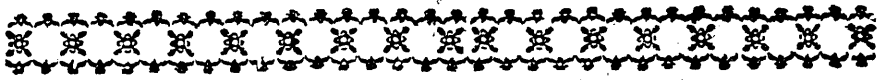


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JOURNAL,

AND
PROCEEDINGS
OF THE
HOUSE OF ASSEMBLY,
Of the Province of NOVA-SCOTIA.

Thursday February 25th, 1790.

THE House met agreeable to His Excellency the Lieutenant Governor's Proclamation. House Met:

The Speaker took the Chair,

Mr. *Robert Mc Elbinny* returned duly elected for the Township of Londonderry, took the usual Oaths and his Seat. Member for Londonderry, takes his seat.

A Message was received from His Excellency the Lieutenant Governor commanding the Attendance of the House in the Council Chamber. Message from His Excellency.

The Speaker and the House attended Accordingly,
And being returned,

The Speaker *reported*, that they attended upon His Excellency, and that he was pleased to open the Session with a SPEECH, a Copy of which he read and is as followeth,

GENTLEMEN *of the Council and House of Assembly,*

“ **I**T is with the utmost Satisfaction I can acquaint you, that those gloomy Apprehensions under which our Minds were so heavily oppres'd, during the last Session, on account of the Indisposition of our Most Gracious Sovereign, cannot now, any longer exist, as the perfect Re-establishment of His Majesty's Health, has entirely removed all such Dread and Fears; and restored to His Majesty's Subjects that abundant Happiness, of which they are so duly and justly sensible. His Excellency's Speech.

“ Your Exertions, Gentlemen, for promoting the Welfare of this Province, thro' the Means of Agriculture and Commerce, have
A given

“ given sufficient Proofs of your Attention to the only Objects,
“ which being wisely pursued, will gradually bring you to a flourish-
“ ing and prosperous Condition.

“ I have called you now together, as early as this Season of the
“ Year would permit, to resume the Consideration of these Matters ;
“ and, at the same Time, to consult about the most proper and ef-
“ fectual Means for discharging the accumulated and increasing Debt
“ for which the Province is engaged, that by providing a satisfactory
“ Security for the Payment of each Individual, the publick Credit
“ may be fully established, and a good Foundation laid for every
“ laudable Undertaking.

“ This Gentlemen, is a Matter of so great and necessary Import-
“ ance, that I need not press it on you, as I am fully sensible, that
“ you will enter on the Consideration of it, with all that Attention
“ and Zeal, which the Nature of it requires.

“ The Revival, Amendment, and necessary Continuation of ex-
“ piring Laws together with the Consideration of the weighty Mat-
“ ters I have already mentioned to you, will require your Unanimity
“ and Dispatch.

“ Those Papers which shall be requisite for your Information, will
“ be laid before you by the Public Officers.

“ G E N T L E M E N ,

“ My earnest Wish is the Happiness of this Province, which is a
“ Duty incumbent on me to promote. And I rely on your Efforts,
“ towards the Accomplishment of that important Purpose, which so
“ necessarily calls on your Consideration and Attention.

Committee ap-
pointed to prepare
an Address.

Ordered, That Mr. Day, Mr. Bulkeley, Col. Lawrence, Mr. Mc-
Monagle, and Mr. Dight, be a Committee to prepare an Address in
Answer to His Excellency's SPEECH.

Committee appo-
pointed to examine
public accounts.

Ordered, That Mr. Day, Mr. McMonagle, Mr. Hill, Mr. Sberlock
and Mr. Marchinton be a Committe of this House, to join a Com-
mittee of His Majesty's Council for the Purpose of examining the
public Accounts, and reporting thereon, and that Mr. Bulkeley do in-
form His Majesty's Council of the same.

Resolved, That no Petition or Application of a private Nature be
received after Thursday the Eleventh Day of *March* next.

Council appoint a
Committee to ex-
amine public ac-
counts.

A Message from the Council acquainting the House, that they had
appointed a Committee to join the Committee of this House on the
public Accounts, and that their Committee will be ready to meet for
that Purpose on Monday next at Ten o'Clock in the Council Cham-
ber,

Ordered,

Ordered, That the Committee do attend accordingly.

And then the House adjourned till To-Morrow-Twelve of the Clock.

Friday, 26th *February*, 1790.

PRAYERS.

James Delancy, Esqr; returned duly Elected for the Township of *Annapolis*, took the usual Oaths and his Seat. *Member for Annapolis, takes his seat.*

The Committee appointed to prepare an Address in Answer to His Excellency's Speech, *reported* a Draft, which being twice read, was *Address Reported.* agreed to unanimously; *ordered* to be engrossed and is as followeth.

TO HIS EXCELLENCY

J O H N P A R R, Esq.

Lieutenant-Governor and Commander in Chief in and over his Majesty's Province of Nova-Scotia, and its Dependencies, Vice Admiral of the same, &c. &c. &c.

The humble ADDRESS of the HOUSE of REPRESENTATIVES
in GENERAL ASSEMBLY.

May it please your Excellency,

“ **W** E His Majesty's Dutiful and Loyal Subjects, the Representatives of the Commons of the Province of *Nova-Scotia*,
“ in *General Assembly* convened, beg leave to return our Thanks to
“ Your Excellency for Your Speech at the opening of the present
“ Session; and permit us to assure Your Excellency that the Restoration of our Most Gracious Sovereign to Health, gives us that
“ Heart felt Satisfaction which an Event so happy to this Province,
“ and every other Part of his Dominions can inspire in the Breasts of
“ his faithful and affectionate Subjects.

“ Your Excellency may depend on our utmost Endeavours to promote the Agriculture and Commerce of this Colony, as the only
“ Means of advancing its Opulence and bringing it into that prosperous and flourishing Condition that will make it a valuable Appen-
“ dage to the British Crown, and which only can enable it to discharge the accumulated Debt contracted on the public Faith; this
“ we are fully sensible must be supported in Order to accomplish any
“ laudable Undertaking.

“ We shall with great Cheerfulness enter into that necessary Part
“ of our Duty respecting the Laws now existing that require to be
“ continued or amended, and we confidently hope for that Unanimity
“ and Dispatch in all our public Measures, which may be expected
“ from

“ from Men interested in and disposed to promote the Welfare of the
“ Country they are intrusted to Represent.

“ We beg leave to offer to Your Excellency our warmest Thanks
“ for the Interest You are pleased to express in the Happiness of this
“ Province, and Your Excellency may be assured of the readiest Con-
“ currence on our Part in every Measure calculated to promote that
“ desirable Object.”

Mr. Pyke, moved for leave to bring in a *Bill for the Purpose of
establishing a free School in the Town of Halifax*, leave given.

A Bill to amend
Light-House Act,
read a first Time.

Pursuant to leave given, Mr. Schwartz presented a *Bill for amending
the Act for regulating, and maintaining a Light House on Sambro Island*,
and the same was read a first Time.

Then the House adjourned till To-Morrow at Eleven of the Clock.

Saturday 27th February, 1790.

PRAYERS.

Bill to amend Light
House Act,
read a second Time.

A *Bill for amending the Act for regulating and maintaining a Light
House on Sambro Island*, was read a second Time, and

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

The Speaker acquainted the House, that His Excellency had been
pleased to appoint Monday next at One o’Clock, to receive the Ad-
dress at the Government House.

Resolved, That the House will wait on His Excellency accordingly.

Then the House adjourned till Monday at half past Twelve of the
Clock.

