKenna          | Mr Goudge      |
|          | Mr Young         | Mr Creighton  | Mr Spearwater       | Mr Huntington  |
|          | Hon Mr Dewolf    | Mr Taylor     | Mr Upham            | Mr Holmes      |
|          | Hon Atty General |               | Mr Payzant          | Mr Clements    |
- Negative! So it passed in the negative.
- Message from Council A Message from the Council by Mr. Halliburton:  
Mr. Speaker,  
The Council have agreed to the Bill, entitled, An Act to Incorporate the Town of Halifax, as amended.
- Have agreed to Hx. Incorporation Bill as amended. The Council have agreed to the Bill, entitled, An Act for the better administration of the Fishing Privileges, and the Common, in the Township of Granville, and for appointing Trustees for the management of the same, with amendments—to which amendments they desire the concurrence of this Honorable House.  
And then the Messenger withdrew.
- Have agreed to Granville Common Bill with amdr.
- Com. of Supply. On motion, the House resolved itself into the Committee of Supply.  
Mr. Speaker left the Chair,  
Mr. Clements took the Chair of the Committee,  
Mr. Speaker resumed the Chair.

The

- The Chairman reported from the Committee that they had come to several Resolutions, which they had directed him to report to the House.
- Ordered*, That the Chairman of the Committee of Supply do now report the several Resolutions which he has been directed to report from the Committee, on this and former days, not yet agreed to; and thereupon,
- Mr. Clements reported fifty-two Resolutions, which were read, and are as follow:
1. *Resolved*, That the sum of Forty Pounds be granted and paid to the Hon. James S. Morse, to repay him the amount advanced to William McKay, for an exploration and survey of the route of a Canal to unite the waters of the Bay of Fundy and the Gulf of St. Lawrence. Report Resolutions  
Resolutions brought up from Com. of Supply, viz:  
£40 Hon. Jas. S. Morse
  2. *Resolved*, That such sum be granted and placed at the disposal of His Excellency the Lieutenant-Governor, for the time being, as will suffice to pay to the Inhabitants of Yarmouth one half the expense of building a Beacon on Butter's Point, at Yarmouth Harbor, and placing Buoys on Corning's Ledge and Sallow's Rock, at the entrance of said Harbor—provided the sum granted shall not exceed One Hundred Pounds. £100 Beacon, &c. Yarmouth Harbor
  3. *Resolved*, That such sum be granted and placed at the disposal of His Excellency the Lieutenant-Governor, as will enable him to remit to the Colonial Office the sum of Nine Pounds and Nine Shillings, Sterling, advanced from the funds of that office, for printed reports of Appeal Cases, decided before the Judicial Committee of the Privy Council, forwarded to this Province. £9 9 Stg. Reports of appeal Cases
  4. *Resolved*, That the sum of Fifty Pounds be granted and paid to Jonathan Archibald, to pay him for expenses incurred in making a Settlement between Musquedoboit and St. Mary's, agreeably to the report of Committee. £50 Jonathan Archibald.
  5. *Resolved*, That the sum of Fourteen Pounds and Nineteen Shillings be granted and paid to Daniel Durland, to enable him to keep a Public House to accommodate Travellers, between Queen's and Annapolis—which House is about twelve miles from any Settlement each way, in the County of Annapolis. £14 19 Danl. Durland.
  6. *Resolved*, That the sum of Six Hundred and Eighty-one Pounds Fifteen Shillings and Six-pence be granted and placed at the disposal of His Excellency the Lieutenant-Governor, to defray the over-expenditure for maintaining the Revenue Cutters last year. £681 15 6 Expenses of Revenue Cutters last year.
  7. *Resolved*, That the sum of Eighteen Hundred Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor, to continue the service of three Revenue Cutters on the Coasts of Nova-Scotia as heretofore. £1800 Revenue Cutters
  8. *Resolved*, That the sum of Twenty-five Pounds be granted and paid to James Gooseley and others, Trustees of the African Chapel at Liverpool, to enable them to complete that Building for the accommodation of the Colored Population, pursuant to the prayer of their Petition. £25 African Chapel Liverpool
  9. *Resolved*, That the sum of Two Hundred and Fifty Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor, to enable him to lay the foundation of a Provincial Museum, under such rules and regulations as His Excellency, by and with the advice of the Executive Council, shall deem sufficient. £250 Museum
  10. *Resolved*, That the sum of Thirty Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor, to assist the Indians in the erection of a Chapel on Chapel Island, in Bras d'Or Lake, in Cape Breton. £30 Indian Chapel Cape-Breton
  11. *Resolved*, That the sum of Two Hundred Pounds be granted and paid to the Nova-Scotia Baptist Education Society, for the purpose of assisting them to liquidate the Debts of the Society. £200 Nova-Scotia Baptist Education Society
  12. *Resolved*, That His Excellency the Lieutenant-Governor be authorized to draw, by Warrant, on the Treasury for the sum of Twenty-five Pounds, when it shall be proved to His Excellency's satisfaction that Seventy-five Pounds has been subscribed by the Inhabitants and expended towards building a Breakwater at McNeil's Cove, in St. Mary's Bay, in conformity with the Report of the Committee on Light-Houses. £25 Breakwater at McNeil's Cove
  13. *Resolved*, That the sum of Nine Hundred and Seventy-four Pounds Four Shillings and Five Pence be granted and paid to the Commissioners of Public Buildings, to defray the several balances due for services performed by Mechanics under their directions. £947 4 5 Commrs. of Public Buildings

14. *Resolved*,

£25 Mail Cape Breton

£149 increased allowances to Mail Couriers

£50 Infant School Halifax

£100 Revd. Mr. Uniacke's School

£182 New Mail Routes

£15 Jno. and Chas. Pernette

£100 Jas. Whitney

£60 Revenue Boat Basin of Mines

£150 Arisaig Pier

£44 Saml. Archibald

£95 Saml. Archibald

£88 3 Wm. Faulkner

£75 Dr. Jas. C. Hume

£30 to open Passage to Isle Madame

£25 School in Poor House

14. *Resolved*, That a sum not exceeding Twenty-five Pounds be granted and paid to establish a Mail between Louisburg and Gabbarou's, in the County of Cape-Breton.

15. *Resolved*, That a sum not exceeding One Hundred and Forty-nine Pounds be granted and paid for increased allowances to Mail Couriers, conformably to the report of the Post-Office Committee.

16. *Resolved*, That the sum of Fifty Pounds be granted and paid to the Ladies, Managers of the Infant School at Halifax, in aid of that Institution for the present year.

17. *Resolved*, That the sum of One Hundred Pounds be granted and paid to the Rev. R. F. Uniacke, to enable him to defray the expenses incurred to support Schools for Poor Children in the North Suburbs of the Town of Halifax.

18. *Resolved*, That a sum not exceeding One Hundred and Thirty-two Pounds be granted and paid for establishing new Mail Routes, conformably to the Report of the Post-Office Committee.

19. *Resolved*, That the sum of Fifteen Pounds be granted and paid to John Pernette and Charles Pernette, for keeping up the Ferry over LaHave River.

20. *Resolved*, That the sum of One Hundred Pounds be granted to James Whitney, to enable him to run a Steam Boat between Annapolis, Digby and St. John, for nine months in the ensuing year, and a good and sufficient vessel for the remainder of the year; Provided, the said James Whitney do carry the Mails without any additional expense—the said sum to be drawn quarterly on the Certificate of the Deputy Postmaster at Digby that the duty has been faithfully performed.

21. *Resolved*, That the sum of Sixty Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor, for the purpose of placing a Revenue Boat in the Basin of Mines for the present year, under the directions of the Excise Officer at Windsor.

22. *Resolved*, That that the sum of One Hundred and Fifty Pounds be granted to assist in completing Arisaig Pier—to be paid as soon as it shall be made to appear to His Excellency the Lieutenant-Governor that the Inhabitants of Arisaig shall have subscribed and expended the sum of Fifty Pounds in said work.

23. *Resolved*, That the sum of Forty-four Pounds be granted and paid to Samuel Archibald, Commissioner, for opening the new Road from Truro to Salmon River, on the Pictou line, to pay for Land occupied by the said Road, pursuant to the Report of a Committee of this House.

24. *Resolved*, That His Excellency the Lieutenant-Governor be authorised to pay, out of the sum of Six Thousand Pounds granted for the Great Roads, the sum of Ninety-five Pounds, expended by Samuel Archibald, in the last year, upon the Main Road from Gay's River to Salmon River, agreeably to the Report of the Committee of this House, recommending payment of the same, in addition to the sum expended on the new Road under His Excellency's Order.

25. *Resolved*, That the sum of Thirty-eight Pounds Three Shillings be granted and placed at the disposal of His Excellency the Lieutenant-Governor, to pay William Faulkner for Expence of Survey made of a new Road from Musquedoboit to Upper Stewiacke, by Order of His Excellency Sir Colin Campbell, in 1840.

26. *Resolved*, That the sum of Seventy-five Pounds be granted and paid to Doctor James C. Hume, for his services for the last six years, as Secretary to the Central Board of Health at Halifax, and for defraying sundry expenses attending that Board.

27. *Resolved*, That the sum of Thirty Pounds be granted to aid the Inhabitants of Isle Madame, in the County of Richmond, to open a Passage between Lenox Passage and Little Arichat Harbor, to be paid when it shall be made satisfactorily to appear to His Excellency the Lieutenant-Governor that the like sum of Thirty Pounds has been subscribed and paid by the said Inhabitants for the above purpose.

28. *Resolved*, That the sum of Twenty-five Pounds be granted and paid to the Commissioners of the Poor in Halifax, to defray the expense of continuing the School in the Poor House for the present year, for the benefit of Orphans and Poor Children in that Establishment.

29. *Resolved*,

29. *Resolved*, That the sum of Forty-seven Pounds Thirteen Shillings and Four Pence be granted and paid to John G. McKenzie, to repay him that amount expended in the purchase of Land for a Road, agreeably to the Report of the Committee. 47l 13s 4d John G. McKenzie
30. *Resolved*, That the sum of Three Hundred and Seventy-nine Pounds Thirteen Shillings and Nine Pence be granted and placed at the disposal of His Excellency the Lieutenant-Governor, to repay certain persons for excess of Duties paid by them, agreeably to the Report of the Committee appointed to examine those claims. 379l 13s 9d return of excess of Duties
31. *Resolved*, That the sum of One Hundred and Fifty Pounds be granted and paid to defray the Salary of the Clerk of the Council, for the present Session; and One Hundred Pounds to the Law Clerk and Clerk of Parliament, of the Legislative Council, for his services for the present Session; and the further sum of Four Hundred and Thirty Three Pounds Seven Shillings and One Penny to defray the Expenses of the Council, for the present Session. 683l 7s 1d expense of Legislative Council
32. *Resolved*, That the Treasurer of the Province, together with the Commissioners for signing the Province Notes, be authorised to obtain Copper Tokens, consisting of Pence and Half Pence, to the amount of Five Hundred Pounds Sterling, of the same weight and fineness as those issued from the Treasury in 1832. 500l Copper Coins
33. *Resolved*, That the sum of Five Hundred and Sixteen Pounds be granted and paid to Messrs. John Howe & Son, to pay the balance of their Account for the last year, for Printing for Government and the Legislature. 516l J. Howe & Son
34. *Resolved*, That the sum of Thirty Pounds be granted and placed at the disposal of His Excellency the Lieutenant-Governor, for the purpose of employing a Revenue Boat and Tide Waiters, or Boat-men, at Pictou, to aid in the protection of the Revenue, to be under the direction of the Collector of Excise at that Port. 30l Revenue Boat Pictou
35. *Resolved*, That the Commissioners of the Bridewell be authorised to proceed with the Building, according to the plan and specification adopted by them, with one tier of Cells, and that an additional sum, not exceeding Two Thousand Pounds, be granted for that purpose, to be drawn after the expiration of the present year. 2000l Bridewell
36. *Resolved*, That the sum of Seven Pounds and Ten Shillings be granted and paid to John Hewit, being the amount of Duties paid on a Cask of Brandy which was staved, and the Liquor lost, on its carriage to Tatamagouche, in January last. 7l 10s J. Hewit
37. *Resolved*, That the Sum of Eighty Pounds be granted and paid to the Adjutant General of Militia, for his services for the present year; and the further sum of Forty Pounds to the Quarter Master General of Militia, for his services for the present year. 80l Adjutant General & 40l Qr. Mr. Genl. of Militia
38. *Resolved*, That the sum of One Hundred Pounds be granted and paid to the Hon. Hugh Bell and others, to support a School in connexion with the Methodist Church in Halifax. 100l Methodist School Halifax.
39. *Resolved*, That such sum be granted and paid to the Secretary of the Province, as will enable him to pay Three Pounds and Ten Shillings to each of the Clerks of the Peace within this Province, to whom His Excellency directed Road Commissions and Bonds in the year of our Lord One Thousand Eight Hundred and Forty. 3l 10s to Clerks of Peace
40. *Resolved*, That the sum of Ten Pounds be granted and paid to John James Sawyer, Esq., High Sheriff for the County of Halifax, for his expenses as such Sheriff at the opening and closing of the present Session of the General Assembly. 10l J. J. Sawyer.
41. *Resolved*, That a sum not exceeding Sixty Pounds, be granted and paid to the Clerk of the House of Assembly, to defray the expense of Stationary and Binding of Journals and Laws for the House of Assembly during the present Session. 60l Stationary
42. *Resolved*, That the sum of Ten Pounds each be granted and paid to the two Chairmen of Committees on Bills and of Supply, for their services for the present Session. 10l each Chairman
43. *Resolved*, That the Sum of One Hundred Pounds each be granted and paid to the Clerk and Assistant Clerk of the House of Assembly, for their extra services during the present Session. 100l each Clerks of House.
44. *Resolved*, That the sum of Eleven Pounds Seven Shillings be granted and paid to Andrew M. Uniacke, Esquire, Judge Advocate of Militia, for his services rendered to a Militia Board. 11l 7s Judge Advocate of Militia.
45. *Resolved*, That the sum of Fifteen Pounds be granted and paid to John Ross, to reimburse. 15l J. Ross.

imburse him a sum intended to be paid him in the year 1840, for services performed in carriage of the Mails between Pictou and Halifax, pursuant to the Report of the Committee on his Petition.

46. *Resolved*, That a sum, not exceeding Two Hundred and Twenty Pounds, be granted to defray the expenses of extra Messengers, and other services and articles for the House of Assembly, and for Fuel, according to estimate—the said sum to be drawn and applied by the Clerk of the House of Assembly, under the sanction of the Speaker.

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

48. *Resolved*, That the Collector of Impost at the Port of Halifax shall, and he is hereby authorised and required and directed, to keep a distinct account of all duties by him collected upon the importation from the United States of America of Live Stock, Apples, Onions, Fruit, Biscuit and Bread, under the Act of the General Assembly, passed in the last Session, entitled, An Act for granting Colonial Duties of Impost for the support of Her Majesty's Government within this Province, and for promoting the Agriculture, Commerce, and Fisheries thereof, and that the said Duties upon the above specified articles, during the present year, shall be paid quarterly to the Commissioners of the Poor, for the use of the Transient Poor; Provided such payment do not exceed the sum of One Thousand Pounds during the present year.

49. *Resolved*, That the sum of Ten Pounds be granted and paid to the Ferryman on the Eastern side of the Gut of Canso, to enable him to run a suitable Ferry Boat or Scow between Richard Carter's Landing, on the Western side of said Gut, and David McPherson's, on the Eastern side thereof—the said Ferry Boat or Scow to be run under the regulation of the General Sessions for the County of Richmond.

50. *Resolved*, That the sum of One Hundred and Fifty Pounds be granted and paid to aid in building a Bridge over the River Baddeck, in the County of Cape-Breton.

51. *Resolved*, That the sum of One Hundred Pounds be granted and paid to the Reporters of the Debates and Proceedings of the Legislature, for their services during the present year, in conformity with the Report of the Committee on Reporting.

52. *Resolved*, That the sum of Thirty-six Pounds Six Shillings and Ten Pence be granted and placed at the disposal of His Excellency the Lieutenant-Governor, to defray the expenses attending Criminal Cases in the Island of Cape-Breton, viz:—To Edward Duckett, Twenty-two Pounds Eleven Shillings and Seven Pence; John Fuller, Seven Pounds and Three Pence; and J. W. Weeks, Six Pounds and Fifteen Shillings—according to the Report of the Committee on their Accounts, of which payment has been recommended by His Excellency.

The Resolutions from the first to the eighth, inclusive, were then again read and agreed to.

The ninth Resolution for granting £250 towards the establishment of a Provincial Museum, was then again read; and thereupon,

Mr. Holmes moved that the Resolution be not received by the House: which, being seconded and put, and the House dividing thereon, there appeared for the motion, twenty-one; against it, twenty-three. So it passed in the negative.

The question that the Resolution be agreed to being then put, the House divided thereon, when there appeared, for agreeing to the Resolution, twenty-four; against it, twenty:

For the Resolution,

Mr Annand  
Mr Blackadar  
Mr Archibald  
Hon Mr McNab  
Mr DesBarres  
Mr S Clippman  
Hon Atty General  
Mr Huntington  
Mr Upham  
Mr Homer  
Mr Young  
Hon Mr Dodd  
Mr Turnbull  
Mr Marshall  
Mr McKenna  
Mr Henry  
Mr Forrester  
Mr Halton  
Mr Creighton  
Mr Heckman  
Mr Martell  
Mr Taylor  
Mr J R Dewolf  
Mr Clements

Against the Resolution,  
Mr Lewis  
Mr Beckwith  
Mr Comeau  
Mr Thorne  
Mr Johnson  
Mr Gates  
Mr McKay  
Mr Spearwater  
Mr Holdsworth  
Mr Dimock  
Mr Dickey  
Mr Fulton  
Mr Budd  
Mr Smith  
Mr Forrestall  
Hon Mr Dewolf  
Mr Holmes  
Hon Mr Uniacke  
Mr Payzant  
Mr Rider  
Mr Goudge

So it passed in the affirmative.

The

Carried

220l contingencies of Assembly

15l Publications for Assembly

1000l Transient Poor

10l Ferry Gut of Canso

150l Baddeck Bridge

100l Reporting

36l 6s 10d Criminal expenses Cape Breton

Resolutions from 1st to 8th agreed to

Motion not to receive vote of 250l for Museum negatived

Division on Question for agreeing

MONDAY, 5th APRIL, 1841.

The tenth Resolution for granting £30 towards a Chapel for Indians, was again read, and agreed to. 10th Resolution agreed to

The eleventh Resolution for granting £200 to the Baptist Education Society was then again read; and thereupon,

Mr. Goudge moved that the Resolution be not received by the House: which, being seconded and put, and the House dividing thereon, there appeared, for the motion, nineteen; against it, twenty-three; Motion not to receive Vote of 200 to Baptist Education Society

For the motion,

Mr Annand  
Mr Archibald  
Mr Goudge  
Mr Holmes  
Mr Budd  
Mr Forrestall  
Mr Young  
Mr DesBarres  
Mr Turnbull  
Mr Marshall  
Mr McKenna  
Mr Henry

Mr Dickey  
Mr Spearwater  
Mr Hatton  
Mr Heckman  
Mr Martell  
Mr Taylor  
Mr Comeau

Against the motion,

Mr Lewis  
Mr Beckwith  
Mr Huntington  
Mr Forrester  
Mr Thorne  
Mr Johnson  
Mr Gates  
Mr McKay  
Mr Clements  
Mr Holdsworth  
Hon Mr Dodd  
Mr Dimock

Hon Mr Dewolf  
Mr Smith  
Mr Homer  
Mr Upham  
Mr Blackadar  
Hon Atty General  
Mr Payzant  
Mr S B Chipman  
Hon Mr McNab  
Mr S Chipman  
Mr Creighton

Division thereon

So it passed in the negative.

The Resolution was then agreed to.

The Resolutions from the twelfth to the fifteenth, inclusive, were then again read, and agreed to.

The sixteenth Resolution for granting £50 for the Infant School at Halifax, was then again read; and thereupon,

Mr. Huntington moved that the Resolution be not received by the House: which, being seconded and put, passed in the negative.

The Resolution was then agreed to.

The seventeenth Resolution for granting £100 for Schools under charge of the Rev. Mr. Uniacke, was then again read; and thereupon,

Mr. Huntington moved that the Resolution be not received by the House; which, being seconded and put, passed in the negative.

The Resolution was then agreed to.

The Resolutions from the eighteenth to the twenty-fifth, inclusive, were then again read, and agreed to.

The twenty-sixth Resolution for granting £75 to the Secretary of the Central Board of Health at Halifax, was then again read; and thereupon,

Mr. Huntington moved that the Resolution be not received by the House: which, being seconded and put, and the House dividing thereon, there appeared, for the motion, eighteen; against it, twenty-three; Motion not to receive Vote for Rev. Mr. Uniacke's Schools negated Resolution agreed to

For the motion,

Mr S Chipman  
Mr Archibald  
Mr DesBarres  
Mr S B Chipman  
Mr Homer  
Mr Payzant  
Mr Huntington  
Mr McKenna  
Mr Clements  
Mr Fulton  
Mr Dickey  
Mr Spearwater

Mr Gates  
Mr Martell  
Mr Hatton  
Mr McKay  
Mr Beckwith  
Mr Comeau

Against the motion,

Mr Forrester  
Mr J R Dewolf  
Mr Thorne  
Mr Johnson  
Mr Heckman  
Mr Taylor  
Mr Marshall  
Mr Holdsworth  
Mr Turnbull  
Hon Mr Dodd  
Mr Dimock  
Hon Mr Dewolf

Mr Smith  
Hon Atty General  
Mr Upham  
Mr Annand  
Mr Blackadar  
Mr Budd  
Mr Young  
Mr Lewis  
Mr Forrestall  
Hon Mr McNab  
Mr Holmes

Division

So it passed in the negative.

The Resolution was then agreed to.

The remaining Resolutions were then read, and agreed to.

Ordered, That the Clerk do carry the Resolutions to the Council, and desire their concurrence. Negated Resolution agreed to Remaining Resolutions agreed to Sent to Council

A Petition of Alexander McDonell and others, Freeholders and Inhabitants of the County of Inverness, was, by special leave, presented by Mr. Young and read, setting forth the advantages derived by the Inhabitants of the Island of Cape-Breton from the union of that Island

Pet. of Alex. McDonell & al. of Inverness in favor of union with Nova Scotia, &c.

MONDAY and TUESDAY, 5th and 6th APRIL, 1841.

Island with Nova-Scotia proper ; and praying that a greater share of the public monies, and of Representation, may be granted to that section of the Province.

*Ordered*, That the Petition do lie on the Table.

School Lands returns laid before House

The Hon. Mr. Dewolf, by command of His Excellency the Lieutenant-Governor, presented certain Returns and Statements relative to School Lands in the Townships of Granville, Truro, Onslow, Horton and Newport—and the same were read.

(See Appendix No. 72.)

*Ordered*, That the Returns and Statements do lie on the Table.

Order of Day presentation of Road Scales postponed

The Order of the Day being read,

*Ordered*, That the several Scales of Sub-division of Road Money be presented To-morrow.

Then the House adjourned until To-morrow, at one of the clock.

Tuesday, 6th April, 1841.

Refusal of leave to present Lands & Tenements Bill rescinded

Mr. DesBarres moved that the determination of the House of yesterday, by which he was refused leave to present a Bill to alter the Law for making Lands liable to the Payment of Debts, be rescinded : which, being seconded and put, passed in the affirmative ; and thereupon,

Leave given

*Ordered*, That Mr. DesBarres have the special leave of the House to present such Bill ; and accordingly,

Lands and Tenements Bill presented

Mr. DesBarres presented a Bill to alter the Law for making Lands liable to the Payment of Debts—and the same was read a first time.

Read 2d time Committed

*Resolved, Nem. Con.* That the said Bill be now read a second time ; and accordingly, The said Bill was read a second time.

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

Engrossed Hx. Roads Bill read 3d time

An engrossed Bill to provide for opening a new Road in the Township of Halifax, was read a third time.

Passed

*Resolved*, That the Bill do pass, and that the title be, An Act to provide for opening a new Road in the Township of Halifax.

Sent to Council

*Ordered*, That the Clerk do carry the Bill to the Council, and desire their concurrence.

Resolution for bounty on Chocolate.

On motion of Mr. Young, *resolved*, that His Excellency the Lieutenant-Governor be authorised and requested to allow and pay to the Manufacturers of Chocolate, until the next Session of the Provincial Legislature, such sum as shall be equal to Three Shillings for every hundred pounds thereof that shall be manufactured in this Province, and proved to the satisfaction of His Excellency to have been exported therefrom, and this House, at its next Session, will provide for the same.

Order of Day Road Scales presented

The Order of the Day for the presentation of the Scales of Sub-division of Road Monies, being read,

The undermentioned Members presented to the House Scales of Sub-division accordingly, for the respective Counties, set against their names, viz :

Mr. Annand, for the County of Halifax.

The Hon. Attorney General, for the County of Colchester.

Mr. Blackadar, for the County of Pictou.

Mr. Fulton, for the County of Cumberland.

The Hon. Mr. Dewolf, for King's County.

Mr. Forrestall, for the County of Sydney.

Mr. DesBarres, for the County of Guysborough.

Mr. S. B. Chipman, for the County of Annapolis.

Mr. Holdsworth, for the County of Digby.

Mr. Clements, for the County of Yarmouth.

Mr. McKenna, for the County of Shelburne.

Mr.

TUESDAY, 6th APRIL, 1841.

Mr. J. R. Dewolf, for Queen's County.

Mr. Heckman, for the County of Lunenburg.

Mr. Smith, for the County of Hants.

Which, being respectively read,

Mr. Goudge moved that the Scale of Sub-division for the County of Hants be not received by the House, and that the following be substituted therefor, and do pass, viz :

Motion to substitute another Scale for Hants County negatived on division.

*Resolved*, That the sum of £1300, granted for the Service of Roads and Bridges in the County of Hants, be applied as follows :

From Samuel Palmer's to Chester line	£66	0	6½
To pay John Cochran over-expenditure on Kennetcook Bridge	46	9	5½
From Halifax County line to Noel Bay	125	0	0
James Mosher's to Mouth of Shubenacadie, by Kennetcook	50	0	0
To repair the Bridge near Stephen's, Rawdon, and to pay John Smith £4 2 5	20	0	0
From Noel to Shubenacadie	10	0	0
Noel to Tenescape	15	0	0
Hall's Bridge to McPhee's Bridge	25	0	0
To finish the Bridge at Even McPhee's	50	0	0
For the alteration on the Nine Mile River road, to avoid the hills at James McPhee's	35	0	0
the Old Road passing James McPhee's	7	10	0
From Isaac Wh' tear's to the Shubenacadie, by the Indian Road	30	0	0
the mouth of the Shubenacadie to Nelson's, to be paid when certified under Oath, that £59 12 6 has been duly paid for the Service by the Inhabitants	77	10	0
Burton's to Indian Road	7	10	0
Indian Road to Caldwell's	7	10	0
McPhee's Bridge to Indian Road	10	0	0
Nine Mile River Road to McKenzie's Lake	5	0	0
Tenescape to Petite	20	0	0
Petite to Newport line, by Shiverie	50	0	0
Walton to Cockmagun	30	0	0
Thomas Salter's to Newport Road	7	10	0
For Ryan's Road, Cockmagun	10	0	0
From the Gore to Carver's land	10	0	0
Gore Road to James Sandford's	15	0	0
Barney Knowles to Moxeris'	7	10	0
For Ridge Road, by Bond's, Rawdon	5	0	0
Hibberts Road	20	0	0
alteration at Lake Brook	25	0	0
To repair Barron's Bridge, and the Road from Murphy's to John Dimock's	25	0	0
For the alteration through Shubal Parker's Land	20	0	0
from Parker's Mill to John Dimock's	25	0	0
Road by Joseph Mosher's, to be paid when certified under Oath that £9 13 0 has been paid for the Service by the Inhabitants	15	0	0
alteration of the Road by Benjamin Mumford's, to be paid when certified as above, that £7 10 0 has been paid as above	7	10	0
From the Scotch Village, by Oliver Dimock's, to the River Herbert, to be paid when certified as above, that £16 4 0 has been paid as above	20	0	0
Kennetcook Bridge to Noah Anthony's, past Archibald Smith's	10	0	0
McCame's to Muddy Marsh	12	10	0
Constantine to George Mosher's	10	0	0
For the Road by Henry Vaughan's	5	0	0
From Laver's to Rawdon line	5	0	0
On the causeway, near Barron's	10	0	0
Five Mile River Road, near McDougal's	10	0	0

On the Road past Sumer's	£7	10	0
Bridge at Tremain's	5	0	0
Road past Fisher's	5	0	0
Road from Garder's to 9 mile River Bridge	5	0	0
To repair the Bridge near Songster's, Falmouth	20	0	0
From three mile plain to Falmouth Bridge	20	0	0
Trenholm's to Metzler's	10	0	0
St. Croix Bridge to Davidson's	7	10	0
On the Old Ardoise Road	7	10	0
Dawson Road	10	0	0
Stark Road to Pond-hook	5	0	0
Post-road from New Avon Bridge to Horton line	35	0	0
Old Road, past Songster's, to Horton line	10	0	0
Mill-road, past George Potter's	10	0	0
Back road to Lyon's Mill	10	0	0
From the lime Rock Hill, past Half-way River, to Horton line	15	0	0
the Shore road to Half-way River Landing	5	0	0
To alter the Main Post road leading into Windsor, avoiding the Windmill Hill, commencing at Charles Smith's Blacksmith shop, and coming out in a direct line to the middle Street, past Scott's, in addition to £80 undrawn, to be paid when certified under Oath, that £50 has been paid for the Service by the Inhabitants	45	0	0
For the causeway at Allen's Bridge, near Peter Paysant's	5	0	0
	<hr/>		
	£1300	0	0

Which, being seconded and put, and the House dividing thereon, there appeared, for the motion, twelve; against it, fifteen.

So it passed in the negative.

Motion for placing Hants Road Money at disposal of Executive

Mr. Goudge then moved that the said Scale of Sub-division, presented by Mr. Smith, be not received by the House; and that the sum of £13,000, allotted for the service of Roads and Bridges in the County of Hants, be placed at the disposal of His Excellency the Lieutenant-Governor, to be expended in that service: which, being seconded and put, and the House dividing thereon, there appeared, for the motion, fourteen; against it, fourteen—

Division

Speaker votes against motion

Whereupon, Mr. Speaker gave his casting vote against the motion, and it passed in the negative.

Scales agreed to

The said several Scales of Sub-division were then, upon the question, severally put thereon, agreed to by the House.

For the same, as agreed to,

(See Appendix No. 73.)

Road Money in Island of Cape Breton placed in hands of Executive

On motion, *resolved*, that the following sums of money, that is to say—the sum of £1,200, allotted for the service of Roads and Bridges in the County of Cape-Breton, the sum of £1,200, allotted for the service of Roads and Bridges in the County of Inverness, and the sum of £950, allotted for the service of Roads and Bridges in the County of Richmond, be placed at the disposal of His Excellency the Lieutenant-Governor, to be respectively expended in the said services.

Road Money Votes sent to Council

*Ordered*, That the Clerk do carry to the Council the Scale of General Division of the sum of £18,000 granted for the service of Roads and Bridges, and the several Scales of Sub-division thereof, with the Resolution in regard to the sums allotted to the Counties of Cape-Breton, Inverness and Richmond, and desire the concurrence of the Council to the same respectively.

Message from Council

A Message from the Council by Mr. Halliburton:

Mr. Speaker,

Have passed Bill to repeal overholding Act

The Council have passed a Bill, entitled, An Act to repeal an Act for preventing illegal overholding and detainer of Real Estate—to which Bill they desire the concurrence of this Honorable House.

The

The Council have agreed to the Bill, entitled, An Act for amending the Act for taking the Census of this Province; the Bill, entitled, An Act to continue the Act to suspend the operation of the Act to prevent Forestalling, Regrating, and Monopolizing of Cord Wood, in the Town of Halifax; the Bill, entitled, An Act to continue the Act in amendment of the Act relating to Highways, Roads and Bridges; the Bill, entitled, An Act to continue the Act for the regulation and management of the Combined Common and Grammar School at Lunenburg; the Bill, entitled, An Act to continue the Act to provide for the regulation and management of the Grammar School or Academy at Annapolis; the Bill, entitled, An Act to continue the Act for regulating the exportation of Red or Smoked Herrings; and the Bill, entitled, An Act to continue the Acts in force relative to the Inspection of Pickled Fish, severally, without any amendment.

And then the Messenger withdrew.

The engrossed Bill from the Council, entitled, An Act to repeal an Act for preventing illegal overholding and detainer of Real Estate, was read a first time.

*Ordered, Nem. Con.* That the Bill be now read a second time.

And the same was accordingly read a second time.

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

The Hon. the Attorney General reported from the Committee of Privileges, that the Committee had not deemed it expedient, at the present time, to enter into the general question of any right in the Legislative Council to propose the amendments made by them to the Bill, entitled, An Act to continue the Act for the encouragement of Schools, and to alter and amend the same—which right the Committee do not recognise, but recommend that the amendment, striking the 14th clause out of the Bill, should not be considered by the House.

*Resolved,* That the Report be received and adopted.

On motion, the amendments proposed by the Council to the Bill, entitled, An Act to continue the Act for the encouragement of Schools, &c., were read a second time; and thereupon,

*Resolved,* That the amendments to the 17th and 26th clauses of the Bill be agreed to.

*Resolved,* That the amendments to the 5th, 10th, and 15th clauses of the Bill, and the last amendment, by which it is proposed to insert an enacting clause after the 32d clause of the Bill, be not agreed to.

*Resolved,* That the amendment to the 14th clause of the Bill be not considered by this House, as it proposes to alter the disposition of a grant of money.

*Ordered,* That the Clerk do carry the Bill and amendments to the Council, and acquaint them with the foregoing Resolutions.

On motion the House resolve itself into the Committee on Bills.

Mr. Speaker left the Chair,

Mr. Clements took the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had gone through the Bill to alter the Law for making Lands liable to the Payment of Debts; and the engrossed Bill from the Council, entitled, An Act to repeal an Act for preventing illegal overholding and detainer of Real Estate, and had directed him to report the said Bills to the House, severally, without any amendment; and he afterwards delivered the Bills in at the Clerk's Table.

The Chairman also acquainted the House, that he was directed by the Committee to move for leave to sit again, which the House agreed to.

*Ordered,* That the Bill to alter the Law for making Lands liable to the Payment of Debts be engrossed.

The engrossed Bill from the Council, entitled, An Act to repeal an Act for preventing illegal overholding and detainer of Real Estate, was read a third time.

*Resolved,* That the Bill be agreed to.

*Ordered,*

Have agreed to Bills viz:  
Census  
Forestalling Cord-wood  
Highways  
Lunenburg Grammar School  
Annapolis Academy  
Herrings exportation and Pickled Fish Inspection

Council's overholding Bill read 1st & 2d time & committed

Report from Com. of Privileges on Councils amds. to School Bill

Adopted

Councils Amds. to School Bill

Amdts in part agreed to

Disagreed to in part

House refuse to consider one amdt.

Bills sent to Council

Com. on Bills

Report Lands and Tenements Bill and Council's overholding Bill without amdt.

Lands and Tenements Bill to be engrossed

Council's Overholding Bill read 3d time

TUESDAY, 6th APRIL, 1841.

Agreed to and sent  
to Council

*Ordered*, That the Clerk do carry the Bill to the Council, and acquaint them that this House have agreed thereto.

Engrossed Lands  
and Tenements Bill  
read 3d time  
passed

An engrossed Bill to alter the Law for making Lands liable to the payment of Debts, was read a third time.

*Resolved*, That the Bill do pass, and the title be; An Act to alter the Law for making Lands liable to the payment of Debts.

Sent to Council

*Ordered*, That the Clerk do carry the Bill to the Council, and desire their concurrence.

Resolution moved  
for re-investing  
Crown with Wild-  
erness Lands own-  
ed by Absentees

The Hon. Mr. Uniacke moved that the House do come to a Resolution as followeth :

*Resolved*, That a Committee be appointed to wait upon His Excellency the Lieutenant-Governor, and respectfully request him to adopt such measures as he may deem most judicious to re-invest the Crown with all Wilderness Lands owned by Absentees, who have not complied with the conditions of the Letters Patent, under which such Lands are held ; and to make such regulations, and to conduct such Correspondence as will encourage immigration, and the settlement of Lands: which, being seconded,

Amdt. thereto ne-  
gated

Mr. Young moved, by way of amendment to the proposed Resolution, to leave out the words "re-invest the Crown with," and to insert instead thereof, the words "ascertain the quantities, situation, and value of," and at the end of the Resolution, as so amended, to add the following: "and this House, at its next Session, will provide for the expense thereof:" which, being seconded and put, and the House dividing thereon, passed in the negative.

Original Resoluti-  
on agreed to

The main question being then put, the Resolution as originally moved, was agreed to by the House.

Com named

*Ordered*, That the Hon. Mr. Uniacke, the Hon. Mr. Dodd, and the Hon. Mr. M'Nab, be a Committee pursuant to the Resolution.

Message from  
Council  
Have agreed to  
Militia Bill with  
amds. and to  
Resolution for  
change of appro-  
priation in Pictou

A Message from the Council, by Mr. Halliburton :

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act for regulating the Militia, with two amendments—to which they desire the concurrence of this Honorable House.

The Council have agreed to the Resolution for changing the Appropriation of £50 for Roads in the County of Pictou.

And then the Messenger withdrew.

Council's Amdt. to  
Militia Bill agreed  
to

The amendments proposed by the Council to the Bill, entitled, An Act for regulating the Militia, was read a first and second time, and considered by the House; and thereupon,

*Resolved*, That the said amendments be agreed to.

Bill, &c. sent to  
Council

*Ordered*, That the Clerk do carry the Bill and amendments to the Council, and acquaint them that this House have agreed to the amendments.

Despatch relative  
to Fishery exempti-  
ons, &c.

The Hon. Mr. Uniacke, by command of His Excellency the Lieutenant-Governor, presented a Copy of Despatch from Lord John Russell to His Excellency, dated the 16th March, 1841, relative to the subject of importation into the Colonies of Articles for the use of the Fisheries, and otherwise as regards the Trade of the Colonies—and the same was read.

(See Appendix No. 74.)

Ref. to Sel. Com

*Ordered*, That the Copy of Despatch be referred to Mr. Young, Mr. Huntington, the Hon. Mr. M'Nab, Mr. Goudge, Mr. Forrester, Mr. Taylor, and Mr. Dickey, to examine into the matters therein referred to, and to report thereon to this House.

Resolution for a-  
mending grant to  
Steam Boat be-  
tween Pictou and  
P. E. Island

On motion of Mr. Huntington, *resolved*, that the sum of £150, granted in the Resolution of the 18th February last, towards supporting and maintaining the Steam Boat between Pictou, Prince Edward Island and Miramichi, for the present year, be paid and applied for the supporting and maintaining a good and sufficient Steam Boat between Pictou and Prince Edward Island, for the present year, when it shall be made satisfactorily appear to His Excellency the Lieutenant-Governor, or Commander in Chief for the time being, that such Boat, (when not prevented by boisterous weather or unavoidable accident,) has plied during

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during the summer season, three times a week between Pictou and Prince Edward Island, and shall, if required, have conveyed the Mails between this Province and said Island; and that the said Resolution of the 18th February, be amended accordingly.

And the Resolution being so amended,

*Resolved*, That the sum of One Hundred and Fifty Pounds be granted for the supporting and maintaining a good and sufficient Steam Boat between Pictou and Prince Edward Island for the present year—to be paid when it shall be made satisfactorily to appear to His Excellency the Lieutenant-Governor, or Commander in Chief for the time being, that such Boat, (when not prevented by boisterous weather or unavoidable accident) has plied during the summer season, three times a week between Pictou and Prince Edward Island, and shall, if required, have conveyed the Mails between this Province and said Island.

Amended Resolution

*Ordered*, That the Clerk do carry the Resolution to the Council, and desire their concurrence.

Sent to Council

On motion of Mr. S. Chipman, *resolved*, that the sum of Six Pounds, granted in 1840, for the alteration up the hollow south of Gisner's Mill Pond, be applied to the repair of the dam or bridge over the Pond, and the Road crossing the same, in Cornwallis.

Resolution for change of Appropriation Cornwallis

*Ordered*, That the Clerk do carry the Resolution to the Council, and desire their concurrence.

Sent to Council

On motion of Mr. Goudge, *resolved* as followeth, viz :

Resolution relative to Duties on Flour

*Whereas*, Her Majesty's Attorney and Solicitor General of the Imperial Government did, on the 12th of March, in the year 1840, upon submission to them by Her Majesty's Government of the question of "whether the fact of a person importing any Articles enumerated in Section 9th of 3d and 4th William 4th, Chapter 59, into the place at or from whence the Fishery is carried on, and entering them as fit and necessary for the Fisheries, does not entitle him to have the same delivered duty free—provided the proper Officer shall be satisfied that they are Articles ordinarily and commonly used in carrying on the Fisheries, without requiring the party to produce proof, in the first instance, of his intention so to use them, or to require from him, at any subsequent period, proof that they had been actually and bona fide consumed in the Fisheries, and not applied to any other purpose;" and

"Secondly,—Whether in the event of it being ascertained that any part of such articles which had been admitted duty free at the place of importation, had been subsequently applied to purposes other than those contemplated by the Act, having been sold by the original importer, to persons unconnected with the Fisheries, in the common course of trade, the same would be subject to forfeiture under the 28th Section of 3rd and 4th, William 4th, Chapter 59th."

And whereas, the said Attorney and Solicitor General upon the questions so submitted to them, did give their opinion as follows:

1st. We are of opinion that the articles specified in the proviso of Section 9th, 3rd. and 4th, William 4th, chapter 59th, may be imported duty free without requiring the party to produce proof, in the first instance, of his intention to use them in the Fisheries, or requiring him, subsequently, to prove that they have been actually and bona fide consumed in the Fisheries.

2d. We do not think that there would be a forfeiture of the Goods under the circumstances stated; if it is necessary to guard against fraudulent importation and sale under the pretext of the Fisheries, it will be necessary to obtain fresh precautions by Legislative enactment.

(Signed)

J. CAMPBELL:

THOMAS WILDE:

*And whereas*, the expression in writing of this opinion to the proper authorities in the Imperial Government, induced the said authorities to address the Collector of Customs in the Province of New Brunswick, a letter, under date May 5th, 1840, of which the following is a Copy—and a letter, of like import, to the Collector of this Province:

R 2

SIR,

TUESDAY, 6th APRIL, 1841.

SIR,—Having read your letter, dated Sept. 10th last, No. 66, inclosing Copies of a Correspondence with the Chamber of Commerce at your Port, respecting the admission Duty free, of Articles fit and necessary for the Fisheries.

We transmit, herewith, a Copy of an opinion of Her Majesty's Attorney and Solicitor General upon a case upon this subject, which we recently caused to be laid before them, and we direct you and the Officers under your survey, to govern themselves by the opinion herewith transmitted.

(Signed)

R. B. DEAN,  
W. LEGG,  
H. CUST.

*Whereas*, notwithstanding the foregoing opinion, given as aforesaid, there is want of uniformity of practice, in regard to the Entry of Articles termed "fit and necessary for the Fisheries" in the Out-ports of this Province, having an onerous and invidious tendency, causing unwise and unnecessary restrictions to Merchants and others engaged in business pursuits, giving preference to persons similarly engaged in other places, for which no just or reasonable cause exists, and which preference ought not to exist:

Therefore, *resolved*, that this House are of the opinion that the practice in the Customs and Excise Departments in regard to Duty exacted, amount of duty or otherwise, should be similar in all the Free Ports in this Province.

*And whereas*, most of the Flour and other articles "fit and necessary for the Fisheries," introduced into this Province, especially into the Port of Halifax, for the last three years, has been so introduced for the Fisheries, subject to no duty, as appears by the returns from the Customs, or has, under the Law of this Province, passed last Session, been chargeable with Duty, to the extent of two Shillings Sterling per Barrel on Flour, payable at the Excise Office, and where any Flour has paid Duty under the Imperial Act, this House will, until further Legislative provisions have been enacted, return three fifth parts of such Imperial Duty to the Importer thereof, from the Provincial Treasury, upon proper Certificates, produced to the Board of Revenue, that the Duty imposed by the Act of the Imperial Parliament has been paid.

Therefore, *resolved*, that His Excellency the Lieutenant-Governor be respectfully requested to direct the principal Officer of the Customs, to cause the Sub-Collectors of the Customs at the Free Out-ports under his Survey, to admit Flour and such Articles as are admitted, as fit and necessary for the Fisheries, subject to the same rules, regulations and charges, as are applicable to, and charged upon, the same Articles in the Port of Halifax.

*Ordered*, That the Hon. Mr. Uniacke, the Hon. Mr. McNab and the Hon. Mr. Dodd, be a Committee to wait upon His Excellency the Lieutenant-Governor with a Copy of the foregoing Resolution.

Com. to wait on  
Gov. with Resolu-  
tion

On motion of Mr. DesBarres, *resolved*, that a Committee be appointed to prepare and report an answer to the communications and recommendations of His Excellency the Lieutenant-Governor, made to this House during the present Session.

Com. to prepare  
answer to Govern-  
or's Recommendations  
&c.

Com. named

*Ordered*, That Mr. DesBarres, the Hon. Mr. McNab and Mr. Forrester, be a Committee for the foregoing purpose.

Report from Com.  
on Pet. of Duncan  
McMillan

The Hon. Mr. McNab reported from the Select Committee on the Petition of Duncan McMillan, and he read the Report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.

(See Appendix No. 75.)

Adopted

*Resolved*, That the Report be received, and adopted by this House.

Resolution rel. to  
Light Duties Gut  
of Canso

On motion of the Hon. Mr. Uniacke, *resolved*, that a Committee be appointed to wait on His Excellency the Lieutenant-Governor, and respectfully to call the attention of His Excellency to the irregular collection of Light Duty at the Gut of Canso, and to request His Excellency to adopt such measures, and make such appointments, as may insure a more faithful payment of the Duty at that Station; this House being of opinion that a much larger amount should be paid into the Treasury than has hitherto been done.

*Ordered*,

TUESDAY, 6th APRIL, 1841.

*Ordered*, That the Hon. Mr. Uniacke, Mr. DesBarres and Mr. Marshall, be a Committee to wait upon His Excellency the Lieutenant-Governor with Copies of the foregoing Resolution, and of the Report of the Select Committee on the Petition of Duncan McMilian, this day adopted, and respectfully call his Excellency's attention thereto.

Com. to wait on Gov. with Canso Light Duties Resolution & Report on Pet. of D. McMilian

On motion of the Hon. Mr. Uniacke, *resolved*, that this House will, To-morrow, proceed to the consideration of the subject of the annexation of the Island of Cape-Breton to Nova-Scotia, and of the Petitions relative thereto.

Cape Breton annexation made Order of Day

Mr. Fulton Moved that the House do come to a resolution as followeth :

*Resolved*, That His Excellency the Lieutenant-Governor be authorised to expend the sum of Nine Hundred Pounds, in extending the new line of Road over Cumberland Mountains, on the Main Post Road to New Brunswick, and this House will provide for the same next Session ; which, being seconded and put, passed in the negative.

Motion for extra Grant to Road over Cumberland Mountains negatived

On motion of the Hon. Mr. Dewolf, *resolved*, that Ebenezer Bishop, Commissioner for expending Money on the Great Road, through Horton, be allowed to appropriate so much of the Money, placed at his disposal, to the payment of damages of Land, necessarily occupied in altering and improving the Road through the Premises of Eliphalet Fuller, as agreed for, not exceeding Ten Pounds.

Resolution as to a Road Vote Horton

*Ordered*, That the Clerk do carry the Resolution to the Council, and desire their concurrence.

Sent to Council

The Hon. Mr. Dewolf reported from the Select Committee on the subject of an Asylum for Deaf and Dumb Persons in this Province ; and he read the Report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.

Report from Com. on subject of Deaf & Dumb Asylum

(See Appendix, No. 76.)

*Ordered*, That the Report do lie on the Table.

Mr. Young reported further from the Committee on education ; and he read the Report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.

Report from Com on Education

(See Appendix No. 77.)

*Resolved*, That the Report be received, and adopted by the House.

On motion of the Hon. Mr. Uniacke, *resolved*, as followeth, viz :—

Whereas the sum of £1550 Sterling will be required to keep up the Mail Routes between Halifax and Pictou, in such manner as will be required, in consequence of the Steam Communication between this Province and the United Kingdom, of which sum this Province ought to contribute its proportion, *resolved*, that His Excellency the Lieutenant-Governor be requested to communicate with the Post Master General in London, and the Governor-General of Canada, as to the amount to be contributed from the Funds of the General Post Office, and of that Province, and that His Excellency be authorised also to advance the sum of £550 Sterling for the present year, (for which amount this House will make provision at its next Session,) to be paid to such person or persons who will contract to carry the Mails thrice a week between the 1st May and 1st November, and twice a week during the remainder of the year ; and also to carry, twice a month, the Mails from England for Quebec, arriving from the Steamers, under such regulations as may be established by the Post Office Authorities, with a condition that such Mails be carried in proper Carriages, drawn by Four Horses ; and also, that all Passengers arriving by the said Steamers, who desire to proceed thither, shall also be conveyed to Pictou, at a reasonable rate. And further *resolved*, that it is the opinion of this House, that a Contract should be made with persons willing to undertake the duties defined in the foregoing Resolution, for any period not exceeding eight years, and this House will make similar provision annually.

Resolutions relative to Eastern Mail Routes

*Ordered*, That the Clerk do carry the Resolutions to the Council, and desire their concurrence.

Sent to Council

On motion of Mr. Forrestall, *resolved*, that a Select Committee be appointed to prepare and report to this House, an Address to Her Majesty, praying the extension of Custom Houses to certain Ports in this Province, where the same are not now established.

Resolution for Com. to prepare Custom Houses Address

*Ordered*,

TUESDAY and WEDNESDAY, 6th and 7th APRIL, 1841.

Com. named

*Ordered*, That the Hon. Mr. Uniacke, Mr. DesBarres, Mr. Forrestall, Mr. McKenna and Mr. Smith be a Committee for the foregoing purpose.

Leaves of absence rescinded

On motion of Mr. Goudge, *resolved*, that the several Orders heretofore made; granting leave of absence to Members of this House be discharged, and that such leaves of absence be respectively cancelled.

Motion as to daily communication with New Brunswick by Western Route

Mr. S. Chipman moved that the House do come to a Resolution as followeth, viz.  
*Whereas*, a Daily Communication between Halifax and St. John, New-Brunswick, would be productive of much benefit both to the Government and the Inhabitants of this and the adjoining Province. *And whereas*, certain inquiries have been made by a Committee, appointed by His Excellency Sir John Harvey, Lieutenant-Governor of New-Brunswick, during the past year, and also by a Committee of Her Majesty's Legislative Council of this Province during the present Session, as to the practicability of the undertaking—the shortest and best route by Land and Water—the expediency of erecting a Pier or Breakwater on the south shore of the Bay of Fundy, to carry out the above object and the most advantageous site for such Pier—to which inquiries conflicting answers have been returned. In order, therefore, that the whole subject may be fully considered, and a proper investigation take place :

To request Gov. to appoint Com. to examine Bay Shore in Cornwallis for that purpose

*Resolved*, That His Excellency the Lieutenant-Governor be respectfully requested to appoint a Committee to examine the south shore of the Bay of Fundy, in Cornwallis, and westwardly to Digby or Indian Beach, (so called) to ascertain the practicability of forming in some of the Inlets on said shore, a safe Harbor for Steamers from New-Brunswick, to meet the overland Mail, and to report thereon, and the probable expense of the same ; also the distance by Water from St. John, and by Land from Halifax to such Harbor, the time required to run the distance by Water and Land, respectively, and such other information as may appear requisite :

Which, being seconded,

Previous question of adjournment moved and carried

Mr. Holmes moved that the House do adjourn : which, being seconded and put, passed in the affirmative—and accordingly,

The House adjourned until To-morrow, at twelve of the Clock.

Wednesday, 7th April, 1841.

Change of Appropriation Roads in Queen's County

On motion of Mr. J. R. Dewolf, *resolved*, as followeth,  
*Whereas*, it is considered necessary to make an alteration in the Main Post Road leading from Mill's Village to Herring Cove in Queen's County, and whereas the Money granted for that line of Road, and still unexpended, may not be sufficient for that purpose : *Resolved*, that it shall and may be lawful for His Excellency the Lieutenant-Governor to direct that any sum, not exceeding One Hundred Pounds, be applied to complete the said alteration, out of any money that may have been granted for the Road from Liverpool to Shelburne, and not expended.

*Ordered*, That the Clerk do carry the Resolution to the Council, and desire their concurrence.

Conditional vote for Revenue Boat at Liverpool

On motion of Mr. J. R. Dewolf, *resolved*, that whenever the sum of Twenty Pounds shall be paid into the Treasury of the Province, for seizures made by the Revenue Officers in Queen's County, it shall and may be lawful for His Excellency the Lieutenant-Governor to apply a sum, not exceeding Twenty Pounds, for the purpose of employing a Revenue Boat at Liverpool, to aid in the protection of the Revenue, and for the collection of Light Duty at that Port.

*Ordered*, That the Clerk do carry the Resolution to the Council, and desire their concurrence.

Or

WEDNESDAY, 7th APRIL, 1841.

On motion of Mr. McKenna, *resolved*, that the sum of Forty-eight Pounds, granted in the Session of 1840, for the purpose of opening a new Road from Shag Harbor to John Crowell's, in the Township of Barrington, and which has not been drawn from the Treasury, be changed and applied to repair the old Road leading from John Crowell's to Shag Harbor, in said Township.

Change of appropriation Roads in County of Shelburne

*Ordered*, That the Clerk do carry the Resolution to the Council, and desire their concurrence.

Mr. Smith moved that the House do come to a Resolution as followeth:

*Resolved*, That His Excellency the Lieutenant-Governor be authorised to expend the sum of £1500, granted in 1839, to open the Road between Scott's and Sackville, when there shall be funds sufficient in the Treasury, and having due regard to other Public Services: which, being seconded and put, passed in the negative.

Motion for expenditure of Grant for opening Road from Scott's to Sackville negatived

*Ordered*, That Mr. Blackadar be substituted for Mr. Creighton, (absent on leave,) as one of the Committee appointed to wait upon His Excellency the Lieutenant-Governor with the Address to Her Majesty on the subject of the Bill for facilitating the recovery of Seamen's Wages.

Substitution of Member on Com. to wait on Gov

The Hon. Mr. Dodd reported from the Committee appointed to wait upon His Excellency the Lieutenant-Governor with the Address to Her Majesty on the subject of the Bill for facilitating the recovery of Seamen's Wages, that the Committee had performed that duty, and that His Excellency was thereupon pleased to say, that he would transmit the Address as desired, with his favorable recommendation.

Report from Com. to wait on Gov. with Address on Seamen's Wages Bill

Mr. Henry, pursuant to special leave given, presented a Bill further to amend the Act to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein—and the same was read a first time.

Bill presented further to amend Judiciary Act

*Ordered, nem. con.*, That the Bill be now read a second time—and the same was read a second time accordingly.

Read 2d time

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

Committed

On motion, the House resolved itself into a Committee on Bills.

Com. on Bills

Mr. Speaker left the Chair,

Mr. Smith took the Chair of the Committee,

Mr. Speaker resumed the Chair.

The Chairman reported from the Committee that they had gone through the Bill further to amend the Act to improve the Administration of the Law, &c., and had directed him to report the same to the House without any amendment; and he delivered the Bill in at the Clerk's Table.

Report Bill further to amend Judiciary Act without amdt.

The Chairman also acquainted the House that he was directed by the Committee to move for leave to sit again—which the House agreed to.

*Ordered*, That the Bill reported from the Committee be engrossed, and be read a third time this day.

Bill to be engrossed

The amendments proposed by the Council to the Bill, entitled, An Act for the better Administration of the Fishing Privileges, and the Common in the Township of Granville, and for appointing Trustees for the management of the same, were read; and thereupon,

Councils amdt. to Granville Common Bill considered

*Resolved*, That the further consideration of said Bill and amendments be deferred until the next Session.

Bill and amts. deferred

Pursuant to Order, an engrossed Bill further to amend the Act to improve the Administration of the Law, &c., was read a third time.

Engrossed Bill further to amend Judiciary Act read 3d time Passed

*Resolved*, That the Bill do pass, and that the title be, An Act further to amend the Act to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein.

*Ordered*, That the Clerk do carry the Bill to the Council and desire their concurrence.

Sent to Council

WEDNESDAY, 7th APRIL, 1841.

Message from  
Council

Agree to Militia  
Bill as amended

Agree to Lands  
and Tenements Bill  
without amdt.  
And to forty-five  
Money Votes

A Message from the Council by Mr. Halliburton:

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act for regulating the Militia, as amended.

The Council have agreed to the Bill, entitled, An Act to alter the Law for making Lands liable to the payment of Debts, without amendment.

The Council have agreed to Forty-five Resolutions of this Honorable House for granting and appropriating Monies for the several purposes following, viz:

£40	0	0	To the Hon. James S. Morse, expense of Survey,
100	0	0	For Beacon and Buoys, Yarmouth Harbor,
9	9	0	To repay the Colonial Office for Reports of Cases,
50	0	0	To Jonathan Archibald,
14	19	0	To Daniel Durland,
681	15	6	Overexpenditure of Revenue Cutters,
1800	0	0	For expense of Revenue Cutters, for the present year,
25	0	0	For an African School, near Liverpool,
250	0	0	For a Provincial Museum,
25	0	0	For a Breakwater at McNeil's Cove, Digby,
974	4	5	To the Commissioners of Public Buildings,
25	0	0	Mail Conveyance from Louisbourg to Gabaroose,
149	0	0	For increased allowances to Mail Couriers,
50	0	0	For the Infant School in Halifax,
190	0	0	For the Revd. R. F. Uniacke's School,
30	0	0	For an Indian Chapel at Bras d'Or, C. B.
132	0	0	For establishing new Mail Routes,
200	0	0	To the Baptist Education Society,
15	0	0	To Messrs. Pernettes, LaHave Ferry,
100	0	0	To James Whitney, Steam Boat,
150	0	0	For Arisaig Pier,
60	0	0	For a Revenue Boat, Basin of Mines,
44	0	0	To Samuel Archibald, purchase of Land for Road,
38	3	0	To William Faulkner, expense of Survey,
75	0	0	To the Secretary of the Central Board of Health,
30	0	0	To open Passage between Lenox Passage and Little Arichat,
25	0	0	For the Poor House School, Halifax,
379	13	9	To repay excess of Duties,
500	0	0	For Importation of Copper Tokens,
516	0	0	To Messrs. Howe & Son, for printing,
30	0	0	For Revenue Boat at Pictou,
2000	0	0	For building the Bridewell,
120	0	0	To the Adjutant and Quarter Master General of Militia,
100	0	0	For the Methodist School in Halifax,
3	10	0	Each, to Clerks of the Peace,
47	13	4	To John G. McKenzie,
10	0	0	To the Sheriff of the County of Halifax,
10	0	0	To the Ferryman on the Eastern side of the Gut of Canso,
150	0	0	For a Bridge over Baddeck River, C. B.
36	6	10	Expenses of Criminal Proceedings in Cape-Breton,
11	7	0	To the Judge Advocate of Militia,
15	0	0	To John Ross, Mail expense,
7	10	0	To John Hewitt, return of duties,
1000	0	0	Not exceeding, from duties on Live Stock, &c. for Transient Poor, Halifax,
95	0	0	To Samuel Archibald, over-expenditure on Roads, by change of appro- priation.

And then the Messenger withdrew.

A

WEDNESDAY, 7th APRIL, 1841.

A Message from the Council, by Mr. Halliburton: Mr. Speaker,	Message from Council
The Council have agreed to the Bill, entitled, An Act for opening a new Road in the Township of Halifax, without amendment.	Agree to Halifax Road Bill
The Council have agreed to the several Resolutions dividing, sub-dividing, and appropriating the sum of £18,000 for the service of Roads and Bridges.	And to Road Mo- ney Votes
And then the Messenger withdrew.	
A Message from the Council by Mr. Halliburton: Mr. Speaker,	Message from Council
The Council have agreed to six Resolutions of this Honorable House for granting monies for the following purposes, viz:	Agree to six Mo- ney Votes
£15 0 0 To the Speaker, to purchase Books, &c.	
60 0 0 For Stationary, &c. for the House of Assembly.	
220 0 0 For Contingent Expenses of the House of Assembly.	
10 0 0 Each to the Chairmen of Committees of the House.	
100 0 0 Each, to the Clerks of the House, for extra services.	
100 0 0 To the Reporters of Debates, &c.	
The Council have not agreed to the Resolution for granting £683 7s 1d for the Clerks, and other expenses of the Legislative Council.	Do not agree to vote for their ex- penses
And then the Messenger withdrew.	
Ordered, That the Clerk do prepare and present an engrossed Bill for appropriating such part of the Supplies, granted in the present Session of the General Assembly, as are not already appropriated by the Laws or Acts of the Province.	Order to prepare Appropriation Bill
The Order of the Day being read,	
On motion, the House resolved itself into a Committee on the consideration of the Annexation of the Island of Cape-Breton to the Province of Nova-Scotia, &c.	Order of Day Com. of whole Cape Breton An- nexation
Mr. Speaker left the Chair,	
Mr. Clements took the Chair of the Committee,	
Mr. Speaker resumed the Chair.	
The Chairman reported from the Committee that they had made some progress in the business referred to them, and had directed him to move for leave to sit again, this day, thereon.	Report progress
Ordered, That this House do again, this day, resolve itself into a Committee on the consideration of the Annexation of Cape-Breton to Nova Scotia, &c.	Further order thereon
Then the House adjourned until eight of the clock of this day.	House adjourn
The House again met pursuant to adjournment.	House meet
The Order of the Day being read,	
The House again resolved itself into a Committee on the consideration of the Annexation of Cape-Breton to Nova Scotia, &c.	Order of Day Com. of whole on Cape Breton An- nexation
Mr. Speaker left the Chair.	
Mr. Clements took the Chair of the Committee.	
Mr. Speaker resumed the Chair.	
The Chairman reported from the Committee that they had considered the business referred to them, and had come to four Resolutions thereupon, which they had directed him to report to the House.	
Ordered, That the Chairman do report the said Resolutions to-morrow.	Report of Reso- lutions postponed
Then the House adjourned until To-morrow, at eleven of the clock.	

Thursday,

THURSDAY, 8th APRIL, 1841.

Thursday, 8th April, 1841.

- Resolution request-  
ing Gov. to bring  
Fishery Report to  
attention of Home  
Government
- Report from Com.  
on warming rooms  
of Prov. Building
- Adopted
- Message from  
Council
- Agreeing to eight  
Resolutions
- Council's amds. to  
Passenger Bill con-  
sidered  
Amdts. to 1st  
clause agreed to  
House refuse to  
consider amds to  
4th clause
- Bill, &c. sent to  
Council
- Appropriation Bill  
presented and read  
1st and 2d time
- Passed
- Sent to Council
- Report from Com.  
on Fishery Ex-  
emptions Despatch
- Motion to adopt
- Amdt. to lie on  
Table negatived
- On motion of the Hon. Mr. Uniacke, *resolved*, that His Excellency the Lieutenant-Governor be respectfully requested to call the attention of Her Majesty's Government to the report adopted by this House on the subject of the Fisheries, and to urge Her Majesty's Government to give effect to the suggestions therein contained.
- Mr. Huntington reported from the Select Committee on the subject of warming the rooms of the Province Building; and he read the Report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.  
(See Appendix, No. 78.)
- On motion, *resolved*, that the Report be received and adopted by the House.
- A Message from the Council by Mr. Halliburton:  
Mr. Speaker,  
The Council have agreed to eight Resolutions of this Honorable House for the following purposes, viz:  
Authorizing the payment of bounty on Manufacture of Chocolate exported.  
For granting £150 for Steam Boat between Pictou and Prince Edward Island.  
changing appropriation of £6 for a Road in Cornwallis.  
authorising payment for Carriage of Eastern Mails for eight years.  
change of appropriation of £100 for Roads in Queen's County.  
Revenue Boat Liverpool, £20 conditionally.  
change of appropriation of £48 for Roads in Barrington.  
And then the Messenger withdrew.
- On motion, the amendments proposed by the Council to the Bill, entitled, An Act respecting Passengers coming into this Province, were read; and thereupon,  
*Resolved*, That the proposed amendments to the first clause of the Bill be agreed to.  
*Resolved*, That this House cannot consider the amendments proposed to the fourth clause of the Bill, as they provide for, and relate to, the imposition of Penalties, and the mode of collecting the same.  
*Ordered*, That the Clerk do carry the Bill and amendments to the Council, and acquaint them with the foregoing Resolutions.
- The Clerk, pursuant to Order, presented an engrossed Bill for appropriating such part of the Supplies granted in the present Session of the General Assembly, as are not already appropriated by the Laws or Acts of the Province—and the same was read a first and second time.  
*Resolved*, That the Bill do pass, and that the title be, An Act for applying certain Monies therein mentioned for the service of the year of our Lord One Thousand Eight Hundred and Forty-one, and for other purposes.  
*Ordered*, That the Clerk do carry the Bill to the Council, and desire their concurrence.
- Mr. Young reported from the Select Committee on the Despatch from Lord John Russell, to His Excellency the Lieutenant-Governor, dated the 16th March, 1841, and presented to this House on Tuesday last, relative to the exemptions from Duty of Articles imported into the Colonies for the use of the Fisheries, and to the Colonial Trade in general; and he read the report in his place, and afterwards delivered it in at the Clerk's Table where it was again read.  
(See Appendix No. 79.)
- Mr. Young then moved that the Report be received and adopted by the House: which, being seconded,  
The Hon. Mr. Dewolf moved, by way of amendment to the question, to leave out all the words thereof, after the word "report," and to insert instead of the words so left out, the following, viz: "do lie on the Table for further consideration:" which, being seconded and put, and the House dividing thereon, passed in the negative. The

The main question being then put, and the House dividing thereon, there appeared for the motion, twenty-five; against it, twelve.

Original Resolution carried on division

For the motion,

Hon Mr Dodd	Mr Blackadar
Mr Rider	Mr Turnbull
Mr Huntington	Mr Dickey
Hon Mr McNab	Mr Marshall
Mr DesBarres	Mr Taylor
Hon Mr Uniacke	Mr Martell
Mr Homer	Mr Forrester
Mr Archibald	Mr Budd
Mr Young	Mr J R Dewolf
Mr Holmes	Mr Halton
Mr Fullon	Mr Clements
Mr Heckman	Mr McKenna
Mr Comeau	

Against the motion,

Mr Beckwith  
 Mr Payzant  
 Mr Upham  
 Mr Dimock  
 Mr Forrestall  
 Mr McKay  
 Mr Lewis  
 Hon Mr Dewolf  
 Mr Smith  
 Mr Johnson  
 Mr S Chipman

So it passed in the affirmative.

Ordered, That the Report be received and adopted by the House.

Report adopted Com. to wait on Gov. therewith

On motion of Mr. Young, resolved, that a Committee be appointed to wait upon His Excellency the Lieutenant-Governor, with a Copy of the said Report, and respectfully request His Excellency to transmit the same to the Right Honorable Her Majesty's Principal Secretary of State for the Colonies.

Ordered, That the same Committee who prepared the Report, be a Committee for the foregoing purpose.

A Message from the Council by Mr. Halliburton :

Mr. Speaker,

Message from Council

The Council do not adhere to the amendments proposed by them to the 5th, 10th, 14th and 15th Clauses of the Bill, entitled, An Act to continue the Act for the encouragement of Schools, and to alter and amend the same, but adhere to the amendment, by which it is proposed to insert in the Bill, an enacting Clause after the 32d Clause thereof.

Do not adhere to some amtds. to School Bill Adhere to one Amtd.

And then the Messenger withdrew.

The said last mentioned amendment was then again read, and reconsidered—and thereupon,

Amtd. adhered to by Council reconsidered House adhere Resolution for Com. of Conference thereon

Resolved, That this House adhere to their Resolution, not to agree to said amendment.

On motion of Mr. Young, resolved, that a Conference be desired with the Council, by Committee on the subject of said amendment.

Ordered, That the Clerk do request such Conference.

A Message from the Council, by Mr. Halliburton :

Mr. Speaker,

Message from Council agreeing to Conference

The Council agree to the Conference desired by this Honorable House, and the Committee of the Council are ready to meet the Committee of this House thereon.

Ordered, That Mr. Young, the Hon. Mr. Uniacke, and the Hon. Mr. Dodd do manage the Conference.

Com. of Conference

So they went to the Conference,

And, being returned,

Mr. Young reported that the Managers had been at the Conference, and stated the substance of the Conference to the House.

Report from Com. of Conference

A Message from the Council, by Mr. Halliburton :

Mr. Speaker,

Message from Council

The Council have agreed to the Bill, entitled, An Act further to amend the Act to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expence of the Judiciary therein, without amendment.

Agree to Bill to amend Judiciary Act without amtd.

The Council have also agreed to the Bill, entitled, An Act for applying certain Monies therein mentioned for the service of the year of our Lord One Thousand Eight Hundred and Forty-one, and for other purposes.

And to Appropriation Bill

And then the Messenger withdrew.

THURSDAY, 8th APRIL, 1841.

Order of Day  
Report of Resolu-  
tion on subject of  
Cape Breton annex-  
ation

Resolutions report-  
ed

The Order of the Day being read,

*Ordered*, That the Chairman of the Committee of the whole House, on the considera-  
tion of the subject of the annexation of Cape-Breton to Nova-Scotia, &c., do now report  
the Resolutions from the Committee.

And, accordingly, Mr. Clements, from the Committee, reported the following Resolu-  
tions, which were read, as followeth :

1. *Resolved*, That the re-annexation of the Island of Cape-Breton to this Province, by the  
Proclamation of 1820, and the Act of Assembly, passed in pursuance thereof, was a mea-  
sure highly expedient, and advantageous to the great body of the Inhabitants.

2. *Resolved*, That the internal improvement, Population and general prosperity of the  
Island, have rapidly advanced since its re-annexation to this Province, and that it has large-  
ly benefited by the care and protection of the Government, and impartial Administration  
of the Law.

3. *Resolved*, That this Committee deem it inexpedient, from want of adequate informa-  
tion, and for other causes, to offer any opinion upon the constitutional and legal questions  
which arise out of the forms of Government, granted to the Island by the Royal Proclama-  
tions of 1763 and 1784, but are of opinion that the majority of the People highly appre-  
ciate the benefits they have derived from their union with Nova-Scotia, and deprecate any  
change which would expose them to the local influences, expense and other evils incident  
to an independent Government.

4. *Resolved*, That the Legislature of Nova-Scotia has always manifested a disposition  
to do ample Justice to the Island of Cape-Breton, in the distribution of the Surplus Reve-  
nue, and the adjustment of the Representation, and that the House of Assembly has every  
disposition to cultivate among the whole people, of whose Representatives it is composed,  
a common feeling of sympathy and union.

The first Resolution being then again read,

The Hon. Mr. Uniacke moved that the Resolution be not received, and that the following  
be substituted therefor, and do pass, viz :—

*Resolved*, That when His Majesty, by Commission and Instructions to Governor Parr,  
of 11th September, 1784, directed to him as Captain General and Governor in Chief of  
Nova-Scotia, and to Joseph Frederick Wallet DesBarres, Esquire, dated 31st September,  
1784, and addressed to him as Lieutenant-Governor of the Island of Cape-Breton and its  
Dependencies, formally and solemnly granted a Legislature to the said Island, consisting of  
a Lieutenant-Governor, Council and Assembly, when the circumstances of the Colony  
would permit, independent of, and distinct from, the Legislature of Nova-Scotia, His Ma-  
jesty thereby immediately and irrevocably parted with the power of ever afterwards de-  
priving the said Island of such Legislature, except by an Act of the Imperial Parliament,  
adopted in compliance with the general prayer of its Inhabitants, or when the safety or  
pressing necessities of the Empire required it.

Which, being seconded and put, and the House dividing thereon, there appeared, for the  
motion, four ; against it, thirty-three.

For the motion,

Hon Mr Uniacke  
Hon Mr Dodd  
Mr Marshall  
Mr Payzant

Mr Archibald  
Mr Gates  
Mr DesBarres  
Mr Dickey  
Hon Mr McNab  
Mr Young  
Mr Smith  
Mr S B Chipman  
Mr Blackadar  
Mr Johnson  
Mr Beckwith

Against the motion,

Mr Upham  
Mr Martell  
Mr Forrester  
Mr Homer  
Mr S Chipman  
Mr Hallon  
Mr Heckman  
Hon Atty General  
Mr Huntington  
Mr Clements  
Mr Holdsworth

Mr Forrestall  
Mr Fulton  
Mr McKay  
Mr Spearwater  
Mr Dimock  
Mr Turnbull  
Mr Comeau  
Mr Budd  
Mr Rider  
Mr Taylor  
Mr J R Dewolf

Motion not to re-  
ceive first resolution  
and to substitute  
another declaring  
Annexation uncon-  
stitutional

Division

Negatived

Division on 1st Re-  
solution

So it passed in the negative.

The question, that the said first Resolution be agreed to, being then put, the House divided  
thereon, when there appeared for agreeing to the Resolution, thirty-one ; against it seven :

For

**For the Resolution,**

Mr Archibald  
Mr Gates  
Mr DesBarres  
Mr Dickey  
Hon Mr McNab  
Mr Young  
Mr Smith  
Mr S B Chipman  
Mr Blackadar  
Mr Johnson  
Mr Beckwith

Mr Upham  
Mr Martell  
Mr Forrester  
Mr Homer  
Mr S Chipman  
Mr Halton  
Mr Heckman  
Hon Atty General  
Mr Huntington  
Mr Clements

Mr Holdsworth  
Mr Forrestall  
Mr Fulton  
Mr McKay  
Mr Spearwater  
Mr Dimock  
Mr Turnbull  
Mr Comeau  
Mr Rider  
Mr Taylor

**Against the Resolution,**

Hon Mr Uniacke  
Hon Mr Dodd  
Mr Marshall  
Mr Payzant  
Mr Budd  
Mr J R Dewolf  
Mr Thorne

So it passed in the affirmative.

The second Resolution being then again read, the question, that the same be agreed to, was put, and the House dividing thereon, there appeared, for agreeing to the Resolution, thirty-one ; against it, seven.

So it passed in the affirmative.

The third Resolution being then again read, the question that the same be agreed to, was put, and the House dividing thereon, there appeared, for agreeing to the Resolution, seventeen ; against it, seven.

Carried

2d Resolution agreed to on division

3d Resolution agreed to on division

**For the Resolution,**

Hon Mr McNab  
Mr Blackadar  
Mr DesBarres  
Mr Rider  
Mr Forrester  
Mr Young

Mr Turnbull  
Mr Holdsworth  
Mr Clements  
Mr Forrester  
Mr McKenna  
Mr Spearwater

Mr Dickey  
Mr Heckman  
Mr Johnston  
Mr S Chipman  
Mr McKay

**Against the Resolution,**

Mr Thorne  
Hon Mr Dodd  
Hon Mr Uniacke  
Mr Marshall  
Mr Budd  
Mr Dimock  
Mr Taylor

So it passed in the affirmative.

The fourth Resolution being then again read,

Mr. Young moved that the Resolution be not received, and that the following be substituted therefor, and do pass, viz :

*Resolved,* That it is the determination and desire of the Legislature to do ample justice to the people of Cape-Breton in the distribution of the Surplus Revenue, and by increasing the number of its Representatives—its present Representation being inadequate to its resources and territorial extent, and the rapid increase of its population :

Which, being seconded and put, and the House dividing thereon, there appeared, for the motion, seven ; against it, twenty-six :

**For the motion,**

Hon Mr Dodd  
Mr Young  
Mr Turnbull  
Mr Holmes  
Hon Mr Uniacke  
Mr Forrestall  
Mr Marshall

Mr Taylor  
Mr McKay  
Mr S Chipman  
Mr Dimock  
Mr Johnson  
Mr Homer  
Mr Spearwater

**Against the motion,**

Mr Heckman  
Mr Budd  
Mr McKenna  
Mr Dickey  
Mr Gates  
Mr Smith  
Mr Fulton

Hon Mr Dewolf  
Mr Clements  
Mr Rider  
Mr Holdsworth  
Mr Forrester  
Mr Blackadar

Hon Mr McNab  
Mr Upham  
Mr S B Chipman  
Mr Thorne  
Mr DesBarres  
Mr Huntington

So it passed in the negative.

Mr. Young then moved that the said fourth Resolution reported from the Committee be amended, by leaving out all the words thereof after the words "*Resolved,* That the Legislature of Nova Scotia has," and inserting instead of the words so left out, the following, viz : " every disposition to do ample justice to the Island of Cape-Breton in the distribution of the Surplus Revenue, and to cultivate among the whole people, of whose Representatives it is composed, a common feeling of sympathy and union :"

Which, being seconded and put, and the House dividing thereon, there appeared, for the motion, eleven ; against it eighteen :

**For the motion,**

Mr Homer  
Mr Forrester  
Mr Fulton  
Mr Young  
Mr Turnbull  
Mr Holmes

Mr Rider  
Mr Forrestall  
Mr Clements  
Mr Taylor  
Mr Gates

Mr S Chipman  
Mr Heckman  
Mr Dimock  
Mr Spearwater  
Mr Budd  
Mr McKenna

**Against the motion,**

Mr Dickey  
Hon Mr Dodd  
Hon Mr Uniacke  
Mr Marshall  
Mr Holdsworth  
Mr DesBarres

Mr Huntington  
Hon Mr McNab  
Mr Upham  
Mr S B Chipman  
Mr Thorne  
Mr Blackadar

So it passed in the negative.

Mr. Huntington then moved that the said fourth Resolution be amended by leaving out thereof

Motion not to receive 4th resolution but to substitute another

Division

Negatived

Amtd. moved to 4th Resolution

Division

Negatived Another amtd. moved to 4th Resolution

thereof the word "always": which, being seconded and put, and the House dividing thereon, there appeared, for the motion, twenty-six; against it, five.

Division

For the motion,			Against the motion,	
<i>Mr S B Chipman</i>	<i>Mr Upham</i>	<i>Mr Rider</i>	<i>Mr Heckman</i>	<i>Mr J R Dewolf</i>
<i>Mr Homer</i>	<i>Mr Fulton</i>	<i>Mr Forrestall</i>	<i>Mr McKenna</i>	<i>Mr Dickey</i>
<i>Mr Thorne</i>	<i>Mr Huntington</i>	<i>Mr Clements</i>	<i>Mr Johnson</i>	<i>Hon Mr Dodd</i>
<i>Mr Blackadar</i>	<i>Mr DesBarres</i>	<i>Mr Holdsworth</i>	<i>Mr S Chipman</i>	<i>Hon Mr Uniacke</i>
<i>Hon. Mr McNab</i>	<i>Mr Young</i>	<i>Mr Spearwater</i>	<i>Mr Taylor</i>	<i>Mr Marshall</i>
<i>Mr Beckwith</i>	<i>Mr Turnbull</i>	<i>Mr Budd</i>	<i>Mr Gates</i>	
<i>Mr Forrester</i>	<i>Mr Holmes</i>			

Carried

So it passed in the affirmative.

Amended 4th Resolution agreed to

The question upon the Resolution, so amended, being then put,

*Resolved*, That the Legislature of Nova Scotia has manifested a disposition to do ample justice to the Island of Cape-Breton, in the distribution of the Surplus Revenue, and the adjustment of the Representation, and that the House of Assembly has every disposition to cultivate among the whole people, of whose Representatives it is composed, a common feeling of sympathy and union.

Motion for Com. to wait on Gov. and request him to forward Resolutions to England

Mr. Young moved that a Committee be appointed to wait upon His Excellency the Lieutenant-Governor with a copy of the foregoing Resolutions, as passed by this House, and respectfully request His Excellency to transmit the same to the Right Honorable Her Majesty's Principal Secretary of State for the Colonies: which, being seconded,

Amdt. thereto negatived on division

The Hon. Mr. Dodd moved, as an amendment to the question, to leave out all the words thereof after the word "that," and to insert in the place of the words so left out, the following, viz: "*Whereas*, there are not any Petitions in favor of the union between Cape-Breton and Nova Scotia before the House: *Resolved*, That it is neither necessary or expedient, nor would it be just, to present the foregoing Resolutions to His Excellency the Lieutenant-Governor, thereby anticipating the expression of the wishes of the people of the Island of Cape-Breton:" which, being seconded and put, and the House dividing thereon, there appeared, for the amendment, eleven; against it, twenty:

For the amendment,			Against the amendment.	
<i>Hon Mr Dodd</i>	<i>Mr Smith</i>	<i>Mr Beckwith</i>	<i>Mr S B Chipman</i>	<i>Mr Huntington</i>
<i>Mr Holmes</i>	<i>Hon Mr Dewolf</i>	<i>Mr Spearwater</i>	<i>Mr Budd</i>	<i>Mr Upham</i>
<i>Hon Mr Uniacke</i>	<i>Mr J R Dewolf</i>	<i>Mr McKenna</i>	<i>Mr Taylor</i>	<i>Mr Blackadar</i>
<i>Mr Marshall</i>	<i>Mr Johnson</i>	<i>Mr S Chipman</i>	<i>Mr Forrester</i>	<i>Mr DesBarres</i>
<i>Mr Taylor</i>	<i>Mr Payzant</i>	<i>Mr Lewis</i>	<i>Mr Turnbull</i>	<i>Hon Mr McNab</i>
<i>Mr McKay</i>		<i>Mr Clements</i>	<i>Mr Homer</i>	<i>Mr Rider</i>
		<i>Mr Dickey</i>	<i>Mr Young</i>	

So it passed in the negative.

Division on original Motion

The original motion being then put, and the House dividing thereon, there appeared, for the motion, seventeen; against it, thirteen:

For the motion,			Against the motion,	
<i>Mr Rider</i>	<i>Mr Blackadar</i>	<i>Mr Dickey</i>	<i>Mr Turnbull</i>	<i>Mr McKay</i>
<i>Hon Mr McNab</i>	<i>Mr Young</i>	<i>Mr Lewis</i>	<i>Mr Taylor</i>	<i>Mr Marshall</i>
<i>Mr DesBarres</i>	<i>Mr Homer</i>	<i>Mr McKenna</i>	<i>Mr Johnson</i>	<i>Mr Holmes</i>
<i>Mr Forrester</i>	<i>Mr S B Chipman</i>	<i>Mr S Chipman</i>	<i>Mr J R Dewolf</i>	<i>Hon Mr Uniacke</i>
<i>Mr Upham</i>	<i>Mr Fulton</i>	<i>Mr Beckwith</i>	<i>Mr Smith</i>	<i>Hon Mr Dodd</i>
<i>Mr Huntington</i>	<i>Mr Spearwater</i>		<i>Hon Mr Dewolf</i>	<i>Mr Payzant</i>
			<i>Mr Budd</i>	

Carried Com. named

So it passed in the affirmative.

*Ordered*, That Mr. Young, Mr. Huntington, the Hon. McNab, Mr. Goudge, Mr. Forrester, Mr. Taylor and Mr. Dickey, be a Committee for the above purpose.

Leaves of absence to Members

*Ordered*, That the several Members, whose leaves of Absence were cancelled on Tuesday last, also, Mr. Payzant, Mr. Dimock, Mr. Homer, Mr. Dickey and Mr. Johnson, have leave of absence, after this day, to return home, respectively, on urgent private business.

Report from Com. to prepare answer to Communications &c. of Lt. Gov.

Mr. DesBarres reported from the Select Committee appointed to prepare an answer to the Communications and Recommendations of His Excellency the Lieutenant-Governor, made to the House during the present Session; and he read the Report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read as followeth:

The Committee appointed to prepare an answer to the several Communications and Recommendations

commendations from His Excellency the Lieutenant-Governor to the House, during its present Session, beg leave to report as follows:

That all the Messages and Communications from His Excellency to the House have been considered, and those which required the action of the House, have been provided for, as circumstances required; but as these Messages and Communications came to the House in the charge of the respective Members of the Executive Council in the House, the Committee conceive it unnecessary to prepare any formal answer, as the Committee presume that the Members of Her Majesty's Government have communicated to His Excellency the result of the particular subjects entrusted to their charge.

Committee Room, 8th April, 1841.

W. F. DESBARRES, Chairman.

On motion, *resolved*, that the Report be received and adopted.

Adopted

The Hon. Mr. Dodd moved that the House do come to a Resolution as followeth:

*Resolved*, That His Excellency the Lieutenant-Governor be authorised and respectfully requested to advance the sum of £783 7 1 to pay the expenses of the Council in the present Session, and that this House will provide for the same at the next Session: which, being seconded,

Motion for Vote of  
Credit of £783 7 1  
Council's expenses

Mr. Huntington moved, as an amendment to the proposed Resolution, to leave out all the words thereof after the word "advance," and to insert the following after the said word "advance," viz: "from the Treasury, the following sums respectively, for the expenses of the Legislative Council, to and for the several persons and services herein mentioned, or to those who may be entitled thereto, or authorised to receive the same respectively, viz:

Amdt thereto for  
Vote of £683 7 1  
Carried on division

For the Salary of the Principal Clerk	£150	0	0
Law Clerk and Clerk of the Parliament	100	0	0
Usher of the Black Rod and Sergeant at Arms	75	0	0
Messengers—Principal Messenger	£40	0	0
Second do.	30	0	0
Third do. at £30 for the Session	23	15	0
Anderson & Malcolm's Account for Furniture, &c. for Council Chamber	127	16	0
C. H. Belcher's Account for Stationary, Binding Laws and Council's Journals	51	4	0
Dechezeau & Crow's Account	1	5	0
Fuel to be accounted for by Clerk, say	20	0	0
Contingencies to be expended under the direction of a Committee of the Council, and accounted for at the next Session, in procuring the Publications ordered for the use of the Council	35	0	0
Balance of Hon. Alexander Stewart's Account, sum advanced in England by him for conveying Journals of House of Commons and other Parliamentary Records from London to Falmouth—the same having been paid at the request of Lord John Russell, at whose instance they were presented to the Council	4	7	1
The Chaplain	25	0	0
	£683	7	1

And that this House will make provision therefor at its next Session:

Which, being seconded and put, and the House dividing thereon, there appeared for the amendment, twenty-seven; against it, twelve:

For the amendment,

Against the amendment,

Mr Henry	Mr DesBarres	Mr McKay
Mr Smith	Mr Spearwater	Mr Homer
Mr Gates	Mr Forrester	Mr Fulton
Mr Forrester	Mr Dimock	Mr Payzant
Mr Huntington	Mr McKenna	Mr S Chipman
Hon Mr McNab	Mr Lewis	Mr Johnson
Mr Rider	Mr S B Chipman	Mr Holdsworth
Mr Turnbull	Mr Marshall	Mr Comeau
Mr Upham	Mr Goudge	Mr Clements

Mr J R Dewolf	Mr Heckman
Mr Thorne	Mr Budd
Mr Dickey	Hon Mr Dewolf
Mr Taylor	Mr Holmes
Mr Beckwith	Hon Mr Dodd
Mr Blackadar	Hon Mr Uniacke

So it passed in the affirmative.

Amended Resolution  
on granting £688 7  
1 for Council's ex-  
penses

The Resolution, as amended, being then put,  
*Resolved*, That His Excellency the Lieutenant-Governor be authorised, and respectfully requested, to advance from the Treasury, the following sums, respectively, for the expenses of the Legislative Council this Session, to and for the several persons and services herein mentioned, or to those who may be entitled thereto, or authorised to receive the same respectively, viz :

For the Salary of the Principal Clerk	£150	0	0
Law Clerk and Clerk of the Parliament	100	0	0
Usher of the Black Rod and Sergeant at Arms	75	0	0
Messengers—Principal Messenger	£40	0	0
Second do.	30	0	0
Third do. at £30 for the Session	23	15	0—
Anderson & Malcolm's Account for Furniture, &c. for Council Chamber	127	16	0
C. H. Belcher's Account for Stationary, Binding Laws and Council's Journals	51	4	0
Dechezeau & Crow's Account	1	5	0
Fuel, to be accounted for by Clerk, say	20	0	0
Contingencies, to be expended under the direction of the Committee of the Council, and accounted for at the next Session, in procuring the Publications ordered for the use of the Council	35	0	0
Balance of Hon. Alexander Stewart's Account, sum advanced by him in England for conveying Journals of House of Commons and other Parliamentary Records from London to Falmouth, the same having been paid at the request of Lord John Russell, at whose instance they were presented to the Council	4	7	1
The Chaplain	25	0	0
	£688	7	1

And that this House will make provision therefor at its next Session.

Report from Com.  
on to prepare Ad-  
dress to Queen on  
extension of Custom  
House Officers

The Hon. Mr. Uniacke reported from the Committee appointed to prepare an Address to Her Majesty, on the subject of Custom-Houses, that the Committee had drawn up an Address accordingly; and he read the same in his place, and afterwards delivered it in at the Clerk's Table, where it was again read, and is as followeth :

Address

### TO THE QUEEN'S MOST EXCELLENT MAJESTY.

THE HUMBLE ADDRESS OF THE HOUSE OF ASSEMBLY OF THE PROVINCE OF NOVA-SCOTIA.

*May it please Your Majesty :*

We, Your Majesty's dutiful and loyal subjects, the Representatives of Your Majesty's loyal people of Nova-Scotia, now convened in General Assembly, beg leave to approach Your Majesty's Throne, and most respectfully to submit for the consideration of Your Majesty's Government, the great inconvenience certain portions of Your Majesty's subjects of this Province have experienced in not having Custom-House Officers appointed at some additional Out-ports in this Province.

Your Majesty's Government have been graciously pleased to extend the benefit of Custom-House Offices to several of the Out-ports of this Province, while, owing to the more urgent and pressing claims made upon Your Majesty's Government on the part of other Out-ports, the claims of the two following Ports, viz : Antigonishe, in the County of Sydney, in Nova-Scotia proper, and Douglas, in the County of Hants, have been overlooked.

The former of these Ports, situate on the Gulf of St. Lawrence, containing a numerous and industrious population, whose trade in Ship building, and whose exports in Cattle and other Agricultural Products, to the Island of Newfoundland and other British Colonies, (daily rapidly increasing,) render it a place of very considerable importance as regards the general trade of the Province—is situate at a distance of forty miles from the nearest Custom-House at Guysborough, in Chedabucto Bay, and fifty miles from the Custom-House at

Pictou;

THURSDAY and SATURDAY, 8th and 10th APRIL, 1841.

Pictou; to either of which Ports Your Majesty's subjects engaged in the trade of such Port, and at the inconvenience and delay of repairing, for the purpose of entering and clearing, the Vessels employed in the trade of said Port.

The latter Port, situate at the mouth of the Shubenacadie River, containing a densely settled and industrious population, a very considerable portion of whom are engaged in Ship building, and in an extensive trade of Lumber and other Products to Great Britain, the British Colonies, and the United States, is situate at a distance from the nearest Custom-House, at Windsor, at least forty-five miles.

We, Your Majesty's House of Assembly of this Your Majesty's loyal Province of Nova-Scotia, beg leave therefore, respectfully, to bring the claims of the aforesaid Ports under the consideration of Your Majesty's Government, entertaining the confident hope that Your Majesty will be graciously pleased to extend the benefit of Custom-House Offices to the said Ports of Antigonishe and Dóuglas.

*Resolved*, That the Address be agreed to.

*Ordered*, That His Excellency the Lieutenant-Governor be respectfully requested to transmit the Address to the Right Honorable Her Majesty's Principal Secretary of State for the Colonies, to be laid at the foot of the Throne.

Address adopted  
Lt. Gov. requested  
to forward Address  
to Foot of Throne

Then (To-morrow, being Good Friday) the House adjourned until Saturday next, at twelve of the clock.

Saturday, 10th April, 1841.

Mr. Young, reported from the Committee appointed to wait upon His Excellency the Lieutenant-Governor, with the Resolutions relative to the Annexation of Cape-Breton to Nova-Scotia—that the Committee had performed that duty, and that His Excellency was pleased to say, that he would transmit the Resolutions as desired by this House.

Report from Com.  
to wait on Gov.  
with Cape Breton  
annexations

Mr. Young also reported from the Committee, appointed to wait upon His Excellency the Lieutenant-Governor, with a Copy of the Report adopted by this House, in relation to Articles imported for the use of the Fisheries and the Trade of this Province—that the Committee had complied with the Order of the House; and that His Excellency was pleased to say that he would transmit the same, in compliance with the wishes of the House.

Report from Com.  
to wait on Gov.  
with Copy of Re-  
port on Fishery ex-  
emptions, &c.

On motion of Mr. Clements, *resolved unanimously*, that this House feel it a duty to express towards the Honorable S. G. W. Archibald, who for sixteen years filled the Speaker's Chair of this Assembly, their sense of the faithfulness, ability and urbanity, with which his high and arduous duties have been discharged:—And that Mr. Speaker do communicate this Resolution to him in his place.

Vote of thanks to  
late Speaker

Whereupon, Mr. Speaker communicated the foregoing Resolution to the Hon. the Attorney General in his place, who, standing up, expressed his high gratification at the honor done him by the House, and returned thanks for the same.

Mr. Huntington reported from the Select Committee upon the Petition of Inhabitants of Chizetcook, for aid towards building a Dike; and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.

Report from Com.  
on Pet. for aid to  
Dike at Chizetcook

(See Appendix No. 80.)

*Resolved*, That the Report be received and adopted.

Adopted

Mr. Forrester reported from the Select Committee on the Petition of Richard Meagher; and he read the Report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read.

Report from Com.  
on Pet. of Richard  
Meagher

(See Appendix No. 81.)

*Resolved*, That the Report be received and adopted.

Adopted

On motion of Young, *resolved*, that it is the opinion of this House, that the system of selling Public Lands at Auctions, ought to be modified or abolished, so as Grants thereof may

Resolutions rela-  
tive to Sales of  
Crown Lands

SATURDAY, 10th APRIL, 1841.

may pass at once and without the present delays, which are found to operate to the injury of Immigrants from the United Kingdom, and to retard the settlement of the Country.

*Resolved*, That it is the opinion of this House, that it would be of great public advantage, were His Excellency the Lieutenant-Governor and the Executive Council, authorised as heretofore, to permit the Sale of Public Lands, under peculiar circumstances at the Minimum price of one Shilling Sterling per acre.

*Resolved*, That His Excellency the Lieutenant-Governor be respectfully requested to bring the foregoing Resolutions to the notice of Her Majesty's Government.

A Message from the Council, by Mr. Halliburton :

Mr. Speaker,

The Council do not adhere to the last amendment proposed by them to the Bill, entitled, An Act to continue the Act for the encouragement of Schools, and to alter and amend the same.

And then the Messenger withdrew.

*Resolved*, That the said Bill, entitled, An Act to continue the Act for the encouragement of Schools, &c. do pass as amended, by the amendments agreed to by this House.

*Ordered*, That the Clerk do carry the Bill and amendments to the Council, and acquaint them with the foregoing Resolution.

A Message from the Council, by Mr. Halliburton :

Mr. Speaker,

The Council have agreed to the Bill, entitled, An Act to continue the Act for the encouragement of Schools, and to alter and amend the same as amended.

And then the Messenger withdrew.

A Message from His Excellency the Lieutenant-Governor by the Gentleman Usher of the Black Rod.

Mr. Speaker,

His Excellency the Lieutenant-Governor commands this Honorable House, to attend His Excellency immediately in the Council Chamber.

Accordingly, Mr. Speaker with the House, attended His Excellency in the Council Chamber, where His Excellency was pleased to give his assent to the several Bills following, viz :

A Bill, entitled, An Act to amend the Act to enable the Inhabitants of Cornwallis to provide a Public Town House for that Township.

A Bill, entitled, An Act in addition to, and amendment of, an Act, passed during the present Session of the General Assembly, entitled, An Act to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein.

A Bill, entitled, An Act to repeal an Act for preventing illegal overholding and detainer of Real Estate.

A Bill, entitled, An Act for facilitating the recovery of Seamen's Wages.

A Bill, entitled, An Act for regulating the Dartmouth Common.

A Bill, entitled, An Act to continue the Act to repeal the Act to regulate the Public Landing at Windsor, and to substitute other provisions in lieu thereof.

A Bill, entitled, An Act to continue the Act for the regulation of the Fisheries at Chedabucto Bay.

A Bill, entitled, An Act to continue and amend the Act to regulate the Weighing of Beef, and the Act in amendment thereof.

A Bill, entitled, An Act to alter and amend the Act for preventing Persons leaving the Province without a Pass.

A Bill, entitled, An Act to provide Hay Scales, and Weights and Measures for the Township of Lunenburg.

A Bill, entitled, An Act to amend the Act for providing Fire Engines for the Town of Yarmouth, and for other purposes.

A Bill, entitled, An Act to amend the Act to Incorporate the Town of Halifax.

Lt. Gov. requested to bring same to notice of H. M. Government

Message from Council

Do not adhere to last amdt to School Bill

School bill passed as amended

Message from Council

Agree to School Bill as amended

Message from Gov. commanding attendance of House

House attend Gov. Assents to Bills viz. Cornwallis Town House

Administration of Law

Overholding Real Estate

Seamen's Wages Dartmouth Common Public Landing Windsor

Fisheries Chedabucto Bay

Weighing of Beef

Pass

Hay Scales Lunenburg

Fire Engines Yarmouth

Incorporation of Halifax

SATURDAY, 10th APRIL, 1847.

A Bill, entitled, An Act to extend to the Township of Egerton the Act respecting the collection of Poores' Rates of Pictou, and to amend the said Act.	Egerton Poor's Rates
A Bill, entitled, An Act to confirm the past proceedings of the Prothonotary and Clerk of the Crown for the County of Cape-Breton.	Prothonotary, C. B.
A Bill, entitled, An Act to increase the usefulness of the Savings' Bank at Halifax.	Savings Bank
A Bill, entitled, An Act to provide a Lock-up House and Town House at Barrington, in the County of Shelburne.	Barrington Town House
A Bill, entitled, An Act to amend the Act to regulate certain Landings in the County of Digby.	Digby Landings
A Bill, entitled, An Act to continue the Act to direct and ascertain the mode of assessing County and District Rates, and for other purposes, and the Acts in amendment thereof.	County and District Rates
A Bill, entitled, An Act to continue the Act to prevent the spreading of Contagious Diseases, and for the performance of Quarantine, and the Act in amendment thereof.	Quarantine
A Bill, entitled, An Act to continue the Act in further amendment of, and additional to, the Acts relating to Trespasses.	Trespasses
A Bill, entitled, An Act to continue the Act more effectually to provide against the introduction of Infectious or Contagious Diseases, and the spreading thereof in this Province, and the Act in amendment thereof.	Contagious Diseases
A Bill, entitled, An Act to continue the Act, additional, concerning Nuisances.	Nuisances
A Bill, entitled, An Act to continue the Act to prevent Disorderly Riding, and to regulate the Driving of Carriages on the Streets of Halifax, or other Towns, or on the Public Roads of this Province, and for repealing certain Acts therein mentioned.	Disorderly Riding
A Bill, entitled, An Act to continue the Act to regulate the Pilotage of Vessels at the Port of Halifax, and the several Acts in amendment thereof and additional thereto.	Halifax Pilotage
A Bill, entitled, An Act to set off Weymouth into a separate Township.	Weymouth Township
A Bill, entitled, An Act to Incorporate the Town of Halifax.	Halifax Incorporation
A Bill, entitled, An Act for amending the Act for taking the Census of this Province.	Census
A Bill, entitled, An Act to continue the Act in amendment of the Act relating to Highways, Roads and Bridges.	Highways
A Bill, entitled, An Act to continue the Act to suspend the operation of the Act to prevent Forestalling, Regrating and Monopolizing, of Cord Wood, in the Town of Halifax.	Monopolizing Cord Wood
A Bill, entitled, An Act to continue the Acts in force relative to the inspection of Pickled Fish.	Pickled Fish Inspection
A Bill, entitled, An Act to continue the Act for regulating the exportation of Red or Smoked Herrings.	Exportation of Smoked Herrings
A Bill, entitled, An Act to continue the Act for the regulation and management of the Grammar School or Academy at Annapolis.	Grammar School Annapolis
A Bill, entitled, An Act to continue the Act for the regulation and management of the Combined Common and Grammar School at Lunenburg.	Grammar School Lunenburg
A Bill, entitled, An Act for regulating the Militia.	Regulation of Militia
A Bill, entitled, An Act to alter the Law relating to the liability of Lands to the payment of Debts.	Lands liable for Debts
A Bill, entitled, An Act to provide for opening a new Road in the Township of Halifax.	New Road Halifax
A Bill, entitled, An Act further to amend the Act to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expence of the Judiciary therein.	Administration of Law
A Bill, entitled, An Act to continue the Act for the encouragement of Schools, and to alter and amend the same.	Encouragement of Schools

After which, Mr. Speaker spake as followeth :

*May it please your Excellency—*

I beg leave to present to your Excellency, on behalf of Her Majesty's faithful and loyal Subjects, the people of Nova Scotia, a Bill for appropriating the Supplies granted in the present Session for the support of Her Majesty's Government for the present year, and to request your Excellency's assent to the same.

V 2

His

Speaker presents  
Appropriation Bill:

Gov. assents to Ap-  
propriation Bill

His Excellency was pleased, in Her Majesty's name, to give his assent to the Bill following, viz :

A Bill, entitled, An Act for applying certain monies therein mentioned for the service of the year of Our Lord One Thousand Eight Hundred and Forty-one, and for other purposes.

His Excellency was then pleased to make the following SPEECH :

Speech of Gov.

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

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

The public business having been brought to a close, I am enabled to release you from your Legislative labors.

I cannot dismiss you to your several Counties, without offering you my congratulations on the results of a Session characterized by great activity, and during which a variety of important measures have been perfected.

Questions of paramount interest, and on which public opinion had long been divided, have been determined in such a manner as will, I trust, redound to the advantage of the community in general. A material, and I believe, beneficial change has been effected in the Judicatory of the Province. An Act called the Lands and Tenements Bill, by which a Creditor is secured in his just rights, while the Debtor is protected from extortion or oppression, and which had been under discussion for a period of nearly seven years, has been at length so framed as to meet all objections, and will at once come into operation. The Court of Marriage and Divorce has been remodelled, and essentially improved ; and our Criminal Code consolidated and simplified, and assimilated to that of England.

While these alterations have been accomplished in the jurisprudence of the Colony, other matters of equal consequence have not been unattended to by you. It is with much pleasure that I assent, in the name of the Queen, to the Bill on the subject of Education, which, although it does not affirm the principle of direct assessment, in my opinion the mode that must eventually be resorted to, of meeting the difficulties by which this question is surrounded, yet does enough to render the redemption of the pledge I gave you at our meeting " to concur very zealously in any attempt you might make to ameliorate the existing state of things," both gratifying and easy of performance.

I earnestly hope that the course you have adopted with a view to the encouragement of Agriculture, and in the design of protecting the Fisheries, may be attended by the advantages you anticipate from it.

In addition to the measures I have enumerated, in themselves of sufficiently extensive practical influence, together with many other enactments suited to the wants of the Country, an Act incorporating the City of Halifax has been passed, and the principle of self-government in local affairs has been introduced among Her Majesty's Subjects in Nova-Scotia, where I trust it will hereafter be generally and successfully developed.

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

I thank you for the Supplies granted for the current year, and assure you that the authority of the Executive Government shall be exerted to prevent any ill-considered expenditure of the Public Money, and that no negligence in the execution of the services for which it has been voted, will in any degree be tolerated.

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

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

It is most satisfactory to me to be able to state that not one Bill has been presented by the Executive to Parliament but which has, after searching examination, been found worthy of adoption ; while I am able, consistently with my duty to the Queen, to agree to every Act that has emanated from either branch of the Legislature. I cannot but regard this fact as a decided indication that my administration is approved of by the public, and that those by whom I am fortunate enough to be ably and efficiently assisted in the conduct of the Government, and to whom I am deeply indebted for the readiness and zeal with which their

SATURDAY, 10th APRIL, 1841.

their aid is at all times afforded, enjoy (in the degree in which for the successful carrying on of the business of the Colony, it is necessary that they should enjoy it,) the confidence of the People.

I thank you very sincerely for the support you have given me, in my efforts to do my duty by my Sovereign and the Province, as well as for the candid consideration you have bestowed on all measures submitted to you by my direction, with the sole object of advancing the public interest; and, for the present, I cordially bid you farewell.

Afterwards, the President of the Legislative Council, by His Excellency's command, said,

GENTLEMEN,

It is His Excellency's will and pleasure that this General Assembly be prorogued to Thursday, the 15th day of July next, then to be here held. Prorogation of Assembly

And this General Assembly is accordingly prorogued to Thursday, the 15th day of July next.

JOHN WHIDDEN, }  
Clerk of the House of Assembly. }

*I hereby Certify that the foregoing printed sheets from page 5 to page 195 (both inclusive) contain a true Copy of the Journal and proceedings of The House of Assembly of Her Majesty's Province of Nova Scotia in the Session of The General Assembly commencing the 3<sup>d</sup> February and ending the 10<sup>th</sup> April 1841*

*John Whidden*  
Clerk of Assembly



**APPENDIX**

TO THE

**JOURNAL**

OF

**THE HOUSE OF ASSEMBLY**

OF

**THE PROVINCE OF NOVA-SCOTIA.**



FOR THE SESSION,

Commencing the 3d February, 1841, and ending the 19th April, 1841.



**HALIFAX:**

Printed at the Royal Gazette Office.



# APPENDIX

No. 1.

(Copy.)

(See Page 20.)

*Her Majesty's Sloop Satellite,  
Halifax 28th October, 1840.*

MY LORD—

I have the honor to inform you that, in compliance with the wishes of His Excellency Sir Colin Campbell, I proceeded to examine a suitable situation for a Light House as a guide into the Basin of Mines, &c. and have selected the west point of the Isle of Haute, as far preferable to any other in the neighbourhood.

A Light House placed in this situation would be generally useful, not only as a guide into the Basin of Mines and Cumberland Basin, but as a leading Light up the Bay from Annapolis, a mark for leaving the Eastern side of Quaco ledge and running for the anchorage of Apple River, which is the only safe anchorage in this neighbourhood in S.E. gales.

This Light House would stand on a slope at the extremity on the west side about 50 feet above high water mark, and would be seen from the North, South, and West, and, consequently, is preferable to Cape Chignecto, which it would eclipse on the S.W. side, or Cape Dore which would be of use only for the Basin of Mines.

As the intercourse is greatly increasing between Windsor and St. John, which is most likely to become the general thoroughfare to all passengers during the summer,—I would recommend another Light-House to be built on the S.W. side of Partridge Island, in the Basin of Mines, which would be a guide to all vessels going in and out of the Basin, up and down to the Cobequid River, up and down the Basin to and from Windsor, from Cape Blowmedown to Horton Bluff, and a Harbor Light for the Harbor of Parrsborough.

Were these two Lights established the navigation between Windsor and St. John (which is the shortest during the summer) would be materially benefitted.

I forward a plan of the Isle of Haute and Partridge Island with their respective bearings from each other.

I have, &c.

(Signed)

JNO. ROBB, Commander.

The Right Honorable Lord VISCOUNT FALKLAND, Lieutenant Governor.

(Copy.)

*Halifax, 17th October, 1840.*

SIR—

We have the honor to acknowledge the receipt of your letter of the 16th instant, with copies of Resolutions of the House of Assembly relative to the erection of two Light Houses to the Eastward, and two to the Westward. We will take immediate steps to ascertain the most eligible situations, and report for the information of His Excellency, altho' it is now very late in the season.

Having recently made several contracts for building Light Houses, we can at once state the probable sum that will be required for building a Light House, with Keeper's house, &c., which may be estimated at from eleven to fifteen hundred pounds (depending upon situation) exclusive of the sum that may be demanded for the ground.

The Resolutions of the House of Assembly appropriate only £1300 for the four proposed Light-Houses.

We have, &c.

[Signed]

S. CUNARD,  
THOMAS MAYNARD.  
J. P. MILLER.

Sir RUPERT D. GEORGE, Bart., Provincial Secretary.

Copy

(Copy.)

*Halifax, 31st October, 1840.*

SIR,—

In obedience to the commands of His Excellency the Lieutenant-Governor, contained in your letter of the 16th inst., Mr. Miller is now in the Bay of Fundy; upon reference, however, to your letter of the 29th inst., it appears that the service he was directed to go upon has been satisfactorily performed by Captain Robb of Her Majesty's Ship "Satellite," but, should Mr. Miller procure any further useful information on the subject, we shall feel it our duty to lay it before His Excellency the Lieutenant-Governor.

I have, &amp;c.

for self and Commissioners,

[Signed]

THOMAS MAYNARD.

The Honorable Sir RUPERT D. GEORGE, Bart., &amp;c. &amp;c. &amp;c.

(Copy.)

*Halifax, 28th November, 1840.*

SIR,—

We beg leave to acquaint you that, in obedience to the commands of His Excellency the Lieutenant-Governor, contained in your letter of the 16th October last, we have made a Survey of the Coast near the Gut of Canso, to ascertain a proper site for a Light-House, and recommend the west side of the north entrance of the Big Gut of Canso, in preference to either Cape George or Cape Jack, for that purpose.

Between Sambro and Canso Light, we would recommend either White Island or William's Island, off Beaver Harbour, as proper sites for a Light-House.

White Island is rather more prominent on the coast, and we should recommend it, in preference to the others, were it not that Beaver is a more safe Harbor to run for.

We regret that, in consequence of the lateness of the season, we were not enabled to obtain further information, to submit to His Excellency, on the subject of sites for two Light-Houses to be placed at the head of the Bay of Fundy, than what was contained in the Report of Captain Robb, of Her Majesty's Sloop Satellite, to His Excellency on this subject.

We have, &amp;c.

[Signed]

THOMAS MAYNARD,  
J. P. MILLER.

The Honorable Sir RUPERT D. GEORGE, Bart., &amp;c. &amp;c. &amp;c.

No. 2.

(See Page 21.)

*Downing Street, 9th February, 1840.*

SIR,—

In my Predecessors Despatch, No. 34, of August last; you were informed that His Lordship had put the Delegates from Nova Scotia in communication with the Lords of the Committee of Privy Council for Trade, on the subjects of the several Acts of the Provincial Legislature, relating to Insurance Companies, and the granting of Bounties on certain articles of Provincial Manufacture.

The first of these Acts, No. 1764, further amended the Act, No. 1607, "for incorporating a Marine Insurance Company in Halifax." Although the amendments are far from being so extensive as Her Majesty's Government could have wished them to have been, still under the circumstances of the Province, which present such difficulties in the way of the investment of Capital, conformably to the Rules laid down in cases of the same description, they will not object to these Acts continuing in operation, although they cannot advise Her Majesty to issue an Order for their formal confirmation.

The.

No. 35

No. 1607  
1764Act, c. 9, 1846  
18, 1850

## APPENDIX Nos. 2, 3.

The Act, No. 1846, "for continuing and amending the Act (No. 1572,) concerning Goods exported, and for granting Drawbacks," did not, by the modification of the 2nd. Section of the original Acts, remove the objections entertained to it, inasmuch as it merely substituted a Drawback for a Bounty on Goods, purchased with the produce of the Fisheries. But amongst the Acts of last Session, which I have recently received, is one renewing for one year the original act, with the exception of the 2nd. and 31st Sections. 2027-1572.

The objections being thus removed, the present Act will receive Her Majesty's Confirmation; you will not, however, assent to the renewal of it, in its original form, or unaccompanied by similar exceptions.

The Act, No. 1850, for continuing the Act, for granting a Bounty on Chocolate, received Her Majesty's assent on the 12th December, 1838, on the understanding, that as it would expire on the 31st of March following, it was not to be renewed in its present shape.

It has not since been renewed at all; but the Delegates having stated, that the Assembly wish to give a Drawback on the export of Chocolate, equal to the Import Duty levied on Foreign Cocoa, on proof being given that such Chocolate is made of Foreign and not West India Cocoa, which is duty free. Her Majesty's Government will not object to a Law to that effect, provided it be clearly understood, that at the end of two or three years, it is not to be renewed, because such a Drawback is considered to be open to fraud.

I have the honor to be, &c. &c. &c.

[Signed]

J. RUSSELL.

Major General Sir C. CAMPBELL, K.C.B., &c. &c. &c.

No. 3.

(See Page 21.)

(Copy.)

*At the Court at Buckingham Palace, the 5th day of March, 1840.*

(Seal.)

PRESENT—

THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord Chancellor,  
Lord President,  
Lord Privy Seal,  
Marquis of Normanby,  
Lord Steward,  
Lord Chamberlain.

Earl of Albermarle,  
Viscount Palmerston,  
Viscount Melbourne,  
Viscount Morpeth,  
Sir John Hobhouse, Bart.,

WHEREAS, the Lieutenant-Governor of Her Majesty's Province of Nova-Scotia, with the Council and Assembly of the said Province, did in the months of March and April, 1839, pass eight Acts, which have been transmitted, entitled as follows, viz.:

No. 1938. An Act to continue and amend the Act, entitled, An Act for granting Colonial Duties of Impost for the support of His Majesty's Government within this Province, and for promoting the Agriculture, Commerce and Fisheries thereof,

No. 1939. An Act to continue and amend the Act for regulating the Importation of Goods.

No. 1940. An Act to continue and amend the Act for the Warehousing of Goods.

No. 1941. An Act to establish the rate of Tare upon Sugars.

No. 1948. An Act to amend the Act to regulate the Pilotage of Vessels at the Port of Sydney in the Island of Cape Breton.

No. 1972. An Act in addition to, and in amendment of, the Acts concerning Treasury Notes.

No. 1980. An Act to amend the Act relating to Passengers from Great Britain and Ireland arriving in this Province.

No. 2027. An Act to continue the Act concerning Goods exported, and for granting Drawbacks.

And whereas the said Acts have been referred to the Committee of the Lords of Her Majesty's Most Honorable Privy Council, appointed for the consideration of all.

## APPENDIX Nos. 3, 4, 5.

all matters relating to Trade and Foreign Plantations, and the said Committee have reported as their opinion to Her Majesty, that the said Acts should be left to their operation. Her Majesty was, thereupon, this day pleased, by and with the advice of Her Privy Council to approve the said Report:—Whereof the Governor, Lieutenant-Governor or Commander in Chief for the time being, of Her Majesty's Province of Nova-Scotia, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

[Signed]

C. GREVILLE.

No. 4.

(See Page 21.)

(Copy.)

*Downing Street, 27th April, 1840.*

SIR—

I have to acknowledge the receipt of your despatch, No. 8, of the 26th of March last, enclosing the joint Address to the Queen of yourself, as Lieutenant-Governor, and of the Legislative Council and House of Assembly of Nova Scotia, congratulating Her Majesty on Her Marriage.

I have had the honor to lay this Address before the Queen, and I have received Her Majesty's commands to instruct you to acquaint the Council and Assembly, that Her Majesty has derived great satisfaction from receiving the congratulations of the Legislature of Nova-Scotia on Her union in Marriage with His Royal Highness Prince Albert of Saxe Cobourg and Gotha.

It is peculiarly grateful to the Queen to receive on such an occasion, the renewed assurance of loyal attachment to Her Majesty's Person and Government, from the Legislative Bodies of so important a Province of the Empire over which Her Majesty has been called to reign.

I have, &amp;c.

(Signed)

J. RUSSELL.

Lieutenant-General, Sir COLIN CAMPBELL, K.C.B.

No. 5.

(See Page 21.)

(Copy.)

*Downing Street, 16th June, 1840.*

SIR—

I have the honor to acknowledge the receipt of your despatch, No. 27, of the 14th April last, transmitting five Acts passed by the Legislature of Nova Scotia in the month of March, together with a joint Address from both Houses to Her Majesty, praying the Royal assent to the Act, No. 2045, for granting a drawback on Foreign wheat Flour in certain cases, and also an Address from the Executive Committee of the Nova Scotia Baptist Education Society, praying Her Majesty's assent to the Act, No. 2042, for incorporating the Trustees of Queen's College at Horton.

I have laid these Addresses before Her Majesty.

I annex a list of the titles of these Acts, transmitted in your despatch, with the numbers attached to them, which they bear in the Registry of Nova Scotia Acts in this Office.

You have already been made acquainted, by the Marquis of Normanby's despatch, No. 6, of the 22d. March, 1839, with the objections entertained to the title of "Queen's College," by which the Baptist College at Horton is designated.

I entertain the same objections to that title which my predecessor did, but as the details of the Act are unexceptionable, I am unwilling to advise its disallowance on that account.

You will therefore ascertain whether the Council and Assembly would be disposed to amend

## APPENDIX Nos. 5, 6.

amend the Act in this respect, on the understanding that the Act would receive Her Majesty's confirmation,

The Act, No. 2043, is passed to repeal the 10th clause of an Act, passed on the 30th March, 1839, to settle Titles in a tract of Land in Cape Breton. It is evident, however, that it is the ninth, and not the tenth clause which it is really intended to repeal. This is, most probably, a clerical error, but it is necessary that it should be corrected before the present Act can receive Her Majesty's assent.

The Act, No. 2044, received Her Majesty's special confirmation on the 15th instant. I inclose the Order of Her Majesty in Council to that effect.

The Act, No. 2045, cannot be considered until I shall have received the Act alluded to in the first clause, imposing a duty on all Foreign Wheat Flour.

The Act, No. 2046, for appointing a new Board of Governors for Dalhousie College is objectionable, on account of the manner in which the Governors are to be appointed.

It is not desirable in the choice of the Rulers of a Collegiate Institution, that the Assembly should exercise any control, for it can scarcely fail in the result to happen, that the party feelings by which the two Houses of Legislature are so continually animated should be infused into the College. Moreover, it is the exercise of functions, which neither correctly nor advantageously belong to the Assembly to assume. You will therefore call upon them to amend or repeal this clause.

I have, &c.

[Signed]

J. RUSSELL.

No. 6.

(See Page 21.)

(Copy.)  
(Seal.)

*At the Court at Buckingham Palace, the 15th June, 1840.*

PRESENT—

THE QUEEN'S MOST EXCELLENT MAJESTY.

Archbishop of Canterbury,	Viscount Melbourne,
Lord President,	Viscount Duncannon,
Lord Privy Seal,	Viscount Morpeth,
Marquis of Normanby,	Lord Holland,
Lord Chamberlain,	Sir John Hobhouse, Bart.
Earl of Minto,	Mr. Chancellor of the Exchequer,
Lord John Russell,	Mr. Macauley,
Viscount Palmerston.	

WHEREAS, the Governor of Her Majesty's Province of Nova Scotia, with the Council and Assembly of the said Province, did, in the month of March, 1840, pass an Act, which has been transmitted, entitled as follows, viz:

No. 2044.—“ An Act for limiting the duration or continuance of the General Assemblies.”

And whereas, the said Acts have been referred to the Committee of the Lords of Her Majesty's Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations; and the said Committee have reported as their opinion to Her Majesty, that the said Act should receive Her Majesty's special confirmation; Her Majesty was, thereupon, this day pleased, by and with the advice of Her Privy Council, to declare Her special confirmation of the said Act, and the same is hereby specially confirmed, ratified, and finally enacted accordingly—

Whereof the Governor, Lieutenant-Governor, or Commander in Chief for the time being, of Her Majesty's Province of Nova Scotia, and all others whom it may concern, are to take notice and govern themselves accordingly.

[Signed]

W. L. BATHURST.

③  
APPENDIX Nos. 7, 8.

No. 7.

(See Page 21.)

(Copy.)  
No. 56.

*Downing Street, 18th June, 1840.*

SIR,—

I have received your despatch, No. 10, of the 27th of March, enclosing an Address to the Queen from the Legislature of Nova Scotia, representing the injurious effect which would be produced on the Trade of the Province, by the operation of the clause in the Imperial Statute, 2 & 3, Victoria, c. 44, which prohibits the carriage of deck loads by Timber Vessels.

I have had the honor to lay that Address before the Queen, and Her Majesty was pleased to command me to refer it to the Lords of the Committee of Privy Council for Trade. Their Lordships, having taken the subject into consideration, have reported their opinion that the prohibition of carrying deck loads should be confined to voyages across the Atlantic, to Ports of the United Kingdom, and that, in the case of such voyages, the prohibition should extend to deck loads of any description of wood. A Bill is about to be introduced into Parliament to renew the Act in question, which has been framed in conformity with this opinion.

You will have the goodness to communicate this despatch to both Houses of the Provincial Legislature.

I have, &c.

[Signed]

J. RUSSELL.

Lieutenant-General Sir COLIN CAMPBELL, &c. &c. &c.

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No. 8.

(See Page 21.)

(Copy.)

*At the Court at Claremont, the 3rd of October, 1840.*

P R E S E N T —

THE QUEEN'S MOST EXCELLENT MAJESTY.

HIS ROYAL HIGHNESS PRINCE ALBERT.

Lord Chancellor,  
Lord President,  
Marquis of Normanby,  
Lord Steward,  
Lord Chamberlain.

Lord John Russell,  
Viscount Palmerston,  
Viscount Melbourne,  
Viscount Morpeth,

WHEREAS, the Governor of Her Majesty's Province of Nova Scotia, with the Council and Assembly of the said Province, did, in the months of January and March, 1840, pass One hundred Acts, which have been transmitted, entitled as follows, viz :

No. 2047. An Act for applying certain Monies therein mentioned for the service of the year of Our Lord 1840, and for other purposes therein specified.

No. 2049. An Act to continue and amend the Act for the regulation of Juries, and to render valid the proceedings of Grand Juries.

No. 2050. An Act for enabling persons indicted for Felony to make their defence by Counsel.

No. 2250. An Act to make provision for payment of the expenses of the Census for the County of Cape Breton.

No. 2052. An Act to continue and amend the Acts for appointing Supervisors to take charge of Public Grounds, and for other purposes.

No. 2054. An Act to continue and amend the Act for granting Duties on Licenses for the Sale of Spirituous Liquors, and the Act to alter the same.

No.

## APPENDIX No. 8.

- No. 2056. An Act to divide the Township of Parrsborough, and to annex parts thereof to the Counties of Colchester and Cumberland respectively.
- No. 2057. An Act to Incorporate the Halifax Gas Light and Water Company.
- No. 2059. An Act to regulate and prevent injury to Rail Roads.
- No. 2060. An Act to regulate the Shad Fishery in the County of Cumberland.
- No. 2061. An Act for providing Fire Engines for the Town of Bridgetown, and for other purposes.
- No. 2062. An Act to amend an Act to extend to the Town of Dartmouth, the Act to relating to Commissioners of Highways in Halifax, and certain other places.
- No. 2063. An Act for the regulation and management of the combined Common and Grammar School at Lunenburg.
- No. 2064. An Act to regulate the Gaspereau and Salmon Fishery in Horton.
- No. 2065. An Act to continue and amend the Acts in force respecting the Militia of the Province.
- No. 2066. An Act concerning Wills.
- No. 2067. An Act to regulate certain Landings in the County of Digby.
- No. 2068. An Act to continue and amend the Act in amendment of the Acts relating to Commissioners of Sewers.
- No. 2069. An Act to Incorporate the Royal Acadian School Society.
- No. 2070. An Act to divide and set off the Township of Saint Mary's in the County of Guysborough, as a separate and distinct District.
- No. 2071. An Act to provide a Lock-up House at Bridgetown in the County of Annapolis.
- No. 2072. An Act for establishing the times and places for holding the Polls at Elections of Representatives.
- No. 2073. An Act to Incorporate an Hotel Company in Halifax.
- No. 2074. An Act to authorize the sale of the Real Estate lying on the Peninsula of Halifax, commonly called the "Old Blue Bell Farm."
- No. 2075. An Act to authorize the Congregation of the Meeting House at Tusket Village, to raise money from the Pews of the said Meeting House, for the repairing and ornamenting thereof.
- No. 2078. An Act to authorize the Congregation of the Meeting House in the Town of Yarmouth near the Parade, to raise money from the Pews of such Meeting-house for the repairing and ornamenting thereof.
- No. 2079. An Act to change the name of the Township of Ramsay, in the County of Colchester to that of Stirling.
- No. 2080. An Act to regulate the Fencing of the Marsh at Pubnico.
- No. 2081. An Act to preserve the Harbour of Cape Forchu in Yarmouth.
- No. 2082. An Act to provide for building a Bridewell.
- No. 2083. An Act to vacate the Seats of Members on the acceptance of certain Offices of place or emolument under the Crown.
- No. 2085. An Act to continue and amend the Act in further addition to, and in amendment of, the Act for the choice of Town Officers, and regulating of Townships, and the Acts to alter and amend the same.
- No. 2089. An Act to authorize the shutting up of an Old Road in the Township of Horton.
- No. 2090. An Act to make perpetual the Act to lesson the expenses of the Proof of Written Documents, in Actions depending in any of the Courts within this Province.
- No. 2091. An Act to repeal an Act, entitled, An Act respecting the exportation of Grind Stones from this Province.
- No. 2092. An Act to make perpetual the Act for the more easy Redemption and Foreclosure of Mortgages.
- No. 2093. An Act to amend the Act for establishing the times and places of holding the Polls at Elections of Representatives.
- No. 2094. An Act to enable the Devisees or Representatives of John Bolman to shut up an old Road in Lunenburg.
- No. 2095. An Act to amend the Act to establish the County or Shire Town in the County of Digby.

## APPENDIX No. 8.

No. 2096. An Act in addition to the Act to divide the County of Annapolis, and to regulate the Representation thereof.

No. 2097. An Act for applying certain Monies therein mentioned for the improvement of the Great Roads in this Province.

No. 2098. An Act to continue an Act to regulate the Expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges, and the Acts in amendment thereof.

No. 2100. An Act to continue the Act in addition to, and in amendment of, the Act to prevent Nuisances, by Hedges, Weirs, and other Incumbrances, obstructing the passage of Fish in the Rivers of this Province.

No. 2101. An Act to continue the Act to prevent damage to the Nets of Fishermen, by Coasting Vessels.

No. 2102. An Act to continue the Act relative to the assessment of Dyke Rates for the New or Wickwire Dyke in Horton.

No. 2103. An Act to continue the several Acts for the encouragement of Schools.

No. 2104. An Act to continue and amend the Act for the Warehousing of Goods.

No. 2105. An Act to continue the Acts in force relative to the Inspection of Pickled Fish.

No. 2106. An Act to continue the Act to regulate the Weighing of Beef, and the Act in amendment thereof.

No. 2107. An Act to continue the Act for regulating the Fishery in the River Shubenacadie.

No. 2108. An Act to continue the Act to prevent injuries to the Fisheries within the County of Lunenburg, by Mill Dams, or any other obstruction.

No. 2109. An Act to continue the Act for granting Duties on Licenses for the sale of Spirituous Liquors, and for Sales by Auction, in Halifax and the Act to alter the same.

No. 2110. An Act to continue the Act to provide against the occurrence of Diseases from the Bite of Animals.

No. 2111. An Act to continue the Act to preserve and regulate the Navigation of the Harbor of Pugwash.

No. 2112. An Act to continue the Act to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape Breton, and the Acts in amendment thereof.

No. 2113. An Act to continue the Act for the Summary Trial of Actions, and the Acts in amendment thereof.

No. 2114. An Act to continue the Acts more effectually to provide against the introduction of Infectious or Contagious Diseases, and the spreading thereof in this Province.

No. 2115. An Act to continue the Act in amendment of an Act made and passed in the first and second years of his late Majesty's Reign, entitled, An Act to extend the Laws and Ordinances of the Province of Nova Scotia to the Island of Cape-Breton.

No. 2116. An Act to continue an Act to encourage the killing of Bears, Loup Cerviers, and Wild Cats.

No. 2117. An Act to continue the several Acts concerning the Bridewell and Police in Halifax.

No. 2119. An Act to continue the Act additional, concerning Nuisances.

No. 2120. An Act to continue the Act to regulate the Pilotage of Vessels at the Port of Halifax, and the several Acts in amendment thereof, and additional thereto.

No. 2118. An Act to continue the several Acts for the prevention of Smuggling.

No. 2121. An Act to continue the Act for the better regulation of Sable Island in this Province.

No. 2122. An Act to continue the Act, entitled, an Act to provide for the accommodation and billeting of Her Majesty's Troops or of the Militia, when on their march from one part of the Province to another, and also the Acts in amendment thereof.

No. 2123. An Act to continue the Act to enable the Proprietors of Lands in the rear Blocks or Divisions of Land in the Township of Guysborough, to open roads through the same.

No. 2124. An Act to continue the Act for the Summary Trial of Actions in the Island of Cape Breton.

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**APPENDIX No. 8.**

No. 2125. An Act to continue the Act respecting the Collection of Poor's Rates in Pictou.

No. 2126. An Act to continue the Act to amend an Act for establishing a Public School in the Town of Halifax.

No. 2127. An Act to continue the Act to prevent the spreading of Contagious Diseases, and for the performance of Quarantine, and the Act in amendment thereof.

No. 2128. An Act to continue the Act to regulate certain Landings in the County of King's County.

No. 2129. An Act to continue an Act to authorize the Sale of Coals by weight.

No. 2131. An Act to continue the Act for establishing a Harbour Master at Bridgeport, in the Island of Cape-Breton.

No. 2130. An Act to continue the Act to encourage the importation of improved Breeds of Cattle into this Province.

No. 2132. An Act to continue the Act in amendment of the Act for the settlement of the Poor in the several Townships within this Province.

No. 2133. An Act to continue the Act to regulate the Survey of Timber and Lumber, and to repeal certain Acts now in force.

No. 2134. An Act to continue the Act for the regulation of the Fisheries at Chedabucto Bay.

No. 2135. An Act to continue the Act relating to Marriage Licences.

No. 2136. An Act to continue the Act for regulating the exportation of Red or Smoked Herrings.

No. 2137. An Act to continue the Acts to provide for the regulation and management of the Grammar School or Academy at Annapolis.

No. 2138. An Act to continue the Act to authorize the Sessions of the Peace for the County of Queen's County, to make regulations for the gathering of Sea Manure, in the said County.

No. 2139. An Act to continue the Act to make the stealing of Dogs, Beasts and Birds, Larceny.

No. 2140. An Act to continue the Act to repeal the Act to amend the Acts respecting Firewards and Fires in Halifax, and to substitute other provisions in lieu thereof and additional thereto.

No. 2141. An Act to continue the Act relating to the Court of Commissioners at Halifax.

No. 2142. An Act to continue the Act concerning the Terms of the Supreme Court at Halifax.

No. 2143. An Act to continue the Act concerning the Inferior Court of Common Pleas within this Province.

No. 2144. An Act to continue the Act to direct and ascertain the mode of assessing County and District Rates, and for other purposes, and the Acts in amendment thereof.

No. 2145. An Act to continue the Act relating to Passengers from Great Britain and Ireland, and the Acts in amendment thereof.

No. 2146. An Act to continue the Act concerning Malicious Injuries to property.

No. 2147. An Act to continue the Act to restrain the issuing Writs of Attachment in certain cases.

No. 2148. An Act to continue the Act concerning Goods exported, and for granting Drawbacks.

No. 2149. An Act to continue the Act to suspend the operation of the Acts to prevent Forestalling, Regrating, and Monopolizing of Cord Wood, in the Town of Halifax.

No. 2150. An Act to continue the Act for the general regulation of the Colonial Duties.

No. 2151. An Act to continue the Act respecting the Trial of Issues in the Supreme Court, and for regulating the times of holding the Circuits of the said Court, and the Acts in amendment thereof.

No. 2152. An Act to continue the Act to prevent Disorderly Riding, and to regulate the driving of Carriages on the Streets of Halifax, or other Towns, or on the Public Roads of this Province, and for repealing certain Acts therein mentioned.

No. 2153. An Act to continue the Act to regulate the Fees of the Constable of the Court of Commissioners at Halifax.

No. 2154. An Act to continue the Act for the better preservation of the Property of the Inhabitants of the Town of Halifax, by providing for a sufficient Watch at Night.

No. 2155. An Act to continue the Act in further amendment of, and additional to, the Acts relating to Trespasses.

No. 2156. An Act to continue the Act in addition to the Act for regulating the Rates and Prices of Carriages.

No. 2157. An Act to continue the Act in amendment of the Act relating to Highways, Roads and Bridges.

And whereas, the said Acts have been referred to the Committee of the Lords of Her Majesty's Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations; and the said Committee have reported as their opinion to Her Majesty, that the said Acts should be left to their operation. Her Majesty was thereupon, this day pleased, by and with the advice of Her Privy Council, to approve the said Report—whereof the Governor, Lieutenant-Governor, or Commander in Chief for the time being of Her Majesty's Province of Nova-Scotia, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed) C. GREVILLE.

No. 9.

(See Page 21.)

(Copy.)  
No. 14.

*Downing Street, 8th November, 1840.*

MY LORD—

I transmit herewith, for your Lordship's information, the Copy of a Letter from the Secretary to the Treasury, inclosing a Report from the Board of Customs respecting the measures in progress for allowing the Trade between Nova-Scotia and New Brunswick to be carried on under the Coasting regulations.

Before, however, the new system can be introduced, it is requisite that certain Acts of the respective Legislatures should be amended; and I have therefore requested Sir John Harvey to place himself in communication with your Lordship on the subject.

I have, &c.

(Signed)

J. RUSSELL.

The Lord Viscount FALKLAND, &c. &c. &c.

(Copy)

*Treasury Chambers, 31st October, 1840.*

SIR—

With reference to your Letter of the 23d September, 1839, and to the Despatch therein inclosed from the Lieutenant-Governor of New Brunswick, I have it in command from the Lords Commissioners of Her Majesty's Treasury to transmit Copy of a Report from the Commissioners of Customs, dated 25th ultimo, in order that it may be submitted for the information of Lord John Russell, on the subject of certain regulations proposed by the Customs for the government of the Coasting Trade between New Brunswick and Nova-Scotia.

I am, &c.

(Signed)

E. C. TREVELYAN.

JAMES STEPHEN, Esquire, &c. &c. &c.

(Copy.)  
No. 1430.

*May it please Your Lordships—*

Your Lordships having referred to us the annexed Letter of Mr. Stephen, transmitting, by desire of Lord John Russell, the Copy of a Despatch from the Lieuten-

ant-

APPENDIX Nos. 9, 10.

ant-Governor of New Brunswick, enclosing a Report of the Provincial Treasurer on certain regulations proposed by this Board to be adopted for the government of the Coasting Trade between the Provinces of New Brunswick and Nova-Scotia. We Report—

That the Lords of the Committee of Privy Council for Trade were pleased, by Mr. Hume's Letter of the 22d February, 1838, to acquaint us that application had been made to their Lordships by the Agent for the Province of New Brunswick, requesting that the Trade between that Colony and Nova-Scotia might be placed under Coasting regulations; and their Lordships therefore requested that we would consider and report whether it would not be expedient to propose, in the next Custom's Amendment Bill, an enactment, giving power to this Board to declare the Trade between neighbouring Colonies, similarly circumstanced in respect of Duties, to be a Coasting Trade.

That, in our Report of 17th March following, we expressed our concurrence in the suggestion of their Lordships; and the requisite enactment was introduced into the Act of the 1st and 2d Victoria, Chap. 113, by the 25th Section of which, power was given to this Board to establish the Coasting Trade between neighbouring Ports of different Colonies in the British Possessions abroad, similarly circumstanced as to Duties.

That, upon the passing of the Act of the 1st and 2d Victoria, Chap. 113, above referred to, we caused regulations to be framed for placing the Trade generally between the Provinces of New Brunswick and Nova-Scotia, upon the footing of a Coasting Trade: but prior to carrying the same into effect, we transmitted Copies of the proposed regulations to the Collectors of this Revenue in Nova-Scotia and New Brunswick, with directions to report as to the best means of carrying the same into effect, and to communicate the same to the Merchants and others, interested at their respective Ports.

That we have only recently received the replies of our Officers, and having very attentively considered the additional information thereby afforded, we are of opinion that the Coasting Trade between the Provinces of New Brunswick and Nova-Scotia, under the proposed regulations, should be limited to Articles of the growth and manufacture of the two Provinces, and the produce of the British Fisheries, as proposed in the annexed Report of the Provincial Treasurer of New Brunswick; but, to effect this object, it will be necessary that amendments should be made in certain Provincial Acts for dispensing with the Reports of Masters of Coasting Vessels, and for equalizing the Duties chargeable in the two Provinces upon Leather and Beer.

And we have directed the Collectors of this Revenue at New Brunswick and Nova-Scotia to apprise the parties interested, that so soon as the requisite amendments shall have been made in the Provincial Acts, we shall be prepared to issue the necessary directions for allowing Articles, the produce and manufacture of the two Provinces, and the produce of the British Fisheries, to be conveyed between New Brunswick and Nova-Scotia under the Coasting regulations.

(Signed)

E. STEWART, CULLING CHARLES SMITH,  
J. RICHMOND, H. LEGGE.

Custom House, 25th September, 1840.

No. 10.

(See Page 21.)

(Copy.)  
No. 16.

Downing Street, 17th November, 1840.

MY LORD—

I transmit to you herewith the copy of a Letter from the Post Master General to the Lords Commissioners of the Treasury, submitting a Tender which has been made by Mr. Cunard for the establishment of Mail Coaches for the conveyance of the Post Office Letter Bags between Halifax and Pictou; and I have to request that your Lordship will take the subject into your early consideration, and inform me what assistance

## APPENDIX No. 10.

sistance may be expected from the funds of Nova Scotia towards defraying the expense which this measure will entail.

I have, &c.  
(Signed) J. RUSSELL.

The Lord Viscount FALKLAND, &c. &c. &c.

(Copy.)

15895.

*To the Right Honorable The Lords Commissioners of Her Majesty's Treasury.*

MY LORDS—

Referring to my Letter of the 27th July last, on the subject of the measures adopted for carrying on the Mails, now forwarded from Liverpool under the new arrangement, between Halifax and Pictou, I have the honor to inclose copies of Reports from the Deputy Post Master General at Halifax, N. S., dated the 1st July and 3d inst., from which, it appears that he had been compelled on the emergency to accept the Tender of Messrs. Arnison and Trennaman for conveying the Mails in question between Halifax and Pictou, during the four months, from 12th July to 12th November, in the present year, for the sum of £550 Currency.

He now transmits a Tender which he has received from Mr. Cunard, for the establishment of Mail Coaches, to convey the ordinary Mails between Halifax and Pictou three times a week in summer, and twice a week during the remainder of the year; and also, for the conveyance, by express, of the English and Canada Mails to and from Pictou, during that portion of the year in which the Communication is by that route.

The present expense for the special conveyance of the English Mails between Halifax and Pictou is about £700; and, according to the last account, for the year ended 5th January, 1840, the net produce of the Halifax Post Office, after deducting the expenditure from the gross receipts, was only £212 16s. 11d. not including a grant from the Colonial Legislature in aid of Rides, to the amount of £1390, estimating the receipt and expenditure for the current year at the same amount as the last, exclusive of the cost of the special conveyance for the English Mails, and assuming that the Colonial Legislature may not be disposed to renew their grant, and, adding to the expenditure the costs of the special service for the English Mails between Halifax and Pictou, the result will be a deficiency of £477 3s. 1d. on the Post Office Revenue of Nova Scotia for the year.

Under these circumstances, I must leave it entirely for your Lordship's to decide whether it is expedient to accept Mr. Cunard's offer at an expense of £1550 per annum, which would increase the deficiency in the account of the Post Office at Halifax from £477 3s. 1d. to £993 16s. 5d. in the event of the Colonial Legislature failing to give a grant to cover it, when, of course, the service must either be discontinued, or defrayed out of the Revenue of the Mother Country.

I have, &c.  
(Signed) LICHFIELD.

General Post Office, 31st October, 1840.

(See Page 21.)

(Copy.)

*At the Court at Buckingham Palace, the 8th of December, 1840.*

(Seal.)

PRESENT—

THE QUEEN'S MOST EXCELLENT MAJESTY.

HIS ROYAL HIGHNESS PRINCE ALBERT.

Marquis of Normanby,  
Lord Steward,  
Viscount Palmerston.Viscount Melbourne,  
Viscount Duncannon,

WHEREAS, the Governor of Her Majesty's Province of Nova-Scotia, with the Council and Assembly of the said Province, did, in the month of March last, pass eight Acts, which have been transmitted, entitled, as follows, viz :

No. 2053. " An Act to establish Sundry regulations for the future disposal of Crown Lands within the Province of Nova-Scotia."

No. 2055. " An Act in further amendment of the Act, to regulate the packing and re-packing of Salted Beef and Pork for Exportation."

No. 2076. " An Act to Incorporate a Company to be called the St. Peter's Canal Company."

No. 2077. " An Act to Incorporate the Margaretville Pier Company."

No. 2084. " An Act to Incorporate the Bay of Fundy Steam Navigation Company."

No. 2086. " An Act enable the Nova-Scotia and Halifax Marine Insurance Companies to compensate their Directors and Auditors."

No. 2087. " An Act to amend the Act, to preserve and regulate the Navigation of the Harbor of Pictou."

No. 2088. " An Act in addition to, An Act entitled, An Act additional to, and in further amendment of, the Act concerning Cemeteries or Burial Grounds in the Town of Halifax. And whereas, the said Acts have been referred to the Committee of the Lords of Her Majesty's Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations; and the said Committee have reported as their opinion to Her Majesty, that the said Acts should be left to their operation; Her Majesty was thereupon this day pleased, by and with the advice of Her Privy Council, to approve the said report; whereof the Governor, Lieutenant-Governor, or Commander-in-Chief for the time being, of Her Majesty's Province of Nova-Scotia, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

[Signed]

WM. L. BATHURST.

No. 12.

(See Page 21.)

(Copy.)

*Downing Street, 24th August, 1840.*

SIR—

The new Line of Steam Packets between this Country and Halifax, having come into operation, I have to call your attention to the great importance of improving the Main-Routes of Communication within your Government, and to desire you to use all the influence in your power to induce the Colony of Nova-Scotia to continue its efforts in that respect, and meet, by a corresponding feeling, the exertions made by this Country for the purpose of keeping up a regular and rapid communication with the Colonies.

I have, &amp;c.

(Signed)

J. RUSSELL.

The Lieutenant-Governor of Nova-Scotia.

R.

(Circular.)

(Circular.)

*Downing Street, 23d December, 1840.*

MY LORD—

With reference to my Circular Despatch of the 24th of August last, in which I called your attention to the great importance of improving the Main Routes of Communication within your Government, in consequence of the new Line of Steam Packets between this Country and Halifax having come into operation, I now transmit to you the inclosed Copy of a Letter from the Lords Commissioners of Her Majesty's Treasury on the same subject. I cannot too strongly urge this subject on your attention. You will take the earliest opportunity of bringing it under the consideration of the Legislature of the Province of Nova-Scotia. I have, &c.

21st Dec.

(Signed)

J. RUSSELL.

The Lord Viscount FALKLAND, &amp;c. &amp;c. &amp;c.

*Treasury Chambers, 21st December, 1840.*

SIR—

I am directed by the Lords Commissioners of Her Majesty's Treasury, herewith to transmit for the information of Lord John Russell, a Copy of a Letter from the Postmaster General of the 26th ultimo, inclosing a Report from the Deputy-Postmaster General of Canada, relative to the improvement in the Communication between Quebec and Halifax, and with reference to the Letter from this Board of the 19th of August to the Colonial Department, I am to request you will represent to Lord John Russell the great importance of the necessary steps being taken, with as little delay as practicable, for the improvement of the Main Lines of Roads in the North American Colonies, more especially that between Halifax and Quebec, and by these means completing the system of rapid Communication with the Mother Country, towards which so much has already been accomplished by the establishment of the Halifax Line of Steam Packets.

In promoting the establishment of these Packets, and in sanctioning the very heavy expenditure, without which the Communication could not be maintained, my Lords acted in the confident expectation that the Colonies, on their part, would not be unwilling to improve the Local Communication; and they trust, that after so great a sacrifice has been made by the Home Government, no further time will be lost by either of the Colonial Legislatures in providing for the necessary and comparatively small expenditure which they are called upon to make.

My Lords have reason to think that the apparent unwillingness to incur this expenditure arises from the impression that the North American Post Office is a source of Revenue to the Home Government, and that for this reason, the cost of constructing Roads for the conveyance of the Mails should be defrayed out of the proceeds of the Post Office. Their Lordships therefore direct that it may be stated to you, for the information of Lord John Russell, that even before the recent large reduction in the internal Colonial Postage of Letters to and from Europe, the whole Revenue of the North American Post Office derived from the internal rates, excepting that part which was contributed by the Military Departments, was absorbed in the cost of management. I am, &c.

(Signed)

R. GORDON.

JAMES STEPHEN, Esq. &amp;c. &amp;c. &amp;c.

*To the Right Honorable the Lords Commissioners of Her Majesty's Treasury.*

MY LORDS—

I beg to transmit, for your Lordship's information, copy of a Despatch, dated the 27th ultimo, from the Deputy Post Master General of Canada, respecting the improvement of the Roads of Post Communication between Quebec and Halifax, with reference to Mr. Gordon's Letter of the 19th August last, and my Letter of the 28th ultimo.

I have, &amp;c.

(Signed)

LITCHFIELD

General Post Office, 26th Novr., 1840.

*Montreal,*

*Montreal, 27th October, 1840.*

SIR—

I have the honor to acknowledge the receipt of your Letter of the 26th August, respecting the improvement of the Roads of Post Communication between Quebec and Halifax, accompanied by a Letter from Mr. Gordon, of the Treasury, to the Post Master General on the subject, dated the 19th of the same month. I took an early opportunity, being near the Governor General, of speaking to His Lordship on the subject, and have since officially laid your Letter and its enclosures before him. I am not yet prepared to make so full a report as the subject calls for. I think it my duty, however, to inform you, for the information of His Lordship the Post Master General, that very satisfactory progress has been made this year in the improvement of the Temiscouta Route, across the Grand Portage, a distance of about thirty-eight miles; this has heretofore been the worst portion of the whole route, but with the £5000 placed at my disposal, as Commissioner for improving it, I have the satisfaction of saying that almost as good a Road as the nature of the country will permit has been made. I have recently returned from inspecting this piece of Road, and am so much pleased with the result of our exertions that I am the more anxious to attack the remainder of the difficulties which stand in the way of a perfect communication with New Brunswick and Nova-Scotia; and, in furtherance of this object, so strongly recommended in your Letter, and that from Mr. Gordon, I have, with the authority of the Governor-General, sent on a competent person to survey the other portions of the route to Fredericton which require melioration, and I shall shortly have the honor of submitting to you a detailed report on the subject.

It may not be improper for me here to mention that the Province of New Brunswick has, at different times, given about £3000 for the improvement of this route, (that is for the part which I am now causing to be surveyed,) and that I have reason to think that they are disinclined to give any more money for the same purpose. I should suppose that a sum of from £10,000 to £12,000 would be required to put it in proper condition.

His Lordship, the Governor General, who is intent upon carrying out the views of Government upon this very important subject, will doubtless devise suitable means for attaining the end.

When making my further report upon the Temiscouta route, I shall not fail to treat of the other channel, that of Metis. I have, &c.

(Signed) T. A. STAYNER.

Lieut. Col. MABERLY, &c. &c. &c.

No. 13.

(See Page 22.)

(Copy.)

*Downing Street, 16th October, 1840.*

MY LORD—

Having referred for the consideration of the Commissioners for Colonial Lands and Emigrations, an Act, recently passed by the Legislature of Nova-Scotia, for regulating the disposal of the Crown Lands, I have received from them the Report of which a Copy is inclosed.

No. 2053

1718, Oct. 10

In compliance with their recommendation, this Act will be confirmed, by an Order of Her Majesty in Council, as soon as the necessary forms can be completed.

I entirely concur in the opinions expressed in this Report; and I have therefore to instruct your Lordship to issue a Standing Order, prohibiting the offer for sale of Crown Land at a lower upset price than Two Shillings and Six-pence per acre.

I have, &c.

(Signed)

J. RUSSELL.

The Lord Viscount FALKLAND, &c. &c. &c.

(Copy.)

(Copy.)

Colonial Land Emigration Office,  
9, Park Street, Westminster, 10th October, 1840.

SIR —

In obedience to the directions contained in your Letter of the 14th ultimo, we have perused the Act, No. 2053, passed by the Legislature of Nova-Scotia, for the regulation of the future disposal of Crown Lands, together with the accompanying papers.

We have lately expressed our opinion in favor of the principle of a fixed price, which has been established by the Governor General in Canada. But the idea of applying this principle to any of the Provinces of North America, has only been quite recently adopted. In the meanwhile, the present Act, by the Legislature of Nova-Scotia, proceeding on the basis of a system of sale by Auction, has been passed in literal conformity with a Despatch from the Secretary of State, dated the 13th August, 1839, which pointed out the objections to a different course, which had at that time been contemplated, but expressed the readiness of Her Majesty's Government to concur in a measure agreeing in substance with the one now sent home for approval. The Secretary of State, at the same time, observed that, if passed, it would be desirable that the proposed Act should be confined in the first instance to a limited duration, in order to give an opportunity of re-considering its provisions after they should have been exposed to the test of experience; and we find that the present Law has accordingly been passed for three years only. Under these circumstances, and not seeing any reason to object to its enactments considered in their bearing upon a system of sale by Auction, we apprehend that this is an Act which ought to be confirmed by Her Majesty in Council.

With regard to the practical administration, however, of the measure, there is one remark which we would wish to offer.

The Act states that the upset price, though depending on the discretion of the Governor in Council, is in no case to be less than 1s. per acre. By the evidence before Lord Durham's Commissioner, it would appear hitherto to have been from 2s. to 2s. 6d. per acre. In the neighbouring Province also of New Brunswick, the lowest upset price appears to be fixed by Law at 2s. 6d. We confess we think it would be undesirable that the Public Lands in any Colony should ever be alienated for a smaller price than this; and we conceive it would be expedient that the Executive Council should make it a rule, and cause it to be understood as such among the different District Boards, which are to report to it upon this subject, that it will never sanction the offer of Public Lands for sale at a lower price than 2s. 6d. per acre. We have, &c.

(Signed)

J. FREDERICK ELLIOT.  
ROBERT TORRENS.

No. 14.

(See Page 22.)

## THE PROVINCE OF NOVA-SCOTIA, DR.

For Payments made by the Treasurer between 1st January and 31st December, 1840.

## MARCH QUARTER.

March 31.—To paid the Salaries of Officers of Government,  
Puisne Judges, &c. &c. per Abstract and  
Warrant

Secretary of King's College, Windsor	1	£1536	5	0
Master of the Halifax Grammar School	2	111	2	2½
Hon. H. N. Binney, for pay of Waiters	3	37	10	0
The respective Stockholders for one year's Interest on Funded Debt	4	132	12	6
	5	397	4	4½

March

## APPENDIX No. 14.

March 31.—To paid the Stockholders of the Funded Debt, for the Quarter ending this day	6	250	0	0
The Collector of H. M. Customs, to pay Salaries to Officers of Customs to 5th April	7	1786	4	8
The Commissioner & Treasurer of the Halifax Savings Bank, for Interest	8	275	0	0
The Commissioners of the Poor	9	150	0	0
The Trustees of the Pictou Academy	10	50	0	0
The Trustees of Dalhousie College	11	50	0	0
The Trustees of Horton Academy	12	75	0	0
Rev. Mr. Uniacke, School in North Suburbs	13	25	0	0
James Whitney, for running Steam Boat	14	25	0	0
J. & J. Marshall, for running Guysboro' Packet	15	50	0	0
Miller & Vienot, on account of LaHave Bridge	16	220	0	0
Gregor & Sterling, in aid of Halifax Dispensary	17	50	0	0
James A. Dennison, conducting Criminal prosecutions	18	7	10	0
Alex. G. McKay, for support of a Revenue Boat	19	20	0	0
For pay of Members of Assembly	20	2414	10	0
Clerk of House of Assembly, for Stationery, Fuel, &c.	21	240	0	0
Assistant Clerk of House of Assembly	22	200	0	0
Clerk of Assembly, for extra Services	23	100	0	0
Matthew Forrester, Sergeant at Arms to Assembly	24	50	0	0
John Jennings, Assistant do.	25	30	0	0
John Gibbs, Messenger do.	26	30	0	0
Clerk of Assembly, to pay Chaplains	27	25	0	0
John J. Sawyer, opening & closing Assembly	28	10	0	0
Archdeacon Willis, Chaplain to Council	29	25	0	0
Clerk of Council, for Expences of Council,	30	521	4	0
John Howe & Son, for Printing	31	200	13	6
		<hr/>		
		£9,094	16	3

## JUNE QUARTER.

June 30.—To paid the Salaries of Officers of Government				
Puisne Judges, &c. &c. per Abstract and Warrant	1	1536	5	0
Secretary of King's College, Windsor	2	111	2	2½
Master of the Halifax Grammar School	3	37	10	0
Hon. H. N. Binney, for pay of Waiters	4	262	17	6
The respective Stockholders, for one years Interest on Funded Debt	5	116	11	3
Ditto, for the Quarter ending this day	6	250	0	0
Ditto, for the Half year to date	7	200	0	0
The Commissioner and Treasurer of Halifax Savings Bank, for Interest	8	210	0	0
The Commissioners of the Poor	9	150	0	0
The Collector of Her Majesty's Customs, to pay the Salaries of Officers of Customs	10	1786	4	8
The Trustees of the Acadian School	11	50	0	0
The Trustees of the National School	12	50	0	0
The Trustees of the Catholic School	13	50	0	0
The Secretary of Dalhousie College	14	50	0	0
				June

## APPENDIX No. 14.

June 30—To paid the Trustees of the Pictou Academy	15	£50	0	0
The Trustees of the Horton Academy	16	75	0	0
Rev. Mr. Uniacke, School in North Suburbs	17	25	0	0
The Commissioners of Public Buildings	18	955	8	10
The Commissioners of ditto, to pay J. Burton's Account	19	32	14	0
The Commissioners for Sewers in Signing Treasury Notes	20	100	0	0
The Treasurer, for extra Services for Three Years	21	100	0	0
L. O'C. Doyle, for conducting Criminal Prosecutions	22	21	0	0
Huntington & Young, for Importation of Books	23	124	0	0
Henry Hatton, being a return of Duties	24	12	17	6
Susannah Green, One Years Pension	25	20	0	0
Elijah Purdy, as granted to him	26	5	13	6
James Bowes, Duty paid on a Printing Press	27	2	7	7
Scott Tremain, expences incurred in a Prosecution	28	20	11	4
George R. Grassie, expences attending the Assembly	29	10	0	0
Samuel Dodge, as granted to him	30	15	0	0
C. E. Leonard, expences of a Revenue Boat	31	30	0	0
Dr. F. C. Pyke, for services to a Transient Pauper	32	7	10	0
James Whitney, for carrying Mails	33	25	0	0
A. B. Pipes, for support of Transient Pauper	34	12	10	0
C. McAlpine, for interring Shipwrecked Mariners	35	4	14	4
The Baptist Education Society, for return of Duties	36	24	2	9
Dr. B. Page, for services to a Transient Pauper	37	10	0	0
Gossip & Coade, return of Duty on a Printing Press	38	10	4	9
John McLean, expenses of a Transient Pauper	39	15	17	0
William Crook, for expenses in building a Bridge	40	15	0	0
Angus McLellan, for services in carrying a Mail	41	25	0	0
John F. Muncey, Bounty on a Sealing Voyage	42	50	0	0
W. H. Munro, for ditto	43	11	0	0
Dr. E. F. Harding, for services to a Transient Pauper	44	7	10	0
The Overseer of the Poor, Township of Manchester	45	40	11	0
The Overseer of the Poor at Aylesford	46	11	7	6
The Overseer of the Poor at Shelburne	47	8	11	3
The Overseer of the Poor at Yarmouth	48	33	12	6
The Overseer of the Poor at Pictou	49	79	6	0
Dr. Brown, attendance on Sick Indians.	50	7	10	0
R. Nickerson, for keeping an Establishment for the reception of Travellers	51	15	0	0
William Watt, as compensation for injuries sustained in the Public Service	52	15	0	0
John Moyler, as granted to him, for being crippled on the Roads	53	100	0	0
The Trustees of the Pictou Academy.	54	233	0	0
Richard Huntington for return of Duties	55	14	16	10
The Commissioners of Light Houses.	56	500	0	0
The Trustees of St. Andrew's Academy	57	50	0	0
The Overseers of the Poor at Economy	58	29	0	0
R. Roberts, as Compensation in making a Seizure	59	15	0	0
The President and Directors of the Mechanics' Institute	60	50	0	0

June

## APPENDIX No. 14.

June 30—To paid the President of Mechanics' Institute at Cape Breton	61	£20	0	0
The Treasurer, for advances made to Shipwrecked Mariners	62	213	6	7
William Sims, expences of a Revenue Boat	63	60	0	0
George N. Russell, Quarter-Master General of Militia	64	25	0	0
The Trustees of Lunenburg Academy	65	25	0	0
The Ladies' Managers of the Infant School	66	50	0	0
Thomas McLellan, for Road alteration	67	15	0	0
James F. Gray, for Conducting Criminal Prosecutions	68	16	9	0
The Trustees of the Grammar School, Sydney	69	50	0	0
Joseph Tooker, Drawback of Duties	70	5	7	8½
James Whitney, for running Steam Boat	71	25	0	0
Ambrose Amerault, for erecting Buoys	72	10	0	0
John McDonald, balance of Road alteration	73	20	0	0
The Overseers of the Poor, Antigonish	74	3	1	7
James Fennerty, Road alteration	75	53	10	0
		<hr/>		
		£8,473	2	2

## SEPTEMBER QUARTER.

Sept. 30th—To paid the Salaries of Officers of Government, Puisne Judges, &c. &c. per Warrant and Abstract	1	£1536	5	0
Secretary of King's College, Windsor	2	111	2	2½
Master of the Halifax Grammar School	3	37	10	0
Hon. H. N. Binney, for pay of Waiters	4	223	10	0
The Respective Stockholders, for One Years Interest on Funded Debt	5	92	16	3
The Stockholders of the Funded Debt, for the Quarter ending this day	6	250	0	0
The Commissioner and Treasurer of Halifax Savings' Bank, for Interest	7	260	0	0
The Commissioners of the Poor	8	150	0	0
The Collector of H. M. Customs, to pay the Salaries of Officers of Customs	9	1786	4	8
The Trustees of Dalhousie College	10	50	0	0
The Trustees of the Pictou Academy	11	50	0	0
The Trustees of the Horton Academy	12	75	0	0
The Trustees of the Grammar School, Truro	13	40	0	0
J. Whidden, for Conducting Criminal Prosecutions	14	7	8	0
Commissioners of the Poor, for Support of a School	15	25	0	0
Commissioners of Light-Houses.	16	710	18	9
Judge Bliss, for Travelling Expences	17	45	10	0
For payment of Expences in fitting up an Armory	18	623	12	6
Wentworth Taylor, for Surveying the Eastern Road	19	71	8	8
Adjutant General of Militia, half years Salary	20	50	0	0
The President and Directors of the Steam Boat Company	21	100	0	0
For payment of Money, expended on the Great Eastern and Western Roads in 1839	22	2369	0	8
Archdeacon Willis, for support of African School	23	50	0	0
Commissioners of Light Houses	24	500	0	0
		September		

## APPENDIX No. 14.

Sept. 30.—To paid Judge Hill, Travelling Expences	25	£29	3	4
John Creighton, Conducting Criminal prosecutions	26	37	6	0
Judge Wilkins, for Travelling Expences	27	36	3	4
Commissioners of the Arichat Academy, 1839	28	50	0	0
Charles McCarthy, for return of Duties	29	7	0	0
William Faulkner, Road Surveying	30	38	11	3
S. P. Fairbanks, conducting Criminal Prosecutions	31	7	10	0
The Commissioners, for completion of Arisaig Pier	32	353	3	11
Commissioners of Light-Houses	33	380	12	6
Grigor & Sterling, in aid of Halifax Dispensary	34	50	0	0
Edmund Crowell, in charge of Seal Island Establishment	35	20	0	0
J. Brown, for running Ferry Boat at Shubenacadie	36	20	0	0
The Commissioners of Annapolis Grammar School	37	12	10	0
Ralph Watson, for Road alteration	38	45	0	0
The Commissioners of Bridewell, on account	39	275	0	0
Wentworth Taylor, for Road alteration	40	13	10	3
Secretary of the Province, to pay Clerks of Peace	41	59	10	0
Secretary of the Province, for relief to Indians	42	100	0	0
		£10750	7	3½

## DECEMBER QUARTER.

Decr. 31.—To paid the Salaries of Officers of Government,				
Puisne Judges, &c. &c., per Warrant and Abstract	1	1536	5	0
Secretary of King's College, Windsor	2	111	2	2½
Master of the Halifax Grammar School	3	37	10	0
Hon. H. N. Binney, for pay of Waiters	4	221	10	0
The respective Stockholders, for one year's Interest on Funded Debt	5	125	0	0
Ditto, for half year, ending this day	6	200	0	0
Ditto, for the quarter, ending this day	7	250	0	0
Commissioner and Treasurer of the Halifax Savings Bank, for Interest	8	205	0	0
Commissioners of the Poor	9	150	0	0
The Collector of H. M. Customs, to pay the Salaries of Officers of the Customs	10	1786	4	8
The Trustees of the Acadian School	11	50	0	0
The Trustees of the National School	12	50	0	0
The Trustees of the Catholic School	13	50	0	0
The Secretary of Dalhousie College	14	50	0	0
The Trustees of the Pictou Academy	15	50	0	0
The Trustees of the Horton Academy	16	75	0	0
The Trustees of the Methodist School	17	100	0	0
Rev. Mr. Uniacke, School in North Suburbs	18	50	0	0
The Trustees of St. Andrew's Academy	19	25	0	0
The Trustees of the Yarmouth Academy	20	67	10	0
The Trustees of the Annapolis Academy	21	12	10	0
The Trustees of the Digby Academy	22	50	0	0
The Trustees of the Cape-Breton Academy	23	50	0	0
The Trustees of the Lunenburg Academy	24	50	0	0
The Trustees of the Guysborough Academy	25	25	0	0
The Trustees of the Arichat Academy	26	50	0	0
The Trustees of the Port Hood Academy	27	25	0	0
James Whitney, for running Steam Boat	28	25	0	0
				December

## APPENDIX No. 14.

Decr. 31. To paid Chief Justice Halliburton, for Travelling Expences	29	£16	6	8
Judge Hill, for ditto	30	49	0	0
Judge Bliss, for ditto	31	32	13	4
Rev. John Quinnan, clearing Tracadie Harbour	32	40	0	0
Alex. McMillan, keeping Ferry at Gut of Canso	33	10	0	0
John Thos. Hill, for conducting Criminal Prosecutions	34	7	9	2
Judge Wilkins, for Travelling Expences	35	21	0	0
Alex. Auld, keeping Ferry at the Gut of Canso	36	10	0	0
Adj. Genl. of Militia, for holding Court of Enquiry	37	13	10	6
Starrat & Charlton, finishing Breakwater at Wilmot	38	33	6	8
Commissioners of Light Houses	39	500	0	0
J. W. Nutting, expences for Road alteration	40	23	0	4
J. H. Kaulbeck, for returning Members to Assembly	41	4	10	0
Murdoch McLean, for ditto	42	3	0	0
Cornelius Craig, keeping a Ferry at Sable Island	43	10	0	0
Samuel Cunard & Co., for running Steam Boat	44	150	0	0
J. & H. Wilson, for drawback of Duty	45	11	5	11
John U. Ross, ditto	46	74	5	11
Sheriff of Hants, for returning Members	47	7	10	0
Secretary of the Province, for relief to Indians	48	150	0	0
J. Ratchford & Co., for running Parrsboro' Packet	49	50	0	0
Rev. Abbe Segoine, completing Breakwater at Montegan	50	166	13	4
Rev. Abbe Segoine. do. do. at Clare	51	133	6	8
Overseers of the Poor at Windsor	52	21	5	9
Archdeacon Willis, for support of African School	53	50	0	0
Thomas Pushie, for Road Alteration	54	8	0	0
John Legag, for do.	55	23	0	0
Jacob Winter, for do.	56	49	15	0
John Mahony, for running Guysboro' Packet	57	50	0	0
Commissioners of Light Houses	58	500	0	0
Richard Carter, for running Ferry Boat	59	10	0	0
President and Directors of Steam Boat Company	60	100	0	0
The Commissioners of Bridewell	61	725	0	0
W. & R. Lawson, Whale Bounty to Seamen	62	15	0	0
William Sims, Revenue Boat at Digby	63	60	0	0
The High Sheriff for returning Members	64	6	0	0
Isaiah Smith, for running a Ferry Boat	65	20	0	0
The Adjutant General of Militia	66	50	0	0
The Quarter Master General of Militia	67	25	0	0
The Commissioners of Light Houses	68	1143	1	7
John McKay, Services as a Tide Waiter	69	30	0	0
Andrew Henderson, for support of School	70	50	0	0
Commissioners for building Breakwater at Margaree	71	120	0	0
Asa Torrey, Revenue Boat at Windsor	72	60	0	0
C. E. Leonard, do. at Sydney, Cape Breton	73	30	0	0
Hugh Skinner, do. at Gut of Canso	74	25	0	0
The Commissioners of Sable Island, 1839 & 1840	75	800	0	0
For the Protection of the Fisheries	76	1500	0	0
The Lieutenant-Governor's Salary	77	2500	0	0
John Ferguson, Bounty on Chocolate	78	107	7	9
		<hr/>		
		£15073	0	5½
		December		

## APPENDIX No. 14.

Dec. 31.—To paid for Rations to Troops on Route	79	£491 12 6
Adjutants of Militia, Warrants, No. 1 to	58	670 0 0
Militia Arms do. 1	23	144 17 0
Coroners do. 1	38	180 0 0
Oat Mills do. 1	14	210 0 0
Schools do. 1	45	6453 17 5
Old Road Votes		1007 18 11
Roads and Bridges, per Warrants and Abstract 1		31036 15 4
		<hr/>
		£32044 14 3
Expences of Bridewell in 1838		371 16 10
Postages for Council and Assembly		435 18 0
This sum paid off with Money received into the Halifax Saving's Bank		1000 0 0
To this Sum paid off pursuant to a Resolution of the House of Assembly together with Interest from 31st March to 24th May		5044 7 6
Paid F. W. DesBarres, for conducting Criminal Prosecutions		6 13 4
J. Howe, for Postages and Printing		38 6 1
This Sum Remitted in a Bill of Exchange, to pay for Copper Tokens at 13½ per cent., with Exchange		675 2 3
Three Warrants for Road Service		120 0 0
Messrs. Pernette, for LaHave Ferry.		15 0 0
		<hr/>
		£91293 11 11
Balance		27804 14 7½
		<hr/>
		£119098 6 6½

## IN ACCOUNT CURRENT WITH CHARLES W. WALLACE, TREASURER, CR.

Dec. 31, 1839.—By balance of Account rendered at this date		£30015 19 9½
1840.—Received from the Collector of Halifax,		
March Quarter	£8000 0 0	
June Quarter	15000 0 0	
September Quarter	8000 0 0	
December Quarter	9000 0 0	
		<hr/>
		40000 0 0
By received from the Collectors at the Out Ports between 1st January and 31st December, 1840.		
Liverpool	£200 0 0	
Pictou	2000 0 0	
Lunenburg	460 0 0	
Yarmouth	914 3 11	
Digby	254 5 6	
Shelburne	120 0 0	
Barrington	6 10 0	
Colchester	174 0 0	
Cumberland	318 10 0	
Windsor	207 8 5	
Argyle	1 17 1	
Sydney	61 0 3	
King's County	447 10 4	
Annapolis	212 18 9	
Weymouth	103 1 9	

Sydney,

## APPENDIX No. 143

Sydney, C. B.	£364 15 7		
Arichat	199 8 7		
Port Hood	33 14 11		
Pugwash	34 0 0		
Brier Island	0 0 0		
Antigonish	57 14 0		
Chester	0 0 0		
Tatamagouche	0 0 0		
			6170 19 1
By received from the Collector of H. M. Customs, on account of Duties, between 1st January and 31st December, 1840			
	35900 16 0		
Premium received by the Treasurer on Dollars			
	1418 7 7		
			37319 3 7
<b>LIGHT DUTY.</b>			
By received from the Collector of Halifax			
March Quarter	£100 18 1		
June Quarter	492 19 1		
September Quarter	399 1 6		
December Quarter	428 7 7		
By received from the Collectors at the Out Ports, between 1st January and 31st December, 1840.			
Liverpool	155 6 7		
Shelburne (1839 & 1840)	103 10 4		
Yarmonth	0 0 0		
Annapolis	17 2 3		
Pictou	281 14 11		
Argyle	44 11 5		
Weymouth	25 9 2		
Digby	33 7 0		
Sydney	0 0 0		
Arichat (1839 & 1840)	107 17 2		
Hants County	100 0 0		
Colchester (Balance of 1838)	5 4 5		
Amherst	25 19 4		
Barrington (1839 & 1840)	29 13 3		
Lunenburg	44 0 11		
Chester	0 0 0		
Briar Island	33 0 0		
Pugwash	44 0 0		
Sydney, C. B. (1839 & 1840)	821 12 9		
Antigonish (1839 & 1840)	11 2 0		
King's County (1839 & 1840)	16 8 7		
Tatamagouche	0 0 0		
Gut of Canso (Bigelow Collector)	43 9 8		
Ditto (Skinner, do.)	51 13 4		
Afloat	17 13 11		
			3434 3 3
By received from the Commissioners of Annapolis County Loan			
			35 0 0
Received from the Seizing Officer at Digby, on account of Seizures			
			25 2 9
			By

APPENDIX Nos. 14, 15.

By received from the Commissioner and Treasurer of the Halifax Savings Bank	1000 0 0
Received from the Treasurer of New Brunswick, on account of St. Paul's and Scattarie Light Houses	257 14 6
Ditto from the Secretary of P. E. Island, on account of ditto	30 0 0
Received from Liverpool, G. B., 35 casks of Pennys and Half-penny Tokens, as per statement	810 3 7
	£119,098 6 6½

[Errors excepted.]

Treasurer's Office, Halifax, 31st December, 1840.

CHARLES W. WALLACE, Treasurer.

No. 15.

(See Page 38.)

*Abstract of Returns of Combined Common and Grammar Schools, for the year 1840.*

COUNTY.	No. of Schools.	No. of Scholars.	No. taught gratis.	Amount paid by Province.	Amount paid by People.
Halifax					
Lunenburg					
Queen's County	2	75	9	31 10 0	80 0 0
Shelburne					
Yarmouth					
Digby	3	88	14	87 10 0	205 0 0
Annapolis	3	142	6	96 5 0	300 0 0
King's County	3	135		112 0 0	230 0 0
Hants	3	177	15	115 2 6	178 10 0
Colchester	3	140	9	39 7 6	266 10 0
Pictou	3	186	7	99 15 0	200 0 0
Sydney	2	82		60 0 0	150 0 0
Guysborough	2 included in Return of C. Schls.			51 1 3	
Cumberland	3	173		142 0 0	73 0 0
Cape-Breton	3	198	11	85 0 0	271 15 0
Richmond					
Inverness	1			35 0 0	
	31	1396	71	954 11 3	1954 15 0

NOTE.—In the preparation of this Abstract, inaccuracies are unavoidable, owing to the want of uniformity in the Returns, and the imperfect mode in which many of them are made. In some, the Common Schools and the Combined Common and Grammar Schools cannot be distinguished from each other.

*Abstract of Returns of Common Schools, for the year 1840.*

COUNTY.	No. of Schools.	No. of Scholars.	No. taught gratis.	Amount paid by Province.	Amount paid by People.
Halifax					
Lunenburg	46	1249	137	512 0 0	1073 0 0
Queen's County	24	716	48	247 4 7	454 15 0
					Shelburne

## APPENDIX No. 15.

Shelburne	27	660	61	200	0	0	316	13	9
Yarmouth	56	2215	367	371	0	0	931	0	0
Digby	34	883	59	240	0	0	720	0	0
Annapolis	47	1435	225	320	0	0	1611	0	0
King's County	31	1113	20	183	0	0	697	13	4
Hants	29	1151	77	335	6	4	1011	2	4
Colchester	46	1429	164	175	0	0	1473	10	0
Pictou	72	3356	229	455	5	0	1946	0	0
				Teachers' board			900	0	0
Sydney	32	844	65	270	0	0	807	17	4
Guysborough	18	603	89	233	18	9			
Cumberland	40	1348		229	0	0	1127	10	0
Cape-Breton	37	1491	76	250	0	0	1411	18	4
Richmond				260	5	2			
Inverness	48	1692	32	328	0	0			
	587	20485	1649	£4610	11	10	£13581	6	4

NOTE.—In the preparation of this Abstract inaccuracies are unavoidable, owing to the want of uniformity in the Returns, and the imperfect mode in which many of them are made. In some, the Common Schools and the Combined Common and Grammar Schools cannot be distinguished from each other.

In general, the amount paid by the people appears to be exclusive of the Teachers' board.

Halifax, 28th December, 1840.

SIR,—

We, the undersigned Commissioners of Schools for the County of Halifax, in answer to your Circular of the 28th of October, beg leave to submit for the information of His Excellency the Lieutenant-Governor, the following Communication :

1st.—In reference to the mode of supporting Schools, we are decidedly in favour of the principle of Assessment, and of opinion, that when a School is opened in a District, the assessment for its support ought to be compulsory, and not dependant, as at present, on the choice of a certain large proportion of the Inhabitants of the District. We fully concur in the opinion expressed in the 3d Instruction given us in 1828, "that a provision made by assessment for the support of schools, will bear more equally upon the Inhabitants of a District, and be more permanent, and less liable to abuse," and have therefore, as instructed, ever done all in our power to encourage the former mode of provision.

2d.—With regard to the Combined Grammar and Common Schools in this County, we beg to state that the Teachers of these Schools are *not* competent to teach all the branches of Education mentioned in the 21st Section of the Act. As the terms of the Act in regard to the qualification appeared to us vague, we felt a difficulty in determining whether such Schools as those now on our list of Combined Grammar and Common Schools were qualified to be entered as Combined Schools. In arriving at the decision we at length come to—we were guided by the legal opinion of a Crown Lawyer,—by the information we obtained from the Gentleman who draughted the Combined Grammar and Common School Bill, as to the intention of the Legislature, and by what we learnt to be the practice of other Boards.

We find from the last returns, that in Combined Grammar and Common School,

No. 1. (District, No. 26.) For the half year ending the 30th of June, 1840, "Twenty-five Scholars have been instructed in English Grammar, four of whom have been instructed also in Geography."

No. 2. (District, No. 22.) For the half year ending the 30th of June, 1840, ten Scholars have been taught in the higher Branches, or some of them."

No. 3. (District, No. 12.) For the present half year twelve Scholars have been instructed in English Grammar, seven of whom have also been instructed in Geography.

3d. In embracing the present opportunity of offering the result of our experience, as Commissioners of Schools, we feel ourselves constrained to say, that the present system of School Education for the Province, fails to insure for the Provincial Schools those two things, which doubtless were leading objects of the Act,—their efficiency and their permanency. In the Common Schools, the amount of education afforded, (if education it can be called,) is a little reading, writing and cyphering. In the Combined Schools, neither the quality of the teaching, nor the range of the instruction is, in our opinion, equal to what ought, before this time, by the adoption of a better system, to have been afforded in every Common School in the Province. Many of our Schoolmasters engaged in teaching, only as a temporary occupation, and our half yearly lists of Schools since 1828, have borne much of the fluctuating character which our lists of Teachers have exhibited during the same period.

4th.—We gladly avail ourselves of His Excellency's call upon us, humbly to submit the following outlines of a plan of popular Education, for the adoption of the Legislature.

1st.—That the system of Education which shall be adopted by the Legislature, ought to be based on religion.

2d.—That the Act of the Legislature ought to be so framed, that each denomination of Christians may have the direction and superintendance of its own Schools.

3d.—That in any School district, the children of parents of whatever denomination, ought to be admissible to any School in that district, which may have qualified, in terms of the Act, to be put under the direction of a particular denomination, and ought to be admitted on the same terms as the children belonging to the denomination having the direction.

The qualifications of a denominational School will respect the School-house, and Schoolmaster's Dwelling-house, Site, Conveyance, number of Scholars, &c.

4th.—That in any School District, a School, qualified in terms of the Act, may be opened under the direction of a particular denomination, notwithstanding a School has been already established under the direction of some other denomination.

5th.—That the formation of Congregational Schools ought to be encouraged, and the trust, management and oversight of such Schools, committed to the office-bearers of the several Churches with which they are connected.

6th.—That Normal Schools ought to be established for the training of Teachers, in order that the Common Schools throughout the Province, may be furnished with Schoolmasters who have had the benefit of a Professional Education.

7th.—That Certificates from the Principals of the Normal Seminaries ought to be required of applicants for licence to teach, of their having undergone a prescribed course of normal training, and of their competency to undertake the duties of a Schoolmaster.

Examiners might be appointed by Government to grant, on examination, Diplomas of Qualification.

8th.—That besides the Principals of the Normal Seminaries, there ought to be Professors of Didactics, whose prelections, those preparing themselves to be Schoolmasters should also be obliged to attend.

These Professors might be employed during the vacation months, in inspecting the Provincial Schools, for the purpose of seeing whether the system adopted by the Legislature, was carried out in practice, and in furnishing the Government, or Board appointed by the Government, with reports as to the efficiency of the Schools, the secular instruction afforded, their general regulation and management.

9th.—That Academies for the higher branches of education ought to be established only in Towns, as in Windsor, Pictou, Annapolis, Yarmouth, Liverpool, and Lunenburg.

10th.—That the inhabitants in the School Districts ought to have the power of appointing the Trustees, or Committee of Management of the Common Schools.

11th.—That the Trustees ought to have the appointing of the Teachers.

The Government could sufficiently controul Schools, unfavourably reported by the Inspectors, by its power to decide whether they shall continue Provincial Schools.

12th.—That the Common Schools ought to be supported partly by assessment—partly by a Provincial grant—and partly by very moderate tuition fees—the rates being, say, for the children of the junior department, Fifteen-pence per quarter—for the children of the higher

## APPENDIX No. 15.

higher department, Two Shillings—and for Scholars taught Latin, Greek, Mathematics, &c., in such Schools, a considerably higher rate.

13th.—That the Children of the Poor ought to be admitted into the Schools free.

14th.—That the minimum salary, from assessment of every Common School, ought to be fixed, say at £50 Currency, and to be increased according to a certain rate for every additional Scholar, say above 25.

15th.—That the Provincial Grant ought not to be an annual one, dependant as to its amount on the vote of the House of Assembly each Session.

The Schoolmaster's allowance from the Provincial Treasury might, however, vary according to his salary from assessment, that is to say: a School with a minimum salary from assessment might have a minimum allowance from the Provincial Treasury; and a School with an increased salary from assessment might have an increased allowance from the Provincial Treasury.

16th.—That the qualifications, as to the number of Scholars attending a Denominational School, ought to be an average of at least 25.

17th.—That in every Common School there ought to be daily Bible training, and daily reading of the Scriptures.

18th.—That the Government ought to prepare a directory for the guidance of the Teachers, and adopt a series of School Books on the several branches of Secular Education for the Provincial Schools.

Perhaps the Government ought to take charge of the publication of these books, that they might be furnished to Schools at as low a price as possible. But whether the Government concerned itself with the matter of publication or not, the effect of the introduction of a uniform set of books into the Provincial Schools would be a great reduction of the price of School Books.

In conclusion, we cannot refrain from taking occasion to say, that it has afforded us great satisfaction to learn that the School Act will be revived the ensuing Session of the next Assembly, as we are convinced from what has fallen under our own observation, that the education afforded under the present Act is lamentably defective; and that the best of our Schools accomplish only the faintest resemblance of the benefits which would certainly result from Schools placed on the footing on which our Provincial Schools ought to be placed.

We have the honor to be, Sir,

Your most obedient humble servants,

ROBERT WILLIS, D. D.; JOHN SCOTT,  
A. D. PARKER, L. HARTSHORNE,  
EDWARD H. LOWE.

The Hon. Sir RUPERT D. GEORGE, Bart., Provincial Secretary, &c. &c. &c.

## APPENDIX A.

By the last Mail from England we have been put in possession of the following deeply interesting extracts from Sheriff Alison's recent work on population:

"Scotland is the great example to which the advocates of Secular Education constantly point, in illustrating the effect of intellectual cultivation upon the character of mankind, and boundless have been the eulogiums pronounced upon the moral virtues, steady character, and provident habits of that once held the most intellectual portion of the European population. Doubtless, as long as Scotland was an Agricultural or Pastoral County, *and education was based upon religion, when the School-House stood beside the Church*, Scotland was a virtuous Country, and its population deservedly stood high in the scale of European Morality. But since Manufactures have overspread its great Towns, and a population has grown up in certain places, *educated indeed, but without the means of religious instruction*, and almost totally destitute of religious principle, the character of the nation, in this respect, has entirely changed, and it is a melancholy fact, that the progress of crime has been *more rapid in that part of the British Dominions, during the last thirty years, than in any other State in Europe.* It appears from the evidence laid before the Combination Committee,

tee, last Session of Parliament, that the progress of felonies and serious crimes in Glasgow, during the last sixteen years, has been beyond all precedent alarming, the population having, during that period, advanced about seventy per cent., while serious crime has increased *five hundred per cent.*

"In England, the committals had tripled in twenty-four years. In Scotland, in twenty-four years, there had been an increase of serious crimes of more than *thirty fold.*"

"The celebrated statistical writer, Moreau, thus sums up the progress of crime in the United Kingdom, for the last thirty years: 'The number of individuals brought before Criminal Courts, in England, has increased five fold in the last thirty years—in Ireland five and a half—and in Scotland *twenty-nine fold.*'

"Further, the tables below, compiled from the Parliamentary Returns of Crime, tried in Scotland in 1837 and in 1838, will show how exceedingly ill-founded is the opinion, that the majority of Criminals are *uneducated* persons:

Result	1837.	1838.
Total uneducated	693	551
Total educated	2360	2793

Thus the uneducated Criminals in Scotland are not so much as a fifth of the educated—and while the former are declining in numbers, the latter are rapidly increasing.'

"It is unnecessary to multiply evidence of a fact so perfectly apparent, of the total inadequacy of mere secular education, to check the progress of crime in the British Islands. But a very singular and a most interesting confirmation of the same principles has been afforded by the Criminal Returns of France, in the whole eighty-six departments—of which it has been found, that with hardly one single exception, the amount of crime is *just in proportion to the degree of instruction which prevails*, and it is no where so prevalent as in those Towns and Departments where Education has been carried to the highest pitch. This extraordinary fact, which, as Mr. Bulwer very candidly admits, has fairly overturned our highly preconceived ideas on the subject, is deserving of the most serious attention. Its authenticity is called in question only by that numerous class who will believe no facts which do not fall in with their own preconceived ideas.

"Returns of exactly the same character have been obtained from the Statistics of America, and are to be found in M. Beaumont and Tocquville's able work on the Penitentiary system of that Country, &c. &c."

## B.

By the establishment of denominational Schools would be avoided those collisions between the different Sects, which are so apt to occur at School-boards, and in School Districts. We all know how frequent these collisions are in this Province, and how unhappy they are in their consequences. As instances we may refer to the Pictou Academy in former years, to Lunenburg School last winter, and to that of Shelburne more recently.

For evidence of the general tendency to Denominational Education, we need look no farther than the Town of Halifax, where we see the National, the St. Mary's, the St. George's and the Wesleyan School each under the direction of a particular denomination of Christians. We may also advert to the late School of St. Matthews which was popular with the Congregation, and the deprivation of its benefits, by the appointment of the Teacher, the Rev. J. Mackintosh, to a Chair in Dalhousie College, felt and regretted.

The Acadian School, at present so ably conducted by Mr. Reid, is established on the principle of uniting various Sects; but it is known to all that its erection directly led to the erection of the National School; thus showing the disposition which exists for the denominational principle. The remarkable success of Lancaster in establishing his Schools on the liberal basis in Great Britain, was greatly owing to his being first in the field, and the description of Scholars of which his Schools were generally composed. We find also, that as soon as the nation was awakened by Lancaster's efforts, to a sense of its educational wants, the tendency to denominational education, immediately manifested itself, Denominational Schools, even for popular education sprang up all over the country.

If we look beyond popular Schools for evidence of the tendency in question, we see Windsor and Horton Colleges, and Oxford, Cambridge, and the Scotch Universities.

The

## APPENDIX No. 15.

The Pictou Academy and the London University are examples of Institutions on the liberal principle; but they cannot be referred to as Institutions which have won general confidence, or attracted the public regard by their harmonious working, or induced an assurance of their permanency.

## C.

The National, Roman Catholic, and Acadian Schools might be organized to serve as Normal Schools.

## D.

A professorship of Didactics, or the art of teaching, might be established in Dalhousie College.

The Professor with his Students could have access to the Normal and other Schools in Town that received Government support for the purpose of exemplification.

## E.

If a School of Fifty Scholars should entitle the teacher to an increased Salary from Assessment of £100, and should this School be divided into two denominational Schools of twenty-five each, the Assessment would remain as before. There would be two Teachers with minimum Salaries of £50. If instead of £100, we say £75, the dividing of the School would, in that case, cause an augmentation of £25 to the Assessment.

R. W. ; J. S. ; A. D. P. ; L. H. ; E. H. L.

*Windsor, December, 7, 1840.*

The Commissioners of Schools for the County of Hants met this day according to previous notice—present, a full Board. Among other things, took into consideration a Circular addressed to the Commissioners by the Secretary of the Province, requesting information upon certain particulars, and agreed, in answer, to report as follows :

That there are, as will be seen by reference to Abstract, about thirty Schools in operation within this County. In many cases the Masters are respectable, and such as are calculated to give a fair Common School education to the youth of the County. But in some instances the Teachers are not so respectable in attainments and moral character as could be wished for. The Commissioners have at times felt that they had no alternative but either to allow a School to remain vacant, or to accept of such Masters as the people could engage, although they should be in many respects not such as they could desire.

Whether the present scale of Salaries be sufficient for the present class of Teachers, the Commissioners do not undertake to give an opinion, but they feel warranted in saying, that if more competent and respectable Teachers are required for the County, a more respectable, certain, and adequate remuneration, must be provided before they can be had. In the opinion of the Commissioners, it might be an improvement in the School system, if the Clause in the present Act, providing for the Boarding and Lodging of the Master were omitted, and leave him, after providing for him, a certain Salary, like other persons, to make his own arrangements as to Board and Lodging.

The Commissioners have found it difficult to get any thing like uniform, and at times, correct returns, not owing to a disposition in the people to conceal or misrepresent, but in consequence of their not having access to the Act, and consequently, not knowing what it really does require. The Commissioners would therefore suggest the propriety, in a new arrangement for the support of Schools, to have a sufficient number of copies of the Act struck off, that every School might be provided with one; and also Blank Returns to be filled up and signed, and Blank Engagements to be entered into, and also Blank Abstracts, to be filled up and returned to the office of the Secretary of the Province. This would have the effect of introducing uniformity and order into the system.

As respects the question of assessment for the purpose of education, appreciating as we fully do the benefits that would be experienced by future generations, if not by the present

one, from the general diffusion of education among all classes of the people, yet the subject presents itself to our minds as one of considerable difficulty, and on which a great difference of opinion is known to exist among the people of Nova-Scotia. When we contemplate it in this light, and reflect upon the existence of a Provincial Statute which authorises an assessment for the object of education, where it meets with the approbation of two-thirds of the inhabitants, and reflect that this question is one that will hereafter be discussed in the two branches of the Legislature, we are not prepared, without knowing the sentiments of the people, as expressed by their Representatives on a matter which so deeply affects their interests and their feelings, to recommend at present the principle in question, any farther than it may be sanctioned by the present Statute.

As regards Combined Common and Grammar Schools, we have at present three in operation. The Masters do not profess to teach the Classics in the Districts where the Schools are established, they are not required; but the Masters undertake to teach all the other branches required by the Act.

For an account of what they actually do teach, as also the numbers taught, we refer you to the accompanying Abstract,

JOHN ALLISON, E. F. HARDING, W. H. SHEY,  
W. C. KING, L. M. WILKINGS.

*Report of the Commissioners of Schools for King's County.*

In compliance with the wishes of His Excellency the Lieutenant-Governor, expressed to us in the Circular transmitted by the Secretary of the Province, we beg leave to report as follows:

As the chief object of Legislation, on the subject of Common Schools, is to place within the reach of the poorest classes of the people the means of obtaining a useful and suitable education, and at a low rate, any system which is deficient in these respects must necessarily be imperfect in its nature, and fall far short of the end which the Legislature endeavoured to accomplish.

At the same time also, the funds of the Province appropriated for this purpose, no matter with what liberality bestowed, must, in their expenditure, be of little avail, unless the masses of the people derive real and substantial benefits by their assistance.

The defects of the present system are numerous; and, amongst these, one of the most glaring is, that with the exception of those children who are instructed gratuitously in each District—and of this number there are very few, in consequence of all Schools being conducted on the same system, and the tuition established at a fixed rate, the poor man who supports his School, is obliged to pay as much as the rich in the education of his children; and the public allowance which was intended to be beneficial to the poor alone, serves only to add a little more to the Teacher's salary, and yet, at the same time, is altogether too trifling to induce men of education, or liberal attainments, to engage in the occupation.—In consequence, therefore, of the small allowance afforded in extensive Counties to the Teachers of Common Schools, the character of those engaged in teaching has not been raised; and although many who are employed are altogether unfit for the situation, it would be invidious on the point of the Commissioners to refuse to afford them any allowance as long as the people who employ them are satisfied with their services.

In many parts of this Country, and in very remote Settlements, the population is too small, and the people too poor, to employ a Teacher regularly during the year; and, under the present system, the Commissioners are so fettered and cramped by the existing Law, that they have it not in their power to reward liberally any individual who might feel disposed to instruct. The Law provides that every Teacher's engagement must be for the year, to entitle him to the Provincial allowance, although the instructions to the Commissioners authorize the payment half-yearly. The Teacher, therefore, who instructs for six months only in such a remote Settlement, where the people are too poor and few to employ him during the year, receives but a paltry allowance—the consequence of which is, that those who ought to be assisted the most receive the least, and very often are without the benefit of any education whatever.

The

The same difficulties arise in the case of Female Teachers, whose services are most beneficial in instructing children of tender ages; their habits of life, and the inclemencies of the weather, prevent their teaching School during the winter months, although they are usefully employed during the Summer, and afford every satisfaction. Under the present Law they receive a remuneration far short of their merits, not coming within the letter of the Act, which provides chiefly for Annual Schools.

The Commissioners therefore feel themselves restrained and fettered in the discharge of their duties—they have no power to reward individual merit, or encourage superiority of talent, when they discover it in a teacher, and can hold out no adequate inducement to men of superior minds to undertake an occupation which seems not to be guarded as it ought.

But whether these, with many other defects of the system, are capable of being removed by assessment, *is in itself* a question of no great difficulty to propound. No doubt the immediate result of such a change would be, that the rich would be obliged to pay principally for the education of the poor; but with this, there are other questions connected of some importance, which require mature consideration; it seems evident that the people generally are not desirous of supporting Schools by assessment, inasmuch as that, although they have at present the power, they have not exercised that power in any one instance in this County, and as we have been informed, not in the Province; and that legislation, to say the least of it, seems doubtful, which would press any thing upon the people against their inclinations, although the object may appear desirable.

The imposition of any Tax upon the people of the Province, no doubt, would be viewed with suspicion by many, particularly as we have at the present time a flourishing Revenue, capable, if properly applied, of encouraging, with sufficient liberality, our Schools, our Roads, our Agriculture, Fisheries and Commerce. If our Revenue were small and insufficient for such purposes, the Government might with more propriety recommend Taxation, and the people more graciously submit to it. Upon this subject we refer His Excellency to the superior intelligence of the Members of the County, who, no doubt, have well considered this as well as the other important subjects to be brought under their notice. With respect to the ability of the Masters of the Combined Common and Grammar Schools to teach all the Branches enumerated in the second Section of the Act, we have only to remark that, in consequence of the written opinion of Her Majesty's present Solicitor General, namely, "that he did not consider it necessary that a Teacher of a Combined Grammar and Common School, should be competent to teach all the Branches mentioned, provided, he were competent to teach all that might be required in the School." The Commissioners of the County, although entertaining themselves a different opinion, since that opinion, and coming from such an individual, was thus expressed, have acted upon it, and not refused to appoint a Teacher to a Combined Grammar and Common School, because incompetent to teach all the Branches required by the Act, if he were qualified to teach what the people required of him.