Monday 1st March, 1790.

PRAYERS.

Member for Bar-
rington take his Seat.

Gideon White, Esq; returned duly elected for the Township of
Barrington, took the usual Oaths and his seat.

House wait on his
Excellency with
their Address.

The Speaker and the House waited on His Excellency the Lieute-
nant Governor with the Address pursuant to their Resolution on Sa-
turday.

And being returned,

The Speaker resumed the Chair, and reported, That His Excel-
lency was pleased to receive their Address and give the following An-
swer thereto.

GENTLEMEN,

GENTLEMEN,

“ YOUR Loyal and Zealous Attachment to His Majesty has
 “ my best Acknowledgements.

His Excellency's
Answer.

“ And I shall depend on Your Endeavours for improving those
 “ Measures by which the Prosperity of the Province can be most
 “ effectually established.

A Petition of *John Tyson* was presented to the House by Mr. *Fillis* and read, setting forth, that the Petitioner gave a Bond in the Year 1785 to the Collectors of Impost and Excise for the Sunk Duty on a Quantity of Molasses, and praying to be relieved from Payment of the same, for certain Reasons stated in the Petition.

Petition of *John Tyson* presented.

A Petition of *Alexander Cocken* was presented to the House by Major *McNiel* and read, setting forth, that the Petitioner has been appointed by His Excellency the Lieutenant Governor to be Keeper of the Light House at the Entrance of the Harbour of *Shelburne*, and praying some Allowance for his Services.

Petition of *Alexander Cocken* presented.

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

Then the House adjourned till To-Morrow Eleven of the Clock.

Tuesday 2d March, 1790.

PRAYERS,

Resolved, That the House will attend Divine Service at St. PAUL'S Church on Sunday next.

Pursuant to leave given Mr. *Pyke* presented a Bill for establishing a free School in the Town of *Halifax*, the same was read a first Time, and Ordered to lie on the Table for further Consideration.

A Petition of *Samuel Willoughby*, Executor to the last Will and Testament of *Samuel Willoughby*, deceased, was presented to the House by Mr. *Belcher* and read; setting forth that the Testator during the late War attended several wounded American Prisoners in *King's County* in the Capacity of Surgeon, and praying Payment for his Services, amounting to £22. 18. 4. as per Account annexed.

A Petition of *Sam. Willoughby* Presented.

A Petition of *Thomas Farrel* Adjutant of the Militia for *King's County* was presented by Mr. *Belcher*, and read, setting forth, that the Petitioner during the late War rendered many Services to the Public in the Line of his Duty, which were attended with great Fatigue and expence, and praying a Recompence for the same.

A Petition of *Thos. Farrel*, Presented.

A Petition of *Robert Patterson* and others in behalf of themselves and the Inhabitants of *Piſſou*, *Margomish*, *River St. John*, &c. was presented by Mr. *Morris* and read; setting forth, that the Inhabitants of those Settlements suffer great Inconvenience from being obliged to attend the *Inferior Court* and *Sessions of the Peace* in the Township of

A Petition of *Robt. Patterson*, and others Presented.

Onflow, and praying they may be relieved, by the establishing of a similar Court in the Township of *PiEsou*.

A Petition of *John Daniel Hail*, presented.

A Petition of *John Daniel Hail*, was presented by Mr. *Morris* and read; setting forth that the Petitioner was employed in repairing the public Roads near the Town of *Halifax* during the Summer of the Year 1786, and praying the Payment of £45. 9. being the Balance due for his Services, and to re-emburse him sundry expences as per Account annexed.

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

Bill in Amendment of Act for Regulating Elections.

Pursuant to leave given, Major *Milledge* presented to the House a *Bill in Amendment of the Act for regulating Elections*.

Bill in Addition to Act for raising Money by presentment on the several Counties.

Mr. *Belcher* also presented a *Bill in addition to an Act made in the fifth Year of the Reign of King George the Third*, intituled An Act for the raising Money by presentment on the several Counties in this Province, for the defraying certain County charges therein mentioned.

Read a first time.

The above Bills were severally read a first time, and *ordered* that they do lie on the Table for further Consideration.

A Petition of *James Moody* presented.

A Petition of *James Moody* was presented by Mr. *Hill* and read, setting forth; That in June last the Petitioner purchased a Quantity of Rum of Messrs. *Forsyth & Co.* part of which he exported to the Island of *St. John*: and praying a Drawback of the Duty to be allowed him, for reasons offered in the Petition.

A Petition of *Richard Kidston* presented.

A Petition of *Richard Kidston* was presented by Mr. *Hill*, and read; setting forth that the Petitioner has paid the Duty on 1747 Pounds of Tea under the former Excise Laws of the Province, and praying the said Duty may be refunded, for reasons stated in the Petition.

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

Committee appointed to examine Laws for making Lands and Tenements liable to payment of Debts.

On Motion of Mr. *Marchinton*, *ordered*, That Major *Barclay*, Mr. *Marchinton*, Mr. *Dight*, Major *Crane*, and Major *Milledge* be a Committee to examine into the Acts now in force for making Lands and Tenements liable to the Payment of Debts, as also the present Method of recovering Money due on Mortgages, and report to the House such Amendments as they may judge proper to be made therein.

Bill to prevent the destroying Mile Posts, Mile Boards &c.

Pursuant to leave given, Major *Barclay* presented a *Bill to prevent the destroying of Mile Posts, Mile Boards, or Mile Stones, erected or to be erected within this Province*, and also

Bill for limiting duration of General Assemblies.

A *Bill for limiting the Duration or Continuance of the GENERAL-ASSEMBLIES*.

Read a first time.

The above Bills were severally read a first time, and *ordered*, that they do lie on the Table for further Consideration.

Resolved

Resolved, That in all future Divisions of the House the Names of the Members as they have voted shall be inserted in the Journals upon the request of any one Member to the Speaker for that Purpose.

Resolution respecting Division of the House.

On Motion of Major Barclay, ordered, That Major Barclay, Mr. Wilkins, Col. Lawrence, Mr. Dight and Mr. Day be a Committee to prepare an Humble Address to the King, to congratulate his Majesty on the happy Restoration of his Health, also to prepare a similar Address to her most Excellent Majesty the Queen on the like Occasion.

Committee appointed to prepare Address's on the King's Restoration to Health.

On Motion of Mr. M^r Monagle the House resolved itself into a Committee to take into Consideration the State of the Transient Poor, and the expenses attending the Establishment of the Poor House at Halifax,

House resolve itself into a Committee.

The Speaker left the Chair,

Mr. Pyke took the Chair,

The Speaker resumed the Chair,

The Chairman reported from the Committee, that they had made some Progress in the Matter to them referred, and prayed leave to sit again, which the House agreed to.

Report.

On Motion of Mr. Hill, ordered, That Mr. Wilkins, Mr. Belcher, Major Crane, Major Milledge, and Mr. Schwartz, be a Committee for the Purpose of inspecting into the present State of the Poor House at Halifax, and gaining such other Information as they may judge necessary for the House to be apprised of, previous to a further Consideration on the State of the Transient Poor.

Committee appointed to examine into the state of the Poor House.

Mr. Day Moved for leave to bring in a Bill in Amendment of an Act to enable the Inhabitants in the several Townships in this Province (Halifax excepted) to cause any Proprietor of Lands within the same to pay a Dividend or Proportion of any County or Town Charge to be assessed according to Law, and to pay their just Proportion in repairing Highways, Roads and Bridges within the said Townships respectively, leave given.

Then the House adjourned till To-Morrow at Eleven of the Clock.

Wednesday 3d March, 1790.

PRAYERS.

A Petition of John Ritchie and others was presented to the House by Col. Delancey and read, sitting forth, that the Petitioners have been appointed Commissioners for building a Bridge across the Creek commonly called Allen's Creek near Annapolis Royal, estimated to cost about five hundred Pounds, towards which they have raised by Subscription near three Hundred Pounds, and praying the further Aid of the House to complete the said Bridge, as it will be highly advantageous to the Public in general.

A Petition of John Ritchie, and others presented.

Ordered, That the Petition do lie on the Table.

A Bill

A Bill for establishing a free School in Halifax,

A Bill for establishing a free School in the Town of Halifax.

A Bill in Amendment of the Act for Regulating Elections.

A Bill in Amendment of the Act for regulating Elections.

A Bill for limiting the duration of the General Assemblies.

A Bill for limiting the Duration or Continuance of the GENERAL-ASSEMBLY,

A Bill to prevent destroying or defacing Mile Posts, Mile Boards &c.

Also a Bill to prevent the destroying or defacing of Mile Posts, Mile Boards or Mile Stones erected or to be erected within this Province, and also

And a Bill in Addition to an Act for raising money by presentment on the several Counties.

A Bill in Addition to an Act made in the fifth Year of the Reign of King George the Third, intituled An Act for the raising Money by Presentment on the several Counties in this Province for the defraying certain County Charges therein mentioned, were severally read a second time,

Read a second time.

And

Resolved, That the above Bills, be referred to a Committee of the whole House.

Committee appointed to report on Laws near expiring.

Ordered, That Mr. Pyke, Col. Delancy, and Captain White be a Committee of this House to examine into and report on the Laws of the Province, which are near expiring.

Correspondence of the Speaker, on the public Business, read.

The Speaker presented to the House a Copy of a Letter written by him to the Provincial Agent, Richard Cumberland, Esq; on the public Business, also a Representation from him to His Excellency the Lieutenant Governor, respecting the Establishment of Custom Houses at the Out Ports within this Province, which were severally read, and

Ordered to lie on the Table.

House resolve itself into a Committee.

The House Resolved itself into a Committee on the several Bills, which stand committed.

The Speaker left the Chair,

Mr. Pyke took the Chair,

The Speaker resumed the Chair,

Report.

The Chairman reported from the Committee, That they had gone through the Bill for limiting the Duration or Continuance of the General Assemblies, and agreed to the same. The Bill to prevent the destroying or defacing of Mile Posts, Mile Boards or Mile Stones, and the Bill in Addition to the Act for raising Money by Presentment on the several Counties in this Province, they had also gone through; and agreed to them with Amendments, likewise had made some Progress in the Bill in Amendment of the Act for Regulating Elections, and prayed leave to sit again which report the House agreed to, and the Bills as passed in the Committee were ordered to be engrossed and read a third Time.

Order thereon.

Then the House adjourned till To-Morrow-Eleven of the Clock.

Thursday 4th March, 1790.

PRAYERS.

A Petition of Matthew Hutchin's was presented by Captain White, and read, setting forth that the Petitioner has had the appointment of

of Gauger and Waiter for the District of *Shelburne* for the Year last past, and received only five per Cent. on the Amount of the Collections in that District for his Services, which is far short of what his Predecessors in said Office have been Allowed, and praying a further Compensation to be made him.

Petition of *Mathew Hutchins*, presented.

Ordered, That the Petition do lie on the Table.

A Bill to prevent the destroying or defacing of Mile Posts, Mile Boards or Mile Stones, erected or to be erected within this Province.

A Bill to prevent the destroying or defacing Mile Posts, Mile Boards &c.

A Bill in Addition to an Act made in the fifth Year of the Reign of King GEORGE the Third, intituled, an Act for the raising Money by Presentment on the several Counties in this Province for the defraying certain County Charges therein mentioned, And also

A Bill in Addition to an Act, for raising money by presentment on the several Counties.

A Bill for limiting the Duration or Continuance of the GENERAL ASSEMBLIES, being engrossed, were severally read a third time, and passed,

And a Bill for limiting the duration of the *General Assemblies*.

Ordered, That Mr. *Dight* do carry the above Bills to the Council and desire their Concurrence.

Sent to the Council.

Resolved, That this House will on Friday the Twelfth Instant take into Consideration such Private petitions as have been, or may be presented to the House, and that public Notice be given of the same.

Pursuant to leave given Mr. *Belcher* presented a *Bill to alter and Amend in Part the Act*, intituled, An Act for regulating the manner of issuing Procefs from the *Inferior Courts of Common Pleas* for the several Counties in this Province, and also for altering the Form of Summons heretofore used, and granting Justices Power to issue Warrants for Debts against Persons not Freeholders, and the same was read a first Time.

Bill to alter and amend an Act for regulating manner of issuing procefs from *Inferior Courts*.

Read a first Time.

The House resolved itself into a Committee on the further Consideration of the Bills committed Yesterday,

House resolve itself into Committee.

The Speaker left the Chair.

Mr. *Pyke* took the Chair.

The Speaker resumed the Chair.

The Chairman reported from the Committee, that they had further considered the *Bill for Regulating Elections*, agreed to the same with Amendments; and prayed leave to set again on the *Bill for establishing a free School in the Town of Halifax*, and also the *Bill for amending the Light House Act*: which report the House agreed to, and the Bill with the Amendments as passed in the Committee was ordered to be engrossed, and read a third Time.

Report.

A Petition from Mr. *Marchinton* in Behalf of *James Moody* was presented and read, setting forth, that the said *James Moody* and others, named in the Petition, in the Year 1788 compleatly built, rigged and sent

Petition from Mr. *Marchinton*, presented.

sent to Sea a ship from *Sciffabou* in this Province, measuring One Hundred and Ninety three Tons as per Certificates annexed, for which they conceive they are intitled to the Bounty of 7s. 6d. per Ton, agreeable to the Resolutions of the *General Assembly* for the Encouragement of ship Building, and praying payment of the same, amounting to £72. 7. 6.

Resolution respecting the Address of Petitions to the House.

Resolved, That in future the Address of all Petitions to be presented to this House, to the Prayer of which the Concurrence of all the Branches of the Legislature shall be required ; shall be as follows, viz. to the GENERAL ASSEMBLY of the Province of NOVA SCOTIA now convened at

Then the House adjourned till To-Morrow at Eleven of the Clock.

Friday, 5th March, 1790.

PRAYERS.

Petition of *William Forsyth & Co. Hall, Lewis & Odber* and others, presented.

A Petition of *William Forsyth and Co. Hall, Lewis and Odber* and others, Merchants, was presented to the House by Mr. Hill and read, setting forth, that by an Act passed in the 24th Year of his Majesty's Reign, an Excise Duty was imposed of One Penny per Pound on all refined Sugar, and five Shillings per Hoghead on all Porter imported into this Province ; that the Petitioners imported large Quantities of the before mentioned Articles, and in Conformity to said Act paid or secured to the Excise Office such Duties as arose on the same so imported, that after the Importation so made they severally, legally exported considerable Quantities of Sugar and Porter to *New Brunswick, Island Cape Breton, and Island St. John* as per Schedule annexed, on which they conceive they are entitled to a Draw-back of the Duties by the seventh Section of the before recited Act, and praying they may be allowed it, amounting to £62. 15s.