In the three Schools of that description in this County, two of the Teachers are competent to teach all the Branches. The annual Returns of which Schools are herewith transmitted.

With respect to these Combined Schools, we do not consider the benefits derived from them commensurate with the additional expenditure. In this and other Counties, where Academies are in operation, under the superintendence of literary and scientific men, those persons who have the ability to give their children the best education within their power, will, of course, send their children wherever a School promises most advantages; and the children of the poor, who are taught in these Combined Schools, have certainly not proper instruction given to them, in consequence of the immediate attention of the Teacher being directed to those Scholars who are taught in the higher Branches.

We think, therefore, if this Fund were added to the Common School Fund, it would be expended more beneficially, particularly if the Commissioners had the power, in certain instances, to increase the Salary of any Teacher who might be particularly deserving.

Horton, 1st December, 1840.

JAMES ALLISON,  
C. H. RAND.

*Annapolis*

*Annapolis, December, 10th 1840.*

SIR,

We have the honor, respectfully, to reply to your letter of October 28th, addressed to us by the direction of His Excellency, and containing several inquiries relative to the School Act, and the subject committed with it.

Upon considering the efforts of the present system, we are of opinion, that notwithstanding some defects in itself, and some difficulties in bringing it into exact operation, the result in the whole has been highly beneficial. The character, ability and comfort of the teachers, have gradually, with but few exceptions, been improved; the number of children instructed has increased; and in several of the Common Schools have English Grammar, Geography, and the higher branches of Arithmetic been introduced.

Greater advantages may perhaps be justly expected from the steady operation of a Law than from frequent alterations in it; yet in the probable revision of the School Act, it appears to us desirable, that the several amendments, made since its promulgation, should be so embodied as to form one distinct and complete whole.

In the application of the Eleventh Section we have experienced so much embarrassment from the irregularity with which Schools in the poorer and more remote Settlements are sustained, and the apparent waste of Books when gratuitously distributed, that while we have endeavoured to carry the spirit and intent of the provision into effect, we have always desired greater discretionary powers for departing from its letter. We are not, in fact, aware that any practical inconvenience would result from the entire omission of that part of it, which relates to the peculiar distribution of Seventy Pounds, and the purchase of Books and Stationery.

The subject of assessment has received our most attentive consideration. With regard to the equity of its principle, and the great advantages, on many accounts, which would have ensued had that principle been introduced into the early Institutions of the Province, we can entertain no doubt whatever. But when we take into view the actual condition of the Country, the distress which must follow the collection of any considerable increase in the amount of assessed taxes, and the general feeling of the people themselves on the subject, we hesitate to recommend its adoption, except under some very gradual and modified form. No little difficulty and delay are experienced in raising the Poor and County Rates, moderate as they must be esteemed. An assessment for the support of Schools would increase these nearly fourfold, and must be felt, particularly by the poorer class of farmers, as a very serious burden.

The amount specified in the Abstract furnished by the Clerk of the Board, as now raised by the people for the support of their Schools, is paid almost wholly in Agricultural produce and in small instalments, consequently in the mode best suited to their means, though not the most advantageous for the Masters, many of whom receive no other money than that bestowed from the Provincial Bounty. The assessments must be paid in each; and with but little regard to the peculiar condition of those on whom they are levied.

We are not aware that the provision contained in the Fifth Section of the present School Act has ever been brought into actual operation; the inference deducible from which appears to be, that should assessment be considered by the Legislature as the most eligible method of supporting Schools, the system of enforcement must be carried out, the amount assigned to every District must be actually raised, and a master imperatively placed, without any reference to the opinions, or perhaps wants of the inhabitants themselves, who entirely unaccustomed to any thing of the kind, would often regard that as a sore grievance which was intended for the general good.

After much discussion, and some difference of opinion on the twenty-first Section of the Act, respecting the qualifications of Teachers for the combined Grammar and Common Schools, the interpretation adopted by the late John Johnston, Esq., then one of this Board, and at the same time a member of the House of Assembly, was adopted; which left it for the Commissioners of Schools themselves to require, or not require, classical attainments, as absolutely necessary. They have in consequence been dispensed with, but the various branches of a superior English education have been always expected. The Teachers employed are qualified to give Instruction in English Grammar, History, Geography, Geometry.

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metry, Trigonometry, Mensuration, Navigation, Surveying, Algebra and Book Keeping. The number of pupils now taught in these branches of useful learning is, at Albion Vale, thirty-seven, at Bridgetown, nineteen, and at Lawrence-town, sixteen.

It appears to us desirable, that in any new Act, or revision of that now in force, no doubt should be left on the point referred to above ; yet, we beg leave to express our conviction, that the Schools in question, as they now exist, are of essential service to the Community, and are well adapted to train up Teachers of Common Schools, suited to the wants and circumstances of the Country.

We suggest, that the name, somewhat awkward, being omitted, they might be placed in the first class of Common Schools, without, however, deducting any thing from the assistance they at present receive from the public ; and further, that the oaths now required of the Trustees respecting them, should, in future, be altogether dispensed with.

We have only to add, that in these sentiments we all cordially unite. The Rev. Mr. Bill informed us by letter, and that it was not in his power to attend, and we have been informed that he has since removed from this to the neighbouring Province.

We remain with great respect,

Your obedient servants,

EDWIN GILPIN,  
THOMAS JAMES,  
J. M. CAMPBELL,  
HENRY GOLDSMITH.

To Sir RUPERT D. GEORGE.

*Yarmouth, January 1, 1841.*

SIR—

In reply to your Circular of the 28th October, we beg leave to state that—

We think it may be expedient to introduce the principle of assessment, as a fundamental part of a system of Education in this Province—provided it can be carried to a limited extent, and be restricted by certain modifications—which limitations and modifications we do not conceive that His Excellency now calls on us to specify.

Under any plan adopted, we would recommend the establishment of one or more Training Schools for Teachers.

And whether the present Act be amended and continued, or not—that the duration of the law be extended to at least seven years, as the want of permanence in the means which have been placed at the Board's disposal, has made them less efficient than they would otherwise have been.

We would also suggest, that in case Assessment should be adopted, a portion of the funds raised for the use of the Schools be contributed as heretofore from the general Revenue of the Province.

There is at present no Grammar School in this County, except the Academy.

We have the honor to be, Sir

Your obedient servants,

ALFRED GILPIN,	} Commissioners of Schools.
JOHN BINGAY,	
JAMES LENT,	
JOHN MURRAY,	
HENRY G. FARISH.	

The Honourable Sir RUPERT D. GEORGE, Bart., &c. &c. &c.

*Barrington, January 6th, 1841.*

GENTLEMEN—

We have received your copy of the Circular of October 28th, on the subject of Education ; and, in case we should not be able to join you in a general meeting, we beg you to receive this as the result of our joint-ideas, premising, however, that they regard

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regard this Township alone, although they may perhaps be applicable in many instances, between Cape Sable and Canso, if not in other situations.

This Township contains a population of upwards of 600 Families, and from the general unproductiveness of the soil, the inhabitants derive their principal support from the Fishery, and of course, plant themselves as near as possible to High-water mark.

In following this mark from Cape Negro Island to Pubnico Point, it may be safely asserted that it much exceeds 200 miles; and as the Inhabitants are, in general, settled on its margin, (with the exception of Oak Park, and two or three other spots,) may be said to be nearly equidistant from each other through its whole extent; we shall, however, select an instance in which we can speak with precision.

Cape Sable Island contains about 160 Families, and is wholly inhabited by Fishermen, who probably contribute more value to the export of the Province than any other equal number within it. The extent of the shore is at least thirty-two miles, and they all live within musket shot of High-water, and at nearly equal distance from each other. In what manner an Assessment can be exacted from them, and from which they can enjoy a corresponding benefit, we leave to the Legislature to determine.

Whilst we fully subscribe to the abstract principle of universal Education, we trust that we may be allowed, from the above statement, to express a doubt how far a direct Assessment, with a view of prospective benefit, will be generally understood and appreciated by the general mass, for whose benefit it is principally intended.

Of the different School Masters within our Township, who receive any Provincial allowance, their duties and abilities are bounded by Grammar, Writing and Arithmetic. Of the minor Schools, we have considered the habits of regularity and subordination as of considerable advantage, while we are ready to allow whatever Reading and Writing is taught in them, is, in some instances, in a very indifferent degree, and stands in need of complete revision and improvement.

We now enclose the returns for the last season, in as far as they have been rendered—there are some omissions, which we expect in a few days.

It would be imposing a great hardship on Mr. Robertson, at his advanced age, to exact from him a journey twenty-five miles at this season, for the purpose of signing the report, although, had the roads been good, he would have been pleased in being present.

We are, your most obedient,  
W. ROBERTSON,  
T. O. GEDDES.

To Rev. D. ROWLAND, Rev. M. WHITE, JOSHUA SNOW, Esq., Shelburne.

*To His Excellency the Right Honorable Lord Viscount FALKLAND, K. G. C. Lieutenant-Governor, in and over Her Majesty's Province of Nova-Scotia, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY—

The Commissioners of Schools for the County of Shelburne, in transmitting their Annual Report and general Abstract for the year ending 1st December, 1840, would respectfully apologize for the appearance of neglect in not complying at an earlier period with your Circular of 28th October.

The want of punctuality in the larger Schools in sending in their Returns, some of which were not received prior to the 26th ult., and the non-reception of the list of minor Schools, from the Township of Barrington, which have not yet been handed to the Clerk, have precluded the Commissioners from hitherto obeying His Excellency's command.

The Commissioners have to regret that the number of minor Schools in this Township have greatly diminished—this they lament the more, experience having taught them; that Schools of this description are the most effective in disseminating the rudiments of an English Education among the numerous, yet scattered Settlements, along the Shores of this County.

We are well aware, however, that from peculiar circumstances, the number of minor Schools are usually much less from June to December, than from December to June.

With

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With the correctness of the Returns in general, the Commissioners were satisfied; there was, however, we regret to say, one exception, that of the School in this Town. The Return rendered to the Commissioners was calculated to leave an impression respecting the condition of the School; so widely different from what they knew to be its actual state, as well from the acknowledgement of the Trustees themselves, as otherwise, that they could not, consistently, with what is conceived to be their duty, pass it without its being amended. The amendment required by the Commissioners was, that the Trustees should state the number of pupils at the time they examined the School; this, we think, very reasonable and moderate requirement, they, at least one of them, pertinaciously refused to comply with, reporting, at the same time, highly abusive language from the Teacher in charge of the School. Under these circumstances, the Commissioners directed their Clerk not to pay the Provincial allowance over to the Trustees until the amendment was made. We regret this state of things, and would gladly have avoided any collision with this School, inasmuch as it has already been the cause of an unhappy disunion in this hitherto peaceable Town.

As regards our opinion upon the expediency of introducing the principle of Assessment as a fundamental part of the School system, the Commissioners fully approve of the principle, and indeed think that no system will be effected without it. It is in our opinion a measure well adapted for concentrated Settlements: in those where the inhabitants are more widely distant from each other, its benefits, at first, may not so evidently appear, and perhaps may press hard upon individuals—these, however, are circumstances which time alone will fully develope, and doubtless, will be fully provided for by the wisdom of the Legislature.

There is no Combined Grammar and Common School in this County; and this obtains not from any unwillingness of the people to do their utmost for such a School, but from the fact that no competent person could hitherto be met with to enter upon such a charge. We have great hopes, however, that this want, so deeply felt by very many in this Town in particular, will shortly be supplied.

We have the Honor to be,

Your Excellency's most obedient servants,

THOMAS B. ROWLAND,  
THOMAS H. WHITE,  
JOSHUA SNOW,  
THOMAS O. GEDDES.

Shelburne, 7th January, 1841.

*Liverpool, 25th January, 1841.*

SIR—

We have the honor to acknowledge the receipt of your Letter respecting the proposed revision of the School Act, at the ensuing Session of the General Assembly.

Our reply has been delayed for want of some information we had sought from the various sections of the Country. We felt anxious that our Report should, in some degree, correspond with the general feeling of the people, and therefore we addressed Circulars to the Trustees of the different Districts, soliciting their views. From many of them we received answers; but there prevails a considerable difference of sentiment, especially upon the principle of Assessment.

It is our opinion that the public mind of the County is not prepared for such a measure. A large majority are decidedly opposed to it; and though we feel sensible of the numerous defects of the present system, we should be unwilling to recommend so decided a change in the principle, when there exists so little prospect of its harmonious working.

The desire for Education has certainly increased to a considerable extent in this County, as is quite manifest, from the increased number of the children now to be found on the Returns; but there is still wanting that energy and zeal in the cause which are requisite to sustain such description of Schools, as ought to be found in most of the Districts. The allowance is so small that very inferior Teachers can be provided; and, consequently, the very humblest branches are commonly taught. To this, it is true, there are some exceptions;

tions; the cause is to be traced to the general want of Education amongst the Parents, and the little value they place upon it. The class of persons we have been obliged to select as Trustees, are, in most instances, equally destitute of Education; and, with such aid, scarcely any system could be expected to work with advantage.

Under any plan that could be devised, some time must elapse before competent Teachers could be provided to supply the very general want in the Province. We deem it necessary therefore, for this object, amongst others, that there should be in each County one School at least where the higher branches may be taught, and to which young persons should be invited and encouraged to attend, who contemplate devoting themselves to the profession of a Teacher. Such a liberal compensation should be provided for the Master, as will command a person well qualified for the duty. We consider that such a School, under good management, would exercise a powerful influence, and awaken a spirit of improvement throughout—the absence of which we have now so much cause to complain of. Such an Institution ought not, however, to interfere with the provision essential for the support of Common Schools, for, without Provincial aid, these cannot be kept up, even in their present condition.

We are ourselves not decidedly opposed to the principle of Assessment, if a system could be framed so as to reach the scattered situation of our Settlers, and the sum raised, only a portion of the amount required for the Teacher. There are, however, so many particulars connected with the details of such a measure, that we scarcely know what remarks to offer, without first perusing the Bill; and, on this account, think it advisable that it should be published, before it is submitted for adoption by the Legislature, if it is the intention of Government to frame it upon this principle.

With respect to the Combined Common and Grammar Schools in this County, we have at present but one in operation—that is in the Town of Liverpool. The Master is possessed of respectable qualifications, and perfectly competent to teach all the branches required by the Act. We enclose a Return of this School, exhibiting the number of Scholars—their names, ages, and the various studies in which they are engaged.

We have the honor to be,

Sir, your obedient servants,  
 J. T. T. MOODY,  
 JOSHUA NEWTON,  
 SAMUEL P. FAIRBANKS,  
 JOHN BARSS,  
 NATHANIEL SMITH.

To Sir RUPERT D. GEORGE, Bart.

Lunenburg, 29th January, 1841.

To the Honourable SIR RUPERT D. GEORGE, Bart.

SIR—

The Commissioners of Schools for the County of Lunenburg beg leave to submit, for the consideration of His Excellency Lord Falkland, that they would sooner have replied to your official Circular, on the subject of Education, but that one of their number, the Reverend Dr. Shreve, residing at a considerable distance, in the Town of Chester, it was difficult for them, sooner, to have a full meeting; and that, being solicitous to comply with His Lordship's desire on this subject, they were exceedingly unwilling to transmit their Report, without previously submitting it to Dr. Shreve's observation.

The Commissioners are unanimous in their opinion, that the present School system is lamentably inefficient. They deem its failure, in almost every essential particular, to realize the expectations and purposes of its framers, as too palpable to be for a moment denied; and it appears to them that no great acuteness or discernment is requisite to discover the causes of this failure. *It leaves the localities, the permanence, the very existence of Schools—it leaves the character and qualifications of Teachers—too much at the option and the discretion of the multitude.* In many instances, the persons who are to decide these important

important questions, are wholly unfit to appreciate the advantages of Education; or they shrink with an unworthy parsimony from the sacrifices necessary for its suitable support; or they fritter away their means by selfish contentions and divisions among themselves; or they frustrate their own intentions by engaging persons unfitted for the office of Teachers by their general habits, and want of necessary qualifications.

The Commissioners are therefore decidedly of opinion, that Government should take the subject of popular Education more exclusively into its own hands; and their own prepossessions on this question have been powerfully confirmed and strengthened, by considering the results which such a line of policy is now producing in other lands.

If, for instance, they turn their attention to Scotland, they there discover a multitude of facts which sustain and vindicate their views. That may emphatically be termed the land of popular Education. There, though no compulsory attendance on Schools is enforced, as in Prussia, the measure of Education, necessary for the purposes of life, is open to, and attainable by all the poor, as well as by the rich. There, the law rigorously provides that each of its twelve hundred parishes shall have a respectable public Seminary, independent of all the Institutions which are supported by private munificence; there, the same authority establishes an equitable and adequate support for the Teachers; there, a salutary and active supervision is exercised over the qualifications and conduct of that useful class of men; and there, the comforts and permanence of the situation offer powerful inducements to prepare themselves, and to become candidates for the office.

It is respectfully submitted, that all these precautions are equally necessary in this Province. It would be vain to deny, that the requirements of the present law are, in too many instances, shamefully evaded; and it would be equally vain to deny, that Commissioners are often, in some measure, compelled, by the numberless difficulties which encompass them, to connive at these evasions. So long as the remuneration of the Master is left to the liberality or the good feeling of the community, ignorant men will barter future benefits for present cheapness—candidates for the office of Teachers will too frequently be found among the most unworthy—and respectable characters, perceiving no adequate inducements in this avocation, will naturally seek comfort and independence in other walks of life. Every day's experience proves the truth of this.

The Commissioners are indeed aware, that it is much easier to point out the deficiencies of our present system, than to discover an effectual remedy; and that there may be no small difficulty in adapting to a new Country, like Nova-Scotia, the system of England or Scotland, matured by the wisdom of ages, and facilitated by the wealth, the intelligence, and the dense population of these enlightened lands. They do not, however, relinquish the hope, that these systems may, to some extent, be accommodated to our own circumstances, and that, although they cannot be carried out in all their details, there may, nevertheless, be extracted from them so much as can safely be rendered applicable to our present position.

They beg leave to submit, that Legislation, on the subject of mental culture, should not be contracted or limited in its scope. It appears to them that one great deficiency in all which has hitherto been done, is, that it has been throughout a system of temporary expedients, having no efficiency in its present operations, and no stability or permanence in its character. They cannot refrain from expressing the sentiment, that, however little of the whole Scheme can immediately be accomplished, the Scheme itself should be large and comprehensive in its bearings, and have reference to the prospective improvement of our rapidly advancing Country, as much as to its present state.

With these impressions, they venture strongly to recommend, for the purposes of Education, a general assessment of every Inhabitant of the Province, liable to pay other assessed taxes. Without question, such a measure would be highly unpopular with those who, from want of consideration, or other less worthy causes, do not look to its ultimate results; but they feel satisfied, that the public mind is expanding to this subject, and that a few years experience of its beneficial consequences, will eventually convert many, who are now its sturdy opposers, to a more liberal way of thinking. Within the sphere of their own influence, they have already found argument and explanation wonderfully effectual in removing prejudices.

The advantages of such a system are undeniable, and so numerous, that the Commissioners find it difficult to point them out, without swelling this Report beyond what they consider consistent with propriety. They cannot, however, refrain from adverting to the reluctance they very generally discover in parents, to allow their children remain for any reasonable period at their Education, and to the unwise economy which prompts them to engage as Teachers very unfit persons, whom they take into their families, and whose services they obtain at little more than a nominal remuneration. The labouring classes consider the loss of their children's work, in itself, a very heavy tax; and when to this is added, a demand for the positive outlay of money, they esteem these combined sacrifices as a sufficient excuse for neglecting the Education of their children entirely. If any thing be done to remedy this, it too often is, as already stated, by hiring some characterless wanderer for the winter months, and thus all attempts at forming one central respectable School, are completely frustrated. Indeed, it too often happens that Parents cannot be persuaded to send their children to School, even when the advantages of Education are offered to them gratis. The Commissioners are therefore decidedly of opinion, however despotic this may seem, that a provision should be made in the law, for preventing individuals, under adequate penalties, from entering into such private arrangements with Teachers, and without the consent of the Commissioners, as would tend to break up the general and central School, afterwards proposed for each District; and they think that a general assessment would not only be the least obnoxious method of doing this, but that it would also call into exercise powerful motives for bringing within the influence of Education, all who are capable of profiting by it.

Men, who will not voluntarily pay for the Tuition of their offspring, or who will not even consent to forego their services, for the sake of their obtaining instruction gratis, will yet, it is presumed, be unwilling to lose its advantages, if they are, nevertheless, compelled to contribute towards the Education of others. It is scarcely necessary to add, that if they are compelled to support a central School, they will not be very ready to increase their own burdens, by the additional cost of hiring private Teachers in their several families.

The Commissioners would, however, regard it as worse than useless to raise the largest desirable amount of funds, unless their expenditure be scrupulously guarded; and therefore they submit, that authority should be vested in the Commissioners, to fix the localities of each and every School within their respective Counties, and that no public aid should, on any plea, be allowed to any other Schools than those thus fixed and determined on. The ever varying state of our Country may seem to render such an arrangement inexpedient, but they think that this objection could be obviated, by the Law providing for a revision of the several localities, at the end of a certain term of years.

In order that a sufficient inducement should be offered to respectable men, for looking to the office of Teacher as a permanent employment, the Commissioners would respectfully suggest, that the whole amount thus assessed, should be collected into a *general fund*, to be apportioned equitably to the several Counties; *that in no instance should the amount of salary be left to the decision of the people*; and that the amount of remuneration offered should be on so liberal a scale, as to become an object of men of correct moral conduct, and of respectable attainments. Above all, they deem it essential to the success of any rational scheme of Education, that those, undertaking the business of Tuition, should have the right of considering themselves permanently engaged, *ad vitam aut culpam*, in the public service; and that restlessness or love of change on the part of Parents or of Guardians, should not be considered a sufficient reason for throwing them out of employ.

In the present state of the Province, it is evident that a very great difficulty must be experienced in obtaining the services of Teachers qualified, in any reasonable measure, for the duties of their office. Perhaps it may not be too much to say, that this Board, if it had a choice, would willingly discard two-thirds of the number now employed in the County; and it is certain that a considerable period must necessarily elapse before this difficulty can be thoroughly remedied. But besides, that the superior advantages offered by the new system now proposed, would attract to us men of intelligence and of education from other Countries, it is conceived that the Legislature might and should provide for training proper Teachers among ourselves. For a similar purpose, a Normal School has been established in

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in Glasgow, which sends its Alumni, not only into the remotest Districts of Scotland, but also into England, and even to our far distant Colonies. One of these, it is understood, is now teaching with distinguished success in our own Metropolis; and it surely is not expecting too much from our Legislature, that they should establish a Normal School in this Province, whence efficient Teachers might annually issue, to spread the blessings of an improved and harmonious system of Education throughout our hitherto neglected Settlements. Were the Boards of Education, in our several Counties, to give a preference to such—or, rather, were a general Board established in Halifax, by whom the moral and literary qualifications of Candidates must be examined—were no Teachers to be received by the Commissioners, save such as could produce ample Testimonials from this Board, and were a superior Classical Seminary, or comprehensive Grammar School established in each County Town, it seems no wise presumptuous to anticipate a rapid and visible improvement in all our Schools.

The same system pursued in all—inducements addressed to the natural ambition of the human mind—an honourable rivalry called into exercise, and a fresh aim and impulse given to the selfishness of Parents, would, it is hoped, produce results highly beneficial to the rising generation.

In the whole County of Lunenburg there is but one Combined Grammar School. In it there are

1	Taught Navigation and Geometry.
11	Geometry and the use of the Globes.
29	English Grammar.
33	Geography.

The Master of this School is not understood to profess a full and perfect acquaintance with the Classics. All which is respectfully submitted.

JAMES C. COCHRAN, DONALD A. FRASER, } Commissioners  
JOHN HECKMAN, JAMES SHREVE. } of Schools.

*To Sir Rupert D. George, Bart., &c. &c.*

SIR—

The Board of Commissioners for the County of Colchester had the honor of duly receiving the Lieutenant's "Circular," on the subject of Schools.

At their half yearly meeting on Monday last, they took into consideration the contents of His Excellency's Letter.

There was a discrepancy of opinion among the Members upon some points. In consequence thereof, no Report was agreed upon.

JOHN BURNYEAT,  
President of the Board.

Truro, December 23, 1840.

TRURO, 23d DECEMBER, 1840.

*To Sir Rupert D. George, Bart. &c. &c. &c.*

We, the undersigned Members of the Board of Commissioners of Schools for the County of Colchester, beg to acknowledge the receipt of His Excellency's Circular, upon the subject of Schools, of the 28th of October last, and to state, in reply, that the questions submitted by His Excellency, have been taken into careful consideration by the Board, and that some little difference of opinion exists between the Rev. Mr. Burnyeat, the Chairman, and the other Commissioners, on the subject on which information is required.

Mr. Burnyeat has given us to understand, that he will transmit to His Excellency, a separate statement of the views which he entertains on the subject. It will therefore be unnecessary in this report to make any mention of the grounds of his dissent.

As regards the question of assessment, we are of opinion, that the principle would not, in this County, be likely to be attended with useful results, or to give general satisfaction.

We

We have no objections to the abstract principle, but we conceive that it is suitable only for Countries more advanced than ours in wealth and population. The out-settlements would no doubt derive a great advantage from its adoption, as nearly the whole of the assessment would be borne by the residents in Villages and the older Settlements, and the imposition of a heavy burden upon these, levied too as a direct tax, would be felt as a grievance, and be, we are persuaded, the source of much dissatisfaction.

We have also to remark, that there is one advantage in the mode of voluntary support, which would be lost by rendering the Teacher independent of the people. Under the present system, the amount of a Teacher's Salary depends much upon the satisfaction he gives to his employers, and his private interest furnishes a motive to emulation, which would not exist if he were supported by compulsory contribution.

Under these circumstances, we should not feel justified in recommending any extensive alteration in the School enactments. We think, however, that much good would result from a grant to each County, sufficient to enable the Commissioners to apportion from Ten to Twenty Pounds to each School in the County, according to their discretion, and the merits of the Teacher.

We would also suggest the propriety of appointing a Commissioner in every Section of the County, who should be required to take a particular oversight of the Schools committed to his charge, and to make a half yearly report to the President upon the qualifications of the Teacher, and the proficiency of the pupils.

With respect to the Combined Grammar and Common Schools, there are three in operation in Colchester.

The Teacher at Truro was for some years employed as a Schoolmaster in New-Brunswick. He afterwards attended the College at Horton some time, and before his engagement here, he underwent an examination, which Mr. Burnyeat pronounced entirely satisfactory.

The Teacher in Onslow was educated at the Academy in Pictou, and on examination by Mr. Burnyeat, was found qualified for the situation he held.

The Teacher at Tatamagouche has been long employed as a Schoolmaster, and we believe him to be a man of good Classical attainments, and well qualified to teach all the Branches required by our School Act.

The Students in the higher Branches are as follows:—

*Truro.*—Greek, 3; Latin, 8; Mathematics, 6; Geography and Grammar, including the whole of the before mentioned, 21.

*Onslow.*—Latin, 4; Mathematics, 1; Geography and Grammar, including the whole of the before mentioned, 11.

*Tatamagouche.*—Latin, 4; Mathematics, 1; Geography and Grammar, including the whole of the before mentioned, 14.

We beg to intimate our opinion that the introduction of Chambers' Educational Course into the Common Schools, would be the means of improving their character and efficiency.

We have the honor to be,

With respect, yours, &c.

E. B. BLANCHARD, JOHN BONYMAN,  
A. M. UPHAM.

Mr. Elliott, with his compliments to Sir Rupert George, begs to apologize for not sending the accompanying Letter from the Commissioners on the subject of Schools by the last Post. It was delayed, that all the Commissioners might have an opportunity of expressing their sentiments. The Honourable George Smith has not signed it, as his opinions on the question of general assessment are somewhat different from those entertained by the other Commissioners. Such being the case, it was considered right to transmit the recorded opinion of the four, and leave Mr. Smith to forward his own views in a separate Letter.

Pictou, January 21, 1841.

*Pictou,*

*Pictou, January 12, 1841.*

SIR,

The Commissioners of Schools, for the County of Pictou, beg to acknowledge the receipt of your Letter, dated the 28th of October, requesting them to give their opinion on the operation of the present School Act; and to offer any suggestions which may be useful in framing future enactments relative to Education. In reply, the Commissioners would remark, that the General Abstract will exhibit an increase in the number of Schools, the number of Scholars attending them, and also, an increased amount of Salary for the respective School Masters. Though the Commissioners are sensible of defects in the present Act, they are not prepared to say how far the system of Assessment would remedy these defects, while the circumstance of its having been for some years open to the People's choice, and in no instance embraced; leads them to the conclusion that it would not be popular. The Commissioners are, however, so far inclined towards it, that they would not object to see it tried, could it be introduced in that gradual way which would meet the wishes of the People at large.

With regard to the operation of the present Act, there are two points to which the Commissioners cannot but advert; it does not appear, by their interpretation of the Act, that they are at liberty to refuse a School Licence, on any application which is accompanied by the requisite documents, viz:—a guarantee for the attendance of so many Scholars, and a Bond securing to the Master a certain amount. These documents, notwithstanding every vigilance on the part of the Commissioners, are often fraudulently obtained, and the consequence has been, that Schools have multiplied to the detriment of each other, and the discouragement of the better educated School Masters. It must be evident also, that the present Scale of Appropriation does not assign to the County of Pictou its due share of the sums appropriated for the advancement of Education. If the Population be adopted as the standard, the County of Pictou receives little more than half, in proportion to the neighbouring Counties of Sydney, Cumberland or Colchester. The present grant does not allow, on an average, Seven Pounds per annum, to each Schoolmaster, a sum which, it may readily be conceived, holds forth but little encouragement to men of talent to offer their services.

The three Teachers receiving the allowance for combined Grammar and Common Schools, are competent to teach all the Branches specified in the 21st Section of the Act, though the Commissioners, in their interpretation of this Clause, have not deemed it necessary that the number required by Law should learn all the branches specified; but that there should be the required number learning one, more or all, of the said Branches. The Commissioners have, however, considered the teaching of the Classics as an essential Branch of Education in these Schools. In the School at New Glasgow there are three Latin Scholars, and twenty-two learning the English Grammar and Geography; in that at Merigomish there are one Greek, five Latin, and eleven English Grammar and Geography. In the one at the West River, there are two Latin Scholars, and fourteen learning English Grammar and Geography.

All the Commissioners usually attend the meetings of the Board, unless absence from the place, or some particular impediment, shall prevent. The last general Return was not signed by the Honorable George Smith, as he had not then returned from a visit to England.

We have the honour to be,

Sir, your obedt. humble Servants,

CHARLES ELLIOTT,  
HENRY HATTON,  
ABR. PATTERSON,  
JAMES CRICHTON.

To the Honble. Sir RUPERT D. GEORGE, Provincial Secretary.

*Antigonish, 15th Dec. 1840.*

SIR RUPERT,—

In obedience to the commands of His Excellency the Lieutenant Governor,  
transmitted

transmitted to us in your Circular letter of the 28th October last, we have duly considered the several matters thereby submitted to us. First, at a general meeting of the Board, held on the 1st inst. at which all the Commissioners were present, with the exception of Mr. Leaver, who was unexpectedly detained by professional duties, after having agreed to the time and place of meeting; and secondly, at another general meeting held to-day, at which all the Commissioners, including Mr. Leaver attended, excepting Mr. Forrestall, who is from home, and could not avail himself of our proposal to meet on any day that would be convenient for him.

And we beg leave to state for the information of His Excellency, that while we approve of the principle of Assessment on a partial scale in support of Schools, we are unanimous in thinking it unadvisable to introduce it in any degree in the present circumstances of this country. We conceive its immediate object to be the procuring of a better qualified and more respectable class of Teachers. But in the present state of the country, those who possess the requisite qualifications are certain of meeting with more liberal encouragement in other avocations, than four fifths of our School districts are able to give them, and the introduction of the principle on a scale adapted to their abilities would not be attended with any adequate benefit to justify the change; better Teachers would not be obtained, while the mode of providing for them would be generally disagreeable, and, in not a few instances, vexatious and expensive.

Secondly, we do not think that any system can work well when the minds of the public at large are against it; and we hesitate not to say, that this is the case respecting the principle of Assessment. *As the law now stands, any School District* can adopt it, when *two thirds of the Inhabitants* are in favour of it; yet it has only been adopted in a very few instances, and in the few instances in which it has been tried in this County, by way of experiment, it has been abandoned, after one year, by general consent, as unsuitable.

There are, no doubt, many individuals, and even some School Districts, who do not contribute according to their abilities for the support of education; but we believe that a large proportion of our District tax themselves, voluntarily, to as great an extent as their circumstances can well admit; and we have no doubt that, if left to themselves, they will increase their exertions as their means improve; whereas, on the contrary, if taxed compulsatorily, and beyond their means, we are apprehensive that they will endeavour, if possible, to evade the Law, and if they cannot succeed in any other way, they will discontinue their Schools, under pretence of being unable to find suitable Teachers.

The principle of Assessment has been frequently recommended in the provincial press; but its advocates, in general, have betrayed such a want of information on some essential points with which they profess to be acquainted, that little dependence can be placed on the correctness of their views in general, and they have consequently gained but few converts. For instance, the Scottish system, which they generally recommend, differs as little from our own as the different circumstances of the two countries can well admit; a moderate Salary, which may average about £15 per annum, with a dwelling house, and small glebe or garden, is provided for the Teacher at the public expense, and he depends on the School Fees, whatever they may be, for the rest of his income; and it is worthy of observation, that there is scarcely a populous parish in Scotland which has not one or more private Schools, the Teachers of which are wholly dependant on their attention and success; and even the established Church, to which the parochial Schools are a kind of appendage, have lately judged it necessary to establish Sessional Schools as a counterpoise to these unendowed Schools, a fact which does not say much for the parochial Schools.

In making these statements, we have no other object in view than to give his Excellency such information as may suggest such measures for his consideration as may prove equally useful and acceptable to the public.

We have no hesitation in saying, that the existing Law for the encouragement of Schools has been highly beneficial in this part of the Province; and that it is very generally acceptable to the public, and we would recommend its continuance, with the following alterations.

Ist. On Section 4. That instead of granting a specified sum to each county, whatever number of Schools it may contain, as at present, a specified sum, not exceeding Fifteen Pounds, be allowed to every School in which the Law is duly complied with; and that a separate

## APPENDIX No. 15.

separate provision be made, as in Section 11th, for Poor Settlements, in which the legal income and number of Scholars cannot be obtained.

2d. On Section 12. That the sum of Thirty Pounds in place of Forty, be the minimum from the District for Schoolmasters, having Thirty Scholars or upwards under their care. We have found more difficulty in enforcing compliance with this Section of the Law than with any other; and have considered ourselves warranted, and even bound, by the general spirit of the Act, to depart from the Letter of this Section, by allowing, in a few instances, a share of the Provincial Grant to Teachers who had upwards of Thirty Scholars, and who did not receive Forty Pounds from the people—and it is possible that the law may have been evaded in instances which came not to our knowledge—a law which is expressly intended to promote the intelligence and improve the morals of the community, should offer as few temptations as possible to an evasion of its provisions, either on the part of the Commissioners or of the people.

3d. On Section 20. That all previous Acts, which are not repealed, but continue in force, either in whole or in part be embodied in the new act, that Commissioners may have the whole before them, as they are apt to forget, and may not always have access to, old Acts.

4th. On Section 21. That provision be made for the support of one Superior School in every County, on the combined principle, as a means of preparing a better class of Teachers for other Schools. That the Teachers be qualified to give instruction in the Greek and Latin Classics, practical Mathematics, Algebra, Geography and English Grammar. That twelve scholars be taught at such Schools in one or all of these branches; that £60 be allowed, annually, from the Treasury in support of them, on condition that £50 be paid by the people; and that when a Teacher is wanted for any such School, the Commissioners shall advertise it for six weeks; and that the Candidate, who gives most satisfaction on being examined be appointed to it.

Also, that other two combined Schools be provided for in every County, with Salaries of £25 each from the public Treasury, and in which Instruction shall be given in the Latin Classics, if necessary, and in practical Mathematics, Algebra, Geography, and English Grammar. On the amended Act, An. Sec. Victoriae, Cap. 46, Sec. 3. That the affidavit be dispensed with, as perplexing to Trustees, and calculated to multiply oaths without any adequate advantage.

In the combined School, established in the Town of Antigonishe, at present under the care of Mr. Robert Grant, the number of Scholars receiving instruction in the higher branches have varied from fifteen to twenty; at present there are only fifteen, of whom two are taught in the Greek and Latin Classes, &c.; four in the Latin, &c.; two in the practical Mathematics, and the rest in the other branches.

In the combined School, established at the Harbour, at present under the charge of Mr. William Kelly, there are none receiving instruction in the Greek or Latin Classics, nor is Mr. Kelly able to give instruction in them, but they have not been hitherto required there; and there are at present eighteen Scholars receiving instruction in the other branches, and Mr. Kelly is a steady and respectable Teacher.

We have just established another combined School at the South River, under the care of Mr. John McLellan, who is a Classical Scholar; but, as it has only been in operation a short time, we are not prepared to give an account of it, farther than that there are two Latin Scholars attending it.

We beg leave to ask whether under the amended Act, An. Sec. Vict. Cap. 46, Sec. 2., we are entitled to draw for the last year, or six months, for the allowance to a third combined School, and if so, whether an order for the larger or smaller sum will be accepted.

We have also to state, that we have appointed Mr. Duncan Grant for our Clerk, in the room of the late Mr. Blanchard, deceased.

THOMAS TROTTER.  
ALEX. McDONALD.  
THOMAS C. LEAVER.  
H. McDONALD.

To Sir RUPERT GEORGE, Secretary of the Province:

N. B. In drawing up the above memorial, I agreed, at the urgent request of Mr. Leaver, and

and with the consent of the other Commissioners present, to insert the recommendation respecting the mode of providing Teachers for the superior combined Schools, but disapproved of it—first, because, in a country like this, where Teachers are so often changed, it may be attended with a great loss of time and other inconveniences; and secondly, it is the business of the Trustees and not of the Commissioners, and may raise jealousies and opposition to Schools of that description among those who would otherwise be their most active supporters.

THOMAS TROTTER.

*Guysborough, December 31, 1840.*

SIR,—

In reply to His Excellency's Circular, of the 28th of October last, we beg leave to state, that, in our opinion, we conceive it expedient for the support of Common Schools, that the principle of Assessment, in a certain measure, should be introduced as a fundamental part of the system, although the same should not be to the full amount of the Teachers Salary; because his Salary being altogether secured to him by Law, he might be wanting in that diligence and attention so requisite in a Teacher: whereas, depending in some degree upon the People for his support, and receiving School Fees from the Parents and Guardians of the Young, he will naturally be induced to pay increased attention to their interests; the Teacher, therefore, should neither be dependent upon, nor altogether independent of, his employers. And we are further of opinion, that it would be neither proper nor just to oblige those who have no Children to educate, or whose Children have already received their education, to pay, annually, an equal sum to the Teacher, with those who have Children to educate. Under these considerations, we respectfully recommend that the amount of Assessment upon the Inhabitants of this County be equal to the amount allowed by the Province; and that the residue of the Teacher's Salary be made up by School Fees, to be paid by those Parents whose Children are receiving tuition in the School.

The Teachers of the Guysborough "Combined Grammar and Common School," number one, are Messrs. Saml. R. Russell and Caleb Shreve; the former is competent to teach the following Branches of Learning, viz:—Geometry, Algebra, Geography and English Grammar; and the latter the Classics, Geography, &c. The number of Scholars who have received instruction, in the said School, during the last half year, in the above named branches, amount to twenty-seven, and may be classed as follows, viz:—

Latin Scholars,	Four.
Geometry and Geography,	Eight.
Geography and English Grammar,	Fifteen.

We respectfully beg leave to recommend that the sum of One Hundred Pounds per annum, be allowed, out of the Provincial Treasury, towards the support of the above School, which would place that Seminary in a more efficient state.

The Teacher of the Saint Mary's "Combined Grammar and Common School," number one, is Mr. Hiram Blanchard, who is competent to teach Latin, Geography and English Grammar. The number of Scholars who have been receiving instruction in the said School, in the two latter Branches of Learning, amount to sixteen.

We are, Sir,

Your obdt. Servants,

CHARLES J. SHREVE,	} Commissioners of Schools.
ROBERT HARTSHORNE,	
R. M. CUTLER,	
DUNCAN McCOLL.	

Sir RUPERT D. GEORGE, Bart. &c. &c. &c., Halifax.

*Amherst, January 16th, 1841.*

SIR,

In compliance with His Excellency's desire, I beg to transmit a few remarks, suggested by my experience of the operation of the present Act for the support of Schools.

Alt

## APPENDIX No. 15.

All the other Commissioners, except Mr. Oxley, being Legislators, seem disposed to withhold their opinions till the subject is brought before the Provincial Parliament. Mr. Oxley was prevented from attending at the meeting of the Board by sickness.

I have the honor to be, Sir,

Your obedient humble servant,

GEO. TOWNSHEND.

HON. SIR R. D. GEORGE, Bart. &c. &c.

## REMARKS ON THE PRESENT LAW FOR THE SUPPORT OF SCHOOLS.

Under the operation of the present Act, the poor and needy settled places which most require aid from Government, receive little or no benefit. The Act specifies that the Provincial allowance given, shall be in proportion to the number of Scholars taught, and sum subscribed. In the places referred to, the Scholars are comparatively few, and the sum subscribed small, consequently, the Provincial allowance is proportionably small, and the whole insufficient to obtain the services of even a moderately competent Teacher. The last Clause but one of the eleventh Section of the present Act, though it refers to the object here mentioned, does not, when taken in connection with other Sections, appear to remedy the evil. Commissioners are not authorized to devote a sum of Money to any Poor District, larger than according to the proportion of Scholars, and amount of subscription; thus the benefit contemplated by the above clause is prevented by the limitations of the twelfth Section.

Were Commissioners empowered to appropriate larger shares to Poor Districts, using their own discretion as to the necessities of each place, good Teachers would then be induced to go to those Poor Settlements, for the sake of obtaining the Government aid, and the more wealthy and populous Districts, when deprived altogether, or in part, of assistance, would have to increase their subscriptions to such an amount as would insure them the services of competent men, and thus a better description of School Masters would be employed, and the Poor would then enjoy advantages which they cannot have under the operation of the present law.

Trustees appointed under the present Act are worse than useless. In the first place, they are generally incompetent to examine Schools, and usually neglect to attend to the duty assigned them—the consequence of which is, that the conditions of the Act are not fulfilled—the state of the School is generally reported upon by the Trustees without their having sufficient knowledge of the facts which they report—and the Provincial aid is too often obtained on very unfair statements. Nor can these difficulties be easily obviated—were however the whole of the Schools throughout a County to be subjected to an annual examination by one of the Commissioners, both as to the educational department, as also to all complaints and difficulties arising between the Teacher and the people—or, if this duty were too arduous for one, let the County be divided into two or as many districts as there are Commissioners, the provisions of the Act would then be more easily carried into effect, there being no County in the Province in which three or four men could not be found fully qualified for such a task; though the same cannot be said of each District in each County.

Also, in reference to the building and locating of School-Houses, the present Act appears to be deficient. Commissioners ought to have power to say where the School-House in any District should be situated; and in case the Inhabitants refuse to contribute towards building the house on the spot determined by Commissioners, they should have power to withhold all Government aid from such District.

The expenditure for Grammar Schools, under the present system, far exceeds the benefit generally derived. Experience proves that the necessities of this new Country do not require them, or at least so many. Were one established in each County, supported in such a way as to secure the services of one competent Teacher, with an Usher, it would, I should suppose, accomplish more effectually the only benefit found to be derived in practice from the present Schools, viz: the preparation of the few boys in each County who may be intended for one or other of the learned professions.

In reference to the introduction of the principle of Assessment, the Commissioners of this

this County are convinced that it would be the most effectual system for the support of Education, and the most equitable for all classes of persons throughout the Province—it is to be feared, however, that owing to the ignorance prevalent respecting the nature and operation of the system, difficulty might be experienced in carrying it into effect. Should the trial be made, we should strongly recommend that the Assessment be made one General Fund in each County, and that the money be appropriated without reference to the amount of each local Assessment, but according to the necessities of each District; also, that the principle be extended to the raising Funds for building School-Houses. And lastly, in order that proper controul should be exercised over the Teachers, and such a distribution of the Funds be made as will enable the Children of any District, however poor, to enjoy the blessing of a common English Education, the powers of the Commissioners ought to be more extensive than under the present Act, and many things which must be governed by circumstances, ought to be left to the discretion of the Commissioners.

SIR,

The undersigned, Commissioners of Schools, in reply to your Circular of 28th October, 1840, beg to offer the following suggestions :

Assessment, if it could be brought into action, in any just and equal ratio, would doubtless be the most effectual method of providing for the support of Schools; but the great and general dissatisfaction it would create, for the present at least, must be a bar to making it compulsory, especially as the difficulty of communication, owing to the badness of the roads and the scattered state of our population, would debar many of the assessed from the use of the Schools. Under the present Act this measure is left optional, and this Board think it had better so remain, for in no case in this District have the people thought fit to avail themselves of the privilege.

The requisitions of the Act touching qualifications are so undefined, that the Commissioners have been at a loss what to require of the Teachers. In most cases that have come before them, mere Reading and Writing, and an acquaintance with the first four Rules of Arithmetic, have been all that they could exact for Common Schools; and with respect to Combined Schools, a knowledge of Grammar, and certain other Sciences, but to what extent not defined, seems all that is necessary to comply with the letter of the Act. To strain its meaning to the higher branches did not appear to this Board to be the intention of the Legislature; although they freely admit that it has been a source of regret that they have been accessory to the admission of many Teachers into the office, with whose qualifications they were dissatisfied; yet, in consideration of the very poor remuneration afforded under the present system, they could look for no better—and this state of things must continue in its present degradation, so long as the prospect of remuneration falls even below the wages of a common Artificer. Under this view of the subject the Commissioners would strongly urge a liberal addition to the present allowance.

This Board beg to suggest the propriety of calling in all Licenses heretofore granted, and subjecting the Teachers to a renewed examination, grounded on more explicit data than appears consistent with the present Act; they would suggest that it be made imperative on the Teachers, as well of Common as of Combined Schools, to instruct in certain defined branches, as well as to what extent that Instruction should be carried. The qualifications of Teachers of Common Schools are more especially undefined by the wording of the Act.

The Commissioners are aware that no small difficulty may arise, in fixing this standard; but they think it highly important that the wisdom of the Legislature should serve as a guide, and that too much responsibility should not attach to any individual Board, in a matter of such moment, as well to the interests of the Community at large, as to those of the individual Candidates.

The Commissioners annex a Schedule of the different Branches taught in each of the Combined Schools in this District, together with the number of Children instructed in each.

## APPENDIX No. 15.

## ST. ANN'S SCHOOL.

Geography and English Grammar	1
Mair's Introduction	1
Do. and Greek Grammar	1
English Grammar	12
	<hr/>
	15

## BOULARDARIE SCHOOL.

Grammar and Arithmetic	15
Do. and Mathematics	4
Mathematics, Algebra, and Navigation	1
Latin and Mathematics	2
Mathematics and Algebra	1
	<hr/>
	23

## SYDNEY SCHOOL.

Horace, Greek Testament, and Algebra	1
Delectus and Geography	3
Cesar do.	1
Latin Grammar and Geography	6
English Grammar and do.	3
English Grammar	4
	<hr/>
	18

It may be proper to observe that the School at Sydney receives an annual grant, in addition to the Combined and Common School allowance, over which the Commissioners have no control.

In compliance with His Excellency's requisition, he is informed, that all the Members of the Commission were present at the Board, when the Circular, above alluded to, was under consideration, with the exception of Mr. Justice Marshall, who was not within the District at the time.

CHARLES INGLES.

H. McKEAGNEY.

C. E. LEONARD.

H. W. CRAWLEY.

Sir R. D. GEORGE, Bart., &c. &c.

12th January, 1841.

Port Hood, 26th January, 1841.

SIR,—

In reply to your Communication of the 28th October, the undersigned, Commissioners of Schools for the County of Inverness, beg to state, that it is our opinion, that the principle of Assessment is the only efficient method on which Common Schools can be effectually established and supported; and in this view we have been fully sustained by the popular expression of the voice of the County, at three or four Public Meetings; at the same time expecting as liberal support from the Provincial Funds as can be appropriated to that service, which, together with small tuition fees, may so reduce the sum to be assessed as that it will not be burdensome on the Inhabitants.

We have but one Combined Grammar and Common School established in this County, the Master of which is fully competent to teach all the Branches of Education mentioned in the 21st Section of the Act. At present there are taught at this School thirty-two Children, eighteen studying English Grammar, five in Geography, two in Latin, ten in Arithmetic, and fifteen in Writing.

In

In introducing the system of Assessment, it would be highly desirable that, as it respects this County, the parties be permitted to pay their Rates in Butter, at such price as may be fixed on by Commissioners, during the month of July in each year.

We are of opinion that, at the present moment, sixty Schools are requisite in the County—these would have an average of forty Scholars; the Teacher's allowance should be Sixty Pounds, besides a small Tuition Fee; one third of the Teacher's allowance to be furnished from the Provincial Funds, and two thirds by Assessment, as above. The Tuition Fees to be from Two to Three Shillings per Quarter, according to the branches taught.

We recommend that one uniform system should be introduced and persevered in throughout the County; and to effect this, it would be advisable that the Academy, lately established at Port Hood, be fixed on the most approved method, which would give Teachers, and those aspiring to become such, an opportunity of obtaining the needful training to make them efficient Instructors. To place this Academy on a useful and respectable standing, the Government allowance should be One Hundred Pounds, besides small Tuition Fees; and whenever the attendance might become so numerous as to require a second Teacher, this to be paid in the way as Teachers of Common Schools.

A Clause may be introduced, giving Trustees power to Farm the Assessment, as in this way the cost of collection would be saved.

The cause of so long a delay in making this report is, that it was hoped a full meeting of Commissioners might be had; but, even at this late day, unavoidable circumstances have prevented the attendance of John L. Tremain, Esquire, and the Revd. Alex. McDonell, who is prevented by sickness.

Respectfully submitted by

WM. McKEEN.  
NATHL. CLOUGH.  
WM. WATTS.

Sir RUPERT D. GEORGE, Bart., Provincial Secretary.

No. 16.

(See Page 41.)

*Account of Receipts and Payments of Her Majesty's Casual Revenue in Nova-Scotia, for the year ending 31st December, 1840.*

Dr.	Sterling.	Currency.
1840.		
July 30.—Paid the Honorable Alexander Stewart and the Honorable Lewis M. Wilkins, and Wm. Young and Herbert Huntington, Esquires, each £400 Stg. towards paying their expenses on their mission to England, as Delegates from the Legislative Council and House of Assembly, as authorized by Lord John Russell's Despatch, of 26th May 1840	£1600 0 0	£2000 0 0
Oct. 1.—Paid His Excellency Sir Colin Campbell, Lieutenant-Governor, that portion of his Salary payable from this fund, at the rate of £1000 Stg. per annum, for three quarters of the year, ending this day	750 0 0	937 10 0
Paid His Excellency's allowances for contingencies, for the same period	150 0 0	187 10 0
Paid His Excellency's passage allowance, on retiring from this Government, as authorized by Sec. 4, Chap. 6 of Printed Rules and Regulations, established by Her Majesty's Government	300 0 0	375 0 0
		Dec.

## APPENDIX No. 16.

	Sterling.	Currency.
Dec. 31.—Paid His Excellency the Viscount Falkland, that portion of his Salary, payable from this fund, as Lieutenant-Governor, for the Quarter ending this day, at the rate of £1500 Sterling per annum	£375 0 0	£468 15 0
Paid His Excellency's allowance for contingencies for the same Quarter	50 0 0	62 10 0
Paid Captain the Honorable H. C. Grey, Aide-de Camp to His Excellency, his pay and allowance for the same Quarter	72 17 11	91 2 4
Paid Chief Justice's Salary for year ending this day	1000 0 0	1250 0 0
Paid Secretary of the Province, ditto	1000 0 0	1250 0 0
Paid the Master of the Rolls, and Judges Wilkins, Hill and Bliss, their respective allowances, for ditto	680 0 0	850 0 0
Paid the Attorney General's Salary, from 1st January to 30th September, at £500 per annum, £375 Sterling; and from 1st October to 31st December, at £600 Sterling, per annum	525 0 0	656 5 0
Paid Solicitor General's Salary, for year ending this day	100 0 0	125 0 0
Paid Clerk of the Crown ditto	100 0 0	125 0 0
Paid Surveyor General ditto	150 0 0	187 10 0
Ditto of Cape Breton	100 0 0	125 0 0
Paid Surveyor General of Cape Breton for Office Rent, for year ending this day	16 0 0	20 0 0
Paid Superintendent of Mines, Salary for ditto	100 0 0	125 0 0
Paid Harbor Master at Sydney, do	100 0 0	125 0 0
Paid Miss Cox's pension at 1½ per cent. prem.	101 10 0	126 17 6
Paid Mr. James, Clerk in Secretary's Office	250 0 0	312 10 0
Paid Mr. Keating, ditto	160 0 0	200 0 0
Paid Mr. Passou, ditto	100 0 0	125 0 0
Paid Messenger and Fuel of ditto	20 0 0	25 0 0
Paid Mr. Belcher for Stationary for Lieutenant Governor and Secretary	21 16 2	27 5 2
Paid Mr. Howe & Son, extra Printing for Government	43 17 7	54 17 0
Paid Charles R. Fairbanks, Esq. £20 Stg. being for arrears of contingent expenses of Her Majesty's Courts of Chancery and Vice Admiralty, to 31st December, 1839, and £30 Sterling, being contingent expenses of ditto for the year 1840, as authorised by Lord John Russell's Despatch of 27th May, 1840	50 0 0	62 10 0
Paid Mr. Howe for an Express sent by order of the Governor General	5 14 0	7 2 6
Paid the Commissioner of Crown Lands his commission on £941 16 8 Sterling, being the balances or surplus sums paid into this fund by him since 1837	47 1 10	58 17 4
Paid ditto his Salary for year ending this day	500 0 0	625 0 0
Paid ditto for Clerk, Draftsmen, Office expenses	123 14 10	154 13 7
Paid Commissioner of Crown Lands in Cape Breton, his Salary for the year 1840	500 0 0	625 0 0

## APPENDIX, No. 16.

Dec. 31.—Paid ditto for Assistant, and Office expenses	£15	4	0	£19	0	0	
Paid Her Majesty's gracious annual gift to the Turf Club, of a Queen's Plate—value 50 Sovereigns		50	0	0	62	10	0
	£9157	16	4	11447	5	5	
Balance	856	1	11	1070	2	4	
	£10013	18	3	12517	7	9	

1840.	Sterling.	CR.		Currency.
Jan. 1.—Balance in hand	£4141	17	6	£5177 6 10
Received of Superintendent of Grindstone Quarries in County of Cumberland—Rents of year 1839	36	5	4	45 6 8
Received from Mr. Morris, Commissioner of Crown Lands, being proceeds of Crown Timber seized	24	0	0	30 0 0
Received from ditto, being the balance in his hands on account of Sales of Crown Lands in 1839, less £77 13 9 Currency, paid by order of Sir Colin Campbell, for building a Stone Wall near the Magazine, North Suburbs of Halifax	247	10	0	309 8 7
Dec. 31.—Received from the General Mining Association, being the Rent of Her Majesty's Mines in No- va-Scotia and Cape-Breton, for the year 1840	2666	13	4	3333 6 8
Received from ditto, being Duty on 13,159 Chal- drons Coal, Newcastle Measure, raised and sold over 20,000 Chaldrons, in the year 1840, at 2s. Currency per Chaldron	1052	14	5	1315 18 0
Received premium on the two preceding sums, pay- able by the Lease in Dollars, but actually paid in paper money, at the rate of 2½d the Dollar	154	19	5	193 14 3
Received from the General Mining Association, be- ing the Rent of the Mines under the late Duke of York's Lease, for the year ending 24th June, 1840	1	0	0	1 5 0
Received from the Commissioner of Crown Lands on account of the Sales of Crown Lands in the year 1840	623	14	10	779 13 6
Received from the Commissioner of Crown Lands in Cape-Breton, on account of the Sales of Crown Lands in 1840	515	4	0	644 0 0
Amount of Fees received at the Secretary's Office in the year 1840, including £15 3 10 Currency, remitted from Cape-Breton	549	18	7	687 8 3
	£10,013	18	3	£12,517 7 9

RUPERT D. GEORGE.

Halifax, 16th February, 1841.

## APPENDIX No. 17.

No. 17.

(See Page 41.)

List of Sums granted under the Act, passed in the Session of 1840, for the improvement of the Main Roads, shewing the names of the Commissioners, and the sums expended by them, with references to the Reports of their proceedings, &c.

EASTERN ROADS.	Granted.	Authorised to be expended.	COMMISSIONER.
Keys' to Brookfield	£4050	£4050	Munro & Crerar. Report No. 1.
Truro to Salmon River	1620	1620	Saml. Archibald. Report No. 2.
Reid's, Mount Tom, towards Pictou	630	630	Munro & Crerar. Report No. 1.
Road round Cumberland Mountain	900	900	Jacob & Henry Purdy. Report No. 3.
Westchester to Amherst	360	100	Bent & Purdy
Parrsborough to Amherst	450		
Folly Lake to Pugwash	190		
Pictou E. Co. Line to Antigonish	100	50	A. D. Harrington. Report No. 4.
Antigonish to Guysboro' Co. Line	250	125	Ditto
Sydney Co. Line, St. Mary's, to Gut of Canso	350		
Sydney Co. Line, on Main Road to Guysboro'	300	150	Wentworth Taylor. Report No. 5.
Upper Stewiacke to Pictou	200		
Great Eastern Road, through Musquedoboit, to St. Mary's	1800	1450	£1000 Munro & Crerar. Report No. 1. £400 Taylor & Faulkner. Report Nos. 6 & 7. £50 Taylor.
Shore Road from Musquedoboit, eastward	450		
Pictou, by River John, to bounds of Cumberland	300	150	Crerar's. Report No. 8 (A.)
	£11950	£9225	
<b>WESTERN ROADS.</b>			
Halifax to Windsor	£800	800	D. Wier. Report No. 8 (B.) & P. Dawson. Report No. 9.
Hawes' alteration	400	400	D. Wier. Report No. 8. (B)
Manning's, Falmouth, by D. Bishop's, to Gaspereaux Bridge	100	100	Armstrong. Report No. 10; & Forsyth. Report No. 11. (B)
Mount Denson Road	800	800	D. Wier. Report No. 8.
Through King's County	450	250	Eben. Bishop. Report No. 12.
Through Annapolis	450	450	Except £25 laid out by Lawrence Phinney in repairing a Bridge in Wilmot. The whole of this sum, with £ in addition, was expended by Mr. Thomas Randall in re-building Bridge at Bridgetown. Report No. 13.
From F. A. Robicheau's to Yarmouth	450		

Western

WESTERN ROADS.	Granted.	Authorised to be expended.	COMMISSIONER.
Grand Joggin Bridge, Digby	£450		
Main Roads in Yarmouth	450	£50	John Hatfield, Tusket Bridge
Halifax to Chester	2500		
Chester to Liverpool	800	200	
Nictau to Brookfield	175	40	Wm. Bank's. Report No. 14.
Liverpool to Shelburne	800	100	Wm. Dunlap. Report No. 15.
		100	Jno. Payzant. Report No. 16.
Shelburne to Still Water, in Argyle	500	52 15	Laid out by W. Faulkner in surveying. No. 14.
Windsor to Chester	200	100	Jas. Songster. Report No. 17.
Terfry's to Shubenacadie	225	50	Richard Smith.
	£9550	£3492 15	
<b>CAPE-BRETON ROADS.</b>			
Ship Harbour to Margaree	£1300	433 6 8	J. G. McKenzie.
Margaree, by Ross', to Middle River	500	166 13 4	Ditto.
Ship Harbour to Arichat	300	100 0 0	
McPherson's to McNab's	500	166 13 4	J. G. & Francis McKenzie.
McNab's to Curry's	1650	383 6 8	J. G. McKenzie.
Sydney to the Mines	250	250 0 0	Ditto.
	£4500	1500 0 0	

No. 1.

Pictou, 20th January, 1841.

SIR,—

In obedience to the commands of His Excellency the Lieutenant-Governor, communicated by your Circular Letter, dated the 30th ult., we beg leave to submit the following report of our proceedings, in the improvement of that part of the Main Post Road, which has been placed under our charge, with suggestions and estimates for their further improvements, viz :

1st. Between Key's, and Polly's, by the new line, a distance of eighteen miles and three quarters, sixteen miles and a quarter of which had been contracted for, eleven and a half miles are completed according to contract, and four miles and three quarters are nearly so—and what money we judged would complete the same in the Spring, is retained and left in the Treasurer's Office until the work is done to our satisfaction. About two miles and a half are not yet effected.

The Pier and Abutments of the proposed Bridge over the Shubenacadie River, near Keys', are nearly completed, and the materials for the topwork contracted for, also embankments formed at both sides.

Two Piers are built and completed in the Shubenacadie River, near Nelson's, and the two Land abutments are nearly so. The String pieces are contracted for, and the materials for erecting a Pier. in the Stewiacke River, near Tay's are also contracted for.

The original Estimate was £5867—but in this estimate, the Bridge near Key's, was not included, in consequence of a Bridge being built there previous to the survey, and expected to last for a few years, but by examining it minutely, we think it would not be safe, being a very temporary Bridge. The new Bridge will cost about £500: by adding this sum to the original Estimate, which will be £6367, it will complete the Road and Bridges, as specified in the report of 1839.

When this section is completed from Keys' to Polly's, which we expect will be in August

## APPENDIX, No. 17.

August next, (provided materials for the Bridge is contracted for during the Winter, so that the work may commence early in the Spring) there will be no interruption by freshets, as there is now. Last fall when the freshet was over the embankment at Stewiacke Bridge at Hill's upwards of four feet, at the site of the proposed Bridge near Tay's, it was not within three feet of the Bank.

2nd. The Mount Thom Road. The alteration of Government was directed to this Section by a report made to His Excellency Sir Colin Campbell, dated 21st January, 1836, and entered in the Appendix of the Journals of the Assembly of that date. See Page 18, Section 10, to which we would most respectfully beg leave, to refer His Excellency the Lieutenant Governor, as well as to the Estimate annexed to the report relative to the same. The succeeding Assemblies, heretofore, annually granted small sums, which were expended in making a winter road from Reid's, till it met the Salt Spring Roads, and in building the Bridge across the Eight-mile Brook. Last Session the Sum of £630 was granted, for the improvement and "further extension" of said Section, towards the Ten Mile Inn, which sum was put under our charge. The whole length of this Road, is about  $5\frac{1}{2}$  miles, upwards of 5 miles of which are nearly completed, and opened for the accommodation of the Public, till it joins the Salt Spring Road. From thence, there are two small Sections to be finished this incoming season, one of 440, the other of 220 yards. The latter Section, which is immediately behind the Ten Mile Inn, crosses a small Brook with steep banks, and will require considerable labour to make it an easy road.

The Main Post Road from Dartmouth to Pictou Common, repair.

Section 3. From Dartmouth to Taylor's Inn, a distance of about twelve miles. This road is made on a hard bottom, and is in a tolerably good state of repair, with the exception of some parts of the side drains, which will require clearing out. There are a few old Cross-drains, which will require to be built anew. The expense of this Section will not be much.

Section 4th, From Taylor's to Schultz's Inn, a distance of about Six Miles. This Section is worn out or hollow in the centre, there are considerable ruts and soft places, which will require to be filled up with broken stones or sharp gravel, and different parts of it will have to be rounded with the same. The first mile and a half, say from Taylor's to Fletcher's Bridge, being only about fifteen feet wide, and having never been properly made. It was originally made for a Winter Road, and has remained in that state ever since, with the exception of partial repairs. This part should be widened and put in a good state of repair. From Fletcher's Bridge to Schultz's, it is sufficiently wide, and will average from 20 to 21 feet. This Section will cost considerably.

Section 5. From Shultz's Inn to the junction of the New Road near Key's. This road is made over a soft bottom, and is very much flattened by heavy travelling. The most of the side drains are filled up, and many of the Cross drains are in a decayed state. To put this Section in a passable state of repair, will also cost considerably.

Section 6th. From the junction of New Road near Keys' to Polly's, by the present road, a distance of Twenty one miles. This section will be abandoned as a Post Road, when the New-road by the Shubenacadie is completed, which we expect will be in August next; but in the mean time considerable repairs will be necessary, such as repairing of Bridges, cross and side drains and the filling up of ruts. The Gays River and Stewiacke Bridges, will require some planking.

Section 7th. From Polly's to Truro, a distance of about Twelve miles. This road is over a considerably dry bottom, until within four miles of Truro; from thence the bottom is soft and clayey, having been lately made, it is not so much flattened, but will require considerable repairs, such as gravelling soft places, and clearing out the side drains—(probably Mr. Archibald will report on the Section between Truro and Salmon River), it having been brought to the notice of the Public, through the medium of the Press, we refrain interfering with it.

Section 8. From Salmom River to Ried's at Mount Thom, a distance of about Ten Miles. This road is made over a good bottom, being travelled for about twelve years, with very little repairs done to it, it is very much hollowed. The side drains are filled up higher than the centre of the road; it being principally a side cut, the water in wet weather flows down

down the mountain, and runs on the middle of the road, which renders the travelling almost impassible in Spring and Fall, and in Winter dangerous in consequence of Ice. The Cross-drains, are in a very decayed state. To put this Section in a good State of repair will be expensive, but it is indispensably necessary. This road was neglected for three years after it was made, which should never have been the case; a new road, for the first two or three years, will require more particular attention paid to it, than when old and consolidated. Those entrusted with its repairs of late, have done it considerable injury, by throwing soft stuff on it, and not clearing the side drains.

Section 9. From the Ten Mile Inn to Pictou Town, a distance of Ten Miles. This road is made over dry soil for seven miles, or from the Ten Mile House to the Saw-mill Bridge; from thence to Pictou over a clayey bottom. This section is in very bad order, the road hollow and rough, the side drains filled up, and cross drains decayed—it is the worst part of the road between Pictou and Halifax. The Saw-mill Bridge will require planking; and to put this Section in a sufficient state of repair, will cost a considerable sum.

Section 10. The New Musquedoboit Road, from its junction with the Dartmouth Road, until about a quarter of a Mile of Angus McLeod's, Musquedoboit, a distance of about Thirty miles, is completed, with the exception of some of the Contracts, which are not altogether finished to our satisfaction; but a sufficiency of money is retained until they are completed in the Spring. We considered this a more prudent step, than adopting the rigour of the Law, which would injure poor men, who were so foolish as to undertake to perform work, in some instances, for half price; besides it would be a public benefit, that no contract would be finished till the Spring; then the side drains would be cleaned out and the road well repaired and dressed, which a well finished road in the fall would require in the Spring. A Bridge had been built over the Musquedoboit River in 1839, but is of such a frail and temporary nature, that we are afraid that it may be carried away by the Spring freshets. In order to keep up the communication, a new Bridge will require to be built here next season. The expence, and also partial repairs, along the whole line, to make it a passable carriage road is given in the subjoined estimate. The different items of expenditure, upon the different sections under our charge, as well as the different sums retained from the Contractors, will be seen by reference to our accounts to the Treasurer.

Road Commissioners in this Country labour under a great disadvantage, in consequence of Contractors having not the practical knowledge of road making. Last summer, at the request of many of them, we had to get men that understood the practical parts to finish their jobs, which the Contractors themselves could never do, in that workmanlike manner, a road should be done. Another great evil—the Contractors are principally Farmers, and the best part of the season for road making they devote to their farms.

In conclusion, the present system of road making is defective; the money must be expended and the work performed between the 20th May and 20th September, when the Commissioner closes his accounts, and nothing more to do with the road, and in all probability another is appointed in his place the next season. Thus, for seven months in the year, the roads are left without any person to look after them; and that in the worst season, when the road is in its worst condition, and the most likely to be damaged by the fall and spring freshets. Attention to the roads at this time might save one half of the expence in next years repairs.

The method of laying out roads is also very defective; every new road ought to be laid out with the utmost care and attention; the country ought to be minutely explored by practical Road Makers; Plans, Sections, Specifications and Estimates ought to be prepared for the Executive, before any money is expended, and when the public is divided upon different routes, sections ought to be prepared of each line; by which means Government would be enabled to decide, at one view, on the most preferable line. This mode perhaps will be considered expensive; but we are satisfied that in the end, it will save much money, as there are thousands of pounds now expended upon roads, that in a few years will have to be abandoned. We think the plan adopted by the Parliamentary Commissioners of Highland Roads and Bridges, is deserving of imitation in Nova Scotia. The system is fully explained in Mr. Telford's life, edited by John Richman, Esq., Sir Henry Parnell's Treatise on Road making, or the Parliamentary Commissioners ninth report, 1821.

Subjoined.

## APPENDIX, No. 17.

Subjoined is a probable Estimate for completing the forgoing suggested improvements.

1st. For completing the Shubenacadie road.

The Balance of original estimate with the addition of £500 for the Bridge near Keys'	£2317	0	0
2. The road from Reid's to 10 Mile Inn	220	0	0
3. From Dartmouth to Taylor's	40	0	0
4 Taylor's to Schultz's	300	0	0
5 Schultz, to junction at New Road at Keys'	1000	0	0
6 Junction of New Road to Polly's, by the old line	50	0	0
7 Polly's to Truro	100	0	0
8 Salmon River to Reid's, Mount Thom,	500	0	0
9 Ten Mile Inn to Pictou	500	0	0
10 For repair on Musquedoboit road	150	0	0
Building a New Bridge over Musquedoboit river	200	0	0
	£5377	0	0

Accompanying this, you will receive the sections and specifications, relating to the different roads under our charge.

We have the Honor to be Sir,  
Your Most Obedient Servants.  
PETER CRERAR,  
JOHN MUNRO.

To the Hon. Sir Rupert D. George, Bart., &c. &c. &c.

*Copy of a Specification for opening and making the New Eastern Road.*

1st. The underbrush to be cut, and thrown outside of forty feet wide; then the line to be marked out and regularly curved; the trees to be taken out by the roots, sixteen feet wide, that is to say—twelve feet for the Road, and two feet for each side drain; also, the trees, stones, roots and scruff, to be thrown outside of twenty-one feet wide.

2d. The Road to be made of hard materials, twelve feet wide, exclusive of the side drains, with a declension of nine inches from the centre to the sides, with a regular curvature.

The road in the side of a hill to have a declension of seven inches to the bank, and rounded nine inches; the swamps to be brushed, say, when compressed, with eight inches of hard earth or gravel, to be six inches; the hills cut down and brought to the hollows, and the slopes made regular; the small bridges, or cross drains, to be three feet by one foot, built of pine or hemlock, and eighteen built in each mile, where the Commissioners or their Foreman think necessary; and, in all cases, the Bridges over Rivulets are to be built by the Contractors, and made sufficiently large to vent the water at all seasons. The Road, Cross-drains and Bridges, to be made in a good and workmanlike manner, and to the satisfaction of the Commissioners. The timber to be cut down on each side of the Road one rod wide.

[Signed,] PETER CRERAR.  
JOHN MUNRO.

Pictou, 16th June, 1840.

No. 2.

TO HIS EXCELLENCY LORD FALKLAND,

LIEUTENANT-GOVERNOR, &c. &c. &c.

*May it please Your Excellency,*

In answer to Your Excellency's Circular Letter of the 30th ult., I have the honor to submit the following Report of the Roads more particularly committed to my charge.

As-

As regards the Line from Salmon River to Truro, it has been finished from Salmon River to the Cross Road at Thomas Dickson's, except as to gravelling, a distance of about eight miles, at an expense in all of £1845, being £1620 granted by the Legislature, and £100 advanced by Your Excellency's order, and £95 of an over-expenditure, which was necessary to make the Road available to the public, and which therefore I incurred at my own risk, feeling that Your Excellency and the Legislature would uphold me in a measure which the public interest demanded.

Of the four miles nigh Salmon River, the greater part has been well gravelled where it needed gravelling—the other four miles not having yet had any gravel, would require, for a sufficient coating, a sum at least of £300.

To bring this Line into the Village of Truro, there remains to be made  $3\frac{1}{2}$  miles, which would cost £575. This part of the Line may be had nearly straight, over a Country where the ascent or descent will not, in any place, be more than one foot in thirty, and generally not more than one in sixty. The ground is good for a Road, and gravel can be had in any quantity, at a convenient distance, to cover it with. When finished, the distance from Nelson's, on the New Road to Truro, will be above a mile shorter than the present Road, and three quarters of a mile shorter than any other Road that can be made. This Line runs to the North of the Salmon River all the way to Salmon River, and is opposed by the Inhabitants of the South side of the River, who wish the route to be continued which is now travelled; and which, as Your Excellency is aware, crosses the River about three miles above the Village. For a full explanation of the reasons why, I feel convinced, that the new line should be continued on the North side of the River, I crave leave to refer to the Plan furnished to Your Excellency, on your return from Pictou in the autumn, and the accompanying Papers.

As regards the part of the old Post Road committed to my charge, extending from the Pictou County Line to Gay's River, I have the honor to call Your Excellency's attention to a few particulars.

The Road from Truro to Brookfield, was made about eight or nine years ago; and as the soil has a good deal of clay in it, for a distance of about three miles from Truro, it needs gravelling for that distance; and to give it a sufficient coating would cost about £150.

The Three Bridges over the Salmon River are all in a greater or less state of disrepair. The one at the Salmon River Settlement will require to have a new covering of Plank, this Season, at an expense of about £10.

The upper Bridge, so called, three miles from Truro Village, is unsafe to be passed; and if it should be determined that the Post Route is to continue permanently on that side of the River, ought to be rebuilt: It would cost £325, or thereabouts. If, however, it should be thought advisable, immediately or even ultimately, to continue the new Line on the North side of the River, this Bridge will be unnecessary as a part of the Mail Route, there being a shorter road now open on the North side of the River, which could be used till the new one was completed. The lower Bridge is in a considerable state of disrepair, but will probably last yet one or two years. In the mean time it is safe enough, and it would not be advisable to waste any thing on it in repairs.

I have the honor to be,

May it please Your Excellency,

Your Excellency's humble Servant,

SAMUEL ARCHIBALD.

Truro, 16th January, 1841.

No. 3.

Sir RUPERT D. GEORGE, Bart.,

SIR,—

I beg leave, most respectfully, to submit the following Report of my proceedings on the New Road round Cumberland Mountain, for the information of His Excellency the Lieutenant-Governor.

## APPENDIX, No. 17.

I commenced operations at the termination of the Work done by Andrew N. Stevens, Esq., last year; following up the small stream there is rising ground for the small distance of forty rods, at the rate of one foot in twenty-one. Here the rise is more than could have been wished, could the same have been avoided, but as the distance is but short, the inconvenience to the Public will be trifling. There were some rocks in this part of the line which I had to blast, and others of a smaller size which I had to remove by days labor. Leaving this small rise, the Road passes over a very level piece of ground, with the exception of a small hill, which I also cut through, by days' labor; the Road having here neither descent or elevation of more than one foot in twenty-seven, and in many parts a dead level. There is also on this section several little streams, crossing the line which I had to Bridge. These were finished with hewn timber, level with the surface of the Road; in all other places the water courses were well sunk, and covered on the top with gravel. The Section of the Road allotted to me, is of the length of one and half miles and five rods, and is completely finished, at a cost to the Province of £383 9 10½, exclusive of Commissions, as per Contracts and Accounts herewith transmitted.

Agreeably to the Orders of His Excellency, out of the surplus remaining, after the completion of the New Section, I have completed that part of the Road left unfinished by Andrew N. Stevens, Esq., last year; as also, repaired that portion which was washed away by the freshet during last Spring. This cost £44 1, as pr. Account, which, with the Commissions, exhausts the amount of the Grant of £450.

I would beg leave further, most respectfully, to call the attention of His Excellency to the next Section of the contemplated alteration in the Road, to avoid the Cumberland Mountains. I cannot in language too strong recommend that this Section be taken up next year, as its completion would be highly beneficial to the Travelling Public, and greatly accelerate the speed of Her Majesty's Mails—the hills on this Section being very heavy, and much out of repair—the length is nearly four miles, and, in all probability, could be completed for £900.

All which is most respectfully submitted to the consideration of His Excellency, by Sir,  
Your most obedient humble Servant,  
JACOB G. PURDY.

Westchester, 30th Sept. 1840.

*Westchester, Cumberland Mountain, January 19th, 1841.*

SIR,—

In answer to yours, of Dec. 30th ult, I would beg leave to state, for His Excellency's information, that the sum of Four Hundred and Fifty Pounds was placed in my hands, to be laid out in opening up and making the Road round Cumberland Mountain; and in doing so, I acted in accordance with the Instructions contained in my Commission—which say that the above sum is to be expended by Tender and Contract, when practicable and convenient.

That, in obedience to said Instructions, I offered the making of said Road, in lots of eighteen to twenty-five rods in length, to be stumped and cleared off, at the least twenty-four feet wide. The Road to be twenty feet wide from the bottom of the ditches; to be handsomely rounded and gravelled; two good ditches to be made on each side, where expedient; and that, where practicable, a ditch to be cut from the one parallel with the road, to convey the water off into the woods or elsewhere, to prevent the Road from being overflowed in rainy weather.

That the length of New Road made under my charge, as Commissioner, is Five Hundred and Seventeen Rods, for the making of which, (by Tender and Contract) I expended the sum of Three Hundred and Sixty Eight Pounds Eleven Shillings. That after the above Sales and Contracts were made, I found there was still a surplus in my hands, in expending which I wrote to His Excellency Sir Colin Campbell for permission to expend it by days' works, and His Excellency Sir Colin gave me for answer, that "he approved of my expending it" in the manner as specified in my letter to him, which was to remove any unforeseen obstacle that might occur to any of the Contractors, such as immoveable rocks, &c. which

## APPENDIX No. 17.

which had to be blasted and broken up, and in purchasing Powder and Blacksmith's work, a particular account of which I have already entered in the Secretary's Office.

That still further, concerning the above mentioned line, I would beg leave here to mention that it was very hard to make, it going through very heavy hard wood lands, and very stony and rocky the whole distance. That with respect to the damages incurred by the said line going through Sutherland and Webb's Lands, I would beg leave to state that they are dissatisfied with the amount of damages, they being too small; the amount of appraisement I cannot state now, because the report was handed in along with my other papers, and I have no copy. I was ordered, by His Excellency Sir Colin's Letter, of the date of July 8th, 1840, to have the damages appraised by three credible and qualified persons; and in case of dissatisfaction on either part, that he (Sir Colin) would, on the part of Government, appoint one other person, and the parties concerned might choose another, to value the damage to their respective properties, which has not yet been done by neither of the parties. That with respect to the second Section, yet to be made, I beg leave to state, that from the place in the first Section, where I left off, to where the said new line will intersect the Old Road, will be above four miles, as nearly as I can judge, and that its continuation along the line, explored by Mr. Munro, will still be an increased improvement, it being not more than one foot in twenty of a rise or fall—that on this Section there will be about five or six small Bridges to build, say from twelve to fifteen feet of a Stringer, or thereabouts—that there are good materials to make the Road of, as also the Bridges, that some part of this Section will be very hard to make, and other parts more easy—the line will mostly run through wilderness lands—that the probable amount that it will take to clear and make this Section, (four miles,) will be about One Thousand Pounds exclusive of damages, or probably inclusive.

That with respect to the Bridges under charge, I beg leave to state, that there were none under my charge, only one on the new Section of Road that I superintended, and which of course is in a good state of repair—that I had no charge of any parts of Roads or Bridges, only those that I have mentioned above.

That with respect to the state of repair of the old Road, I beg leave to state, that it is in a pretty fair state—that the Bridges are in good repair, excepting one that will require to be covered anew in the spring, and the probable expence will be about Two Pounds.

Hoping that I have comprehended the true intent of your Letter, and given satisfactory answers to its several queries—if not, and should it be again required of me, I will endeavour to give all the information or explanation that may be within the compass of power, either to His Excellency or Council.

I beg to remain

Your most obedient humble Servant,

HENRY PURDY.

To Sir RUPERT D. GEORGE, Provincial Secretary, Halifax, N. S.

No. 4.

*Antigonish, Jany. 19th, 1841.*

SIR—

Enclosed I forward you a short report of the state of the Post Roads in the County of Sydney—you requested a report of the Roads under my charge as a Commissioner. Last year, and indeed for some years, I have not been Commissioner on those Roads marked Section 3, 5 & 6—but expected you wished a report of all the Post Roads. The Road marked Section 6, cannot, I think, be taken into the general lines, being for the accommodation of the Settlement of Cape George, and not extending farther, and presume this will be one of the last Lines attended to. I was not aware that Reports were or would be required, or I should, during the Summer, paid particular attention to the Roads and Bridges, and been enabled to give a more satisfactory and full report. I have waited till the last, in order to gain what intelligence I could, but have obtained little more than I knew of my own knowledge. I hope the statements I have made may be satisfactory—that competent persons may be appointed over the Roads, if such can be induced to undertake the task, a proper system of Road making would commence, and the public soon perceive

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ceive the improvements and advantages derived from a good use of the Funds. I possibly may be urging this point too far; but some practice in Road making has enabled me to perceive more clearly the bad management of the Roads, and the almost useless expenditure of many sums of money.

I have the honor to be,  
Sir,

Your most obedient,  
AARON D. HARRINGTON.

Sir RUPERT D. GEORGE, Provincial Secretary, Halifax.

*Antigonish, January 19th, 1841.*

SIR—

Your Circular of December 30th last, I received the 6th instant, requesting a report of the Roads on which I have been Commissioner, with suggestions and estimates for their further improvements.

Any suggestions, or estimates, I may propose, I will not give as entirely correct, not being a scientific Road maker.

I will probably be more or less in error, but will endeavour to point out several improvements required on the Roads—dividing the whole into Sections.

Section 1st.—The Post Road from the Pictou East County Line to Antigonish, follows for nine and a half miles along the Gulf Shore to Malignant Cove—in this distance there are eight heavy hills, and several small ones; but owing to the soil being gravelly and firm, they are easier ascended with loaded Carriages than most hills of the same ascent in the County of Sydney—many may be entirely avoided, and those that cannot, may be swept around the base, and made comparatively level and easy. Last September I examined this distance, and ascertained that the greater part can be made perfectly level; and where descents and ascents cannot be avoided on the proposed line of alteration, they will not, in any part, fall or rise more than one foot in twenty, if so much. The materials for Road making are of the best; and could the required alterations be completed, this Section would be as durable as any Road in the Province. On this Section there are four considerable Bridges. The first at M'Canas Brook, so called, about 60 feet, and 20 feet high, erected with Gallowses—the covering was repaired last summer—the under part is much decayed, and will not stand, or be safe more than a year, if so long. The second, at Smith's Brook, 40 feet long and 15 feet high, in the same state as the last. The third, at Arasaig Brook, 25 feet long, 5 feet high, and in good repair. The fourth, at Doctor's Brook, 130 feet long, 15 feet high, was newly erected last July, and will (unless some accident occur) be good for some years. There are also on this Section, six smaller Bridges—two were newly erected in 1839—the remaining four are in a decayed state, and will require to be repaired, or newly built next Summer. Should this Section be altered, and carried contiguous to the Shore, in some places, the Bridges would not be more in number or extent, and the expense less. The one over Doctor's Brook, at the intended alteration, would be trifling compared to the present one—others would be more expensive at first erecting; but if embanked, could be kept in repair for a small sum. Most of the Proprietors of Lands on this Section are anxious for the alteration; and the compensation for damages would not be high. By making the alteration and following the level, would avoid steeps and vallies, where snow drifts gather, and often prevent travelling. Parts of the alteration could be completed yearly, and brought into the present line at points where they must connect, and be immediately travelled. My estimate for completing this alteration, Bridges included, would be about £800.

Section 2d.—From Malignant Cove to the Town of Antigonish, 13½ miles, would, with a few trifling alterations, be a fair line. The soil being deep, and mostly clay, is soft and much cut up in wet weather—there are beds of gravel, but not convenient to every part of the Road, and will be expensive to gravel the whole Section, to make it firm, for even a few years. On this Section, there are four Bridges, averaging each, at least 90 feet in length, all in good condition, having been newly erected in 1838 and 1839. There are also seven smaller

smaller Bridges—some requiring repairs—the expense will be trifling, £250 would make this Section quite good.

The Post Road from Antigonish to Pictou, by the Gulf Shore, is twelve miles longer than the Road over the mountain—a fair line has been explored through the vallies, and low lands of the mountains, to Merigomish; and allowing turns and windings required, will shorten the distance ten miles—the soil is generally dry and gravelly. This line would not be subject to snow drifts, as along the Gulf Shore; the Bridges will be few and small, crossing near the head of the streams. From Antigonish to Merigomish, at Barney's River, by the Gulf, is 32 miles—through the mountain will be about 22 miles—ten miles of which is in the County of Sydney, extending through Lands capable of making a good Settlement: £1000 or £1200 would make this 10 miles passable, but not complete for a good Post Road. The only objection to the shorter line, will be the length of time, to complete it, if small sums should be granted yearly for the purpose—in every other respect it is preferable.

Section 3d.—Post Road from Antigonish toward Saint Mary's, 16 miles of which is in the County of Sydney, and numbered. Part of this Section is very soft in wet weather, and the greater distance impracticable for wheel Carriages. There are several hills, some high and steep, on the present line. A new line has been explored, and when opened, will occupy but a short distance of the old road. There are three Bridges on this Section, of the large class; one 210 feet long, 15 feet high; one 50 feet long, 5 feet high, in good repair; the other 50 feet long, quite rotten and unsafe. There are also nine smaller Bridges, all requiring repairs. Part of this Section, next the Town of Antigonish, is clay soil; good materials for top covering can be had, but will be expensive, owing to the distance they must be brought. The six miles next Saint Mary's, is an excellent line, dry and gravelly, and can be completed along the Lochaber, and other lakes at a cheap rate. This Section when completed, and continued on to St. Mary's river, (where an excellent line can be had) will be connected with the great Eastern Road, and shorten the distance from Antigonish to Halifax about Thirty miles. This Section when completed, will run through some of the best, and most thriving settlements in the County of Sydney. The Bridges required on the intended alteration, will not be more expensive than on the present line. £800 0 0 will be required on this Section.

Section 4th. Post Road from Antigonish towards Guysborough. From Antigonish to Guysborough County, Eighteen miles—the first five miles has been altered and completed last year; the remaining Thirteen miles is a succession of hills, many high and steep. There are six expensive Bridges; four have been newly erected within the last three years, and if not injured by storms and ice, will require but trifling repairs for some years; two are much decayed, and should be repaired or newly erected. Last fall I explored this Section, east and west, and give my opinion in favour of the latter side; it is as level, if not more so, than the Eastern; is not so circuitous; the Bridges will be less expensive; the foundation and materials better, and the line will come in at a settlement called the Roman Valley, which extends to the head of Guysborough Basin, I am informed, a good line has been explored from Guysborough to Roman Valley; and that a practicable line towards Antigonish cannot be found in any other direction. The amount required to open this Section cannot be less than £1000.

Section 5. Post Road from Antigonish, by the Gut of Canso, toward Cape Breton.—From Antigonish to Cape Porcupine, or to McNair's Cove, on the Western side of the Gut of Canso. The present Road passes the South River, Pomquet, Little River, Big and Little Tracadie, Harbour au Buchie, and part of the Gut of Canso, to Cape Porcupine, (and then crosses the Gut, to McMillans Point on Cape Breton side.) This Section (branches off four miles from the Town of Antigonish on Section four,) is a most indirect line, following around the shores and heads of harbours, which increase the distance at least ten miles. An alteration should be made, leaving Section 4th three miles from Antigonish Town, come out at the present Bridge over the South River—this would avoid two heavy hills, and shorten the distance about  $\frac{3}{4}$  of a mile—from this a good line can be got to the head of Pomquet harbour; from thence to the present Bridge over Tracadie River, about half a mile above the head of tide, it should continue in as direct a line, as the level would allow

allow to McNair's Cove, three miles beyond Cape Porcupine. There is one great advantage having the road come out at McNair's Cove—the ice would seldom or ever prevent ferrying—the tide does not run so rapid as at the present Ferry, and Ship Harbour opposite, is the proper place for the ferry, being the most populous settlement on Cape Breton side, along the strait. On the present line there are seven expensive Bridges—one at South River, two at the head of Pomquet Harbour, and one at Little River, newly erected in 1839—one over Tracadie River is much decayed, and require to be newly erected—one at head of Harbour au Buchie require but little repairs in covering—the last at Bruce's Brook, at the Gut, require to be newly built. There also fourteen small Bridges, several of which require repairing. Should a direct line be opened to McNair's Cove, the Bridges at South River, Pomquet and Tracadie, will not likely be moved from their present sites; and the few required beyond that will be small and not expensive compared to those on the present road. The distance by the present line cannot be less than 36 or 38 miles. A direct line to McNair's Cove, cannot exceed thirty miles. From the South River to Little River, and from big Tracadie to Cape Porcupine, the two distances about twenty miles, cannot, without great risk and danger, be travelled with wheel Carriages, very little of it being cast up, the rocks, and roots not being removed, and many parts being very soft. There are many hills on the present line—those along the Gut cannot be much improved, unless keeping a long distance from the shore, and make the line longer, by continually winding. I cannot pretend to give a correct estimate of the sum required, either to repair the present, or complete a direct line—about £2000 would repair the present, but a greater sum would be required to open a new line.

There was expended in 1840, on Section first £55, in erecting and repairing Bridges. I did not judge it proper to expend any on the road, until it was ascertained whether alterations would be made.

On Section second, £17 was expended in altering a hill, but did not complete it.

On Section third I did not expend any sum, but believe a few pounds were expended by others.

On Section fourth, £165 was expended; part by Contract, in completing alteration previously commenced, and repairing other parts.

On Section fifth, small sums were expended by others; but on so long a line of Road, the improvements would be trifling.

A scientific road maker is much required in the County of Sydney—there is not, that I know a person competent in the County to take the management of the roads. I have had some practice and experience, and know my incompetency and inability to conduct road making, as it should be. Much of the money is expended to little benefit—had proper lines, and the best levels been ascertained years ago, proper persons appointed to superintend the expenditure of the monies, the roads in this Province, would at present be in as good a state as they probably will twenty years hereafter. It appears to be the opinion of many, that most men are competent for Road Commissioners; it is quite a mistaken idea, the state of our roads clearly prove the evil of appointing so many, and so often changing. The roads would be much improved, and the monies beneficially expended, were a person appointed to each County in the Province, competent to undertake the management of the Post Roads; and, if time would allow, also of the Cross Roads.

I have the honor to be, Sir,

Your most obedient Servant,

AARON D. HARRINGTON.

Sir RUPERT D. GEORGE, Provincial Secretary, Halifax.

*Antigonish, January 19th, 1841.*

Section 6.—I have omitted reporting upon the Road running round Cape George—it is travelled by a Courier—the distance is 47 miles, taking the route as travelled. The Courier leaves Antigonish, goes by the harbour, Morristown, the point of the Cape, the malignant Cove, thence to Antigonish. This is one of the most uneven lines in the Province, except from Antigonish to the Harbour, seven miles, and from Malignant Cove to Antigonish 13½

miles ; the other 26½ miles, cannot be travelled with wheel carriages. Many hills are so steep, that an empty cart or sled is a full heavy load for a team. Intended alterations have been marked out ; but some time must elapse before there is a good road on this line, unless larger sums are expended than have been previously granted. From Antigonish round the Cape to Malignant Cove, there are six large Bridges, at present in good repair. There are also many small bridges across brooks and deep vallies, many of which would be avoided, were proper alterations made—the greater part of the 26½ miles require altering. I cannot say what sum will be required to complete a good road on this line.

I have the honor to be, Sir,

Your obedient Servant,

AARON D. HARRINGTON.

No. 5.

Guysborough, 22d January, 1841.

SIR,—

I herewith enclose reports and estimates in reference to the Roads, &c. which I have had under my charge the past year, agreeable to His Excellency's request, contained in your Circular of 30th December.

Owing to my distance from the Post Office, and the morning on which the last Mail left here being excessively wet and stormy, I did not get the reports of the Musquedoboit and Antigonish Roads forwarded by that Mail, as they ought to have been. The one relative to the Salmon River Bridge and the Canso Road, I have since prepared, and I now forward the whole together, hoping they may yet arrive before it is too late.

I know not if it be His Excellency's intention to recommend to the Legislature to make remuneration for such Reports—mine has cost me a good deal of trouble, and I shall be grateful for any compensation for it which His Excellency may be pleased to recommend, or the Legislature to allow, for my humble services in this behalf.

I have the honor to be, very sincerely, Sir,

Your most obedient humble Servant,

WENTWORTH TAYLOR.

The Honorable Sir RUPERT D. GEORGE, &c. &c.

*Report of the expenditure of One Hundred and Fifty Pounds on the Roads from the Sydney County Line, on the Main Road to Guysborough, under the Act of the last Session of the General Assembly, for the improvement of the Main Roads ; also, in reference to a proposed New Line of Road from Atkins, at the head of Guysborough Intervale, to the South River of Antigonish.*

GUYSBOROUGH, 10th JANUARY, 1841.

SIR,—

I beg to state, for the information of Government, that I have expended the sum above mentioned, principally by Contract, in opening a Section of New Road, extending from near Shea's to the Cross Roads at Anderson's, part of aforesaid Main Road, which had been previously laid out and established, and which it was of great importance to have opened as early as possible.

The work was duly advertized, and sold at Public Sale, on the 7th of July, in lots of 20 rods and upwards. The first thirteen lots, amounting to 284 rods, to be made 12 feet wide ; and four remaining ones, amounting to 127 rods, 10 feet wide, exclusive of the side drains, in all 411 rods, to be well and substantially made, well drained, and formed to the proper slopes and levels. The Sales amounted to £128, averaging nearly £100 per mile.

The balance of the £150, deducting Commissions, was £14 9 8. This was expended in preparing the Road for the Contract work, superintending it, and in improving two small Sections of the Old Road, which it was not necessary to alter, but which required improvements of a nature that could not be properly specified or done by Contract. The whole of the Contracts have been completed except one, (Murdoch Campbell's,) which yet requires about Twenty-four Shillings worth of labor to complete it ; it is however safely passable,  
and

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and, with the whole Section, has been opened and in possession of the Public for some months past.

There now remains to be opened but one small Section of New Road at George Bowie's Farm, about 60 rods in extent. When this is made the whole of the New Line from Lucas' Bridge to Anderson's Cross Roads, (seven miles,) will be in the best possible situation for the Road, and nearly all of it sufficiently level for the best description of Roads.

From Lucas' Bridge to the Town of Guysborough is about one mile. An important alteration, of about 100 rods in extent, from Bayard's lower line to Cutler's Cove, and from thence to follow the lower Road into Town, would afford an excellent level, and avoid four or five heavy hills, which render this part of the present Road much more laborious than it ought to be.

An alteration of about the same extent is also required to avoid the hill over which the Road now passes, at Anderson's, above the Cross Roads; from which to Aiken's, at the head of Guysborough Intervale, is nearly a Mile of excellent, level, well made, Road.

From Aiken's the present Road ascends the great hill above the Intervale. This is by far too great an ascent for any Public Highway, and particularly for one of so much importance as this; and with the numerous hills, many of them of great height and steepness, which intersect the present line between Guysborough Interval and the South River of Antigonish, render it extremely desirable and necessary that a more level line should, if possible, be found and opened for this important Communication.

From Aikens', a Road has, several years ago, been opened, which runs along near to the North West Branch, so called, for about five miles, to the head of Roman Valley Settlement; it has been considerably improved, and is now a good winter Road, and, with a few short alterations, will make an excellent level line so far.