Petition of *William Forsyth and Co.* presented.

A Petition of *William Forsyth and Co.*, was presented by Mr. Hill and read, setting forth, that the Petitioners on the 1st January 1789 exported to great Britain a considerable Quantity of Flax Seed the Growth of this Province, and of the Year 1788 as per Certificates annexed, and on which a Bounty of one Shilling per Bushel to the Raifer, and six Pence per Bushel to the Exporter was payable, and praying Payment of said Bounties, amounting together to the sum of £26. 9s.

Ordered, That the Petitions do lie on the Table.

Then the House adjourned till To-Morrow Eleven of the Clock.

Saturday 6th March, 1790.

PRAYERS.

Bill in Amendment of the Act for regulating of Elections.

A Bill in Amendment of the Act for the better regulating of Elections being engrossed, the same was read a third time, and passed,

Ordered,

Ordered, That Mr. Bulkeley do carry the above Bill to the Council and desire their Concurrence. Sent to the Council.

The Committee appointed to report on the Laws which are near expiring made a Report to the House of the same, which was read, and

Ordered, That it do lie on the Table.

Pursuant to leave given, Mr. Pyke, presented a Bill in Amendment of an Act, intituled, an Act for the speedy and effectually collecting such Town Rates and Taxes as may be assessed on the Inhabitants of the Township of Halifax, and the same was read a first Time. Bill in Amendment of the Act for Collecting Rates and Taxes on the Town of Halifax, read first time.

Resolved, That the said Bill be read a second Time.

The Committee appointed to examine into the present State of the Poor House at Halifax, made a Report to the House, which was read, agreed to; and is as follows. Report of the Committee on State of Poor House.

“ That the Poor House appears to be kept with that Order, Neatness and Propriety, which does honor to the Humanity of those concerned in the Superintendancy of it.

“ That the Number of Paupers under the Denomination of transient Poor amount at present in the whole to Eighty three Persons, Men, Women and Children, Forty four of which Number are now maintained in the Poor House, and the remainder are out-Pensioners.

“ That it appears to the Committee, that many of them ought not to be considered as transient Poor, but belong more properly to the Class of County Poor.

“ That altho' they conceive the Sum expended for the Maintenance of the transient Poor is very great and Burthenfome to the Province, yet they are fully persuaded, that the expenditure has been fairly and justly made, and the Books very clearly and regularly kept.

“ That the Paupers at present in the Poor House appear to be such as are intituled to the Public Charity and Attention, but they are not able to form a Judgement of the Out Pensioners.

“ The Committee are at a loss what Remedies can be applied either to lessen the Number of transient Poor, or to render their Maintenance less expensive; they conceive however, that a Law to oblige all Masters of Vessels on their Arrival from Foreign Countries or from our Sister Colonies to give Security not to leave behind them any Persons incapable of maintaining themselves, and obliging all Inn-keepers and other Persons keeping Lodging Houses to make report of such Persons not belonging to the Province, as shall from time to time remain at their Houses more than Twenty four Hours would be very salutary.

“ The Committee also recommend a Law ascertaining what Persons shall in future be denominated transient Poor, and appointing One or more Commissioners or Overseers of such Poor in each County subject to such Regulations as may be thought necessary.”

On

House resolve itself into a Committee.

On Motion the House *resolved* itself into a Committee on the above Report, and the further Consideration of the State of the Transient Poor, and the expences attending the Establishment of the Poor House.

The Speaker left the Chair,
Mr. Pyke took the Chair,
The Speaker resumed the Chair.

The Chairman *reported* from the Committee, that they had taken into Consideration and gone through the Matter to them referred, and come to the following Resolutions.

Resolutions of the Committee.

Resolved, That it be recommended to the House to present an humble Address to His Excellency the Lieutenant Governor to request, that he will be pleased to grant a Charter to the Town of *Halifax* for incorporating the same, and enabling the Inhabitants thereof to make such Bye Laws as will be sufficient to regulate the Police of such Town.

Resolved, That it be recommended to the House to pass a Bill to enable the Governor to appoint Commissioners to take Care of such Transient Poor as are entitled to a Maintenance from the Province, and to superintend the Management of such Persons.

Resolved, That it be recommended to the House to pass a Bill obliging all Masters or Owners of Vessels coming into any Port or Place from any Foreign Port or from any of the British Colonies in *America*, to give good Security not to leave any Person in the Province, who shall be chargeable on the same for support or Maintenance, and to oblige all Innkeepers to make such Returns of their Lodgers as are specified in the Report of the private Committee on the subject; which Resolutions were severally read, and agreed to by the House, and thereupon

Ordered, That Captain *White*, Major *M'Niel* and Mr. *Morris* be a Committee to draw up an Address agreeable to the first Resolution of the Committee of the whole House,

Ordered, That Major *Barclay*, Col. *Jessen* and Mr. *Belcher* be a Committee for the Purpose of framing a Bill agreeable to the second Resolution of the Committee of the whole House,

Ordered, That Col. *Delancey*, Major *Milledge* and Mr. *Schwartz* be a Committee for the Purpose of framing a Bill agreeable to the third Resolution of the Committee of the whole House.

Bill in Addition to Act for raising money by Presentment on the several Counties, and

A Message was received from the Council with a *Bill* intitled, *an Act in Addition to an Act made in 5th year of the reign of King George the 3d*, intitled, an Act for the raising Money by Presentment on the several Counties in this Province for the defraying certain County charges therein mentioned, and also

A Bill to prevent the destroying or defacing of Mile Posts, Mile Boards or Mile Stones, erected or to be erected within this Province, sent down with Amendments, which Amendments with the Bills were read, and

Bill to prevent destroying Mile Posts, Mile Boards, &c. from the Council with Amendments.

Ordered, That they do lie on the Table for Consideration.

A Bill to alter and amend in part the Act for regulating the Manner of issuing Procefs from the Inferior Court of Common Pleas for the several Counties in this Province, and also for altering the Form of Summons heretofore used and granting Justices Power to issue Warrants for Debt against Persons not Frecholders, was read a second time.

Resolved, That it be committed to a Committee of the whole House.

A Petition of James Lodge and William Armstrong was presented by Major Barclay, setting forth, that the Petitioners built a brig at Guysborough within the Year 1788, which was launched and fitted for Sea, and by Act of the Province intituled to the Bounty of 7s. 6d, per Ton ; that owing to the Severity of the Weather they were prevented from navigating the said Brig to Halifax until the Spring 1789, which excluded the Petitioners from obtaining the legal Certificates for Bounty, and praying that the House would be pleased to enquire into the Merits of their Claim, and grant them such relief as in their Wisdom may seem meet.

Petition of James Lodge and William Armstrong presented.

Ordered, That the Petition do lie on the Table.

Then the House adjourned till Monday at Twelve of the Clock.

Monday 8th March, 1790.

PRAYERS,

A Message was received from the Council with the Bill for limiting the Duration or Continuance of the GENERAL ASSEMBLIES sent down with Amendments.

Bill for limiting the Duration or Continuance of General-Assemblies from the Council with Amendments.

The above Bill with the Amendments were Read, and Ordered to lie on the Table.

The House having considered the Amendments proposed by the Council to the Bill in Addition to the Act for raising Money by Presentment on the several Counties, &c. rejected the same, and on Motion amended the Title to their own Bill, passed the same, and ordered that Mr. Day do carry the above Bill as amended to the Council and desire their Concurrence.

The Bill in Addition to the Act for raising Money by Presentment on the several Counties &c.

The Bill to prevent destroying or defacing Mile Posts, Mile Boards, &c. And

The House having considered the Amendments proposed by the Council to the Bill to prevent the destroying or defacing Mile Posts, Mile Boards, &c. agreed to the first and third Amendments only.

The Bill for limiting the Duration or Continuance of the General Assemblies amended, and sent to the Council.

The House having also considered the Amendments proposed by the Council to the *Bill for limiting the Duration or Continuance of the General Assemblies*, agreed to the first, and rejected the second Amendment; And

On Motion the above two Bills were amended, and passed,

Ordered, That Mr. Day do carry them to the Council and desire their Concurrence.

A Petition of Messrs. Brymer and Belcher, presented.

A Petition of Messrs. *Brymer* and *Belcher* was presented by Mr. *Hill*, setting forth, that in *August 1788* they sold to *William Broad*, Master of the Brig *Apollo* 1170 Gallons Rum, which was exported to *Placentia Bay* in *Newfoundland*, that from unavoidable Circumstances they did not receive the Certificates of the Landing of said Rum within the Time limited by Law to enable them to obtain a Drawback of the Sunk and Excise Duties on said Liqueur, which they had paid, and praying Relief in the Premises, Also

Petition of *Nicholas Smith* and others, presented.

A Petition of *Nicholas Smith* and others Inhabitants of the Township of *Lunenburg* was presented by Mr. *Wollenhaupt*, setting forth, That the Petitioners are Owners and Navigators of small Vessels, following the Coasting Trade between said Place and the Town and Port of *Halifax*, that they are much injured by the Exaction of Fees by the Naval Officer at *Halifax*, and his Deputies at the Out Ports for the Entry and Clearance of said Vessels as per Statement annexed, and praying Relief in the Premises.

Ordered, That the Petitions do lie on the Table.

Bill in Amendment of the Act for collecting Town Taxes in the Town of *Halifax*, read a second Time.

A Bill in Amendment of the Act intituled, *An Act for the more speedy and effectually collecting such Town Rates and Taxes as may be assessed on the Inhabitants of the Township of Halifax*, was read a second time.

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

Bill relating to transient Poor, And

Pursuant to Order Major *Barclay* presented a Bill, intituled, *an Act for appointing Commissioners to superintend and direct the Maintenance and Support of certain Poor Persons, known by the general Appellation of transient Poor*, and

Bill in Amendment of Market House, read first Time.

Pursuant to leave given, Mr. *Belcher* also presented a Bill in Addition to, and Amendment of the Act for establishing a public Market House in *Halifax*, and for regulating the same.

The above Bills were severally read a first Time,

Resolved, That they be read a second Time.

A Message was received from the Council with the Bill in Addition to an Act made in the 5th Year of the Reign of His present Majesty, intituled,

intituled, an *Act* for the raising Money by Presentment on the several Counties in this Province for the defraying certain County charges therein mentioned, agreed to.

Bill in Addition to the Act for raising Money by Presentment on the several Counties, agreed to.

A Petition from Roger Viets, Isaac Bonnel and others in behalf of themselves and the Inhabitants of the Townships of Digby, Clements and Clare in the County of Annapolis, was presented by Major Milledge and read, setting forth, that they suffer great Inconvenience by being obliged to attend the Courts and other public Business in the County Town Annapolis, and praying the said three Townships may be erected into a new County, free and independant of the County of Annapolis.

Petition of Inhabitants of Digby, Clements and Clars, presented.

Ordered, That the Petition do lie on the Table.

On Motion of Major Milledge, Resolved, That an humble and dutiful Petition be presented to His Majesty from this House, stating the peculiar Situation of many of His Majesty's Loyal Subjects in this Province, who had it not in their power to prefer their Claims under the first Act of Parliament appointing Commissioners to examine into the Losses of those Persons who have sustained losses in Consequence of their Loyalty to His Majesty and Attachment to the British Constitution during the late unhappy Dissentions in America, and beseeching him to take their deplorable Case into his Consideration, and grant them such Relief, as He in his Royal Wisdom may think proper.

Resolution to Petition His Majesty in behalf of Loyalists.

Ordered, That Major Milledge, Col. Lawrence and Captain White be a Committee for the Purpose of preparing an Humble Petition to His Majesty in Conformity to the above Resolution.

On Motion of Mr. Schwartz, Resolved, That this House will To-Morrow resolve itself into a Committee of Ways and Means.

A Petition of John Baker and others Inhabitants of the Township of Annapolis was presented by Col. Delancey, and read, setting forth, that the Petitioners are Proprietors of Lands in the second Division of the said Township, that the Communication to said Lands is greatly obstructed for Want of Labour on the Highways, and praying relief in the Premises.

Petition of John Baker, and others, presented.

Resolved, That a Committee be appointed to take the above Petition into Consideration, and report to the House the Mode most proper to be adopted for granting the Relief prayed for, and Mr. Belcher Col. Delancey and Mr. Archibald were appointed accordingly.

Resolution thereon.

Then the House adjourned till To-Morrow Twelve of the Clock.

Tuesday

Tuesday 9th March, 1790.

PRAYERS.

Address on the subject of incorporating the Town of Halifax, Reported.

The Committee appointed to prepare an Address to His Excellency the Lieutenant Governor on the Subject of incorporating the Town of Halifax, reported, a Draft which was read, and is as followeth :

To HIS EXCELLENCY

J O H N P A R R, Esq.

Lieutenant-Governor and Commander in Chief in and over his Majesty's Province of Nova-Scotia, and its Dependencies, Vice Admiral of the same, &c. &c. &c.

The humble ADDRESS of the HOUSE OF REPRESENTATIVES
in GENERAL ASSEMBLY.

May it please your Excellency,

“ **A**S the Representatives of the good People of this Province,
“ We conceive it our indispenfible Duty ; to fuggest (and to
“ exert our utmost Endeavours to effect) every measure, which may
“ have a tendency to promote its General Interests, or the Welfare
“ of any particular Part of the Community.

“ Impressed with these Sentiments, We beg leave to State to Your
“ Excellency, that we conceive the Want of an efficient Police in
“ the Capital of the Province ; to be a Matter of Importance, not
“ only those residing within its Limits, but to the Country in Ge-
“ neral, as the Evils arising from that Defect extend to, and affect
“ every Part of the Province. We are led to form this Opinion from
“ the Investigation we have made into the Causes of the alarming and
“ increasing Number of Transient Poor, who have now become a dis-
“ tressing and almost intolerable Burthen to the Public—these Paupers,
“ appears to consist principally of Persons from abroad, who on their
“ Arrival in Town are protected or sheltered, in tipling and disorder-
“ ly Houses, and being destitute of Employment soon become dis-
“ tressed, and either contract Diseases and become chargeable to the
“ Province, or to relieve their Wants commit Depredations on the
“ Property of the peaceful and industrious Citizen.

“ These and many other Evils, we humbly conceive might be re-
“ medied by a correct and vigilant Police, established upon such
“ principles as from Time and experience have been found produc-
“ tive of the best Consequences in almost every Part of His Majesty's
“ Dominions.

“ We therefore beg leave as the means of obtaining this desira-
“ ble Object) to request your Excellency will be pleased to grant
“ a Charter for incorporating the Town of Halifax, and enabling
“ its Inhabitants to make such Bye Laws, for the municipate Go-
“ vernment of the Town, as will effectually cure the existing Evils,
“ and ensure its future peace, Security, and good Government.”