From this Settlement to the South River, I have no doubt, from my own personal knowledge of the Country, and from the information of my Son, John Taylor, who has traversed it in all directions, that a good level Route can be easily obtained. I am also informed that an exploration has recently been made by Mr. Harrington, of Antigonish, and that he has ascertained that a suitable line can be had in that direction.

I would therefore beg leave to recommend that measures be taken to have the said line fully explored, early in the ensuing season, and that the balance of the grants of last Session, for the improvement of the said Road, with such sums as may be granted for it, during the ensuing Session, (except so much as may be necessary to keep the present Road in safe travelling repair,) may be applied to the opening of such new line, as any partial improvements or amendments that can be made upon the present Road, will be of vastly less benefit to the Public than would the early completion of a good level line.

In reference to the Bridges on that part of the Road under my charge, they are all, at present, in a good state of repair, with the exception of the Bridge at Campbell's Cove, about three miles from Guysborough, which will require to be new covered the next season, and will probably cost about Ten Pounds. The wood part of the Bridge is 100 feet long.

I have the honor to be, with much respect, Sir,

Your most obedient humble Servant,

WENTWORTH TAYLOR, Commr.

The Honorable Sir RUPERT D. GEORGE, Bart. Provincial Secretary, &c. &c.

*Estimate for the further improvement of the Main Road from Guysborough to Antigonish,*

To open and complete an alteration from Bayard's lower line to join the lower Road below Cutler's Bridge, about 100 rods	£25	0	0
Repair the Bridge at Campbell's Cove, next season	10	0	0
Aid the Inhabitants in opening the alteration at George Bowie's, next season	15	0	0
Aid the Inhabitants in opening an alteration to avoid Anderson's hill, above the Cross Roads	25	0	0
Improve and make alterations on the Roman Valley Road	100	0	0
Explore and Survey a new line from Roman Valley to the South River of Antigonish, supposed about 17 miles	35	0	0
			To

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To open the said line, and make it a good narrow Carriage Road, say 10 feet wide, will probably cost, including Bridges, &c. &c. per mile £100	£1700	0	0
			0
	In all	£1910	0 0
Of the above, I would recommend that next season there should be allowed the following sums, viz :—			
To repair the Bridge at Campbell's Cove		£10	0 0
For Opening the alteration at George Bowie's		15	0 0
Do. do. at Anderson's Hill, in part		12	10 0
Improving the Roman Valley Road		20	0 0
Exploring new line from do. to South River		35	0 0
Towards opening the same from Roman Valley Settlement to the County Line,		150	0 0
			0
	In the County of Guysborough	£242	10 0
Towards opening the same from County Line to South River, in County of Sydney		350	0 0
			0
		£592	10 0

WENTWORTH TAYLOR, Commr.

NOTE.—The sum, stated for exploring, should have been reckoned part in each County.

## No. 6.

*Report of Expenditure of £850, granted in the Session of General Assembly of 1839, for the purpose of opening the Road on the line surveyed by Messrs. Taylor and McKenzie, from Dean's Brook, in Upper Musquedoboit, to Wallace Bridge, on the Saint Mary's River—by Wentworth Taylor, Commissioner.*

SIR—

Agreeable to a plan of expenditure, suggested by me, and approved of by His Excellency, I commenced the work on the 11th of June at the Wallace Bridge, with a small party of men, and, before the 15th, had cleared the under-brush out of nearly seven miles of the line, so as to make it, so far, accessible to persons desirous of contracting for any part of it. I also measured and marked off about 6 miles of it, in lots of 40 rods each; and on the 15th, (the day I had previously notified for the first sales,) a number of persons from Pictou and St. Mary's attended; but in offering these lots for sale, to be first cleared and rooted eight feet wide, I was much disappointed to find that none present were disposed to bid them off at less than two shillings to two shillings and six pence per rod.—This I considered by far too high to be given for this part of the work, and therefore did not effect any sales in that way—I however contracted with James Chisholm, who resides near the Wallace Bridge, for completing 100 rods of the Road, including 3 Bridges—one 60, one 30, and one 20 feet long, and a causeway 66 feet long, for £16 5; and with Duncan Cummings for completing 48 rods of Road, at 2s. 1d. per rod—20s. was afterwards added to Chisholm's Contract for covering two other small Bridges with gravel, and completing an embankment. These were all the sales effected at that time; and finding it impracticable to get the work done to any extent by Contract, unless at a price exceeding what I considered it could be done by days' work, I concluded to go on with it by the latter. The demand for labor at the Albion Mines Rail Road, and the more than ordinary call for Laborers in other quarters, exempt from the annoyance of flies, and the other privations and disadvantages incident to a distant employment in the wilderness, disappointed my expectations of an active competition for Contract Work; and rendered it difficult, in the early part of the season, to obtain a sufficient number of men to carry on the work as rapidly as the extent of the service required.

Being obliged to attend the June Term of the Common Pleas at Guysborough, I left a well qualified Foreman, whom I had taken with me from Guysborough, to superintend in my absence, and to open and level a narrow Cart Road. On my return, I found that the party

party had completed one mile, at an expence of about £30, exclusive of three Bridges which were afterwards made for something over £10. This part of the line being near the River, and on dry gravelly soil, required but little draining of any kind to make it perfectly dry—but, in proceeding with the work, I found it impossible to make a dry road without opening a drain on the upper side of it for nearly the whole extent, with a sufficient number of cross drains to carry off the water—and I also saw that unless something like system were adhered to in forming even a narrow road, it would be left in a very imperfect state for travelling of any kind, and would be wholly impassable for Wheel Carriages; and that if the Bridges on the numerous small streams crossing the line were left without suitable embankments at their ends, they would require to be made of wood much longer, and would be much less secure and durable than if properly embanked.

I also considered that any thing less than a road sufficiently drained to keep it from being deep and miry, and of sufficient breadth to be passable for Carts and Sleighs, would, when opened, greatly injure the character of the line in the general estimation, and deter many from travelling it, that would otherwise gladly avail themselves of its advantages.

With these views, and in concurrence with the general opinion of those most directly interested in the improvement of this road, I concluded to open the line from 10 to 12 feet, with a formation of from 7 to 8 feet wide, exclusive of the side drain, to be made as nearly as possible to the proper slopes and levels—small bridges 10 and large ones 12 feet wide, with the embankments and side cuts leading to them, to be of sufficient breadth to make them safely passable—and to open the road in this way as far as the grant would go, reserving a sufficient sum to open a narrow foot path through the remainder of the line.

Previous to the gale of 13th September, I had in this way completed upwards of six and a half miles, (principally by days' work,) at an average, including bridges, of about £55 per mile; but the fearful devastation made by that gale on the woods in that quarter, was such, that the clearing out and repairing the breaches, made by the uprooting of the trees on that part of the road which had been completed, cost, on an average, upwards of £3 per mile; and the immense masses of windfalls and roots, which for several miles onwards had to be cut through in our further progress, added very materially to the expense of making the Road, and deterred me from attempting to open a foot path, as I had previously intended, through the whole line; as such an attempt would have been attended with an immense loss of labor, in cutting a narrow opening through miles together of windfalls, so heaped up as to require a large opening being made, before the timber, brush and roots could be got out of the way, so as to afford even a narrow passage.

I therefore concluded that it would best subserve the interest of the Road, to continue making it, as I had commenced, as far as the Grant would go—and in this way I have completed in all 12½ miles from the Wallace Bridge; nearly the whole of which is through green hardwood or Hemlock land. All the Bridges are well and substantially built and embanked, and the work throughout done with a view to permanency—the ground on the line of formation being thoroughly cleared of roots, stones and rubbish of every kind, before being levelled or cast up, and all the swampy and wet parts are well cast up and drained—and the whole of sufficient breadth for waggons or narrow carts and sleighs to pass with safety. I finished the work about the last of October.

For the whole of this extent, the Road runs along near the base of the highlands, on the South side of the West Branch of St. Mary's; and having, for the most part, a northern aspect, the effects of the gale were vastly greater on it than on more sheltered situations. It should however be observed, that the opening made by the wind will be of immediate and essential benefit to the road, by admitting the sun and air, and the immense number of large roots blown up within the breadth that will be required for a great public Road, and which in a few years will become decayed and easily extracted, will greatly lessen the future expense of making such a Road.

The termination of this expenditure is about half a mile east of the South Branch, so called, and about one and a quarter mile east of Langley's. Between these the line passes through a barren; and from the latter towards Musquedoboit, a great proportion of the ground through which it runs has a southern aspect; and it is probable the woods on it will be much less blown down than on the part which has been opened.

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The principal part of the labourers employed were from the South and West Rivers of Antigonish and the Lochaber Settlement. Their wages was from three to four shillings per day, according to the goodness of the hands; but although, in general, good laborers, yet comparatively few of them would work by contract, even in small lots. At the commencement, they were, in a great measure, unacquainted with the system I had adopted in making the road; and after the gale, those who had acquired some knowledge of it, were prevented from engaging in contract work, to any extent in advance of the opening, by the utter impracticability of getting along the line until it was first cleared.

I however, throughout the work, embraced every opportunity that offered of getting small lots done by contract, contiguous to the parties employed by days work. And in this way a considerable extent of the Road was sold and completed; and also the whole of the Bridges, except a very few of the smallest class, and a gully bridge of considerable extent near Chisholm's, which I could not get done by contract on any terms that I considered reasonable, and, therefore, had it done by days work.

The average cost of making the Road, as far as it has been opened, *exclusive of Commissions* on the sum expended, is something over £65 per mile, including bridges and embankments.\* This I trust will not be considered an immoderate sum for making such a road and under such unfavourable circumstances as I have described; to which may be added the very great disadvantage of having to bring, at a heavy expence, supplies of every kind necessary for such a work, from a distance of thirty to forty miles by land, and on a barely passable cart road.

I have the honor to be, with great respect, Sir,

Your most obedient Servant,

WENTWORTH TAYLOR, Commissioner.

Sir RUPERT D. GEORGE, Bart., Provincial Secretary, &c. &c.

Guysborough, 31st Jany. 1840.

\*See abstract of Reports of both years expenditure annexed; also Statement of Bridges.

Guysboro', 15th January, 1840.

SIR,—

The foregoing report was drafted by me last winter, but too late to be forwarded during the sitting of the House. It was the last of October, 1839, when I finished the expenditure of that year. Immediately after which I commenced the exploration and Survey of the new line from where Mr. McKenzie and myself had terminated our Survey at St. Mary's, and I did not get through with it to Guysborough until the end of the year.

The plan and Report of that Survey, with several other matters connected with the Road service in this County, required my immediate attention for some time; and these with an illness brought on by the hardships and fatigue I had recently undergone, prevented me from completing my Report of the expenditure in due season. I now, however, beg leave to forward it with my Report of last year's expenditure on that Road; that my whole proceedings thereon may be fully made known to His Excellency and the Honorable Legislature.

I have the honor to be, with much respect, Sir,

Your obedient Servant,

WENTWORTH TAYLOR.\*

Honorable Sir Rupert D. George, Baronet, Provincial Secretary, &c. &c.

*Report of the expenditure of £200, part of the Grant of 1840, for opening the Section of the New Great Eastern Road, from Langley's towards Musquedoboit—by Wentworth Taylor, Commissioner.*

Guysborough, 15th January, 1841.

SIR—

I beg leave to state, for the information of His Excellency, that, agreeable to the directions contained in your Letter of 20th May last, in which you informed me that £200 of the Grant towards completing the New Line from Langley's towards Musquedoboit, would

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would be entrusted to me ; and stating His Excellency's request, that I should immediately take the necessary preparatory steps for selling the Road by Sections, at Public Auction. I, on the 1st of June, advertized the sale thereof for the 19th of that month, in lots of quarter miles, or upwards, to suit purchasers ; and, a few days previous to the day of Sale, I proceeded to the Road, with four assistants ; and after clearing it of brush, so as to enable those who were desirous of contracting to pass along and examine the line—measuring it off in lots—marking and numbering each. I, on the day appointed, sold on the spot  $3\frac{1}{4}$  miles, to be completed as I had done it last year, and agreeable to a specification, of which I enclose a copy ; and also, the erection of a Bridge over the South Branch, so called, 70 feet long, with 55 feet of embankment—the whole for £167 7s. 8d., as per accompanying memorandum of sales, to which I beg leave to refer.

On my return to Guysborough I received your Letter of 10th June, with a Commission for £375—£175 of which to be expended only on condition that Mr. Faulkner, the Commissioner on the Musquedoboit end of the Road, (who was entrusted with a like sum on the same conditions,) would undertake with me to make the whole line passable for carts this year. I immediately communicated with him on the subject, and we both concluded it best to wait until our first contracts were completed ; and, in the meantime, appointed a time to meet at Musquedoboit, to examine the line, and conclude whether we could, with any hopes of success, attempt the opening of it through on the terms proposed. Unfortunately, a severe and dangerous illness of one of my family prevented my meeting Mr. Faulkner at the time appointed ; and, with my other engagements in the Public Service, ultimately put it out of my power to meet him at all. It is, however, almost certain, that had we met and examined the line, we could not have attempted the opening, in the manner prescribed, with so small a sum ; and to have done it in any less efficient manner would, in my humble opinion, have been permanently injurious to the future usefulness of the Road. The conditional part of the Grant therefore remains yet unexpended.

Being engaged in the erection of a Bridge over Salmon River, on the Canso Road, for which I was Commissioner, I could not leave that service, at the time required, to inspect the contract work on the Musquedoboit Road.—I therefore sent my brother, Matthew Taylor, who was present at the Sales, and fully understood the terms, and is himself a good Road-maker, to superintend the finishing of the work, and to inspect it. In his report to me, and also, on examination before a Special Sessions at St. Mary's, he states that the Contracts were faithfully performed, and the Road made well, and in full conformity to the terms of Sale.

In addition to the first Contracts, 27 rods was afterwards made by small jobs. The whole distance made by me this year is 3 miles and 116 rods, at an average, per mile, including Bridges, and all charges, of	£56 16 2
The average, per mile, of Road made by me last year, including Bridges, Commissions, &c. is	68 13 6

Difference, per mile, in favor of this years expenditure	£11 17 4
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This difference, although apparently much in favor of the expenditure of 1840 over that of 1839, is, in reality, much less so than would appear by the foregoing comparison.—There is a vastly greater proportion of Bridges and embankments on the first than on the last year's opening, as will appear by the annexed statement of Bridges. The Road made in 1839 runs almost wholly through green hardwood or hemlock land ; and nearly half of it was made after the gale of 13th September, in that year, had prostrated a great proportion of the woods on that part of the line, and thereby added greatly to the cost of clearing and making a narrow Road. The first year's expenditure opened the Road nearly to the South Branch, so called—after crossing which, the Road made last year passes for about a mile through a dry barren ; and here it diverges from the River, and takes a southern aspect, on which the woods are much less blown down than they are along the northern declivity, below the aforesaid Branch. These circumstances, to which may be added the diminished demand for labor at the Albion Mines and elsewhere, during the last season, will account, in a great measure, for the average difference of the two years expenditure on this Road. The knowledge of Road making acquired by many of those employ-

## APPENDIX, No. 17.

ed by me in this service in 1839, (among whom were the whole of the Contractors of last year,) has also been, and will, hereafter be, of much advantage to the Contract system on this Road, by greatly increasing the number of competitors qualified to carry on the work to advantage, and to understand its proper value.

There is now completed at this end of the Section, from Wallace Bridge to Dean's Brook, nearly sixteen miles of a good narrow Cart Road, generally well drained, and formed to the proper levels and slopes, with all the Bridges substantially built and embanked, at a gross expense of £1050, that is to say :

Grant of 1839	£850	0	0
Expended of do. of 1840	200	0	0
	<hr/>		
	£1050	0	0

Making an average in the whole of £65 12s. 6d. per mile.

I have not heard from Mr. Faulkner since he finished his expenditure on the Musquedoboit end of the Section ; but he informed me in Summer that he had contracted for the opening—that is, for clearing, rooting and Bridging,  $5\frac{1}{4}$  miles. If this is the extent which he has opened, there yet remains unopened of this Section about eight miles: this is by much the roughest and most rocky part of the whole Section ; and, in my opinion, cannot be completed, in the way I have made this end of the Road, for less than £60 per mile, including Bridges. In making this estimate, I allow the whole to be done by Contract ; and that the chance of competition will be much greater than heretofore, as this part of the work will be now accessible from Musquedoboit and Stewiacke, as well as from St. Mary's, Pictou, Antigonish, &c. ; but the nature of the ground is such, that, if the work is done by Contract, it ought to be carefully superintended by a competent Road Maker throughout the whole expenditure, to ensure the proper levels being taken and kept, and the rough stony parts cleared of rocks to a sufficient depth below the surface of the Road, to prevent them from being raised by the frost, and becoming future obstructions and annoyances to travellers. I would therefore beg leave to recommend that £500 be applied, the ensuing year, to complete this part of the Road.

I am not informed of the full extent of Mr. Faulkner's operations on that part of the Road opened by him, and therefore will not attempt an estimate of what may be necessary to make it a safely passable Cart Road. I however trust, that means may be provided to complete the whole Section in that way the ensuing season. Mr. Faulkner will probably have furnished the necessary estimate in behalf of that part of it entrusted to him.

In further reference to that part of the Road which I have opened, I beg to state, that much of it is on side hill ground, which, in many places, required deep side cuts and embankments.—These, although formed with as much care, in regard to their permanence and safety, as the nature of the work would admit, are yet liable to be more or less broken down by frost and floods—and to fill up the side drains, and, in some places, the entire breadth of the Road—in both cases injuring and obstructing it ; and, in the latter, rendering it impassable or dangerous, particularly with carriages of any kind. No breaches of this kind have yet occurred, except in one place, and that to a small extent ; but, in a narrow side-hill Road, they will occasionally happen, and ought to be repaired as soon as possible. I would therefore suggest the propriety of a small sum, say Fifteen or Twenty Pounds, being allowed the ensuing season for clearing the drains, and repairing breaches in the side cuts and embankments, on that part of the Road already opened.

As this Road will, I trust, be fully opened and made passable the ensuing season, I beg permission to call the attention of Government to the importance and necessity of encouragement being given to some suitable persons to settle on different parts of it, and to keep houses of entertainment thereon for the accommodation of Travellers. The Farm or Lot on which Langley formerly resided, being nearly half way between the present Settlements at St. Mary's and Musquedoboit, and contiguous to the new Road, would be the most proper situation for a principal place of entertainment thereon. Besides a large clearing made by Langley, there are on it extensive natural meadows, capable at present of affording support for a large stock of Cattle. I have understood that the title to this Lot is yet in the Crown ; and, if so, it would be extremely desirable that it should be retained in that

that state for some years to come, and the use of it, with such other encouragement as might be necessary, given to some trusty and well qualified person, who would immediately settle thereon, and erect a suitable Dwelling House, and other Buildings, and keep good accommodation and entertainment for Travellers. In my humble opinion, this would be a much safer course than to grant or sell the Lot, in the first instance, even to a suitable person, as he might thereafter be unwilling to keep such a House, as the public good would require, or might dispose of it to some unsuitable person; and there is no other place near the road, for a considerable distance, on either side of this Lot, that is fit for settlement. Langley lived for several years on this Farm, but left it about 18 years ago, when the old Musquedoboit Road was abandoned. He is now an old man, and resides at Antigonishe, and it is not likely will ever return to this Farm himself; but he has Sons who may possibly wish to reclaim their Father's possession, after the new Road is opened.

Whether any of these are suitable persons to keep such a House of Entertainment as ought to be kept there, is uncertain—at all events, the public good requires that this place should be secured, if possible, for that purpose, even at the expense of compensating any claims that Langley may have to it.—Black Brook, so called, is about half way from Langley's to Chisholm's, the highest up Settler on St. Mary's, and seven miles from each: here ought to be another Stage; and a third at or near College Lake, so called, about 8 miles from Langley's, and 7 from Dean's, the first Settler at Musquedoboit. It would be very desirable that Houses of Entertainment should be established at both of these places, as soon after the Road is opened as possible, for the safety and encouragement of Travellers thereon, particularly in Winter, and to ensure the Road being kept open at that Season. The Lands at or near both of these localities are tolerably good. Those at the former belong to the Crown—the latter, as I am informed, to the Windsor College.

I feel assured that, at the first opening of this Road, which at present passes through nearly thirty miles of unbroken wilderness, without a Settler, some Legislative aid and encouragement will, for a few years, be necessary, to induce competent and qualified persons to settle so far from neighbors, and from the comforts and advantages of Society; and without such Settlers, and places of entertainment, a great proportion of the anticipated benefits of this Road will, for years, be lost to the public, particularly for winter travelling—which, if the Road be kept open at that Season, will be the most peculiarly beneficial to those interested in this great communication.

I would therefore recommend that a suitable Lot, say 250 or 300 acres of Crown Lands, at or near Black Brook, should be laid out and reserved for the first competent person who will settle and reside upon it for ten years, and keep, during the whole of that period, a comfortable House of Entertainment for Travellers. The Grant to be given him at the expiration of that term, free of costs; and that such pecuniary aid may be offered as will induce a suitable person to settle and keep a similar House, at or near College Lake, between Langley's and Musquedoboit.

I have the honor to be, &c.

WENTWORTH TAYLOR.

HON. SIR RUPERT D. GEORGE, Bart. &c.

*Report, in reference to the Wallace Bridge, and the other Bridges on the Section of the New Great Eastern Road, from the Pictou Cross Roads towards Musquedoboit, 31st Dec. 1840.*

NOTE.—The Pictou Cross Roads is nearly three quarters of a mile East of the Wallace Bridge.

McDonald's Brook Bridge is half a mile East of Wallace Bridge, and 60 rods West of the Cross Roads; it is 60 feet long, and about 8 feet high; is now in a ruinous state, and will require to be re-built the ensuing season—will probably cost about £10.

Wallace Bridge was first built in 1828, and cost about £100; it was 190 feet in length, with a span of 80 feet long, supported by three sets of projecting Timbers; it had but one pier 18 feet high; an abutment, at the Eastern bank, 20 feet high; and one at the Western bank, 10 feet high; the whole built of Hemlock Timber, well squared and put together,

and the piers and abutments built solid inside, with large flags of freestone, taken from the bed of the River, which is here, from side to side, a solid ledge of that stone : but, notwithstanding the substantial manner in which it was erected, the decay of the Timber, of which it was constructed, was so rapid, that the Bridge has been in a very unsafe state for nearly two years past, and early last spring the projectors gave way, and the whole span fell.

On a representation of the state of this Bridge, made by me to the Executive, a Commission, authorizing me to expend the sum of £50 in repairing it, was forwarded to me in June last ; but a short time previous thereto the whole Bridge was unfortunately consumed by a fire, which ravaged the woods, in that vicinity, to a great extent. Of this circumstance I immediately informed the Executive, and suggested that in case His Excellency should think proper to authorize the re-building of the Bridge, that it ought, if possible, to be constructed of better and more durable Timber than that of which the former one had been made ; to obtain which it would be necessary to have the benefit of the winter season for hauling, and the spring freshets for floating it down the River, from a considerable distance above, where it could be got of a better quality, and at a much less expence than if got in the summer season. I have not since had any instructions on the subject, and the £50 remains yet unexpended.

Should the new line of Road, from St. Mary's to Musquedoboit, be fully opened next season, as I trust it will, the want of this Bridge would be a serious drawback to the usefulness of that Road, as the River is very often unfordable, and its Eastern bank, for a considerable distance above and below the Bridge place, is so steep that it cannot be passed with any kind of Carriage, and with great difficulty by Horses.

I would therefore beg leave to recommend that the £50, intended for repairing the late Bridge, should be applied towards procuring suitable Timber during the present winter ; and that an additional sum of £100 be granted for completing it the ensuing season, in the most substantial manner, the whole to be done by Contract, agreeable to a plan and specification, which it will be necessary should be made before either the Timber or the erection can be sold.

The reason for having so great a length of span in the late Bridge, was to have the Pier as much as possible out of the way of the River Ice, during winter freshets, the operation of which, in that part of the River, was not then known. It is, however, now generally believed, by those who have seen its effects upon the late Bridge, that the span may, with safety, be shortened to 50 feet. This would add much to the strength of the Bridge, and lessen the expense of erecting it.

These two Bridges are all that remain to be built on that part of the new line which has been opened.

*Statement of Bridges built on the New Line in 1839.*

Chisholm's Bridges—one 60 feet long, one 30, one 25, and one 20.

Gully Bridge, at lower end of Frame's Intervale, 70 feet long, with embankments.

Nine small Bridges, with embankments, from 10 to 30 feet long, in the 2d, 3d, and 4th miles from the Wallace Bridge.

McQuary's Bridge, 15 feet long, with two high embankments, each 20 feet.

Five small Bridges, with embankments, 15 to 20 feet long, in 5 and 6 miles.

Black Brook Bridge and embankments, 80 feet long, 8 feet high.

Deep Ravine Bridge, 30 feet long, 10 feet high, 30 feet of embankment.

Camp Brook Bridge and embankments, 25 feet long.

Steep Brook Bridge, 40 feet long, 10 feet high.

Gorman's Brook Bridge and embankments 60 feet long.

In all 25 Bridges, of various lengths, in expenditure of 1839, all in good order.

South Branch Bridge, 70 feet long, 8 feet high, with 55 feet of embankments, built in 1840.

*Bridges to be built on that part of the Line yet unopened.*

Lake Loon Brook Bridge, 30 feet embankment, 40 feet long.

Pollock's Brook Bridge, 40 feet long.

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Otter Lake Brook Bridge, 40 feet long.  
College Lake Brook Bridge, 80 feet long.

WENTWORTH TAYLOR.

*Memorandum of Sales of Lots on the New Line of Road, from the termination of last year's expenditure, near Langley's, towards Musquedoboit, at Public Auction, 19th June, 1840.*

No. of Lots.			
No. 16.	Dugald Cameron,	108 rods, at 2s 9d per rod	£14 17 0
15.	Angus Cameron,	80 do " 3s 3d " "	13 0 0
14.	David McDonald,	Bridge over South Branch, 70 feet long, two embankments, 55 feet and 3½ rods of Road, in all 11 rods in length	18 9 0
13.	Angus Cameron,	50 rods, at 2s 4d per rod	5 16 8
12.	Dugald Cameron	80 do " 2s 2d " "	8 13 4
11.	Lauchlin McQuary	80 do " 3s 3d " "	13 0 0
10.	John Cruickshanks	80 do " 3s 1d " "	12 6 8
9.	Dugald Cameron	80 do " 2s 3d " "	9 0 0
8,7,6,5.	William McDonald	320 do " 3s 0¾d " "	48 10 0
4,3.	John Cruickshanks	160 do " 2s 11¼d " "	23 15 0
		1049 rods.	Total Sales £167 7 8

Terms of Sale.—The Road to be cut by the marked line, which, in general, is intended for the centre of the Road, except where it is otherwise marked, or where a deviation is necessary to preserve uniformity in the road level. Where the original line has been altered, the alteration is double or treble blazed, the greatest number of blazes to be taken. Any other alterations must be at the risk of the Contractors. The Road to be cut, and cleared of Logs, Timber and Brush, and at least 12 feet wide; and of Roots, Stones and Rubbish, at least 10 feet wide. The formation to be at least 7 feet wide, clear of the side drains, which is to be made on the upper side of the Road, and of sufficient size and depth to make the Road dry. The wet parts of the Road to be well cast up; a sufficient number of cross drains to be made in the proper places, and of sufficient size and depth to carry off the water freely from the side drains, and to be covered with good sizeable poles, and graveled over the top. The formation to be made uniform on the top, the hollows to be filled up, and the hills cut down to the proper levels, so as to make a good narrow Cart Road, to be finished equal to the best parts of the last two miles made last year; wood causeys, when necessary, to be made 10 feet wide; and before being laid the swamps to be cleared, rooted, and well levelled, and the poles laid solid in the mud, without poles or string pieces under them. The whole work to be done in a good and workmanlike manner, and to the satisfaction of the Commissioner, and finished on or before the middle of October next. One third of the consideration money to be paid from time to time as the work proceeds, and the remainder when it is completed, and the certificate required by Law obtained.

*Abstract of Expenditure of 1840.*

Amount of Sales, as per statement	£167 7 8
Expended in clearing brush, measuring and marking lots, and preparing them for sale, per acct. of expenditure	5 17 6
Additional expenditure, per do. do.	8 6 1
Over-expenditure of 1839	8 8 9
Commissions	10 0 0
	£200. 0 0

*Abstract of the foregoing Reports.*

Grant of 1839, £850, over-expended £8 8 9	£858 8 9
(See account of expenditure for this year.)	

Completed

## APPENDIX, No. 17.

Completed 12½ miles, including 25 Bridges, and embankments, average per mile, exclusive of Commissions, £65 5 6, Commissions on £850—£42 10, equal, per mile, to £3 8—			
Whole average per mile			£68 13 6
Nearly £20, included in the above, was expended in re-clearing and repairing that part of the Road opened previous to the Gale of 13th September, of this year.— <i>See Report, page 3, 4 &amp; 5.</i>			
Grant of 1840, £200—less over-expenditure of last year £8 8 9.			
Completed this year 1076 rods 3¾ miles, including the Bridge on South Branch, average per mile, including Commissions,			56 16 2
Difference per mile, in favor of expenditure of 1840			11 17 4
( <i>For explanation of this difference, see Report, page 8.</i> )			
Average per mile of both years expenditure			65 12 6
Nearly 16 miles completed in both years.— <i>See Report, page 9.</i>			
Eight miles, yet to be opened, generally rough, rocky ground, will probably cost, per mile, including Bridges, £60			480 0 0
Superintendance, &c.			20 0 0
			<hr/>
			£500 0 0
( <i>See Report, page 9.</i> )			
To clear the drains, and repair breaches, &c. in Road already opened			20 0 0
To re-build the Wallace Bridge £150 ; do. McDonald's £10			160 0 0
			<hr/>
			£680 0 0
( <i>See Report of Bridges, page 10.</i> )			
To complete the Road opened by Mr. Faulkner,			120 0 0
			<hr/>
Probable sum that will be necessary to complete the whole Section, and to re-build the aforesaid Bridges, next season.			£800 0 0

All of which is respectfully submitted.

WENTWORTH TAYLOR, Commr.

Guysborough, 15th January, 1841.

No. 7.

*Lower Stewiacke, 20th January, 1841.*

SIR—

In compliance with the command of His Excellency the Lieutenant-Governor, communicated to me in your Circular of the 30th December, I beg leave to submit a Report of the Expenditure of a sum of Money granted by the Legislature, during the last Session, for opening the new line of Road between Upper Musquedoboit and Langley's, in the South Branch of Saint Mary's.

Immediately after the receipt of my Commission, authorizing me to expend the sum of £200 between the above named Points; and a further sum of £175—provided Mr. Wentworth Taylor, of Guysborough, and myself, would engage to make a passable Carriage Road for the sum of £750. After having made an appointment with Mr. Taylor to meet him at Langley's, I proceeded to examine the Route; but in consequence of the extreme difficulty of getting through, a large part of the Forest being blown down, since the Gale of September, 1839, I did not reach the place appointed; and subsequently, I learnt that Mr. Taylor, in consequence of a domestic affliction, did not reach the place appointed either—but that he had previously commenced the expenditure of the sum placed at his disposal, in continuation of the Line from Saint Mary's to Musquedoboit. Being deprived of the assistance of Taylor, I proceeded to expend £200, as authorized by my Commission.

The plan I adopted, was to clear out the Timber and Roots, 15 feet wide, fit for the plough;

## APPENDIX No. 17.

plough; and chopped 16½ feet on each side of the road—thus making an opening through the Forest, for admission of sun and air, 48 feet wide: the Road being cleared out this width, will be in a state of readiness to make a Carriage Road 12 feet wide. I sold the clearing off the Road, as above described, 5½ miles, for about £161, averaging £30 15 per mile. The remainder of the Two Hundred Pounds was expended in casting the worst places, and cutting a foot path through the Wilderness, to meet Mr. Taylor's Expenditure. There are still about seven miles between the most Easterly Point, where I terminated operations, and the Western end of Taylor's expenditure, in a wilderness state. To open this Section, from the end of Taylor's Road to the Point where I terminated, and to make a Carriage Road 12 feet wide, will cost

	£700 0 0
To finish 5½ miles, from the fore-mentioned Point to Dean's Brook, Upper Musquedoboit	175 0 0
	£875 0 0

From Dean's Brook to Hutcheson's Road, (see Taylor and M'Kenzie's Plan) the distance is 7¼ miles—four miles of which are through cultivated land—the remainder, three and one quarter, through wilderness. To complete this Section as aforesaid, will cost about £500.

As first in importance, I beg leave to suggest that the Line between Dean's Brook and the Western termination of Taylor's expenditure, should be opened; for, until this is done, there will be no communication between Musquedoboit and Saint Mary's. But as a Section of the new Line has been made, terminating at Hutcheson's Road; and as the Section between this and Dean's Brook is exceedingly hilly, it is extremely desirable that this Section should be completed as soon as possible.

Estimate of the probable expense of making the whole distance a 12 foot road £1350.

I have the honor to be,

Your obedient and humble Servant,

WILLIAM FAULKNER.

The Hon. Sir RUPERT GEORGE, Bart. &c. &c. &c.

No. 8, (a.)

Pictou, 18th February, 1840.

SIR—

In compliance with the wishes of His Excellency the Lieutenant-Governor, expressed in your Letter of the 10th instant, requesting me to furnish any information which I may have in my power to afford, relative to the present state of the Road from Pictou to Cumberland, accompanied by suggestions for its improvement, and Estimates, I beg leave to report as follows, viz:

1st. From the Three Mile Inn to Carraboo River, a distance of about six miles. This Road is made over a soft clayey soil—the side drains are filled up—and it abounds with ruts, stumps and other impediments. It will require about Thirty Pounds to put it into a travelling state of repair.

2d. From Carraboo River to River John, a distance of nine miles. The whole of this Section is principally over a dry sandy soil—the surface is, in general, smooth and easy to travel upon—some side drains will require clearing, and cross drains repaired. The sum of Fifteen Pounds would put this into a tolerable state of repair.

3d. The River John Bridge. This Bridge is built about a mile below the head of the tide. The bed of the River is about three hundred feet wide—channel upwards of one hundred feet. The Bridge is in a very decayed and delapidated state—it would require to be rebuilt during the incoming Summer. Probable expense, from £350 to £400.

4th. From River John to Waugh's, or Currie's River, Tatamagouche, a distance of about ten miles; and from the aforesaid River to French River, a further distance of about two miles. The Road is in a similar state as Section 2d. It will require about Twenty Pounds to repair the side and cross drains. It is necessary to mention, that Waugh's, or Currie's, a Fresh Water River is crossed by a ford, which, in Spring and Fall freshets, makes it very  
s. inconvenient

inconvenient and dangerous. To remedy this, some years ago, a more convenient site for a Bridge was looked out for further down the River, in the tide water, and part of the abutments built; but as this alteration required about two miles of new road to be made, the proposal had to be abandoned, notwithstanding, it is said, that it would shorten the distance upwards of a mile. The bridging of this River is of the utmost importance to the safe and speedy communication of the Mail, and ought to be attended to. Without minutely inspecting the ground, I am not prepared to say what the expense of this improvement might be, but I should not think it would be less than £400 or £500.

5th. From French River to Dewar's River, a distance of six miles. On this Section are three Bridges, to-wit: at Saw Mill Creek, Dewar's Creek, and Dewar's Bridge—that at Saw Mill Creek would require to be rebuilt this season; the other two would require some new planking. The Road is in bad repair, parts of it having never been properly cast up—is made over a dry sandy soil, and level. If once properly formed, it would stand a long time without much repair. Probable expense £150.

From Dewar's River to Wallace, a distance of five miles. On this Section there are no important Bridges, and the Road is in tolerable repair. The sum of £5 probably would help to make all the necessary repairs that may be wanted on this part of the Road.

Unacquainted with the Road between Wallace and Amherst, I cannot afford His Excellency, respecting the same, any information.

I have the honor to be, Sir, &c.

Your most obedient servant,

PETER CRERAR.

To the Honble. Sir RUPERT D. GEORGE, Bart. &c. &c. &c. Halifax.

No. 8, (b.)

#### REPORT OF WINDSOR ROAD.

The Commissioner, appointed by His Excellency the Lieutenant-Governor to expend Monies on the Great Western Road, begs leave to make the following report:

Commenced operation early in May last, and, after putting that part under his charge into a passable state, from the injury done by the Winter and Spring rains, began with the new line of road at Springfield, and, by the latter end of July, so far completed it that the public has had the advantage of the change during the remainder of the year. This was performed partly by Contract, and partly by days' work; but in consequence of not having sufficient means to gravel the whole line, a part at each end will be in a bad state during the wet weather—and will require a larger sum to complete it than otherwise would have taken at the time.

The road from Windsor to Halifax, considering the great increase of traffic on this road above all others in the Province, and which has been particularly great during the past year, together with the damage done by the heavy loads carried on narrow wheels, cannot be put and kept in that state of repair, which the importance of it requires, unless a very large sum is annually expended, and that upon an improved system. Hard materials should be prepared by Contract during the Winter and Spring—this, under proper management, would be done by poor people living on the road. The stones should be collected in Autumn, and left on the sides of the road for breaking.

The Commissioner has, with the sum granted to repair the road, made some considerable improvements, by forming the road, cutting drains, putting down bridges, raising causeways, putting a covering of stones in some places, and gravel and slate in others—but finds the latter not a sufficient covering for the road—nothing short of broken stone will stand on many parts of this road, and that properly put on—and even that, when the frost is coming out in the Spring, will be more or less cut up by the narrow wheels.

The Commissioner, in endeavouring to make an estimate of the repairs still required on the Windsor Road, is rather at a loss to come to any precise conclusion to say how much money will be required, as it altogether depends into what state of repair the road is to be put. If a strong and substantial road is to be made of hard material, an estimate may be made

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made, by which the expense may be ascertained by admeasurement; but if the road is to be repaired in the usual way, a less sum will of course answer. But the Commissioner has always, (at least for a number of years,) considered that partial repairing every year a road of such vast importance as the Windsor or Great Western Road, is a great waste of public money. Many parts of this road, to make it sufficient for the ponderous loads which are carried, will be required to be taken up, and a foundation of stone or brush laid before it can be made substantial. In this case, the expense will be heavy, but money would be saved in the end.

The Commissioner calls the particular attention of the Government to that part near Sackville, called the Sandy Flat, which is allowed to be the worst part of the whole line from Windsor to Halifax. To complete this piece, equal to a part which has been already done, will require upwards of One Hundred Pounds.

To put the Road from Sackville to Windsor, a distance of thirty-five miles, into a good state, could not be done, on an average, for less than One Hundred Pounds per mile—that sum, judiciously laid out, would do a great deal towards making a good Road—yet, the Commissioner could not recommend so large a sum to be laid out in one year.

The Bridges, with a few exceptions, have undergone a thorough repair within the last two years—one, considerably large, near Hamilton's, will require to be made new next year, as also several small ones.

In making this report, the Commissioner submits to the notice and consideration of the Government, an alteration of the Road, to avoid the chain of hills, from Pence's Inn to FitzMaurice's, and a small change at Pence's old House, which has been partially explored, and a sketch of the alteration laid before the Legislature last year: this alteration would continue the new line on a level, and shorten the distance considerably—no additional Bridges would be required—the length of new Road would be something over two miles.

The Commissioner wishes to remark, from his experience in Road making, that to make what is generally called a Winter Road, is a loss of Money; and would recommend, when there is not sufficient granted to finish a Road, to complete, as far as the Money will go, and leave the remainder until another year, or until means are obtained.

The Commissioner, further, reports on the new line of Road from Windsor to Horton, King's County, called Mount Denson Road—for which the sum of Eight Hundred Pounds were granted the last Session of the General Assembly.

Having given notice, as the Law directs, in the adjoining Townships, to let, in Lots of eighty rods each, a number of the Inhabitants met on the eight of June, the day appointed; and after shewing a specification of the way and manner the Road was to be made, the several Lots were let at Auction to the lowest bidder; but finding the sum granted would be insufficient to effect the opening of the whole line, and the public would be deprived of the advantage of the Road, unless the whole extent was opened, continued to let the remainder of the Lots; and in so doing, over-expended to the amount of One Hundred and Sixty-three Pounds—for which, the Contractors were willing to trust to the Assembly to make provision. The Commissioner therefore considers it his duty to lay the subject before the Government, and hopes the Money will be granted, that he may be enabled to pay the people for their labour.

The Commissioner has the satisfaction to say, the whole Line, of about thirteen miles of new Road, is so far completed and thrown up into a Turnpike Road, that it is generally travelled; but until gravel and hard materials are put on, the Road will not be fit for heavy Carriages in the Fall and Spring: this line of Road, when finally completed and made good, will be a great acquisition to the Western part of the Province, and will, no doubt, be adopted as the Post Road, as it avoids all the Falmouth and Horton Mountains, and passes through Lower Horton, a beautiful part of King's County, and within half a mile of the landing place of the Parrsborough Packet—still, there are required on this Line, several very necessary improvements, that is to say—an Embankment at the Half-way River, to make the ascent to and from the Bridge easier—probable expence, Fifty Pounds; to make the Bridge and Causeway at Horton, Fifty Pounds; to widen and make the Causeway

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way safe for Travellers at the Horton Large Bridge, Fifty Pounds; and to gravel the whole line, Five Hundred Pounds—making an aggregate of Six Hundred and Fifty Pounds, which should be laid out on this very desirable Road, the ensuing year. The great importance of this Road to Travellers generally, and particularly to those living in the Western part of the Province, renders it desirable, after what has been already done, to finally complete it, as soon as means can be procured. In conclusion, the Commissioner begs leave to suggest the necessity of a general supervision of the Great Roads, by competent persons. Unless a Commissioner has the charge of a Road the whole year, it is utterly impossible that those Roads, which are so much travelled, can be put and kept in a proper state of repair. A Supervisor could take charge of a great extent of Road under a well regulated system. This report is respectfully submitted by

DANIEL WIER, Road Commissioner.

Windsor Road, January 14, 1841.

No. 9.

Windsor, 20th January, 1841.

SIR—

In reply to your Circular Letter of the 30th of the last month, I beg leave to Report to you for the information of His Excellency the Lieutenant Governor, that that part of the Western Great Road, which I was commissioned to repair in the preceding Summer, extended from the Halifax County Line (near the Half-way House) to Windsor, a distance of about twenty-two miles, the expenditure upon which was Five Hundred Pounds.

Upon the greater part of this Road the Bridges were much decayed. Such of them as were not likely to last until the next year, have been rebuilt or repaired—some parts of the Road has been widened—the side drains deepened, and water courses opened—small elevations in the Road have been reduced, and low places embanked, and the principal part, which has undergone a repair, has been rounded in the centre, and the surface covered with broken stones. Those repairs have placed the Section alluded to in a tolerably good travelling condition for the present.

With respect to the further improvement of this Road, in the ensuing year, as has been observed, a number of the Bridges are in a decayed state, and will require to be re-built—many parts of the Road are flat, and ought to be raised in the centre, and covered with broken Stone or some hard material; several elevations in the Road require to be cut down—a considerable repair also will be required upon the Bridge over the St. Croix River, and the Road from its general state, taking into account the injury to be received from the ordinary wear of the year, would require, in order to preserve in a tolerably good travelling state, at least Six Hundred Pounds.

A much larger sum than this might be very beneficially employed in making further and more extensive improvements upon this Section of the Road; but judging it probable, that so large a sum as would be necessary to put the whole in complete repair, could not be allowed, I have only estimated what will be sufficient to make such repairs as seem to be absolutely necessary, that the Road may be travelled with ease and expedition.

Should the above mentioned sum be appropriated to this portion of the Road, and it should be thought necessary to subdivide it in the expenditure, I would respectfully suggest the application of it in the following manner, as being, in my opinion, best calculated to meet the wants of the different Sections, according to their present conditions, respectively, viz. From Halifax County line to Lakeland, £180. From Lakeland to Terfry's, £180. From Terfry's to Three Mile Plain, £180, and from Three Mile Plain to Avon Bridge, at Windsor, £60.

Upon this Line of Road, Four alterations have been proposed, with a view to its improvement, by shortening the distances, as well as to avoid the hills, and facilitate the travelling generally. In submitting these proposed changes, each of them, for the convenience of reference, will be designated by a number, as follows; viz.

No. 1 Is between the Halifax County Line and Mount Uniacke, from Fitzmaurice's to Lynch's,

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Lynch's, extends about two and an half miles in length, upon nearly level ground, and would avoid several difficult hills on the present road.

No. 2 Is also between the County Line and Mount Uniacke, near Pence's old House, and is about half a mile in length—proceeding upon low ground—would shorten the distance and avoid a difficult hill on the present road. The expense of this alteration would probably be about £120.

No. 3 Is situated between St. Croix Bridge and the Three Mile Plain—is about a quarter of mile in length—proceeds upon entire level ground—it would shorten the distance—avoid some elevations, and place the Road upon a much more eligible site than at present. The expense of this alteration would be about Sixty Pounds.

No. 4 This important alteration would extend from the Three Mile Plain to the Village of Windsor, on the northern and eastern side of the present road. I am not aware that any survey has been made of this proposed change, although it has been much spoken of—it would of necessity shorten the distance greatly—being very direct—while the present Road extends southerly and westerly in a circuitous direction. The site proposed is, with some small exceptions, an entire level or nearly so, and would afford gravel and other good materials for making the Road—whereas the present Road, which contains several hills, is principally situated upon a stiff clay soil, and is destitute of Gravel or other good material for keeping it in good repair.

I have the honor to be, Sir,  
Your most obedient humble Servant,  
PETER DAWSON.

Sir RUPERT D. GEORGE, Bart.

No. 10.

*Falmouth, 19th January, 1841.*

SIR—

With due respect to His Excellency's wishes, I have examined the Road and Bridges placed under my charge, and find some pieces of the Road quite good—other pieces not so good, and wanting repairs. In the first making of a part of said Road, the Commissioner, (in my opinion,) had the Bridges made too small, and laid too low, to discharge the water in time of freshets. I find, when I altered the Bridges last Summer, and made them new, and had them built on a larger scale, that the Road remains good. I would recommend further alteration in the Bridges. I have, this Winter, (after heavy thaws,) done a few days' works on said Road, which, I am persuaded, saved pounds in the further repairs of the Road. My opinion is, that the sum of Seventy or One Hundred Pounds will keep the Road and Bridges in repair this year, viz: that line of Road that is under my charge.

I have the honor to be,  
Sir,  
Your humble servant,  
JOHN T. ARMSTRONG.

Sir RUPERT D. GEORGE.

No. 11.

The undersigned, Commissioner for expending Money on the Post Road through King's County, begs leave to report his proceedings therein, to remark further on the present state of the Road under his care.

In expending the sum of Fifty Pounds, applied to this purpose, viz: for repairing the present Post Road from Half-way River to Martin's Bridge, out of the Great Road Grant, made by the last Session of the General Assembly. I found the Road much torn up and injured by the Spring freshets—in repairing which, a very considerable proportion of the money was expended, though with much care. Favored by fine weather, I succeeded in putting that line of Road, about seven miles in extent, in very tolerable repair; but, for

want of further funds, could not undertake the repairs necessary upon the several Bridges on this line.

The Half-way River Bridge requires extensive repairs, including, probably, one new abutment; and the causeway near it requires to be raised—which two jobs, together, would cost Twenty Pounds, or upwards.

There is also a Bridge on the top of the mountain, on the Horton side, that needs rebuilding; and can only be done effectually with stone; and would probably cost Ten Pounds.—There are also several smaller Bridges that need either to be taken up and rebuilt, or to be repaired—which, to be done in any thing like a permanent manner, would cost Twelve or Fifteen Pounds.—And the Bridge over the Gaspereaux River, near Martin's, is much out of repair, and will require, the next Summer, one, if not both, of the abutments to be re-built, and other repairs, that will cost Twenty-five to Thirty Pounds—so that to complete these several jobs, and make the necessary ordinary amendments to the Road, would require a further grant of One Hundred to One Hundred and Twenty-five Pounds.

Though, when the new line of Road, lately opened by way of Mount Denson, is completed, it will, doubtless, be adopted as the Post Road.

Yet, it is highly necessary, in the mean time, to keep the line, herein mentioned in a good state of repair, for Post Communication especially; as, after being abandoned for that purpose, it will necessarily be kept up for the accommodation of a certain portion of the travellers.

It may not be improper to remark, that this line of Road, leading over a high mountain, is subject to much greater damage from repeated freshets than it otherwise would be, and consequently, is kept in good order at greater expense.

All which is respectfully submitted.

ELIJAH FORSYTH.

To His Excellency LORD FALKLAND, Lieutenant-Governor, &c. &c. &c.

Horton, January, 1841.

No. 12.

*Horton, January, 1841.*

The undersigned, Commissioner for expending several sums of money granted by the last General Assembly, for repairing and completing that part of the New Road from Windsor to Horton, which lies within the latter Township, begs leave to make a report of his doings, and of the present state of the Road, &c. &c.

Finding it inexpedient to let this work by Contract, I proceeded to lay out the money by days' work; and, in doing so, confined the labor chiefly to that part of the new road aforesaid, which lies between where it intersects the Old Mount Denson Road, near Brown's or Mason's, to its western extremity, near Wickwire's, embracing a distance of upwards of five miles—including some small portions of the old road taken into this line. These several Sections throughout, with several slight exceptions, I have had made in a good substantial manner—widening where it was necessary—cutting down the smaller hills, and raising the hollows—making causeways where required, (as was the case, to some extent, in two or three instances,)—putting in several new bridges, some of stone, and some of wood—and gravelling the worst places, some partially, and others more thoroughly—in all, perhaps, one mile in extent. Finding the causeway near the Lower Horton Bridge in a very bad state, I widened and raised about one half the distance, say, forty rods, by throwing up an embankment of mud and brush five feet high and ten feet wide, and carting on large quantities of gravel—the remainder requires to be done in the same way, and should certainly be accomplished the ensuing Summer—the expense of which would be about Twenty-five Pounds.

Of the several sums granted for the aforesaid purpose, in all amounting to £400, £348 14 only have been expended. The difficulty of procuring good Labourers during the Haying and Harvest Season—the early setting in of severe weather in the Autumn—and the

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the unfitness of the road for gravelling so soon after being made, prevented my laying out the full sum. In expending the above amount, I have taken the greatest possible care to have the money judiciously applied, and the work well done.

A very considerable sum will yet be required to finish this Section of the new road—a greater part of which, say 3 to 4 miles, will need to be thoroughly gravelled, in order to make it a permanent and lasting road, fit for travelling at all seasons. This cannot be sufficiently done for less than Forty to Fifty Pounds per mile. There are several bridges wanted, though chiefly small ones, which should be built, where practicable, of stone, as these are the most desirable, and, in the end, the least expensive. This service would probably require £20 to complete it effectually.

An alteration is much wanted in that part of the new road which passes through Lands of Joseph Crane, Esquire, a distance of  $\frac{1}{4}$  to  $\frac{1}{2}$  wide, which, without inflicting any very serious injury upon Mr. Crane, would make a vast improvement in the road—making it more level—shortening the distance—bringing it in a direct line with the old road, where they are designed to meet—and affording excellent materials for making this, and completing the other part of the road. I would respectfully suggest, that this alteration, which would probably cost, including a reasonable damage for soil, &c. to the proprietor, £40 to £45, should be effected before further expense is incurred with the part to be avoided, which, at present, is unfinished at its termination; and would cost, to complete it, and continue it on, as would be necessary to connect it with the old road, quite as much as is above estimated for the alteration.

To meet the several services before named, with the ordinary repairs generally required after the Spring freshets, would require the full sum of Two Hundred and Fifty Pounds, in addition to the sum yet unexpended. The southern extremity of this new road within the limits of this Township, including a distance of two to three miles, has been in charge of Daniel Wier, Esq. the past year, who will, I conclude, have reported thereon as to its state, wants, &c.

The Bridge over the Gaspereaux River at Lower Horton, and over which this Road leads, appears greatly out of repairs, though the ice about it at present does not admit of a thorough examination; nor can I, without it, say what sum would be necessary to put it in a good and safe condition; but understand that persons, in the immediate neighbourhood of it, intend making a timely representation of its state and requirements.

The Main Road from the western extremity of the New Road, near Wickwire's, to Kentville, a distance of 8 to 9 miles, and upon which I have expended a small amount of the last year's grant, still requires some considerable amendments beyond what the statute labour will accomplish, and One Hundred Pounds could be usefully applied to that purpose. As the Road approaches Kentville some alterations might be made to great advantage, without involving very heavy expenses.

All which is respectfully submitted by your Excellency's obedient servant,  
EBENEZER BISHOP, Road Commissioner.

To His Excellency Lord FALKLAND, Lieut. Governor, &c. &c. &c.

No. 13.

*Bridgetown, 11th June, 1840.*

To Sir RUPERT D. GEORGE, Baronet.

I arrived at this place at two o'clock yesterday, and having, with the assistance of Messrs. Dodge and Church, examined the state of the Bridge, I feel it to be my duty to communicate, for the information of His Excellency the Lieutenant-Governor, that the Bridge is in a much worse state than it was represented to be, that some parts which were before considered to be sound, we found, on examination, to be completely decayed—the whole top work, with the exception of a few pieces of white pine, which are sound and good, is one rotten mass, that is crushing with its own weight.

Respecting the temporary repairing of the Bridge, in the manner proposed, I am bold to say that it is altogether impracticable, and the whole must be built anew, beginning several feet below high water mark.

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I have not been able to make a particular estimate of what it will cost to do the work : but suppose that a single trussed Bridge can be built of Spruce for about £400, or a double truss for £450—this last to be made of pine timber, which must be purchased at St. John, New-Brunswick.

Mr. James is from home at present. Mr. Spurr informed me late last evening, that it was the opinion of himself, and many of the intelligent Members of this Community, that it would be far more economical to get Pine Timber from St. John, than to make use of Spruce, which will soon decay.

I fully concur with these Gentlemen in this opinion, but the low state of the Funds prevents me from doing so, without first enquiring to know the pleasure of His Excellency on the subject.

I shall remain here until the next week, by which time I shall give you more correct information. If you direct me to get timber from St John, I will go there to select it, and then return to Windsor in the Steamer.

I have the honor to be,

Your most obedient Servant,

THOMAS RANDALL, Engineer.

*Bridgetown, 11th December, 1840.*

To Sir RUPERT D. GEORGE, Baronet.

SIR—I am happy to communicate, for the information of His Excellency the Lieutenant-Governor, that I have succeeded, though with much difficulty, in completing the Bridge, which was rendered passable for Teams, &c. on the 29th ultimo. The platforms, at the ends of the Bridge, are but temporary, and were put up by the Inhabitants; they intend applying to the Legislature for a further grant, in order to have the work covered in, to protect it from the weather; which, if done, the Bridge will require but little repairs for thirty or forty years. I am happy in being able to state, that the Bridge fully answers my expectations in point of strength; horses passing over it, at full trot, does not cause it to shake, although it has a very light appearance. Owing to the lateness of the season, the difficulty of getting proper workmen, and other difficulties unforeseen at the time of my last Communication, I have been obliged to expend a further sum of Twenty-four Pounds and Nine Pence over, in order to render the Bridge passable for the ensuing winter; which additional sum I hope His Excellency will please to allow. I have suffered great inconvenience in consequence of the Treasurer's refusing to remit me any further sum of money until the whole work was completed, for what cause I know not. This was no sooner known than I found myself unable to obtain the services of several of the better class of workmen; and of those I had engaged, their attendance was so irregular as to cause the work to be delayed until the stormy weather set in. The pecuniary inconvenience I have suffered, personally, will appear when I inform you that the time I have spent in this service is as follows, viz :

From July 7th to July 11th, 4 days at Gay's River.

August 20th to September 14th, 23 days at Gay's River and Shubenacadie, &c.

September 15th to November 25th, 60 days at Bridgetown.—Total 87 days.

I have charged in my accounts 42 days, at 5s. The remaining time, not having had ten men employed, I conclude that His Excellency could not order that I should receive the usual sum of five shillings per day.

I enclose copies of the Contracts entered into with the different persons—all of which have been fulfilled to my satisfaction, except Moore's, which was sadly deficient, as I have certified on the back thereof.

I shall be obliged to remain here until I receive the money to pay the people the remainder of their dues; and hope that His Excellency will be pleased to grant his warrant for the remaining sum of £206 9d on the Treasury, that the money may be remitted to me by the earliest Mail.

I have the honor to be, Sir,

Your most obedient servant,

THOMAS RANDALL.

No.

Halifax, 5th February, 1841.

SIR—

In compliance with His Excellency's the Lieutenant-Governor's commands, communicated to me in your Letter of the 5th November, to have a survey made from Jordan River to Still Water, in Argyle, with a view of improving the Main Road through the County of Shelburne.

I beg leave to lay before you, for His Excellency's information, the result of my investigation :

I commenced the survey at Jordan River, seven miles easterly of the Town of Shelburne, and terminated at Still Water, Argyle, the Western bounds of the County.

I first examined the present Roads between these points, a distance of thirty-five miles, and found many parts of it to pass over very steep hills of difficult ascent, laying at right angles with its own course.

I explored the County in different directions, to ascertain if levels could be obtained or improvements made by alterations; but, on examining this section of the country, I found it very rocky and broken, and extremely difficult to obtain a level line. After a great deal of time spent in labourious research, I succeeded in obtaining a line round the worst hills, (although expensive in places,)—that the steepest slopes will not exceed one foot rise to twenty-four in length, except two short distances, which will be one foot rise to seventeen in length.

The materials on this line for road making will, in most places, be good; and a road once properly made will not require any repairs for twelve or fifteen years.

In executing this survey, I have confined myself to avoiding the worst hills, as that appears to be the object of the Members of the late Assembly in recommending the survey.

I have also endeavoured to point out the improvements in such a way as to admit of their being connected with alterations that might be made hereafter.

When the proposed alterations which I suggest are made, there will still be several short hills left, which may be avoided by alterations; or otherwise improved by excavations, so as to reduce the rise to one foot in twenty-four, and be connected with the alterations contemplated by this survey.

The Sections throughout are short, consequently the public will be enabled to have the benefit of each year's expenditure. The expense of making this line will average from One Hundred and Sixty to Two Hundred Pounds per mile.

I have also explored a line from Jordan River to Shelburne, with a view of shortening the distance between those points; but, on a minute examination, I found that a line for that purpose would pass, for some distance, over ledges of solid rock—and that nearly a mile would pass over bogs, and render a road in that direction very expensive; and, if adopted, the whole Section would have to be made before the public would derive any benefit, and at an expense of Twelve or Fourteen Hundred Pounds. The distance would not be more than thirty chains shorter than the present road.

I have the honor to be, your obedient and humble servant,  
WILLIAM FAULKNER.

To the Honorable Sir RUPERT D. GEORGE, Bart.

*Estimate of probable expense of making a new line, beginning at Jordan River.*

First.—From No. 1 to No. 2—22 chains through wilderness—22 chains at £200 per mile	£52	0	0
Second.—From No. 3 to 4—70 chains—20 chains of which is cultivated land, the remainder, 50 chains, through wilderness—70 chains at £160 per mile	140	0	0
Third.—From No. 5 to No. 6—40 chains through wilderness and pasture ground—40 chains at £200 per mile	100	0	0
Fourth.—From No. 7 to 8—35 chains through wilderness—35 chains at £160 per mile	85	0	0

Fifth

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Fifth.—From No. 8 to the Church at Shelburne—one mile and a quarter through wilderness and pasture land— $1\frac{1}{4}$  miles at £160 per mile £200 0 0  
 By adopting this line, a number of very steep hills will be avoided; whereas the steepest rise on the proposed line will not exceed one-foot rise to thirty feet in length. Whole distance of new line, from Jordan River to Shelburne Church,  $3\frac{1}{4}$  miles and 28 rods.

Whole expense of making a good Carriage Road, 15 feet wide as above enumerated £577 10 0

*Probable expense of making new proposed line of Road between Shelburne and Clyde River.*

First.—From the Bridge over Shelburne River to E, 110 chains, nearly all through wilderness—110 chains at £200 per mile £275 0 0  
 Second.—From F to near Arcker's—110 chains through wilderness—110 chains at £200 per mile 275 0 0  
 Third.—From Arker's to No. 2, near Brown's—22 chains through cultivated and pasture ground—22 chains at £160 per mile 42 0 0  
 Fourth.—From No. 2 to No. 3—60 chains—30 rods of which is through cultivated land, the remainder wilderness—60 chains at £240 per mile, £180; 520 Cubic yards of embankment at 10d. per yard £22 5 202 5 0  
 Fifth.—From No. 3 to No. 4—46 chains—all through wilderness land, except 12 rods through cultivated land—46 chains at £200 per mile 115 0 0  
 Sixth.—From No. 5 to 12—85 chains—all through wilderness land—85 chains at £160 per mile 162 10 0  
 Seventh.—From K, near Nickerson's, to No. 16—60 chains, through wilderness—60 chains at £160 per mile 120 0 0  
 Eighth.—From L to Clyde River—one mile and three quarters through wilderness— $1\frac{3}{4}$  miles at £160 per mile 280 0 0  
 Bridge and embankment over branch of Clyde River 45 0 0  
 Whole distance of new line from Shelburne to Clyde River, 8 miles and 52 rods.

Expense of making this line a good Carriage Road, say 15 feet wide £1453 15 0

*Alteration between Clyde River and Still Water, Argyle.*

The present Road, from Clyde River to D., near Climon's Lake, is tolerably well made, and pretty level. From D. to C., 100 chains through wilderness—100 chains, at £200 per mile, £250.

From Barrington to Still Water, by the present Road, is seven miles. Between these points I have explored two lines, which are distinguished by the green and red dotted lines, on the accompanying Plan, No. 3.

The red line, which intersects the present Road at H, is thirty-two chains shorter than the other, and the expence in making will be nearly the same.

The red dotted line goes through wilderness all the way, and leaves the Settlement on the South; while the green line will go through a portion of cultivated Land, and can be made in sections, and connected with the present Road, and will accommodate the Inhabitants much better than the other. Although I have explored two lines on this Section, I have been prevented, owing to a heavy fall of snow, which took place in November, from staking either of the outfits for working on—the ground is so very rocky and broken, that I found it impossible to finish while there was snow or frost on the ground.

*Estimate of probable Expence.*

From Barrington to F,  $4\frac{1}{2}$  miles— $4\frac{1}{2}$  miles, at £200 per mile £850 0 0  
 To improve the present Road from F. to H. 100 0 0

£950 0 0  
 Whole

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Whole distance of new line, proposed by this survey, is fourteen miles and one quarter miles.

Total expence of making 14 $\frac{1}{4}$ miles a good Carriage Road, 15 feet wide	£2961	5	0
To re-build Bridge over Shelburne Road	106	0	0
	<hr/>		
	£3067	5	0

I beg leave to suggest that the alterations that require to be first made, are the first and fourth Sections, on Plan No. 2, Westerly of Shelburne.

No. 14. (b)

*Nictaux, Annapolis County, January 18th, 1841.*

SIR—

Having received your letter of the 30th ultimo, in which you request a statement in relation to the Road of which I have been Commissioner, to be laid before His Excellency the Lieutenant-Governor, I lose no time in transmitting the required information.

The Liverpool Road commences at Nictaux Falls, and runs in a southwardly direction thirty miles, where it reaches the line between Annapolis and Queen's Counties. The Road from the Nictaux Falls runs, immediately after crossing them, over a precipitous mountain one mile. Some years ago there was a Pétition sent to the House of Assembly, praying for a Survey and Funds to effect an alteration over this mountain, which may be avoided, and at the same time the Road considerably shortened. The probable expense of this alteration would be about £150. Why the prayer of the Pétition referred to, was not acceded to, I am not prepared to say.

From the Falls to the Township Line, is a distance of four miles, and is kept in good repair, by the Statute Labour of the Inhabitants that are settled upon it.

From the Township Line, Southwardly, to the Cross Road, (or Dalhousie Road,) is the Township of New Albany, which comprises a distance of ten miles, five of which are kept in tolerable repair, by the Statute Labour expended upon it, but the remaining five miles runs through wild barren lands; and as there are no Settlers on this part of the Road, it is dependent upon the Treasury for repairs. The distance from the Cross Road to the Southern extremity of this County, is sixteen miles, and only one House, called "The Half Way House," in all that distance. Ten miles of these are barely passable, and the other six exceedingly bad. This part of the Road, as it crosses two rivers, and passes over rocky barrens, bogs, and miry swamps, is very difficult to make. In 1837 and '38, there was no Money granted by the Legislature for the Liverpool Road; and the consequence was, it got much out of repair, and the large Bridges entirely rotten. In 1839 and '40, I made the large Bridges new, but there are three small Bridges in a rotten condition. There are two places where the water flows out of the Lake, during the spring and fall freshets, which render the Road in these places impassable (or nearly so) by foot passengers, there being no House near, in which they may dry themselves. The most dangerous places of this kind, in the whole distance, I repaired last summer. There are also on the route three very steep hills, that should be avoided; but our means have been so small, that I dare not undertake an alteration in either of them.

The whole distance is thirty miles, 19 of which are somewhat passable, and the remainder (11,) very bad.

There is, I believe, in the Treasury, a sum of Forty Seven Pounds and Ten Shillings, to be expended on the Road in question, next year.

It would take at least £500 to make the whole line as it ought to be, and it is of importance that it should be completed as soon as possible, for this is the only medium of communication between the Counties of Annapolis and Queen's, between which, even as bad as the Road now is, there is considerable travelling, as well as trade.

I am, Sir,

Your most obedient Servant,

WILLIAM BANKS.

SIR RUPERT D. GEORGE.

No.

## APPENDIX, No. 17.

No. 15.

*Shelburne, 18th January. 1841.*

SIR,—

I had the honor to receive your Circular of 30th ult. requesting a report of the state of the Road and Bridges under my charge—the extent of Road of which I am Commissioner, is nine miles—from Jordon to Sable River—commencing at the former place, the distance of four miles, including the Big meadow, is in a very bad state—having nine small bridges all wanting repairs—I estimate the cost of putting this Section in good repair, would be about £200—from thence to Sable River, in the distance of five miles—there is but one mile in a bad state, and it is my opinion that not less than £100 will complete it—I do not think the line of road requires any alteration.

I have the honor to be, Sir,

Your humble Servant.

WILLIAM DUNLOP.

- To the Honorable Sir RUPERT D. GEORGE, bart., Secretary of the Province.

No. 16.

*Report of Mr. Payzant upon the state of the Main Post Road between the Town of Liverpool and the Shelburne County Line.*

Commenced at Liverpool, thence to first Beach Hill. This Section is shown by Wightman's Survey, with respect to its levels, in a rough state—will require £250 to make it good. The hill very much broken—thinks it might be reduced, but would cost £150 to make it easy of ascent—1 foot to 15.

First to Second Beech Hill, £100. This hill would cost a further sum of £100 to turn its course, and make the ascent tolerably easy.

Thence to Broad River, £300 to complete it. A small Bridge in this Section out of repair—cost about 40s.

Broad River Bridge will require £40 to repair it.

From Broad River, through Port Mutton, to the entrance of Port Jolie Road £200—Road very rocky, and requiring immediate attention. 20s. will repair the Bridges.

Thence to Douglas, Port Jolie, very hilly and very rough, and in some places requiring to be raised. Thirteen Bridges all out of repair. To alter the hills and make a good level Road would take £800, to include Bridges—the cost of these £52.

From Douglas to County Line, a distance of  $4\frac{1}{2}$  miles—very hilly and very rough, especially for three quarters of a mile, near the line, which is in a state of nature. To alter the hills, and make a good Road, Six Hundred Pounds. Four small Bridges, besides one over Mitchell's Brook, of some width, are in a very bad condition, requiring to be newly made—the materials quite decayed, and the width too narrow. The latter Bridge would cost £25; the others about £4 each—making £16.

To procure the necessary Timber in winter would be a saving of one third of the cost.

JOHN PAYZANT, Junr.

Liverpool, 20th Jany., 1841.

No. 17.

SIR—

I have the honor to acknowledge the receipt of your Letter of the 30th December, requiring me to report, for the information of His Excellency the Lieutenant-Governor, the state of the Public Road leading from Windsor to Chester, now under my charge, and have the honor to report as follows:

This Road is one of the most important, and yet one of the worst Roads in the western part of Nova Scotia. It has never yet been completed, so as to deserve the name of a good Road, at any time. The sums voted have been small; and the Road so stoney as to be difficult to reduce into shape. It is only within a few years that it has been passable for Wheel Carriages; and the grants of Money are mostly required for repairs, so that its improvement

## APPENDIX, Nos. 17, 18.

improvement has necessarily been slow. There are several improvements that could be made on the route; but they would be so expensive, that to absorb the Grants in them, would render the other parts impassable. I would therefore respectfully recommend, in the first instance, putting the whole route into an efficient state of repair—expending on such, as must eventually be altered, as little as will serve the present purpose of travelling; but doing all the rest substantially.—This will conduce much more to the advantage and convenience of the public, and the expeditious carriage of the Mail, than the slow progress of partial alterations. For this purpose, to make the whole route a good, safe, and substantial Road, will cost about Seven Hundred Pounds, that is to say, for the whole distance of twenty-nine miles. There are few large Bridges in it, and none at present that require a very heavy outlay. The chief expense will be required in removing rocks, widening the Road, and opening its water-courses, and in hauling materials, or breaking stones for the same, as a large portion of it is obstructed by ledges and solid beds of rock, into which it is both difficult and expensive to penetrate; while other parts are miry and boggy—difficult to be drained—and to cover securely.

All which is respectfully submitted.

I have the honor to be,

Your obedient servant,

JAMES SANGSTER.

Sir RUPERT D. GEORGE, Provincial Secretary.  
Falmouth, January 23rd, 1841.

## No. 18.

(See Page 47.)

*Aggregate List of Articles purchased for the use of the Halifax Asylum for the Poor during the year of 1840.*

Arrow Root, 77½ lbs.		£5	1	3
Barley, 41 cwt. 3 12 and 834 lbs. Rice	£44	4	10	
Beer, 4639 Gallons	48	6	2	
Beef, 16376 lbs.	199	4	4	
Butter, 1067½ lbs.	47	5	7	
Candles, 97 lbs.	4	1	7	
Coals, 76½ Chaldrons	93	5	6	
				436 8 0
Contingencies expended by the Matron, whose Account is au- dited monthly by the Acting Commissioner	66	0	0	
Clothing, Blankets, Sheets, Bedticking, &c. &c. &c.	225	3	3	
Chocolate, 1008 lbs.	29	8	0	
Flour, Fine, 165 Barrels; Rye, 118 ditto	438	11	3	
Oatmeal, 125 cwt. 0 14	100	13	4	
Molasses, 981 Gallons	103	4	10	
				963 0 7
Milk, 1564 Quarts	99	13	1	
Oil for Lamps, 194 Gallons	24	5	0	
Pork, 8 Barrels	34	11	6	
Potatoes, 584 Bushels	61	11	10	
Peas, 70 ditto	25	2	9	
Sugar, 13 cwt. 1 15	27	3	4	
Salt, 5 Hhds.	3	1	0	
				275 8 6
Tea, 939 lbs.	146	0	11	
Tin Ware and repairs ditto.	49	13	10	
Truckages	32	15	6	

## APPENDIX No. 18.

Wine for the Sick, 94 Gallons	£21 16 9	
Wood, 67½ Cords	57 7 6	
Wool, 126 lbs.	11 0 6	
Fresh Fish	1 13 9	
	<hr/>	£320 8 9
Glazing & Painting	30 13 7	
Ironmongery, Nails, &c.	14 18 11	
Lumber for Coffins, repairs, &c. 15521 feet	47 6 8	
Leather for Shoes—240 pairs Men's, Women's and Children's Shoes	64 1 10	
Miscellaneous Expences, Articles required for the use of the Establishment, not of ordinary consumption, purchased by the Commissioners, which do not come under other heads	54 19 1	
	<hr/>	212 0 1
Repairs to Buildings	159 8 5	
Removal of Paupers	28 15 0	
Stationery & Printing	11 0 6	
Straw, 135 cwt.	23 0 4	
Soft Soap, 226 cwt. 3 22; Hard 144 lbs.	60 13 2	
	<hr/>	282 17 5
Salaries including Medicines and Medical attendance		253 3 4
Maintenance of Illegitimate children out of doors	5 1 0	
Old Junk, 41 cwt. 3 2	27 5 1	
	<hr/>	32 6 1
Paid Mrs. Knox for doing the duty of the late Matron, Mrs. Ritchie, during her illness		10 0 0
Paid the Nova Scotia Marine Insurance Company for loan with Interest		254 19 9
Paid the Town Clerk for his attendance at the Town Meeting <sup>m</sup> Lot on the Common		1 10 0
Paid for Ploughing and Seeding ditto Addition to the Lunatic		15 17 6
Paid R. Malcom, Plastering, &c. per Voucher	21 1 5	
Paid Carpenters work, per Contract	76 19 2	
	<hr/>	98 0 7
Cow House		
Paid George Jones for building foundation	18 17 3	
Paid W. Fenerty for a Frame	33 2 6	
Paid Carpenter's work, per Contract	27 16 11	
Paid for Shingle's, Nails, &c. per Voucher	37 14 1	
Paid W. Merrick for Painting and Glazing	11 5 0	
	<hr/>	128 15 9
Paid for 4 Cows and Calves	38 0 0	
Paid for 90½ cwt. Hay and 8½ cwt. Bran	29 0 7	
	<hr/>	67 0 7
Balance remaining in Bank, subject to claims of nearly that amount		432 19 7
		<hr/>
		£3789 17 8

HENRY PRYOR, } Committee to audit  
THOS. S. TOBIN. } the General Abstract.

Account

## APPENDIX No. 18.

*Account of the Paupers admitted into the Halifax Asylum for the Poor, during the year 1840, distinguishing Halifax from the Transient.*

	Men	Days	Women	Days	Children	Days	Total	Days
Halifax	57	6833	86	13245	121	17918	264	37996
Transient	311	25864	188	18120	68	6619	567	50603
<b>Total.</b>	<b>368</b>	<b>32697</b>	<b>274</b>	<b>31365</b>	<b>189</b>	<b>24537</b>	<b>831</b>	<b>88599</b>

*Deaths in the Asylum during the year 1840.*

Men	49
Women	16
Children	19

**Total 84**

*Number of Paupers in the Asylum on the 31st. Dec. 1840.*

Men	111
Women	88
Children	52

**Total 251**

*Included in the Expenditure of 1840, are*

Repairs to Buildings	£159	8	5
Lumber for ditto	30	0	0
Paid Mrs. Knox during Mrs. Ritchie's Illness	10	0	0
Paid Marine Insurance Company, sum loaned with Interest	254	19	9
Paid for Clearing and Seeding the Common Lot	15	17	6
Paid for addition to the Lunatic	98	0	7
Paid for Cow House, Stable and Barn	128	15	9
Paid for 4 Cows and Calves, Hay and Pollard	67	0	7
Maintenance of Shipwrecked Passengers	146	16	3
	<b>£910</b>	<b>18</b>	<b>10</b>

*For which Received.*

For Shipwrecked Passengers	£146	16	3
The Lot on the Common has produced 200 Bushels Turnips and 300 Bushels Potatoes	50	0	0
The Cows has produced 3221 quarts Milk for 3 months	40	5	3
	<b>£237</b>	<b>1</b>	<b>6</b>

*Explanation of Casual Receipts, per General Abstract for 1840.*

Maintenance of Sundry persons in the Asylum	£61	5	7
Sales of Oakum	73	5	0
Penalties for Bastardy	63	10	6
Proportion of Fence per Bridewell	8	10	4
	<b>£206</b>	<b>11</b>	<b>5</b>

## APPENDIX, No. 18.

*Account of the Funds received for the Halifax Asylum for the Poor during the year 1840,  
and from whence received.*

COMMISSIONERS.		Treasury Transf. Poor.	Treasury 10 per cent.	Town and County Treas- urer.	Casual.	Total.
1840.		Balance in Bank	31st Decr.	1839		423 12 7
January	Thomas Williamson, Esqr.			258 11 10	17 7 0	275 18 10
February	J. W. Nutting,			32 0 0	3 4 10	35 4 10
March	W. M. Allan,	150 0 0	150 0 0		0 15 0	300 15 0
April	Hugh Bell			24 0 0	28 15 0	52 15 0
May	Henry Pryor				70 5 7	70 5 7
June	M. B. Almon	150 0 0	150 0 0	9 6 8		309 6 8
July	Thos. S. Tobin			150 0 0		150 0 0
August	Chas. Twining			300 0 0	18 15 0	318 15 0
September	G. N. Russell	150 0 0		350 0 0	41 10 6	541 10 6
October	John Howe		200 0 0	3 18 11	6 5 5	210 4 4
November	Edward Allison			200 0 0	0 12 7	200 12 7
December	William Lawson	150 0 0	400 0 0	150 0 0	19 0 6	719 0 6
	Received from the Treasury Legislative Grant for the Asylum School					25 0 0
	Received from Signior Blitz, in aid of funds for support of Poor					10 0 0
	Received for maintenance of Emigrants, pr. Ship Edward, from Ireland					146 16 3
		£600 0 0	900 0 0	1477 17 5	206 11 5	3739 17 8
	Balance brought down					£432 19 7

[Errors Excepted.]

Halifax, 31st December, 1840.

M. B. ALMON, Chairman of the Board of Commissioners of the Poores' Asylum.  
ROBERT PHELAN, Clerk to Commissioners.

No. 19.  
(See Page 49.)

A Return, shewing the amount of compensation to the Out-port Collectors and Gaugers, from the year 1835 to 1839. Also, shewing the value of Goods imported from Great Britain, and other places, into the several Out-ports, upon which such compensation is charged.

OUT PORTS.	1835.		1836.		1837.		1838.		1839.		Value of Goods.					
	Collector.	Gauger.	G. Britain.	Other Places												
Liverpool,	129	4	664	17	4	97	0	0	48	10	0	96	13	6	4395	
Pictou,	72	14	636	7	3	92	8	0	40	0	0	103	19	0	69840	368
Lunenburg,	134	2	457	2	10	39	14	1	17	3	11	63	18	8	29665	223
Yarmouth,	94	18	041	1	8	48	16	0	21	2	6	46	1	0	12350	6864
Digby,	14	7	6	7	3	22	1	0	9	11	3	40	15	6	1739	154
Shelburne,	34	13	015	0	0	15	0	0	7	10	0	15	0	0		1280
Barrington,	13	13	9	6	8	8	8	8	4	4	4	20	14	9	6174	10685
Colchester,	0	0	0	0	0	8	9	9	4	4	7	14	9	10	7833	256
Cumberland,	21	10	010	0	4	31	7	0	2	12	9	14	6	6	7833	256
Windsor,	23	2	010	0	0	5	15	0	2	12	9	14	6	6	7833	256
Argyle,	3	13	3	1	11	1	8	8	0	14	4	0	7	0	16	16
Sydney,	7	2	9	3	4	6	16	3	3	8	2	1	6	9	4952	786
King's County,	21	2	0	9	5	32	16	0	13	6	9	20	6	11	10460	8784
Annapolis,	26	10	1013	5	5	43	3	3	21	16	7	38	9	8	786	8784
Weymouth,	3	1	2	1	10	9	11	0	3	19	10	5	2	2	10460	786
Sydney, C. B.	84	18	042	9	0	67	16	2	29	7	1	65	18	4	10369	8784
Arichat,	63	10	530	5	0	112	15	5	53	14	0	60	6	0	21371	2740
Port Hood,	6	18	0	3	9	0	10	0	0	5	0	3	6	0	1581	82
Pugwash,	0	0	0	0	0	0	0	0	0	0	0	5	1	6	35	35
Brier Island,	0	8	3	0	4	0	0	0	0	0	0	6	6	1	235	235
Antigonish,	0	0	0	0	0	9	13	4	4	3	8	2	15	2	332	332
Chester,	1	10	8	0	13	0	5	2	0	19	0	2	10	9		
Tatamagouche,	0	0	0	0	0	0	0	0	0	0	0	0	0	0	13276	

## No. 20.

(See Page 49.)

The Committee to whom was referred the duty of obtaining information as to the best means of obtaining correct reports, in future, of the Debates and Proceedings of this House, beg leave to report that they have attended to that duty, the result of which is hereinafter mentioned :

Your Committee are of opinion, that the present situation of the Reporters in the Gallery of this House, is not such as to enable them to hear so distinctly the Speeches of Gentlemen of the House as to enable them to report the same correctly.

Your Committee having carefully examined the different parts of the House that might be likely to afford the convenience to the Reporters, so much desired, are of opinion, and beg leave to suggest, that it might be the more advisable course to remove the stove, now near the corner on the left of the Speaker's Chair, into the recess of the second window from the front of the building—and to provide in a temporary manner, a suitable place for the reporters in the corner, where there would be sufficient room for four or five reporters to sit.

Your Committee have also carefully considered the propriety and utility of paying persons to report for this House—and are unanimously of opinion, that unless persons are employed in that service, over whom the House has controul it cannot be fairly expected that correct and impartial reports will be obtained. Your Committee therefore humbly submit the propriety of immediately adopting some measure of this nature; and recommend that two reporters be appointed to do that duty, under such rules and regulations as this House may hereafter feel disposed to adopt in reference thereto.—Your Committee are of opinion, that the sum of one hundred, pounds or, perhaps, a little more, might be required to carry out the views hereinbefore mentioned.

W. A. HENRY, Chairman.  
SAMUEL P. FAIRBANKS.  
EDMD. M. DODD.

## No. 21.

(See Page 52.)

THE Joint Committee of the Legislative Council and House of Assembly, appointed to examine the Public Accounts, report as follows :

*TREASURER OF THE PROVINCE.*

His Accounts to the 31st December last have been received. Balance in his hands to that date £27804 14 7½

*COLLECTORS OF IMPOST AND EXCISE.**HALIFAX.*

His Accounts received to the 31st December last.	Balance of Bonds in hand—Currency	37058 11 9
	Bonds in the hands of the Attorney General—Currency	53 17 1

*LIVERPOOL.*

His Account received.	Balance Bonds in hand	307 5 9
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*PICTOU.*

His Account received.	Balance Bonds in hand	1771 9 5
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*LUNENBURG.*

His Accounts received.	Balance Bonds in hand	1216 12 11
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*YARMOUTH.*

## APPENDIX, No. 21.

<b>YARMOUTH.</b>		
His Accounts received. Balance Bonds in hand		£380 17 6
<b>DIGBY.</b>		
His Accounts received, (and as corrected.) Balance Bonds in hand		82 3 5
<b>SHELburnE.</b>		
His Accounts received, (and as corrected.) Balance Bonds in hand		164 8 9
<b>BARRINGTON.</b>		
His Accounts received, showing no balance due		0 0 0
<b>COLCHESTER.</b>		
His Accounts, (except December Quarter,) received. Balance Bonds in hand		215 10 6
<b>CUMBERLAND.</b>		
His Accounts received. Balance Bonds in hand		302 9 8
<b>HANTS.</b>		
His Accounts received. Balance Bonds in hand		359 5 11
<b>ARGYLE.</b>		
His Accounts received, exhibiting no balance		0 0 0
<b>SYDNEY.</b>		
His Accounts received. Balance Bonds in hand		933 7 3½
<b>KING'S.</b>		
His Accounts received. Balance Bonds in hand		315 1 6
<b>ANNAPOLIS.</b>		
His Accounts received. Balance Bonds in hand		40 19 7
<b>ARICHAT.</b>		
His Accounts received, (and as corrected.) Balance Bonds in hand		882 2 8
<b>WEYMOUTH.</b>		
His Accounts received. Balance Bonds in hand		60 3 6
<b>PORT HOOD.</b>		
His Accounts received and balanced, showing nothing due the Treasury		0 0 0
<b>ANTIGONISH.</b>		
His Accounts received, (and as corrected.) Balance Bonds in hand		39 1 10
<b>CHESTER.</b>		
No Return.		
<b>PUGWASH.</b>		
His Accounts received, (and as corrected.) Balance Bonds in hand		183 12 5
<b>GUYSBOROUGH.</b>		
His Accounts received, (and as corrected.) Balance Bonds in hand		65 15 4
<b>BRIER ISLAND.</b>		
His Accounts show nothing due.		
<b>TATAMAGOUCHE.</b>		
No Returns.		
<b>LIGHT DUTY:</b>		
<b>HALIFAX.</b>		
Collected and paid to 31st December last		1421 6 3
		<b>LUNENBURG.</b>

## APPENDIX No. 21.

<b>LUNENBURG.</b>				
Collected and paid to 31st December last				£44 0 11
<b>LIVERPOOL.</b>				
Collected and paid to 31st December last				155 6 7
<b>SHELBURNE.</b>				
Collected for 1839	£39 14 3	} Paid	103 10 4	
Collected to 31st December, 1840	63 16 1			
<b>YARMOUTH.</b>				
Due to 31st December, 1839, as per Account	0 15 0	}	0 0 0	
Collected, as appears by corrected Account, to 31st December, 1840	257 16 0			
	<hr/>			
Due	£258 11 0			
<b>ANNAPOLIS.</b>				
Collected and paid to 31st December, 1840				17 2 3
<b>PICTOU.</b>				
Collected and paid to 31st December, 1840				281 14 11
<b>ARGYLE.</b>				
Collected and paid to 31st December, 1840				44 11 5
<b>WEYMOUTH.</b>				
Collected and paid to 31st December, 1840				25 9 2
<b>DIGBY.</b>				
Collected and paid to 31st December, 1840				33 7 0
<b>ARICHAT.</b>				
Received as balance due, 1838	£20 7 11			
Received as amount collected, 1839	43 14 11			
Collected and paid to 31st December, 1840	43 14 8			
	<hr/>			107 17 2
<b>WINDSOR.</b>				
Balance due, as per Account corrected, to 31st December, 1839	61 4 0			
Amount collected to 31st December, 1840.	161 15 1			
	<hr/>			
	222 19 1			
Cash paid the Treasurer	100 0 0		100 0 0	
	<hr/>			
Due	£122 19 1			
<b>COLCHESTER.</b>				
Cash received as balance due, 1839				5 4 5
No Account received for 1840.				
<b>AMHERST.</b>				
Collected and paid to 31st December, 1840.				25 19 4
<b>BARRINGTON.</b>				
Amount collected for 1839	£19 6 9			
Amount collected for 1840	10 19 3			
	<hr/>			
	30 6 0			
Cash paid the Treasurer	29 13 3		29 13 3	
	<hr/>			
Due	£0 12 9			

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APPENDIX No. 21.

BRIER ISLAND.

Collected and paid for 1840 £33 0 0

PUGWASH AND WALLACE.

Received from the Collector, for 1840 44 0 0

SYDNEY, C. B.

Due for the year 1839, as per corrected Account £332 19 5  
 Collected and paid for 1840 488 13 4  


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821 12 9

ANTIGONISH.

Collected and paid for 1839 & 1840 11 2 0

CORNWALLIS.

Collected and paid for 1839 & 1840 16 8 7

TATAMAGOUCHE.

No Account rendered for 1840

LITTLE CANSO.

Collected by Bigelow to 31st December, 1840 £58 9 8  
 Paid the Treasurer 43 9 8 43 9 8  


---

 Due £15 0 0

CANSO.

Amount collected by Hugh Skinner, 1840 £62 17 3  
 Paid the Treasurer 51 13 4 51 13 4  


---

 Due £11 3 11

The Committee on Public Accounts, last Session, reported that Mr. Skinner had collected in 1839 £100, for which he has not yet accounted.

GUYSBOROUGH.

Collected for 1839 £17 7 6  
 Collected for 1840 12 16 3  


---

 Due £30 3 9

COLLECTED AFLOAT.

By J. P. Miller £11 11 11  
 Captain Darby 6 2 0  


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17 13 11

Mr. Bigelow, the Collector at Little Canso, has charged 15 per cent. on the amount collected by him—which charge has been sanctioned by the Commissioners of the Revenue, in consequence of the additional labour he performs.

Of Monies collected to 31st December, 1840, there remains unpaid the sum of £438 10 6. No Returns have been made for 1840 by the Collectors of Colchester and Tatamagouche.

Aggregate of Light Duties paid into the Treasury by the Provincial Collectors, to 31st December, 1840 £3434 3 3

PASSENGERS' ACT.

Balance in Treasurer's hand 31st December, 1839 £64 15 1 Received

## APPENDIX No. 21.

Received from Cape-Breton	£100	10	6	
Ditto for Halifax	55	0	0	
	£220	5	7	
Amount of sundry disbursements, year 1840	171	10	7	
Balance in Treasury, 31st December, 1840	£48	15	0	48 15 0

## SEAL AND SABLE ISLANDS.

The Commissioners Accounts to the 31st December, 1840, have been received; bal. to that date in Provincial Treasurer's hands 1055 9 6

## THE COMMISSIONERS OF LIGHT HOUSES.

The Commissioners Accounts to the 31st December, 1840, have been received, amounting to 4520 5 11  
 Paid by the Provincial Treasurer, including a balance in his hands of £38 19 9 for putting Cross Island Light-House in operation £4273 12 7  
 Received from New Brunswick for 1839 146 13 4  
 Do do on account of Brier Island Light, 1839 100 0 0  
 £4520 5 11

Balance due by New Brunswick for Seal Island Light-House, to 31st December, 1840 £70 0 0  
 Ditto Brier Island ditto ditto 100 0 0  
 Ditto from Lower Canada ditto ditto 500 0 0  
 Ditto ditto ditto ditto 407 14 10  
 Ditto from P. E. Island ditto ditto 24 9 3  
 Ditto from New Brunswick ditto ditto 203 17 5  
 Balance due the Treasury to 31st December, 1840 £1306 1 6

## ANNAPOLIS LOAN OFFICE.

The Commissioners have paid into the Treasury of the Province £35—for Advertising £2 6s., and retained, as Commissions, 13s. 8d. (on £26 10s. 5d. paid off,) leaving a balance in Securities of 35 5 2

## CUSTOM HOUSE.

There has been paid into the Treasury by this department to 31st Dec. 1840 £35,900 16 0  
 Premium on dollars paid in 1418 7 7  
 £37319 3 7

## PUBLIC BUILDINGS.

The Commissioners Accounts, with Vouchers, have been received, by which it appears there has been expended on Government House £394 13 2, and on the Province House £229 6 1—year 1840 623 19 3  
 Commissions on the above sums 31 4 0  
 Error in Account of Expenses on Public Buildings—1839, arising from the sum indorsed on the back of the Voucher being £50 less than the face of the account; the former was taken for the sum due instead of the latter 50 0 0  
 £705 3 3  
 PROVINCE

## APPENDIX, No. 21.

## PROVINCE NOTES.

Amount in Circulation as reported last year	£59968	10	0
Delivered to the Treasurer to replace defaced Notes	10000	0	0
Defaced Notes burned by Committee	10000	0	0
Leaving in Circulation 31st Dec. 1840	59968	10	0

## FUNDED DEBT.

Balance Funded in 1834—35 & 36—at 5 per ct.	£33026	0	0
Paid off 24th May, 1840—agreeably to a Resolution of the House	£5000	0	0
Paid off from Fund of Savings' Bank	1000	0	0
		6000	0
	£27026	0	0
Funded in 1836, at 4 per ct.	10000	0	0
Savings' Bank, 31st Dec. 1840	20000	0	0
Amount of Funded debt, to 31st Dec. 1840. Interest paid to that date.	£57026	0	0

## THE PROVINCE OF NOVA-SCOTIA.

Dr.

To this sum undrawn on account of Roads and Bridges and other Services per Abstract	£15687	19	1
To Loan Certificates due sundry persons, including £20000 from Savings' Bank	57026	0	0
To a sum due the Commissioners of Public Buildings	705	3	3
To amount of Province Notes in Circulation, 31st Dec. 1840	59968	10	0
	£133387	12	4

## CONTRA.

Cr.

By Balance in the hands of the Treasurer	£27804	14	7½
do. do. on account of Sable Island	1055	9	6
do. do. do. Passenger Act	48	15	0
Loan to Dalhousie College	5000	0	0
Balance of Loan to County of Annapolis	35	5	2
Light Duty due from New Brunswick on account of Seal and Brier Islands, 1840	170	0	0
Ditto Ditto on account of St. Paul's and Scatarie Light Houses, 1840	203	17	5
Ditto due from Lower Canada (£500 Annual Grant and Surplus Expense, £407 14 10)	907	14	10
Amount of Securities in the hands of the Collector of Excise at Halifax	£37058	11	9
Deduct probable Drawback	6000	0	0
	31058	11	9
Securities in the hands of the out port Collectors	£7320	7	11
Deduct probable Drawback	1220	0	0
	6100	7	11
Bonds in the hands of the Attorney General	53	17	1
Balance due on Loan to Poor Settlers	2190	5	2

By

## APPENDIX, No. 21.

By net proceeds of Seed Grain imported and Sold in the year 1837	£26	5	3
Balance	58732	8	7½
	<hr/>		
	£133397	12	4

The proceeds of Book, entitled, "Nova Scotia Justice," are yet to be accounted for.

Committee Room, 20th February, 1841.

GEO. SMITH, } Committee  
W. RUDOLF, } of  
J. L. STARR. } Council.

THOMAS FORRESTER, } Committee  
W. B. TAYLOR, } of  
HENRY GOUDGE, } House  
JAMES McNAB, } of  
JOHN W. HOMER. } Assembly.

*Abstract of Monies appropriated for Roads and Bridges, &c. during the Session of 1840, but which are yet undrawn. 31st December, 1840.*

HALIFAX COUNTY.			
No. 21. Fred. Major		£8	0 0
26. T. Moore		20	0 0
Ditto		20	0 0
20. J. Fairbanks		10	0 0
		<hr/>	58 0 0
COLCHESTER.			
No. 132. John Harrison		3	0 0
138. David Murray		4	0 0
		<hr/>	7 0 0
PICTOU.			
No. 158. Alexr. McGee		2	10 0
199. John Moore		5	0 0
		<hr/>	7 10 0
CUMBERLAND.			
No. 318. No Commissioner		5	0 0
		<hr/>	5 0 0
HANTS.			
No. 415. D. Wier		50	0 0
419. J. M. Smith		10	0 0
		<hr/>	60 0 0
KING'S.			
No. 426. Balance of Warrant		54	16 5
457. Mayhew Newcomb		10	0 0
456. G. D. Pineo		10	0 0
507. Thomas Mee		6	0 0
		<hr/>	80 16 5
GUYSBOROUGH.			
No. 544. Robert Kenny		5	0 0
		<hr/>	5 0 0
DIGBY.			
No. 640. John Robinson		10	0 0
		<hr/>	10 0 0
			SHELburnE.

## APPENDIX, No. 21.

## SHELburnE.

No. 740. Thos. Johnson	£20	0	0	
745. No Commissioner	5	0	0	
746. Ditto	8	0	0	
773. Levi Nickerson	40	0	0	
				<u>73 0 0</u>

## LUNENBURG.

No. 839. John Chisley	10	0	0	
				<u>10 0 0</u>

## CAPE BRETON.

No. 888. James McNeil	15	0	0	
889. Murdoch McCaskill	15	0	0	
895. James Bowen	5	0	0	
905. Robert Gammell	10	0	0	
Ditto	15	0	0	
900. Thos. Fraser	25	0	0	
911. Kenneth McLeod	33	6	8	
915. James Harvie	15	0	0	
				<u>133 6 8</u>

## RICHMOND.

No. 928. Andrew Madden	72	10	0	
931. John Ballam	35	0	0	
				<u>107 10 0</u>

## INVERNESS.

No. 934. Donald Cameron	20	0	0	
936. John McDonald	10	0	0	
938. John Beaton	10	0	0	
939. M. & J. Hanley	10	0	0	
940. W. McKeen	15	0	0	
941. Lambert Smith	10	0	0	
945. Taylor and McDonald	10	0	0	
954. John Schumpt	60	0	0	
955. Hugh Campbell	12	0	0	
959. Archibald Campbell	20	0	0	
960. James G. McKeen	15	0	0	
				<u>192 0 0</u>

## SYDNEY.

No. 967. Angus Campbell	£10	0	0	10 0 0
-------------------------	-----	---	---	--------

758 13 1

Note.—Balance due on account of alteration, Main Post-Road from Avon  
Bridge to lower Gaspereaux Bridge—1839

142 6 0

£900 19 1

## FOR LIGHT HOUSES, &amp;c.

To erect Light Houses at the Basin of Mines, and head of the Bay of Fundy	600	0	0
To erect a Light House between Sambro and Canso	400	0	0
To erect a Light House at or near Cape George	350	0	0
For a Steam Boat to run between Halifax and St. John's, Newfoundland, annually—for three years	500	0	0
For liquidating the debt on the Pictou Academy, £233, annually, for two years, provisionally	233	0	0

For

## APPENDIX, No. 21.

For the erection of a Bridewell, £4000—under the Law of 1840. £1000  
to be drawn annually, for four years £1000 0 0  
Of the £26000 granted by the Act of 1840, for the Main Post Roads £14296  
have been expended the present year—there remains of the original  
sum to be expended in 1841 11704 0 0

£15687 19 1

Committee Room, 20th February, 1841.

GEORGE SMITH, } Committee  
W. RUDOLF, } of  
J. L. STARR. } Council

THOMAS FORRESTER, } Committee  
W. B. TAYLOR, } of  
HENRY GOUDGE, } House  
JAMES McNAB, } of  
JOHN W. HOMER. } Assembly.

*Statement of Amount of Duties secured by Collectors of Impost and Excise for the year 1840; also, balance of Duties secured to 31st December, 1839, and total amount due to 31st December, 1840.*

	Balances due 31st December, 1839.	Amount secured in 1840.	Cash received in 1840.	Commissions and Drawbacks.	Balances due 31st December, 1840.
Halifax	£38213 14 4	£43742 10 9	£40000 0 0	£4897 13 4	£37058 11 9
Liverpool	103 0 8	526 13 10	200 0 0	122 8 9	307 5 9
Pictou	2394 19 3	1707 10 2	2000 0 0	331 0 0	1771 9 5
Lunenburg	909 16 9	868 18 9	460 0 0	102 2 7	1216 12 11
Yarmouth	169 2 7	1291 16 7	914 4 0	165 17 8	330 17 6
Digby (as corrected)	127 10 4	254 2 8	254 5 6	45 4 1	82 3 5
Shelburne (as corrected)	147 1 6	152 6 7	120 0 0	14 19 4	164 8 9
Barrington	4 3 6	1 14 7	5 19 9	0 12 0	0 0 0
Colchester	298 1 5	120 4 11	174 0 0	28 15 10	215 10 6
Cumberland	498 2 11	175 10 11	318 10 0	52 14 2	302 9 8
Hants	424 3 4	176 17 7	207 8 5	34 6 7	359 5 11
Argyle	0 0 0	2 1 2	1 17 1	0 4 1	0 0 0
Sydney, C. B.	406 1 6	952 8 9	364 15 7	60 7 4	933 7 3½
King's County	605 12 6	231 0 6½	447 10 4	74 1 2	315 1 6
Annapolis	72 17 4	217 15 9	212 18 9	36 14 9	40 19 7
Arichat (as corrected)	747 16 5	396 0 3	199 8 7	62 5 5	882 2 8
Weymouth	61 11 9	118 15 3	103 1 9	17 1 9	60 3 6
Port Hood	33 17 6	6 5 7	33 14 11	6 8 2	0 0 0
Antigonish (as corrected)	65 18 0	40 8 9	57 14 0	9 10 11	39 1 10
Chester	No Return from				
Pugwash (as corrected)	23 14 7	197 13 6	34 0 0	8 3 8	183 12 5
Guysborough (as corrected)	52 7 10	108 13 2	81 15 3	13 10 5	65 15 4
Brier Island	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
Tatamagouche	No Return from				

Committee Room, House of Assembly, 20th February, 1841.

GEORGE SMITH, } Committee  
W. RUDOLF, } of  
J. L. STARR, } Council

THOMAS FORRESTER, } Committee of House  
W. B. TAYLOR, } of Assembly.  
JOHN W. HOMER,  
HENRY GOUDGE,  
JAMES McNAB,

The Collector of Colchester's Accounts for December Quarter, 1840, not accounted for.  
The Accounts of the Collector at Guysborough, as heretofore, are very incorrect and unsatisfactory.

The Collector at Digby, has taken credit for a Bond of Mr. Caulkin, which the Committee cannot allow—leaving a Balance due from him of £82 3 5.

## APPENDIX, No. 21.

PORT OF HALIFAX, NOVA-SCOTIA.

An Abstract Account of the amount of Duties received at this Port and District, and on what Articles, for the Quarter ended 5th April, 1840.

GOODS.	Quantity.	Value of Goods paying Advalorum Duties.	Rate of Duties.	Duties received under		Total.
				Old Acts.	New Acts.	
Brandy and Gin	10163 Gallons		*1s. & 1s. 4d. per G.		1140 7 6	
Beef and Pork	3 cwt. 2 qrs. 4 lbs.		12s. per cwt.		2 2 5	
Coffee	361 cwt. 1 lb.		5s. per do.		90 6 3	
Cocoa	8 cwt.		Ditto		1 16 0	
Flour, (Wheat)	218 bbls.		5s. per bbl.		55 5 0	
Hams	7 cwt. 1 qr. 8 lbs.		12s. per cwt.		4 7 10	
Molasses, (B. P.)	2403 Gallons		1d. per Gallon	10 0 3		
Ditto (F.)	3860 do.	For Duty	1d. per Gallon and			
			3s. per cwt.	36 19 2	130 13 10	
Ditto „	178585 do.	Fisheries	1d. per Gallon	744 2 1		
Rum „	8885 do.		6d. & 1s. 3d. per do.		733 13 9	
Sugar „	2559 cwt. 3 qrs.		2s. and 5s. per cwt.		895 18 6	
Wines „	5195 Gallons	786 4 2	£7 and 10s. per tun, old duty; 7½ per ct. and £7 7 per do. & 1s. per. doz. F?		32 6 8	
			Bottles	33 4 0		
			d½ per lb.	4 7 6		
Pimento	2100 lbs.					
Goods paying Advalorum Duties, viz:						
Leather Manufactures, Linen, Musical Instruments, Wires, Books & Papers, Silk Manufactures, Clocks and Watches		234 5 0	30 per cent.		70 5 6	
Glass Manufactures, Soap, Refined Sugar, Manufactured Tobacco, and Cottons		928 3 10	20 per cent.		185 13 2	
All Goods not otherwise charged with Duty, viz: Leaf Tobacco, Hops, Wooden Ware, &c.		2494 3 0	13 per cent.		374 2 9	
Raisins, Fruits, Pickles, Pitch, Tar, & Turpentine, Marble, Honey, &c. &c.		1108 1 0	7½ per cent.		83 2 1.	
			Halifax proper	823 13 0	3798 1 3	4626 14 3
OUT PORTS, viz:						
Liverpool				38 8 1	42 19 11	81 8 0
Lunenburg				20 12 8		20 12 8
Shelburne				Nil	Nil	Nil
Barrington				Nil	Nil	Nil
Argyle				0 8 4	10 8 7	10 16 11
Yarmouth				13 5 11	17 9 3	30 15 2
New Edinburgh				Nil	Nil	Nil
Digby				0 18 6	5 8 4	6 6 10
Annapolis				2 4 11	68 8 9	70 13 8
Coruwallis				Nil	Nil	Nil
Windsor				Nil	Nil	Nil
Parrsboro'				Nil	Nil	Nil
Pictou				0 10 4	46 10 11	47 1 3
Cumberland				Nil	Nil	Nil
Gugsboro'				Nil	Nil	Nil
Wallace				Nil	Nil	Nil
Cape-Breton					26 6 5	26 6 5
				905 1 9	4015 13 5	4920 15 2
Returned per Honble. Board's Order, No 20, 3d March, 1840					38 7 6	38 7 6
			Total—	905 1 9	3977 5 11	4882 7 8

\*One tenth deducted from Imperial Duties, when imported from Great-Britain, through the Warehouse.

THOS. N. JEFFERY, Collector.

Custom-House, 5th April, 1840.

PORT

## APPENDIX No. 21.

PORT OF HALIFAX, NOVA-SCOTIA.

*An Abstract Account of the amount of Duties received, and on what Articles, for the Quarter ended the 5th July, 1840.*

GOODS.	Quantity.	Value of Goods paying Advalorem Duties.	Rate of Duties.	Duties received under		Total.
				Old Acts.	New Acts.	
Brandy and Gin	17098 gallons		* 1s. & 1s. 4. per. G.		1908 11 1	
Beef and Pork	7 cwt. 3 qrs. 8 lbs.		12s. per cwt.		4 18 10	
Coffee	938 cwt. 4 lbs.		5s. do.		97 0 2	
Cocoa	46 cwt.		5s. do.		11 6 0	
Flour (Wheat)	583 bbls.		5s. per bbl.		145 15 0	
Hans	12 cwt. 2 qrs. 7 lbs.		12s. per cwt.		7 10 9	
Molasses (B. P.)	1421 gallons		1d. per gallon	5 18 5		
Ditto (F.)	26695 do	For Duty	1d. per gallon and 9s. per cwt.	86 4 7		
Ditto "	25882 do	For Fisheries	1d. per gallon	118 5 2	300 5 0	
Rum "	26284 do		6d. & 1s. 3d. per gal.		2297 17 7	
Sugar "	5494 cwt. 2q. 11 lbs		5s. & 2s. per cwt.		1923 2 2	
Wines "	11398 gallons	3118 17 11	£7 and 10s. per tun, (old duty,) and 7½ per cent. & £7 7s. per tun, & 1s. per doz. F. bottles	75 15 4	234 2 0	
GOODS PAYING ADVLM. DUTIES, VIZ:						
Leather Manufactures, Linen, Musical Instruments, Wines, Books and Papers, Silk Manufactures, Clocks and Watches			399 16 0	30 per cent.		119 18 9
Glass Manufactures, Refined Sugar, Soap, Manufactured Tobacco and Cottons			3433 15 6	20 per cent.		686 15 1
All Goods not otherwise charged with Duty, viz:—Leaf Tobacco, Hops, Woodenware			4020 18 4	15 per cent.		603 2 9
Raisins, Fruits, Pickles, Pitch, Tar, Turpentine, Marble, Honey, &c.			960 15 0	7½ per cent.		72 1 2
			Halifax proper	£296 3 6	8412 1 4	8698 4 10
OUT PORTS, viz:						
Liverpool				4 9 10	142 9 3	146 19 1
Lunenburg					14 1 6	14 1 6
Shelburne				16 15 7	30 11 2	47 6 9
Barrington				Nil	Nil	Nil
Argyle				Nil	Nil	Nil
Yarmouth				21 2 8	301 12 6	322 15 2
New Edinburg				Nil	Nil	Nil
Digby				4 14 9	169 1 2	173 15 11
Annapolis				Nil	Nil	Nil
Cornwallis				4 10 10	11 10 4	16 1 2
Windsor				8 17 6	248 13 11	257 11 5
Parrsboro'				Nil	Nil	Nil
Pictou				2 7 1	451 11 5	453 18 6
Cumberland				5 6 8	97 16 2	103 2 10
Guysboro'				Nil	Nil	Nil
Wallace				0 13 6	30 0 6	30 14 0
Cape-Breton				0 0 0	32 19 4	32 19 4
Creighton & Grassie—Port Entry on Foreign Spirits—paid per Honorable Board's Order				355 1 11	999 8 7	10347 10 6
				0 0 0	82 1 1	82 1 1
			TOTAL—	£355 1 11	10074 9 8	10429 11 7

\* One tenth deducted from Imperial Duties, when imported from Great Britain, through the Warehouse.

THOS. N. JEFFERY, Collector.

Custom House, 5th July, 1840.

## APPENDIX, No. 21.

PORT OF HALIFAX, NOVA-SCOTIA.

*An Abstract Account of the amount of Duties received at this Port and District, and on what Articles, for the Quarter ended 10th October, 1840.*

GOODS.	Quantity.	Value of Goods paying Advalorem Duties.	Rate of Duties.	Duties received under		Total.
				Old Acts.	New Acts.	
Brandy and Gin	13905 Gallons		*1s. & 1s. 4d. per G.		1560 11 10	
Beef and Pork	5 cwt. 1 qr. 12 lbs.		12s. per cwt.		3 4 8	
Coffee	499 cwt. 2q. 11 lbs.		5s. per do.		122 8 0	
Cocoa	27 cwt.		Ditto		6 15 0	
Flour, (Wheat)	67 bbls.		5s. per bbl.		16 15 0	
Hams	110 cwt. 3qr. 20 lbs.		12s. per cwt.		66 11 10	
Molasses, (B. P.)	118 Gallons		1d. per Gallon	0 9 10		
Ditto (F.)	44197 do.	For Duty	1d. per Gallon and 3s. per cwt.	171 13 1	434 1 10	
Ditto "	11735 do.	Fisheries	1d. per Gallon	48 17 11		
Rum "	\$1562 do.		6d. & 1s. 3d. per do.		2758 19 6	
Sugar "	9256 cwt. 3 qr. 8 lb.		2s. and 5s. per cwt.		3239 17 9	
Wines	19409 Gallons	2978 17 10	£7 and 10s. per tun, old duty; 7½ per ct. and £7 7 per do. & 1s. per doz. F. Bottles	52 11 0	187 16 5	
Pimento	4228 lbs.		1d per lb.	8 16 2		
Goods paying Advalorem Duties, viz: Leather Manufactures, Linen, Musical Instruments, Wires, Books & Papers, Silk Manufactures, Clocks and Watches		212 9 6	30 per cent.		63 14 10	
Glass Manufactures, Refined Sugar, Soap, Manufactured Tobacco, and Cottons		1606 19 6	20 per cent.		321 7 11	
All Goods not otherwise charged with Duty, viz: Leaf Tobacco, Hops, &c. &c.		4301 2 0	15 per cent.		645 9 4	
Raisins, Fruits, Pickles, Pitch, Tar, Turpentine, Marble, Honey, &c. &c.		1290 9 0	7½ per cent.		96 15 8	
			Halifax proper	282 8 0	9524 3 2	9800 11 2
OUT PORTS, viz:						
Liverpool				0 4 11	73 6 3	73 11 2
Lunenburg					4 16 11	4 16 11
Shelburne					4 5 11	4 5 11
Barrington					Nil	Nil
Argyle					Nil	Nil
Yarmouth				24 5 2	322 13 3	346 18 5
New Edinburgh					Nil	Nil
Digby				4 9 6	240 14 4	245 3 10
Annapolis					Nil	Nil
Cornwallis				0 8 6	1 10 1	1 18 7
Windsor				1 16 7	250 0 10	251 17 5
Parrsboro'				See next Quarter		
Pictou				7 0 11	169 18 10	176 19 9
Cumberland					47 14 4	47 14 4
Guysboro'					11 7 6	11 7 6
Wallace				See next Quarter		
Cape-Breton					94 11 2	94 11 2
Returned Messrs. Deblois & Merkel, per Honble. Board's Order				320 13 7	10745 2 7	11065 16 2
					29 5 9	29 5 9
This being the amount of Duties on Sugar, entered for the Fisheries, and paid under Protest.—Retained in hand, to await the Honble. Board's Order				320 13 7	10715 16 10	11036 10 5
					2403 19 9	2403 19 9
Total—				320 13 7	8311 17 1	8632 10 8

\*One tenth deducted from Imperial Duties, when imported from Great-Britain, through the Warehouse.

THOS. N. JEFFERY, Collector.

Custom-House, 10th October, 1840.

PORT

## APPENDIX Nos. 21, 22.

## PORT OF HALIFAX, NOVA-SCOTIA.

*Memo. of the quantity of Flour entered free for the use of the British Fisheries, and amount of Duty remitted thereon, for the year 1840.*

Quarter ending	Quantity.	Rate of Duty.	Amount remitted.
5th April, 1840.	3979 Bbls. Wheat Flour,	5s	£994 15 0
5th July, "	14725 " "	"	3681 5 0
10th October, "	15371 " "	"	3842 15 0
5th January, 1841.	3807 " "	"	954 5 0
	37892 Bbls.		Total £9473 0 0

THOS. N. JEFFERY, Collector.

Custom-House, 5th January, 1841.

No. 22.

(See Page 55.)

## PROVINCE OF NOVA-SCOTIA.

*An Abstract of Trials in the Supreme and Inferior Courts throughout the Province, during the years 1835, 1836, 1837, 1838 and 1839, derived from the Official Returns.*

COUNTIES.	Supreme Court numbers	Inferior Court numbers	Total
Halifax,	102	0	102
Annapolis,	23	14	37
Cape-Breton,	1	9	10
Colchester,	29	13	42
Cumberland,	36	9	45
Digby,	0	12	12
Guysborough,	5	18	23
Hants,	20	2	22
Inverness,	1	6	7
King's,	35	2	37
Lunenburg,	19	32	51
Pictou,	45	24	69
Queen's,	5	10	15
Richmond,	9	12	21
Sydney,	26	26	52
Shelburne,		No Returns.	
Yarmouth,	3	0	3
Total	359	189	548

*Abstract of Trials contained in the said Returns, under the respective Heads, Assumpsit, Ejectment, and Trespass, &c. throughout the Province, during the years 1835, 1836, 1837, 1838 and 1839.*

KINDS OF ACTION.	Number in Supreme Court	Number in Inferior Court	Total.
Assumpsit,	190	96	286
Ejectment			

Ejectment,	31	10	41
Trespass Case, Covenant & Trover,	138	83	221
	<hr/>	<hr/>	<hr/>
Total	359	189	548

Reported by the Committee to whom the Official Returns were referred.

Committee Room, 23d February, 1841.

WILLIAM YOUNG, Chairman.

PROVINCE OF NOVA-SCOTIA.

*An Abstract of Criminal Trials in the Supreme Court throughout the Province, during the years 1835, 1836, 1837, 1838 and 1839, derived from the Official Returns.*

Halifax,	10 Cases
Annapolis,	6 do.
Cape-Breton,	2 do.
Cumberland,	2 do.
Colchester,	10 do.
Digby,	3 do.
Guysborough,	1 do.
Hants,	1 do.
Inverness,	0 do.
King's,	7 do.
Lunenburg,	4 do.
Pictou,	6 do.
Queen's,	1 do.
Richmond,	3 do.
Sydney,	1 do.
Shelburne	no return.
Yarmouth	1 do.

Total 60 Cases.

*Abstract of Offences, Convictions and Acquittals, in the said Returns, during the years 1835, 1836, 1837, 1838 and 1839.*

Offences.	Number.	Convictions.	Acquittals.
Murder	5	2	3
Manslaughter	3	3	0
Burglary	4	3	1
Arson	5	1	4
Highway Robbery	0	0	0
Larceny	24	20	4
Assault	8	5	3
Coining	1	1	0
Receiving Stolen Goods	1	0	1
Misdemeanor	9	5	4
	<hr/>	<hr/>	<hr/>
Total,	60	40	20

Reported by the Committee to whom the Official Returns were referred.

Wm. YOUNG, Chairman.

Committee Room, 23d Feby. 1841.

*Abstract*

*Abstract of Criminal Trials had before Juries in the Courts of General Sessions of the Peace in Nova-Scotia, in the years 1835, 1836, 1837, 1838 and 1839, respectively, derived from the Official Returns presented to the Assembly in 1841.*

APPENDIX No. 22.

COUNTIES.	1835.	1836.	1837.	1838.	1839.	In all.	Lar- cery.	As- aults.	Nui- sances.	Disor- der- ly House.	Maiming Cattle.	Rio. Libel.	Bastards.	Detaining and In- juring Property.
Hants	2	1	3	5	2	13	6	6	1					
King's	1	0	1	0	1	3		3						
Annapolis	3	5	3	6	5	22	3	18.		1				
Digby	1	1	2	3	6	13		11			1			
Yarmouth	0	0	0	2	0	2	1	1						
Queen's	0	1	5	4	1	11	6	4				1		
Lunenburg	4	1	2	2	5	14	3	9			1	1	1	1
Pictou	1	3	4	0	1	9		1						1
Sydney	3	4	5	4	0	16	3	11						
Guyshorough	2	2	2	1	1	8	2	5		2				1
No returns from	17	18	27	27	22	111	24	69		8	2	2	1	2
Colchester	6	6	9	9	7	37	8	23		3	1	1		1
Shelburne	—	—	—	—	—	—	—	—		—	—	—	—	—
Cumberland	—	—	—	—	—	—	—	—		—	—	—	—	—
Nova-Scotia proper, } excepting Halifax, }	23	24	36	36	29	148	32	92		11	2	3	1	3
Inverness	7	5	7	7	0	26	1	25						
Richmond	5	2	3	2	11	23	1	21		1				2
Cape-Breton	6	5	4	7	3	25	1	22						2
In all	18	12	14	16	14	74	3	68		1				2

Reported by the Committee to whom the Official Returns were referred.

Committee-Room, 23d February, 1841.

Wm. YOUNG, Chairman.

(See Page 64.)

*Abstract of Returns of Deaf and Dumb persons, made in pursuance of the Resolution of the House of Assembly, of 21st March, 1840.*

County.	Names and Ages.	Circumstances.	Whether capable of Instruction or not.	
Halifax	Wm. H. Richardson	4 years.	Capable	
	Mary Gillis	10	Do.	
	Catharine Symmott	12	Do.	
	Charles Hackett	30	Do.	
	George Negus	25	Do.	
	Catherine Brown	9		
	Rebecca Arnold	8	Poor	Capable
	—— Cameron	20		
	John Higgins	19	Comfortable	Capable
	Eliza Colbert	18	Poor	Do.
	James McKeen	20	Very poor	Dumb only
	Mary Ward	27		Capable
	Mary Drysdale	37	Comfortable	Do.
	John Hubly	40	Ditto	Do.
	Catherine Glazebrook	14	Poor	Do.
	Daniel Ryan	28	Comfortable	Do.
	Wm. Kelley	25	Ditto	Do.
Lunenburg	Simon Rudolf	21	Good	Idiotic
	Eliza Weigle	40	Poor	Incapable
	Mary Weigle	25	Ditto	Do.
	—— Moran	26	Indifferent	Do.
	Nicholas Typport	19	Ditto	Doubtful
	Edward Eichel	28	Good	Capable
	Elizabeth Vienot	35	Ditto	Do.
Annapolis	Helen Morse	33	Comfortable	Do.
	—— Daley (Male)			
	—— Daley (Male)			
Colchester	Samuel Tupper	8	Comfortable	Capable
	Robert Tupper	20	Ditto	Do.
	John Tupper	7	Ditto	Do.
	Samuel Tupper	10	Ditto	Do.
	Ruth Green	30	Poor, idle	Do.
	Isabel Green	25	Ditto	Do.
	George Campbell	46	Middling	Dull, inactive
Sydney	One aged person			Idiotic
	One little Boy			Do.
Guysboro'	—— Hooper (Female)	15		Capable
King's	—— Sandford (Male child)			
	—— Eaton	ditto		
Cape-Breton	Nil.			
Richmond	Wm. LeBlanc (dumb)	14	Poor	Capable
Inverness	Alex. McDonald	50		
	—— Beaton	20		
	D. Campbell	10		
	C. Campbell	8		
	—— Campbell	7		

## No. 24.

*(See Page 64.)*

The Committee to whom were referred the Petition of William Salter and others, Inhabitants of Newport, praying for a sum of money to assist them in clearing out the River Cockmagun.

The Petitioners state, as their reasons for asking a sum of money, that the obstructions in the River impede the Navigation, flow Lands along the banks, and injure a Causeway.

The House having adopted the principle, that it is inexpedient to grant monies to clear out Rivers to improve their Navigation; and, under the Laws of the Province, the Commissioners of Sewers for the respective Townships have power to dyke and drain Lands. There only claim therefore is for a sum of money to repair the Causeway.

The Committee therefore recommend, that the Petition be referred to the consideration of the Members of the County of Hants, to provide such sum to repair the Causeway, out of the Road Grant, as shall to them appear necessary.

H. HUNTINGTON, Chairman.

Halifax, 26th Feby., 1841.

## No. 25.

*(See Page 66.)*

The Committee to whom were referred two Petitions of Samuel Archibald, Commissioner of Roads in the County of Colchester, beg leave to report—that, in the first Petition, the Petitioner states that he has made himself liable for the payment of £44 for the purchase of Land from five persons, through whose Land a new line of Road passes, which the Petitioner was commissioned to open last year, between Truro and Salmon River.—Although your Committee can by no means sanction the course taken by Petitioner, in appraising the damage to proprietors of Land, yet your Committee are satisfied that a just and equitable appraisal has been made, and with less expense to the public, than if the Petitioner had pursued the regular course directed by Law. Your Committee therefore beg leave to recommend, that the said sum of £44 be granted to the said Samuel Archibald, for the purpose of defraying the expense incurred by him in the purchase of the Land for the Road, as above stated.

Your Committee further beg leave to report, that in the second Petition of the said Samuel Archibald, Petitioner states, that having expended the sum of £1750 in opening up a new line of Road between Salmon River and Truro, and finding that sum insufficient to complete the Road in such a way as to make it available to the public, he advanced, at his own risk, the sum of £74 14s. 10d.—by which means he was enabled so far to complete the Road as to open it for the use of the public. The Petitioner further states, that having been commissioned to expend £30 in repairing the Road from Gay's River to the County Line of Pictou, he found that sum altogether insufficient to keep so long an extent of Road in a passable state of repair, and advanced and laid out £20 5s. 11d., in addition to the £30 granted by the Legislature for that purpose.

Your Committee being fully satisfied by the examination of vouchers, accompanying the Petition, and also by the statements made by the said Samuel Archibald, before your Committee, that these sums have been faithfully laid out upon the Great Mail Road leading to Pictou, beg leave to recommend to the House to grant these two sums, making, together, £95 9d., to reimburse the said Samuel Archibald for the money by him expended, as above stated.

Committee Room of the Assembly, Feby. 27th, 1841.

BENJAMIN SMITH, Chairman.

R. McG. DICKEY,

STEPHEN FULTON.

(See Page 68.)

SIR—

Having understood that His Excellency the Lieutenant-Governor intends to bring under the notice of the Legislature a communication relative to the contemplated Canal to unite the waters of the Saint Lawrence with those of the Bay of Fundy, together with such information as may be deemed of importance.

The Surveys of the route for the Canal already made were intended to give information of a line through New Brunswick.

Under the idea that a shorter route might be obtained on the Nova-Scotia side, I was induced to have a new Survey made, under the superintendance of Mr. William McKay, a person well qualified for the purpose, who has run the line, and found the distance considerably shorter, and the course level, and better adapted for a Canal than those hitherto surveyed.

The Plan and Survey, with Mr. McKay's observations, I enclose, together with a statement of the expense that has been incurred, which I trust His Excellency will lay before the House of Assembly, and recommend the House to pay.

I have the honor to be, Sir,

Your obedient servant,

J. S. MORSE.

To the Honble. Sir RUPERT D. GEORGE, Bart.

J. S. Morse,

To Wm. McKay, Dr.

1838.

From 17th August to 6th September, Surveying Bay Verte Canal, 18 days ; 6 days going and returning to Halifax, from Amherst ; Expenses going and returning by Stage, all	£22 0 0
Compiling and executing a plan from a Survey, taken in August, between Bay Verte and Bay of Fundy, by the Tignish and LaPlanche Rivers, be- ing a route of the proposed Canal	18 0 0
	£40 0 0

Halifax, February 16, 1841.

WM. MACKAY.

(See Page 69.)

*Statement of Expences of Schooner John and Louisa Wallace, employed in service of Revenue in 1840.*

No. 1. Patrick Mahoney's Account for Carpenter's Work	£3 17 6
2. John Connor's do. Whaleboat	5 0 0
3. Arthur Godfrey's do. Spy Glass and Stationery	2 10 7½
4. John Bell's do. Blocks, &c.	0 18 0
5. John Watson's do. Medicine	1 11 9½
6. M. Young's do. Iron Work	4 17 0
7. M. Mooney's do. Sundries	4 7 6
8. W. M. Allan's do. Oars	0 17 9
9. W. & J. Rodgers' do. Beef	4 9 9
10. A. & J. McNab's do. Supplies	97 7 9
11. T. & L. Piers' do. Cordage	2 15 8½
	No.

## APPENDIX, No. 27.

No. 12. Patrick Costin's Account for Puncheon	0	10	0
13. J. M. Greenwood's do. Oars	0	19	4
14. A. DeChezeau's do. Tinware	1	17	0
15. Sundry disbursements, per Accounts	51	1	6½
16. Charter of Schr. to 1st Dec. 7 months and 6 days	93	12	0
17. Seamens' Wages to 1st Dec.	298	16	7½
18. Capt. Stephen's Wages, 7 months and 12 days, £10 per month	74	0	0
19. Matthew Forrester's do. 2 months and 12 days, £10	24	0	0
20. Yeomans & Fraser, premium of Insurance	17	15	0
21. J. Miller's Account for Arm Chest	1	0	0
	<hr/>		
	£692	4	10½

Halifax, 31st December, 1840.

*Statement of Expenses of Schooner Rival Packet, employed in service of the Revenue in 1840.*

No. 1. Patrick Mahoney's Account for Carpenter Work	£1	16	0
2. M. McLearn's do. Boat	6	12	6
3. J. M. Greenwood's do. Oars	0	10	0
4. Dr. Almon's do. Medicine	2	11	6
5. A. DeChezeau's do. Cooking Stove	8	0	0
6. J. Miller's do. Arm Chest and Lock	1	2	6
7. A. & J. McNab's do. Supplies	89	0	10
8. W. & J. Rodgers' do. Beef	8	18	11½
9. Sundry disbursements at Out Ports	6	13	2
10. Seamen's Wages, from 14th May to 18th November	202	5	0
11. Captain's Wages, from 14th April to 18th November, including one Month employed in looking for Vessels, superintending fitting out, &c. 7 month's, £10.	70	0	0
12. Incidental expenses incurred by him	1	8	0
13. Charter of Schooner 6 months and 3 days	218	11	6
	<hr/>		
	£617	9	11½
	CR.		
14. By this sum allowed by Commissioners of Light Houses for services per Account herewith	94	5	0
	<hr/>		
	£523	4	11½

Halifax, N. S. 31st December, 1840.

*Statement of Expenses of Schooner Victory, employed in service of the Revenue in 1840.*

No. 1. Sundry disbursements, per Accounts	£59	11	4
2. Seamens' Wages, from 1st April to 1st Dec.	427	3	6
3. Captain Darby's Wages, 8 months, at £4 per month	32	0	0
4. A. & J. McNab's Account for Supplies	119	0	5½
5. J. Millar's Account for Arm Chest	1	0	0
6. W. & J. Rodgers' Account for Beef	48	0	3
7. Commrs. of Sable Island, hire of Schr. 8 months, £10	80	0	0
8. John Bennet's' Account for Beef at Digby	0	17	3
	<hr/>		
	£767	12	9½

Halifax, 31st December, 1840.

Dr.

## APPENDIX No. 27.

DR.		<i>The Revenue Service in Account with Edward Wallace.</i>	
No. 1.	To expenses of Schooner John and Louisa Wallace, per statement	£692	4 10½
2.	To do. of Schooner Rival Packet, per statement	617	19 11½
3.	To do. of Schooner Victory, per statement	767	12 9½
	To Commission on £2077 17 7½, at 5 per cent.	103	17 10½
		£2181	15 6
	To Balance	£681	15 6
			CR.
By Warrant on Treasury		£1500	0 0
	Balance	681	15 6
		£2181	15 6

Halifax, 31st December, 1840.

[E. E.]

'ED. WALLACE.

*An account of the different Vessels put under detention, as well as those seized by me, whilst in command of John & Louisa Wallace, Revenue Schooner.*

PLACE.	DATE.	BRITISH.
Arichat,	May 15.—	Schooner Jolly Tar, under the following circumstances: being from the neighbourhood of St. Pierre Mequelon, and the Master refusing to produce the Vessel's Papers to shew where from, &c. &c.—Released.
Off of Arichat,		Schr. Breton, from Boston to Newfoundland, under similar circumstances, and having reported on being leaky and short of water, (a Smuggler's excuse,) in order to communicate with the shore.—Released.
Arichat,	May 19.—	Great Britain, reported in ballast, but found, concealed, 5 barrels flour, 1 cask biscuit bread, 1 bag of rice, 1 box soap, and 2 kegs molasses; all of which were released without fine.
Arichat,	May 19.—	Shallop Hauxberry, reported from Halifax, but no Papers to shew from whence; on board, 2 bags coffee, 1 barrel biscuit bread, 2 boxes soap, 1 box raisins, 2 coils manilla rope, and 2 chests—which the Captain of said Shallop admitted contained tea—secretly emptied of their contents, and thrown overboard, whilst in charge of two of the Revenue Schooner's Men, John & Louisa Wallace.—Released without fine.
		Schooner Glory, having, by the appearance of her hatches, and ballast newly trimmed, having broken bulk, placed two men in charge of her, and which time she had on board 38 barrels flour, and 1 tierce of rice, which I prevented from being permitted to entry; the Captain of said Glory, seeing himself thus beset, in the hope of recovering back his Vessel, (the Goods being on freight,) offers to bring back the Goods he landed on the previous night, if I would permit said Vessel, with my two men in charge, to proceed for them, as by message conveyed by John Fuller, Esq., High Sheriff, to me, and to which I assented; said Vessel returned with following Goods:—
		22 casks spirits, 1 box tea, 5 boxes soap, 2 kegs of tobacco, and 1 bag coffee, which were condemned and sold, but Vessel liberated without fine.

## UNITED STATES.

Near Chetecamp, } Shallop Ocean, found fishing, whilst at anchor, inside her limits, which,  
C. B. August 31. } with the annexed, have been condemned, and sold—  
89½ barrels mackerel, 25 empty barrels, a quantity of salt, 1 barrel  
codfish, 4 barrels biscuit bread, 5 gallons molasses, 1 cask lines and  
stores.

## BRITISH.

Port Hood, C. B. } Shallop Mary Jane, on board of which vessel I got 3 casks spirits, and  
September 9. } 1 cask tobacco, over and above what appeared in her manifest, and  
which Goods only were condemned and sold.

## UNITED STATES.

Shallop Director, found at anchor, and fishing within her limits, which,  
with the annexed, were condemned and sold—  
38½ barrels mackerel, 15 bhds. salt, 15 quintals codfish, 3 barrels  
bate, 2 barrels biscuit bread, 1 cask cod oil, 23 empty barrels, 3 fish-  
ing nets, ½ box candles, 18 fishing lines, 1 mill for grinding bate.  
Arichat, Sent two men with James Turnbull, Esq. Collector of Excise at Ari-  
chat, to assist to make a seizure on shore, and who returned with 8  
casks spirits, 1 of molasses and of tar, which were condemned and  
sold.

ANDREW STEPHENS,

Commander of the Revenue Schooner John & Louisa Wallace.

*List of Vessels and Articles detained by Schr. Rival Packet, J. P. Miller, Commander, during  
the year 1840.*

- June 27th.—Am. Schooner "Guess," on a Fishing Voyage.—For hovering on the Coast,  
and non-payment of Light Duty—taken into Shelburne—Cargo examin-  
ed—Law complied with—Vessel released.
- July 9th.—"Decatur," on ditto.—Ditto, and unnecessarily remaining in Port, and bartering  
small articles in Clyde River—brought to Halifax, and released by recom-  
mendation of Crown Officers.
- August 11th.—"Director," ditto ditto.—Found at anchor within the limits at Cheticamp—  
"went in for shelter"—took possession—examined Cargo, and released  
her—cautioned the Master.
- Do. "Hart," ditto ditto.—Under similar circumstances, and to repair some slight dam-  
age—examined Cargo, and released her.
- Do. "Pensylvania," ditto ditto.—Ditto ditto—came in for water—released her.
- Do. "Moderator"—Ditto ditto—had one of the crew sick—came in for assistance and  
shelter—released her.
- Do. "Mercy & Hope," ditto ditto.—Ditto ditto—came in for water—detained the Ves-  
sel, after giving up the four last named, in expectation of getting some  
evidence against her, but, not succeeding, gave her up likewise.
- Sept. 29th.—"William," ditto ditto.—For unnecessarily remaining in Port, and not reporting  
to Custom-House, and not leaving within 24 hours after notice—taken to  
Digby—Cargo examined—released for want of evidence.
- Sept. 29th.—Am. Pink "Ellsworth," reported on a Fishing Voyage—only one day out,  
and came into a British Port.—For hovering and unnecessarily remaining  
in Port—non-payment of Light Duty—and prevarication of Master and  
Crew, and Vessel not fitted up for a Fishing Voyage—placed in hands of  
acting

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acting Collector at Digby, and Papers sent to Advocate General, who recommended the Vessel to be given up on payment of charges of custody—but the Vessel is still in the hands of Collector—her Papers have been returned to the Consul at Halifax.

Oct. 10th.—British Schooner "William Henry," from Eastport—cleared for Liverpool but bound to Shelburne.—For hovering on the coast with a Foreign Cargo, and not proceeding to the Port she cleared for, or intending so to do—took her to Yarmouth, and placed her in charge of Custom-House Department—Cargo was discharged.

May 25th.—A Box or half Chest of Tea.—Detained from British Schooner "Susan," at Louisburg, not in her Clearance—subsequently restored by sanction of Commissioners of Revenue and Office of Excise.

Aug. 14th.—1 Ditto ditto.—From British Schr. "Eliza Ann," at Ingonish, C. B., for same reason—restored by same authority, (on proof of ownership.)

J. P. MILLER.

Halifax, Feby. 27th, 1841.

In the year 1839 I seized Six American Vessels, for a violation of the Treaty, relating to the Fisheries, between Great Britain and the United States; and the said Vessels were condemned in the Court of Vice Admiralty.

May.—Schr. Magnolia, of about 30 tons; Independence, of about 28 tons; Eliza, of about 26 tons; Hart, of about 23 tons. These were seized in the Bay of Fundy.

June.—Schr. Battelle, of about 50 tons; Hyderally, of about 35 tons. These were seized on the front coast of Nova-Scotia.

In the year 1840, the following Vessels were seized by me, for violation of the Treaty of 1812.

May 18.—Schr. Papineau, of about 28 tons, owned in the State of Maine; Mary, of about 28 tons, owned in the State of Maine.

Sept. 11.—Schr. Alms, of about 45 tons, owned in the State of Maine.

Two of the last mentioned Vessels were seized in the Bay of Fundy, and the other on the north coast of the Island of Cape-Breton.

The British Schr. George, 8th of July, and Schr. Henry Goldsmith, 3d of July, were detained by me in the Bay of Fundy, for Illicit Trading, and the owners compromised with the Board of Revenue.

J. W. E. DARBY.

Halifax, February 25, 1841.

1840. }

Sept. 30. }

Reported, Schooner Pink "Elsworth," Smith, master, 35 tons—seized by Capt. Miller. Released.—See Letter, No. 1.

Also, Schooner "William," 68 tons—seized by Miller.—Released without costs—not sufficient cause for detention.

The "Hawksbury," "Great Britain" and "Glory"—seized by Stephens.—See Letter, No. 2.

Schooner "Pallas," Hackett, master—seized by Forrester.—Released, being seized at a great distance from land, after a long pursuit.

No. 2.

*Attorney General's Office, Halifax, June 2d., 1841.*

SIR—

I have examined the Affidavits submitted to me, by His Excellency's commands, relative to the seizure of the Shallop "Hawksbury," John Broward master, the Schooner "Great Britain," Benjamin Boudrot master, and the Schooner "Glory," Victor LeBlanc master,

master, by Andrew Stephens, which Vessels are now in custody at Arichat, with their several cargoes.

As regards the two first named Vessels, the "Hawksbury" and "Great Britain," which were boarded in St. Andrew's Channel, I cannot recommend their being longer detained, and advise that they should be given up with their cargoes, though the circumstances which led to the seizure are very suspicious. In cases where the Vessel is bound elsewhere, and has not arrived at her port of destination, nor broken bulk in any other port, or near the coast, the Officer should, in the first place, if the vessel be hovering, or lying in any other port, give the master notice to depart; and if, after notice given, such Vessel shall remain for twenty-four hours hovering, she may be brought into port, and dealt with as is directed by the Acts 4th, Wm. IV, Chap. 50; and 6th, Wm. IV, Chap. 8th.

As to the seizure made of the Schooner "Glory," LeBlanc master, this Vessel and Cargo, if the statement be correct as to her breaking bulk, and landing the articles mentioned, without entry or payment of duties, are liable to condemnation. The Seizing Officer should forward an Affidavit, made by some one who knows of the Goods being landed without entry; and also, the time and place of their landing; and a more particular description of the Goods so landed; and also, of those on board, after bulk was broken.

I have the honor to be,

Sir,

Your most humble servant,

[Signed]

S. G. W. ARCHIBALD,

Attorney General.

Sir R. D. GEORGE, Bart., Provincial Secretary, &c. &c. &c.

No. 1.

*Advocate General's Office, Halifax, October 22d, 1840.*

SIR—

I have examined all the papers and documents presented to me in the case of the American Schooner "Elsworth," seized and detained by you at Digby; and, although I am of opinion, that the conduct of the persons in charge of this Vessel warranted the seizure and detention of her, in consequence of her remaining so long, without any reasonable or probable cause, sailing and anchoring in different parts of the Harbour of Digby, and other suspicious circumstances reported of her; and that the owners would be condemned in costs, at least, should proceedings be instituted in the Vice Admiralty Court. I am nevertheless disposed to advise, that on payment of the custody money to the Officer at Digby, which, I trust, will be reasonable, according to the services performed, this Vessel, and the articles on board of her at the time of her seizure, be delivered up to the owners, or their agent.

I have made no charge whatever for my office in this matter; and I sincerely hope that the Masters of such Vessels will be more cautious in future. I return you the papers, which I would recommend you to lodge with Mr. Sutherland, the Attorney of the Owners; but as I am giving up the prosecution, he must be authorised to give you a release from the parties interested, before the papers are handed over. If proceedings were had in the Court, this would not be necessary; but while I am disposed to save costs to the Owners, I will not thereby place you in any other situation than you would stand as Seizing Officer, were the prosecution carried on.

I am, Sir,

Your most humble servant,

[Signed]

S. G. W. ARCHIBALD,

Advocate General.

JACOB MILLER, Esquire, Com. of the Pro. Revenue Vessel Rival.

*Return*

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*Return of Vessels seized and condemned in the Court of Vice Admiralty of Halifax, during the year 1840.*

Prosecution commenced, 1840.	No. of Action.	Name of Vessel.	Tonnage.	Master.	Owner.	By whom seized.	Place of seizure.	Date of condemnation.	Remarks.
Feb'y. 25.	68	Henry Davenport,	57	David Ritchie	Wm. Lakeman.	Wm. Sims.	Dieby	July 11.	Pending.
June 2.	72	Papineau,	38	John Hunt	E. S. Fowler.	Jos. E. W. Darby.	Yarmouth	July 11.	
June 2.	73	Mary,	31	Enoch S. Fowler	W. Lakeman.	Jos. E. W. Darby.	Yarmouth	July 11.	
Octr. 1.	81	Alms,	47	Saml. L. Fears	Thomas Hardy	Jos. E. W. Darby,	Guy'sborough	Decr. 8.	
Octr. 1.	82	Director,	45		Harrison Johnston	Andw. Stephens,	Cape Breton	Decr. 8.	
Octr. 1.	83	Ocean,	45	David Dickson		Andw. Stephens,	Cape Breton	Decr. 8.	

I certify the foregoing as a true and correct Return of the Vessels prosecuted and condemned in the Court of Vice Admiralty of Halifax, during the year 1840.

JOHN MCGREGOR, Actuary:

Halifax, 4th March, 1841.

*A Detailed Statement of the Seizures made by the Vessels employed for the protection of the Revenue.*

Date of Seizure.	By whom seized.	Vessels' Names.	Whether Foreign or British.	REMARKS.
1839. May	Captain Darby.	Magnolia	American	Seized in the Bay of Fundy, and on the front Coast of Nova-Scotia—and condemned in the Admiralty Court at the Port of Halifax.
		Independence	do.	
		Eliza	do.	
		Hart	do.	
		Battelle	do.	
		Hyder Alley	do.	
1840. May 18	Captain Darby.	Papineau	do.	Seized and condemned as above.
		Mary	do.	
		Alms	do.	
September 11	Captain Darby.	George	British	Restored upon paying a certain compensation to the seizor.
July 3 " 8		Hy. Goldsmith	do.	
June 27	Captain Miller.	Guess	American	See Mr. Miller's List here annexed.
July 9		Decatur	do.	
August 11		Director	do.	
		Hart	do.	
		Pensylvania	do.	
		Mediator	do.	
		Mercy & Hope	do.	
September 29	Captain Miller.	William	do.	See Mr. Miller's List here annexed.
		Ellsworth	do.	
October 10	Capt. Stephens.	Wm. Henry	British	See Mr. Stephen's Return annexed.
May 19		Great Britain	do.	
		Hawseberry	do.	
" 20		Glory	do.	
" 31		Ocean	American	
September 9		Mary Jean	British	
		Sam Slick	do.	
" 18	Director	American		

Total number of Vessels 28—Condemned 11.

No. 28.

(See Page 78.)

The Committee to whom was referred the Petition of Charles T. Wilkins, Sheriff of the County of Hants', claiming the re-payment of certain expences incurred by him, and for compensation for attending before a Committee of this Honorable House, appointed to consider the respective claims of Lewis Morris Wilkins, and Joseph Dill, Esquires, to be returned the members of the Town of Windsor, beg leave to report as follows:—That said Charles T. Wilkins, was in the year 1833, by order of this House, notified to give his attendance before said Committee—and in opinion of your Committee, ought to have been remunerated for the expences incurred by him, in complying with said notice. That your Committee are satisfied of the correctness of the statement made by Petitioner, as to the amount of expences incurred, being Seven Pounds Fifteen Shillings—the payment of which they recommend. The further claim of Petitioner to two shillings and sixpence per day, amounting to two Pounds Seven Shillings and Sixpence, your Committee also thinks, presents a fair claim to the consideration of this House.

SAMUEL P. FAIRBANKS, Chairman.

(Copy.)

No. 12

(See Page 85.)

*Downing Street, 30th October, 1840.*

MY LORD,

I have had under my consideration An Act, passed by the Legislature of Nova Scotia in the month of March last, No. 2058, for preventing illegal overholding and detainer of Real Estate—and I regret that it is not in my power to advise Her Majesty to allow this Act in its present shape.

I have deemed it advisable to refer this Act to the Law Officers of the Crown, who have reported to me their opinion, that it is repugnant, in its main, provisions to the principles of English jurisprudence.

The principal object of it appears to be, to provide against Squatters—but it is so framed, as to apply to every case of a contested title to Real Estate, where there has not been a longer possession than two years—and, according to the Act, every claimant may, on his affidavit, cause his opponent in possession to be arrested and brought before two Justices, and compelled to give special bail to an action of Ejectment, or forthwith to be turned out of possession.

I am informed that such a law is quite unprecedented, and would be liable to be perverted to purposes of the greatest vexation and oppression.

The Law Officers likewise consider the Section, fixing the times for giving notice to quit, as a very unnecessary and arbitrary interference with the existing law, and with private contract.

You will call on the Legislature to amend the clauses to which I have referred, and you will report to me the peculiar reasons which may have induced the Legislature to introduce them into the Act.

In the meanwhile Her Majesty's decision on the Act will be suspended.

I have, &amp;c.

(Signed.)

J. RUSSELL.

Viscount FALKLAND, &amp;c. &amp;c. &amp;c.

(Copy.)

No. 9.

*Government-House, Halifax, 2nd December, 1840.*

MY LORD,

I have had the honor to receive your despatch, No. 12, dated the 30th Oct., 1840, announcing that you have not deemed it expedient to advise Her Majesty to consent to An Act, No. 2058, passed by the Legislature of Nova-Scotia, in the month of March last "for preventing illegal overholding and detainer of Real Estate," and desiring that I will call on the Legislature to amend certain clauses of the said Act—and further, that I will report to you the peculiar reason, which induced the introduction of such clauses into the Bill. Your Lordships directions relative to the amendments shall be attended to on the meeting of the Legislature, should not the inclosed explanation by the Attorney and Solicitor General, of the reasons why the clauses objected to were originally inserted in the measure prove satisfactory, I shall only await your Lordships commands, to communicate with the Legislature on the subject.

I have, &amp;c.

(Signed.)

FALKLAND.

Lord JOHN RUSSELL.

(Copy.)

*Halifax, 30th November, 1840.*

SIR,—

We have the honor to acknowledge your letter of the 25th inst., calling our attention to a Despatch of the Right Honorable His Lordship the Secretary of State for the Colonies, dated 30th October last, on the subject of an Act, passed at the last Session of the Legislature for preventing illegal overholding and detainer of Real Estate

tate, and requesting us to report for the information of his Lordship—the peculiar reasons which may have induced the passage of some provisions in the Act objected to by His Lordship.

To do this we find it necessary to refer to the existing Law, and to the circumstances connected with Lands in this Country. The Law in question, as far as directed against intruders, did not, we conceive, contemplate Squatters on Wilderness Lands alone, but also persons often more indigent and less industrious, who seat themselves on Lands in the possession, and perhaps comparative neighbourhood of the proprietor, although not in his immediate use—these possessions are frequently without authority; but oftener with permission, in every form from distinct agreements to a mere acquiescence; and cultivation, or improvement of the Ground, is rarely the object.

By 32, Geo. 2, cap. 3, An Act was passed for directing proceedings against forcible entry, and detainer, founded on the English Statutes.

By an amendment of which, passed 19, Geo. 3, cap. 10, wrongful overholding by Tenants was placed under nearly similar provisions—two Justices being authorized, upon complaint on oath, to arrest and detain in custody the Tenant, until he gave security for personal appearance at the next Supreme Court to answer such complaint, when a trial was to be had, and, in case of verdict for the complainant, re-possession awarded; and the statute gave an action for treble rent and costs, consequent on such recovery.

This Act was found defective in not reaching all the cases within the mischief, and not applying an appropriate remedy, inasmuch as it extended no further than to Tenants; and gave no other remedy against an obstinate party or reckless pauper, than keeping him in Goal till the Circuit of the Supreme Court, and there incurring the expense of a trial at Law.

The imprisonment might be prolonged for months, particularly in Counties where the Circuit occurs once a year; and the expense might be more than the value of the Land, or than the Proprietor could bear, without much inconvenience. When, therefore, it was desired to remove an occupant of this class, the Proprietor was commonly reduced to the terms of the Intruder.

The Act, therefore, having first repealed the Statute 19, Geo. 3, c. 10, defined the variety of possessors under authority, all of whom might not have come under the relation of Landlord and Tenant within the scope of that Act, and it included also possessors without authority to meet the case of Squatters and Intruders. It did away with the protracted imprisonment, and Trial in the Supreme Court, in case security was not given; and substituted a Warrant of immediate re-possession, authorizing the Justices where the relation of Landlord and Tenant did not exist, to dismiss the complaint, if they saw occasion. In cases where security was given, no material change was made in the course of proceeding.

The objection to the Section, fixing the times for giving notice to quit, we think must originate in the understanding that it alters the existing Law; but this is not the case. The repealed Act, (19, Geo. 3, c. 10,) has a Clause of similar import, which has been acted upon for more than 40 years, and which was repealed and re-enacted for the convenience of consolidation—in doing which the terms of the Clause were enlarged chiefly for form's sake, but without altering the existing Law.

We have, &c.

(Signed) S. G. W. ARCHIBALD, Atty. Gen.  
J. W. JOHNSTON.

The Honorable Sir R. D. GEORGE, Bart., Provincial Secretary,  
&c. &c. &c.

(Copy.)  
No. 32.

*Downing Street, 30th January, 1841:*

MY LORD,

I have the honor to acknowledge the receipt of your Lordship's despatch, No. 9, of the 2d ultimo, in reply to mine of the 30th October, No. 12, stating the reasons why Her Majesty could not be advised to confirm the Nova-Scotia Act, No. 2058, "for preventing illegal overholding and detainer of Real Estate."

I have referred to the Law Officers of the Crown—the Report of the Attorney General of Nova Scotia, explaining the motives which induced the Provincial Legislature to introduce the clauses objected to in my despatch, and I now inclose the copy of their reply for your Lordships information.

You will again call the attention of the Legislature to the clauses to which I have adverted, and if they should, on reconsideration, still see fit to retain them in their original form, I shall consider that the free representation enjoyed by the people of Nova Scotia, is a sufficient guarantee against the passing by the Assembly of Laws of an oppressive character, and I shall advise Her Majesty to leave this Act to its operation.

I have, &c.

(signed) J. RUSSELL.

VISCOUNT FALKLAND, &c. &c. &c.

Temple, 11th January, 1841.

MY LORD,

We have the honor to acknowledge the receipt of Mr. Stephen's letter of 30th December, with reference to our Report to your Lordship of the 12th October last, on the Nova-Scotia Act, No. 2058, "for preventing illegal overholding and detainer of Real Estate," referring to us, by your Lordship's directions, the copy of a despatch received from the Lieutenant Governor of the Province, enclosing a Report from the Provincial Law Officers on the reasons which induced the introduction into the Act of the clauses objected to by us, and requesting that we would, after a reconsideration of the subject, inform your Lordship, whether we see any reason to alter the former opinion, which we entertained against the confirmation by Her Majesty in Council of the Act in question.

Having duly considered the Report referred to us, we have to report to your Lordship that the reasons for introducing into the Act the clauses objected to, appear to us quite unsatisfactory, and that we are still of opinion that the Act being, in some of its provisions, arbitrary, oppressive and at variance with the principles of the Law of England, ought to be disallowed by Her Majesty.

We have, &c.

(signed) J. CAMPBELL.  
THOS. WILDE.

The Right Honorable the Lord JOHN RUSSELL, &c. &c. &c.

No. 30.

(See Page 86.)

The Committee to whom were referred the Petitions of Daniel Durland and Reuben Nickerson, beg leave to report, that Daniel Durland states, in his Petition, that he is living on the road leading from Annapolis to Liverpool, where he keeps an Inn for the accommodation of Travellers—that unless he receives some further aid than that afforded by Travellers, he will be obliged to remove from the place where he has settled, and erected buildings at a considerable expense. Your Committee find, upon reference to the Journals of 1838, that £20 was granted to the said Daniel Durland, to aid him in erecting a Barn, to be drawn when the Barn was finished and completed.

The Petition of Reuben Nickerson sets forth that Petitioner is residing on the road between Shelburne and Barrington, where he keeps an Inn for the accommodation of Travellers—that the amount of profit received from Travellers is insufficient to remunerate him for his outlay and expense—that he has, in the years 1839 and 40, received £15 each year from the public funds, and prays that he may be allowed an annual grant from the Provincial Treasury, to aid him in keeping up his Establishment.

Your Committee consider the applications of both the Petitioners as entirely of a private nature—and both the Petitioners having already received considerable aid from the Legislature, your Committee cannot recommend any further aid to their Establishments.

Committee Room, 6th March, 1841.

BENJAMIN SMITH,  
SAMUEL CHIPMAN,  
R. M. G. DICKEY.

No. 31.

(See Page 86.)

CIRCUITS.

1.

Lunenburg.—Thursday before 3d Tuesday April, 3d Tuesday October.

Liverpool.—4th Tuesday April, 2d Tuesday October.

Shelburne.—1st Tuesday May, 1st Tuesday October.

Yarmouth.—2d Tuesday May at Tusket Village, last Tuesday September at Yarmouth.

2.

Windsor.—Last Tuesday April, last Tuesday September.

Kentville.—1st Tuesday May, 1st Tuesday October.

Annapolis.—2d Tuesday May, 2d Tuesday October.

Digby.—3d Tuesday May, 3d Tuesday October.

3.

Amherst.—1st Tuesday June, 1st Tuesday October.

Truro.—2d Tuesday June, 2d Tuesday October.

Pictou.—3d Tuesday June, 3d Tuesday October.

4.

Sydney, C. B.—Last Tuesday May, last Tuesday September.

Arichat.—1st Tuesday June, 1st Tuesday October.

Port Hood.—2d Tuesday June, 2d Tuesday October.

Guysborough.—3d Tuesday June, 3d Tuesday October.

Antigonish.—4th Tuesday June, 4th Tuesday October.

No. 32.

(See Page 88.)

The Committee to whom was referred the Petition of Elisha B. Cutten, for a Law to be passed to enable the Inhabitants of the Township of Amherst to assess themselves for the purpose of building a Town House for holding Town Meetings, and other purposes, have attended to that duty, and find, from information obtained from the said Township, that a large majority are against the passage of an Act for that purpose at the present time; for if it should be desired by the said Inhabitants hereafter, your Committee are of opinion that the General Session of the Peace for the County of Cumberland would recommend that the said Town House should be erected over the Gaol and Gaoler's house in Amherst, in which case the cost would be much less. Your Committee therefore cannot, at present, recommend the passage of an Act for the above purpose.

R. M. G. DICKEY, } Committee.  
STEPHEN FULTON. }

Committee Room, 8th March, 1841.

(See Page 94.)

The Committee to whom the Petition of John Cunningham, Esq. was referred, have had the subject under their consideration, and report that it appears that the services, for which the Petitioner seeks remuneration, were performed by him in his capacity of Assistant Justice of the Inferior Court of Common Pleas for the County of Sydney, for which no fees are allowed by Law, and while they are willing to believe that those services have, in this instance set forth by the Petitioner, subjected him to considerable trouble, expense and inconvenience, they cannot recommend this House to grant any remuneration therefor, being of opinion that such a course would open a door to other applications of a similar nature, which they are of opinion this House could not entertain.

W. F. DESBARRES, Chairman.

Committee-Room, March 13, 1841.

(See Page 94.)

(Copy.)

## TO HIS EXCELLENCY THE LIEUTENANT GOVERNOR.

MY LORD,

Trusting that the cause of my intrusion upon your Excellency's notice, will plead my excuse, I would respectfully solicit your Excellency's attention to the subjoined particulars:

A number of years ago, my family made a collection of various objects in natural History, to be found in this Province, which Mr. Audubon pronounced to be the finest private collection in North America; and to which he has repeatedly referred in his splendid work upon Ornithology. But our circumstances not enabling us to retain it in the Province, it was transferred to London. Since that time, we have again, at much labour and expense, made considerable progress in another collection, which we wish to remain in Halifax: but to render it an object of interest to scientific visitors, and an ornament to the Town, would subject us to greater expense than we are well able to bear. I am the more anxious that our design should be carried into effect; because though the study of Natural History is an important branch of the education of youth, and as your Excellency is aware, patronised by every enlightened Government—it is a subject to which the attention of this Province has not yet been particularly directed. But, were the museum commenced, and properly conducted, the correspondence which my family maintain with scientific Societies, and individuals in various parts, would enable us, by means of exchanges, to enrich it with additional works, both of nature and of art; and I trust, that, ultimately, by means of its collections and additional library in the various departments of science, its beneficial effects would be diffused through every part of the Province. Should the Legislature patronise our exertions in an undertaking so useful, we will either give security for the continuance of our collection in Halifax, or allow it to become public property, at a valuation by competent judges, deducting whatever sum may have been previously advanced. Though we are induced to hope that our design will be favourably regarded in the other branches of the Legislature, we would not, without your Excellency's approbation, wish it to become a subject of discussion; but, should that be obtained, it will prove to us a stimulant, to render our collection such as will become your Excellency's name and administration.

My Lord,

I have the honor to be, &amp;c. &amp;c. &amp;c.

[Signed.]

THOMAS McCULLOCH.

Halifax, March 1st, 1841.

*(See Page 95.)*

The Committee to whom was referred the Petition of Doctor F. C. Pyke, of Windsor, and Hugh McDonald, of Pictou, praying for remuneration for services performed under direction of Health Officers, in their respective Districts, beg leave to report as follows:— Having examined the said Petitions, and enquired into the facts therein stated, your Committee are fully of opinion that the parties, petitioning as aforesaid, are entitled to remuneration for their said services, and therefore recommend that Doctor F. C. Pyke be paid the amount of his Account submitted, being Thirty-one Pounds six Shillings and One Penny; and that Hugh McDonald be paid the sum of Seven Pounds Ten Shillings.—All of which is respectfully submitted.

T. A. S. DEWOLF,  
JAMES McNAB.  
W. B. TAYLOR.

Committee-Room, 12th March, 1841.

*(See Page 98.)*

The Committee to whom were referred the Petition of James Brown, beg leave to report that Petitioner states, in his Petition, that in crossing the Shubenacadie River to the Douglas side with Passengers, he was driven up the River in the ice, and was obliged to abandon his Boat, and requests aid from the Legislature to provide another Boat.

Your Committee not being fully satisfied that Petitioner has incurred any very material loss or inconvenience by the occurrence stated in his Petition—and finding that Petitioner received £20 last year to provide a Boat, and that £10 has been granted this year in aid of the Ferry kept by Petitioner, are unanimously of opinion that they cannot recommend to your Honorable House any further aid than that already granted at the present Session.

BENJAMIN SMITH,  
R. CLEMENTS,  
GAIUS LEWIS.

Committee Room, 13th March, 1841.

*(See Page 100.)*

HALIFAX, SS.

*Court of General Quarter Sessions of the Peace, March Term, 1841.*

**W**HEREAS, the Grand Inquest of the County, on the eleventh instant, exhibited their Presentment relative to a Bill now before the Assembly, for the Incorporation of the Town of Halifax, a copy whereof is hereunto annexed, which Presentment, after due consideration, the Court adopted by the following Resolution:—

“The Court, having considered the Presentment of the Grand Jury, relative to a Bill for Incorporating the Town of Halifax, which is now before the House of Assembly, are unanimously of opinion that many important alterations of the said Bill might beneficially be adopted. The Court, however, having had no opportunity of ascertaining the general sentiments of the Community, on a subject so important, have resolved to lay the said Presentment before the House, without any further remark than respectfully to solicit its attention thereto.” And whereas, the said Presentment and Resolution were, agreeably to the purport thereof, on the 12th instant transmitted to the Honorable the Speaker of the said

said Assembly by the Clerk of the Peace, in the following terms :—“ I am directed by the Court of General Quarter Sessions of the Peace for the County of Halifax, to transmit to you the accompanying Presentment and Resolution, and respectfully to request that you will submit them to the consideration of the Honorable the House of Assembly.” In answer to which, on the thirteenth instant, the following was received :—“ I beg leave to return the Papers sent to me yesterday—I cannot lay them before the Assembly without violating those rules which it is my duty to preserve.” And whereas, the said answer was immediately, on receipt thereof, read to the said Inquest, who, after retiring for a short time, returned into Court with another Presentment, as follows :—“ The Grand Jury beg to present, that the Worshipful Court will take immediate measures, in such manner, as seems best to the Worshipful Court, as will cause the Presentment made by the Grand Jury on the subject of the Act for Incorporating the Town of Halifax, to be brought to the notice of both Houses of the Legislature.” Whereupon, it was unanimously resolved, that His Honor the Custos be requested to wait upon His Excellency the Lieutenant-Governor, and respectfully solicit His Lordship to transmit the said Proceedings to the Honorable the House of Assembly, and to the Honorable Her Majesty’s Legislative Council, in such manner as His Excellency may deem most likely to insure the considerate attention of the Legislature to the suggestions set forth in the papers above recited, and to the justice of affording others interested, who may not as yet know the details of the Bill, an opportunity of expressing their sentiments on a subject of such vital importance.

The foregoing is a true Copy extracted from the minutes of Sessions.

JAMES S. CLARKE, Clerk of the Peace.

Halifax, 15th March, 1841.

The Grand Jurors present to the Worshipful Court, that they have learned with concern, that a Bill, Incorporating the Town of Halifax, has been introduced, and is now pending before the Honorable House of Assembly.

The Jury cannot refrain from expressing its regret that a measure, so important in its consequences to their fellow Townsmen, should have been instituted, and forwarded, without any wish expressed by the Inhabitants, either by petition or in any other public manner, and more particularly when it is a fact well known, that a very large number of the Taxpayers, most interested, are strongly opposed to an Act of Incorporation.

As it appears, however, probable that the Bill in question will become a Law, the Grand Jury begs that the Worshipful Court will be pleased to solicit, in such mode as will seem most advisable, sundry modifications and amendments which they humbly conceive will tend to improve the same, and make it more acceptable to their fellow Townsmen.

They therefore suggest the following alterations and additions :—

That the City shall be divided into eight Wards, being six for the Town proper, and one each for the North and South Suburbs, returning each the same number of Officers as is detailed in the Bill.

That the City of Halifax shall return two fit and proper persons, resident therein, to represent the City in General Assembly, such Members to be returned by persons holding Freeholds within the precincts of the City ; that part of the Township which will then be without representation to return one Member.

That the Recorder shall be the responsible adviser of the Mayor, and assist at all Courts at which the Mayor or an Alderman presides, charge Juries, examine and certify all Accounts, and shall be paid a sum not less than £300 per annum, and not be allowed to practise. No Auditors required.

That the Offices of City Treasurer and Clerk of License be held by the same person, with a Salary of £400 per annum, in lieu of all fees, commissions or further allowance.

That the City Council shall have power to make Regulations, and affix Rates and Tolls to be paid on Country Produce, for the use of the accommodation afforded by the occupation of City Wharves, Markets, &c. ; subject to the approval of the Lieutenant-Governor and Council.

That all persons qualified to vote at the Election of City Officers should be duly registered, this Clause not to apply to first Election.

That Members of Executive Council and the Legislature, and former Members of Executive and Legislative Council, shall, if elected to any Office in the Corporation, be subject to the same fine as any other person.

Powers of Poor Commissioners to be transferred to City Council, or Mayor and Aldermen.

(Signed,) JOHN WILLIAMSON, Foreman.

Grand Jury Room, Quarter Sessions, March 11, 1841.

OFFICE OF CLERK OF THE PEACE,  
Halifax, 12th March, 1841.

I do hereby certify the foregoing to be a true Copy.

JAMES S. CLARKE, Clerk of the Peace.

No. 38.

(See Page 102.)

The Committee to whom the Petition of S. Cunard and others were referred, and the consideration of the Mail Routes east and west, report as follows :

That, in order to carry out the magnificent design of uniting, by continued intercourse, the British Provinces in North America more closely to each other, and to the Parent State, it is incumbent on the Inhabitants of Nova-Scotia to contribute liberally towards the undertaking, and by improvement of the Routes, and encouragement of a good line of Mail Coaches, to facilitate the transport of Letters and Passengers through the Province. The Committee have investigated and made themselves acquainted with the present system, and deem a change expedient. The influx of Passengers by the Steamers renders an increased and efficient Establishment indispensable for their rapid and easy transit from Halifax to Pictou, whence the Steamer conveys them to Quebec. Any obstruction, causes those, who, are repairing to the Canadas, to prefer the United States Route. With a view to counteract this evil, Mr. Cunard contracted with the General Post Office in London to convey the ordinary Mails thrice each week from Halifax to Pictou, from the 1st May to 1st November ; and twice a week for the rest of the year, and to forward the British Steam Mails, twice each month, between the same places, for the sum of £1550 Sterling—provided he could obtain a continuance of the Contract for eight years, which was not concurred in by the Post Master General ; and the engagement of Mr. Cunard is for one year only, or to the 31st January, 1842. Mr. Cunard is anxious that a suitable supply of Coaches, well horsed, and judiciously conducted, should be placed on the Eastern Route ; and as Colonel Maberly refused a long Contract until communication was held with the Colonies, it is hoped that all obstacles may be surmounted. Several Contracts have been submitted to the Committee through Mr. Cunard, from which it appears that an annual grant of Two Thousand Five Hundred Pounds will insure the transport of Letters and Passengers, with all the comfort, luxury and dispatch, which characterize such undertakings in other Countries—which sum it is recommended that the Assembly should grant, so as to accomplish the object immediately, and remove the impression prevalent against the Land Route. But as it is manifestly unjust that the funds of Nova-Scotia should be applied to defray the expense of transmitting the Mails to Upper and Lower Canada, and New Brunswick, particularly the former, the Committee recommend that the Lieutenant-Governor should be requested to correspond with the Post Master General on the subject, so as to insure a fair contribution ; and they think that the House should provide, for a term of years, for the transmission of the Mails, according to Mr. Cunard's suggestions, by voting an amount sufficient to convey the Nova-Scotia Mails ; and that the Canadas, or the general funds, should bear the additional expense, as the conveyance, with dispatch, of Letters and Passengers to and fro, is for their benefit almost exclusively.

The

The Committee have also ascertained, that to carry on the business with suitable vigour and energy, at least 10 coaches and about 100 horses will be required; and as the distance is to be done in thirteen hours—and a large stud of horses must be kept, although only actually required twice each month, to convey the Steam Ship Mails and Passengers to their destination—they recommend that the duty should be remitted on all Horses and Coaches imported for such purpose.

The Committee have also considered the petition of James Flemming, and the Western Stage Coach Company, praying a drawback of Duties, should they import Coaches and Horses, and the Committee recommend that the former should be permitted to import twenty Horses and four Carriages, and the latter fifty Horses duty free.

The Committee cannot comply with the prayer of the petition of Thomas Arnison, after making the foregoing recommendations, but leave the Petitioners to tender for the carriage of the Mails as heretofore.

The Committee have also considered the petitions of Archibald Scott and others, praying the House to remove restriction imposed on a grant of £1500, to open the Road from Scott's House to Sackville Bridge—and report that the Grant of the Assembly was made in consequence of the voluntary subscription alleged by Petitioners, and reported by a Committee of the Assembly in 1838, of the sum of £500, and therefore the payment of that sum cannot be called a restriction imposed by the Assembly; the Committee admits the importance of the Road, and are fully aware of the benefits to result from its being opened and made, but cannot recommend the House to relieve the parties interested from their engagement at present.

The House having placed at the disposal of the Lieutenant Governor, by resolution, a sum of money for the improvement of the Mail Roads East and West, the Committee consider any further observation unnecessary.

JAMES B. UNIACKE, Chairman.

COMMITTEE-ROOM, 16th March, 1841.

No. 39.

(See Page 102.)

The Committee to whom was referred the several Documents submitted by His Excellency the Lieutenant-Governor to this House, relating to expenses incurred in the County of Digby and Town of Halifax, in arresting the progress of Small Pox, and attendance upon Individuals infected with that disease, beg leave to report as follows:

FIRST.—In reference to the claim made by a Board of Magistrates in Digby, for the sum of £136 18 3, your Committee regret that the evidence before them has not been as satisfactory as they could desire; there appears charged in the account the sum of £75 for medical attendance, and about £26 for the purchase of a Building, Repairs, &c. and for a Stove—the former appears to your Committee extravagant—and as to the latter, they are of opinion, that when the necessity for such a Building and Furniture ceased, they ought to have been sold, and the proceeds deducted from the general amount. Your Committee are of opinion that great credit is due to the Magistrates of that County for the prompt and efficient measures taken by them to check the progress of the Small Pox, which unexpectedly made its appearance amongst them, in which they were happily successful; on this account, your Committee feel disposed to recommend that provision be made to cover all necessary expenses; and that a sum be placed at the disposal of His Excellency the Lieutenant-Governor, to be paid over to the said Board, whenever the said claims are properly vouched, and the exact balance ascertained by deducting the sale of the Building, &c.

Your Committee have also investigated the charges for medical attendance and necessities provided for John Robinson, an American Citizen, who was landed in Halifax from one of the Boston Packets; and they recommend that the sum of £7 16 3 be granted for the aforesaid purpose.

Your

Your Committee have likewise examined the particulars of the claims made by the Commissioners of the Poor for the Town of Halifax, and by Dr. Hoffman, for sundry expenses incurred by the former, in providing for the accommodation of infected persons, and for the medical attendance of the latter upon them during the past Season; and they are of opinion that the sum claimed for these purposes, amounting to £47 4 6, should also be defrayed from the public Treasury.

Your Committee therefore recommend that the sum of £191 19, the aggregate of the foregoing amounts, be placed at the disposal of His Excellency the Lieutenant-Governor; out of which he should be authorized to pay such part of the first demand as should be satisfactorily made to appear to His Excellency to be due; and the full amount of the other two claims.

SAMUEL P. FAIRBANKS, Chairman.

House of Assembly, 16th March, 1841.

No. 40.

(See Page 103.)

(Copy.)

Secretary's Office, Fredericton, 6th February, 1841.

SIR—

I have the honor to acknowledge the Receipt of your Letter of the 30th ult. and to transmit to you a Copy of the Report of the Provincial Treasurer of New Brunswick, on the proposed Regulations concerning the Coasting Trade, referred to by the Board of Customs.

I have the honor to be, &c. &c. &c.

[Signed]

W. F. ODELL.

The Honorable Sir RUPERT GEORGE, &c. &c.,

Treasury, St. John, 30th July, 1841.

SIR—

In compliance with your Letter of 19th instant, requiring me to report, for the information of His Excellency the Lieutenant-Governor, on the Regulations proposed by the Board of Customs, to be adopted for the government of the Coasting Trade between this Province and Nova-Scotia, I have the honor to present the following remarks, to shew how far the Provincial Revenue will be affected thereby.

To carry the 1st Section of the proposed system fully into effect, so as to relieve the Coasters from the onus of making Reports of their Cargoes at the Treasury, as well as at the Custom House, it will be necessary that the Act 6th, Wm. IV. Cap. 4, "to provide for the collection of the Revenue," be altered; for at present the 3d Section requires that the Masters of *all* Vessels shall make *due* report, in writing, and under oath, within twenty-four hours, and before breaking bulk, under penalty of One Hundred Pounds; and the 4th Section requires that the Owners or Consignees of the Goods in such Vessel, shall make Entry and obtain Permit, before Landing, under a like penalty.

The 2d Section of the proposed Regulations appear to me to be adverse to the security of the Provincial Revenue, as the Duties are at present imposed—for although the Duties on British Manufactures and Foreign Articles may be equalized in the two Provinces, yet, so long as their Revenues are separate, a desire will exist in each Province to obtain the Duties on the quantities consumed within it; a particular account must therefore necessarily be kept by the several Revenue Officers of both Provinces, and consequently the Entry and Report of the Masters of the several Vessels conveying such Articles, (as well as of the Importers) must, in every case, be required at the Provincial Offices. If Vessels trading between the Province and Nova-Scotia were allowed to go and come without Entry and Report at the Customs, this Province would be put to a great additional expense for out-door Revenue Officers, unless the Legislature adopted a like system, and gave up that source of Revenue.

The

The Provincial Duties collected on Foreign and West India produce imported from Nova-Scotia into St. John, amount to about Five Thousand Pounds in one year; and at Miramichi, the second Port in the Province, about half the amount collected is on importations through Nova-Scotia.

If the 2d Section of the transire system should be adopted, not only would the above be lost to this Province, but such a wide door be opened for introducing, clandestinely, by means of the Coasting Craft through the small Out-bays of Nova-Scotia, every description of Dutiable Articles, that the regular Trade would be completely broken up, and the present sources of Revenue, until now on the increase, be speedily lost.

A transire system between the Provinces, under proper restriction, would benefit the Coasting, and consequently the General Trade; but I would suggest that it be limited to Articles of the growth and manufacture of these Provinces, and the produce of our Fisheries; and that the Masters of every Coasting Vessel be required to keep Cargo Books, as described in the 2d and 3d Sections of the proposed Regulations.

I have the honor to be, &c. &c. &c.

[Signed]

B. ROBINSON, P. T.

No. 1.

(Copy.)

No. 58.

SIR,—

The Board having caused Regulations to be prepared for establishing a Coasting Trade between the Provinces of Nova-Scotia and New-Brunswick—under the provisions of the 25th Section of the Act, 1st and 2nd Victoria, ch. 113.

I have it in command to transmit herewith a copy of the Coasting Regulations prepared to be adopted, and to direct you to report your observations thereon, and as to the practicability of giving effect to the same, you are also to communicate them to the Merchants and others, interested in the measure, and to Report to the Board any observations which such parties may make thereon.

I am, Sir, &c. &c.

[Signed.]

J. KER.

Custom House, London, 25th May, 1839.

Collector, Halifax, Nova-Scotia.

*Regulations for the Coasting Trade between the Provinces of Nova-Scotia and New-Brunswick.*

**W**HEREAS, by an Act passed in the 3rd and 4th years of the Reign of His late Majesty King William the 4th, entitled, "An Act to regulate the Trade of the British Possessions abroad"—it was amongst other things enacted, that it should be lawful for the Commissioners of H. M. Customs, to make and appoint such regulations for the carrying Coastwise of any Goods, or for the removing of any Goods for shipment, as to them should appear expedient; and that all Goods laden, water-borne, or unladen contrary to any Regulations so made and appointed should be forfeited.

And whereas, by an Act, passed in the 1st and 2nd years of the Reign of Her present Majesty, entitled, "An Act to amend the Laws relating to the Customs," it is amongst other things enacted, "that whenever it shall appear to the Commissioners of H. M. Customs, expedient to establish a Coasting Trade for the removal of Goods, generally, or for the removal of any particular Goods between neighboring Ports of different Colonies—similarly circumstanced in respect of Duties in any of the British Possessions abroad; it should be lawful for the said Commissioners to issue directions for that purpose; and from and after the publication thereof in the Gazette, or other Public Paper, printed in the said Colonies, to which such Coasting Trade had been extended—the same should come into operation, and be in full force and effect, and such Coasting Trade should be subject to the like Rules, Regulations, Penalties and Forfeitures, as the said Commissioners are authorised to make for the carrying Coastwise of any Goods, under the provisions of the said Act, for regulating the Trade of the British Possessions abroad."

We, the undersigned, Commissioners of H. M. Customs, pursuant to, and in execution of, the power vested in us by the said Act, do hereby Order that the Trade between the Provinces of Nova-Scotia and New-Brunswick, shall, from and after the promulgation of these Regulations, be taken, and deemed to be, a Coasting Trade for the removal of Goods, similarly circumstanced, in respect of Duties, in the said two Provinces, under the following Regulations.

First.—All British Vessels or Boats owned and navigated according to Law, may carry from any part of Nova-Scotia to any part of New-Brunswick, all goods the produce of either Nova-Scotia or New-Brunswick, or of the British Fisheries, similarly circumstanced in respect of Duties in the two Provinces, without Entry or Clearance.

Secondly.—All such Vessels or Boats may carry as aforesaid—all other Goods without Entry or Clearance, provided the Master shall keep a Cargo Book, in which shall be entered an account of all Goods taken on Board his Vessel or Boat—noting the respective days on which the same had been laden—also the marks and numbers of the several Packages—the qualities and description of the Goods therein—and the qualities and descriptions of any Goods stowed loose—also the names of the respective Shippers and Consignees, so far as such particulars shall be known to the said Master, who shall also note in such Cargo Book, the respective days upon which any such Goods shall be delivered out of such Vessel or Boat during each respective Voyage, and the Master of such Vessel shall produce his Cargo Book to any Officer of Customs, whenever the same shall be demanded, who shall be at liberty to make any remark thereon, which he may deem proper—and if at any time, any Goods, not the produce of the Province, nor of the British Fisheries; shall be found on Board any Vessel or Boat employed as aforesaid, which shall not be inserted in the Cargo Book, the same shall be forfeited.

Thirdly.—And if the Cargo Book herein before required to be kept by the Master of every Vessel carrying Goods as aforesaid, shall not be duly kept on board the same; or if the same should not be produced to any Officer of the Customs as herein before required, in either of such cases, the whole the Goods found on board such Vessel or Boat shall be forfeited.

No. 2.

(Copy.)  
No. 92.

*Custom-House, Halifax, N. S. 26th August, 1839.*

HONORABLE SIRS,—

Praying reference to your Commands, No. 58, relative to certain regulations proposed to be established by your Honorable Board, between the Province of Nova-Scotia and New-Brunswick, under the Provisions of the 25th Section of the Act, 1st and 2nd of Her present Majesty, chap. 113.

I have the honor to inform you, that in obedience to your orders, I communicated your views to the Trade of the Province, by forwarding a copy of the same to the Committee of Trade and Manufacture held at Halifax. The Chamber of Commerce at present, not exercising its wonted usefulness, I have now the honor to forward the inclosed reply, in original, from the Honorable M. Tobin, the Chairman and the Sub-Committee. The tenor of the laconic reply on a case of so much moment, must satisfy your Honorable Board, that, on the part of Nova-Scotia, the intended boon is not desirable—and I am satisfied will tend to great and vexatious regulations on the part of the Provincial Legislatures of both Provinces, and which, in the end, will be defeated by the Traders of both Provinces, and act as a cloak to the already great and successful cupidity of the immediate neighbouring Ports in the United States. It does not appear, by your letter, that there is to be any restriction as to the Ports of Nova-Scotia and New-Brunswick, in the Gulf of St. Lawrence—if not, I most respectfully submit that there can be but few objections to the general transire between Canada, the Island of Newfoundland, and Prince Edward Island, as it may be considered a great relief to the Trade and your Servant, but an evident loss of all Commercial and Statistical information, points worthy of most serious consideration, as at present the

the whole of these accounts are blended under the head of Coastway, from the whole Province.

These few remarks are submitted with the greatest diffidence.

I have, &c.

[Signed.]

THOS. N. JEFFERY.

The Honorable the Commissioners of Her Majesty's Customs—London.

No. 3.

(Copy.)

*Halifax, 29th August, 1839.*

SIR,—

I have to acknowledge the receipt of your Letter of the 23d ult., enclosing copy of a Letter addressed to you by the Honble. Board of Customs, dated 25th May; and a Copy of the proposed regulation for establishing a Coasting Trade between the Provinces of Nova-Scotia and New-Brunswick, with a request that I would communicate the opinions of the Trade on the subject, for the information of this Honorable Board.

These several Communications were immediately laid before the Committee of Trade and Manufactures, by whom they were referred to a Sub-Committee; and I have now the honor to submit a copy of the Report of the said Sub-Committee, by which you will perceive that after a careful examination of the subject, in all its bearings, they do not recommend a general extension of the transire between these two Colonies; but if its partial introduction, as provided for in the first regulation, is found beneficial, the operation of the system may be enlarged by the Honble. Board at a future period.

I have, &c.

(Signed,)

MICHAEL TOBIN.

The Honorable THOMAS N. JEFFERY,

Collector of Her Majesty's Customs, Halifax.

The Sub-Committee, to whom was referred a Letter from the Honorable the Collector of H. M. Customs, enclosing regulations proposed to be introduced by the Commissioners of the Customs in the Coasting Trade from Nova-Scotia to New Brunswick, beg leave to report—that, after examining the same, they are of opinion that as they have been applied for by the Mercantile interest of the neighbouring Province, this Committee ought to concur in recommending their introduction. The necessity of Clearance and Entry at the Customs are grounds erected for the protection of the Revenue and Fair Trade, which your Committee would still recommend in regulating the Coasting Trade from New-Brunswick to this Province; but they see no objection to their being abandoned in the Coasting Trade from this Province to New-Brunswick, when applied for by those interested in upholding them.

The Committee beg leave to state further, that, in their opinion, the introductory paragraphs to the regulations admit of some ambiguity of construction, and that when the regulations are published it ought to be stated, in the clearest language, that they are to apply only to the Coasting Trade from Nova-Scotia to New-Brunswick, and not to such Trade from New-Brunswick to Nova-Scotia.

The Commercial relations of the two Provinces stand under different circumstances; and although these regulations may be judicious in the case applied for, the Committee deem the preservation of the present system essential to the protection of this Province, in all importations from New-Brunswick.

(Signed,)

GEO. R. YOUNG, Chairman.

J. H. REYNOLDS,

STEPHEN BINNEY,

MICHAEL TOBIN,

GEO. P. LAWSON,

} Sub-Committee.

Halifax, N. S., August 15, 1839.

## APPENDIX No. 41.

No. 41.

(See Page 106.)

*A Detailed Statement of the Halifax Savings' Bank, for the year ending 31st December, 1840.*

## RECEIPTS DURING THE YEAR.

From 175 Depositors for the first time	£2613	9	8
474 Deposits on Account previously opened	3208	2	11
<hr/>			
649	£5821	12	7
Interest received during the year	760	0	0
Balance in the hands of the Comr. and Treasurer, on the 31st Dec. 1839	91	1	3
	<hr/>		
	£6672	13	10

## PAYMENTS MADE DURING THE YEAR.

To 162 Depositors in full, with interest	£4274	10	3	
146 Made in part	1359	4	8½	5633 14 11½
<hr/>				
348				£1038 18 11½
Paid into the Provincial Treasury				1000 0 0
				<hr/>
				£38 18 11½

## DEPOSITS MADE DURING THE YEAR.

98 Deposits of 1s. and not exceeding £1		£55	8	0
224 do. £1 do. 5		673	2	9½
127 do. 5 do. 10		981	8	9
95 do. 10 do. 20		1511	17	9½
105 do. 20 do. 25		2599	15	3
<hr/>				
649		£5821	12	7

*Accounts remaining open on the 31st of December, 1840, including Interest and Compound Interest, carried to the respective Accounts of the Depositors.*

205 Depositors, whose deposits do not exceed £20	£1869	14	11
201 do. above £20 and not exceeding 30	4975	8	2
31 do. 30 do. 40	1001	15	1
30 do. 40 do. 50	1349	14	10½
95 do. 50 do. 100	5989	2	11½
39 do. 100 do. 150	5151	8	0
<hr/>			
601	£20337	4	0

## CLASSIFICATION OF DEPOSITORS.

Domestic Servants	156	Truckmen	13
Mechanics	83	Non-commissioned Officers and Pri-	
Labourers	124	vates in the Army	61
Mariners	15	Charitable Societies	10
Widows	18	Not classed	41
Minors	80		
			<hr/>
		Total	601
		GENERAL	

## GENERAL STATEMENT OF THE INSTITUTION.

Invested in the Province Funds	£20,000	0	0
Interest due the Bank 31st December, 1840	491	6	0
Balance in the hands of the Commissioner and Treasurer	38	18	10½
	£20530	4	10
There is due to 601 Depositors, including interest	20337	4	0
	£193	0	10½
Surplus Interest accruing from broken periods			
Savings' Bank Office, Halifax, 31st December, 1840.			

E. DUCKETT, junr. Com. &amp; Tresr.

No. 42.

(See page 106.)

## GENERAL POST OFFICE,

HALIFAX, March 8, 1841.

SIR,—

May I beg you will submit to His Excellency the Lieutenant-Governor the accompanying Accounts, required by the Provincial Legislature.

His Excellency will observe that I was under the necessity of applying for aid from the Provincial Treasury, not having Funds at my disposal with which to keep up the Post Communication.

I have the honor to be, Sir,

Your Obedt. Servant,

J. HOWE, D. P. M. G.

Sir RUPERT D. GEORGE, Bart., &amp;c. &amp;c. &amp;c.

*Return of the Receipts and Credits of the General Post Office, Halifax, year ending 5th January, 1841.*

To amount of Unpaid Letters received from England	£910	7	1
Do. Paid Letters sent to do.	246	6	10
Do. Unpaid, received and paid, sent from Halifax	3441	14	7
Do. Way and Ship Letters	72	0	0
Do. Nett Revenue remitted by Deputy Post Masters, viz : Windsor, Kentville, Annapolis, Digby, Truro, Cumberland, Pictou, Yarmouth, Shelburne, Liverpool, Lunenburg, Antigonish, Arichat, Sydney, Wallace and Parrsboro'	1683	12	7½
Do. Received from the Provincial Treasury	396	12	5½
	£6750	13	7
Packet Postage as above	£1156	13	11
Less this sum included in the Riding Work, for conveying the English Canadian Mail to Pictou	£550	0	0
Balance	360	3	5
	910	3	5
Due Post-Office Department	£246	10	6



## APPENDIX, No. 42.

Courier, from Sydney to Baddeck	£45 0 0	£15 0 0	£60 0 0
A. Thomson, from Antigonish to Plaister Cove	39 7 6	13 2 6	52 10 0
Courier, from Sydney to Arichat	90 0 0	0 0 0	90 0 0
Do. do. do. Louisburg	26 0 0	0 0 0	26 0 0
Do. do. do. Margaree	40 0 0	0 0 0	40 0 0
Do. do. do. Mainadiou	6 0 0	0 0 0	6 0 0
Do. do. do. Bridgeport	20 0 0	0 0 0	20 0 0
Do. do. Arichat to Grand Ance	25 0 0	0 0 0	25 0 0
Do. do. do. St. George's Channel	20 0 0	0 0 0	20 0 0
Do. do. Halifax to Pictou	285 0 0	0 0 0	285 0 0
Do. do. Truro to Westchester	90 0 0	0 0 0	90 0 0
Do. do. Westchester to Dorchester	205 0 0	0 0 0	205 0 0
Do. 2d Mail, from Halifax to Do.	500 0 0	0 0 0	500 0 0
Carriage of Canadian Mails from Halifax to Pictou	550 0 0	0 0 0	550 0 0
Courier, from Plaister Cove to Grand Ance	35 0 0	0 0 0	35 0 0
Western Stage Coach Company, from Windsor to Halifax, (6 months extra,)	50 0 0	0 0 0	50 0 0
James Whitney, from Digby to St. John, drawn from the Treasury by Mr. Whitney	0 0 0	100 0 0	100 0 0
	<u>3748 3 9½</u>	<u>496 12 5½</u>	<u>4244 16 3</u>
Paid Messrs. Barlow, for carrying Mails, weekly, from St. John to Windsor, in the Nova-Scotia	50 0 0	0 0 0	50 0 0
			<u>£4294 16 3</u>

*Return, showing the Nett Receipts of the Post Offices established in the interior parts of Nova-Scotia, year ending 5th January, 1841.*

Windsor	£112 11 1½	} Remitted to the General Post Office, Halifax.
Kentville	117 15 6½	
Annapolis	67 11 5	
Digby	52 4 8	
Truro	82 19 10	
Cumberland	109 1 6	
Pictou	334 17 2	
	<u>£877 1 3</u>	
Yarmouth	193 1 6	} Paid to the Couriers by the respective Postmasters, applied in aid of the Provincial Couriers.
Shelburne	25 13 1½	
Liverpool	74 19 4½	
Lunenburg	22 16 7	
Antigonish	150 0 0	
Arichat	69 8 6½	
Sydney	197 0 4	
Wallace	56 0 0	
Parrsboro'	17 11 11	
	<u>£1683 12 7½</u>	

*Salaries paid to Couriers employed in the Post Office Department, under the authority of the Provincial Legislature, year ending 5th January, 1841.*

Western Stage Coach Company, from Halifax to Annapolis	£78 0 0
Leonard Geldert, from Windsor to Shelburne	65 0 0
	J.

J. Wyeman, from Yarmouth to Digby	£17	10	0
H. Enslow, from Yarmouth to Shelburne	22	10	0
N. Smith, from Trefoy's to Noel	12	10	0
J. O'Brien, from Newport to Petite	5	0	0
H. L. Dickey, from Wolfville to Cornwallis	7	10	0
J. Fellows, from Bridgetown to Granville Point	7	10	0
R. M. Cutler, from Guysboro' to Canso	5	12	6
J. McIntosh, from Pictou to Wallace	16	5	0
Wm. McKeen, from Mabou to Plaister Cove	6	5	0
Do, do. do. Margaree	5	0	0
R. N. Henry, from Antigonish to St. Mary's	7	10	0
Henry Taylor, from Margaree to Cheticamp	2	10	0
J. Morehouse, from Digby to Brier Island	10	10	0
J. Crow, from Londonderry to Economy	5	0	0
J. Blanchard, from Pictou to Antigonish	10	0	0
W. Falconer, from Gay's River to Musquedoboit	10	0	0
W. Forrestall, from Antigonish to Guysboro'	10	0	0
J. Ratchford, from Parrsboro to Advocate Harbour	5	0	0
R. N. Henry, from Antigonish to Cape George	3	15	0
A. McLennan, from Mabou to Argyle	7	15	0
D. Ross, from Pictou to Earltown	5	0	0
Courier from Guysboro' to Country Harbour	5	0	0
Do. from Pictou to New Glasgow	5	0	0
Do. from St. Peter's to L'Ardoise	2	10	0
Tim. Archibald, from Truro to Tatamagouche	10	0	0
J. Dotten, from Wallace to River Philip	4	0	0
Courier from Sydney to Louisbourg	6	7	5½
Caleb Lewis, from Parrsboro' to Amherst	10	0	0
Courier from Sydney to Baddeck	15	0	0
A Thompson, from Antigonish to Plaister Cove	13	2	6
	<hr/>		
	£396	12	5½

*General Post Office, Halifax, Oct. 27, 1840.*

MY LORD—

I am under the necessity of applying to Your Excellency for an advance from the Treasury of the sum of Three Hundred and Ninety-seven Pounds Seventeen Shillings and Five-pence Half-penny, for the payment of Couriers employed under the authority of the Provincial Legislature, during the Quarter which ended on the 5th inst., not having any Post Office Funds with which to meet the demand.

In making this application, I beg respectfully to refer Your Excellency to the Resolution adopted by the House of Assembly on the 16th March last.

I have the honor to be,

With great respect,

Your Lordship's most obedient,

Humble Servant,

J. HOWE,

Dy. Postmr. General.

His Excellency Lord Viscount FALKLAND, &c. &c. &c.

*Barney's River, Merigomish, 13th June, 1840.*

SIR—

Although I have endeavoured to be as concise as possible in making out the accompanying Report, it has swelled to a greater length, even without referring to a number of particulars which might be well to have noticed; but, as these are only secondary considerations, and bears very little on the main question, I can submit them to you at some future period. But should there be any particular point which, in the mean time, I have not touched, or made myself sufficiently intelligible, I shall be glad to furnish you, at any time, with such information as I have gleaned on this subject. I have taken such a survey of the intervening country between Musquedobit and the Upper Settlement of the Stewiacke, as will enable me to furnish you with a sketch of that part of the Country as soon as my arrangements in Cape-Breton will allow me time to protract the survey. Having been disappointed in the favorable opinion I had entertained of an easy route from Dean's Brook, in Upper Musquedobit, to Upper Stewiacke; and also, of the line laid out from Stewiacke through New Larig. I had again to reconnoitre the Country in these wilderness sections to ascertain the practicability of any better routes, which prolonged my time beyond what I anticipated, or could well spare from Cape-Breton; however, the result has been so favourable, and of such lasting importance, that I do not regret the additional labour and time spent.

In conclusion, I beg leave to suggest, that if it be the intention of Government to take any immediate step relative to the formation of a Road from Halifax to Pictou, to meet the Steam Communication from Canada, that, previous to any final arrangement being made, it might be advisable to have the line I have just been upon carefully laid out and bushed. After which a careful survey, comprising the materials, probable expense, annual expenditure, length, ascent and descent of each route, might be taken by two or more competent persons, who would draw their comparisons, and report which route would best promote the desired object.

I am, Sir,

Your most obedient servant,

JOHN G. McKENZIE.

To Sir RUPERT D. GEORGE, Bart. &amp;c. &amp;c.

*Barney's River, Merigomish, 13th June, 1840.*

SIR,—

Agreeably to the instructions of His Excellency, as communicated by you, directing me to examine into and report upon the most direct and best line of Road from Halifax to the Albion Mines, New Glasgow and Pictou, I beg leave to submit the following report:—

I entered upon this Survey with a high sense of the important duty devolved upon me on selecting a line of Road, which, for all times to come, might prove a public benefit in same proportion—that the result of my labour tended to combine the principal advantages of internal communication, saving of time and expense in traversing from the Capital of Nova-Scotia to the Town of Pictou, Albion Mines, New Glasgow, and the nearest point of Steam communication in the Gulf of St. Lawrence at the Loading Ground, South Pictou.

Upon a careful perambulation and inspection of the face of the intervening Country, with all its undulations of high grounds and valleys, Streams and Brooks, with a view to ascertain upon the best materials, the most level and direct line of Road, paying due regard to other considerations. I would recommend the following route, as represented by the pink dotted line on the accompanying map, viz:

From Halifax, to follow the Dartmouth Road, to the commencement of the New Eastern Road, by Musquedobit, now in progress—thence following the said Eastern Road to Mrs. Colbeck's, in Middle Musquedobit—thence in a north Easterly direction to the Old Road

at Dunlap's Brook, in the Settlement of Stewiacke, following up the direction of the Stewiacke River to its source in New Larig, in the County of Pictou, where a Branch of the middle River of that County also takes its rise, (and where exists the lowest point of elevated grounds, that divide the waters falling into the Gulf of St. Lawrence, and towards the Atlantic)—thence following the direction of that Stream downwards to the valley in New Larig, at the North end of Wilkins' Grant, where lines may diverge on each side of the Middle River, or by the West Branch of the East River, to almost any point between the Albion Mines and the Town of Pictou, as represented on the accompanying map. And if the object be to obtain the most direct and level line of Road from the Capital of Nova-Scotia to the nearest point of the projected Steam communication in the Gulf of St. Lawrence, this object, it appears to me, would be best secured by following the above described route to the loading Ground, South Pictou, where Steamers could at once obtain a Supply of fuel.