Ordered, That the above Address do lie on the Table.

The

The Committee of His Majesty's Council and House of Assembly appointed to examine the public Accounts, made a report, which was read and is as followeth, viz.

Committee on Public Accounts report:

	The Treasuer's Accounts to the 31st of December last regular, well stated and correct.	
<i>Halifax.</i>	The Collector's Accounts of Impost and Excise to the 31st Dec. last, regular, well stated and correct. Paid into the Treasury.	£.5,302. 0. 2½.
<i>Shelburne.</i>	The Collector's Accounts of Impost and Excise to 30th Sept. last, regular, well stated and correct. Paid into the Treasury.	430. 18. 5.
<i>Liverpool.</i>	The Collector's Accounts of Impost and Excise to 30th Sept. last, regular, well stated and correct. Paid into the Treasury.	179. 15. 8.
<i>Cornwallis.</i>	The Collector's Accounts of Impost and Excise to 30th Sept. last not correct. Paid into the Treasury.	74. 7. 5½.
<i>Windsor.</i>	The Collector's Accounts of Impost and Excise to 30th Sept. last, regular, well stated and correct. Paid into the Treasury.	151. 0. 2.
<i>Annapolis.</i>	The Collector's Accounts of Impost and Excise the 30th Sept. last, regular, well stated and correct. Paid into the Treasury.	393. 18. 1½.
<i>Guyborough.</i>	The Collector's Accounts of Impost and Excise to 30th Sept. last, regular, well stated and correct. Paid into the Treasury.	109. 0. 3½.
<i>Colchester.</i>	No Accounts or Remittance.	
<i>Cumberland.</i>	No Accounts or Remittance.	
<i>Lunenburg.</i>	No Accounts or Remittance.	
<i>Licenced Houses.</i>	<i>Halifax</i> Collector's Accounts to the 31st Jany. 1790, correct and well stated.	
<i>Transient Poor House.</i>	The Accounts of the Overseers to the 31st December, regular, well stated and correct Sum expended.	1300. 13. 7½.
<i>Sambro Light House.</i>	The Collectors Accounts to the 31st December last, regular, well stated and correct. Neat Sum collected.	267. 17. 11½.
	Sum expended for supplies, and for the Allowance to the Collector of £.20 per Annum.	£.284. 19. 9.

The General Account of the State of the Province Funds to the 31st <i>December</i> last rendered by the Commissioners, we find correct and properly stated, by which the Province debt is	£.13053. 1. 5.
To which add a Balance due on Light House Account.	} 17. 1. 9.
Total debt.	<u>£.13070. 3. 2.</u>

An Account of outstanding Debts due to the Province of *Nova Scotia*,
the 10th *February*, 1790.

Bonds and Notes remaining in the Treasury the 10th <i>February</i> , 1790.	-	£.787. 16. ½.	
Bonds &c. in the Hands of the Attorney Gene- ral.	-	1954. 18. 4½.	2742. 14. 5.
Ballance due from the late Collector of Impost and Excise duties at <i>Shelburne</i> .	-	605. 6. 10.	
From the late Collector of <i>Annapolis</i> .	-	62. 8. 11.	
From the late Collector of <i>Windsor</i> .	-	394. 4. 7.	
From the late Collector of Lience Duties at <i>Halifax</i> .	-	300. 12. 9.	1362. 13. 1.
Collectors of Impost and Excise Duties at <i>Halifax</i> for outstanding Debts to the 31st <i>December</i> last.	-		661. 12. 4.
			<u>£.4766. 19. 10.</u>

The Committee of Public Accounts are of opinion, that several Sums that appear due to the Public are so circumstanced that little or no Benefit can be expected from them.

The Committee therefore recommend to the *General Assembly* to expunge from the Accounts such Sums as they may deem irrecoverable.

COUNCIL CHAMBER,
9th *March*, 1790.

HENRY NEWTON,
ALEX. BRYMER,
THOMAS COCHRAN.

} Committee
of
Council.

JOHN DAY,
JOHN M^cMONAGLE,
CHARLES HILL,
GEO. Wm. SHERLOCK,
PH. MARCHINTON.

} Committee of
the House of
Assembly.

Bill in Amendment
of Act for regula-
ting Elections not
agreed to by the
Council.

A Message was received from the Council with the Bill in Amend-
ment of the Act for regulating Elections, not agreed to.

A Petition of *Anthony Henry* presen-
ted.

A Petition of *Anthony Henry*, Printer, was presented by Mr. *Pyke*
and read, setting forth, that the Petitioner has sustained great Losses
by discount on Warrants, which he has received some Years past
for

for his salary as Printer to the *General Assembly*, and in Payment for Stationary supplied to the same, and praying relief in the Premises.

A Petition of *James Kavanagh* was presented by Captain *White* and read, setting forth, that the Petitioner for many Years past carried on extensive Fisheries, that he has failed in said Business, and is now called upon by his Creditors to make Payment; and praying an Act may be passed on certain Conditions to relieve him of his Embarrassments.

Petition of *James Kavanagh* presented.

A Petitioner of *Timothy Folger* and *William Sabatier* was presented by Mr. *Hill* and read, setting forth, that the Petitioners are Spermiceti Manufactures and Refiners; that they export to the *West-India* Islands Quantities of Spermiceti candles, and received in return Rum, Sugar, and other Productions of said Islands, and praying they may be included in the Class of Stockholders at the Excise-Office, for certain reasons stated in the Petition.

Petition of Messrs. *Folger & Sabatier* presented.

A Petition of *John Cunningham* was presented by Mr. *Day* and read, setting forth, that the Petitioner in the year 1769 was appointed by the then Governor Lord *William Campbell* Superintendant of Indian Affairs for this Province, that he is in advance for supplies to Indians to the great Injury of himself and Family; and praying the same may be allowed him.

Petition of *John Cunningham* presented.

A Petition of *Gregory Springall* (recommended to the Consideration of this House by His Excellency the Lieutenant Governor) was presented by Mr. *Wilkins* and read, setting forth, that the Petitioner at the Evacuation of *New-York* removed to this Province; that he was then possessed of 119 Hhds. of Molasses, on which he paid a Duty of £.254. 11. 3. and praying the said Sum may be refunded him for Reasons offered in the Petition.

Petition of *Gregory Springall* presented.

A Petition of *Jobban Blanchard* was presented by Mr. *Dickson* and read, setting forth, that the Petitioner manufactured several Tons of Pot-Ash at *Truro* in this Province, and exported it to *Great-Britain*, and praying the Bounty of £5. per Ton may be allowed him on the same.

Petition of *Jobban Blanchard* presented.

A Petition of the Magistrates of the County of *Shelburne* resident in the Town of *Shelburne* was presented by Mr. *Wilkins* and read, setting forth, That the Inhabitants of said County and the Town of *Shelburne* in Particular, are labouring under a very heavy and increasing Debt, amounting to near £.700, which was incurred for defraying the necessary contingent Expences of the County; that their inability Proceeds in a great Measure from the other Towns in said County refusing to pay their Quotos of such Expences, and praying Relief in the Premises in such way as the House in their Wisdom may seem meet.

Petition of Magistrates resident in Town of *Shelburne* presented.