In comparison with the present route by Truro, Mount Thom, and the Green Hill, this route between Halifax and the Albion Mines, in point of distance, would be a saving of about 16 miles; from which the distance by the Rail Road to the loading ground is 6 miles—and from that to Pictou Town by the ferry 3 miles.

To New Glasgow and the whole of the country in the direction of Merigomish, Antigonish and Cape-Breton, would be a saving of about 16 miles—and as to the intermediate settlements of Musquedoboit, Stewiacke and New Larig, it would be of the greatest importance, inasmuch as it would open up to them an easy access to two markets; and as for conveying Her Majesty's Mail to all parts east of New Glasgow, would in comparison with its present route by Pictou, be a saving of about 25 miles, besides avoiding a ferry—but the saving to the Town of Pictou would not exceed 9 miles.

In reference to the route above described, the part to which I attach the greatest importance is the favorable circumstance of the Stewiacke, and a Branch of the Middle River of Pictou, taken their rise from the same Swamp, forming a deep valley through the highlands, and a gradual and easy ascent from the inhabited settlement in the valley of Stewiacke, together with the equally gentle descent from the same source along the said Branch, to the valley, in the Settlement of New Larig, indicates a facility for constructing a line of Road, nearly upon two inclining plains for almost one half the distance between Halifax and Pictou, and superior, in my estimation, to any other line that could be selected in this Section.

The highest point of the Ridge at the source of these streams, is several hundred feet lower than the Ridge, over which the present Road or any other line, previously laid out, passes.

The light in which I regard this discovery, for which I claim no merit, as having been, in a great measure, accidental—particularly important is its bearing, on what, at some future period, may be accomplished, viz: a Rail Road between Halifax and Pictou.

I conceive that a Rail Road across the above mentioned ridge, along the direction of the Stewiacke, and thence along the Shubenacadie Canal Route, is so practicable, that at no distant period its incalculable advantages will recommend the adoption of the line for this purpose.

The part of the route recommended for the Road, which, in my view, possesses the least recommendation, is that comprehended by Section No. 3, which is between the River Stewiacke and Musquedoboit—there is an ascent from both these Rivers for about a mile and a quarter, of rather a steeper character than any other part, of equal distance, in the whole line. But this may be greatly obviated by taking every advantage of the ground and the usual deviations from the direct course, commonly practiced in such circumstances, and although this will lengthen the Road, still, as the rest of the route is comparatively easy, it would be advisable to have a careful survey of this Section, and to bring it as near as possible to conform with the rest of the line.

From distant observations, it would appear that a line from Stewiacke along the South West Branch, by the West side of Musquedoboit till it would join the New Eastern Road at Crookshank's Bridge, in Musquedoboit, is not only practicable but may be such as will, at some future period, recommend the adoption of the line to the public; but as a great saving would

be made by following the Road already made as far as Mrs. Colbeck's, in Musquedoboit, where, at all events, a Cross Road will be required to run from thence to Stewiacke, I did not take up time to examine the more expensive route, conceiving it more advisable to open, in the first instance, the cheapest route as above stated.

In order to give a more minute description of the route, I have divided the line into Sections, as follows, viz :

No. 1 Section, 12½ miles, from A to B.—From Halifax, crossing the Ferry and following the Dartmouth Road, to the commencement of the New Eastern Road near Mr. Scott's.—This Section on good materials, comparatively level, and in good repair.

No. 2 Section, 29 miles, from B to C.—From the Dartmouth Road, following the New Eastern Road, by Brown's, to Mrs. Colbeck's, in Middle Musquedoboit. This Section in active progress, and will, in the course of a few months, be thrown open and fit for light carriages. The first three miles of this Section went under repair last year, but not being of the best materials, has been considerably injured by heavy teaming with narrow wheel carriages, a practice very injurious to our Roads, and can only be remedied by some Legislative enactment, which would go to prevent narrow wheel Vehicles being used in heavy teaming. Three-fourths of the remaining part of the Section is on good materials; the blue whin stone, shelly slate, and gravel, and the line would be comparatively easy by a little attention in relieving some of the abrupt and stiff turns, (so much neglected in the formation of the Road,) and making the following alterations, viz : ¼ mile or more elevated ground where the old line is subject to a flowage near McLellan's Mills—to follow the original line where a deviation has been made from it at Thomson's Lot, so as to avoid the steep ascent over the hill where the present Road has been opened—to relieve the rise at the Doctor's Brook and Kerr's Lot, and to make the alterations suggested on the Old Road at McCurdie's, Stevens', and the Meeting-House, in Musquedoboit.

No. 3 Section, 9 miles from C. to D.—From Mrs. Colbeck's, in Musquedoboit, to the old Road at Dunlap's Brook, in the Settlement of Stewiacke. This Section passes over the Ridge between the Musquedoboit and the Stewiacke Rivers; and notwithstanding the line selected is on the lowest and most convenient part, I could then discover on the Ridge, there will be a considerable of a rise for the first 1½ miles. On leaving those streams to the level on the summit, the line, comparatively speaking, is of easy construction and on good materials, shelly slate rock and gravel, with the exception of a short distance on the Musquedoboit side, where it is in the vicinity of the River and Brooks, where gravel can be procured in abundance.

No. 4 Section, 12½ miles from D. to E.—From Dunlap's Brook to John Crocket's, in the Upper Settlement of Stewiacke. This Section embraces the principal Settlements of the Stewiacke. The line runs along the South side of the River to Black's Bridge; thence across said Bridge up the North side of the River to the end of the Section—the materials here are excellent, (gravel), and the existence of an inclined plane (where the Road can be easily constructed) is of so gentle a description as to vary very little from the level.

From E to D. No. 5 Section, 11 miles.—From John Crocket's, in the Upper Settlement of Stewiacke, to Wilkins' Grant, in the Valley of New Larig. This Section is chiefly through the Wilderness—the line re-crosses to the South side of the River two miles above Crocket's, and continues on that side for about ½ miles, where it again re-crosses to the North side, and continues on that side to its source, and thence along the same side of a Branch of the Middle River of Pictou, and the Southern base of Larig Mountain to the end of the Section.

In the respective gentle declensions on either side of the most elevated point in the Section there will be but little occasion to deviate from a direct line. The line is of easy construction into a durable Road—the materials being good throughout, with the exception of about half a mile on high intervalle ground, above Crocket's, where gravel can be procured along side from the banks of the River. The only additional Bridge that will be required of any magnitude, besides those already built, is on this Section, in crossing the Stewiacke at Crocket's.

From F. to G. No. 6, Section.—From Wilkins' Grant, in the Valley of New Larig, to the Albion Mines. The nature of the surface of the Country in this Section will admit of the

the line diverging on either side of the Middle River, or by the West Branch of the East River, of comparatively easy deviations from the direct course, without materially extending the line to an inconvenient proportion. The materials are uniformly good, with the exception of a few miles in the vicinity of the Albion Mines.

No. 7 Section, 6 miles from the Albion Mines to the Loading Ground at South Pictou. If the intervening Sections, No. 3 and 5, between Musquedoboit and Stewiacke, and between the Upper Settlement of the Stewiacke and the Middle River of Pictou, were opened, the communication between Halifax and Pictou would be practicable immediately. The whole extent of ground that would require to be opened up, on which no Road of any kind at present exists, would be about 20 miles. Thus a route is pointed out, which, if adopted, would greatly facilitate the communication between both sides of the Province, and might be constructed at comparatively little expense, owing to its easy formation; and the Roads already made or in progress between Halifax and Pictou, and the materials, for a great proportion of the line, being good, and the grade line for the most part being nearly coincident with the surface, when once made, would require but very little annual expenditure to keep the line in repair.

In conclusion, I will allude to the cause which induced me to give the preference for a general line to the above described route, and to differ from the long entertained opinion as to the eligibleness of the route across to the Upper Stewiacke, from Dean's Brook, in Upper Musquedoboit, not that I consider this latter route not only practicable, but such as would suit the purpose of a Cross Road from Musquedoboit to the general line, to the great advantage of the Settlers of the latter place, and as such as would, to them, be an easy passage to Stewiacke and Pictou, the descent being more in the favour of Pictou Roads than could any discoverable line from Stewiacke to them be. The reason of this is the difference between the rapidity of the respective streams which are running nearly parallel. The Stewiacke at its point of intersection with the above route varies very little in its course downwards from the level; whereas the Musquedoboit at its head falls considerably, and consequently is upon more elevated ground, and occasions an ascent to the point of crossing to the Stewiacke. The Stewiacke Road having very little of rise, owing to the smoothness of the stream up to the point of crossing from it to Musquedoboit, occasions the ascent to the top of the intervening ridge, to be all to the disadvantage of Stewiacke; and Travellers from the Eastward, which is not the case in the line I have selected.

I have the honor to be,

Sir,

Your most obedient Servant,

JOHN G. M'KENZIE.

To Sir RUPERT D. GEORGE, Bart. &c. &c.

The distances herein stated are taken from the following Surveys, viz :	
From the Town of Halifax, by the present Post Route, to the Town of Pictou, by the Surveys made for Mr. Fairbanks, when preparing the map of the Province, 104 miles.	
From the Town of Halifax to the Albion Mines, by the Road over Green Hill, by the above Surveys, 102 miles.	
Proposed Route, from the Town of Halifax to Mill Road, in Whitman's	Middle Musquedoboit, by 39½
From said Mill Road to Cross Roads in Upper Stewiacke, by my recent Surveys	22½
From said Cross Roads to the Albion Mines, by Surveys made for Mr. Fairbanks	24—Total 86 miles.

(See Page 105.)

*Impost Office, Sydney, C. B. 2d February, 1841.*

SIR—

I have the honor to state that the Vouchers for the expenditure of £30, which was granted by the Legislature to aid in the protection of the Revenue, and for the collection of Light Duties, &c. &c. at this Port, for the year 1840, have been transmitted to the Treasurer.

In consequence of there being no Boat belonging to Government, and not a sufficient sum to purchase one, I have been again under the necessity of occasionally hiring Boats and small Vessels, at such times as they could be procured, for the service; and, by means of the occasional visits of a small Vessel hired for the service in the Bras d'Or Lake, the Contraband Trade, hitherto carried on by Foreign Vessels from the French Islands of St. Pierre and Miquelon, has been completely broken up—those Vessels, during the last season, taken their cargoes of Cattle and Agricultural Produce to supply the contract with the French Government at those Islands, from the Harbour of Sydney, where they are under the immediate control of the Officers of the Revenue.

At Gabbarus a Boat was occasionally employed, by which the sum of £15 11s. 4d. was collected for Light Duties from American Fishermen; and, at Bridgeport, the Contraband Trade carried on by American Vessels, arriving from St. Pierre, has also been checked, in a great degree, by Mr. Roach, the Colonial Seizing Officer, to whom a small sum was allowed to hire assistance, when required.

The Trade of the Bras d'Or Lake has increased, in consequence of the abundant Crops, and of Ship Building, which is carried on in several parts of it. To prevent Smuggling effectually, by Vessels trading in those waters, from Newfoundland, having Foreign Goods entered there, free of duties, for the Fisheries, I beg most respectfully to suggest the benefit that would result from having a large Boat, belonging to Government, always ready to be manned, when information should be received by the Officer of this Port that a Vessel is trading in the Lakes—the present mode of taking the chances of hiring a Boat or Vessel, which has been attended with uncertainty and disappointment—the cost of such a (half deck'd) Boat, sufficiently safe to navigate any part of the Bras d'Or Lake, would not exceed £50 or £60; and when known that such a Boat was in readiness to be sent after Smugglers, few would run the risk.

I have the honor to be,

Sir,

Your most obedient, humble servant,

C. E. LEONARD, Collector.

Sir RUPERT D. GEORGE, Baronet, &amp;c. &amp;c. &amp;c.

(See Page 109.)

The Committee to whom were referred the Petition of Jonathan Archibald, beg leave to report, that Petitioner states in his Petition, that 1828, in a new line of Road was opened between Musquedobit and St. Mary's; and the sum of £50 was offered by the Legislature to any person who would settle midway upon the said Road, and erect suitable Buildings for the accommodation of Travellers—that Petitioner accepted the said Bounty, erected Buildings, and made extensive improvements, in which outlay he expended £300—that subsequently another line of Road, in a different direction from that on which Petitioner had been encouraged to settle, was adopted, and that line upon which Petitioner resided was abandoned, and soon became impassable, in consequence of which, Petitioner was compelled to remove from the place where he had settled—that Petitioner has never received any return for his outlay and expense, except the £50, as above stated, and prays that

your Honorable House will allow him a grant of Five Hundred Acres of Land, or such other compensation as may be deemed a suitable recompense for his loss and disappointment. Your Committee are unanimously of opinion that the claims of the Petitioner entitle him to the favourable consideration of your Honorable House, and beg leave to recommend that the sum of Fifty Pounds be granted Petitioner, as a remuneration for the loss he has sustained.

BENJAMIN SMITH,  
JOHN W. HOMER,  
RICHARD J. FORRESTALL.

Committee Room, 17th March, 1841.

No. 46.

(See Page 111.)

*Extract of a Dispatch of Lord John Russell to Viscount Falkland, dated 26th Dec. 1840.*

“Although Her Majesty’s confidential advisers have not thought proper to recommend Her Majesty to withhold Her assent to the Act, No. 2076, for Incorporating St. Peter’s Canal Company, the Act is by no means free from objection. It does not appear to have been drawn up with sufficient precision. The objects, with a view to which the Company is incorporated, are stated in too general terms. I collect from the 2nd section that something beyond the construction of a Canal is contemplated—power being given to buy, sell, or let Ships—which implies, that the Trade on the Canal, and not the Tolls alone, is to be in the hands of the Company. This is a privilege not enjoyed by the Canal Companies in England; but under the circumstances of the North American Colonies, where the subdivision of labor to be found in this Country cannot be expected to exist, Her Majesty’s Government have not thought it necessary, in the present instance, to object to this provision.

“I think, however, that some restriction ought to have been imposed by the Act on the operations of the Company, it not being free from doubt whether the Shareholders might not carry on many branches of business, in their corporate capacity, under the powers of the Act.

“I am therefore desirous of calling your attention to this point, in order that hereafter, in similar Acts, the objects of these Companies may be distinctly enumerated, and the exercise of their corporate privileges restricted to the effect above mentioned.”

No. 47.

(See Page 113.)

The Committee to whom was referred the Petition of the Overseers of the Poor of the Township of Annapolis, and others, praying that a Law might be passed to enable the Overseers of the Poor to place the Poor, under their charge, in such convenient place or places as they shall think best suited to the convenience of the said Overseers. Your Committee, therefore, after examining the said Petition, and the Poor Laws of this Province now in force, are of opinion, that the Overseers of the Poor, as the proper guardians of the Poor, have full power to place them in such place or places as they may think most advantageous; and that it is unnecessary to pass any Act for the Paupers, required in the said Petition.—All which is respectfully submitted.

HENRY GATES, Chairman.

Committee Room, 19th March, 1841.

(See Page 113.)

The Committee to whom was referred the several Petitions of the Overseers of the Poor from the different Townships, praying to be reimbursed certain sums of Money expended by them in the support of Transient Paupers, have carefully examined their Accounts, and considered the merits of their claims, beg leave to report, and respectfully recommend to the House, to grant the following sums, viz :

No. 1. To the Overseers of the Poor for the Township of Pictou	£47	1	0
2. To the Overseers of the Poor for the Township of Amherst	28	8	8
3. To the Overseers of the Poor for the Township of Newport	34	8	0
4. To the Overseers of the Poor for the District Menudie	8	12	11
5. To the Overseers of the Poor for the Township of Granville	3	0	0
6. To the Overseers of the Poor for the Township of Wilmot £8 2s. 3d. and to pay Doctor Fitch £15	23	2	3
7. To the Overseers of the Poor for the Township of Guysborough	6	12	6
8. To the Overseers of the Poor for the Township of Aylesford	3	3	6
9. To the Overseers of the Poor for the Township of Cornwallis	17	5	6
10. To the Overseers of the Poor for the Township of Windsor	7	7	6
11. To John Boureniet, for the support of a Transient Pauper, at Sydney, Cape-Breton	9	0	1
12. To Abner Saunders, Overseer of the Poor for the Township of Annapolis	2	13	9
13. The Petition of Doctor Samuel Paterson, praying payment for attending Isabella and Lucinda Reed—no proof has been exhibited of their being Transient Paupers—your Committee, therefore, cannot recommend to the House to grant the prayer thereof.			

R. CLEMENTS, Chairman.

Committee Room, March 19th, 1841.

(See Page 114.)

The Committee to whom was referred the Account for over-expenditures submitted to this House, by His Excellency the Lieutenant-Governor, beg leave to report as follows :

That, recognizing the principle adopted in a former House, and for several Sessions past, rigidly adhered to, that no provision ought to be made out of the general funds of the Province for over-expenditures—but that the same should be paid out of sums allotted to the different Counties. Your Committee strongly recommend that no departure should be permitted with respect to the claims now submitted to the House.

The sum of £100 over-expended to open the Road between Salmon River to Truro, and the sum of £136 6 10 for repairing Bridgetown Bridge, an respectively over-expenditure on the Great Post Roads East and West, for which large provision was made last House; and, as a further sum of Six Thousand Pounds has been granted this Session for the same objects, your Committee recommend that these sums should be deducted therefrom.

They also recommend the sum of Twelve Pounds Nine Shillings and Five Pence, expended for repairing Salmon River Bridge, to the attention of the Members of the County of Halifax, to provide for the same out of the fund allotted for the Road Service of that County.

They make the same recommendation as to the sum of £15 3 4, expended in repairing a Bridge on Slack's Causeway, to the Members of the County of Colchester.

Your Committee lastly report that the sum of £30 10, expended in surveying the Road from:

from Musquedoboit to Pictou, should be granted and paid to His Excellency the Lieutenant-Governor—the same having been a useful service, and upon a new line, for which no public provision had been made, or likely to be so, at present, by the Members of either of the Counties through which the route passes.

SAMUEL P. FAIRBANKS, Chairman.

No. 50.

(See Page 114.)

Mr. Annand presented to the House several Petitions, praying aid for Roads in the County of Halifax.

A Petition of Edward Bown and others, of the South East Passage.

Daniel Spike and others, of Lake Porter.

William Archibald, of Musquedoboit.

Isabella Preston, of Spryfield.

John Stewart and others, of Musquedoboit.

Sampson Carter and others, of Preston.

John T. Bishop and others, of Porter's Lake.

James Graham and others, of Lake Porter.

T. E. Miller and others, of Preston.

George Leslie and others, of Lawrence Town.

James Ogelvie and others, of Lake Porter.

David Annand and others, of Gay's River and Musquedoboit.

William Lock and others, of Musquedoboit.

James Annand others, of Lake Egmont, Gay's River, and Middle Musquedoboit Road.

William Ledwidge and others, of New Guysborough Road.

Joseph Green and others, of Lake Porter and Lawrence Town.

James Taylor and others, of Lake Egmont.

William K. Reynolds, and others, of Sackville.

Basil Crowd, of Preston.

Michael Fitzgerald and others, of Harriet's Fields.

George Bisset and others, of Cow Bay.

George Brown and others, of Porter's Lake.

William Osborne and others, of South Eastern Passage.

William Callum and others, of Cheribucto Settlement, Preston.

Adams Archibald and others, of New Canada Settlement.

John Steel, of Triangle, and others, Inhabitants of Bedford Basin.

George Corbet and others, of Gay's River.

Henry Balcomb and others, of Salmon River, Newdy Quaddy, and Beaver Harbour.

William J. Lydiard and others, of Meagher's Grant.

William Logan and others, of Gay's River and Shubenacadie.

John Fraser and others, of East Branch Sheet Harbour and Lochaber.

James Gilbert and others, of Shubenacadie and Gay's River.

Robert Jamieson and others, of Pope's Harbour and Ship Harbour.

Andrew Cruikshanks and others, of Little River, near Musquedoboit.

Samuel Taylor and others, of Little River Settlement, Musquedoboit.

W. J. Lydiard and others, of Musquedoboit Harbour and Meagher's Grant.

Thompson Bill and others, of Musquedoboit.

John Lindsay and others, of Upper Malignant.

Benjamin Smithers and others, of Preston and Lawrence Town.

Samuel Albro and others, of Dartmouth.

David Dickey and others, of Glenmore Settlement, Musquedoboit.

## APPENDIX No. 50.

- A Petition of Joseph Smith and others, of Dartmouth.  
 John Evans and others, of Preston.  
 Robert A. Logan and others, of Middle Musquedoboit.
- Mr. Spearwater presented to the House several Petitions, praying aid for Roads in the  
 Township of Shelburne.
- A Petition of Hugh McAlpine and others, of Shelburne.  
 James McLean and others, of Shelburne.
- The Hon. Mr. McNab presented to the House several Petitions, praying aid for Roads in  
 the County of Halifax.
- A Petition of Philip Brown and others, of the South East Passage.  
 Robert Thompson and others, of Hammond's Plains.  
 Jacob Marriet and others, of Sambro.  
 The Rev. John Stannage and others, of Saint Margaret's Bay.  
 James Croucher and others, of Saint Margaret's Bay.
- Mr. Forrestall presented to the House several Petitions, praying aid for Roads in the  
 County of Sydney.
- A Petition of Alexander McNeil and others, of Arisaig.  
 Duncan McInnes and others, of Ohio.  
 James Stewart, of the Back Settlement of Lochaber Lake.  
 James McDonald and others, of Brailey River.  
 John McLean, (Angus' Son,) of Ohio.  
 Donald McDonald, (Schoolmaster,) and others, of South River.  
 Duncan Anderson and others, of Morristown.  
 John Brian and others, of Harbour Bouchi.  
 Joseph Elens and others, of Tracadie.  
 Duncan McDonald and others, of North Grant.  
 Duncan Cameron and others, of the East side Upper South River.  
 Paulette Deloise and others, of Tracadie.  
 Elisha W. Randall and others, of Little River.  
 Archibald McDonald and others, of Black River.  
 Andrew Boyle and others, of the Back Settlement, Tracadie.  
 Andrew McGilvray and others, of the West side of Malignant Brook.
- Mr. Johnston presented to the House two Petitions, praying aid for Roads in Township  
 of Horton.
- A Petition of Henry Thomas and others, of Canaan.  
 Robert Patterson and others, of Horton Road.
- The Hon. Mr. Dewolf presented to the House a Petition of Edward Toole and others,  
 of Dalhousie and elsewhere in the County of King's County, praying aid for a Road in  
 that County.
- The Hon. Attorney General presented to the House several Petitions, praying aid for  
 Roads in the County of Colchester.
- A Petition of Daniel Fulton, and James F. Crow, of Debirt River.  
 Neil M'Kay and others, of Earl Town.  
 James Munroe and others, of New Annan.  
 Timothy Putnam and others, of Upper and Middle Stewiacke.  
 Alexander Sutherland and others, of Earl Town.  
 James M. Carney and others, of Five Islands.  
 John Filmore and others, of Five Islands.  
 Alexander Conkey and others, of Tatamagouche Road.  
 James Filmore and others, of New Boston.  
 David Fulton and others, of Bass River.  
 William Durning and others, of Economy.  
 Thomas Durning and others, of Economy.  
 George Waugh and others, of Tatamagouche.  
 Jeremiah Murphy and others, of Earl Town and Waugh River, Tatama-  
 gouche.

## APPENDIX No. 50.

A Petition of William Fulton, of Port a Pique.

Edward Corbet and others, of Five Islands.  
 Henry Moore and others, of Economy.  
 John Meekins and others, of Five Islands.  
 Hugh Munro and others, of Earl Town.  
 William Murdoch and others, of New Annan.  
 William Sutherland, Senior, and others, of Earl Town.  
 Andrew Munro and others, of Kempt Town  
 James Moore and others, of Economy.  
 William Cox and others, of Upper Stewiacke.

Mr. Fulton presented to the House several Petitions, praying aid for Roads in the County of Cumberland.

A Petition of John Truro and others, of Malagash.

George R. Phelan and others, of Malagash.  
 George Nicolson and others, of Wallace.  
 Samuel Angevine, of Wallace.  
 William Harrison of Wallace.  
 Daniel Purdy, of Wallace.  
 Joseph N. B. Kerr and others, of Wallace.  
 Robert Scott and others, of Wallace.  
 Philip Doyle and others, of Wentworth.  
 Kenneth McKenzie and others, of Wentworth and Wallace.  
 Henry G. Pineo and others, of Pugwash.  
 Benjamin Page and others, of River Philip.  
 Nathaniel Milroy and others, of Pugwash River.  
 George King and others, of River Philip and Shinimacash.  
 Samuel Teed and others, of Malagash.

Mr. S. B. Chipman presented to the House several Petitions, praying aid for Roads in the County of Annapolis.

A Petition of Francis Magranafhan and others, of Wilmot.

Elijah Beal and others, of Beal's Mountain.  
 James Long and others, of Dalhousie Settlement.  
 James More and others, of Township Settlement, Dalhousie.  
 Charles Durland and others, of Dalhousie Settlement Road.  
 Charles Risteen and others, of Dalhousie Settlement.  
 Major Chipman and others, of Lawrence Town and Annapolis.  
 Granville B. Read and others, of Richie Road.  
 John Whitman and others, of Annapolis.  
 Zebulon Phinney and others, of Wilmot.  
 Isaac Roach and others, of Wilmot Breakwater.  
 John Banks and others, of Annapolis and Wilmot.  
 George Ballantine and others, of Annapolis.  
 William M'Nayor and others, of Grinton Settlement.  
 Elijah Phinney and others, of Wilmot.  
 Seth Leonard and others, of Annapolis.  
 Thomas Jefferson and others, of Morse Road.  
 E. Wilton and others, of Wilmot.

Mr. M'Keagney presented to the House, a Petition of John B. M'Nutt and others, of Lennox and Saint George's Channel, praying aid for a Road in the County of Richmond.

Mr. Martell presented to the House several Petitions, praying aid for Roads for the County of Richmond.

A Petition of Donald Gray and others, of Black River, Boudrie, Saint George's Channel and Bras d'Or Lake.

John Smith and others, of Saint George's Channel and Bras d'Or Lake.  
 William Hall and others, of Saint George's Channel and Bras d'Or Lake.  
 John Pau and others, of Black River, North-west Arm and Bras d'Or.

Mr

## APPENDIX No. 50.

Mr. Henry presented to the House several Petitions, praying aid for Roads in the County of Sydney.

A Petition of Edmund Forrestall and others, of Havre au Bouchie.  
 Lauchlin McEachern and others, of point of Cape George.  
 Donald McMillan and others, of Lochaber Lake.  
 Patrick Carrigan and others.  
 Donald McMillan, from Delany's to John McEachern's, Knoydart.  
 Ranald McInnes and others, from Glen to Ohio.  
 Angus Gillis and others, second division west side South River.  
 Hugh McGilvray and others, of the Back Settlement, Knoydart.  
 Angus Chisholm and others, of Antigonish and Beaver Meadow.  
 Hugh McDonald and others, of Middle South River.  
 John Campbell and others, of middle division Upper South River.  
 Allan Cameron and others, of Upper South River.  
 Donald McNaughton, of the east side Upper South River.  
 Angus McGilvray and others, of the Back Settlement, Knoydart.  
 Angus McInnis and others, of the east side of Ohio.  
 John McDonald, Charleston's son, and others, of Arisaig.

Mr. Gates presented to the House several Petitions, praying aid for Roads in the Townships of Annapolis and Clements.

A Petition of Thomas Berry, Senior, and others, of Clements.  
 Thomas C. Wilson and others, of Clements.  
 John Lightizer and others, of Clements.  
 D. J. Ditmars and others, of Clements.  
 John Roop, Senior, and others, of Clements.  
 Edward Merry and others, of Annapolis.  
 Samuel Purdy and others, of Clements.

Mr. Lewis presented to the House two Petitions, praying aid for Roads in the County of Cumberland.

A Petition of William Bulmer and others, of Nappan.  
 William Pipes and others, of Nappan.

Mr. S. Chipman presented to the House several Petitions, praying aid for Roads in the County of King's County.

A Petition of John O'Neil and others, of Sherbrooke Road.  
 William Lonnergan and others, of Dalhousie Settlement.  
 Elijah Pineo and others, of Cornwallis.

Mr. Archibald presented to the House several Petitions, praying aid for Roads in the Township of Truro.

A Petition of James Kennedy and others, of Truro.  
 Robert Colter and others, of Shubenacadie.  
 Samuel Creelman and others, of Shubenacadie.  
 James Yuill and others, of Truro.  
 Samuel Creelman, 3d, and others, of Upper Stewiacke.

Mr. Thorne presented to the House several Petitions, praying aid for Roads in the Township of Granville.

A Petition of Obadiah Sprowl and others, of Granville.  
 Warren Bent and others, of Granville.  
 Robert Young and others, of Granville.  
 John Milberry and others, of Granville Line Road.  
 David Milberry and others, of Granville.  
 Charles Ramsay and others, of Granville.  
 Samuel Chesley and others, of Granville.

Mr. Dickey presented to the House several Petitions, praying aid for Roads in the Township of Amherst.

A Petition of William B. Oxley and others, of River Philip.  
 Robert Pepperall and others, of Amherst.  
 Samuel Bent and others, of Amherst.

## APPENDIX No. 50.

- A Petition of James Shipley and others, of Amherst.  
Francis Regan and others of Ragged Reef.  
Daniel Mills and others, of Maccan.  
Calvin G. Bent and others, of Amherst.
- Mr. Beckwith presented to the House several Petitions, praying aid for Roads in the Township of Cornwallis.
- A Petition of David White and others, of Cornwallis.  
John Givans and others, of the Bay Shore, Cornwallis.  
William West and others, of the North Mountain, Cornwallis.
- Mr. Upham presented to the House two Petitions, praying aid for Roads in the Township of Onslow.
- A Petition of John McKay and others, of Earl Town and Russel Town.  
Daniel Cook and others, of Onslow.
- Mr. Forrester presented to the House several Petitions, praying aid for Roads in the Township of Halifax.
- A Petition of John Winters and others, of the Peninsula of Halifax.  
W. K. Reynolds and others, of Sackville.  
Thomas Byers and others, of the Peninsula of Halifax.  
Richard Deal and others, of Dutch Village.  
James Geizer and others, of Geizer's Road.
- The Hon. Mr. Uniacke presented to the House several Petitions, praying aid for Roads in the County of Cape-Breton.
- A Petition of William Jones and others, of Baddeck.  
William Reid and others, of Mirè River.  
Donald McLeod, of St. Ann's.  
James Sparling and others, of Little Baddeck.  
Robert McNab and others, of Low Point.  
Roderick McDonald and others, of Whackabuck.  
Thomas Fraser and others, of Boulardrie.
- Mr. Zwicker presented to the House several Petitions, praying aid for Roads in the County of Lunenburg.
- A Petition of John Butler and others of Dalhousie.  
Edward J. Ross and others, of Sherbrooke.  
Thomas Ernst and others, of Lunenburg.  
John Fanning and others, of Blandford.
- Mr. J. R. Dewolf presented to the House the Petition of Henry Wolf and others, of Beach Meadow, praying aid for a Road in the County of Queen's County.
- Mr. Dimock presented to the House several Petitions, praying aid for Roads in the Township of Newport.
- A Petition of Shubael Sweet and others, of Newport.  
Joseph Mosher and others, of Newport and Rawdon.  
John Dimock and others, of Newport.
- The Hon. Mr. Dodd presented to the House several Petitions, praying aid for Roads in the County of Cape-Breton.
- A Petition of William Armstrong and others, of Gabarous.  
Dugald Smith and others, of Great Narrows, Benecady, and Bras d'Or Lake.  
Murdo McCaskill and others, of Saint Patrick's Channel and Whycocomagh.  
Kenneth Chisholm and others, of Saint Patrick's Channel, Wasabuck, and Big Narrows.  
John Gillies and others, of Saint George's Channel and Metista Mountain.
- Mr. Fairbanks presented to the House several Petitions, praying aid for Roads in the County of Queen's County.
- A Petition of Jacob Brown and others, of Milton.  
James Phelan and others, of Port Medway.  
George M. Mack and others, of Port Medway.

Mr. McKay presented to the House two Petitions, praying aid for Roads in the County of Hants.

A Petition of Francis Salter and others, of Newport.

John Smith and others, of Rawdon.

Mr. Heckman presented to the House several Petitions, praying aid for Roads in the Township of Lunenburg.

A Petition of James Flemming and others, of New Germany.

Adam Wienacht and others, of western branch County of Lunenburg.

John Parrish and others, of New Germany.

Mr. Smith presented to the House several Petitions, praying aid for Roads in the County of Hants.

A Petition of Terence Kenty and others, of Bellinarr.

Joseph Caldwell and others, of Nine Mile River, Douglas.

James Thompson, Senior, and others, of Nine Mile River, Douglas.

Archibald McPhee and others, of Douglas.

John Graham and others, of Douglas.

Malcom Brown and others, of Douglas.

William Scott and others, of Douglas.

Alexander Ferguson, and others, of Nine Mile River, Douglas.

Mr. DesBarres presented to the House several Petitions, praying aid for Roads in the County of Guysborough.

A Petition of William Spanks and others, of Guysborough.

Edward Shearman and others, of Milford.

Charles Archibald and others, of Saint Mary's and Country Harbour.

John Conway and others, of Guysborough.

The Reverend Donald McConnochie and others, of Saint Mary's.

Francis Cook and others, of Guysborough.

Malcom Sellers and others, of Guysborough Intervale.

Murdoch McLean and others, of Guysborough.

J. P. Bickers and others, of Country Harbour.

John A. Hudson and others, of Country Harbour.

James O'Gorman and others, of Chedabucto Bay.

William Mitchell and others, of Saint Mary's.

Henry Tory and others, of Manchester.

John Diggdin, of Crow Harbour.

The Reverend J. Quinan and others, of Tracadie.

Isaiah Omara and others, of New Harbour.

Hugh McNeil and others, of the Back Settlement, South River.

Robert Boles and others, of Manchester and Tracadie.

Joseph Martin and others, of Milford.

Francis Cooke and others, of Guysborough.

The Reverend F. Vincent and others, of Tracadie.

Mr. Holdsworth presented to the House several Petitions, praying aid for Roads in the County of Digby.

A Petition of Joseph Thomas and others, of Digby.

Nathaniel Payson and others, of the Sissiboo Road.

C. Tucker and others, of Digby.

Isaac White and others, of the South-east angle of Digby.

David Sebean and others, of Duck Pond Road.

Henry H. Morgan and others, of Hillsburgh.

Edward Morgan and others, of Hillsburgh.

John Ward and others, of Digby Neck.

Mr. Holmes presented to the House several Petitions, praying aid for Roads in the County of Pictou.

A Petition of James Gammon, Senior, and others, of River John.

Alexander McDonald, of Pictou.

## APPENDIX, Nos. 50, 51, 52.

- A Petition of Duncan Dewar and others, of Sutherland River.  
 Angus McKinnon and others, of Bailey's Brook.  
 Malcom McGregor and others, of Big Island, Merigomish.
- Mr. Marshall presented to the House several Petitions, praying aid for Roads in the County of Guysborough.
- A Petition of James Munro and others, of Lochaber Lake.  
 James Brown and others of Guysborough.  
 James B. Hadley and others, of McNair's Cove.

No. 51.

(See Page 118.)

(Copy.)

*At the Court at Buckingham Palace, the 25th day of February, 1841.*

P R E S E N T—

THE QUEEN'S MOST EXCELLENT MAJESTY.

HIS ROYAL HIGHNESS PRINCE ALBERT.

Lord President,  
 Lord Privy Seal,  
 Marquis of Normanby,  
 Lord Steward,  
 Earl of Albemarle,  
 Earl of Minto,

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Lord Chamberlain,  
 Viscount Palmerston,  
 Viscount Melbourne,  
 Viscount Morpeth,  
 Mr. Macaulay.

WHEREAS, the Governor of Her Majesty's Province of Nova Scotia, with the Council and Assembly of the said Province, did, in the month of March, 1840, pass an Act, which has been transmitted, entitled as follows, viz :

No. 2099. " An Act to continue and amend the Act for regulating the Importation of Goods.

And whereas, the said Act has been referred to the Committee of the Lords of Her Majesty's most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations ; and the said Committee have reported, as their opinion to Her Majesty, that the said Act should be left to its operation. Her Majesty was, thereupon, this day pleased, by and with the advice of Her Privy Council, to approve the said report—whereof the Governor, Lieutenant-Governor, or Commander in Chief for the time being, of Her Majesty's Province of Nova Scotia, and all other persons whom it may concern, are to take notice, and govern themselves accordingly.

C. E. GREVILLE.

No. 52.

(See Page 118.)

The Committee to whom was referred the Petitions of Andrew Frost and others, and E. W. B. Moody and others, praying that a Bridge may be built over the Narrows of Argyle River, in the County of Yarmouth ; also, the Petition of James Hobbs and others, against said Bridge, beg leave to report,

That they have taken the several Petitions into consideration, and, from the statements set forth therein, and from such other information as they have been able to obtain on the subject, are satisfied said Bridge would be very beneficial to the Inhabitants of that County, and the Public at large. Some persons, residing above said Narrows, engaged in the Fisheries,

eries, are opposed to it; to remove such objection, your Committee recommend that a Draw be placed in said Bridge; and that the expense for building the same be provided by the Members of Yarmouth from Monies granted for the service of Roads and Bridges.

CHARLES BUDD,  
J. R. DEWOLF,  
SAMUEL B. CHIPMAN.

Committee Room, 18th March, 1841.

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No. 53.

(See Page 118.)

The Committee to whom were referred the Petition of Edward H. Cutler, Sheriff of the County of Annapolis, praying to be re-imbursed certain expenses incurred by him in attending the trial of the Contested Election for the Township of Granville, before this House, beg leave to report as follows:

That Petitioner attended the trial of the Election, in consequence of being furnished with a copy of the Petition of the Freeholders of Granville, by the Committee who tried the Election, in which he was charged with partial conduct in the management of that Election.

And although the Committee who tried the Granville Election were of an opinion that the conduct of the Sheriff was not such as would justify them in setting that Election aside, we, the Committee appointed to consider of the propriety of paying the expense incurred by the Sheriff, agree in thinking that his conduct was not such as would justify this House in granting a sum of Money towards the payment of expense incurred by him.

H. HUNTINGTON, Chairman.  
HENRY GOUDGE.

Committee Room, 20th March, 1841.

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No. 54.

(See Page 119.)

The Committee to whom was referred the application of the Hon. James S. Morse to His Excellency the Lieutenant-Governor, for payment of a sum of money advanced by him to Mr. William McKay, for expence incurred in making an exploration of the most eligible route of the proposed Canal, to unite the waters of the Bay of Fundy and the St. Lawrence, and submitted, by His Excellency's command, for the consideration of your Honorable House, beg leave to report—

That your Committee perceive that the subject of the proposed Canal has engaged the serious attention of the Governments of New Brunswick and Prince Edward's Island, as one of a highly important character, capable of affording greatly increased facilities for inter-colonial Commerce and intercourse between the several British North American Provinces; and have placed at the disposal of their respective Governments, to defray the expense of a scientific survey and exploration thereof—the former £1000, and the latter £200.

Your Committee, in making this their report, cannot refrain from expressing a strong opinion against the sanctioning of expenditures on Public Works by individuals, without the consent of the duly constituted authorities previously obtained. Entertaining the opinion, however, that Mr. McKay's exploration and plan may be highly useful in bringing to the notice of any Engineer, who may hereafter be employed by Government to make a survey and estimate of the proposed Canal—a route which seems to possess peculiar facilities for the

the proposed undertaking—they have agreed to recommend that your Honorable House grant the sum of Forty Pounds to Hon. James S. Morse, as a re-payment of that sum advanced by him for the purposes aforesaid. All which is respectfully submitted.

WILLIAM ANNAND,  
HENRY GOUDGE,  
R. CLEMENTS.

Committee Room, 22d March, 1841.

The accompanying nine sheets are a plan prepared from an actual survey made by the Subscriber in August, 1838, for the purpose of ascertaining the character and eligibility of a Route for the proposed Canal between the Bay of Fundy and the Baie Verte, in the direction indicated by a blue line on the plan. I have made an actual survey, with chain and compass, upon the whole distance, from the mouth of the River Tidnish, in Baie Verte, to the Mouth of the River La Planche, on the Bay of Fundy. The courses and stations of of that survey are colored red on the plan. I also took several soundings of the depth of the Tidnish from the Bridge to near the bar outside, which are marked in feet.

From the place where the Route leaves the Tidnish (No. 1) to where it strikes the La Planche, (No. 20) being a distance of about 6½ miles, the ground is swampy, except in a few places where there are some flat risings, where the soil appears very slightly elevated. These are all marked upon the plan, and seem to present no obstacles worthy of notice. There is no appearance of rocks or stones. In travelling along this distance the surface does not appear to ascend or descend. It is said that, previous to the erection of the abattoir at station 3, upon the La Planche, the tide flowed up that stream to about No. 20. It does not now go above the abattoir.

From No. 20 to the mouth of the La Planche, a distance of 8 miles, the soil is alluvial sea marsh. In general it consists of about one foot of black loose soil on the surface—under this, from one to two feet of a loose red sandy soil—and below that a stratum of bluish clay of some depth. This portion of the Route is also free from rocks or stones of any kind.

From No. 1, down the Tidnish River, and into the Bay, is also a loose red sandy soil—neither stones or rocks are visible any where.

The head waters of the Tidnish River are but small streams—the East Branch is much larger than the West. The head waters of the La Planche are much larger than the West Branch of the Tidnish, and their descent is more rapid. Though these rivers or brooks are small, yet I think there will prove to be a sufficient quantity of water to warrant a navigation for Vessels of from 250 to 300 tons burthen, and perhaps more.

The Country between the two streams is level, and a few feet rise of the water would flow it back for several miles, and extend in breadth (if not confined) over a great surface, thus affording facilities for reservoirs. Two or three Locks are all that would probably be required, except a Tide Gate or Lock at each extremity.

The Villages of Amherst and Minudie, in Nova-Scotia, and that of Sackville, in New Brunswick, with their surrounding Settlements, comprise an extensive body of Marsh Land, stated in Halliburton's History of Nova-Scotia, as 70,000 acres, all connected together, and of a good quality, much of which is under cultivation, and thickly settled. The Route in question passes through a large portion of this ground, and near to the whole of it.

Those Settlements raise great quantities of Hay, Cattle, Butter, &c. Their Markets are St. John, N. B., Miramichi, P. E. Island, Halifax and Quebec, which, in their present state, are all distant, difficult and precarious. The opening a Navigation between the two Bays would reduce the distance by many leagues, and open a thousand facilities for inter-colonial commerce and intercourse, that will be obvious upon the slightest inspection of a general Map of the B. N. American Provinces; and in conjunction with the Shubenacadie Canal, when completed, would place the inland Communications of Nova-Scotia and New-Brunswick on the best footing.

The communication between the Ports of Nova-Scotia and New-Brunswick that border on the Bay of Fundy, and those of the Eastern States adjacent, particularly St. John's, St. Andrew's,

Andrew's and Eastport, with Quebec and the Gulf of St. Lawrence in general, would be thus established, in an entirely new line, many hundred miles shorter than the present Route, and much safer; and it is probable that if once fairly tested it would extend to the whole United States' Sea Board—Vessels from which, could go up the St. Lawrence by a course so much shorter and safer than at present.

WILLIAM M'KAY.

Halifax, October 4, 1838.

No. 55.

(See Page 120.)

The Committee to whom was referred the Petition of three hundred disbanded Soldiers, and others, settled by order of the Government in Dalhousie and Sherbrooke Settlements, craving pecuniary aid for the repairs of Roads leading to Settlements, whence they receive their supplies, and to which they dispose of their surplus produce, beg leave to report:— That, for the last ten years, the Petitioners have received but little aid for the repairs or improvement of their Roads. This apparent neglect of them has arisen, as your Committee conceive, from the great Road, on which they are mainly settled, running through portions of the four Counties of Halifax, King's, Lunenburg and Annapolis, and for that reason have not been considered by these Counties to have been under the peculiar care of either of them.

In consequence of the time which has elapsed since any considerable portion of the Public Money has been applied to the Roads alluded to—and their present bad state—a sum comparatively large in amount, is now thought necessary by your Committee to make them passable: they therefore recommend that the Counties of Halifax, Lunenburg, King's and Annapolis, each, appropriate the sum of Twenty-five Pounds out of their Road Vote for the present year; and that Fifty Pounds more be granted specially by the House for the same purpose—which sums are to be expended as the Lieutenant-Governor and the Executive Council may deem most advantageous to the public, and to those poor but meritorious settlers.

THOMAS FORRESTER, Chairman.

Committee Room, 22d March, 1841.

No. 56.

(See page 121.)

The Committee to whom was referred the Documents submitted to this House by His Excellency the Lieutenant-Governor, relating to the prevalence and progress of Small Pox in the County of Guysborough, beg leave to report as follows:

That they are of opinion that the most prompt measures should be adopted by the Inhabitants of that County, as well for their safety as that of the Province generally, to arrest the progress of the disease by an immediate vaccination of all Classes who have not hitherto undergone the operation, and that the necessity of this step should be strongly urged upon the people by the Magistrates. That your Committee do not consider it expedient to recommend any specific sum as a compensation to the Physicians who may perform this service, least it should be expended in vaccinating those who have the means of bearing the expense themselves, as well as the poorer Inhabitants, for whom alone provision ought to be made.

Your Committee would advise as the preferable course, that a strict account should be kept and rendered to His Excellency the Lieutenant-Governor of every individual vaccinated, who, in the opinion of the Justices of Guysborough, in General or Special Sessions, are unable to pay the charge; and that His Excellency should be authorized to pay the amount

amount thereof, provided it does not exceed Sixty Pounds, whenever it is made satisfactorily to appear to His Excellency, either by the Certificate of said Justices or otherwise, that the charges are fair and reasonable.

With a view also to prevent the spread of Small Pox in other parts of the Province, your Committee submit whether it would not be advisable that the attention of the Magistrates in other Counties should be directed to this subject, and to authorise the vaccination of the poor classes generally, including the Indians, to whom particular attention ought to be paid.

SAMUEL P. FAIRBANKS, Chairman.

No. 57.

(See Page 121.)

The Committee on Light Houses and Navigation Securities,—Report as follows :

*Isle Haute.*

That it is important that the Light House on Isle Haute should be erected without further delay, but that the whole expense of building and sustaining the same, ought not devolve on Nova-Scotia—already compelled to furnish an extensive sea-board, with numerous establishments for the protection of Commerce—and therefore recommend that His Excellency the Lieutenant Governor, should communicate with the Lieutenant Governor of New-Brunswick—and ascertain what sum that Government will contribute towards the erection and future maintaining of that Light on the site selected by Captain Robb, of H. M. Ship Satellite—of which the Committee approve.

*Cape Sable Light House.*

The Committee also recommend a similar course with respect to the proposed Light House on Cape Sable, which, if properly constructed, will be of equal service to the Tonnage of New-Brunswick and the Shipping of this Province.

*Partridge Island Light House.*

As a difference of opinion seems still to exist, which site is most eligible for a Light House in the Bay of Fundy, on entrance to the Basin of Mines, whether Horton Bluff or Partridge Island, the Committee recommend that His Excellency the Lieutenant Governor should be requested to direct the Commissioners appointed, to make choice of either site, and erect a suitable Light House thereon.

*White Island Light House.*

They also recommend that a Light House should be built on White Island, in accordance with the Report of Captain Robb of Her Majesty's Ship of War Satellite, made under the authority of the Lieutenant Governor, at the request of this Honorable House.

The Committee recommend that a Sum of money be granted to build a Beacon at Yarmouth harbour, after previous survey and report; provided the inhabitants subscribe a sufficient sum to place the necessary buoys on Corning's ledge and Sallow's Rocks, so as to render such beacon efficient.

*Louisbourg.*

They also recommend that His Excellency the Lieutenant Governor be requested to direct a survey and estimate of the expense of erecting a Light House at Louisbourg, in the Island of Cape-Breton, for the information of the Assembly at its next Session.

*Prince Edward Island Light House.*

The Committee have maturely considered the communication of Sir Charles Fitzroy, Lieutenant Governor of Prince Edward Island, and the Address and Resolutions of the House of Assembly of that Island, transmitted therewith to His Excellency Lord Falkland, Lieutenant Governor of this Province, and by him laid before this Honorable House; and Report that

that the great importance of, and necessity for, a Light House on the East point of Prince Edward Island, or somewhere in that neighbourhood, has always been felt by mariners, resorting to the Gulf of St. Lawrence; but as Nova-Scotia tonnage has always paid Light Duty on entering the harbours of Prince Edward Island; and as a large portion of the trade from thence is conducted with our vessels, the Committee think a good Light House should be erected, without requiring further contribution from this Province, and therefore cannot recommend the House to make any grant for such objects.

The Committee also recommend that a Light House be erected on the west side of the north entrance of the Big Gut of Canso, in conformity with the Reports of the Commissioners of Light House, made under the Resolution, passed at the last Session of the General Assembly.

The Committee further recommend that the above Light Houses should be built in the following order: Isle Haute first, that at the Gut of Canso second, White Island third, and the others as soon as the Light House fund will admit of the expenditure.

#### *Breakwaters.*

The Committee have considered the various and numerous Petitions presented to the Honorable House, and referred to them, on the subject of Breakwaters, and regret that the recommendation of former Committees, and the Resolution of the Honorable House, requiring every Petition, asking Provincial aid for said purposes, be accompanied by a plan and estimate of the expence—the amount subscribed—the title to the site—and whether the same has been conveyed to the public, should have been so generally disregarded by the applicants; and, although the Committee would have been justified by the last clause of the Report of 1839, in rejecting the consideration of petitions, unaccompanied by such requisites—yet, they are willing, for this Session, to attribute such omission to negligence rather than design, and therefore have agreed to report as follows:

#### *Marshall's Cove.*

That they have considered the Petition of Peter Starritt and others, praying Legislative aid towards building a Pier at Marshall's Cove, Wilmot, County of Annapolis—that the said Petition is not accompanied by any Subscription Lists, Plan or Estimate; and the Committee recommend that so soon as His Excellency shall be satisfied that the sum of £100 has been subscribed and expended by the Inhabitants towards such undertaking, it shall be lawful for him to draw on the Treasury of the Province, in favour of Petitioners, for one-third of the amount so subscribed.

#### *Meteghen, Clare.*

That they have also considered the Petition of G. R. Tucker and others, praying for aid to build an additional Pier to the Breakwater at Meteghen River, in the County of Clare; and recommend the House, as the Petition is unaccompanied by Subscription Lists and other requisites, to grant one-third of the sum subscribed by the Inhabitants, when it shall be proved to His Excellency that such sum has been subscribed—provided no larger sum than £50 shall be drawn from the Treasury for that object.

#### *Arisaig Pier.*

They have also considered the Petition of W. B. McLeod and others, praying aid to complete Arisaig Pier, in the County of Sydney—the requisites do not accompany this Petition. It states that Petitioners have over-expended £51 5 5½; and it is estimated that, at least, £350 will be required to complete the work. The Committee recommend to the House to request His Excellency the Lieutenant-Governor to draw by Warrants, on the Treasury, for one-third of the above sums, to be expended in such service, when it shall be proved to His Excellency that a sum amounting to two-thirds has been subscribed by the Inhabitants.

#### *Hall's Harbour.*

They have also considered the Petition of Richard D. West and others, for aid to erect a Pier at lower water mark at Hall's Harbour, in King's County—no Subscription List accompanies the Petition; and the Committee have reason to think it will cost a large sum of Money, and therefore cannot recommend any grant this Session, nor at any future Session, unless Petitioners transmit a Subscription List, Plan and Estimate, for the information of the Honorable House.

St.

*St. Mary's Bay, McNeil's Cove.*

They have also considered the Petition of James Everett and others, for aid towards a Breakwater in St. Mary's Bay—no subscription list accompanying this Petition—the work is estimated to cost about £190 ; and Committee recommend that when it is proved, to the satisfaction of His Excellency, that Seventy-five Pounds has been subscribed, that it shall be lawful for him to draw, by Warrant on the Treasury, in favour of Petitioners, for the sum of £25.

*Specht's Cove.*

They have also considered the Petition of Christopher Specht and others, of Digby, for aid towards building a Breakwater at Specht's Cove—no subscription list accompanying the Petition. It appears Land has been given for the purpose ; no estimate of the whole expense has been submitted. The Committee therefore recommend that His Excellency should be at liberty to draw, by Warrant on the Treasury, for one third of the sum actually subscribed and expended by Petitioners ; an estimate of the whole expense of such Breakwater having been first transmitted to His Excellency, and satisfactory proof having been made, provided that no larger sum shall be drawn from the Treasury than £50.

*Lewis Head.*

They have also considered the Petition of W. McMillan and others, for aid to re-build the Breakwater at Lewis Head, in the Township of Shelburne ; the former Breakwater has been destroyed by a gale and freshet, and Petitioners have subscribed, as appears by the list annexed to their Petition, upwards of One Hundred Pounds. The Committee therefore recommend a Grant to Petitioners of £33 towards the object.

*Canada Creek.*

They have also considered the Petition of Richard Lee and others, praying aid towards building a Pier and making a Harbour at Canada Creek ; this Petition is accompanied by an estimate of the expense, and the requisites called for by the practice of the House. The whole expense of completing a Half Tide Harbour will be £300 ; and Petitioners have subscribed £153 15. The Committee therefore recommend a Grant to Petitioners of £51. The Site of the Breakwater has been conveyed to the Public.

*Whale Cove.*

They have also considered the Petition of Samuel Campbell and others, for aid towards building an addition to the Breakwater at Whale Cove, in the Township of Clare, which Petition is accompanied by a subscription list, amounting to £150. The Committee therefore recommend that a Grant of £50 should be made to Petitioners.

*Wilmot Pier Company.*

They have also considered the Petition of the Wilmot Pier Company, requiring aid to repair and render more efficient the Breakwater at Gates' Mountain. The Inhabitants have subscribed the sum of £208 5 ; and the Committee recommend a Grant to Petitioners of £70, towards the completion of said Breakwater.

*French Cross Breakwater.*

They have also considered the Petition of A. B. Patterson and others, for aid to erect a Breakwater at French Cross, Aylesford. The Inhabitants have subscribed £150, and the Committee recommend a Grant of £50, to be drawn from the Treasury when it shall be proved to His Excellency the Lieutenant-Governor that the site has been conveyed to the public.

*Broad Cove Harbour.*

They have also considered the Petition of the Inhabitants of Broad Cove, praying a sum of Money to aid them in making a survey and taking a level of Broad Cove, Big River, with a view of directing its course, so that it may discharge its waters through the Ponds at Broad Cove, thereby, and by the erection of suitable Breakwaters to form a Harbour. Petitioners have subscribed £129 1 6 ; and the Committee therefore recommend the sum of £43 to be granted for the accomplishment of the above object.

*Green*

*Green Cove.*

They have also considered the Petition of George W. Brown and others, for aid to build a Breakwater at Green Cove, Yarmouth. The Petitioners allege that they have already expended £230—have expended £40 for the Land whereon the Breakwater is erected, and have agreed to subscribe £75 more; the Committee therefore recommend a grant to Petitioners of £100, when it shall be proved to the satisfaction of His Excellency that the additional £75 has been subscribed.

The Committee recommend that, in all the foregoing cases, His Excellency the Lieutenant-Governor should be satisfied that Petitioners have paid or secured their subscriptions.

*Boats.*

*Digby.*—The Committee have also considered the Petition of George H. M'Colla, praying the usual grants to maintain a Revenue Boat at Digby, and recommend that the amount hitherto allowed should be granted for that purpose.

They have also considered the application of Charles E. Leonard, Esquire, Collector of Impost and Excise for the County of Cape-Breton, and the reasons assigned by him for purchasing and stationing a Revenue Boat at that Port—he states that the Provincial allowance only enabled him to hire a Boat or small Vessel, as occasion required, and at the time they were most needed, he frequently found difficulty in obtaining them, and his intention of looking after contraband goods became known—that it is impossible to reach the haunts of the Smuggler in Cape-Breton without a Boat, sufficiently large to proceed to sea with safety. Illicit Trade is carried on to a great extent from the Bras d'Or Lake, whence Cattle are shipped for the French Islands of St. Pierre and Miquelon, and contraband merchandize brought back in exchange—the Trade of that Lake is also increasing, in consequence of Ship building, which is carried on in several parts of said Lake; and to prevent smuggling by Vessels trading on those waters from Newfoundland, it would appear that a grant of £50 or £60 for the purchase of a Boat may be considered judicious; Mr. Leonard being of opinion that the knowledge of a Boat being in readiness at all times to be sent in pursuit of Smugglers, would deter many, if not all, from incurring the risk of illicit traffic.

The Committee have also had under consideration the recommendation of His Excellency the Lieutenant-Governor of Francis's Life Boats, and concur with His Excellency in thinking it advisable to introduce into this Province an invention so highly esteemed; and recommend that a sum of Money should be placed at the disposal of His Excellency to cause two to be imported—one to be placed at Sable Island, and the other at St. Paul's or Scatarie, with directions to the Superintendants of those Stations to report fully on the efficiency, utility, and adaptation of those Boats, to the services required at those places.

*Ferries.*

The Committee have considered the Petition of — Crowell, for allowance as heretofore, which Petition has already been attended to, and the usual grants allowed in Committee of Supply; also, a Petition of Cornelius Craig, for aid towards keeping the Ferry at Sable River, and recommend the usual grant for that object.

They have all considered the Petition of — Kirkpatrick, praying a grant of money, to aid him in establishing a Steam-boat to ply between New Glasgow and Pictou—which they consider a most desirable and praiseworthy undertaking, and one which may be productive of great benefit to the inhabitants; but as a Steam-boat now plies from Pictou to the Rail Road—the proprietors of which, also ask aid in the event of Mr. Kirkpatrick's application being favorably considered, the Committee are reluctant to recommend any grant of money, which may tend to create an opposition likely to prejudice the public and the parties engaged in the management of said Boats.

The Committee have also considered the Petition, praying aid to build a Slip or Wharf, to improve the Ferry at Annapolis River—and cannot recommend a grant of money for the purpose applied for, considering it a County or Township charge.

*Packets.*

The Committee have also considered the Petition of W. Weeks, praying aid towards running

running a Packet Boat between Bay of Verte and Prince Edward Island, and think the continuance of such communication desirable, and recommend a grant of £20 to Petitioner.

JAMES B. UNIACKE, CHAIRMAN.

Committee Room, 18th March, 1841.

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No. 58.

(See Page 128.)

The Committee to whom were referred the Petition of the Court of Sessions and Grand Jury for the County of Colchester, praying an amendment of the Laws relating to the laying out of the Roads, beg to report: That they have given the subject their best consideration, and find so many Laws bearing upon the subject, and that there is now six different methods by which Roads can be obtained, have agreed, unanimously, to recommend a consolidation of all the Laws on that subject; and that the powers now vested in the Jury be transferred to three or five persons, to be named by the Court, and parties interested.

S. G. W. ARCHIBALD, Chairman.  
HERBERT HUNTINGTON,  
WILLIAM JOHNSON,  
RICHARD J. FORRESTALL.

March 28th, 1841.

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No. 59.

(See Page 128.)

The Committee on Trade and Manufactures report on the several Petitions referred to them, as follows:

First.—As to the Petition of the Firewardens of the Town of Yarmouth, for a return of the Imperial and Colonial Duties paid on two Fire Engines imported from Boston, for the use and protection of the Town, the Committee recommend that the House should mark their sense of the necessity and value of such importations by a grant of said Duties, the joint amount being £72 14s. 3d. currency, as appears by the Certificates annexed to the Petition.

Secondly.—The Committee, considering that Duties levied on Printing Presses, Apparatus and Types, operate as taxes on the diffusion of knowledge, which a wise Government will always discourage, recommend that the Imperial and Colonial Duties paid by the Petitioners be returned to them, viz:

Mr. John Ferguson, for Imperial Duty on a Printing Press from Boston, £19 17s. 9d. currency.

Mr. Alexr. Lawson, for Imperial and Colonial Duties on a quantity of Types and Printing Apparatus from Boston, £11 8s. 9d. currency.

Mr. James Spike, for Imperial Duty on a Printing Press from Boston, £6 13s. 4d. currency—the Colonial Duty not having been paid.

Messrs. English & Blackadar, for Colonial Duty on a Printing Machine from London, £4 16s. 3d. currency—making, in all, the sum of £42 16s. 1d. currency.

The Committee suggest at the same time to the House, the propriety of exempting all Printing Machines, Apparatus and Types, from Colonial Duty, in their next Session.

Thirdly.—The Committee recommend that the sum of £17 5d. be granted to Amos Lovett, being the amount of Duty on a quantity of Liquor staved in his cellar.

Fourthly.—On the same principle, they would have recommended a return of the Duty on a hogshead of Brandy, said to have been accidentally spilt, had the facts of Mr. John Hewitt's

Hewitt's Petition been properly authenticated. As they are not so, the Committee cannot recommend any action on this Petition in the present Session, unless proper Affidavits and Certificates are produced, to the satisfaction of the House.

Fifthly.—The Petition of Mr. Robert Lawson, for a return of the Imperial Duty on Mill Machinery, they have attentively considered; and without recognizing or adopting any general principle in such cases, they recommend a grant of one half the amount, being £41 3s. 11d.—the Petitioner having probably been induced, by the action of the late House, to rely on a partial return of duty.

Sixthly.—The Committee cannot recommend the return of Duty prayed for by Wm. F. Newman, which was paid on the importation from the United States of several articles of Machinery, necessary for manufacturing Tinware. Former Committees have sanctioned, as would this Committee, a return of Duties on labour saving, ingenious or new Machines, whether for Agriculture or Manufactures; but do not conceive that the tools of a lucrative and common Trade should be exempt from the Impost Duties to which articles from Foreign parts are subject.

Seventhly.—As to the Petition of Desiré Boudrot, the Committee see no reason for the Assembly's interfering with the course of Law. The circumstances appear to them very suspicious; and the Board of Revenue, whose authority and decisions it is the interest and duty of the Legislature to sustain, have already passed upon this case.

Eighthly.—In consideration of the uncommon labor and vigilance bestowed by Asa Torrey, Esqr. the Collector of Excise at Windsor, and which the Committee have ascertained also from other sources, they recommend a grant to him of £22, currency.

Ninthly.—They cannot recommend any action of the House on the Petition of Mr. James Crosskill and others, asking for protection against the importation of Foreign Syrups. If these are so unwholesome, and our own beverages so nutritious and economical, as set out by the Petitioners, the public experience will soon award them the preference their superior qualities deserve, without the aid of protective duties, whose policy is at best exceedingly doubtful.

Tenthly.—The Committee highly appreciate the scientific and spirited exertions of W. H. Davies, Esq. of the Albion Iron Foundry; and though they cannot recommend a pecuniary grant, which the Memorialist indeed seems hardly to expect, they willingly bear testimony to the value of his services, in commencing and completing the first Steam Engine manufactured in this Province; and whose beauty of workmanship and working power, as the Committee are assured by impartial witnesses, would do no discredit to a British Artizan, aided by all the appliances which distinguish and embellish the Mother Country.

WILLIAM YOUNG, Chairman.  
SAML. P. FAIRBANKS,  
HERBERT HUNTINGTON,  
WILLIAM ANNAND,  
JAMES McNAB,  
JAMES TURNBULL,  
JOHN J. MARSHALL.

Committee Room, March 20, 1841.

No. 60.

(See Page 132)

(Copy.)

An Act for the more effectual recovery of His Majesty's Duties in the Islands of Cape-Breton and Island adjacent.

(Passed 1766.)

WHEREAS, His Majesty, by His Royal Proclamation, given at St. James', the Seventh day of October, One Thousand Seven Hundred and Sixty-three, in the third year of His  
Reign,

## APPENDIX No. 60.

Reign, has thought fit to annex the Islands of Cape-Breton or Isle Royal, with the lesser Islands adjacent thereto, to the Government of Nova-Scotia : And whereas, some doubts have arisen, whether the Laws of this Province, antecedent to the said Proclamation, are in force there ; and, as sundry persons have since refused to pay His Majesty's Duties— in order therefore to remedy the same—It is hereby declared and enacted, by the Commander in Chief, the Council and Assembly, That, by virtue of His Majesty's Royal Proclamation, the said Islands of Cape-Breton or Isle Royal, with the lesser Islands adjacent, were, and shall accordingly be adjudged to have been and be, under the Government, Authority and Jurisdiction, of His Majesty's Province ; and that the Inhabitants thereof were and are subject to all the Laws of the same.

II. And be it further enacted, That the Collectors of Impost and Excise Duties, or any other Officer, appointed to receive His Majesty's Duties there, shall be and are empowered to prosecute, sue for and recover, in any of His Majesty's Courts of Record within this Province, any Duties, Customs, Excise, Rents, or arrears of Duties, Customs, Excise or Rents, or any Debts or other demands whatsoever, due to the Crown, from persons residing in said Territories ; and such Courts, in which such Causes are commenced, are hereby authorised to hear and determine the same, and to award Execution accordingly.

(Copy.)

*Downing Street, August 15th, 1820.*

SIR—

I had the honor of intimating to you, previous to your departure from this Country, the decision to which His Majesty had come of re-annexing the Island of Cape-Breton to the Government of Nova-Scotia ; and you must have observed the alteration which had, in consequence, been made in your Commission and Instructions.

His Majesty considers it most desirable that this arrangement should be no longer delayed ; and has commanded me to instruct you to take into your immediate consideration the measures which may be necessary to give effect to His Majesty's Instructions. For this purpose, it will be in the first place necessary, that you should direct the issue of Writs for the Election of two Members from the County of Cape-Breton, to sit in the Legislative Assembly of Nova Scotia ; and, in this, you will follow the course adopted in 1765, when two Members were actually so returned.

Upon this you will dissolve the Council of Cape-Breton, appointing, however, to seats in the Council of Nova Scotia any one or more Members, whose knowledge of the local interests of the Island, or whose merits, in other respects, entitle them to that distinction. The object being to make the Island in every respect an integral part of Nova Scotia, it will be for you to consider of the measures which it will be necessary for the Legislature of Nova Scotia to adopt, in order to give effect to this intention. You will at once see the necessity of applying to Cape-Breton the Laws actually applicable to other parts of Nova Scotia ; or of giving, by some Legislative Act, legal validity for the future to the several Ordinances passed since by the Governor and Council of Cape-Breton, and under which that Colony has hitherto been administered.

It will be for the Legislature to decide upon which of these two courses it may be most expedient to adopt ; but I cannot withhold my opinion that it would be far more advisable to follow that which would place the whole of the Province under one and the same system of Law.

With respect to the Administration of Justice, it will only be necessary to provide, that the Judges of Nova Scotia should extend their regular Circuits to Cape-Breton, in order to secure to the Inhabitants every facility which they have any title to expect.

I shall be most anxious to receive from you, as early as possible, a report as to those Officers whom you may consider it necessary, either permanently or for a time, to retain at Cape-Breton, after its annexation to Nova Scotia.

Among the latter, it appears to me expedient, that the Officers of the Customs, the Naval Officer, the Surveyor General, the Superintendent of Mines, who have all Duties, independent of any question of union or separation of the Government, should remain in the discharge.

discharge of their several offices as heretofore, with the difference only of reporting to you, through the Superintendent, who is to be appointed, resident within the Island, instead of to the Lieutenant-Governor; but as this part of the question will, in no degree, fall under the regulation of the Assembly, it is a point of less immediate attention; and it will be a proper subject for the future consideration of His Majesty's Government.

It is clear that the services of the Judges, and it is probable also that the greater part of the Subordinate Officers of Justice, may be altogether dispensed with; but, with respect to all these, it will be necessary that I should receive from you a specification of the length of their several services, in order to judge how far they may be entitled to a continuance of the whole, or of a portion of their respective emoluments, or to be transferred to some other situation.

Parliament has already made provision for the payment of their several annual Salaries for the present year; and it will, therefore, be proper, that the new arrangement, though completed, should not actually take place until the 1st of January, 1821.

I have, &c.

(Signed) BATHURST..

Lieutenant-General Sir JAMES KEMPT, K. C. B., &c. &c. &c.

(Copy.)

*Government House, Halifax, 31st October, 1820.*

MY LORD,—

In my Despatch of the 10th instant, I had the honor to transmit, for your Lordship's information, a Copy of the Proclamation issued by me here on the 9th, with the advice of His Majesty's Council, declaring the re-annexation of the Island of Cape Breton to the Province of Nova-Scotia; and to acquaint your Lordship that I meant to visit that Island, without loss of time, for the purpose of collecting the information required by your Lordship, and making such arrangements on the spot as might appear to me necessary.

I am just returned from thence, after an absence of sixteen days; having visited, in that time, Sydney, Louisburg and Arichat, the principal places in the Island.

The re-annexation of Cape-Breton to the Province of Nova-Scotia was officially proclaimed, at Sydney, on the 16th inst.; and I have great satisfaction in reporting to your Lordship that the Government appears to have been administered with great prudence and discretion by Captain Stewart, from the period of General Ainsley's departure to the annexation taking place.

The Council of Cape-Breton being dissolved, I was desirous of appointing, according to your Lordship's Instructions, one or two Members of it to seats in the Council of Nova-Scotia; but a perusal of the enclosure (No. 1,) will, I trust, satisfy your Lordship of the inexpediency of carrying into effect that part of His Majesty's Instructions.

When at Sydney, I made myself acquainted with the several Ordinances, passed by the Governor and Council of Cape-Breton, for the government of that Colony; and there will be no difficulty, I think, in applying to that Island the Laws actually applicable to the other parts of Nova-Scotia.

The Legislature will meet on the 12th December next, and I shall not fail to recommend to their immediate attention the measures necessary to be adopted upon the occasion. When the Nova-Scotia Laws are put in operation in Cape-Breton, the services of the Chief Justice, and all other subordinate Officers of Justice, may be altogether dispensed with. According to your Lordship's desire I inclose, herewith, (No. 2,) a specification of the length of their services, as also of the other Officers whom it will not, in my opinion, be necessary to retain at Cape-Breton beyond the present year. They all appear to expect that their full salaries will be continued to them until they are otherwise provided for; but to the statement of their services I have taken the liberty of adding some remarks of my own, with the view of putting your Lordship in possession of all the information I could obtain as to their several claims, and the amount of their present emoluments. The Surveyor General (Mr. Crawley,) is the only Officer on the Civil Establishment of Cape-Breton whose annual Salary is provided for by Parliament, that it will be necessary to retain,

## APPENDIX, No. 60.

in my humble opinion. His duties are very extensive and important; I examined very particularly the state of his Office, and manner of conducting his Department, and have every reason to think him an able and efficient Officer. Mr. Crawley also fills the situation of Superintendent of H. M. Coal Mines in Cape-Breton, an Office which cannot be dispensed with. I found it necessary to give him detailed Instructions for the performance of his duties in both situations, copies of which I shall take an early opportunity of transmitting for your Lordship's information, with a Report upon the state of the Coal Mines.

At present I am unwilling to detain the Packet, which I found here on my return yesterday evening, and shall only further add that my visit to Cape-Breton has quite satisfied me that the appointment of a Superintendent is not in the least degree necessary to the carrying on of the Public Business of the Island.

I have, &c.

(Signed) JAMES KEMPT.

The Earl BATHURST, K. G. &c. &c. &c.

(Copy.)

*Government House, Halifax, 24th December, 1820.*

MY LORD—

In a former Despatch I had the honor to inform your Lordship that I would open the Session of the General Assembly on the 12th instant; and I have now the satisfaction to acquaint your Lordship that I have given my assent to a Bill extending the Laws of Nova-Scotia to Cape-Breton, so that the re-annexation of that Island to this Province, is thus carried fully into effect, agreeably to His Majesty's gracious intentions.

I have the honor herewith to inclose a Copy of the Bill for your Lordship's information. It was drawn up by the Chief Justice, and will, I think, answer every purpose for the present.

I have, &c.

[Signed]

JAMES KEMPT.

The Earl BATHURST, K. G. &c. &c.

(Copy.)

No. 6.

*Downing-Street, 28th June, 1833.*

SIR—

Since I received the Seals of this Department, a Letter, dated the 4th March, from Sydney, Cape Breton, addressed to my Predecessor, by Mr. Charles R. Ward, and two other Gentlemen, appointed as a Committee for the purpose, has been put into my hands, with the Petition to His Majesty from the Island of Cape-Breton, which it enclosed, praying the restoration of the Constitution granted to that Settlement by His Majesty King George Third.

I have laid before the King the Petition which has been sent home, and have received His Majesty's commands to intimate that, with every desire to pay the earliest attention to the reasonable representations of any portion of His Subjects, the question is considered to be of far too grave a character to be dealt with otherwise than in the most formal manner.

It would be proper, therefore, that the Petitioners should be informed that, with a view to bring forward the claim which they have advanced in the most effectual and correct mode, their Petition should be drawn up and addressed to His Majesty, in Council; and that they should be apprised that the case will be heard by Counsel in that Tribunal, whenever the subject shall be regularly brought forward.

I must request that you will take the necessary steps for apprising the Petitioners of the course which they ought to pursue.

I have, &c.

[Signed] E. G. STANLEY.

The Acting Governor of Nova-Scotia.

(Copy)

(Copy).

Whitehall, 29th May, 1784.

SIR—

Representations having been made to His Majesty that great inconvenience will arise to His Majesty's loyal subjects who, since the American contest, have settled upon the Banks of the Rivers St. Croix and St. John, and the Country adjacent, from the distance of the Seat of Government at Halifax, particularly with regard to their unavoidable recourse to the Courts of Justice; His Majesty, in consideration thereof, and for other salutary purposes, has commanded me to apprise you of His Royal determination to divide the Province of Nova-Scotia into two Governments. The line of separation is intended to be drawn from the mouth of the Musquat or Misesquash River, in the Bay of Fundy, to its source, and from thence across the Isthmus into the nearest part of the Bay Verte. The tract of Country to the Westward it is proposed shall be called New-Brunswick, and the Eastern to bear its present name, and remain under your Government. That the Island of Cape-Breton, upon which a Lieutenant-Governor, with a suitable Civil Establishment, is to be placed, and that the Island of St. John, after reducing the Civil Establishment of it to a parallel with Cape-Breton, shall both be annexed to the Province of Nova-Scotia, and be subordinate to you.

The King trusts that this measure may not be considered as the effect of any other cause than that of His gracious disposition to contribute, by every possible means, towards the general convenience and comfort of His faithful and loyal subjects, who have taken refuge in those parts of His Majesty's Dominions; and as a proof of His approbation of your conduct during your Government of Nova-Scotia, I am authorised to communicate to you His Royal intention to continue the same appointment to you, after the division of the Province shall have taken place, as you have heretofore enjoyed. The few Provinces which we have now remaining on that side of the Atlantic, of course increase in consequence to this Country; and, with a view to their future improvement, it has been for some time past in contemplation to make arrangements, of some magnitude, for the better government of the whole, vesting certain powers in a person to be upon the spot, to determine matters in general, and avoid the tedious delay of continual recourse to this Country. It is now become more than probable that an appointment of that nature will soon take place; and although it is not supposed that the measure will occasion any alteration in your desire to conduct the affairs of the Province of Nova-Scotia, yet, I think it proper to inform you, that if you cannot reconcile it to your own feelings to continue in that situation, I shall be very glad to do any thing in my power to make a provision for you in any other way that may be more agreeable to you. I am, &c. &c. &c.

[Signed]

SYDNEY.

Governor PARR, Nova Scotia.

(Copy.)

## PROCLAMATION.

(Seal.)

*By His Excellency Lieutenant General SIR JAMES KEMPT,  
K. C. B., Lieutenant-Governor and Commander in  
Chief, in and over His Majesty's Province of Nova-  
Scotia, and its Dependencies, &c. &c. &c.*

[Signed] JAMES KEMPT.

**W**HEREAS, His Majesty, with a view to promote the welfare and mutual interests of his faithful and loyal subjects of Nova-Scotia and Cape-Breton, hath been graciously pleased to direct that the Island of Cape-Breton should be re-annexed to the Government of Nova-Scotia, and that the same Island should from henceforth be and remain an integral part of the Government of Nova-Scotia:—

I do, therefore, in pursuance of His Majesty's Instructions, and by and with the advice of H. M. Council, declare that the Island of Cape-Breton is, and shall from henceforth be and remain, a several and distinct County of the Province of Nova-Scotia, to be called and known by the name of the County of Cape-Breton; and to be represented, and the  
Civil

Civil Government thereof to be administered, in like manner as the other Counties of the Province are administered and governed.—And, in pursuance of His Majesty's Instructions, I have caused a Writ, in the usual form, to be immediately issued, directed to the Provost Marshall or his Deputy resident in the Island, for the Election of Two Members to serve in the General Assembly of Nova-Scotia—being the number directed to be summoned to such Assembly, before the time when the said Island was first separated from the Province of Nova-Scotia.

And I do, hereby, in obedience to His Majesty's Commands, dissolve the Council of the said Island of Cape-Breton; and that the Peace and good order of the said Island may be preserved, and Justice duly administered therein, until more effectual provision shall be made by the Legislature of Nova-Scotia, or until further orders shall be duly made thereon, I do hereby authorize and require that all Judges, Justices of the Peace, Constables, and other Civil Officers in Commission in the said Island, do continue in the execution of their respective offices, agreeably to the several Ordinances passed by the Governor and Council of Cape-Breton, and under which the Colony, since its separation, has been hitherto administered.

Given under my Hand and Seal at Arms at Halifax, this  
9th day of October, 1820, in the first year of His Majesty's Reign.

*By His Excellency's Command.*

[Signed] RUPERT D. GEORGE.

GOD SAVE THE KING.

No. 61.

(See Page 146.)

The Committee to whom the Communication from the Rev. Dr. M'Culloch to His Excellency the Lieutenant-Governor was referred, beg leave to report—

That they have inspected the collection of specimens in Natural History made by the Rev. Principal and his son, Mr. Thomas M'Culloch, consisting of about four hundred of the native Birds of the Province, and a few of the Quadrupeds, all of which are beautifully and skilfully preserved. That two of your Committee enjoyed the opportunity some years ago of examining the magnificent collection made by the Rev. Principal and his family at Pictou, and regret that it was ever permitted to leave Nova-Scotia. It was pronounced by Mr. Audubon to be the finest private collection in North America, and he has repeatedly referred to it, and made honorable mention of Mr. Thomas M'Culloch in his splendid work upon Ornithology. Independently of the rational pleasure and of the intellectual refinement flowing from such collections, they are pregnant of instruction, and conduce to the improvement of the Community, and the diffusion of real knowledge. They are patronized accordingly by every enlightened government, and by none more munificently than by the Parent State. Influenced by these considerations, and by the desire to have a Native Museum established in Halifax, arranged on scientific principles, and filled with the various objects in Natural History which our own Province and other Countries would supply, rendering it at once an ornament to the Province, and a place of instructive resort and of elegant recreation; the Committee recommend that an adequate sum be granted to Dr. M'Culloch to enable him and his son, with such persons as they may employ, to extend and enrich their collection during the present year, upon their undertaking—that the collection shall

shall continue in Halifax, and be held as public property, to the value of the grant paid out of the Treasury to their use.

WILLIAM YOUNG,  
H. HUNTINGTON,  
THOMAS FORRESTER.

Committee Room, March 27, 1841.

No. 62.

(See page 155.)

### REPORT OF THE COMMITTEE ON THE FISHERIES.

The Committee on the Deep Sea Fisheries of Nova-Scotia, report that they have given the fullest consideration to the important subject referred to them, and are gratified at being able to state, that this branch of industry, notwithstanding the many obstacles which are cast in the way of the industrious class engaged in it, continues to prosper, but not with that vigor which ought to characterize this principal export of the Colony.

The frequent appeals of the Legislature of Nova-Scotia to the Home Government, for protection against the encroachment of Foreigners, to insure to the Inhabitants of this Country the full enjoyment of their reserved rights of Fishery, your Committee hope have been partly instrumental in calling forth a spirit of enquiry on this subject, of such momentous importance to the Lower Provinces; and the report of Captain Milne, of Her Majesty's Ship *Crocodyle*, relative to the Fisheries of Newfoundland, and which is herewith submitted to the House, shows that the intercourse with Foreigners injures our Fishery on those grounds, and clearly points to some of the means by which such abuses may be redressed, the existence of which is so prejudicial to the true interests of those pursuing that avocation. Captain Milne considers the Naval Force employed for the protection of our Fisheries too limited to insure a vigilant and effective superintendance; and there is one paragraph of his report worthy of perusal by all interested, and which is marked by the frankness which characterizes that Gentleman, and which your Committee hopes will rouse the attention of Government to furnish a remedy: "as only *one* vessel is employed on the Newfoundland Fisheries, it must be obvious, on consideration, that so vast a range of coast as there is included within its limits, extending around the Island of Newfoundland, along the south shore of Labrador, from 64 degrees west longitude to the Straits of Bellisle, and from thence indefinitely to the northward, cannot possibly be efficiently controlled or even visited by Her Majesty's Ship employed on that service." This has been the cause, in a great measure, of the boldness of Foreigners in transgressing the conventional limits on our shores—it has not been a want of energy on the part of Her Majesty's Ships of War, but the inability to discharge the onerous duty imposed on their Commanders, for unless the protection is ample, the oppressed fears to complain, lest he may be visited with the wrath of the accused, when no friendly power is near to guard him, and by degrees he becomes a participator in the illicit conduct of those very people who are doing him and his Country the greatest injury. By the same Report it appears that illicit trade prevails between the French Islands and Newfoundland—the Fishermen of the latter exchanging Bait for Spirits and other Merchandize, which is consumed without contribution to the Revenue—a traffic demoralizing to those engaged in it, and destructive to the Fishery, by converting the British Fisherman into a supplier of an article indispensable to the Foreigner, and thus enabling him to prosecute with greater success the more profitable Fishery, while his dupe remains supinely on shore, satisfied with the reward for which he rashly barter his Birthright. This evil your Committee knows exists in our more immediate Fisheries, and it is difficult to eradicate it—the Foreigner must have Bait, if restricted to the limits prescribed he cannot obtain it, or conduct successfully his voyage. Hence a disproportioned price is offered, and the temptation to the poor man is irresistible—perhaps the dissemination of that knowledge which convinces the intelligent of the prejudicial tendency

tendency of such trade, is likely to prove the most permanent and effectual check. I have also, (says Captain Milne,) "been made acquainted that smuggling to a very considerable extent is carried on along the south shore at Labrador, by American vessels resorting to that coast for the Fishery. This illegal trade consists of Provisions brought from the United States in a greater quantity than is sufficient for their own consumption during the season, and therewith secretly carrying on illicit trade in every Port and River on the above shore; nor do I see any means by which so extensive an evil to the British Merchant, and to the Colonies, can be possibly suppressed, unless by the interference of the Home Government." To aid in breaking up this system, he recommends employment by the Colonies of small fast sailing vessels, which can approach these violators of the Law with greater facility, and follow them into shoal water, or chase them on the seas; and in confirmation of that gallant Officer's views, your Committee have satisfaction in reporting, that such has been the result of employing similar craft by this Colony for that service; but it is in vain to attempt the total suppression of such destructive and contaminating intercourse, without the vigorous interposition of the Home Government, for whilst this Colony has established Cutters to protect the Fisheries, the adjoining Provinces appear indifferent to this great object, as far as your Committee can gain information; and on their shores, and in their waters, when driven from ours, the Foreign Fisherman violates existing treaties with impunity. To the Home Government, your Committee concurring with the writer of the Report, turns for redress, with the full conviction that, when rightly informed, that Government will extend its protection to the British Subject, however remote his residence or humble his occupation. Your Committee further report that the export of Fish from Nova-Scotia, by the Official Returns made under order of this House, in the year ending the 5th January last, amounts to 327,026 Quintals of Dry Fish; 71,676 Barrels, and 1,137 Tierces, and 3,643 Kits of Pickled Fish; 27,755 Boxes of Smoked Fish; 2,553 Barrels, and 4,661 Casks of Oil; and 17,735 Seal Skins, and 2 Casks of Seal Skins, the value of which exceeds £500,000, and the taking of which employed upwards of 60,000 tons of shipping. The Committee regret that there is no mode of ascertaining the number of persons actually engaged in the Fishery, and in curing and packing such a valuable Export, but annex a Statistical Table, shewing the Ports to which shipments have taken place—whence it appears that this commodity is a valuable Staple of the Province, and the chief support of our Foreign Commerce. The Committee suggest that some means should be adopted to procure accurate accounts of the numbers engaged in that pursuit, for when they reflect that the above quantity has been exported, and no account furnished of the home consumption, which is at least equal, and when compared with the Fishery of the United States, it becomes apparent that these Fisheries are of incalculable national benefit, and ought to be fostered in every manner by the Legislature.

The Committee have procured a Statistical Table, shewing the extent of the fishing interest in Massachusetts, the State principally engaged in this branch of Commerce—whence it appears, that for the year ending 1st April, 1837, (since which no authentic Report appears to have been made,) the catch was 510,554 Quintals of Codfish, valued at \$1,569,517; and 234,059 Barrels of Mackerel, valued at \$1,639,042, employing 1,290 Vessels, and 11,146 hands; and this business is increasing yearly, being cherished by the Government, as tending to advance the Commerce of the Republic, and to furnish Seamen for its defence, while the British Fisheries receive no pecuniary encouragement, but little protection, and are left entirely to individual enterprize, subject to fluctuation, and deprived by the local Legislature of obtaining provisions and supplies duty free, a boon intended by the Imperial Government.

The Committee conceive it their duty again to press on the consideration of the House, the advantages of extending a fostering hand towards a class of subjects, having just and strong claims for Legislative protection—they exceed 10,000 in number—their employment strengthens manly vigor—the mine of wealth in which they labor is inexhaustible, it lies contiguous to their home, for 450 miles of ocean, which laves the rugged shores of Newfoundland, is the favorite resort of the Cod, and the clear waters of the Lower Provinces the favored habitation of Mackerel and Herring—it affords a nursery for Seamen, without whom these Provinces can never be elevated to national importance.—Nova-Scotia,

tia, with her tributary Isles, must use the ocean for her highway, and she cannot maintain her right to traverse its waters, unless her sons are trained to a profession which enables them to combat with the elements, and renders them conversant with the dangers of the deep.

Your Committee further report, that the encroachment of American Citizens on the reserved Fishing Grounds of the Province continues, although partially checked by the exertions of those in command of the Revenue Cutters—the system of fishing adopted by them at the Magdalen Islands, unless suppressed, will, as has already been reported to this House, destroy the Fishery altogether—the Herring quit the Arctic Regions, resort to and swarm in those waters. This migration is for the purpose of spawning, as after this process is completed, they quit the temperate latitudes and repair to the North; the spawn, after being discharged by the Parent Fish, floats on the waves for a portion of the Spring, and in the beginning of Summer, the small fry are seen in myriads. The Fish taken in the early part of the Season are pregnant with eggs—a destructive cause of diminution—but the Americans land on those Islands, and add to this Seine Fishing, by which the fructifying spawn and small fry are destroyed, while yet too weak to descend to the deep, or to escape the voracity of the tribes of the ocean.

Your Committee further report, that Foreign Vessels, engaged in the Bank Fishery, resort to those Islands and the shores of the Gulf to procure Bait—they dig Clams, and sweep Scines in those waters, in violation of the terms of the treaty, to the prejudice of the Inhabitants, and, as has been shewn, to the injury of the Fishery—that they will continue to do so is manifest, for they cannot obtain Bait with equal facility elsewhere; and therefore, they recommend that an Address should be transmitted to Her Majesty on this subject, humbly praying Her Majesty to pass Rules and Regulations for the Fishery in those waters, or to place those Islands under the Government of some of the Lower Provinces interested in the protection of the Fishery, so that such encroachments may be repelled, and the destructive system of Fishery be prohibited.

The Committee further report that the demand for Pickled Fish, particularly Mackerel, increases beyond the supply produced by Shore Fishing; and that great benefit would result by inducing many of those engaged in the Coasting Trade to return to the occupation they have been trained to, and therefore recommend that a tonnage duty should be allowed on all vessels employed in catching Mackerel in deep water—thus offering competition to the Americans in the Fishery, and producing a force to aid in checking their lawless practices on our shores.

The Committee have examined the Accounts of expense of Revenue Cutters for the last year, and find them correct:

The John and Louisa Wallace cost :	£692 4 10½
The Rival	617 19 4
The Victory	767 12 9
£500 was voted for the support of each, and the deficiency to be provided is	681 15 6

The Accounts are herewith returned, numbered 1, 2, 3 and 4; also an Account of the Seizures and Vessels detained by said Cutters, numbered 5, 6, and 7, by which it appears that 28 Vessels have been seized for violation of the Fishery Regulations, and for illicit trade, of which number 11 Fishing Vessels of the United States have been condemned in the Court of Vice Admiralty of Nova-Scotia, and the rest restored on payment of penalties. Extensive seizures of Goods have also been made in consequence of the detention of the Glory at Arichat, a proportion of which, together with one moiety of the above seizures, after deducting the expenses of condemnation, remains to the credit of this branch of service. They therefore recommend a continuation of those Vessels for another year, being quite satisfied that much good has and will continue to result from their employment.

The Committee do not report favorably to the Petition of Daniel Gallagher—they sympathize with those who have sustained heavy losses during the gales of last Autumn, amounting, as your Committee are fully convinced, to upwards of £20,000; but cannot urge upon this House the granting of any money, as it would establish a precedent sanctioning applications for all private losses, and occasion a perversion of the Provincial Revenue.

The

## APPENDIX No. 62.

The Committee recommend that Her Majesty's Government should be urged to make Orders, Rules and Regulations, for the proper Government of the Fisheries of the British North American Provinces, particularly at the Magdalen Islands—that the existing treaties, and the rights of the Inhabitants of the Provinces under them, should be more distinctly defined—that His Excellency the Lieutenant Governor should be authorized to obtain the opinion of Her Majesty's Law Officers of the Crown in England on a case stated—raising all the necessary questions as to the right of Fishery which the people of these Colonies possess—that those rights should then be protected by the Government, which can only be accomplished by the use of Steam Boats, or such Vessels as can approach the violators of the treaties at all times.

That the Revenue Cutters should cruise on the same grounds as last year, and the Masters be instructed to make seizures in the Gut of Canso and Bay of Fundy—that a formal adjudication may be made as to the right of Fishing Vessels to pass through the former, or take Fish in the headlands of the latter, your Committee being convinced that strenuous exertions should be made at this crisis, to repel encroachments on the reserved Fishery of the Lower Provinces, and to awaken the people to their rights and the vital importance of this subject, so that in any future adjustment of the momentous causes of dissatisfaction now open between Great Britain and the adjoining Republic, no concessions may be made to sanction further participation in this inexhaustible mine of wealth, the products of which expand our Commerce over the broad surface of the world—give employment to thousands of every age and sex—foster a class of intelligent and brave men, who in peace are the chief stay of Commerce, and in war a formidable force—to combat the enemy on the ocean, which laves our almost insular shores.

Committee Room, 28th March, 1841.

JAMES B. UNIACKE, Chairman.  
W. F. DESBARRES,  
R. CLEMENTS,  
PETER SPEARWATER,  
JOHN J. MARSHALL.

PORT OF HALIFAX, }  
NOVA-SCOTIA. }

*Memo of the quantity of Fish, Fish Oil, and Seal Skins, exported from this Province in the year ended 5th January, 1841.*

To where.	FISH.					OIL.		SEAL SKINS.	
	Dry.	Pickled.			Smk'd.	Csks.	Bbls.	No.	Casks.
	Qtls.	Trs.	Bbls.	Kits.	Boxes.				
Great Britain	56		140	2	119	2019	150		2
British N. A. Colonies	12555		11262		14250	665	356		
British W. Indies	232541	888	38393	3113	11547	972	1999		
United States		249	13182	218	1637			17557	
Foreign W. Indies	14065		1001	45	62	45	24		
Brazils	17063								
Mauritius	274		108	49					
Africa	42		27	216	140				
Foreign Europe	5335								
Western Islands	288		1			960	24		
From Cape-Breton	44807		7562					178	
Total—	327026	1137	71676	3643	27755	4661	2553	17735	2

Extent

## APPENDIX No. 62.

*Extent of the Fishing Interest in Massachusetts.*

Statement, compiled from the Statistical Tables, published by order of the Legislature of Massachusetts, indicating the extent of the Fishing Interest of the Commonwealth, for the year ending 1st April, 1837. The Whale Fishery not included :

Vessels employed in the Cod and Mackerel Fishery	1,290
Tonnage of the same	76,089
Number of Quintals of Codfish caught	510,554
Value of the same	\$1,569,517
Number of Barrels of Mackerel caught	234,059
Value of the same	\$1,639,042
Number of Bushels of Salt used in Cod and Mackerel Fishery	837,141
Hands employed	11,146
Capital invested	\$2,683,176

*Copies of Reports made by Captain Alexander Milne, of H. M. Ship Crocodile, relative to the Fisheries of Newfoundland, 1840.*

## SOUTH COAST.

The first communication with the shore, after leaving the Harbour of St. John's, on the 16th June, was on the South Coast, at Cape Lance, near Cape St. Mary's. The place of landing was at a small Bay, called Little Pine; here I found one settler and his family, occupying a Pasture Farm. There are no Fishing Establishments in this Bay, from its exposed situation—the nearest is Branch, about eight miles to the N. E. of Cape Lance. The Bay of Little Pine is yearly frequented by Caplin towards the end of June, and resorted to by our Fishermen, for the purpose of procuring them for bait. In answer to my enquiries, I was informed that French Vessels never visit this part of the Coast, nor had he ever heard of their encroachments in the neighbourhood.

REMARKS.—When visiting different parts of the South Coast, I have been informed that the Fishings for Cod, in the vicinity of Cape St. Mary's, are considered very good; the Fish being abundant, and of a larger size than those caught further to the west. Individuals belonging to Fortune, Lamelin, and other Establishments, who can afford to purchase or build Schooners, from Twenty to Thirty Tons, send them to Cape St. Mary's to fish, and return with their cargo to cure them.

At St. Pierre I arrived on the 21st June, and found the outer Roads, and likewise the inner Harbour, filled with French Vessels: there could not have been less than eighty or ninety, averaging from one hundred and twenty to three hundred tons. They are chiefly Brigs, lately arrived from the Banks with their cargoes, which they were then discharging, and making preparations for again departing to the Banks for the fishings of July, August and September—many of them, if not all, were delayed in Harbour in consequence of the want of bait (caplin)—the supply afforded by the Bays of St. Pierre and Miquelon having been nearly exhausted, and inadequate to the great demand which the number of French Vessels (this year amounting to about three hundred) require. In former years, when this scarcity of bait occurred, it was common for the French Vessels to proceed to the Bays on our Coasts, and there haul for Caplin, in violation of the limits as defined by treaty. This practice they have almost entirely given up, in consequence of the risk of capture, and the fear of punishment; and also from their being enabled to procure a sufficient supply of the required bait, brought over from Fortune, Grand Bank, and other Settlements on our Coasts, by our Fishermen.

The small Schooners belonging to the above Ports, and those belonging to other Settlements, supply the great demand which the French require. The trade is conducted in an illegal manner:

1st.—By Registered Vessels not having a Custom-House Clearance, in violation of the Act 3d and 4th, Wm. 4, Chapter 59.

2nd.—By Boats not Registered, who have therefore no right under the same Act to carry on a Foreign Trade.

At St. Pierre, on the June, six Schooners left that Port, all of whom I detained, and they all admitted their having brought Caplin over, but pleaded ignorance of its being illegal. I, however, released them, warning them of the illegal trade they were carrying on, the punishment to which they were liable, and my determination to seize all vessels which I should, in future, find under similar circumstances. Since that time I have been informed that twenty Schooners went to St. Pierre's, loaded with Caplin, on 1st day in July, and that this trade is daily carried on to a great extent.

It is obvious the British Trade in fish must suffer by permitting this traffic to continue :

1st.—By the quantity of Fish which the French Vessels are enabled to take, from the great supply of Caplin they can procure so easily ; by which means they are enabled to supply Foreign Markets to a greater extent than formerly. The success with which they prosecute their fishing is entirely owing to the supply of bait ; therefore giving encouragement to an increase of their Fishing Vessels, which is actually the case.

2nd.—Our Boats being employed taking Caplin for the supply of the French Bankers, they do not prosecute the Cod Fishery as formerly ; the quantity of Fish actually taken by British Fishermen will consequently be on the decline, and therefore our Foreign Exports.

3rd.—The consequence of a trade in Caplin to St. Pierre's has been the means of increasing a smuggling trade along the Coast ; for in return for the supply of Caplin the Fishermen are paid with money, which is laid out in St. Pierre's for Tea, Brandy, and other prohibited articles, which are brought over, and smuggled into the various Settlements along the Coast, paying no duty ; by which means the Revenue is defrauded—the British Merchant is not employed for those necessaries of life, and consequently reaps no advantage perhaps is not even paid for any advances of necessaries, which he may have given for the previous winter.

JUNE 23.—*Little St. Lawrence.*—The Settlement at this Port is extremely limited, consisting only of one permanent resident, Mr. Thorne, and his family, who conducts a fishing establishment ; there are several others on a limited scale, by persons who come there for the season, disposing of their fish to Mr. Thorne. The principal settlement is at Great St. Lawrence, about two miles to the Westward. The number of Inhabitants averages at present about two hundred, including Children, and is slowly on the increase—there are about sixty small Fishing Boats employed on this settlement for the Cod Fishing—the produce being disposed of either to Mr. Thorne, at Little St. Lawrence, or at the Establishment of a Jersey House at Great Laun. The Inhabitants complain of the Fishermen of Fortune Bay coming to the Harbour of St. Lawrence with large Schooners, (which they cannot afford to procure for themselves,) each having two or three punts with them, for the purpose of the in-shore Fishery, while the Schooners are employed in the offing : by which means the fish are prevented from coming in shore, or are driven off the coast, before they, in their small Boats, are able to catch them ; and when the fish are scarce, or will not bite, these Fortune Bay Fishermen haul Caplin on their Shores and Bays, with which they load their Schooners and proceed to St. Pierre, dispose of their Cargo, and again return to prosecute the Fishery at a more favourable period. The inhabitants allege that in consequence of the Fortune Bay People coming to the St. Lawrence's, their Fishery is on the decline. At Little St. Lawrence Salmon are taken in Nets, laid out from the rocks, and moored with an anchor, in which the fish mesh themselves—a common manner of fishing all along the coast. In answer to enquiries relative to encroachments by the French, I obtained information that the French now and then do encroach for a day or so, for the purpose of taking Caplin early in the season ; but they do not fish in the neighbourhood for Cod.

JUNE 26.—Great Laun is situated about eleven miles to the Westward of St. Lawrence—it is a Settlement consisting of about One Hundred and Twenty to One Hundred and Fifty Inhabitants, all employed in the Cod Fisheries. The Settlement is slowly on the increase. This, I believe, is owing to Settlers coming from Fortune and Grand Bank, where the Harbors are not so good, nor the Fisheries so productive. At this Port the principal permanent resident is a Mr. Connor, carrying on a Fishing Establishment for Cod and Salmon. The house of Nicholle & Co. of Jersey, have also a Fishing Establishment at this Port, under the charge of Mr. Cloke. There are a number of small Schooners belonging to the Inhabitants, which proceed to the Laun Islands (about seven to nine miles distant) to fish.

fish, whilst the small punts are similarly engaged at the entrance of the Harbour. The Fisheries are on the increase within the last three years—as many fish have been taken this season (ending June) as during the whole of last year. The Caplin had set in early and abundant. The Salmon fishing is carried on by Bar Nets, across the entrance of two small Rivers; but this year a Schooner from St. John's is prosecuting this Fishery with great success, having brought several large Nets, which are laid straight out from the points in the Harbour with anchors, in which the fish mesh themselves as they run along shore; and the number daily taken is from Twenty to Forty, which are salted for exportation. This Fishery has entirely destroyed the fishing at the entrance of the River, fished by Mr. Connor.

Relative to encroachments by the French, the following replies were received in answer to queries on the subject: that the French occasionally encroached for Caplin and Cod; two Schooners having been hauling for the former in Little Laun Bay early in June. I may here remark that the above observations, relative to the French, were only elicited by questioning Individuals. No complaint was ever made of such, or any encroachments; and I am inclined to think that there is either a dread of giving information, or an understanding between the residents themselves and the French; as it was hinted to me by a person not connected with the locality, that to give information of the French encroachments, was to risk one's life. I have since heard that Mr. Connor has a niece married to a French Fisherman; and another resident, about eighty years of age, and blind, has also a daughter married to a Frenchman engaged in fishing—that these Individuals fish off the Laun Islands, come into Laun, clean their fish, and then carry them to St. Pierre's. Mr. Connor has several French people engaged in his service, for curing fish. It was also mentioned, that sometimes twelve to twenty French Vessels will be fishing off Laun; and yet no complaint of encroachment was ever made. I may also here state, that the period of the year when the French encroachments are more generally felt is early in June, when the Caplin first strike upon the Coast. If the Bays are then hauled for them, before spawning, they are very likely to leave the Bay entirely. All the Inhabitants are Catholic, except about fourteen to twenty.

**JULY 6.—Lamelin.**—There are two Settlements at the Lamelin Islands, close together, and therefore may be considered as one. The number of Inhabitants, including children, amount to about 400, and is on the increase by Settlers from Fortune Bay. About seventy Fishing Boats are owned by the Inhabitants, entirely engaged in the Cod Fishery. Their fishing ground extends from Point May to Lamelin, and from there to the Laun Islands; but their largest Schooners proceed to Cape St. Mary's, returning to Lamelin to cure their fish. The fishings of this year have been very productive, as on the other parts of the Coast; and as an instance of the quantity of fish, I may mention that at one haul of a Cod Seine, 140 quintals of Cod were taken at this place. As Lamelin is the nearest Settlement to St. Pierre's, and the coast from it to Point May is only 10 miles distant from the Island, it is natural that this part of the coast should be more subject to encroachments by the French Fishermen than any others. Mr. Pitman, an old Fisherman, and the principal resident, stated that the encroachments were not so numerous as formerly, in consequence of Caplin being carried into St. Pierre in sufficient quantities for the French Bankers; that they did encroach for bait, at times, between Point May and Lamelin; and also to fish for Cod off Point May; that the Coast being so very close to the Island, the French Schooners run over from St. Pierre's early in the morning, and are back again, with their boat full of fish, in five or six hours. This speedy despatch of business renders it difficult to detect them, and more especially as the English and French Boats are similarly rigged, there being no feature to distinguish them from each other. No ship could attempt to chase a schooner or fishing boat near the line of limit; as, from the danger of the navigation, caused by the Lamelin Ledges running off the coast several miles—the constant fogs in which this part of the coast is so suddenly enveloped—and the strength and uncertainty of the current; from the great number of boats in sight at one time, whose nationality you cannot know without boarding, the excuses offered for beating up for St. Peter's, and not finding them in the act of fishing, renders it difficult to detain them legally. It may be asked why the French Boats encroach on our shores at all, when the fishings off St. Pierres and Miquelon,

Miquelon are so productive, and so close to the doors of their curing houses. The answer given is, that the fish are better. It may be so; but, for my own observations, I could observe no difference in size or otherwise; nor did I observe, in passing through the Channel to Fortune, any Boats fishing near Point May, but vast numbers off the Harbours of St. Pierre and Miquelon. I am therefore of opinion, that the encroachments are chiefly to obtain an early as also a continued supply of bait; and that it is when first the Caplin set in on the Coast that protection is chiefly required—from the end of May to the end of June; by that means to prevent the Caplin being driven from the Bays they resort to for the purpose of spawning; and I have been told that after the first fortnight, when the Caplin have set in, all the hauling of the French would do little harm. To have left an Officer and boat's crew at Lamelin, I did not consider would have been of any material benefit at this late season of the year; but should any ship visit the coast in May, I would recommend a fishing schooner to be hired; of sufficient size to keep the sea in case of bad weather, and to render sufficient comfort for the crew; as it may most likely happen that instead of being enabled to return to their head quarters at Lamelin, they may be absent for days, either to the East or West, according to the gales; and an open boat would be unsafe, and unfit for such a purpose; and to render efficient service for the protection of the coast, and safety of the Vessel, a Pilot would be required, acquainted with the various localities where encroachments are made, and where security may be speedily obtained on the sudden setting in of the fogs or bad weather. Her cruising ground would extend from Fortune to Point May, and from thence to Little St. Laurence; in all which extent of Coast, consisting of 45 miles, there are Bays in which Caplin resort; and if any vessel differing from those on the Coast were employed on this service, be assured she would be readily distinguished by the Frenchmen—and while absent on her avocations at Fortune, Caplin would be hauled by them at Lamelin. But what do the Lamelin people say on this subject? "We are in great want of some person having the authority of a Magistrate, not only to settle disputes among ourselves, but having authority to remove the French from our fishing grounds. When we go to them, and tell them you must leave this—you are on our grounds: they reply, Who are you? You may be Americans; and therefore we have as much right to fish here as yourselves: produce your authority and we will leave. It is this authority we want. We will man our boats for the purpose, only let us have an authorized person."—At this place all the inhabitants are Protestants. They are very anxious to obtain a Clergyman, provided he will undertake to instruct a School; but if not, they would prefer a Schoolmaster for their children, who also would read prayers.—Their wishes are certainly worthy of consideration; as I found at Great Laun and St. Laurence, Roman Catholic Schools established, and the visitations of Roman Catholic Clergy frequent; and many of the Protestant Inhabitants along the Coast have become Catholics, owing entirely to the want of a Protestant Clergyman.

**JULY 8.—Grand Bank.**—The number of Inhabitants at Grand Bank is about 300, and rather on the increase. There are four Registered Schooners belonging to the Port, as also a number of smaller class, occupied in the fishings—not in Fortune Bay on account of the scarcity of Fish—but proceed to Point May, off Laun, and the St. Lawrences. The Registered Vessels are engaged in the Coasting Trade, collecting Fish, or carrying it to Harbour Britain or St. John's.

The fishings have not improved for the last three years. I should presume this to be the case, from their Boats being more engaged with the Caplin Trade to St. Pierre's than the Fishings; and I observed very little Fish drying at the Establishments. There are Salmon Fishings at this small Port, as at all others, where even a small rivulet communicates with the sea, and the same means adopted for taking them as at other places. Mr. Evans, the Magistrate, mentioned that the French made occasional encroachments about Point May, for the purpose of obtaining bait, but did not trouble them much. I communicated with him on the Trade carried on between Grand Bank, the adjoining Settlements, and the French Island of St. Pierre's—alluding to the non-clearance of the vessels. He then mentioned the impossibility of doing so, with such a cargo as Caplin, when the nearest Custom-House was at Harbour Britain, or Burin, distant 23 and 40 miles; and, as the Caplin would be unserviceable in 24 to 48 hours, their attempting to proceed to the above places to clear would

would render them useless, and the trade impossible. I have formerly alluded to the difficulty of distinguishing between the English and French Schooners, and would remark, that none of the Vessels or Boats belonging to any of the Ports along the Coast, have either their names, or Ports they belong to, painted on their sterns—which Custom-House regulation ought to be enforced, as it would most materially assist in distinguishing French Vessels and those engaged in illegal trade. The Settlements to the N. E. of Grand Bank are Little Barasway and Grand Beach, containing together about 60 or 70 souls.

**JULY 8.—Fortune.**—A Settlement consisting of 240 persons: it remains nearly in the same state as to number, neither increasing nor decreasing. There are about 25 Vessels employed in the Fishing, and under the same circumstances as at Grand Bank. The fish, as at Grand Bank, are disposed of principally at Harbour Britain. No complaints of encroachment by the French were made: it was, however, stated, in answer to queries on the subject, that they sometimes encroached, during the Fishing Season at Point May and Cape Cruz, opposite to St. Pierre's.

**JULY 12.**—From Connaigre Bay, where the ship anchored, a boat was dispatched to the Burgeo Islands. From the report given by Lieut. Woodman, it appears that there are two Settlements, called Upper and Lower Burgeo, distant from each other about three miles; the combined number of Inhabitants being about 650. The Settlement, by the statement of Mr. Cox, the principal resident, is increasing, from settlers coming from Fortune Bay; the fisheries of this place being more productive. There are ten registered vessels belonging to the settlement, prosecuting a coasting trade and carrying their fish to markets; and the small schooners are engaged in the fishing among the Islands. The cod fishing has been very successful, having already averaged 100 quintals per man; and has increased during the last three years. There are also Salmon fisheries in the vicinity, fished by the Inhabitants and also by the Indians, there being a settlement of about 100 of them a few miles to the west, at Little Barasway, who trade with the inhabitants of the Coast, and Burgeo Islands, exchanging Salmon, Geese, and Furs for Clothing, Spirits, and Powder. Herrings are also abundant; more so than has been known for many years past, and arrived earlier on the Coast; they are now used for bait, the Caplin having gone into deep water.

At both Upper and Lower Burgeo, the Inhabitants expressed the great want of a Magistrate in so extensive a settlement; not only to administer justice among themselves, but for the purpose of preventing the extensive encroachments of the French, which commence at the fall of the year, in the various harbours from that of Jersey to White Bear Bay. In all the intervening ports they are throughout the whole winter, engaged in cutting and carrying away quantities of Timber of the largest size, and do great damage to the young trees; that during all April, and the beginning of May, they encroach at the Barrasways, to the West of the Burgeo Islands, and yearly continue, as formerly, to dig shell fish for bait; and this year, in consequence of the continued encroachments, the shell fish have almost entirely disappeared, scarcely any having been procured by the inhabitants; about fifty French schooners having been digging bait at the Barrisways this Spring. They do not encroach for the purpose of Cod fishing, being too far from St. Pierre's.

The inhabitants of these Islands are all Protestants, and are most anxious to obtain a Schoolmaster for their children, and a person who, at the same time, would read prayers on Sundays. The wishes of so large a community, settled in one locality, certainly demand attention.

West of Connaigre Bay there is a small settlement at Hatter's Point, containing about twenty inhabitants.

#### NORTH-EAST COAST AND COAST OF LABRADOR.

The French resort to this coast in Spring, bringing out with them in their vessels (which are chiefly brigs of 100 to 200 tons) a cargo of salt for curing their fish, as also their implements for fishing. Having moored their vessels in security, they commence the repairs of their salting-houses, drying stages, and likewise the huts for the abode of their crews. The former are covered with canvass. The ship's bell is landed, and shipped in its former cranks near the superintendent's house. The large boats, which were hauled up in places of security at the close of the last years fishing, are launched, repaired, and fitted. In all

their arrangements and mode of prosecuting the fishery there was displayed system and neatness which we observed nowhere else. Each vessel has from six to ten of these boats, according to the number of their crew. They are of large dimensions, being about 25 to 30 feet long, with a great beam, and all rigged alike, with two lug sails. Their crew consists of two men and a boy: they start early in the morning to their Fishing Grounds, which are generally at the entrance of the harbour, and continue to prosecute their avocations with hooks and line until they procure a cargo, when they return to their establishments: the crew are then relieved, and the fresh hands immediately commence throwing the fish into the salting-house where the process of splitting, boneing, cleaning, and salting is prosecuted with amazing quickness. The fish are not laid out to dry until about three weeks before their departure for France—so certain are they on this Northern coast that no fogs, which are so prevalent and dense on the south shore of the Island, will continue to interrupt the principal process of the fishery.

The West Shore, which is also called the French Shore from their right of fishing extending along the whole of that coast, is not liable to fog nearly so much as the South East and South, where they are not only exceedingly dense, but may continue for weeks together with scarcely a day's clear weather. It is on this account that the French Fishing Ground is considered so much more valuable than the English. Besides the hook and line, cod-seines are also used, with which they take immense quantities of cod. There is only one English resident at Pacquet, who sells his fish to the French, and during the winter takes charge of their abandoned establishments until their return in spring. There was a peculiarity noticed in the French boats at Pacquet Harbour which I never observed elsewhere, namely, both oars being pulled on the larboard side, and no oar at all on the starboard; but the third person used an oar fitted into a crutch placed broad on the starboard quarter, with which he pulled the stern round against the power of the two larboard oars, and thus steers her course.

Having completed the water of her Majesty's Ship under my command, I again put to sea on the afternoon of the 1st August, and proceeded direct to the coast of Labrador. On the 4th August, communicated with the Fishermen engaged in fishing off the Black Islands, in lat.  $54^{\circ}$ ; they were part of the crews of 23 vessels then at anchor in Grady's Harbour, at the Black Islands; they were principally from Conception Bay and the Island of Fogo, (Newfoundland,) Nova-Scotia, and several Americans from the State of Maine were at the same anchorage, also engaged in fishing on the same ground with the inhabitants of Newfoundland and Labrador, as granted to them by treaty. From information which was afterwards obtained at Dumplin Island, and Round Island, near Sandwich Bay, and at Indian Island, further to the Southward, the number of American schooners resorting to this part of the coast this year is upwards of 100—many of them having been previously fishing in the vicinity of Red Bay, L'Ance-à-Loup, and other ports on the South coast of Labrador; and had come to the North on account of the scarcity of fish on that part of the coast. Here also they had been unsuccessful; indeed on the whole coast of Labrador, the Cod fishing this year has been as yet very unprofitable; and the caplin, whose yearly strike is looked forward to with much satisfaction, have only been three or four days on the coast.—Herrings had set in for a few days, but again left the shore. The Fishermen were in consequence deprived of their principal bait, and were, instead, making use of Lance, a species of small smelt about three inches long. The fishermen were, however, still in expectation that the autumn fishing might prove productive, and many of the schooners had consequently gone further North, towards Cape Harrison, in lat.  $55^{\circ}$  N., to try their success, and would again return in September to Black Islands and its vicinity.

Dumplin Island was the Northernmost settlement at which I communicated: it is at the entrance of Sandwich Bay, and situated between Huntingdon and Henrietta Islands. On this latter Island there were formerly many summer settlers, and numerous stages, &c., for prosecuting the cod fishery. These have been entirely abandoned, and the only establishment remaining is the one on Dumplin Island, belonging to Messrs. Hunt. The principal and almost only fishery is salmon, taken in the Eagle and other rivers in Sandwich Bay. The salmon are cured at the rivers, which are 20 miles from Sandwich Bay, packed in tin cases, sent down to Dumplin Island, and from thence shipped to England direct. The people

ple, who fish the rivers, cure and pack the fish in tin cases, are brought out from England in the spring, and return again when the salmon season is over, which is the beginning or end of August. There are a few Indians in the vicinity, which have come from the Moravian Settlements to the Northward; they assist in the Fisheries during summer; and are engaged in procuring furs during the autumn and winter; and in the spring, employed in the Seal Fishery and all in the service of the establishment of Messrs. Hunt, between the Black Islands and Huntingdon, at Sandwich Bay. There is also an establishment on Round Island for the Cod Fishery; it belongs to Mr. Wills, a resident in England, and under the superintendance of a Mr. Goodridge.

At Indian Island, further to the Southward, there are also one or two establishments entirely for the Cod Fishery; the principal one belongs to Mr. Warren, a resident in England, superintended by his son, who resides there in summer. It is connected with St. John's, Newfoundland; from which place the people come every year in spring, and return in September or October. Between the above ports and Bell Isle there are numerous harbours and bays, resorted to by schooners from Newfoundland, Nova-Scotia, and America. Having securely moored their vessels, they hoist out their boats, each vessel having three or four, and commence fishing; the Americans salting their fish in bulk, whilst the Newfoundland people carry them to some harbour on the coast, on the shore of which they have stages for drying their cargoes. Should the fish prove abundant, they remain there until they have completed their cargo; but if scarce, they immediately proceed to sea, and grope their way to some other harbour, where the fish are more abundant. It is surprising how they manage to find their way among the numerous Islands and dangers which fringe this barren coast; and that during the dense fogs in which this part of the coast is sometimes enveloped, they are not more often wrecked, especially when they have neither chart, quadrant, or book of directions to guide them.

I am not aware that there is any Settlement, properly so called, on this part of Labrador. The word I conceive to mean a number of houses, with Inhabitants, permanently residing in one locality; but there are, I believe, numerous establishments, the same as at Dumplin, Round, Black, and Indian Islands, along the coast, from Belle Isle Northward. These establishments consisting of one principal house, it is generally store for the sale of the various necessaries of life, and implements of fishing, &c., and for the purposes of purchasing fish from any casual Fishermen who come there. The Superintendents of these Establishments generally come to their houses every spring, bringing with them a number of fishermen to prosecute the Fishery, all of whom reside in temporary huts during the season, and when it is concluded return to England, St. John's, or their native place, until the season commences in the following spring.

There is a circumstance which has come to my knowledge, connected with the Island of Belle Isle, which I consider it my duty to lay before you. It appears, from information obtained on the Coast, that the fishings on the shores of this Island are exceedingly productive, and were resorted to every year by our Fishermen, as also Americans, to pursue their lawful occupation. Of late years they have been entirely prevented from going near the Island by the interference of the French, who will not permit any of our Fishermen to fish there; and that consequently they have been obliged to give up a Fishing Ground, which, to them, was not only convenient but productive. The question is whether Belle Isle Island belongs to Newfoundland, and therefore the French Shore where they have the right of fishing, or whether it is an Island of the Labrador Coast, to which it is more nearly situated than to Newfoundland. If it belongs to Labrador, the French have no right whatever there; and if it belongs to Newfoundland, the right of the English to fish comes under the 9th section of your Instructions.

Having laid before you the foregoing statement relative to the Fisheries on the South Coast of Newfoundland and Eastern part of Labrador, so far as information could be obtained at the Ports visited by Her Majesty's Ship under my command; and having received your instructions per H.M.S. Snake, when at Indian Island, to proceed immediately to Quebec, it will be out of my power to afford you any information relative to the West Shore of Newfoundland or the South Coast of Labrador, neither of which has been visited. But, before bringing this statement to a close, I consider it my duty to lay explicitly before you

what

what I, in my opinion, consider is principally required from H. M. Ships in the protection to be afforded to the British interests on that line of Coast called the Newfoundland Fisheries. The first point of consideration is the period of the year a Vessel of War is required for that purpose. I should most decidedly say that any Vessel intended for the protection of the above Coast, should be at the Burgeo Islands about the middle of April; for it is at this period of the year, at those Islands, and at the Barrasways, in the vicinity (Harbours that are dry at low water), the first encroachments are made by the French for the purpose of digging bait, to the prejudice of our Settlers and Fishermen. By the 2d section of your Instructions I am directed "to proceed to the Burgeo Islands, and there make inquiry relative to the encroachments complained of in an Address which you were pleased to send for my information and guidance, from the House of Assembly of Newfoundland to His Excellency Captain Prescott, Governor of that Colony." I have to acquaint you that from the statements of the residents of the Burgeo Islands, these encroachments continue to be repeated without intermission during the months of April and May. The next part of the Coast which will require the attention of H. M. Ships, will be the vicinity of Fortune Bay, Grand Bank, Lamelin, Laun, St. Lawrences, and the Bays of Placentia and St. Mary's. This must be divided into two divisions: in the first—Fortune Bay, Grand Bank, Lamelin, and the St. Lawrences, because they are close to the French Islands of St. Pierre and Miquelon; and the duty required is to prevent the French from sweeping our Bays of the Caplin, which set in on the Coast early in June, to prevent the French from fishing on our Shores for Cod, and to check the illicit traffic carried on by our Fishermen with St. Pierre. Lamelin would become the head quarters. To perform this service the Ship could not be employed herself; as the navigation of the Coast, from numerous shoals, and the prevalence of fogs, would render it unsafe for her to remain at sea, and there is no anchorage nearer than Great Laun, 12 miles distant. The duty would be better performed by vessels hired for the purpose, capable of affording accommodation for the officer and men, and fit to keep the sea in case of bad weather, when unable to attain a secure anchorage. Whilst the small vessel engaged for the season is protecting this part of the Coast, the ship might visit the second division of this shore, namely Placentia and St. Mary's Bays, via St. John's, to the East Coast of Newfoundland, for the purpose of visiting Cape St. John. Here, of late years, there have been no complaints of encroachment beyond the defined limits; but the presence of a man-of-war in the vicinity would be of service, if only to show the French her watchfulness over the British interests. The remaining and most extensive part of the Coast, is the Labrador. I have been informed by proprietors of Vessels engaged in the Cod Fishery, that numerous French vessels engaged in the Cod Fishery, constantly fish in the Bays on that Coast, about Bras d'Or Harbour and L'Ance-a-Loup, &c., to the annoyance, and in many cases prevention, of our Fishermen from pursuing their avocations. This has been stated to be by more than one person—indeed almost all those who frequent this part of the Coast have given the same statement; and that these encroachments are during the end of April, May and June; and I see no reason to doubt their information. Looking, therefore, at this vast line of Coast, extending from the river St. John to Belle Isle, and from thence Southward—in the whole range of which are innumerable Bays and Harbours, yearly frequented by swarms of American schooners, who come there for the Fishery, and whenever opportunity offers encroach on our shores; I consider that the superintendence of one man-of-war alone would not be more than sufficient to prevent the encroachments of the French, and check the lawless conduct of the Americans, within the above limits. As only one vessel is employed on the Newfoundland Fisheries it must be obvious on consideration, that so vast a range of Coast as there is included within its limits—extending around the Island of Newfoundland, along the South shore of Labrador, from 64 deg. West longitude, to the Straits of Belle Isle, and from thence indefinitely to the Northward—cannot possibly be efficiently controlled, or even visited by H. M. Ship employod on that service; nor even if a portion of her officers and crew are left on those parts of the Newfoundland Coast (viz: Burgeo and the Lamelin Islands,) for the purpose of manning boats to assist in her assigned duties. During this year I did not think it requisite to comply with this part of your instructions, on account of the late period of the year I arrived on the Coast; yet I cannot refrain from mentioning the  
distressing

distressing situation in which the Captain of H. M. Ship may be placed at being deprived of the efficient services of so many of his officers and crew, sent from the ship for so long a period.

I trust any allusion which I have here made may not be considered by you as an attempt on my part either to throw difficulties or objections in the way of any service which you may be pleased to order H. M. Ships ; but that you will solely attribute it to an anxious wish on my part to point out the situation in which H. M. Ships may be placed, not only on an almost unknown and a dangerous shore, but when in company with men of war fully manned, belonging to France and the United States, employed on the same coast, and similar serve ; and therefore the propriety of urging upon the Colonial Government the necessity of their either employing small vessels for that purpose, or having local authorities at those places where the encroachments are made and complained of.

Your instructions, by which I have been guided, direct my attention to the protection of the British interests in general, and especially the fishing grounds on our shore, from all interference by foreign vessels. You have also directed my attention to the 22d article of the above instructions, to the prevention of all illicit trade ; I am therefore called upon to allude especially to the trade now regularly but illegally carried on with our shore and the Island of St. Pierre's.—This trade in Caplin and contraband articles, as already pointed out in the former part of this report, is, I understand, on the increase ; and unless the Home or Colonial Government take some means to punish those engaged in it, or adopt expedient means to stop it, and protect its own coast, it will continue ; and I consider it quite a vain attempt for the Captains of H. M. Ships employed on the fisheries, even to check, much less to suppress, the contraband trade. He may afford assistance to whatever system the respective Governments may adopt for the protection of the coast ; as his short sojourn in the vicinity, and his duties requiring his presence at other stations, can only render his interference a matter of secondary importance.

I have also been made acquainted that smuggling, to a very considerable extent, is carried on along the south shore at Labrador (which has not been visited by H. M. Ship under my command,) by American vessels resorting to that coast for the fishery. This illegal trade consists of provisions brought from the United States, in a greater quantity than is sufficient for their own consumption during the season, and therewith secretly carrying on an illicit trade in every port and river on the above shore : nor do I see any means by which so extensive an evil to the British merchant, and to the colony, can be possibly suppressed unless by the interference of the Home Government.

It may be required that some reason should be assigned for the want of accurate detail, and the meagre information conveyed, relative to the Fisheries on the shores on which I have been employed ; it must, however, be remembered, that no accurate information can be obtained, or any estimate formed of the present state of the Fisheries, until after the termination of the fishing season, when the returns from the respective Custom-Houses and Establishments are made up. Where I have stated the increase or decrease of Fishery, or Settlement, or any other local information, it has been derived from the principal residents of the place visited, given by them as matter of opinion, founded on their own local knowledge, and without any reference to official documents.

In respect to the south shore, where the encroachments of the French are generally made, I was unable to derive better information. There was invariably an unwillingness on the part of individuals to give any information whatever, (except at Lamelin and Burgeo Islands,) or to admit that ever the French encroached,—even denying the fact ; when I afterwards found that the French vessels were in the habit, not only of fishing off those very harbours, but resorting to them for the purpose of curing their fish before returning to St. Pierre's.

This concealment, on the part of the Inhabitants, has certainly confirmed an opinion I then formed, that an intercourse exists between them for their mutual benefit ; and that individuals are deterred from giving information, for fear of the resentment of those who carry on a contraband Trade.

[Signed].

ALEXANDER MILNE.

*Captain H. M. S. Crocodile.*

To Vice Admiral SIR THOMAS HARVEY, K. C. B., Commander in Chief, &c. &c. &c.

*The Trading Captains engaged in the Fishing Voyage in the Port of Pacquet, to the Commander of the English Frigate, anchored in the said Port.*

SIR,—Yesterday, at the moment of your entrance into this harbor, we were in a hurry to hoist the French flag at the establishments which we have the right to occupy in the business of the fishery. It was with the greatest astonishment that we received immediately the orders on your part to strike the colours of our nation. That we have the right, or that we have it not, it is not for us to decide.

We hoisted our flag for the purpose of saluting that of a friendly nation; had we not done so, we should have thought that we had essentially failed. In giving us to understand that the Island of Newfoundland, not being French property, we are desired to hoist our flag on board of our vessels; but our vessels are in different parts, very far removed from the residences; we must therefore not answer the salute of any vessel whatsoever during our stay on the coast, and conceal, if we may so express it, the French flag. If the Island does not belong, as we fully believe, we are even certain that the habitations which we occupy are French occupancies, during the season of the fishery, and that no person has the right during that time, to hinder us from exhibiting the French flag upon them.

To the moment that you shall receive our letter we have, then, decided to hoist our Flag, and we shall not strike it, but on a new order on your part.

It is with pain, Monsieur le Commandant, that we see ourselves compelled to give you this trouble; but we should fear that we had failed in national honor, if we made not every effort in support of the colours that 1830 restored to us, and of which every Frenchman is proud.

We have the honor to salute you, Mon. le Commandant, with consideration.

The Captain of the Brig Binicos, J. CHATTE.

A. MATTE, Captain of the Sometre.

P. DESURB, Captain of the Alcide.

J. M. RAIMOND, Captain of the Frainida.

Paquet, 30th July, 1840.

*Her Britannic Majesty's Ship Crocodile, at Pacquet Harbour, 30th July, 1840.*

GENTLEMEN,—I have to acknowledge the receipt of your letter of this morning's date, complaining and also protesting against my order of last evening, "that the French National Colours which were hoisted on the establishments on shore should be removed." (at the same time acquainting you that you had the opportunity of displaying your national colours on board your respective vessels now at anchor in this port—not one of which have hoisted their national colours since my arrival, and therefore I can only presume that they are French.) I regret that there should have been any misunderstanding on the subject—no disrespect being intended to the national flag of France; but I cannot permit it, or any other national flag whatever, to be hoisted on the shores of Newfoundland, a colony of Great Britain.

I am, &c.

[Signed.]

ALEXANDER MILNE,

*Captain H. M. S. Crocodile.*

To the Masters of the respective French Merchant Vessels now at this Port.

No. 63.

(See Page 157.)

RELATIVE TO THE DISPOSAL OF CROWN LANDS.

*Questions proposed in the Resolution of the House of Assembly, of the 25th March, 1841.*

Q. 1. Whether any and what Reports have been furnished the Government, by the Land Boards throughout the Province, touching the ungranted lands therein, their quality and description, and, if any, an Abstract thereof?

A.

## APPENDIX No. 63.

A. 1. None have been furnished.

Q. 2. Whether any applications have been made for the purchase of ungranted Lands, actually and bona fide, occupied and improved by subjects of Her Majesty, under the terms expressed in the Act for establishing regulations for the future disposal of Crown Lands in the Province; and whether any order or orders have passed, fixing the price of such lands, and the amount per acre; and if such price has not been fixed, the reason to be assigned therefor?

A. 2. As respects Nova-Scotia proper, this question, and the questions Nos. 3 and 5, are answered by Mr. Morris in paper No. 1.

Twenty-one such applications from Cape-Breton, have obtained the approval of the Lieutenant Governor and Council—the price fixed for the Lands applied for, being 2s. 6d. currency, the acre, as offered by the applicants and recommended by the Land Boards. Several other similar applications have been received and now await decision.

Q. 3. Whether any applications have been made since the same Act has been passed for ungranted lands not occupied; and what Order or Orders have passed for fixing the price thereof?

A. 3. Twenty-six applications of this kind from Cape-Breton have been under the consideration of the Governor and Council; the Orders made thereon being that the Lands applied for, be sold by public auction, at the upset price offered by the Petitioners, and recommended by the Land Boards—namely, 2s. 6d. currency per acre; and one lot of 30 acres has been exposed for sale by Auction, at the upset price of £20 currency, according to the offer of the applicant and recommendation of the Land Board. Many similar applications have been sent back for further information, and others have been received, which remain for consideration.

Q. 4. Whether any difference has been made in the orders fixing the price either of occupied or unoccupied Lands, since the receipt of the Despatch of Lord John Russell, dated 16th October 1840?

A. 4. An Order in Council, dated 22d December, 1840, was published on the receipt of this despatch, declaring that no land belonging to the Crown would thenceforth be offered for Sale at a lower rate than 2s. 6d. sterling the acre; the common upset price having previously been in Nova-Scotia proper, 2s. 3d. currency—and in Cape-Breton, 2s. 6d. currency the acre.

Q. 5. Whether any Lands have been applied for, or disposed of, since the receipt of said despatch?

A. 5. Several lots of land in Cape-Breton have been since applied for, but as the applications were received at the Commissioners Office at Sydney, before the despatch arrived, it was thought proper to allow the applicants to purchase at the former rate of 2s. 6d. currency.

Q. 6. What interpretation the Government have put upon said despatch, as to the price of occupied or unoccupied lands respectively.

A. 6. The Lieutenant Governor and Council are of opinion, that the Order contained in that despatch, prohibiting the offer for sale of Crown Lands at a lower upset price than 2s. 6d. sterling per acre, does not apply to occupied and improved Lands, the disposal of which is provided for by the second section of the Crown Land Act.

Q. 7. A Statement of the Sales of Crown Lands for the years 1839 and 1840, shewing the amount received therefor, and how the same has been appropriated.

A. 7. See the accompanying papers.

RUPERT D. GEORGE.

Halifax, 31st March, 1841.

*A Return made for the House of Assembly, agreeable to their Requisition of the 25th March, 1841.*

## CROWN LANDS.

Q. Whether any applications have been made for the purchase of Ungranted Lands, actually and bona fide occupied and improved by Subjects of Her Majesty, under the terms expressed

expressed in the Act for establishing regulations for the future disposal of Crown Lands in the Province; and whether any order or orders have passed fixing the price of such Lands, and the amount per acre?

A. Thirty applications for improved lots of Land—of this number seven have been approved of, and the prices fixed have been 2s 3d per acre, or £6. 10 for small lots, under fifty acres.

There are still twenty-three applications waiting for the decision of Council.

Q. Whether any applications have been made, since the same Act has been passed, for Ungranted Lands not occupied; and what order or orders have passed for fixing the price thereof?

A. Ninety-one applications have been made, of which thirty-seven have been approved, and the lots ordered for sale.

The upset price fixed at 2s 3d per acre.

Q. Whether any Lands have been applied for, or disposed of, since the receipt of the Despatch of Lord John Russell, dated 16th October, 1840, and at what rates?

A. Forty-four applications have been made for Land since the receipt of Lord John Russell's Despatch, but none of them have been determined upon.

Q. A statement of the Sales of Crown Lands for the years 1839 and 1840, showing the amount received therefrom, and how the same has been appropriated?

A. The accounts have been made up agreeable to the Requisition, and accompany this Return.

A number of Lots, that had been applied for, previous to the passing of the Act, subsequently received the recommendation of the different Boards appointed under it, and have been sold—these are not included in the above Return.

Department of Crown Lands, 31st March, 1841.

JOHN SPRY MORRIS, Commr. Crown Lands, and Sur. Genl.

Ans.

An Account of the Instalments paid upon Sales of the Crown Lands in preceding years, in the year 1839.

Purchasers.	Residence.	Situation of Land.	No. of Lots.	Acres.	Price.	Gross amount of Sales.	Amount paid in.
Peter Carmichael	Lunenburg	New Germany	1	115	2s. 3d.	£11 5 0	£9 14 1
Timothy Douse	Annapolis	Township Digby	1	150	2s. 3½d.	17 3 9	8 11 10
Joseph Douse			1	150		17 3 9	8 11 10
Charles Scott	Colchester	Upper Stewiacke	1	150	2s. 3d.	16 17 6	12 13 1½
Jacob G. Purdy	Cumberland	Westchester	2	200		22 10 0	5 12 6
Andrew Bacon		Wallace	1	100	2s.	10 0 0	7 10 0
Henry Purdy		Westchester	4	400	2s. 3d.	45 0 0	7 10 0
George McKay	Colchester	New Annan	1	100	3s.	6 10 0	4 15 0
William Parry	Halifax	St. Margaret's Bay	1	57		6 10 0	4 15 0
Joseph F. Comeo	Digby	Clare	1	374	3s.	56 2 0	14 0 6
George Thomson	Cumberland	Leicester Road	1	100	2s.	10 0 0	4 17 6
William Ross	Lunenburg	New Germany	1	173	2s. 3d.	19 9 3	4 17 4
John Myra			1	100		11 5 0	8 8 9
Frederick Selig			1	82		9 4 6	6 8 3
William Ross			1	100		11 5 0	8 8 9
William Moody			1	60		6 15 0	8 8 9
John Luxon	Cumberland	Wallace	1	130		14 12 6	8 8 9
Thomas James Giles	Annapolis	Hillsborough	1	300	2s.	30 0 0	25 8 10
John Ralston	Cumberland	Wallace	2	120	2s. 3d.	13 10 0	2 11 0
Abr. Servant	Shelburne	Westchester	1	200		22 10 0	16 17 6
Samuel Foot	Annapolis	Tuskett River	1	142	2s. 3½d.	16 5 5	4 0 0
John Hartling	Halifax	Township Clare	1	100	2s. 3d.	11 5 0	4 5 6
John Bolivar	Lunenburg	Two Islands, Nicomtean	1	100		11 5 0	3 0 0
James Keefe	Hants	New Dublin	1	200		22 10 0	5 12 6
Aaron Boss	Cumberland	West side Gr. Lake	1	100		11 5 0	4 15 9
Alexr. Hubley	Halifax	Road to Little Forks	1	50		6 10 0	1 12 6
Jonathan Archibald		St. Margaret's Bay	1	100		11 5 0	5 12 6
		Sheet Harbour	1	100		11 5 0	2 2 2½
		West Branch Sheet Harbour	1	200		22 10 0	11 5 0
		Near the 300 Acre Lots	1	100	3s.	15 0 0	3 15 0
George Ernst	Lunenburg	New Dublin	1	100	2s. 3d.	11 5 0	2 16 3
Martin Harman							

An Account of the Instalments paid upon Sales of the Crown Lands in preceding years, in the year 1839.

Purchasers.	Residence.	Situation of Land.	No. of Lots.	Acres.	Price.	Gross amount of Sales.	Amount paid in.
James Sartie	Digby	Near 300 Acre Lots	1	100	£11	5 0	£2 16 3
A. F. Comoe	Digby	Township of Clare	1	1000	3s.	150 0	37 10 0
George Thomas Smith	Halifax	Nicomteau	1	219	2s. 3d.	24 12 9	0 4 6
William Smith			1	100		11 5 0	3 3 9
John Trethway	Lunenburg	Annapolis Road	1	100		11 5 0	8 8 9
		New Germany	1	139		15 12 9	11 14 6
George Wile	New Dublin	New Dublin	1	100	2s.	11 5 0	5 12 6
John Farcy	Lunenburg	Near Queen's County Line	1	400	2s.	40 0 0	3 0 0
John H. Piers	Cumberland	Pugwash	1	270	3s.	40 10 0	10 2 6
Edward More	Lunenburg	New Germany	1	100		15 0 0	2 16 3
Samuel Saunders	Annapolis	Township of Clare	1	200	2s. 3½d.	22 18 4	6 0 0
John Monk	Halifax	Ship Harbour	1	150	2s. 3d.	16 17 6	8 8 9
Simon Newcomb	Colchester	Shoal Bay	1	200		22 10 0	9 10 0
Robert L. Byers	Digby	New Annan	1	100		11 5 0	3 15 0
F. S. Bonnanfant		Township Digby	3	466	2s. 3½d.	52 8 6	41 10 6
Celestine Comoe		Township Clare	1	104		11 18 4	2 19 7
Maturin Comoe			1	104		11 18 4	2 19 7
Ceriac Theno			1	104		11 18 4	2 19 7
Nicholas White			1	104		11 18 4	2 19 7
Ceriac Comoe			1	109		12 9 9½	3 2 6
John B. Solnier			1	100		11 9 2	2 17 3½
Frederick Comoe			1	100		11 9 2	2 17 3
Mercellino Comoe			1	100	2s. 3d.	11 5 0	2 16 3
Francis Douteral	Cumberland	Gray's Settlement	1	180		20 5 0	12 15 0
Robert Jerries	Lunenburg	New Germany	1	200		22 10 0	5 12 6
William Ross	Halifax	New Guysboro' Road	1	200		22 10 0	4 0 0
John Bowen	Lunenburg	Near the 300 Acre Lots	1	150		16 17 6	12 13 0
Henry Kock	Cumberland	Westchester					
George Rushon	Queen's	Port Jolly	1	100		11 5 0	2 16 8
Ensign Burgess							

*An Account of the Instalments paid upon Sales of the Crown Lands in preceding years, in the year 1839.*

Purchasers.	Residence.	Situation of Land.	No. of Lots.	Acres.	Price.	Gross amount of Sales.	Amount paid in.
James King	Halifax	Little River, Musquedoboit	1	70		10 0 0	7 10 0
George & William Grono	Sydney	St. Mary's Bay	1	50		6 10 0	3 5 0
John McKinley		Liscomb Harbour	1	100		11 0 0	5 8 9
Aaron McKinley			1	100		11 0 0	4 8 9
Edward Hypson	Yarmouth	Arzyle	1	100	2s. 3 $\frac{1}{4}$ d.	11 7 1	2 0 0
John McAlpine	Digby	Sissiboo River	1	200	2s. 3d.	22 10 0	5 17 6
Richard Watters	Sydney	Liscomb Harbour	1	100		11 5 0	1 5 0
Henry Chapman	Cumberland	Tidnish	1	150		16 17 6	0 12 6
Robert Seaman		Gray's Settlement	1	120		13 10 0	6 15 0
Thomas Cleary	Digby	Township Clare	1	150		16 17 6	12 17 10 $\frac{1}{2}$
Joel Hall			1	116	2s. 3 $\frac{1}{4}$ d.	13 1 0	6 12 11
David Perry			1	99		11 11 1 $\frac{1}{2}$	5 12 4
Maurice McBride & others	Annapolis	Township Digby	2	341		38 7 3	10 13 6
Nathan Tupper	Queen's	Pleasant Field Settlement	1	200	2s. 3d.	22 10 0	16 17 6
John Langille	Halifax	St. Margaret's Bay	1	100		11 5 0	8 8 9
John L. Danon	Queen's	Pleasant Field Settlement	1	200		22 10 0	16 17 6
Freeman Tupper			1	200		22 10 0	16 19 6
John Philip	Halifax	St. Margaret's Bay	1	100		11 5 0	8 8 9
John James Boutillier			1	50		6 10 0	3 5 0
F. S. Bonenfant	Annapolis		1	200		23 6 8	0 4 2
Charles Dousset			1	200		23 6 8	0 4 2
Jermoine Dousset		Township Clare	1	200		23 6 8	0 4 2

£580 2 7

Commissioner Crown Land, 31st December, 1839.

JOHN SPRY MORRIS, Commissioner Crown Lands.

*An Account of the Sales made of Crown Lands, and of the Purchase Money paid thereon, during the year 1839.*

Purchasers.	Residence.	Situation of Land.	No. of Lots.	Acres.	Price.	Gross amount of Sales.	Amount paid in.
Donald McLennan	Halifax	Shubenacadie Lakes	1	160	2s. 3d.	£18 0 0	£18 0 0
Abraham Paterson	Colchester	Tatamagouche	1	100	100	11 5 0	11 5 0
John Coolen	Halifax	Prospect Harbour	1	1	130s.	6 10 0	6 10 0
John Jas. Bouillier	Cumberland	Hammond's Plains	1	100	2s. 4d.	11 13 4	11 13 4
E. B. Cutten	Cumberland	Spring Hill	1	200	2s. 3d.	22 10 0	22 10 0
James Chappell	Yarmouth	Tidnish	1	100	100	11 5 0	11 5 0
James Doucett	Halifax	Forks of Tusket River	1	200	200	22 10 0	20 0 0
Martin G. Black		Water Lots Dartmouth	2			15 0 0	15 0 0
John E. Fairbanks		Road from Chester to Windsor	1	100	100	22 10 0	22 10 0
Frederick J. Bouillier		LaHave River	1	300	300	11 5 0	11 5 0
William Ross	Lunenburg	Wallace River	1	120	120	33 15 0	33 15 0
David Teed	Cumberland	Black River	1	100	100	13 10 0	13 10 0
Ichabod Betts		Road fm. River Philip to Amherst	1	100	100	11 5 0	11 5 0
William McNutt		River Philip	1	150	150	16 17 6	1 13 9
William Qigley	Queen's	Grafton Settlement	1	200	200	22 10 0	22 10 0
Robert Donkin		Kempt Settlement	1	100	100	11 5 0	11 5 0
Suliff Minnard		Brookfield	1	100	100	11 5 0	11 5 0
John Minnard		Lake Rosignall	1	120	2s. 3d.	13 15 0	13 15 0
E. P. Freeman		Pleasant Field	1	600	2s. 3d.	67 10 0	67 10 0
Peleg Freeman		Apple River, Cumberland	1	132	132	14 17 0	14 17 0
Benjamin Annis	King's		1	100	100	11 5 0	11 5 0
E. C. Barss			1	135	135	15 3 9	15 3 9
Samuel Freeman			1	100	100	14 3 10	14 3 10
Stewart Freeman			1	125	2s. 3d.	12 0 3	12 0 3
Freeman Park			1	107	107	11 7 0	11 7 0
James Elderkine			1	100	100	18 4 6	18 4 6
John Vaughan			1	162	2s. 3d.	11 5 0	11 5 0
John Fowler			1	100	100	11 5 0	11 5 0
John Woodworth	Hants	Douglas	1	100	100	18 4 6	18 4 6
Rundall McDonald	Queen's	Port Hebert	1	100	100	11 5 0	11 5 0
Robert Robertson		Port Jolly	1	100	100	11 5 0	11 5 0

*An Account of the Sales made of Crown Lands, and of the Purchase Money paid thereon, during the year 1839.*

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Purchasers.	Residence.	Situation of Land.	No. of Lots.	Acres.	Price.	Gross amount of Sales.	Amount paid in.
Michael Robertson	Queen's	Port Jolly	1	100	2s. 3d.	£11 5 0	£11 5 0
Thomas Kempton		Kempt Settlement	1	100		11 5 0	11 5 0
William Butler		Caledonia	1	100		11 5 0	11 5 0
Barnabus Miles	Lunenburg	Chelsea Settlement	1	100		11 5 0	11 5 0
Conrod Weagle		New Germany	1	100		11 5 0	11 5 0
James Moreton		New Dublin	2	250		28 2 6	28 2 6
Elisha Dolivar		Mahone Bay	1	100		11 5 0	11 5 0
John C. Rice		Pubnico	1	200		10 0 0	10 0 0
James McCommisky	Shelburne	Third Grant, Clare	1	248		22 10 0	10 0 0
Caseton Solnier	Digby	Apple River, Cumberland	1	501	2s. 3d.	27 18 0	27 18 0
Augustine Comeau	King's	Three Sisters' River	2	440		56 7 3	49 19 2
James Elderkine		Leicester Road	3	250		49 19 8½	28 7 8½
John Fowler	Cumberland	West Chester	1	100	3s. 1d.	11 7 1	11 7 1
George McDade		River Phillip	1	100	2s. 3d.	15 8 4	15 8 4
Robert Ward		Wallace River	1	130		11 5 0	11 5 0
Stephen Read		Near River Phillip	1	100		14 12 6	4 0 0
Donald McKay		Clyde River	1	100	5s.	11 5 0	2 0 0
Rufus Brundige		4 small Islands	1	32	2s. 3d.	8 0 0	8 0 0
Stephen Seaman		Musquedoboit	1	60		6 15 0	6 0 0
Abraham Thompson	Shelburne	Township of Digby	1	38		11 0 0	1 2 0
William O'Brien		Sand River	1	100	2s. 3d.	11 5 0	11 5 0
Michael Davis	Halifax	Advocate Harbour	1	300		33 15 0	33 15 0
Lithrop Freeman		Near Port Jolly	1	100		14 15 2½	14 15 2½
John Newcomb	Digby	Caledonia Road	1	130		18 0 0	18 0 0
Alexander Stewart	Cumberland	Harbour au Buchie	1	160		11 5 0	11 5 0
Ceril Godel	Queen's		1	100	2s. 3d.	11 3 0	11 3 0
Robert Harrison			1			10	10
John Knowlton			1			3	3
Randall McDonald			1			0	0
Patrick Jones			1			0	0
John and W. Chisholm	Sydney		1			0	0

*An Account of the Sales made of Crown Lands, and of the Purchase Money paid thereon, during the year 1839.*

Purchasers.	Residence.	Situation of Land.	No. of Lots.	Acres.	Price.	Gross amount of Sales.	Amount paid in.
Catharine McNeil	Sydney	South River Lake	1	100	2s. 3d.	£11 5 0	5 0 0
William Canigan	Cumberland	Branch, River Phillip	1	100		11 5 0	5 0 0
Amos Black		South Branch, Apple River	1	400		45 0 0	45 0 0
James Elderkin		Macan	1	190	2s. 3d $\frac{1}{2}$ .	21 11 5 $\frac{1}{2}$	21 11 5 $\frac{1}{2}$
Mathew Brown		Advocate Harbour	1	100		11 7 1	11 7 1
Randolph Morris		Shoal Bay	1	100		11 7 1	11 7 1
Conrod Stelhnutt and others	Halifax	New Guysboro' Road	1	50		6 10 0	6 10 0
Richard Preston and others		New Durham	1	100	2s. 3d.	11 5 0	5 5 0
John Joyce	Colchester	Aspotogan Harbour	1	200		22 10 0	6 0 0
Philip Awalt	Lunenburg	Clare Harbour	1	40		6 10 0	1 12 6
James Swine	Halifax	4 small Islands	1	100		11 5 0	2 16 3
Dominie Boudreau	Yarmouth	Township of Digby	1	31		6 10 0	6 10 0
Charles Durland	King's	Clyde River	1	100	2s. 3d $\frac{1}{2}$ .	11 5 0	8 15 0
James McAlpine	Digby	New Annan	1	100		11 9 2	11 9 2
Hugh McKay	Shelburne		1	50		6 10 0	6 10 0
James Munro	Colchester		2	300		33 15 0	10 0 0
			85	10612		£1282 11 10 $\frac{1}{2}$	£1122 13 10 $\frac{1}{2}$

Department of Crown Lands, 1st January, 1840.

JOHN SPRY MORRIS, Comr. Crown Lands.

## APPENDIX No. 63.

DR. *The Commissioner of Crown Lands in Account with Her Majesty's Government, for the year 1839.*

1839.

To Cash received, being Instalments paid by the purchasers of Crown Land, upon Sales made in the year 1839		£1122	13	10½
Received, being Instalments due by the purchasers of Crown Lands, upon Sales made in preceding years		580	2	7
	Gross Proceeds	£1702	16	5½
Cash paid Deputy Surveyors, as per their Accounts	£264	13	3	
John Howe, Advertizing	18	7	6	
<i>Deposit Money repaid.</i>				
Jacob Marriott		19	16	2
Alexander Hubley		16	17	6
John Philip		2	16	3
Benoni Melanson		3	15	0
James Malcolm		2	10	0
		328	15	8
	Net proceeds N. S. Currency	1374	0	9½
To Balance in hand on the 31st December, 1838		456	0	2½
		£1830	1	0

1839.

By amount of the Commissioner of Crown Lands Salary, for the year 1839, being £500 Sterling, paid in Dollars at 4s.		£625	0	0
Amount paid Clerk and Draftsman		100	0	0
Amount paid Office Attendant		9	2	0
Amount paid J. & W. McKinlay		18	11	11
Amount paid Postage		10	13	4
		763	7	3½
Amount paid Costs—the Queen vs. Langille	£22	11	3	
Amount paid Thomas Johnson, expenses, travelling, &c.	1	0	0	
		23	11	3
Cash paid Sir Rupert D. George, being the balance in the hands of the Commissioner of Crown Lands on the 31st Decr., 1838		456	0	2½
Balance in hand on the 31st December, 1839		587	2	3
		£1830	1	0

JOHN SPRY MORRIS, Commr. Crown Lands.

Department of Crown Lands, 31st Decr., 1839.

An

Purchasers.	Residence.	Situation of Land.	No. of Lots.	Acres.	Price.	Gross amount of Sales.	Amount paid in.
John Joyce	Colchester	New Durham	1	200	2s. 3d.	£22 10 0	£9 0 0
Robert L. Byers	Digby	New Annan	1	100		11 5 0	1 5 0
F. S. Bounantant	Digby	Clare	1	200		22 10 0	17 14 2
Charles Dousett			1	200		22 10 0	17 14 2
Jermine Dousett			1	200		22 10 0	17 14 2
James Croucher	Halifax	St. Margaret's Bay	1	90		10 2 6	8 8 9
Michael Francis		Dover	1	100		11 5 0	4 8 9
George Monro		St. Margaret's Bay	1	80		9 0 0	6 15 0
Morris White	Digby	Digby	1	207	2s. 3½d.	23 14 4	17 16 0
Oliver White			1	100		11 9 2	6 9 2
Samuel Koch	Lunenburg	New Dublin	2	200	2s. 3d.	22 10 0	16 17 6
John James Boutlier	Halifax	St. Margaret's Bay	1	50	130s.	6 10 0	4 17 6
Thomas Kelly	Digby	Clare	1	90	2s.	9 0 0	5 5 0
Simeon Whidden	Halifax	Musquedoboit	1	70	2s. 3d.	10 0 0	7 10 0
James McCommisky	Shelburne	Shelburne	1	200	4s. 7d.	22 10 0	11 10 0
John Mires	Cumberland	Wallace	1	100	2s. 3½d.	22 18 4	17 3 9
James Elderkin		Apple River	3	300	2s. 3d.	34 1 3	3 8 1½
Daniel Owen	Lunenburg	New Germany	1	200	2s. 3d.	22 10 0	5 12 6
Charles B. Owen		Dalhousie	1	200		11 5 0	5 12 6
Charles Durland	King's	Port Medway R.	1	100	2s.	10 0 0	2 10 0
Jacob Kempton	Annapolis	Tusket River	1	200	2s. 3d.	22 10 0	6 0 0
James Dousett	Yarmouth	Lake Eden	1	200		22 10 0	6 0 0
William Ross	Pictou	New Dublin	1	142		15 19 6	11 7 6
John Koch	Lunenburg		1	125		14 1 3	11 15 2
Jacob Fancy			1	53	130s lot	6 10 0	10 10 11
Thomas Holland	Halifax	St. Margaret's Bay	2	100		11 5 0	0 10 9
Lothrop Freeman	Queen's	Near Sable River	1	200	2s. 3d.	22 18 4	8 8 9
Samuel Sanders	Digby	Clare	1	100	2s. 3½d.	11 9 2	5 10 0
Frederick Comoe			1	100		11 9 2	2 17 3½
Merceline Comoe			1	100		11 9 2	2 17 3½
C. A. Therio			1	100		11 9 2	5 14 7



*An Account of the Sales made of Crown Lands, and of the Purchase Money paid thereon, during the year 1840.*

AN

Purchasers.	Residence.	Situation of Land.	No. of Lots.	Acres.	Price.	Gross Sales.	Amount paid in.
Nathaniel B. Wiswell	Cumberland	A Lot of Land on the 6 Mile Road	1	105	2s. 3d.	£11 13 9	£11 13 9
Edward Tinkham	Yarmouth	Argyle	1	80		9 0 0	9 0 0
George Westhever	Halifax	St. Margaret's Bay	1	50	130s.	6 10 0	4 12 6
Francis Swartz			1	50		6 10 0	6 10 0
Frederick Miller			1	100	2s. 3d.	11 5 0	11 5 0
P. J. Dunford	Hants	Douglas	1	100		11 5 0	4 0 0
George Munro	Halifax	St. Margaret's Bay	1	W. Lot	130s.	6 10 0	6 10 0
Josiah G. Seely	Digby	Sissiboo River	1	190	2s. 3d.	21 7 6	21 7 6
George Fritch	Lunenburg	New Dublin	1	200		22 10 0	22 10 0
John More		New Germany	1	100		11 5 0	11 5 0
John McKenzie	Pictou	River John	1	150		16 17 6	16 17 6
Donald McIntosh			1	100		11 5 0	11 5 0
James Watt			1	104		11 14 0	11 14 0
James Langille			1	200		22 10 0	22 10 0
Boyan Durland	King's	Dalhousie	1	100		11 5 0	7 10 0
David Loomer	Hants	Advocate Harbour	1	100	2s. 3½d.	11 7 1	11 7 1
N. & S. Mosher		A Water Lot, Windsor	1	100	£10	10 0 0	10 0 0
Catharine Fish			1	100		10 0 0	10 0 0
Edward Tomlinson		A Water Lot at Kempt	1	52	130s.	6 10 0	6 10 0
Thomas & W. Smith	Halifax	Nicomteau	1	150	2s. 3d.	16 17 6	16 17 6
Simeon Kempton	Queen's	Fairy Lake	1	130	2s. 4d.	15 3 4	15 3 4
John Lyons	Yarmouth	Abuptic Harbour	1	200	2s. 3d.	22 10 0	11 5 2
J. J. Schlageunweit	Halifax	St. Margaret's Bay	2	51	130s.	6 10 0	6 10 0
Amelia Balcom		Beaver Harbour	1	350	2s. 3d.	39 0 0	39 0 0
J. S. Morse	Cumberland	Black River	1			0 0 0	15 0 0
Elizabeth Coleman	Halifax	A Dartmouth Town Lot	1	60	135s.	6 15 0	6 15 0
William Boutlier		St. Margaret's Bay	1	50	130s.	6 10 0	6 10 0
Charles Cleareld		Dover	1	50	130s.	6 10 0	6 10 0
E. Cunningham	Guyborough	Guyborough	1	26	149s.	7 0 0	7 0 0
John Dauphney	Halifax	St. Margaret's Bay	2	180	£25 10	25 10 0	25 10 0
Thomas Laidlaw		A Water Lot Fresh W. Bridge	1	220		15 0 0	15 0 0
W. A. Kempton	Queen's	Liverpool River	1	220	2s. 3d.	24 15 0	24 15 0
Stephen S. Kempton			1	220		24 15 0	24 15 0

*An Account of the Sales made of Crown Lands, and of the Purchase Money paid thereon, during the year 1840.*

D.

Purchasers.	Residence.	Situation of Land.	No. of Lots.	Acres.	Price.	Gross Sales.	Amount paid in.
Samuel Freeman	Queen's	Liverpool River	1	200	2s. 3d.	£22 10 0	£22 10 0
Freeman Tupper			1	100		11 5 0	0
W. H. Freeman			1	200		22 10 0	0
J. C. Kempton, Senr.			1	137		15 8 3	3
J. C. Kempton, Junr.			1	137		15 8 3	3
Allan Minard			1	100		11 5 0	0
George W. Freeman		Ponhook Lake	1	120		13 10 0	0
O. H. Kempton			1	250		28 2 6	6
Enoch Dexter		Black Lake	1	150		16 17 6	6
Nathan Tupper		Liverpool River	1	132		14 17 0	0
Joseph Ford		Ponhook Lake	1	250		28 2 6	6
J. A. Freeman		Kempton Lake	1	100		11 5 0	0
E. H. Freeman		Brookfield	1	100		11 5 0	0
William Gill		Gr. Port Jolly	1	100		11 5 0	0
R. McDonald		St. Margaret's Bay	1	50	130s.	6 10 0	0
A. McDonald		Nicomteau	1	114	2s. 3d.	12 18 2	2
John Smith, Junr.		Water Lot at Sissiboo River	3	12		10 0 0	0
John Dallguen		Grand Joggin, Digby	1	25		15 0 0	0
James H. Roop		Upper Prospect	1	3	130s.	6 10 0	0
James Mihan		Prospect Bay	1	62	2s. 3d.	6 19 6	6
Thomas Purcell and others		Hosier's River	1	250		28 2 6	6
Gasper Harnish and others		River Phillip	1	100		11 5 0	0
Ralph Hodgson		Jeddore	1	200		22 10 0	0
John Hopkins		St. Margaret's Bay	1	50	130s.	6 10 0	0
John Hubley		Township of Clare	1	150	2s. 3d.	16 17 6	6
Mark LeBlanc			1	205		23 1 3	3
J. M. McColla			1	120		12 0 0	0
Robert Terries		Gray's Settlement	1	120	2s.	12 0 0	0
			65	6935		£887 10 7	£836 8 3

Department of Crown Lands, 31st December, 1840.

JOHN SPRY MORRIS, Comr. Crown Lands.

## APPENDIX, No. 63.

DR. *The Commissioner of Crown Lands in Account with Her Majesty's Government, for the year 1840.*

1840.

To Cash received, being the amount of Sales from the purchasers of Crown Land made during the year		£836	8	3
Received, being Instalments due by the purchasers of Crown Land upon Sales made in preceding years		699	18	4
		<hr/>		
	Gross Proceeds	£1536	6	7
Paid Deputy Surveyors, as per their Accounts	£271	13	5	
Jno. Howe & Son for Advertising	22	1	0	
		<hr/>		
		£308	7	5
	Net Proceeds	£1227	19	2
To Balance in hand on the 31st December, 1839		587	2	3
		<hr/>		
	N. S. Cy.	£1815	1	5

1840.

By amount of the Commissioner of Crown Lands Salary, for the year 1840, being £500 Sterling, paid in Dollars at 4s.	625	0	0	
Paid Clerk and Draftsmen	116	13	4	
Office Attendant	9	2	0	
J. & W. McKinley, for Stationary	18	18	1	
Postage	10	0	1	
	<hr/>			£779
Witnesses in Langille's Case	5	0	0	
By order of Sir Colin Campbell, for building the Stone Wall near the Magazine, North Suburbs	77	13	9	
	<hr/>			82
Sir Rupert D. George, being the balance in the hands of the Commr. of Crown Lands on the 31st December, 1839, less the sum of £77 13 9 paid as above				509
				8
By balance in hand on the 31st December, 1840				443
				5
				8
				<hr/>
	N. S. Cy.	£1815	1	5

JOHN SPRY MORRIS, Commr. Crown Lands.

Department of Crown Lands, 31st December, 1840.

Return.

*Return of Crown Lands sold in the Island of Cape-Breton, in the years 1839 and 1840.*

Year.	Sold by Auction. ACRES.	At a fixed price. ACRES.	Total sold. ACRES.	Amount received in Currency.	Amount outstand- ing in Currency.
1839	2580	2484	5064	760 1 3	19 0 0
1840	3165	4336	7501	850 6 9	205 0 11
	5745	6820	12565	1610 8 0	224 0 11

The amount derived from Sales of Land has been applied to the payment of Surveys, the Commissioner's Salary, Expenses of Clerk's, Stationery, Printing, Advertising and other charges, incident to the execution of the Grant or Letters Patent.

## No. 64.

*(See Page 157.)*

The Committee to whom was referred the Petition of James Beddo and others, complaining of the contemplated change, as recommended in the report of Daniel Wier, Esq. on the Road between Mount Uniacke and the County of Hants line, and offering to shew an improvement on the said line, by which a large saving would accrue to the Province, report that the Committee have had before them several of the Petitioners alluded to, and as they have informed the Committee of a line of Road, which, if opened, would prove equally as level, fully as short, and save a large sum of money, and which could be made, over a hard and durable bottom, and that they offer their services, to point the same out to any person authorized to make an actual survey; and perceiving, by Mr. Wier's report, that the alteration spoken of has been but "partially explored," the Committee recommend that an actual survey of the alteration sought for be first made, and the improvement accurately ascertained, so that this House may be in possession of the facts and particulars, to enable it to come to a decision as to its relative use or advantage.

All which is respectfully submitted.

H. BLACKADAR, Chairman.

Committee Room, 30th March, 1841.

## No. 65.

*(See Page 158.)*

The Committee to whom was referred the Petitions of Edward M. Tobin, James Crowley, Edward M. Marshal, Henry Sibley, Read and Seamans, William Lawson, junr., David Smith, Pelig Holmes, John Davidson, Ezra Churchill, Theodore S. Harding, Benjamin Dewolf, William R. Ruggles, John L. Brown, Charles Martin, Nathaniel H. Calkin, James Elderkin, James R. Lovett, David Reid, James Lennaton, John Mosher, John Duncan, Edward K. Timpany, James H. Fitzrandolph, and Messrs. Veits and Langly, claiming a return of Three Shillings Sterling, of Five Shillings' Sterling, paid by Petitioners on Foreign Wheat Flour—beg leave to report, that from the certificates submitted to them, they find that the claims of Petitioners are founded upon the practice in many of the Ports of this Province, of admitting Foreign Wheat Flour, subject only to Two Shillings Sterling, which this House have sanctioned by Resolutions on its Journals, and the passage of a Law on the subject at its last Session—and therefore recommend the claims of Petitioners be granted. Amounts as follows, viz:

To Edward M. Tobin	£7 13 9	To John Davidson	£6 0 0
James Crowley	5 12 6	Ezra Churchill	36 3 9
Edward M. Marshall	9 7 6	Theodore S. Harding	7 10 0
Henry Sibley	11 5 0	Benjamin Dewolf	15 0 0
Read & Seamans	2 16 3	William R. Ruggles	56 8 9
William Lawson, junr.	37 10 0	John L. Brown	8 8 9
David Smith	7 10 0	Charles Martin	9 18 9
Pelig Holmes	15 3 9	Nath'l. H. Calkin	13 6 3
	v 2		To

## APPENDIX, Nos. 65, 66, 67.

To James Elderkin	£30 11 3	To James H. Fitzrandolph	£6 11 3
James R. Lovett	16 2 6	Veits & Langly	6 7 6
David Reid	11 5 0		
James Lennaton	8 1 3		
John Mosher	4 17 6	Edward K. Timpany	1 6 3
John Duncan	44 16 3		
			£378 7 6
			1 6 3
			£379 13 9

All of which is respectfully submitted.

HENRY GOUDGE,  
HERBERT HUNTINGTON.

## No. 66.

(See Page 158.)

The Committee to whom the following Accounts were referred, viz:—

An Account of Expenses incurred by John Fuller, Esq., Sheriff of the County of Richmond, for services performed by him, in the case the Queen, vs. Kavanagh	£7 0 3
An Account of Expenses incurred by Mr. Edward Duckett, junr., in attending the Supreme Court at Arichat, as a witness in the case of the Queen, vs. Kavanagh	22 11 7
Also, an Account for services performed, and Expences incurred, by the Sheriff of the County of Cape-Breton, while in pursuit of William Ormoud, for the murder of Rod'k. McIsaac	6 15 0
	£36 6 10

Do Report that the two first items having been incurred in performing services at the suit of the Crown, and under the order of this Honorable House, and there being no fund or provision made by the Laws of this Province for the liquidation of the same, do recommend that this Honorable House provide for the same; and also for the Account of Expenses incurred by the Sheriff of Cape-Breton as above mentioned, there being no provision in law for the payment of the same.

31st March, 1841.

J. A. TURNBULL, Chairman.

## No. 67.

(See Page 159.)

Lower Stewiacke, 24th March, 1841.

SIR—

In compliance with the Commands of His Excellency the Lieutenant-Governor, communicated to me in your Letter of March last, I proceeded to make a careful exploration and survey of that elevated tract of Country which lies between the Valleys of the Musquedoboit and Stewiacke, with the view of ascertaining whether a Road upon the modern system of levels was not practicable.

On reference to the Province Map, it will appear that a direct line between Halifax and Pictou, passes a little to the Northward of Musquedoboit. The New Eastern Road between the Capital and that place has been recently opened to the Middle Settlement. A line has been surveyed by Mr. Peter Orerar, and partially opened between Upper Stewiacke and Pictou; but one link was wanting to unite this great and direct chain of communication; and I am happy to state for His Excellency's information, that notwithstanding the elevated ridge which divides the waters of the Musquedoboit and the Stewiacke, appears to oppose insurmountable obstacles to the proposed undertaking. I have discovered a superior route which will bear a favourable comparison with any of the Great Post Lines of Communication.

The high range of Land to which I have referred, lies at right angles with the course of the proposed Road—its elevation ranging from 550 to 300 feet above the Valleys of the Musquedoboit and Stewiacke. I explored and took levels on three several routes—the first had been explored by Mr. McKenzie last Spring. I examined several miles

miles of this route, and found that it passed over very high Land, elevated about 460 feet above the Stewiacke. Not being satisfied with this route, I proceeded up the Valley of the Musquedoboit to Fisher's, in the Upper Settlement, and examined the Valley of Fisher's Brook, which takes its rise near the sources of Gourley's Mill Brook, on the Stewiacke side of the ridge. I found this route of easy ascent from the Stewiacke to the height of Land, (about 420 feet above the Stewiacke, and 370 feet above the Musquedoboit,) but in descending towards Musquedoboit I ascertained that no line could be found in that direction with a less rise than one foot in 18, for nearly  $1\frac{1}{2}$  miles. This route is distinguished by a red dotted line on the plan. I then followed up the Valley of the South Branch (Stewiacke) to its source, within a few rods of the head waters of Dickey's Brook, which falls into the Musquedoboit. This line affords an easy ascent on both sides of the mountain, not exceeding one foot rise to thirty in length, except in one place, which is one foot in twenty-five—the height of Land which this line passes over is 300 feet above the Musquedoboit, and 350 feet above the Stewiacke. There is on the line a large tract of excellent Land; and the materials are generally good for road making. This route is distinguished by a green dotted line on the plan, and commences at M'Leod's Mill in Musquedoboit, and intersects the road on the South Branch at Bently's. From Bently's to the Village of Stewiacke two lines have been proposed—one on the North, the other on the South side of the South Branch; but as there is a passable cart road on each side, I did not spend much time on either, having ascertained, by exploration, that a level could be obtained on either without rising more than twenty feet above the level of the River. The route on the North side of the South Branch crosses the Stewiacke River at the Bridge near Mr. Elikem Tupper's, Senr., at which place there is a distance of thirty-eight rods, which flows, during high freshets, from one to three feet deep. The route on the South side of the South Branch crosses the Stewiacke near Mr. Smith's, and is subjected to flowage from one to three feet, during high freshets, about  $\frac{3}{4}$  of a mile.

The advantage of making a road on the North side will be—that the distance will be shortened in travelling to and from the Village, nearly three quarters of a mile—the Settlements of Middle Stewiacke and Aughterbrook will be much better accommodated—the flowage of the River will be cleared, with the exception of thirty-eight rods, which can be raised above the freshets for about £40; and will afford as short and level a line as can be found.

The advantage of opening up a line of Road, and connecting these Settlements with the Guysborough Road, will be to shorten the distance in travelling to Halifax over ten miles—likewise to open up a short and easy communication between the Capital and the Southern and Eastern Settlements of the County of Pictou.

The distance from M'Leod's Mill, in Musquedoboit, to the Meeting House, in Upper Stewiacke, in a straight line, is  $14\frac{1}{2}$  miles.

From M'Leod's Mill to the same point, by line, on the North side of the South Branch,  $16\frac{1}{2}$  miles, 40 rods.

From M'Leod's Mill, by the South side of do. 17 miles.

Ditto ditto by Upper Musquedoboit, passing Gourly's Mill,  $17\frac{1}{2}$  miles.

*Estimate of probable expense, by Upper Musquedoboit.*

From Fisher's to Cross Road near Elikam Tupper's, 6 miles—6 miles at £120 per mile	£720	0	0
Two Thousand cubic yards of Embankment, at 9d. per yard	70	0	0
	£790	0	0

*Estimate of probable expense of Line from M'Leod's Mill to Upper Stewiacke, by South side of South Branch.*

From M'Leod's Mill to the point of separation, near Bently's, $8\frac{1}{2}$ miles at £110 per mile	£907	10	0
One Thousand Five Hundred yards of Excavations and Embankments, at 9d. per yard	52	10	0
	£960	0	0
			From

## APPENDIX Nos. 67, 68.

From the point of separation, near Bently's, to the Cross Road at Elikam Tupper's, 6 miles, at £100	£600 0 0
Whole expense of Line on South side of South Branch	£1660 0 0
<i>Estimate of Line on the North side of the South Branch.</i>	
From M'Leod's Mill to the point of separation	960 0 0
From point of separation, near Bently's, to the Village of Stewiacke, 6 miles, which can be made in sections, and connected with the present road—6 miles, at £100 per mile	600 0 0
Embankment at Elikam Tupper's Bridge, 800 yards, at 1s. per cubic yard	40 0 0
	£1600 0 0

It might be necessary to state that there will be a Bridge to build over the Stewiacke River, on either of the foregoing Lines, which will cost about £100.

I have the honor to be

Your obedient humble Servant,

WILLIAM FAULKNER, Deputy Surveyor.

Hon. Sir RUPERT D. GEORGE, Bart. &c. &c. &c.

*Province of Nova-Scotia to William Faulkner, Dr.*

For exploring, surveying, and taking levels between Musquedoboit and Upper Stewiacke.		
Myself	26 days at 15s per day	£19 10 0
Elikam W. Tupper	21 days at 5s ditto	5 5 0
James D. Miller	12 days at 5s ditto	3 0 0
John M'Culloch	9 days at 5s ditto	£2 5 0 } 0 18 0 }
Ditto	4½ days at 4s ditto	3 3 0
John Gourley	4 days at 5s ditto	1 0 0
Elikam Tupper	7 days at 4s 6d do.	1 11 6
John Archibald	½ day at 5s ditto	0 2 6
Daniel Archibald	2 days at 4s 6d do.	0 9 0
James Jeffers	2 days at 4s ditto	0 8 0
William Butcher	1 day at 4s ditto	0 4 0
Making plan, and writing report		3 0 0
1 Day Travelling		0 10 0
		£38 3 0

No. 68.

(See Page 160.)

The Committee to whom was referred the Petition of John Ross, claiming remuneration to reimburse him for amount alleged to have been paid for ferriage, from the year 1830 up to 1841, during which period the said John Ross had the contract for carrying the Mail between Halifax and Pictou, beg leave to report as follows: The Committee find that in the year 1833, the Petitioners received from the House a grant of £83 2 6; and in 1837, received from the Deputy Postmaster General the sum of £97 17 4—which, as per account furnished by the Petitioner, would appear to leave a large balance still due Petitioner.

The Committee finding that Petitioner has had this claim before former Houses, and finding the Petitioner's claims, in this particular, rejected on such application hitherto made, are of opinion that they can report favorably of Petitioner's claim, with the exception of the sum of Fifteen Pounds, which sum agreeably to a Resolution of the House, it would appear Petitioner was entitled to receive for three years successively, viz: for 1838, 1839 & 1840, and which sum, for the year last mentioned, is still undrawn. The Committee therefore beg

beg leave to report, that the sum of Fifteen Pounds be granted to Petitioner, in lieu of such service.

RICHARD J. FORRESTALL,  
SAMUEL CHIPMAN,  
JOHN JOS. MARSHALL.

Assembly Room, 2d April, 1841.

No. 69.

(See Page 162.)

The Committee, on the receipts and expenditure of the Post-Office, and all matters relating thereto, beg leave to report,

That they have examined the Accounts rendered in the usual form, by the Deputy Postmaster General, for the year ending the 5th January last, and annex an abstract thereof, constructed on the same principle, with the abstracts that have been prepared for several years past by Committees of this House, and approved of as correct by the General Post-Office, after communicating with the Delegates from the Assembly. By this Abstract, the Salaries of the Deputy Postmaster General and of his Assistant, and the allowance for Office Rent, Fuel and Stationary, are charged as heretofore, against the amount of English Postage, and the incidental expenses amounting to £200 currency, are charged as heretofore, against the amount of Internal Postage. The gross amount of English Postage, has fallen off about £250 currency; the rates having been reduced by Government, and the clear balance resulting therefrom, stands this year at £176 currency. The amount of Internal Postage, again has somewhat increased, having risen to £4182 currency, less £184 for American Postage. The charge for Riding Work has likewise increased in consequence of a new charge of £550 for the Carriage of the Canadian Mails from Halifax to Pictou. The result is a deficiency of £212, which added to the above £184, makes the sum of £396 drawn last year under the Resolution of the House, out of the Treasury. For this sum, notwithstanding the forgoing extra charge, the Post Communication, with the additions recommended in the last Session, has been kept up throughout the Province, and the actual trial has confirmed the conclusions former Committees had come to, and reduced the Provincial grant by upwards of £1200 a year. The Committee, while they are gratified in being able to report this result, must call the attention of the House to the charge of £550, which in fact, has been paid by us, and ought, in whole or in part, to be refunded by the Canadian Post Office.

The Committee next proceeded to consider various applications for increased allowances to Mail Couriers; and having been attended by the Deputy Postmaster General, and heard his opinion thereon, recommend as follows:

That £9 additional, should be allowed to the Courier from Antigonish to Cape George, the distance being 24 miles, and the present grant but £15.

That £10 additional should be allowed to the Courier from Antigonish to St. Mary's, the distance being 37 miles, and the present grant but £30.

That £12 additional, should be allowed to the Courier from Antigonish to the Gut of Canso, in consideration of his being obliged to start at any hour the Halifax Mail may arrive, and to cross the Gut at all seasons of the year—the distance to Clough's being 40 miles, and the present grant £52 10s.

That £15 additional, should be allowed to the Courier from Antigonish to Guysboro', to enable him to keep a Mail Stage—the present grant being £40, and the distance 34 miles.

That £25 additional, should be allowed to the Courier from Plaister Cove to Sydney—the present grant being £90 and £35, together £125, and the distance 100 miles.

That a sum not exceeding £50 should be placed at the disposal of the Deputy Postmaster General, to enable him to establish the Communication, twice a week, throughout the year, from Pictou to Antigonish—the Mail being carried at present twice a week, only a part of the year from May to November.

That the sum of £15 should be allowed in addition to the present grants of £20 and £25, making together the sum of £60, for carrying the Mail, once a week from Plaister Cove to Margaree, to be apportioned in such way as the Deputy Postmaster General shall approve. Port Hood to be the principal station, and such arrangement made, as will enable

Letters and Papers to be carried, once a week, from the Mouth of Mabou to Mr. John McKeen's.

That £5 additional should be allowed to the Courier from Arichat to Grand Ance, so as to enable the Mail to be carried twice a week.

That £7 10s. additional, should be allowed the Courier from Guysboro' to Canso—the present grant being £22 10s. and the distance 30 miles.

The Committee have agreed also to recommend the following sums for opening new Routes.

A sum not exceeding £25, to establish Lines, once a week, from Tatmagouche to Wallace, and from Wallace to Pugwash.

A sum not exceeding £30, to establish a Line, once a week, from Guysboro', by the Shore Road, along the Northern side of Chedabucto Bay, to McNair's Cove, and thence across the Gut to Clough's, and back by the Road leading from Anderson's through the Interior Settlements.

A sum not exceeding £12, to establish a Line, once a week, from West River to New Glasgow.

A sum not exceeding £10, to establish a Line, once a week from Big Harbour to St. Ann's.

A sum not exceeding £15, to establish a Line, once a week, from Amherst to Minudie.

A sum not exceeding £5, to extend the Line from Economy to John Fulmore's, Five Islands.

A sum not exceeding £15, to establish a Line, once a week, from Whycocomagh, by Lake Ainslie, to the South-west branch of Margaree River, and thence to Young's Bridge.

A sum not exceeding £20, to enable the Deputy Postmaster General to improve the present arrangement of the Mail Routes between Yarmouth and Liverpool, if such sum shall be found necessary therefor.

The Committee recommend the continuance of the grant of £15 to John and Charles Pernette, for the Ferry at LaHave River.

The Committee have disallowed the applications of John Blinkhorn and others, for an increase of allowance between Parrsboro' and Advocate Harbour; of James Thompson and others, for a new Line to Nine Mile River; of James B. Smith and others, for a new Line to the Folly Mountain; and of John Wells and others, for aid to convey the Mail, twice a week, through part of Cornwallis—there being no instance of the Mail being so carried on a Cross Road; and the Committee being unwilling to introduce a new practice, which would lead to numerous Petitions from other quarters.

The Committee have also felt themselves restrained from considering certain applications made through the Deputy Postmaster General, or directly to the Committee—no Petition therefore having been presented to the House.

They close this Report by recommending great caution in augmenting the allowances to Mail Couriers, (all the claims they have now sanctioned having been minutely examined); and by communicating to the House, the assurance of the Deputy Postmaster General, that in all cases he will pay his accustomed attention to the public interest; and whenever it is practicable, will open the new Lines by Tender and Contract.

WILLIAM YOUNG,  
HERBERT HUNTINGTON,  
EDMUND M. DODD,  
W. F. DESBARRES,  
THOS. A. S. DEWOLF,  
SAMUEL CHIPMAN.

Committee Room, 2d April, 1841.

### ABSTRACT OF POST OFFICE ACCOUNTS FOR 1840.

#### ENGLISH POSTAGE.

	Currency.	Currency.
Amount of unpaid Letters received from England	£910 7 1	
Paid Letters sent to England	246 6 10	
	<hr/>	
	£1156 13 11	Payments.

## APPENDIX Nos. 69, 70, 71.

PAYMENTS.		
Salary to Deputy Postmaster General	£500	0 0
Assistant	125	0 0
Office Rent, Fuel and Stationary	55	13 11
	680	13 11
		476 0 0
Dead Letters sent to England	450	0 0
One third of which is chargeable to other Colonies	150	0 0
	300	0 0
		£176 0 0
INTERNAL POSTAGE.		
Amount received for unpaid Letters at, and paid Letters sent from, Halifax Office	£3441	14 7
Net Revenue remitted by Deputy Postmasters, after paying their Commissions	1683	12 7
Way and Ship Letters	72	0 0
	£5197	7 2
Off Letters charged against Halifax, and sent to the Interior	£840	0 0
Pence paid for Ship Letters	25	0 0
	865	0 0
	4332	7 2
One half of the above £300	150	0 0
	4182	7 2
PAYMENTS.		
Riding Work, in all	£4194	16 3
Incidental charges	200	0 0
	4394	16 3
Deficiency of Internal Postage		£212 9 2
Add allowance for American Postage, included in above sums, say		184 3 3
		£396 12 5
By amount drawn from the Provincial Treasury		396 12 5

## No. 70.

(See Page 163.)

The Committee to whom was referred the account of Messrs. Howe & Son, against the Province, for Printing, having examined into the items composing such account, and obtained all the information they could, as to the nature and extent of the charges, do report,

That there is, in the estimation and judgment of the Committee, fairly and justly due to Messrs. Howe & Son, the sum of Five Hundred and Sixteen Pounds, being the balance of their account as rendered; and they respectively submit that payment be provided therefor.

H. BLACKADAR, Chairman.

W. F. DESBARRES,

HENRY GOUDGE.

Committee Room, 2d April, 1841.

## No. 71.

(See Page 163.)

The Committee to whom was referred the Petition of John G. McKenzie, praying to be re-imbursed the sum of Forty-seven Pounds Thirteen Shillings and Four Pence, for certain Lands

## APPENDIX Nos. 71, 72.

Lands taken for a Road in Sydney, in the County of Cape-Breton, beg leave to report—That Mr. McKenzie has been employed in Road Making in Cape-Breton for some time past. That, in opening a new Road from Sydney to North Sydney, claims were made for Land to an amount larger than what he thought, in justice, ought to be paid; and that it was necessary that the Road should be proceeded with without delay; and, by the advice of the Magistrates, he proceeded with the work—first leaving to Appraisers—one chosen by the Proprietors of the Land, one by himself, and one appointed by the Magistrates, to value the damages, which they did, at £46; and the expenses of the Appraisalment was £1 13s 4d, making £47 13s 4d, the sum petitioned for—which has all been paid by the Petitioner.

Under the Law of the Province, the Proprietors would have been entitled to the value of the Lands, if the Law had been complied with. The Committee therefore recommend that the above sum be granted to him—while, at the same time, they cannot too strongly express their sense of the impropriety of Individuals taking upon themselves to commence or proceed with public works, not fully authorised.

H. HUNTINGTON,  
JOHN CREIGHTON,  
SAMUEL B. CHIPMAN.

Halifax, 3d April, 1840.

## No. 72.

(See Page 172.)

In compliance with the Resolutions of the Honorable House of Assembly, We, the undersigned Trustees of School Lands in Granville, beg leave to report,

That, at the close of the year 1836, they took charge of the Fish Lot, and rented it to John Worster for Twenty Shillings per year. That owing to the ill-health and death of Thomas Fowler, the occupant, and the obstinacy of his family, we did not take charge of the Farm until the following Spring of 1838, when the family were allowed to remain for the year for Forty-five Shillings. That in April 1839, they leased the said Farm to Richard Halfyard for six years, for Eight Pounds per annum—one moiety to be expended in repairs and improvements of the Farm and Buildings, and the other moiety in cash. The following account will shew our receipts and expenditure.

Dr.		<i>Society School Lands in account with John J. T. Smith and Thunis Bogart.</i>	
1838.	To cash paid for repairing the Dyke	£0	15 0
	Charge of Trustees for getting the Farm from Fowlers	0	10 0
	Paid George S. Millidge, for drawing Leases	1	10 0
1840.	Amount of R. Halfyard's Bill for repairs	4	17 4
	Paid E. H. Cutler, for recording deed of surrender	0	7 6
	Cash in hand	3	7 6
			£11 7 4
	Total		
			£11 7 4
			CR
1838.	By Cash of John Worster	£1	0 0
	Miss Fowler	2	5 0
1839.	John Worster	1	0 0
1840.	Richard Halfyard	2	5 0
	Amount of Richard Halfyard's Bill for repairs	4	17 4
			£11 7 4
			£11 7 4

Respectfully submitted by

Total  
JOHN J. T. SMITH, } Trustees.  
THUNIS BOGART, }

Granville, March 6, 1841.

Sir RUPERT D. GEORGE, Bart. Halifax.

The

## APPENDIX No. 72.

The undersigned, Trustees of School Lands in the Township of Truro, appointed by Commission from His Excellency the Lieutenant-Governor of the Province of Nova-Scotia, dated the 31st day of August, 1836, in compliance with the request of the Honorable Sir Rupert D. George, communicated to them by letter, dated 26th February, ultimo; but which letter was not received until a few days ago, respectfully offer the following Account of Receipts arising from Rents of School Lands; and also, of expenditures of Funds arising therefrom, from the date of the said Commission to the present time:

1837. The amount of the sales of Grass this year, with part of the proceeds of last year, which had been sold by the Teacher of the Grammar School previous to the Trustees receiving their Commission	£10 0 0
1838. Amount of sales this year	4 19 0
1839. Do. do.	8 15 0
1840. The Grass on the School Lots this year given to William C. Eaton, named by the Reverend John Burnyeat, as the Society's Teacher, and sold by him for his own benefit	0 0 0
Amount due from William Cook, for rent of a two acre Lot in the Lower Village of Truro, at 10s. per annum	2 0 0
	<hr/>
	£25 14 0

*The following Sums paid out:*

Paid to the Trustees of the Grammar School House in Truro, towards discharging debts due by them on said building	£10 0 0
This sum divided amongst the Female Teachers in the Village of Truro	4 19 0
Paid expenses of making division of Common Field Lands	0 11 0
Paid Commissioners of Sewers for Dyke Rates, since 1836	2 1 6
Paid sundry expenses incurred at the Annual Sales	0 18 0
Commission on £25 14s. at 7½ per cent.	1 18 6
	<hr/>
	£20 8 0
NOTE.—Remaining uncollected in the hands of Robert Kent	2 12 6
In the hands of William Cooke	2 0 0
	<hr/>
Balance in Trustees hands	£0 13 6

Truro, 27th March, 1841.

JOHN GOUDGE,  
EDWARD CARRITT,  
GEORGE R. GRASSIE.

Onslow, March 19th, 1841.

SIR—

We received your Communication of the 26th ult. respecting the School Lands in the Township of Onslow, (after it had remained some time in the Post Office) and agreeable to the Resolution of the House of Assembly, hasten to furnish the necessary information required.

We were appointed by His Excellency Sir Collin Campbell Trustees for the School Lands in the Township of Onslow, by Commission, bearing date the 31st day of August, 1836; and since that time, have acted under and by virtue of said Commission—and beg leave to refer to the enclosed Statement for the receipts and expenditure of the profits arising from said Lands since they came into our hands.

We have the honor to be,

Sir,

Your most obedient Servants,

THOMAS J. BROWN, } Trustees.  
E. D. W. DICKSON, }

To Sir RUPERT D. GEORGE.

x 2

Dr.

## APPENDIX, No. 72.

DR.		<i>The School Lands in Onslow, in account with the Trustees.</i>		
1838.	To paid the Attorney General, per his Bill, for advice and services in recovery of Lands and Rents, the same being held adversely by sundry persons		£3	10 0
	Time and Expenses of Trustees in recovery of School Lands		4	0 0
	Philip Higgins for fencing		1	13 6
	Reuben Vincent for draining		0	12 6
	Isaac M'Curdy for fencing		0	18 6
	Janet Hyslop, Teacher		1	5 0
	John M'Lean, do.		1	10 0
	Abigail Lynds, do.		1	5 0
	Commissions, &c.		0	7 6
1839.	To paid George M'Nutt, Teacher		2	10 0
	Abigail Lynds, do.		1	5 0
	Francis Wilson, do.		1	15 0
	James Reid, do.		2	0 0
	John Dickson, Esquire, expenses incurred for recovery of arrears of Rents		0	6 0
	Rebecca Blair, Teacher		1	10 0
	Janet Hyslop, do.		1	5 0
	Jonathan B. Cummings		1	5 0
	Daniel M'Curdy, his Bill, for brushing and fencing		0	8 0
	Commissions, &c.		0	10 0
1840.	To paid George M'Nutt, Teacher		1	5 0
	Mary Greaves		0	15 0
	Draining by order of Commissioner of Sewers		1	12 0
	Janet Hyslop, Teacher		1	5 0
	Commissions, &c.		0	10 6
	Ditto on old arrears at 5 per cent.		1	4 2½
	Balance in the hands of Trustees.		9	17 9½
			£44	5 6
			CR.	
1838.	By amount of arrears of Rent received		24	4 6
	Proceeds of School Lands		4	11 0
1839.	Ditto do.		7	10 0
1840.	Ditto do.		8	0 0
			£44	5 6

THOMAS J. BROWN, } Trustees.  
E. D. W. DICKSON, }

Onslow, March 19, 1841.

*Statement of the Appropriation and Income arising from the School Land in Horton, from 1st May, 1828, to 1st May, 1841.*

MONIES EXPENDED AND VESTED IN SECURITIES.

Balance due for Dike Rates, from 1822 to 1828, inclusive	£7	18	1½
Do. for the year 1829	0	15	5½
Since that time the Rates have been paid by the occupiers.			
1839.			
April	Cash paid O. Daniel, for Schooling poor Children	0	5 0
May	Robert Curry	0	5 0
		£9	7 7
			1832.

## APPENDIX, No. 72.

1832.				
Aug. 6.—Cash lent Stephen Gould, rec'd of Joseph Caldwell	£20	0	0	
1834.				
July 28.—Cash lent James Hamilton, rec'd of do.	20	0	0	
Sept. 5.—Cash paid John Whidden, Retaining Fee, in suit of Ejectment vs. Prudence Denison, 20s.	1	0	0	
				<u>41 0 0</u>
1835.				
Sept. 4.—Cash lent Joshua Borden, on Promissory Note	20	0	0	
				<u>20 0 0</u>
1836.				
July 16.—Cash paid John Whidden, Esq. his bill on suit of Ejectment vs. Prudence Denison	4	3	2	
Lent James & George Hamilton	40	0	0	
Dec. 16.—Cash paid George King, for surveying and making a Plan of two Lots of Wood Land, No. 193 and 194, on the South side of Gaspereau River 20s.	1	0	0	
				<u>45 3 2</u>
1837.				
Aug. 2.—Cash lent John Rounsefell	23	10	0	
				<u>23 10 0</u>
1838.				
July 17.—Cash lent John Gould	28	10	7	
Nov. Cash paid Wm. Johnston, bill for surveying and plan- ning Upland and Dike	1	15	0	
				<u>30 5 7</u>
1839.				
July 24.—Cash lent Edward Harris, on joint security Joseph Caldwell's, Note	75	10	2½	
	47	6	4	
				<u>122 16 6½</u>
1840.				
Oct. 19.—Cash lent A. Buchanon, on joint security	35	0	0	
				<u>35 0 0</u>
				<u>327 2 10½</u>
From these balances deduct £20 lent Stephen Gould, 6th Aug. 1832, and paid in the 6th May, 1836, when the same money was lent to Messer. Hamiltons, and is included in their Note for £40, 16th July, 1836				<u>20 0 0</u>

It was introduced in the Account merely to show the transaction,  
as the Account shows the exact amount received for Rent and  
Interest on Securities, without this sum.

£307 2 10½

MONIES RECEIVED FOR RENT AND INTEREST ON SECURITIES.				
1828.				
Nov.	Cash received of Nathan Lockhart, for amount of 5½ acres of Dyke Land, Letter C., on G. Prairie	£5	2	6
	Cash received of John Cummings, for 4 acres do.	3	4	0
1829.	Lands leased to Joseph Caldwell, and the Rents due May 1830 and 31, carried forward and settled in his Account.—Also, the Rent due, May, 1833.			£8 6 6.
1832.				
July.	Cash received of Joseph Caldwell, on Acct. of Rent	20	0	0

1834.