A Petition of the Magistrates of *Shelburne* in behalf of themselves and the Inhabitants of that Township was presented by Mr. *Wilkins* and read, setting forth, that great Advantages will result to the Township and the public in-general by compleating the Road lately opened

Petition in behalf of inhabitants of *Shelburne*.

to *Annapolis Royal*, and praying that the House will grant them the necessary Aid to carry the same into Execution.

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

Resolved, That a proper Person be appointed to Act in the Capacity of Serjeant at Arms to this House.

House resolve itself into Committee of ways and means.

According to the Order of the Day the House resolved itself into a Committee of Ways and Means.

The Speaker left the Chair.

Mr. *Pyke* took the Chair.

The Speaker resumed the Chair.

Report.

The Chairman *reported* from the Committee, that they had made some Progress, and prayed leave to sit again, which Report was agreed to by the House.

Then the House adjourned till To-Morrow Eleven of the Clock.

Wednesday 10th March, 1790.

PRAYERS.

Serjeant at Arms appointed.

The House appointed *Adolphus Veith* to be Serjeant at Arms to this House agreeable to the Resolution of Yesterday.

Petition of Administrators of *Ephraim Dean* presented.

A Petition of *Philip Marchinton*, *Patrick McMaster* and *Godfrey Schwartz* Administrators to the Estate of the late *Ephraim Dean*, deceased, was presented by Mr. *Marchinton* and read, setting forth, that the said *Ephraim Dean* and the Petitioners in the Year 1787 built at *Liverpool* in this Province a schooner called the *Charlotte*, Burthen 60 Tons, and praying the Bounty of 10s. per Ton on said Schooner may be paid them, agreeable to a Resolution of this House in the last Session.

Ordered, That the Petition do lie on the Table.

Articles of Impeachment against Assistant Justices of Supreme Court presented.

Major *Barclay* exhibited to the House Thirteen Articles of Impeachment, charging the Honorable *Isacc Deschamps*, and *James Brenton*, Esquires; Assistant Justices of His Majesty's *Supreme Court* with high Crimes and Misdemeanors, and moved that the same should be read and lie on the Table for future Consideration, on which Question the House divided and there appeared,

For the Motion, Seventeen,

Major Barclay,

Mr. Sherlock,

Mr. Schwartz,

Mr. Wilkins,

Major Crane,

Mr. Marchinton,

Major Milledge,

Mr. Wollenhaupt,

Against it, Ten.

Mr. Hill,

Mr. Morris,

Mr. Dight,

Mr. Jessen,

Mr. Dewolf,

Mr. Bulkeley,

Mr. Dennison,

Mr. Fillis,

Division thereon.

For

For the Motion.

Mr. Elbinny,
Major M^cNeil,
Mr. Belcher,
Mr. M^cMonagle,
Mr. Day,
Mr. Archibald,
Col. Lawrence,
Col. Delancey,
Capt. White.

Against it.

Mr. Noribup,
Mr. Pyke,

The above Articles were then received and read,

Ordered, That they do lie on the Table.

On Motion the Speaker was desired to inform *Isaac Deschamps* and *James Brenton* Esquires, Justices of His Majesty's *Supreme Court* of the above Proceedings.

Resolved, That the House will on Monday next go into the Consideration of the Articles exhibited by Major *Barclay*, and that the Speaker do also acquaint the Justices of the *Supreme Court* of the same.

Resolution respecting said Articles.

A Petition of *William Lee* was presented by Mr. *Fillis* and read, setting forth, that although he has been paid by Government his Account for Repairs and Supplies for the Governor's North Farm, amounting to £.584, yet he suffers by Loss of Interest on said Sum and other Expences upwards of £250. and praying Payment of the same.

Petition of *William Lee* presented.

On Motion resolved, That the said Petition be dismissed.

A Petition of *Joseph Tinkham* was presented by Mr. *Pyke* and read, setting forth, that the Petitioner within the Year 1788, Built a Brig at *Liverpool*; that from the Inclemency of the Weather he was prevented from navigating said Brig to *Halifax*, until the Spring of 1789, which excluded him from obtaining the legal Certificate for the Bounty of 7s. 6d. per Ton, and praying Relief.

Petition of *Joseph Tinkham* presented.

A Petition of *William Mott* was presented by Mr. *Dight*, and read, setting forth, that he has paid a Duty on Cards and Tobacco to the Amount of £.8. 3. 9, and praying the same may be refunded him for Reasons offered in the Petition.

Petition of *William Mott* presented.

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

A Message was received from the Council, requesting this House would appoint a Committee to confer on the Bill to prevent the destroying or defacing of Mile Posts, Mile Boards or Mile Stones erected or to be erected within this Province, and thereupon.

Message from Council proposing a conference on Bill.

Ordered, That Major *Barclay*, Mr. *Dight* and Mr. *Schwartz* be a Committee to confer accordingly.

Bill relating to transient Poor and

The Bill for appointing Commissioners to superintend and direct the Maintenance and support of certain Poor Persons known by the General Appellation of transient Poor, and

Bill in Amendment of Act for establishing Market House, read second time.

Also the Bill in Amendment of the Act for establishing a Market House at Halifax, were read a second Time.

Resolved, That the above Bills be committed to a Committee of the whole House.

Petition of Catherine Creamer presented.

A Petition of *Catherine Creamer* (recommended by His Excellency the Lieutenant Governor to the Consideration of the House) was received and read, setting forth, that her late Husband *Balthazer Creamer* was Keeper of the County Goal at *Halifax* for several Years, that there remains due for his Services £.26. 13. 4, and praying Payment of said Sum.

Ordered, That the Petition do lie on the Table.

Bill in Amendment of an Act for appointing Commissioners of Sewers, read first time.

Pursuant to leave given Mr. *Belcher* presented a *Bill in Amendment of an Act, intitled, an Act for appointing Commissioners of Sewers*, and the same was read a first Time.

Resolved, That the Bill be read a second Time.

Major *Barclay* stated to the House the Substance of the Conference with the Committee of the Council on the Bill respecting Mile Posts, Mile Boards, &c. which Report the House agreed to, and the Bill was in consequence of such Conference amended, passed, and sent back to the Council by Mr. *Bulkeley*.

Then the House adjourned till To-Morrow at Eleven of the Clock

Thursday 11th March, 1790.

PRAYERS,

Petition of *John Nevil* presented.

A Petition of *John Nevil*, Keeper of the County Goal at *Halifax*, was presented by Mr. *Pyke* and read, setting forth, that the Petitioner is considerably in Advance for Supplies to Poor and distressed Prisoners, &c. as per Account annexed, and praying Payment of the same, and also a small annual Allowance in future.

Petition of Debtors in Prison presented.

A Petition of *John Pearce* and other Debtors confined in the County Goal at *Halifax*, was presented by Mr. *Pyke* and read, setting forth, That they have been in Confinement for several Months past and experienced every Calamity incident to a State of most extreme Poverty and Want, that they are unable to pay their Debts; and praying relief.

Order thereon.

On Motion ordered, That Major *Millidge*, Mr. *Bulkeley* and Mr. *Pyke* be a Committee to take the above Petition into Consideration, and the Act of the Province respecting Insolvent Debtors, and report to the House such Alterations as they may deem necessary to be made in said Act, and also the Mode most proper to be adopted for the Relief of the Petitioners.

A Petition of *John and Edward Kerby*, was presented by Mr. *Hill*, and read setting forth, that they have paid a Duty on Tea and Tobacco, part of which remained unfold upon the Repeal of the Act imposing said Duty, and praying Relief.

Petition of *John and Edward Kerby*, presented.