## APPENDIX No. 72.

1834.				
July.	Cash received of Joseph Caldwell, on Acct. of Rent	£20	0	0
	Cash received of Stephen Gould, 2 years interest on his Note		2	8
			0	0
			<hr/>	42 8 0
1835.				
April 24.—	Cash received of Miss Leard, for one year's Rent of the Upland Lot, near Mr. J. Hamilton's		4	0
			0	0
July 29.—	Cash received of James Hamilton, for one year's interest on his note		1	4
			0	0
Augt. 3.—	Cash received of Joseph Caldwell, for one year's Rent of 14½ acres of Dyke Land		14	10
			0	0
			<hr/>	19 14 0
1836.				
April 20.—	Cash received of Miss Leard, one year's Rent of Upland Lot		5	0
			0	0
May 6.—	Cash received of Stephen Gould, interest due his Note to date		2	2
	Cash received of do. the principal of do.		20	0
	28.—Cash received of Joseph Caldwell, one year's Rent of Dyke Land		14	10
			0	0
June 23.—	Cash received of Wm. Eagles, for one year's Rent of Salt Marsh		0	10
			0	0
July 16.—	Cash received of James Hamilton, one year's interest on his Note		1	4
			0	0
Sept. 10.—	Cash received of Joshua Borden, for one year's interest on his Note		1	4
			0	0
			<hr/>	44 10 0
1837.				
May 23.—	Cash received of Joseph Caldwell, for Rent of Dyke Land		14	10
			0	0
July 17.—	Cash received of Miss Leard, for Rent of Upland Lot		5	0
			0	0
Augt. 3.—	Cash received of Jas. & Geo. Hamilton, interest on two Notes		3	12
			0	0
			<hr/>	23 2 0
1838.				
April 7.—	Cash received of Wm. Eagles, two year's Rent of Marsh Lot		1	0
			0	0
May 12.—	Cash received of Joshua Borden, interest due on his Note, to 1st May, inst.		1	18
			10	0
June 12.—	Cash received of Wm. Denison, for 2 year's Rent of a Town Lot		1	0
			0	0
	21.—Cash received of Miss Leard, one year's Rent of Upland Lot		5	0
			0	0
	26.—Cash received of Joseph Caldwell, for Rent of Dyke Land		14	10
			0	0
July 10.—	Cash received of Jas. & Geo. Hamilton, interest on Notes		3	12
			0	0
Augt. 14.—	Cash received of John Rounsefell, interest on his Note		1	8
			2	0
			<hr/>	28 9 0
1839.				
April 20.—	Cash received of Joseph Allen, in part payment			

of

APPENDIX No. 72.

	of his Note, 20s., given for Rent of Marsh Lot	£0	10	0	
May	2.—J. Rounsefell, interest due on his Note to date	1	1	1½	
June	4.—Cash received of Miss Leard, one year's rent of School Lot	5	0	0	
	Cash received of Joshua Borden, one year's interest on his note	1	4	0	
	8.—Cash received of John Gould, interest on his note to 17th May last	1	8	7	
July	16.—Cash received of James & George Hamilton, interest on their notes	3	12	0	
	Cash received of Joseph Caldwell, on account for rent	£20	0	0	} 65 0 0
24.—	Ditto ditto ditto	45	0	0	
	Cash received of Joseph Caldwell, his Promissory Note for balances in full, on account of rent for School Lands to date	47	6	4	
					125 2 0½

1840.

May	20.—Cash received of Joseph Caldwell, for 14½ acres Dike Land	14	15	0	
	25.—Cash received of J. Rounsefell, interest for one year on his Note	1	8	2½	
	29.—Cash received of Edward Harris, do. do.	3	9	7	
June	6.—Cash received of Joshua Borden, do. do.	1	4	0	
	15.—Cash received of Miss Leard, one year's Rent of School Lot	5	0	0	
Aug.	13.—Cash received of Jas. & George Hamilton, interest on Notes	3	12	0	
Sept.	10.—Cash received of Joseph Caldwell, do. do.	2	16	9	
	24.—Cash received of John Gould, do. do.	1	14	3	
Oct.	19.—Cash received of William Denison, 2 year's Rent Town Lot	1	0	0	
					34 19 9½

Deduct S. Gould's Note

326 11 4  
20 0 0

306 11 4

And the balance shows the amount received by the present Trustees for Rent and Interest on Securities, to the present time.

From this sum deduct £17 5 9 the amount of Dyke Rates and other expenses, as stated in the above Account,  
And there remains a balance in the hands of the Trustees of

17 5 9  
289 5 7

Add to this balance £37 10 for Rents of Land, and Interest on Securities, due the 1st May next, and we shall have a balance at that period of

37 10 0

£326 15 7

JAMES HARRIS, } Trustees of School  
JAMES D. HARRIS, } Lands in the Town-  
C. H. RAND, } ship of Horton.

Horton, 2d March, 1841.

## APPENDIX No. 72.

N. B.—The Rent of 5 acres of Dyke Land, for 1838, was paid to the late Elisha Dewoll, Esq., one of the former Trustees; and the Rent of the Up-lot, near Mr. James Hamilton's, the same year, was paid to James N. Crane, Esq., who held it in possession after his Fathers death, who was also a Trustee.

*Report of School Lands in the Township of Newport.*

The Trustees of the School Lands of the Township of Newport, beg leave to make the following report:—

The Rev. Doctor Porter, Daniel Wier, Esq., and Mr. Anthony Shaw, were appointed by Commission, dated May 26th, 1827, with directions to take charge of said Lands—after which, a part of a two hundred acre Lot was leased with the Salt Marsh, to John Salter, for a term of Twenty-one years, for the annual rent of Five Pounds, the remaining part of the two hundred acres, with the Mill seat, leased to Barzilla Mosher for Forty years for the annual rent of Five Pounds; and (on account of the long term) to build a Grist Mill thereon, and leave it at the expiration of said term. The four hundred acre Lot was leased in the year 1835, to Joseph Alexander, Schoolmaster, for Twenty-one years, for the annual rent of Two Pounds, and to erect a House and Barn thereon, which have been done. The rents of the above, together with private Subscriptions, have been applied in purchasing a Lot of Land, and erecting thereon a central School House, out Houses, &c.

The present Trustees appointed by Commission, are the Rev. Doctor Porter, John Cochran, Esq. and Mr. John Lockhart.—Commission dated the 2d day of April, 1836. We have collected £78 10s., of which we have paid £37 10s., being a balance due on the said School House, leaving a balance in our hands of £41. The dyked Lands are now coming into our hands, which have been in the hands of the Commissioners of Sewers to pay for dyking.

The above report is respectfully submitted.

JOHN COCHRAN,  
JOHN LOCKHART.

Newport, March 1st, 1841.

APPENDIX No. 73.

No. 73.

(See Page 174.)

RESOLVED, That the sum of One Thousand Three Hundred Pounds, granted for the service of Roads and Bridges in the County of Halifax, be applied as follows:

From Hosterman's to forks of Prospect Road	£35	0	0
Fraser's to Peggy's Cove	20	0	0
Hammond's Plains to Main Western Road	40	0	0
Sackville Church to Johnson's, Hammond's Plains	10	0	0
Hammond's Plains to Wellington Settlement	10	0	0
Harriet's Field to Sambro	20	0	0
MacIntosh's Bridge to Ketch Harbour	40	0	0
Ketch Harbour to Sambro	10	0	0
Smith's to Ferguson's Cove	15	0	0
Pennant Harbour and Coot Cove to Sambro	10	0	0
For Roads through and from Dutch Village to Black's Mills	20	0	0
The Prospect Road	75	0	0
Brushy Hill Road	10	0	0
Indian River Bridge, Margaret's Bay Road	10	0	0
The Road in rear of Willow Park	25	0	0
Rodgers' Bridge, Margaret's Bay	10	0	0
Herring Cove Road	10	0	0
From intersection of Main Road, near Hamilton's, to line of County of Hants	30	0	0
For Eastern Passage Road, from Fairbanks' by Hawkins'	20	0	0
From Cow Bay to Cole Harbour Road	10	0	0
To pay expenditure on Salmon River Bridge	12	9	6
Repair breach near Lawrence Town Marsh, and pay previous expenditure	25	0	0
From Lawrence Town Marsh up west side Porter's Lake	10	0	0
Three Fathom to Lawrence Town	20	0	0
To complete Road alteration near intersection of Canal Road, Dartmouth	10	0	0
From Wentworth Hill, Preston, to Lawrence Town	10	0	0
Lake Loon to Porter's Lake	20	0	0
Forks of Chezetcook Road to Long Bridge	10	0	0
For Road alteration at Beech Hill, Preston	15	0	0
To complete Road alteration from Long Bridge to Musquedoboit Harbour, via Petpiswick	75	0	0
For Road up West side Porter's Lake	10	0	0
From intersection of Main Road to Cape Jarvis	20	0	0
Musquedoboit Harbour to Meagher's Grant, and to complete survey	12	0	0
To complete Road alteration near Lake Egmont	6	0	0
From near Logan's, via McDonald's, to the Shubenacadie	8	0	0
Gay's River Bridge, on the intervale, to the Rock Road	12	0	0
Gay's River to Middle Musquedoboit	10	0	0
Middle Musquedoboit to Sibley's, Truro Road	8	0	0
For old Look-out Road, and to repair Bridge thereon	14	0	0
Road leading to Ervin's Settlement, Musquedoboit	10	0	0
From Meagher's Grant to New Eastern Road	25	0	0
New Antrim Settlement to ditto	20	0	0
Hamilton's Clearing to Peter Doyle's	10	0	0
For Road alteration between McCurdy's and Hugh Hanna's, and to pay James McCurdy over-expenditure	20	0	0
Road alteration from H. Hanna's to New Canada Settlement	10	0	0
To re-build Bridges, and repair of Road, between John Higgin's, Senr. and Widow Higgin's	10	0	0
Re-build Bridge near Peter Gordon's, and repair Road	10	0	0

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To.

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To repair Brown's Bridge, Middle Musquedoboit	£10	0	0
Repair Glenmore Settlement Road, between Calbeck's and Guild's	10	0	0
For Road leading from west branch of Saint Mary's towards Pictou	10	0	0
Road to Upper Stewiacke, by Stewart's	5	0	0
Ditto ditto by Graham's	5	0	0
Sheet Harbour Road and Bridge	35	0	0
Lake Road, Sheet Harbour	5	0	0
To open a section of the New Eastern Road, between Hutchinson's Road and Samuel Henry's, Upper Musquedoboit	50	0	0
Pay James Bruce, Sen., this sum, expended by him last year	10	0	0
William Faulkner, for survey of Road, Meagher's Grant	4	12	6
Samuel Kerr, this sum, expended by him in repair of Bridge	3	12	0
Repair New Eastern Road from Canal Road to Middle Musquedoboit, and to re-build the River Bridge	90	0	0
Pay last instalment due on the sum of £1000 advanced to open the New Eastern Road	200	0	0
For Road alteration, McNab's Hill, Eastern Passage	9	6	0
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	£1,300	0	0

RESOLVED, That the sum of One Thousand Pounds, granted for the service of Roads and Bridges for the County of Colchester, be applied as follows, viz :

To William Dunlap, Commissioner, for building the Bridge at Fulton's, Upper Stewiacke, sum due from last year	£20	0	0
To assist in rebuilding the Bridge near Cox's	15	0	0
Repair the Road from the Bridge across the Intervale	5	0	0
Mountain Road to Musquedoboit	5	0	0
Road by Graham's to Musquedoboit	5	0	0
Road from Eliakim Tupper's, Senior, to the Main Road, Newcomb's	5	0	0
Road from Upper to Middle Stewiacke	8	0	0
To rebuild the Bridge at McLaughlin's Mill, and repair the road	25	0	0
To repair the road from Middle Stewiacke to Polley's on Halifax Road	12	0	0
Taylor's, Middle Stewiacke, to Brookfield	20	0	0
From St. Andrew's to Musquedoboit, on the Sibley road	8	0	0
To improve the road from Capt. Prott's to the mouth of Harrington's River, Five Islands	5	0	0
For the road from the County line towards Maccan	10	0	0
To repair the Road and Bridge at North River	5	0	0
To repair the Road and Bridge at Shad Creek	5	0	0
To improve the Road from the Main Road, near Jonathan Morrison's, towards Fulmore's and Simpson's	5	0	0
To repair the East River Bridge, and Road over Gerish's Mountain.	12	0	0
Improve the Road from Robert Faulkner's to Samuel Thompson's	8	0	0
Improve the Road towards River Philip	8	0	0
Assist in making a Road up Economy River	5	0	0
Improve the Road leading through Economy Point—£4 to John Forbes, and £4 to William Dunning's	8	0	0
To improve the back Road from Pleasant Hills towards Francis Fulton's	7	0	0
For the Road leading from Gerish's Mountain to Robert and Samuel Denis'	5	0	0
From the back line of Londonderry through Castlereagh on the Main Road	7	0	0
Onslow to McKay's Mill, Earltown,	40	0	0
McKay's Mill to David Nelson's	8	0	0
Onslow Road to Widow McLeod's	5	0	0
From Widow McLeod's to Hugh Munroe's	8	0	0
Fall Bridge to Widow Sutherland's	5	0	0
			From

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From McKay's Mill to Langille's	£5	0	0
Matheson's to John Nelson's	5	0	0
Paul McDonald's past Baylie's	5	0	0
Hugh Munroe's to West Branch River John	12	0	0
McKay's Mill to Andrew McIntosh's	5	0	0
William McKay's to John Nelson's	7	0	0
Black Rock to Barrasoi's	7	0	0
French River to Matatall's Lake	7	0	0
Lake Road to John Swan's	5	0	0
Samuel Waugh's to Nelson's	5	0	0
Tatamagouche to Oliver's Bridge, and to pay Johnston for plank	£8	9	10
50	0	0	0
Oliver's Bridge to Byre's Mills	5	0	0
Byre's Mills to John Wilson's	5	0	0
Edward Langille's to James Austen's	5	0	0
Robert Bell's to Daniel McLeod's	5	0	0
John Wilson's by McCurdy's, to Cock's	8	0	0
Gavin Bell's to Langille's	5	0	0
McLeod's, New Annan, to the Cumberland line, to meet the road by Swallow's	8	0	0
For the Main Road from Tatamagouche to Denis Bridge	15	0	0
For temporary repair of the Tatamagouche Road	40	0	0
To assist in Bridging the Tatamagouche River at Curry's	30	0	0
For the Cross Road from the Main Road to Kemptown	5	0	0
From Fort Ellis to Green's Creek	12	0	0
Truro to Greenfield	10	0	0
Green's Creek to Pleasant Valley	8	0	0
Green's Creek to Black Rock	15	0	0
Old Barns to Philips'	4	0	0
Old Barns to Shubenacadie	40	0	0
Old Barns to Shubenacadie Shore Road	5	0	0
Pleasant Valley to Aaron Hamilton's	8	0	0
Charles Moore's to Upper Brookfield	5	0	0
John Carter's to Halifax Road	4	0	0
Halifax Road to John Kenedy's	5	0	0
John Kenedy's to Robinson Nelson's	5	0	0
Robert Moore's towards Stewiacke	15	0	0
Stewiacke Road through Harmony	4	0	0
From Jessy Gourley's to Irwin's	5	0	0
For Bridge at Crow's Mills	6	0	0
From Halifax Road to William Halsted's	4	0	0
For the New Road round Davidson's Hill	5	0	0
From John L. Fisher's to Mrs. McCartney's Bridge	9	0	0
Onslow Meeting-House past Crow's Mills towards Chiganois	10	0	0
Crow's Mills, through the Hemlock woods towards the East Mountain	15	0	0
John G. Higgins' to Staples' Settlement	8	0	0
To repair the Road to the Northward of Elliott's	8	0	0
From Joseph Barnhill's to the back road	8	0	0
James Hoare's towards Tatamagouche Road	8	0	0
To complete the alteration between Marsh's and Blair's	15	0	0
From North River, past Blackmore's towards Tatamagouche Road	5	0	0
To pay Robert Blair amount over-expended by him last year on the Bridge near his place	5	0	0
From Dickson's Mills towards East Mountain	6	0	0
To open the new line of road, past Widow Blair's, to James Wright's	6	0	0
From the South Branch of North River towards the East Mountain	10	0	0
John Lynd's towards the head of the Settlement on the South Branch	8	0	0
			From

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From Oliver Blair's to Thompson's Hill	£10	0	0
To secure the North River Bridge, on the Main Post Road, by brushing and gravelling	10	0	0
From Thompson's, in Onslow, towards Earltown, and towards the Bridge on said line	17	10	0
From Edward Hyslop's towards the Main Road	3	10	0
Robert McElhenny's Mills to Debert River	3	0	0
Debert River Bridge to James Totten's	5	0	0
McNutt's to Debert River Meeting-House	4	0	0
Fletcher's Mills to McNutt Road	3	0	0
Do. to Joel Slack's	5	0	0
Thomas Morrison's to Robert Stevens'	3	0	0
Folly to Widow Flemmings	5	0	0
Simon Urquhart's to Town Line	5	0	0
Wallace Road to Cumberland Road	6	0	0
McDormon's to Jackson's	5	0	0
John Dill's to Cumberland Road	5	0	0
Cumberland Road to Portapique	4	0	0
Murray's to Sutherland's	4	0	0
Carr's to Town Line, Castlereagh	5	0	0
Crow's to Bass River	5	0	0
Layton's to foot of Cumberland Mountain	5	0	0
Murray's to Robert Fletcher's	3	0	0
Morrison's to John Vance's, and to pay Daniel Chisholm for repairing Bridge at Fletcher's Mills in 1840	5	0	0
For altering the Road round William Vance's Hill	8	19	6
To repay David Fulton for money expended in 1840 in repairing Bass River Bridge	7	15	9
To repay Wm. Fulton for money expended in 1840 in repairing Portapique Bridge	9	9	5
To repay, in part, Daniel Fulton and James Crow for money expended in 1840 in re-building Debert River Bridge	16	0	0
To His Excellency the Lieutenant-Governor, to pay this sum expended per order, in repair of Folly Bridge	16	16	0
To re-pay Daniel Robinson for money expended in 1839 in clearing out a Road after storm	5	0	0
For Road from Widow Flemmings to James Totten's	5	19	4
	£1000	0	0

RESOLVED, That the sum of One Thousand Pounds, granted for the service of Roads and Bridges for the County of Pictou, be applied as follows, viz :

To Andrew M'Kenzie, for building new Bridge across west branch River John	£40	0	0
Donald M'Kay, for money expended, Gairloch Meeting House, to Angus M'Kay's	9	0	0
For the Toney River Road and Bridge alongside Alexander M'Donald's Bridge and Road by Gallon's Mill, called Williamson's Cove and Bridge, at Williamson's Creek	5	0	0
Road from David Murray's to William M'Kenzie's, west side Bar. River	20	0	0
From Peter Grant's, upwards, west side, Barney's River	10	0	0
Road from John Robertson's through Dewar's, to County Line	5	0	0
Eastern end of the Road passing through the Glen at Barney's, so as to connect it with the Road from David Murray's	5	0	0
Western end of same to connect it with French River	5	0	0
Back of David Murray's, east side Barney's River to Bailie's brook	5	0	0
Post Road from New Glasgow to Fraser's Pine Tree Gut	10	0	0

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APPENDIX, No. 73.

From Pine Tree Gut to French River, including planking, Sutherland, and French River Bridges	£10	0	0
French River to David Murray's	7	10	0
Bridge at David Murray's, Barney's River, on Post Road	8	0	0
Post Road from Murray's Bridge to County Line	5	0	0
Bridge at Lowden's Mill on Main Road	7	10	0
Road from M'Lauchlan's to M'Leans Back Settlement, Knoyadart	5	0	0
From the Gusset to Glendoe	5	0	0
From George M'Leod's to M'Kinnon, west side Bailie's Brook	7	10	0
Main Road from William M'Kenzie's (B. R.) by Gillis Meadow	5	0	0
Road at River John from Thomas M'Cabe's to the turn	5	0	0
Bridge across the Big Gut, Carriboo	10	0	0
at Three Brooks, Carriboo	10	0	0
Road from King's Head to Larder's Mill, Little Harbor	5	0	0
Larder's Mill to Boat Harbor	5	0	0
New Bridge, East Branch River John, near Angus Sutherland's	25	0	0
Bridge at Black Brook, and road to D. Matheson's, towards west branch, River John	15	0	0
M'Kenzie's Mill to Donald Cameron's (Spain) Post Road	10	0	0
From west branch, River John, to Duncan Campbell's, towards Salmon River Moor's, by John M'Kenzie's to Langill's Mill, to include the Bridges	20	0	0
Bridge and Road from Stromberg, at Cape, to River John	5	0	0
Road through Mount Dalhousie from George Rae's to Alexander M'Kay, Sr's.	5	0	0
Road from Ferry Wharf, Fraser's Point to Middle River, including Bridges	10	0	0
Fraser's Point, Pass Cove Brook, to New Glasgow	10	0	0
From Main Road, at Salt Springs, to Murdo M'Kenzie's Interval	5	0	0
M'Rae's Mill to Robert Short's, Upper Settlement, West River	5	0	0
Short's to the County Line	5	0	0
The Bridge at the Upper Settlement, West River, near Short's	20	0	0
Road at Carriboo, from Donald Leslie's towards Sandy Cove	5	0	0
Road through Rogers' Hill from Matheson's to the Church	5	10	0
From Andrew Munro's to Robert M'Connell's, Carriboo River	5	0	0
From Hugh M'Leod's (Hardwood Hill) to David M'Kay's	10	0	0
From M'Kenzie's Saw Mill to Church, Roger's Hill and Bridge	8	0	0
From Robert M'Intosh's, Mount Dalhousie, to Alex. M'Kay's, Turner	5	0	0
M'Rae's Mill to James Fraser's, Mount Thom	10	0	0
From Church, at Rogers' Hill, to Charles M'Kay's Brook	5	0	0
Open the Road through Mount Dalhousie from John M'Leod's to South River	7	10	0
Leading passed Donald M'Kenzie's, Four Mile Brook, from Thomas Rogers', (R. Hill)	5	0	0
From M'Raes' to Peter Stuart's, south side West River	5	0	0
Lime Quarry, on Main Road, to John M'Kay's, Mason, West River	5	0	0
Road from John M'Kay's, West River, to Rory M'Kenzie (Bann)	5	0	0
Joseph Richards' to Murdo Munro's, Six Mile Brook	5	0	0
Road at Carriboo, from William Reid's to Donald Leslie's	5	0	0
From Samuel Archibald's, Middle River, to Ruddoch Mill, West River	10	0	0
Robert Stewart's, Roger's Hill, to McLeod's Blacksmith Shop	5	0	0
Mount Thom to Mount Ephraim	5	0	0
Finlay Cameron's, down Green Hill, to Lower West River Bridge	5	0	0
Crockett's, Middle River, to Alexander M'Leod's, Loch Broom	5	0	0
Donald Leslie's, Carriboo, to Ruddoch Mill	5	0	0
At Cape John, turning off from School House to Back Shore	5	0	0
Barney's River, from the Forks to Alexander M'Leod's	5	0	0
From South side West River, from Ten Mile Bridge to Salt Spring Bridge	5	0	0
N. Balfour's, Middle River, to Andrew Marshall, Green Hill	10	0	0
The Saw Mill, Mount Dalhousie, to John M'Leod's	10	0	0
			Road

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Road at Carriboo, Gordon's East side line, to the road, Dickson's Mill	£5	0	0
Cross Road, West River, from Cameron's, to Rory M'Kenzie's	5	0	0
Cross Road from G. Sutherland's, Gairloch, to Alexander M'Donald's	5	0	0
Road at Rogers' Hill, from Matheson's to Mathew Craig's	5	0	0
Barney's River, from Adam M'Kenzie's to Alexander Sutherland's	5	0	0
Gairloch, from Alexander Ferguson's, by Donald Bailie's, to W. River	5	0	0
Mount Ephraim to Donald M'Leod's	5	0	0
Gairloch Church, to the Cross Road at Angus M'Leod's	5	0	0
Cross Road from Angus M'Leod's to head of Wilkin's Grant	5	0	0
Road at M'Lellan's Marsh, from James Fraser's to M'Pherson's	10	0	0
Mount Dalhousie, South side of Mountain, to District Line, where it meets the Road from West Branch River John, to Salmon River	10	0	0
From the Post Road to Hingley's, via Forbes' Mill, on French River	5	0	0
Road from Bailie's Brook to County Line Mountain Road	5	0	0
Bridge on road to Cape John, near Oliver's place, and Carriboo Bridge, same road	5	0	0
New Road to Toney River, from A. M'Leod's to Alexander M'Donald's	5	0	0
Road from Andrew Ross', Kempt Bridge, to Alexander M'Kenzie's, West River	5	0	0
Road at Cape John to the Cove on the Northern side of the Cape	5	0	0
Road from the Forks, Green Hill, to Angus M'Leod's, New Larig	7	10	0
Road from Simon Fraser to John Marshall, Middle River, New Line	10	0	0
John Grant's, Barney's River, to J. Smith's, head of B. River	7	10	0
From Little Island, Loch Broom, to Bridge, West River	5	0	0
Road from the Middle River to the Mines	10	0	0
Kempt Bridge to the New Eight Mile Brook Bridge	5	0	0
Both ends of Bailie's Brook Bridge	5	0	0
Fisher's Grant to New Glasgow	20	0	0
New Glasgow to Robertson's Mill	10	0	0
Robertson's Mill to Springville	5	0	0
Springville to Fraser's Mill	10	0	0
Fraser's Mill to the County Line	10	0	0
Fraser's Mill to the head, East Branch East River	7	10	0
West Branch Church to head of the West Branch	10	0	0
Bridge at the head of French River, from M'Lauren's to Mickles'	7	10	0
M'Pherson's, M'Lellan's Brook, to Webster's, St. Mary's	10	0	0
Webster's to the Garden of Eden	10	0	0
Garden of Eden to the County Line	10	0	0
Over-expenditure to Alexander Fraser on Bridge, Middle River	5	0	0
Samuel Black and George Fraser, for money expended on Bridge across the Main Road to Fraser's Mill	7	3	6
Donald Henderson, for Bride at Henderson's Mill	15	0	0
John M'Kay for building Bridge	12	0	0
William Hattie, balance due him for Bridge over Bar River, and to finish said Bridge, with Pailing, &c.	10	0	0
Angus M'Donald, over-expenditure on Sutherland's Bridge	4	0	0
From River John to the County Line, on the road to Onslow	12	10	0
Road D. Lowden's, West Line to William Graham's, at Carriboo	5	0	0
Towards building a New Bridge at New Glasgow	100	0	0
From Grant's Bridge to the Bridge at the Meeting-House, West side East Branch	7	10	0
From Bridge at Meeting House to Bridge at Fraser's Mill, West side East Branch	7	10	0
From Christopher M'Donald's to Middle River Forks	7	10	0
From River John Road to the Cape, by Gammon O. Holmes'	5	0	0
From Hopewell to Middle River, by Fox Brook	7	10	0
From Grant's Mill to Irvine's	5	10	0
From Chisholm's West Branch to Gordon's	5	10	0

From

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From William Mc'Donald's, New Glasgow, to the Pine Tree Gut, by the Marsh	£7	16	6
From John Fraser's, M'Lellan's Brook, to John Matheson's	5	0	0
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	£1000	0	0

RESOLVED, That the sum of One Thousand Pounds, granted for the Road and Bridge Service; also, the further sum of Two Hundred Pounds, granted in Committee of Supply for the same purpose, in the County of Cumberland in 1841, be divided as follows:

From Post Road to the Salt Springs, Spring Hill	£10	0	0
Fillmore's Mill to James Dewer's	8	0	0
Mouth of Little River Road to Brownel's Ferry	6	0	0
Widow Forshner's to River Philip Bridge	17	0	0
William E. Angevines to Wallace Harbour	8	0	0
Goose River to Leicester, by Benjamin Smith's	5	0	0
Leicester to River Philip, at Tate's	5	0	0
Jerry Brownel's to Robert Brownel's	5	0	0
Widow Brook's to Shenimicas Bridge	75	0	0
Robert Harrison's to Wallace Road, by Graham's	5	0	0
George Well's to Palmer's Point	5	0	0
Frederick Bergman's to Pugwash	4	0	0
Pugwash to Gulf Shore Road, by Brown's	6	0	0
North Shore Road, by McKenzie's	8	0	0
Gilbert Purdy's, Westchester, to Beebee's	13	0	0
North Shore Road to Post Road, by Fulton's	5	0	0
Col. King's to River Philip Road, by White's Ship Yard	20	0	0
Cantwell's to the Stake	5	0	0
Methodist Chapel to Henry Purdy's, Malagash	8	0	0
Tuttle's to the Gulf Shore	5	0	0
Bland's to Rindress', and to pay £4 8s. over-expenditure in 1840	8	0	0
Dewer's Bridge to Wallace Harbour	18	0	0
Widow Webb's to Isaac Rushton's	4	0	0
Fillmore's Mill to James Ryan's	5	0	0
Palmer's to Teid's Meadow	5	0	0
Jasper Fulton's to Stevens' Mill	5	0	0
Leicester Road, from Spencer's Bridge, to the Post Road	8	0	0
Fountain's, Castlereagh	4	0	0
Tate's to Moore's	6	0	0
Henry Teed's to Mattatal's Lake	6	0	0
Pugwash River to the Post Road, west of Stewart's	4	0	0
Tuttle's to Martin King's	4	0	0
Martin Hunter's to Black Ferry	5	0	0
North Shore to the South Shore, by John Triene's	10	0	0
Wallace River to New Annan, by Swallow's	5	0	0
James Purdy to Abraham Rushton's	4	0	0
Robert Harrison's Clear, through Newtown	5	0	0
Joseph Kerr's, by Hurd's, to Six Mile Road	8	0	0
Six Mile Road, by McKenzie's, to Colter's	5	0	0
Methodist Chapel, Malagash, to Abner Smith's	5	0	0
Leicester to Duck Creek, near Dixon's	6	0	0
Bridge at David's, Fox Harbour	10	0	0
Goose River Road to R. Brownel's, by Angus'	5	0	0
Black River Road	5	0	0
Wallace Bridge, at Rindress	6	0	0
Widow Read's, by Crawford's, to Gray's Road	7	0	0
Cyprian Steven's to Gray's	7	0	0
D. Montrose to Heather's, by Mitchel's	6	0	0
			From

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From Kenneth McKenzie's to Wallace Harbour	£5	0	0
H. N. Oxley's to Fox Harbour	10	0	0
George McIver's to Fox Harbour	5	0	0
Alexr. McDonald's, by Morrison's, to D. Campbell's	4	0	0
Steven Tuttle's to Hurd's Mill, by Doyle's	5	0	0
Pugwash to Gulf Shore Settlement	5	0	0
Collingwood Oxley's to James Maxwell's	12	0	0
River Philip Bridge to Irvin's	5	0	0
Herrett's to Salt Springs	15	0	0
Road by George Smith's, River Philip Road	6	0	0
John Stewart's, through Fork Settlement	14	0	0
Maccan, towards Five Islands	5	0	0
Maccan, towards River Philip, to G. Smith's Road	9	10	0
George Smith's Road to Oxley's	6	0	0
West Brook to River Hebert	5	0	0
George Atkinson's to Caleb Lewis' Farm	9	0	0
Alteration Ripley's Hill, Maccan	8	0	0
James Maxwell's to 2d River Bridge	8	0	0
Little River Road to Spencer's Bridge	8	0	0
Past D. Chisholm's to McKenzie's Mill	5	0	0
William E. Angevine's to new Bridge, to pay over-expenditure of Samuel Angevine, 1840.	8	18	3
New Bridge near Angevine's, over-expenditure 1840	40	6	3
Minudie to South Joggin, Lower Cove	18	0	0
Main Road from W. Ripley's to River Hebert	19	17	6
River Hebert Bridge to Capt. Glennie's	10	0	0
John Wood's, down Maccan, by Sharp's, to Seaman's	6	0	0
Joseph Keiver's to Calvin Bent's	15	0	0
Amos Trueman's to John W. Oxley's	15	0	0
Toby's Mill's to Tindal's	12	0	0
John W. Oxley's to James Chappel's	12	0	0
John W. Oxley's to mouth of Little River Road	5	0	0
Lewis R. Purdy's, through Porter Town	5	0	0
Ragged Reef to River Hebert	5	0	0
New Line of Road to Louthers—not to be drawn till duly certified that the sum of subscribed to improve said Road, has been expended thereon	5	0	0
Daniel Casey's to the Post Road, near John Bent's	7	0	0
Abitou towards Fort Lawrence, on the Marsh	18	0	0
On the rear line of Jacob Wilson's land to Leicester	5	0	0
Little River Road, past Chapman's	6	0	0
Jeffer's Lake to Caleb Lewis' Farm	9	0	0
Fife's to Cranberry Lake	5	0	0
Caleb Lewis' to William Skidmore's	5	0	0
Methodist Chapel, by Holmes', to D. Lockhart's	5	0	0
Newcome's to Daniel Lockhart's	5	0	0
Swan Creek to Harrington's River	34	0	0
Henry Jeffers to Black Rock	8	0	0
Cumberland Road to Ramshead River	15	0	0
Ramshead River to Ratchford's River	9	0	0
Ratchford's River to Widow Burns'	5	0	0
Advocate Harbour to Three Sisters	7	0	0
Grant's to Apple River	5	0	0
Halfway River Meeting House to Harrison's	8	0	0
Carey's Road	5	0	0
Diligent River, by York's, towards Welton's	8	0	0
			From

APPENDIX No. 73.

From Henry Jeffer's towards Tate's, to be expended when established by Sessions	£10 0 0
Over Wood's Mountain to Kerr's	9 0 0
John Lockhart's to Gallagher's	4 0 0
Two Island road, by R. Gibson's	6 0 0
Road through the Allen Settlement	5 0 0
Newcome's to Swan Creek	9 0 0
William Fullerton's to Sand River	8 0 0
Maccan Bridge	40 0 0
Dickinson's, up the River, past Shipley's	5 0 0
George Butler's to Caravan road	6 0 0
John Brown's Mill, by D. Etter's, to the Forks	8 0 0
Over-expenditure to Cyprian Davison, 1840	6 0 0
Ratchford's River to Fraser's	40 0 0
Fraser's to Spicer's	30 0 0
Bridge near Pugwash	130 0 0
	<hr/>
	£1210 12 0

NOTE. In the above Sum is included Ten Pounds and Twelve Shillings undrawn from the Treasury in 1840.

RESOLVED, That the sum of Twelve Hundred Pounds, granted for the service of Roads and Bridges in King's County, be applied as follows :—

**HORTON ROADS.**

From Halfway River, on the present Post Road, to Stone Bridge	£30 0 0
Post Road, near Dan. Bishop's, Easterly, past Elisha Bishop's	5 0 0
Samuel Beckwith's, on the Bluff Shore Road, to Edward Bordan's	12 0 0
Benjamin Nason's, Westerly, past Ward's Mill, to Trenholm's	10 0 0
Trenholm's, on the Fitch Farm, to King's, on the Old Allison Farm	5 0 0
John Lawrence's, Easterly, to Trenholm's	5 0 0
The Main Road, near Perry Bordan's on the new Road, to the Dike, and thence to Long Island	20 0 0
The Old Post Road, near Farrel's, Westerly, on the Nictaux Road, by David Vaughn's, to Thos. A. Davison's	8 0 0
The Post Road, Westerly, to Nathan Davison's, and to make an alteration in said Road	10 0 0
John Reed's to James Vaughn's	6 0 0
Benjamin's Bridge, up the mountain, £5, and from the Mountain Road, Easterly, by Ebr. Coaldwell's, £8	13 0 0
For the Road, leading up the hill, past William Duncans	5 0 0
The Road, leading up the hill, past Joseph Allen's	5 0 0
From Nictaux Road, Northerly, by Abner Kinnie's, to top of the Mountain	15 0 0
For the Cross Road, on the Mountain, past Nicholas Fielding's	6 0 0
From William Benjamin's, past James Coaldwells, to James Pitt's	12 0 0
Ebenezer Miner's, past Payzant's, to the School House near Reddin's	15 0 0
Thomas Davison's, Southerly, past the Mill	5 0 0
Scovill Bridge, up the Mountain, past Eli Griffin's, to Dorman's Mill	10 0 0
The Mountain Road, Southerly, past Henry Nowlin's, to Black River	12 0 0
The Mountain Road, near John Carter's, Southerly, towards William McDonald's	5 0 0
The School House, near Reddin's, past Wm. McDonald's, to Dorman's Mill	8 0 0
The School House, near Reddin's, Westerly, past Joseph Lawrence's	5 0 0
White Rock to Canaan	8 0 0

APPENDIX No. 73.

For the New Road leading from the back Canaan Road, past Benjamin Goulds, to John McLearn's	£15 0 0
From Thomas Bishops, in Canaan, past Redmon's, to Wood's	5 0 0
Frank Caldwell's, on the Road past James Caldwells and Jordan's	6 0 0
John Jones', Southerly, on the Sherbrook Road	25 0 0
Kentville, on the Beech Hill Road, to John Jones', and to pay for a Bridge built last Autumn	22 10 0
The Post Road to New Canaan	10 0 0
The Post Road, near Hancock's, to the back Canaan Road	6 10 0
Benjamin Morse's to Sand Point	10 0 0
Nathaniel Randall's, Westerly, to Post Road	5 0 0
To repair Lower Horton Bridge and Causeway	20 0 0
From Lower Horton Bridge to Kentville	30 0 0
To secure the road and embankment between Little Island and Boot Island	10 0 0
	£400 0 0

CORNWALLIS ROADS.

From Kentville, through Aylesford, in addition to the sum of £50, out of the Great Road Vote, granted for the Great Roads in King's County the past year, undrawn	£10 0 0
For the Great Road, and alterations, as surveyed and laid out from Kentville, past Benjamin Silver's, to the Road passing Rusco's to Billtown, and from thence to Hall's Harbour, in addition to £75, out of the Great Road Vote, as recommended to be applied, granted by Bill the past year for the Great Roads in King's County, undrawn	50 0 0
For the Great Road, and alterations, as surveyed and laid out from the New Cornwallis Bridge, over the Grand Dike and Canning River, to the Road passing S. S. Rand's, and from thence up the Wood Hollow to the top of the Mountain, by Loomer's to Baxter's Harbour, in addition to £75, out of the Great Road Grant, as provided for by Bill for the Great Roads in King's County the past year, undrawn; £50 to be expended on that section which passes up the Wood Hollow and Mountain	40 0 0
From Daniel Huntly's to Mill Creek, and to build a Bridge over the Great Vault by Doyle's	20 0 0
From Mill Creek, by Joseph Lyon's and White Water Brook, to Blowmedon	5 0 0
For opening a New Road from Scot's Bay Road, Easterly, to Blomedon Road and White Water, and the Road East of Rand's Mill to Pero, by M. New- comb's	6 0 0
From Peter Woodworth's to Split Hollow or Shore	5 0 0
Joseph Newcomb's to Scot's Bay	10 0 0
The Scot's Bay Road to Judah Eaton's, and for the Road passing James Newcomb's Plain to the Bay, half to be expended on each Road	8 0 0
From Scot's Bay, Westerly, by Hugh Kerr's	6 0 0
From Simon Newcomb's to Black Hole	9 0 0
For the Big Vault and Road East of Wm. North's, and the Road passing Rosse's from the Baxter Road Westerly, £2 to be expended on the Ross Road	11 0 0
From Isaac Newcomb's up the Mountain, and Easterly, by Wilmot Osborn's, to the Baxter Road	5 0 0
Hall's Harbour to Saml. Woodworth's, and to complete the alteration as commenced, &c.	18 0 0
Hall's Harbour Road, Easterly by Tupper's, to the Sheffield Vault	7 0 0
Daniel Griffin's, past Samuel Rockwell's, to the Mountain Road, and the Road passing Wm. and John Woodworth's	6 0 0
	From

APPENDIX No. 73.

From Robert Foot's, Easterly, by Luther Porter's, to J. Porter's, and the Road by Dunham's to Hall's Harbour	£14	0	0
Bently's, up the Mountain, to Foot's	5	0	0
Foot's to Huntington Point, and for the Road, Westerly, to the Barnaby Mill Road, the greatest portion to be expended on the latter Road	10	0	0
For the Barnaby Mill Road to the Bay, and the Road, Westerly, to the Black Rock Road	7	0	0
From Charles Hsley's to the Black Rock Road	5	0	0
G. Bligh's, Westerly, to the Burges Road	5	0	0
The Burges Road, Westerly, to the Black Rock Road, and the Road Northerly by Finney's	5	0	0
The Road passing Cochran's, Northerly, by William West's, to the Bay Huntington Point Road, Easterly, to the Hall's Harbour Road, and to the Bay	5	13	4
The Black Rock Road, Easterly, by John Cogswell, and to open the New Road, Northerly, to the Canada Brook at the Bay Shore	14	0	0
The Road by Henry Pelton's, up the Mountain, to the Bligh Road	6	0	0
For the Road up the Mountain, by B. Burges', Junr.	6	0	0
From the Post Road, Northerly, by Dudley Woodworth's to the Baptist Meeting House	7	0	0
The Methodist Chapel, by Newcomb's, to Black Rock, and to complete the alteration at the Mountain Hill, as commenced	24	0	0
The Givan Harbour to Turner's Point	6	0	0
The Givan Harbour to George Beckwith's	10	0	0
Alfred Skinner's to Geo. Beckwith's place, and the Road, as laid out from the Givan Road, by Spurr's, Easterly, to the Black Rock Road	14	0	0
The Turner Point Road, and the Road by O. H. Cogswell's to Aylesford Line	8	0	0
The Turner Point Road, Easterly, past Bardsly's, to the Givan Road, near Fisher's, and to open the New Road, Northerly, from Bardsly's to the Bay	8	0	0
Aylesford Line, by A. Woodworth's, to Thorn Brook, and the Road by Andrew Woodworth's, and from the Baptist Meeting House to Spurr's	12	0	0
Bill Clem's to William Skinner's	5	0	0
James Shaw's, by J. Shaw's, to the Baptist Meeting House	7	0	0
Able Parker's, Easterly, to Wm. Pineo's, and make the several alterations	8	0	0
The Post Road, Southerly by John Tailor's to the Condon Road	10	0	0
The Aylesford Line, Easterly by Collins', on the Condon Road	6	0	0
The Post Road, by Jacob Webster's and the Burges Land, Southerly	7	0	0
For the Road passing Enoch Condon's, Westerly, to Aylesford	10	0	0
From the Annapolis Road, near David Davidson's, Northerly, to John Person's	8	0	0
Thomas Lovett's to the Baptist Meeting-House in Bill Town	6	0	0
Aaron Sheffield's, by Wm. Cogswell's, to Harris', and pay £14 expended on the Middle Dike Bridge the last year	18	0	0
For the Gibson Road	5	0	0
From Brandywine Road to Joseph Dunham's, and to be expended on the South half of the Road	10	0	0
James Griffin's to Robert Parker's	7	0	0
Graham Bowl's, Northerly, to the Methodist Chapel, and to complete the alteration	14	0	0
For the Embankment at Town Plat	5	0	0
The Little Lake Road by Tim Barnaby's	6	0	0
The Road passing Brennen & Murphy's	5	0	0
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	£533	13	
	Aylesfor		

APPENDIX No. 73.

AYLESFORD ROADS.

From Samuel Parker's on the road to Sherbrook	£12	0	0
the Canaan road, by Lake George, to Sherbrook	8	0	0
Cornwallis Town Line, on the Canaan road, to Wilmot	8	0	0
Road through Sherbrook, in King's County, and for the road from thence to Aylesford	20	0	0
Parker road, easterly by Lewis Palmer's and John Tailor's, to the Post Road	15	0	0
Parker road, westerly by Hodges, to the Nichols road	6	0	0
Nichols road, by Jackson's, to the Glebe road	6	0	0
Jackson road, on the south end of the Nichols road, to the Canaan road, and for the Canaan road	6	0	0
Neily road and the Canaan road, and the road easterly by Solomon Bolsby's	10	0	0
Road leading from the Neily road, westerly by Messengers, to Wilmot line			
The Ward road, westerly by Keaton's Mill, to the Post road	10	0	0
Post road, by A. Spinney's, to Canaan road	16	0	0
Post road, on the Glebe road, to the Ward road, and westerly to the Spring road	10	0	0
Ward road, on the Glebe road, to the Canaan road	8	0	0
Ward road, easterly from the Glebe road, to the Nichols road, through the Palmer Settlement	8	0	0
Post road, by Nichol's Mill's, to the Jake's road	16	0	0
Bishop's road, easterly, by Willis Foster's	7	0	0
Post road, on the Bishop's road, to the Bay	8	0	0
Clermont road to the Bay	12	0	0
Clermont road, easterly, to the Mordan road, by Thomas Welton's	5	0	0
Post road, on the Mordan road, to the Bay, and the road on the Mountain easterly, to the Ormsby road	14	0	0
Ormsby road, crossing the mountain to the Bay, and for the road easterly by Clowry's, to Cornwallis town line.	10	0	0
Post road, on the Ormsby road to the mountain, and to cut down the Hill by the School House	6	0	0
Cornwallis town line, on the road passing A. B. Patterson's and Grave's to the Mordan road	9	0	0
For the Road leading from the Ormsby road, easterly, by George West's to Abner Woodworth's	14	0	0
road, southerly from the Post Road, near Magee's by Palmer's, to the Ward road	6	6	8
Ward road, from the Wilmot line, easterly by Welton's, to the Spring road	6	0	0
	£266	6	8

RESOLVED, That the sum of £150, out of the sum of £950, granted for the service of Roads and Bridges in the County of Sydney, for the present year, be placed at the disposal of His Excellency the Lieutenant-Governor; and that the sum of £800, the residue thereof, be applied as follows, viz:

From County Line, at Merrigomish, to Malignant Cove, and to complete new line	£30	0	0
Malignant Cove to Scott's Bridge	15	0	0
Scott's Bridge to Antigonish, and to complete alteration at Carter's Hill	30	0	0
Malignant Cove to Livingston's Brook	12	0	0
Livingston's Brook to McNair's Mill round the point of Cape George	10	0	0
			From

APPENDIX, No. 73.

From McNair's Mill to Anderson's, South line	£10	0	0
Anderson's, South line, on new line to Neil Kennedy's	25	0	0
Anderson's, South line, on the old road to Morrystown Chapel	5	0	0
Ogden's Pond to Cross roads at School House	12	0	0
Cross roads at School House to Antigonish	20	0	0
Pomquet Forks to Big Tracadie	12	0	0
Beach Hill to Pomquet Forks	25	0	0
Big Tracadie to Havre au Bouche Bridge	20	0	0
Havre au Bouche Bridge to County line	12	10	0
Gulf Shore, at Donald McDonald's, (bracks) to the mountain road	15	0	0
Hugh McGillivray's, through Back Settlement, to the County line	10	0	0
McNeil's Brook to Back Settlement, Malignant Cove	6	0	0
Roman's, past Delaney's, to Widow McEachern's	12	0	0
Reid's Mountain road to County line	10	0	0
Graham's, through Back Settlement, to D. B. McDonald's	10	0	0
Town point Ferry to Pomquet Ferry	6	0	0
Manchester road, past Archibald McDonald's, towards Fraser's Grant	7	10	0
South Lake, through Hallowell Grant, to Big Marsh	7	10	0
Donald Ban McDougall's, through Dean and Chapter Lands, to Big Marsh	12	10	0
Ballentyne's Cove to Livingston's, across Cape George	10	0	0
Beaver Meadow to Keppoch	7	10	0
Bridge at Baxter's to Angus McPherson's, Ohio	20	0	0
Angus McPherson's, Ohio, to Jordan's Mill, by the new line	15	0	0
Malcom McMillan's to McNab's brook, west side of Lochaber Lake	7	10	0
McNab's brook to County line	12	10	0
Lochaber Lake, by Malcom Sutherland's, to the South River	10	0	0
Salt Springs, by Pitcher's farm, towards Fisher's Mill	12	10	0
Angus McDonald (McBride's) past Allan Cameron's	7	0	0
Church at Sutherland's, through back Settlement, to County line	10	0	0
Ohio Road, past J. Williams', to James Nichol's	12	10	0
Beaver Meadow, up west side of Ohio, to Angus McInnes' (Serjeants)	15	0	0
Bridge, Middle Settlement, South River, at John McDonald's (Grey)	17	10	0
Road up west side South River to Bridge at Allan McGillivray's big brook	10	0	0
From Allan McGillivray's big brook to Horrahan's Lower Line	10	0	0
Horrahan's lower Line to County line St. Mary's, and to pay over-ex- penditure of last year	10	0	0
Road up east side South River to Widow McPherson's lower Line	10	0	0
From Widow McPherson's, to continue on the new line to Archibald McPhee's lower Line	25	0	0
Cross roads, near Stern's, to Donald B. Chisholm's	6	0	0
Cross roads, Big Tracadie, past Boyle's, to back Settlement	10	0	0
Henry's road, through back Settlement, to Guysborough County line	10	0	0
South Lake towards Malignant Cove	10	0	0
Archibald M'Phee's lower line, at South River, towards Guysborough County line	8	0	0
Boyle's, Manchester Road, to Back Settlement	5	0	0
To re-build Bridge on South River, at John Cummings'	9	0	0
From James Nichols' towards County line	6	0	0
Pomquet Forks, past Indian Chapel, to Little River	17	10	0
John M'Gillivray's to new road at A. M'Dougald's	7	0	0
John M'Keough's, on shore road, to Havre au Bouche	10	0	0
Ohio road across to Lochaber Lake	7	10	0
St. Andrew's Chapel to Town Point Ferry, and for alteration at M'Ken- zie's Cove, and for over-expenditures of last year	21	0	0
St. Andrew's to Pomquet Forks	15	0	0
South River Bridge to Bridge at M'Pherson's Mill, on Manchester road	8	0	0

APPENDIX No. 73.

From Bridge at M'Pherson's Mill to County line, Manchester road	£8 0 0
Devost's Bridge to County line on main road to Guysborough	7 10 0
Pomquet Cove to Pomquet Ferry	7 10 0
Pomquet Forks to Pomquet Chapel	7 10 0
Pomquet Forks, through Fraser's Grant, towards Manchester road	7 10 0
Manchester road, past John Chisholm's to Fraser's Grant	5 0 0
Big Marsh, past Donald M'Gillivray's to Henry's road	6 0 0
Morristown Chapel, through Hallowell Grant to Old Gulf Road	7 10 0
Whidden's Mill to Alexander Cameron's lower line, and to complete the new line	12 10 0
Alexander Cameron's lower line to M'Lean's Mill	8 0 0
M'Lean's Mill to John M'Donald's, Glenco	8 0 0
Main Road on new line past Samuel Mahaney's to Hallowell Grant	8 0 0
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	£800 0 0

**RESOLVED**, That the sum of £538, out of the sum of £950, granted for the service of Roads and Bridges in the County of Guysborough, during the present Session, be placed at the disposal of His Excellency the Lieutenant-Governor for the Main and Cross Road and Bridge service, in said County, for the present year, and that the residue be appropriated as follows, viz :

From Sherbrooke to the Brook above John K. McKeen's	£10 0 0
Cochran's Hill, on the new line, to Peter Grant's	60 0 0
Peter Grant's to the County Line, and to explore and survey proposed alterations on said line	15 0 0
Halifax County Line to the Forks, on the new line, by the Mill, and to repair Bridges	25 0 0
The West River Road to the East River Bridge, by Samuel Cumming's	7 0 0
Samuel Cumming's, up the East River, to the County Line, and to assist the Inhabitants to build a Bridge at James Cameron's, over the branch	15 0 0
Fisher's Mills to Polson's, on Sinclair's Road	5 0 0
Bruce's Lake to the Road leading from Country Harbour Cross Roads to South River Road	5 0 0
Sherbrooke to Ekemsekem, and to survey and explore proposed alterations from Sherbrooke to Gaspereaux Brook	10 0 0
Sherbrooke to the mouth of the River, and to explore and survey proposed alterations	15 0 0
The mouth of the River to Holland's Harbour	5 0 0
Hugh Ross' to the North-west Arm, at Sherbrooke, and to explore a Road on the south side of the River	10 0 0
The Cross Roads, at McGrath's, to Country Harbour Cross Roads	10 0 0
The Cross Roads at Country Harbour to the County Line, at the South River	10 0 0
The Cross Roads to the Back Settlement of Saint Mary's	10 0 0
To pay the last instalment on the sum of £1000 granted for the New Road through Musquedoboit to St. Mary's, to be paid by instalments by the Counties of Halifax and Guysborough	200 0 0
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	£412 0 0

**RESOLVED**, That the sum of One Thousand Pounds, appropriated for the service of Roads and Bridges in the County of Annapolis, be applied as follows :

On the Road through the Dalhousie Settlement, through the Township,	
so called	£10 0 0
	On

APPENDIX No. 73.

On the Dalhousie Road, from Anderson's to the Moore Road	£10	0	0
the Moore Road to the Liverpool Cross	15	0	0
Road from the Liverpool Cross to Lunenburg Cross	15	0	0
East of the Cross, leading to New Germany	15	0	0
By Peter Moore's, leading to Dalhousie	20	0	0
To Lunenburg, by Samuel Wheelock's	10	0	0
From King's County Line, west, by Eri Welton's	10	0	0
New Harmony to New Canaan Road	10	0	0
The Stronach Road to Margaretville Pier	10	0	0
John Longley's to Gates' Wharf	10	0	0
New Road, near Zebulon Phinney's	15	0	0
From the Wilmot Springs to the Cross Road, by Levi Phinney's, (called Victoria Road)	20	0	0
Road from Patrick D. Scanlin's, on the Stronach Road, to the Bay Shore	10	0	0
Shore Road, from Gates' Wharf to the Handley Mountain Road	15	0	0
Handley Mountain Cross Road, from the foot to the top of the Mountain	10	0	0
Road from the Gates' Cross Road to the Wilmot Springs	10	0	0
John Cropley's to Gates' Wharf	10	0	0
The Post Road to James Parker's	10	0	0
The Cross Road, by Aseph Bent's, leading to Margaretville Pier	10	0	0
Leonard Cross Road, from the Post Road to the Road under the Mountain	10	0	0
Road from the School House to Marshall's Cove	10	0	0
Post Road to Jacob Durland's, and to build a Bridge	15	0	0
To repair the Bridge by James Flannigan's	15	0	0
Elijah Phinney's Mills	25	0	0
On the Road from Canaan Road to the Post Road	15	0	0
Moore Cross Road, from the Dalhousie Road, north	15	0	0
Perot Road, south of the Ten Mile River	10	0	0
Dalhousie Road, from King's County Line, west	10	0	0
Road under the Mountain, from Condon's School House to Morse's Hill	15	0	0
Road from Marshall's Cove to Granville Line Road, in addition to £15 granted last year, and not drawn	5	0	0
To repair the Causeway and Abutment east side of Bear River Bridge	20	0	0
On the Road from Robert Jefferson's to the Black Settlement	15	0	0
The Little Moose River to John Comb's	10	0	0
David S. Ditmar's to Miller's corner, Shore Road	25	0	0
Moose River to Samuel Bell's, Guinea Road	10	0	0
Isaac Ditmar's to John Wilson's	15	0	0
The Generals Bridge to Millner's corner	15	0	0
Alexander Eason's to the Indian Settlement, new Liverpool Road	40	0	0
The Annapolis Road, up the Beal's Mountain	10	0	0
Sidney Sanders' to the Perot Road	15	0	0
Moose Road, from the Annapolis Road, south	25	0	0
Road from Joshua Beal's to Jacob Banks'	10	0	0
Henry Beal's to John Sanders'	10	0	0
The Beal's Road, east, to Joseph Wilson's	10	0	0
John Sanders' to John Merry's	10	0	0
Warren Longley's to the Durland Settlement	17	0	0
Bridge by Eason's Grist Mill	13	0	0
Bridge over Allan's Creek	35	0	0
Bridge by Joseph Daniel's, and to pay an over-expenditure on the same, last year	15	0	0

On

APPENDIX No. 73.

On the Bridge near John Potter's Mill	£5	0	0
Bridge near Samuel L. Chipman's	5	0	0
To repair the Ferry Slip, Annapolis side of the River	12	10	0
Granville side of the River	12	10	0
Bridge at Lawrencetown	5	0	0
On the Wilmot Line Cross Road	10	0	0
James Cross Road, from the limits of Bridgetown to the Lake, at the top of the Mountain	20	0	0
From the Lake, at the top of the Mountain, to the Shore Road	15	0	0
On the Chute's Cross Road, from the Main Road to the Bay	15	0	0
Phinney Cross Road, from the foot of the Mountain to the Bay	10	0	0
Young Cross Road, from the Main Road to the Bay	15	0	0
Gilliat Cross Road, from the ditto ditto	15	0	0
McKingey Cross Road, from the foot of the Mountain to the Shore Road	10	0	0
Lamburrow Cross Road, from the Main Road to the Shore Road	10	0	0
To repair Foster's Abiteaux, and an over-expenditure on the same last year	7	10	0
Troop's Abiteaux	10	0	0
On the Bay Shore Road, new alteration, Write's Brook	15	0	0
To assist in cutting down a hill on the Main Road, east of Quinlin's Mill	10	0	0
On the Post Road over the Mountain, from Benjamin Ramsey's to the James' Cross Road	10	0	0
Road from the Chute's Cross Road, west, by Thomas Moody's	10	0	0
Shore Road, east from the Young's Cross Road	7	10	0
West from the Young's Cross Road	7	10	0
The Road, east from the Young Cross Road, by Edward Crount's	7	10	0
To repair the Bridge over the Moose's Brook, west of the Young Cross Road	5	0	0
On the east and west Road, over the Mountain, from Francis Halliday's to Michael Collins'	7	10	0
Road from Aaron Oliver's to Thomas Hudson's	5	0	0
The Robblie Bridge, east, to Manassa Litche's, including the Bridge	12	10	0
The Robblie Bridge, west, to the Widow Anderson's	10	0	0
Shore Road, from the Chute's Cove Road to the Westward	5	0	0
	£1000	0	0

RESOLVED, That the sum of One Thousand Pounds, granted for the Service of Roads and Bridges in the County of Digby, in the year 1841, be applied as follows:—

To repair the Bridge at Rice's Brook	£20	0	0
Bridge between Charles Harris' and George Harris' Farm	10	0	0
Road from James Purdy's Farm to Lee's Mills	20	0	0
Cross Road, from Sissiboo Road to Morgan's Settlement	10	0	0
Cross Road, between Sules' and Smith's Farm, leading to the back Road	15	0	0
Road from Wm. Nichols' to Beamer Chute's Farm	15	0	0
Sissiboo Road, westerly, to commence where the Comr. left off last year	15	0	0
Road through Long Island	30	0	0
Road between Cornelius Fidel's Farm and Petit Passage	20	0	0
To open the Road between Sandy Cove and Trout Cove, to commence at the west end	30	0	0
New Road, between Sandy Cove and Trout Cove, to commence at the east end	30	0	0
To repair the Cross Road from Timpany's to Gulliver's Hole	15	0	0

To

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To repair the	Mountain Road between McRay's farm and Gulliver's Hole	£15	0	0
	Road from McSweeney's farm to include the Bridge at William's Brook	10	0	0
	Road from Small's to the Head of St. Mary's Marsh	10	0	0
To Open the	Road from the Neck Road to Broad Cove, between Lots, No. 1 & No. 2	10	0	0
To repair the	Road from the Racket Bridge to Isaac Vantassels Farm	10	0	0
	Turner's Bridge to the Light House	10	0	0
	Between Thomas O'Conner's and John McKay's Farm	15	0	0
	Road from George Nichol's Farm to South range	15	0	0
	Road from the North Range road to Zeigler's Settlement	20	0	0
	Road from St. Mary's Church to the North range	15	0	0
To open the	Road leading to South range on Peter Zebo's Line	12	0	0
To repair the	Road from the Main Road to Bavis Settlement, St. Mary's Bay	10	0	0
	Road between J. Lewis, jr. and Wentworth Church on the Main Road	30	0	0
	Sissiboo Bridge	50	0	0
	Cross Roads from Wm. Paysons to the Township Line	10	0	0
	Road between Jones' Brook and Moore's Farm, North side, Sissiboo River,	15	0	0
	Road from H. Woveld's to Melanson's, and North side Sissiboo River	15	0	0
	Thomas' Road, commencing at Van Buskirk's, West Line, and extending Eastward	10	0	0
To open the	Road from the North Range, Cross Road to Thomas' Road	10	0	0
To repair the	Road in District, No. 30, South side, Sissiboo River	15	0	0
	Road from Dunbar's Farm to the Upper Falls, south side, Sissiboo River	20	0	0
	Road leading to Queen's Battery in Digby	15	0	0
	Road from the Racket Bridge to Wright's	20	0	0
	Road from the Tusket Road to the South-east Angle of Township of Digby	10	0	0
	North range road from Van Emburgh's to Andrew's Farm	10	0	0
	Road between W. B. Conden's and Balcomb's Mills	10	0	0
	Main road between Hollingshead Bridge and Lee's Mills	20	0	0
	Road from St. Mary's Road to the Marsh Road, between Lots No. 1 & 2	10	0	0
To complete the	Bridge on the road between Blair's and Dowling's Farm	5	0	0
To repair the	Road from Josiah Potter's to the Yarmouth Line	10	0	0
	Road from Archangle Devon's to Malky's	10	0	0
	Salmon river Bridge	10	0	0
	Road on Jesse Oaks' Line	10	0	0
	Road on Francis Thureau's Line	10	0	0
	Montegan Bridge	10	0	0
	Road on Maxamin Cormeau's Line	15	0	0
	Road between the first and second Location, back of Joseph M. Cormeau's	15	0	0
	Road on Peter S. Sonia's, East Line	10	0	0
	Road on Joseph Armero's Line	10	0	0
	Road on Joseph Cormeau's, East Line	15	0	0
	Road between the first and second Location from E. Godet's to B. White's	10	0	0
	Road from Patrick Thibodeau's to Corberi's Road	35	0	0
	Road on Placide La Blanc Line	15	0	0
	Road from Grosse Coque Bridge to Corberi's Road	35	0	0
	Road on the Township Line, by Charles P. Godet's	10	0	0
				To

APPENDIX No. 73.

To repair Francis Doucett's Road	£5 0 0
Tusket Road, from the Township Line to Payson's Meadow Road	55 0 0
Road from Tusket Road to the Duck Pond Settlement	20 0 0
Road from the New Edinburgh Road to Timothy Amero's	13 0 0
Road on Peter Cormeau's line	10 0 0
Road leading from the Main Road to Bear Cove	10 0 0
	£1000 0 0

RESOLVED, That the sum of £1000, granted for the service of the Roads and Bridges in the County of Yarmouth, for the year 1841, be applied as follows, viz :—

From Beaver River to Sanders' Mill	£20 0 0
To finish the Bridge by Chipman Porter's, in addition to £10 granted in 1839	15 0 0
From Star's to Vickery's	25 0 0
George Terfry's to Ballam's	25 0 0
Ballam's to Tusket Village, including repairs of Bridge	25 0 0
Lent's to the Roman Chapel	35 0 0
Roman Chapel to Joshua Porter's, and to alter a Road round Porter's Hill	75 0 0
To alter road round the hill, by T. Nickerson's, and to repair the Road to Ryders	20 0 0
Alter the Road by Spinney's School House, and to repair the Road thence to Pubnico	30 0 0
Repair or build the Bridge over Owen's Brook	12 10 0
Repair the Road from Walter Larkin's to Still Water	40 0 0
From Churchill's Mill to Widow Sullivan's	30 0 0
John Pitman's to Pitman's Road	20 0 0
Salmon River to Jacob Tedford's	10 0 0
Beaver River to Crosby's Mill	20 0 0
Crosby's Mill to Lake George Road	10 0 0
Isaiah Crosby's up the East side Lake George	20 0 0
To repair the Bridge at the head of First Pond	15 0 0
From Richard Corning's to Lake George Road	25 0 0
Manassah Cook's to Main Post Road	15 0 0
William Thurston's to Foot's Cove	10 0 0
The Dyke to Samuel Foot's	10 0 0
To alter the Road from Lovitt's to Widow Sallow's, in addition to £15 granted in 1839	25 0 0
From Pitman's Road to Comfort Haley's	20 0 0
Zachariah Foot's to Cranbery Head	10 0 0
James Wyman's, up Salmon River, to Mood's	15 0 0
Pleasant Valley, down the East side Salmon River, to Samuel Crosby's	20 0 0
Samuel Crosby's to the Road leading to Hilton's	20 0 0
To repair the Road round East side Cedar Lake	15 0 0
From Henry Sanders' to Manassah Cooks	10 0 0
John Cann's to Lake George Road	20 0 0
Benjamin Terfry's to Purdy's	35 0 0
Pleasant Valley to Reynard's Mill	15 0 0
Reynard's, down the West side Tusket River, to Tusket Bridge	15 0 0
Abraham Lent's, down the East side of Tusket River, and over the Passes Pree	22 0 0
Plymouth, along the Yarmouth Line, to Tusket Road	35 0 0
Mrs. Davis' to Abraham Hemeon's	10 0 0
Amiable Bodrou's to Tusket Wedge Point	10 0 0
	From

APPENDIX, No. 73.

From Stephen Larkin's to Elijah Pinkney's	£10	0	0
To repair John Williams' Road	8	0	0
From Eel Lake to the Fork's	20	0	0
To repair the Road round the East side of Eel Lake	20	0	0
From John Burke's to the Head of Eel Lake	15	0	0
Henry Goodwin's to Roberts' Island, and to repair the Roads on said Island	15	0	0
Joshua Porter's, across the Narrow's, to the Main Road, and to repair the Road to McKinnon's Point	15	0	0
Ricker's Brook to the Main road, over the dyke by Abbott's	12	10	0
David Randall's to the Main road	10	0	0
John Spinney's to D'Eon's	15	0	0
D'Eon's to Pubnico Point	15	0	0
To alter the road round Train's Hill	10	0	0
From Simon D'Entremont's to Barrington road	20	0	0
Charles Amirout's to Barrington Line	10	0	0
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	£1000	0	0

RESOLVED, That the sum of One Thousand Pounds, granted for the service of Roads and Bridges in the County of Shelburne, be applied as follows:

GREAT ROADS.

From Yarmouth County line to Barrington Bridge	£40	0	0
Barrington Bridge (including Bridge) to Clyde River	60	0	0
Clyde River to Beaver Dam	40	0	0
Beaver Dam to Shelburne Bridge, in addition to the sum of £20 undrawn last year	50	0	0
Queen's County line to William Dunlap's	35	0	0
William Dunlap's to Jordan River, including Sable River Bridge	25	0	0
Jordan River to the Town of Shelburne, including the finishing of Jordan River Bridge, and to re-pay William Holden the sum of — Pounds, over-expenditure last year	50	0	0

CROSS ROADS IN TOWNSHIP OF SHELBURNE.

From Port LeBear to Sable River	12	0	0
John M'Donald's to the Main Post Road	8	0	0
William Chiver's to Loyd's Creek	10	0	0
Widow Ringer's to William Lathem's, and to build two Bridges on said roads	12	0	0
To re-build Colby's Bridge at Lewis Head	24	0	0
From Sable River to Ragged Island Bay	22	0	0
Little Harbour to Richard Wall's	11	0	0
Little Harbour to Jonathan Craig's	10	0	0
Richard Wall's to Green Harbour	8	0	0
Green Harbour to Jordan River	20	0	0
Zebah Hayden's to Main road	8	0	0
Locke's Island Beach to Thomas Crow's	10	0	0
Shelburne road to John Dall's	6	0	0
James M'Kenzie's to Freeman Crowell's	10	0	0
John Cushran's to James M'Lean's	14	0	0
David M'Kay's to the west end Jordan Bridge, in addition to the sum of Seven Pounds undrawn from Holden's Bars to Crowell's Brook in 1839	2	0	0
Widow Enslow's to Morrine's	14	0	0
Samuel M'Quahe to Main Post road	7	0	0

From

APPENDIX, No. 73.

From Philip Bowers' to Long Island Bridge	£10	0	5
Long Island Bridge to Bowers' Bridge	23	0	0
William Ryer's to Bower's Bridge	8	0	0
Bowers' Bridge to the Main Post road	10	0	0
Main Post road to New Cambria	9	0	0
New Cambria to Upper Clyde	9	0	0
Main Post road to Alexander Hamilton's	11	0	0
To repair the Bridge at Queen's Falls	9	0	0
From Post road, at Clyde River, to Indian Brook, and to build a Bridge on said line	15	0	0
Benjamin Perry's to Round Bay Bridge, by Widow Littlewood, in addition to Five Pounds undrawn last year, from Peter Perry's to Round Bay	15	0	0
Indian Brook to Benjamin Perry's	18	0	0
Carleton Village to Main Post road, in addition to Eight Pounds undrawn last year, from Carleton Village to William Doane's	5	0	0

CROSS ROADS IN TOWNSHIP OF BARRINGTON.

From James M'Comesky's to Argyle Township Line	25	0	0
Levi Crowell's to Levi Nickerson's	20	0	0
Gideon Crowell's to Joshua Nickerson's, on Bear Point	5	0	0
To repair Shuose Island Bridge	15	0	0
From Main road to Peter Coffin's	10	0	0
John Atwood's	5	0	0
John D. Pinkham's to Samuel Snow's	20	0	0
Samuel Smith's to David Smith's	10	0	0
Samuel Snow's to North-west Creek, and thence to M'Dougal's Bridge	30	0	0
John M'Killip's to Elam Thomas'	10	0	0
Clam Creek to Shelburne road, and to repay an over-expenditure last year of the sum of Five Pounds	15	0	0
Little River Bridge to Shelburne road	18	0	0
Alexander Hogg's to Shelburne road	7	0	0
Thomas Snow's, Port la Tour, to William Doane's, Barrington	50	0	0
Neil's Brook to Wood's Harbour	50	0	0
John M'Gray's to Samuel Trott's	10	0	0
Samuel Trott's to William Cunningham's	10	0	0
John M'Gray's to Duncan Cunningham's	25	0	0
Nehemiah Crowell's to Lewis Swim's	10	0	0
Lewis Swim's to John M'Gray's	5	0	0
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	£1000	0	0

RESOLVED, That the sum of Nine Hundred and Fifty Pounds, granted for the service of Roads and Bridges in Queen's County, be applied as follows:

To repay advances under Provincial Act for improvement of Roads in Queen's County	£90	0	0
Repay over-expenditure on Road from Bristol to Milton	41	0	0
New Road from Bristol to Milton	100	0	0
Milton to Brookfield	300	0	0
Douglas to Christopher's	20	0	0
Solomon's to Port Medway	47	10	0
Solomon's to Eagle Head	15	0	0
Eagle Head to Pudding Pan	15	0	0
Post Road to Port Medway Harbour	8	0	0
Mill Village to Briggans'	10	0	0
			Port

APPENDIX No. 73.

Port Medway to Mill Village	£15	0	0
Port Medway to Blueberry	7	10	0
Beach Meadow Road to Chandler's	5	0	0
Herring Cove to Corkum's	7	10	0
African Chapel to Kolp's	15	0	0
Liverpool to Western Head, Shore Road	15	0	0
Liverpool to Hunt's Point	25	0	0
Sandy Cove to Herring Cove Lake	5	0	0
Sandy Cove to Annis', Great Hill	5	0	0
To repair Bridge at Milton, and Road on western side of River	25	0	0
Cowie's to Milton	25	0	0
Milton to Brown's Mills	15	0	0
Middlefield to Wellington	50	0	0
McKay's Road to Pleasant River	5	0	0
Main Post Road, towards Hunt's Point, called Pigot's Road	5	0	0
Hunt's Point to Beach Hill	7	10	0
Hunt's Point, along shore, to Broad River	10	0	0
Port Jolie to Port L'Herbert	15	0	0
Port Jolie to Sandy Bay	10	0	0
Robert McDonald's to Richardson's	9	0	0
Port Mutton to Little Port Jolie	15	0	0
Port Mutton Bridge, across the Narrows	12	0	0
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	£950	0	0

RESOLVED, That the sum of One Thousand Pounds, granted for the service of Roads and Bridges in the County of Lunenburg, for the year 1841, be applied as follows:

On the road from Rouch's Brook, through Garden Lots	£20	0	0
From Town of Lunenburg to Leonard Young's	25	0	0
Leonard Young's to Block House	20	0	0
Block House to Robar's Mill	15	0	0
Robar's Mill to Peter Lants'	20	0	0
Peter Lants' to John Chessley's	15	0	0
Leonard Young's to John Langille's	15	0	0
John Langille's to Hirtle's Mills	15	0	0
Hirtle's Mills to George Hirtle's	15	0	0
George Hirtle's to New Germany	10	0	0
New Germany to Grinton Settlement	15	0	0
To build Bridge across LaHave River, near New Germany, in addition to £10 remaining unexpended from 1840	20	0	0
From North West Street to James Vieno's 300 acre lot, and outwards	25	0	0
Clear Land to Sherbrooke Settlement	20	0	0
Melchoir Zwicker's to Mahone Bay	10	0	0
Block House to Mahone Bay	10	0	0
Meeting House, North West Range, to Casper Kaulback's, and outwards	15	0	0
John Rahmy's to Maitland Settlement	15	0	0
New Germany road to James Flemming's, and outwards	5	0	0
Mullock's to Nicholas Krouse's, and outwards	15	0	0
John Silver's to LaHave River	10	0	0
Silver's Road to Peter Eichel's	10	0	0
Leonard Beck's to Acker's Mills	10	0	0
Acker's Mills to cross road, Rose Bay	10	0	0
Cross road, Rose Bay, to Kingsburg	10	0	0
Henritzy's Cove to the Post road	15	0	0
South to Mrs. Oxner's, LaHave	10	0	0

APPENDIX No. 73.

From North West Street, by Frederick Vieno's, to John Demon's	£7	10	0
John Demon's, by Jacob Westhaver's, to Maitland Street	7	10	0
LaHave road to James Dauphine's	10	0	0
Nicholas Mader's 300 acre lot to Geo. Slaugenwhite's 300 acre lot	15	0	0
James' Mill to Goreham's Point	7	10	0
Ovens to South	5	0	0
Maitland Street to Geo. Vieno's 300 acre lot, and outwards	5	0	0
Barry's Mill to Christopher Vieno's 300 acre lot, and outwards	6	0	0
Maitland Street to Christopher and Nicholas Jodrey's 300 acre lot	5	0	0
To pay Peter Mackey overexpenditure last year on New Germany road	18	17	0
Jacob Deal over-expenditure last year on Bridge on main post road from Lunenburg to Chester	2	8	0
W. S. Morris, Esq. his account for Surveys of alterations of roads in 1840, out of which he is to pay John Langille for purchase of Land at Martin's River, £2 10	10	5	0
From LaHave Bridge to Conquerall road	20	0	0
Conquerall road to John Pernette's	15	0	0
Bell's to Sperry's, on New Dublin Shore	20	0	0
Sperry's to Petite Rivere Bridge	10	0	0
Meeting House, Petit Rivere, to Brady's corner	10	0	0
Conquerall to Leonard Frank's Mill	5	0	0
Conquerall to Brady's Corner	15	0	0
LaHave Bridge to John Fancy's, Pleasant River road	20	0	0
John Fancy's to Pleasant River	11	12	0
Pleasant River road to Chelsea	15	0	0
George M. Fancy's to George Krouse's	15	0	0
George Krouse's to Western Branch	15	0	0
Western Branch to Grinton Settlement, West side of LaHave River	15	0	0
LaHave River to Conquerall	20	0	0
Conquerall to Camperdown	15	0	0
Camperdown to George Emino's Farm	5	0	0
George Himmelman's to George Rhodenhauser's, and outwards	5	0	0
Pleasant River road to Lapland	7	10	0
Pleasant River road to George Wile's, and outwards	7	10	0
To pay Wm. Drew over-expenditure last year on Petit Rivere Bridge	3	8	0
From Wm. Greenlow's to Sherbrook, and outwards	10	0	0
Chester Basin to Middle River, and to repair Road to John Webber's and Middle River Bridge	10	0	0
Hyde's corner to Robinson's	10	0	0
Hubbert's Cove to South West Harbour	15	0	0
Halifax road to Blanford	20	0	0
Windsor road to Canaan	7	10	0
Windsor road to Henry Schwinehammer's	7	10	0
Windsor road to Millett's farm	5	0	0
Sherbrooke Church to Kentville	25	0	0
Fortye's to King's County Line	25	0	0
Grant to Fortye's, and to repair Bridges at Mrs. Cogley's	70	0	0
Chester Basin to the Grant	15	0	0
Hants County Line to Francis Vaughan's	20	0	0
Martin's River to Gold River	15	0	0
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	£1000	0	0

Resolved,

**APPENDIX No. 73.**

**RESOLVED**, That One Thousand Three Hundred Pounds, granted for the service of Roads and Bridges in the County of Hants, be applied as follows :

For Chester Road	£30	0	0
From County Line to Nelson's, Beaver Bank Road	40	0	0
Nelson's to Isaac Whittear's	30	0	0
Isaac Whittear's to Kennetcook River	15	0	0
Kennetcook River to Noel	15	0	0
To repair Bridge near Stevens', Rawdon, and to pay John Smith £4 2s. 3d. expended in 1840	20	0	0
From Noel to Shubenacadie	10	0	0
Noel to Tenecape	10	0	0
Hall's Bridge to McPhee's Bridge	22	10	0
To finish Nine Mile River Bridge, at McPhee's	50	0	0
For alteration on Nine Mile River Road, to avoid hills near Jas. McPhee's, as reported by Committee	40	0	0
From Taggart's to Shubenacadie, on Indian Road	17	10	0
Wardrope's to Upton's	10	0	0
Mouth of Shubenacadie to Nelson's, to be paid when certified that £59 12s. 6d., subscribed by the Inhabitants, has been expended	80	0	0
Noel Road to Shubenacadie, by Kennetcook	25	0	0
Burton's to Indian Road	7	10	0
Main Road, Nine Mile River, to McKenzie's, Grand Lake	5	0	0
McPhee's Bridge to Indian Road	10	0	0
Indian Road to Caldwell's	7	10	0
For Old Road, past James McPhee's	7	10	0
From Tenecape to Petite	15	0	0
Petite to Rainy Cove	15	0	0
Rainy Cove to Shiverree	10	0	0
Shiverree to Newport Line	10	0	0
Walton to Cockmagun	30	0	0
For Road by Ryan's, Cockmagun	7	10	0
From Thomas Salter's to Newport Road	7	10	0
Glen's Brook to Kennetcook Road	15	0	0
Mosher's to Noel Road	17	10	0
Gore's to Cancer's Land	10	0	0
Gore Road to James Sandford's	12	10	0
Moxon's to Barney Knowles'	7	10	0
For Ridge Road, by Bond's	7	10	0
Alteration from Lake Brook to Isaac Whittear's	30	0	0
From Isaac Whittear's to Nine Mile River Road	7	10	0
Murphy's to Douglas Line, by Glen's Brook	15	0	0
To repair Barron's Bridge, and Road to John Dimock's	30	0	0
Pay John Cochran, Esqr. expended on Kennetcook Bridge	30	0	0
For alteration through Shubael Parker's Land	20	0	0
Alteration from Parker's Mill to John Dimock's	27	10	0
Road from Joseph Mosher's to Walker's, to be paid when certified that £9 13s., subscribed by the Inhabitants, has been expended	15	0	0
Alteration on Road near Benjamin Mumford's, to be drawn when certified that £7 10s., subscribed by the Inhabitants, has been expended	7	10	0
Road from Scotch Village to River Hebert, by Oliver Dimock's, to be paid when certified that £16 4s., subscribed by the Inhabitants, has been expended	15	0	0
From Kennetcook Bridge to Noah Anthony's	7	10	0
Maccan's to Muddy Marsh	12	10	0
Constantine's to George Mosher's	10	0	0
For Road by Henry Vaughan's	5	0	0
			From

APPENDIX Nos. 73, 74.

From Mrs. Leaver's to Rawdon Road	£5	0	0
For Causeway near Barron's, Newport	10	0	0
Road and Bridge over St. Croix River, at East Marsh, in addition to £200 granted in 1827, and remaining undrawn from the Treasury, to be paid when certified that £100 has been laid out and expended by the Inhabitants for the same purpose	150	0	0
For Hibbert Road	15	0	0
Five Mile River Road, from D. McDougal's to B. Dughan's	10	0	0
For Road from Jacob Withrow's to Alexander Sims'	5	0	0
To repair Bridge at Tremain's Farm, Shubenacadie	5	0	0
For Road by Fisher's	5	0	0
From Gardner's to Nine Mile River Bridge	5	0	0
To repair Falmouth Bridge, near Songster's	80	0	0
From Isaac Dewolf's to Falmouth Bridge	15	0	0
R. Trenholm's to Metzler's	15	0	0
St. Croix to Josiah Davison's	7	10	0
For Old Ardoise Road	7	10	0
Dawson's Road	10	0	0
Road to Pondhook	5	0	0
Road past Manning's, Falmouth	20	0	0
From Upper Falmouth Bridge to Horton Line	10	0	0
George Potter's to Old Post Road.	10	0	0
Back Road to Lyon's Mill	10	0	0
Lime Rock Hill to Horton Line, and to repair Half-way River Bridge	15	0	0
Shore Road to Half-way River Landing	5	0	0
To build Allan's Bridge, and repair Road	5	0	0
For alteration at Wind Mill Hill, Windsor, in addition to £80 undrawn	25	0	0
	£1300	0	0

No. 74.

(See Page 176.)

(Copy.)

Downing-Street, 16th March, 1841.

MY LORD,

Lord Sydenham has brought under my notice the effect on the Revenue of Nova-Scotia, of the exemption, granted by Parliament, from duty of certain articles imported into that Province, for the use of the Fisheries. Having referred the subject to the Lords Commissioners of the Treasury, their Lordships have informed me that they consider that, as the privilege in question has been abused to the injury of the Revenue of Nova-Scotia, the provisions made for that purpose should be repealed by a new Customs' Bill, which the Lords of the Committee of Privy Council for Trade will prepare, for the purpose of introducing a more uniform system of Duties in British America.

I have the honor to be,

&c. &c. &c.

(Signed) J. RUSSELL.

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

No.

## APPENDIX Nos. 75, 76.

No. 75.

*(See Page 178.)*

The Committee, to whom was referred the Petition of Duncan McMillan, late Collector of Light Duties at the Gut of Canso, complaining of having been unjustly deprived of his Commission, without a hearing or trial, and praying an opportunity to exonerate himself from the charges and misrepresentations alleged to have been made against him, beg leave to report as follows :—

That the said Duncan McMillan appeared before your Committee, and was heard in explanation of the complaints and charges which formed the grounds of his dismissal from Office, but he entirely failed to satisfy your Committee that any injustice had been done to him; on the contrary—they are of opinion that it was the imperative duty of the Government to remove from Office a man who was receiving the Public Monies without accounting for them, and who is manifestly, at present, a large defaulter to the Province.

Your Committee are of opinion that the Bonds of the said Duncan McMillan, for the faithful performance of his Office, should be immediately enforced, in order that he or his sureties may be compelled to pay over to the Treasury the balance which appears to be due, according to his own accounts, and the additional sum which is shown by his receipts to have been paid to him, and not credited to the Province.

Lastly, it appears to your Committee that either gross neglect or fraud has been practised upon the Province, for several years past, in the collection of the Light Duties at the Gut of Canso; they recommend, therefore, that the subject be brought particularly to the notice of the Executive, in order that some person more trustworthy may be appointed to the Office of Collector, and thereby the large amount of Revenue, known to be the produce of the Lights in that part of the Province, may be secured to the Public.

JAMES McNAB, Chairman.

Committee Room, House of Assembly, 6th April, 1841.

No. 76.

*(See Page 179.)*

The Committee appointed to examine certain papers relative to Deaf and Dumb Persons, submitted, in compliance with a Resolution of the House of Assembly at its last Session; also, the Petition of a number of persons in Horton, relating to the same subject, in making their report, have to regret that the limited number of Returns made (some of which are found very incorrect) precluded the possibility of coming to any definite conclusion, as to the real number of persons so afflicted, or how many of them might be capable of instruction and improvement. This Committee, however, are fully aware that there are a great many of this unhappy class of their fellow beings whose case demands commiseration. The object sought by the Petitioners at a former, as well as the present Session, viz: To provide some suitable place and means adapted to the peculiar wants of individuals, thus by an afflictive Providence, deprived of the advantages and benefits enjoyed by those around them—one that commends itself to every reasonable mind. So much has the need of some such Institution been felt, that several individuals in this Province have been obliged to take their children to the United States for education, at a heavy expense, and very great inconvenience.

Owing to the absence of that full information that is necessary, your Committee cannot now recommend any definite scheme to meet the above pressing necessity, though they are deeply impressed with the belief, that when the Parents of children, thus unfortunately circumstanced, and others interested, shall have made a becoming effort, by private subscription, to procure the required relief, this House will not withhold such pecuniary grant in aid, as the case may warrant.

The Committee further suggest the propriety of respectfully requesting His Excellency

APPENDIX Nos. 76, 77, 78.

the Lieutenant-Governor to communicate with the Lieutenant-Governor of New-Brunswick on this subject, to ascertain, on the early meeting of the Legislature of that Province, whether they would be willing to concur in providing an Establishment for the Education of Deaf and Dumb Persons, (and if necessary, embracing other objects) to be placed in some central situation, to answer the convenience of both Provinces.

All which is respectfully submitted.

THOS. A. S. DEWOLF.  
CHARLES BUDD,  
THOMAS FORRESTER,  
GAIUS LEWIS,  
HENRY GATES.

Committee Room, 5th April, 1841.

No. 77.

(See Page 179.)

The Committee on Education report on the numerous Petitions referred to them, as follows:

That very many of such Petitions, containing suggestions for the improvement and modification of the Law, and for and against the principle of Assessment, have been disposed of in the amendments of the present system, already reported and discussed in the House.

The Committee cannot recommend grants for building School Houses, for the publication of elementary School Books, or in cases of complaint against Commissioners, unless such cases were distinguished by very peculiar circumstances.

They refer to the House the evidence they have obtained on the Petition of the Trustees of the Wentworth School.

They cannot recommend a grant for the New Caledonia Academy, at Granville, there being three other Grammar Schools drawing aid from the public funds in the County of Annapolis.

W. YOUNG, Chairman.

Committee Room, 2d April, 1841.

No. 78.

(See Page 184.)

The Committee appointed to enquire into the best method of warming the rooms of the Province Building, beg leave to report as follows—that they found the cost of heating the Building with fuel to be nearly as follows:—

Council Rooms	£25	0	0
Assembly do.	40	0	0
Treasury	10	0	0
Prothonotary's Office	10	0	0
Secretary's Office	10	0	0
Surveyor General's Office	10	0	0
Excise Office	10	0	0
Chancery Rooms	10	0	0

Making yearly, exclusive of the Keeper's Rooms	£125	0	0
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The Committee have inspected an Apparatus for warming Rooms with heated air, belonging to John Fairbanks, Esquire, and were surprised to find the small quantity of Fuel required for the purpose, and nearly perfect security against accidents by Fire; and were also

also favored by that Gentleman with an estimate of the expense, and a plan of the Apparatus for heating the New Hotel, furnished by the Manufacturer, from London; and which Apparatus appears to be much better adapted to warming large Buildings than small ones. The warming Apparatus for the Hotel, constructed with air pipes, along the passages and into the principle Rooms, can be furnished for £205 sterling, and with air pipes into all the Rooms for £330 sterling.

Warming Buildings with heated air has been but little practised in these cold Countries; and as their may be circumstances, at present unknown, liable to cause dissatisfaction, the Committee think it advisable to recommend that a plan and description of the Building be prepared under the direction of the Commissioners of Public Buildings, mentioning the size of the Passages and Rooms—their degree of exposure, as near as may be—and ascertaining what a suitable Apparatus for warming the building can be procured for.

In the mean time, should the New Hotel be heated in this way, the public will have an opportunity of judging of its advantages.

The Committee would add further, that the Warming Apparatus of Messrs. Price & Co. has been most strongly recommended by the Proprietors of large Buildings, where it has been used; and the Committee are of opinion, from the best information they could obtain, is superior to any now in use. They would beg to state that they have tried the ordinary temperature of the Rooms, and find it to be equal to or above summer heat.

H. HUNTINGTON, Chairman.  
W. F. DESBARRES.

Halifax, 8th April, 1841.

No. 79.

(See Page 184.)

The Committee to whom the Despatch of the Right Honorable the Secretary of the Colonies, to His Excellency the Lieutenant-Governor, dated the 16th of March last, was referred, have agreed to report as follows:

That the changes proposed by Her Majesty's Government, in the system of Duties levied in British America, will exercise so large an influence on the Trade of this Colony, and involve so many considerations of general policy, as well as of local interest, that the Committee would have gladly bestowed upon them a more extended investigation than is now practicable at the close of the Session, and without the opportunity of taking evidence, or pursuing any minute inquiry. The Committee, however, have examined several of the Merchants conversant with the Trade of Foreign Countries, and with the existing regulations, and having themselves had some experience of the operation of the new Colonial System introduced in 1826, they submit the following remarks and recommendations for the action of this House, and the information of Her Majesty's Government.

The Committee gratefully acknowledge the beneficial results of the enlarged and generous feeling which struck off the old restrictions, on the enterprise and Trade of the Colonists, and raised them more nearly to an equality with their fellow-subjects at home. Our resources have been largely developed, and the extent and variety of our imports increased, while our industry has been quickened, and our Trade has penetrated to new regions, from the abandonment of the ancient system of restriction and prohibition.

The Committee are satisfied that the Colonies, and consequently, the Mother Country, would be mutually benefitted by the relaxation of this system to a still greater extent than has been hitherto attempted, and conceive the Resolutions proposed by the Right Hon. Mr. Labouchere, on the 13th March, in the House of Commons, as reported in the Newspapers, to be founded in the main on a liberal and wise policy. They rejoice at the substitution of a uniform *ad valorem*, duty of Ten per cent. for the present Duties of Thirty, Twenty, and Fifteen per cent., which, on many articles, amounted to a prohibition, and are inclined to hope that the Government will gradually come to the conclusion, that the protective Duties imposed

imposed by the Imperial Acts, while they cramp the energies and retard the expansion of Colonial industry, are of no real advantage to the British produce; and as our Legislature would impose no Duties, except only for purposes of Revenue, that we would consume more largely of Home Manufactures, and become more valuable Customers of the Mother Country, were the regulation of our Trade left in our own hands, subject always to the control of the Government. Such would be the effects, as the members of this Committee have long thought, of a perfectly free and unconstrained intercourse with all the world, relieved of the old restrictions.

They are sensible, however, that the relaxations now proposed, in their immediate effect, will be injurious to the Trade of this Colony; and availing themselves of the suggestion in Mr. Labouchere's speech, as reported, they respectfully submit such equivalents as it may be in the power of Her Majesty's Government to obtain.

An extensive and valuable Trade has sprung up in the transshipping of American Flour, Beef, Pork and Lumber, to the West Indies, which will be annihilated by the reduced Duties on these articles. Upwards of 60,000 barrels of Flour, and large quantities of Beef, Pork and Lumber, of Foreign production, passed through the ports of this Province, and paid a freight to our Vessels, during the last year; and our exports to the West Indies will be henceforth confined almost wholly to Dry and Pickled Fish, Lumber, and other articles, the produce of the British Colonies.

The substitution of moderate Duties on the importation of Foreign Fish, in place of the entire prohibition which has hitherto prevailed, will expose our Fisheries to a new and formidable class of competitors, who are enabled, by the immense bounties offered by their own Governments, to undersell us, having no such advantages. The United States give a bounty of \$3 50 per ton on vessels of the burthen of 5 to 30 tons; and of \$4 per ton on all vessels above 30 tons, engaged in the Fisheries; and a further bounty of 25 cents per barrel of Pickled Fish exported. A very large bounty is still continued by the French Government on Fish caught by their own subjects, and carried to the West Indies: and the Committee apprehend that the Duties now proposed, of 2s. 6d. per quintal and 5s. per barrel of Foreign Fish, will hardly be sufficient to place our own people on an equal footing. The reduced Duties on Lumber will also destroy, in great measure, the preference we have hitherto enjoyed. Without presuming, therefore, to question the policy which an enlarged view may induce Her Majesty's Government to adopt, the Committee cannot but see that these boons, valuable as perhaps they may be to the West India interest, will operate against the Trade and Productions of this and the adjoining Colonies.

As advantages of so much importance are to be conferred on the Foreign Producers, the Committee would earnestly press on the attention of Her Majesty's Government the necessity of stipulating for some equivalent on the part of their Governments. Our Fish and Lumber ought surely to be allowed to enter Foreign Ports, particularly in the West Indies, on the same terms on which we are about to receive theirs; and the present Duties, oppressive as they are, and amounting nearly to a prohibition, ought to be reduced to a standard equally low. In the United States the Duties levied on Dry and Salted Fish are \$1 per quintal, on Herrings \$1 per barrel, on Mackarel \$1 50 per barrel, on Salmon \$2 per barrel, and on Lumber 25 per cent. ad valorem. In the Spanish Colonies the Duty on our Fish is about \$1; and in the French Colonies it may be stated at 5 francs, or 4s. 2d. sterling, per quintal.—The reduction of these Duties would be a valuable boon, and would almost compensate to these Colonies for the advantages they are about to lose.

The Committee approve of the proposed repeal of the exemption from Duty of articles fit and necessary for the Fisheries, as, however well intended, it has been found liable to great abuse. They would suggest, however, that as the exemption is removed, the Duty of 3s. sterling per cwt. on Foreign Molasses is too high, and ought to be reduced to 1s. 6d.

They are very desirous, too, that Books and Printed Publications, of all kinds, should be admitted without restriction, and Duty free. They are not insensible to the weight of the objections that will arise out of claims of Copyright, but respectfully submit, that the present prohibition is so extensively evaded by a contraband traffic, as to be of little or no value to the British Author or Publisher—while an unrestricted importation, which our

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own Legislature allows, free of Duty, would tend to the more rapid diffusion of intelligence, and would improve the capacity and elevate the character of our population.

They beg to suggest also the propriety of substituting, wherever it is practicable, a specific Duty for a Duty ad valorem, which is apt to be evaded, and in many cases does not yield above one half of what was intended. A Duty, for example, of 2d. a lb. on Hyson and Gunpowder Teas, and of 1d. a lb. on all other descriptions, would operate more equally and fairly, though it is open to some objections, than an advalorem Duty of Ten per cent.

The Committee, with a view to the extension of our Foreign Trade, and of the generous policy which protects, with equal care, the Shipping Interest of the Mother Country, and of these Colonies, her offspring and dependencies, would respectfully solicit of Her Majesty's Government the same privilege for Goods warehoused in the Colonies, and exported from thence to Great Britain, being an abatement of one tenth part of the Duties thereon, which is allowed on the importation of Goods from the United Kingdom, having been warehoused therein.

And lastly, the Committee, in order to avert the serious embarrassment and losses which would result from a too hasty introduction of the new system, and the breaking up of speculations and voyages now in progress would be gratified, if the period of its coming into operation were postponed to the 31st. of March, 1842.

All which is respectfully submitted.

Committee Room, 8th April, 1841.

WILLIAM YOUNG,  
JAMES McNAB,  
THOMAS FORRESTER,  
W. B. TAYLOR,  
H. HUNTINGTON,  
R. M. DICKEY.

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No. 80.

(See Page 191.)

The Committee to whom were referred the Petition of the Inhabitants of Chezetcook, in the County of Halifax, praying for a small sum of money to aid them in erecting a Dyke at that place, have agreed to report as follows:

That the information before the Committee on the subject was too imperfect to warrant them recommending a sum of money in aid of the work.

The Committee would, however, call the attention of the House to the following facts: That the Inhabitants of Chezetcook are generally poor Acadians, settled closely together about the Harbour—that there are about Four Hundred Acres of Marsh and Swampy Ground, which would be enclosed in the Dyke they propose to erect, which is, at present, nearly useless, and which the Petitioners believe would be rendered fertile and highly important to that Settlement, if once dyked.

But as it is of the utmost importance, that it should be ascertained, that the Land to be enclosed within the Dyke will drain properly, and that the soil is of such a texture as would produce grass, that a Dyke could be erected in the proposed situation, at a price which would render it an object to proceed with the undertaking; and that if a Dyke shall be erected, it will be likely to stand in safety—all which it is highly necessary should be known before the work be commenced, in order that these poor people may not be induced to begin a work that will, in all probability, be expensive, and which they will be unwilling to abandon if once commenced.

The Committee would therefore recommend that an experienced and competent person be appointed by the Lieutenant-Governor to examine the site proposed—the quality of the

Land—the probability of a Dyke's standing safely, if erected—and to report as to the cost of such a Dyke, and the advantages to be expected from it—and that the expenses of such person should be paid by the Province.

Committee Room, 10th April, 1841.

HERBERT HUNTINGTON, Chairman.

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No. 81.

(See Page 191.)

The Committee to whom was referred the Petition of Richard Meagher, of the City of Halifax, craving the attention of this House, to a claim which he conceives he has on the City, for the loss of a Leg, and other injuries sustained by him, occasioned by a piece of Timber falling from the roof of a Public Building, which was at the time undergoing alterations and repairs—beg leave to report—

That the statement set forth in his Petition is true in every particular; and your Committee sympathising deeply with the unfortunate youth in question, beg to recommend to the House, that his claim be preferred by the Chairman of this Committee, who is one of the Representatives of the City of Halifax, to the City Council, which is about to be organised under the Charter of Incorporation, recently passed—and that his best attention be given to further and promote the views and object of the Petitioner.

THOMAS FORRESTER, Chairman.  
R. M'G. DICKEY,  
JAMES B. HOLDSWORTH.

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