A Petition of *James Pedley*, was presented by Mr. *Schwartz*, and read setting forth, that the Petitioner in the Year 1786 was under the Necessity of building a Stone-Wall on the boundary Line of his Land adjoining the Governor's North Farm, which cost him £17. 3. 3. per Account annexed, and praying Payment of said Account.

Petition of *James Pedley* presented.

A Petition of the Inhabitants and Freeholders in general of the District of *Colchester*, was presented by Mr. *Archibald* and read, setting forth, that they suffer great Inconvenience from the bad State of the Main-Road leading from that District to the Town of *Halifax*, and praying Relief in the Premises.

Petition of the Inhabitants of the district of *Colchester* presented.

A Bill in Amendment of an Act, intituled, *an Act for appointing Commissioners of Sewers*, was read a second Time.

Bill in Amendment of Act for appointing Commissioners of Sewers, read second time.

On Motion the House resolved itself into Committee on the above Bill, and also the other Bills which stand committed.

House resolve itself into Committee on Bills.

The Speaker left the Chair,

Mr. *Pyke* took the Chair,

The Speaker resumed the Chair,

The Chairman reported from the Committee, that they had gone through the Bill in Amendment to the Act relative to the collecting of Rates and Taxes in the Town of *Halifax*, and agreed to the same with Amendments; that they had also made some Progress in the Bill in Amendment of the Act for establishing a Market-House in *Halifax*, and the Bill relative to Persons generally called transient Poor, and prayed leave to sit again on the further Consideration of the same, and the other Bills to them committed, which Report the House agreed to, and the Bill as passed in the Committee was ordered to be engrossed, and read a third Time.

Report.

Resolved, That the Speaker do issue his Precept to summon *Rufus Chandler*, Esq. of *Annapolis* to appear before this House to give Evidence on the Charges exhibited against the Justices of the Supreme Court.

Then the House adjourned till To-Morrow Eleven of the Clock.

Friday, 12th March, 1790.

Petition of *Joseph Tinkham* presented

PRAYERS,

Pursuant to leave given, a Petition of *Joseph Tinkham*, Sheriff of *Queen's County* presented by Col. *Perkins* was received and read, setting forth, that a Suit is commenced against the Petitioner for the Payment of a Reward offered by *Joseph Brewer* and *James Robinson*, Esqrs; of *Shelburne* in his Name for the apprehending of one

one *Timothy Doyle* a Felon, who escaped out of the Prison at that Place in 1784, and praying Relief in the Premiffes.

Ordered, That the Petition be referred to the Committee of the whole House on Private Petitions.

The House resolve itself into Committee on private Petitions.

On Motion the House *resolved* itself into a Committee on Private Petitions.

The Speaker left the Chair,

Mr. *Pyke* took the Chair,

The Speaker resumed the Chair.

Report.

The Chairman *reported* from the Committee, that they had made some Progress in the Matter to them referred, and prayed leave to sit again, which Report the House agreed to.

Then the House adjourned till To-morrow at Eleven of the Clock.

Saturday 13th March, 1790.

PRAYERS.

Resolved, That the Speaker do issue his Precept to Summon *Martin S. Wilkins*, Esq. *Christian Barling* and Wife, *James Clarke*, Esq; Sheriff, *Daniel Wood*, Junr. Esq; *Thomas Wood*, *Philip Van Courtland*, Esq; *Otho Swartz* and *John Nevil* Goaler, to appear before this House on Monday next at Eleven o'Clock, to give Evidence on the Charges exhibited against the Justices of his Majesty's *Supreme Court*.

Petition of Inhabitants of *Rawdon*, *Douglafs* and *Noel* not received.

Mr. *Dewolf* presented a Petition of the Inhabitants of the Townships of *Rawdon*, *Douglafs* and *Noel*, but the same was not received by the House, the time appointed for presenting private Petitions having elapsed.

Motion relative to *Matthew Hutchin's* late Deputy Collector at *Shelburne*.

Mr. *Hill* moved, That that Part of the Report of the Committee on public Accounts at the last Session so far as relates to *Matthew Hutchin's* then Deputy Collector of *Shelburne* having in his hands £. 131. 13. 11. of the Public Money should be altered, the same having been entered therein by Mistake, he having paid that Sum to his Principal previous to the Committee making that Report, and the same having been proved to the Satisfaction of the House,

Resolution thereon.

Resolved, That the Alterations be made in said Report agreeable to Mr. *Hill's* Motion.

Committee to confer with his Excellency on subject of Petitions.

On Motion of Major *Millidge*, ordered that Major *Millidge*, Mr. *Morris* and Mr. *Dickson* be a Committee to confer with his Excellency the Lieutenant Governor on the Subject of the Petitions from the Inhabitants of *Piſcou*, *Margomiſſe* &c. and Townships of *Digby*, *Clements* and *Clare*.

Bill to prevent Indigent Persons from coming into the Province, read a first Time.

According to Order Major *Millidge* presented a *Bill for preventing the Introduction of indigent and dissolute Persons into this Province, which are or may be likely to become chargeable to the same*, and the same was read a first Time.

Resolved, That the said Bill be read a second Time.

The Order of the Day being called for, it was moved, that the Committee of the whole House on private Petitions should deliberate in private, which being seconded and put, passed in the negative.

House resolve itself into Committee on private Petitions.

The House then resolved itself into a Committee on the further Consideration of private Petitions.

The Speaker left the Chair,

Mr. Pyke took the Chair,

The Speaker resumed the Chair,

The Chairman reported from the Committee, that they had come to the following Resolution on the Petition of *Nicholas Smith* and others.

Resolved, That it be recommended to the House to appoint a select Committee for the purpose of considering the said Petition, and all the Petitions before the House similar thereto and reporting such Measures as that Committee shall think will be adequate to remedy the Evils complained of therein.

Report a Resolution and proceedings.

The Chairman also reported, that they had made further Progress in the Matters to them referred, and prayed leave to sit again, which Report the House agreed to, and thereupon,

Ordered, That Mr. Schwartz, Mr. Wilkins, Col. Perkins, Mr. Marchinton and Mr. Belcher be a Committee agreeable to the above Resolution reported by the Chairman of the Committee of the whole House.

Order thereon.

Resolved, That the Speaker do acquaint Col. Tonge, the Naval Officer of the Province with the foregoing Resolution of this House.

Resolved, That the House will on Friday the 19th Instant go into the further Consideration of private Petitions in a Committee of the whole House.

Then the House adjourned till Monday at Eleven of the Clock:

Monday 15th March, 1790.

PRAYERS.

Major Barclay moved, that the House do proceed on the Order of the Day.

Resolved accordingly.

On Motion of Mr. Bulkeley, resolved, That Counsel be allowed to appear before this House in Behalf of the Justices of the Supreme Court,

Council allowed in behalf of Justices Supreme Court.

The House then proceeded on the First Charge exhibited against the Justices of the Supreme Court, and Jonathan Sterns; Esq. gave Testimony in Support of the same.

Testimony of Jonathan Sterns, Esq. taken.

Petition of the Merchants, Traders and other Inhabitants of Halifax, presented.

A Petition of the Merchants, Traders and other Inhabitants of Halifax was presented by Mr. *Fillis* and read, setting forth, that the Petitioners have seen with extreme Concern a Number of Industrious, honest Men paying a constant Tribute to the Naval Officer of the Province under the Denomination of Fees, that the Men so burthened are Owners or Navigators of Shallops and other coasting Vessels employed in bringing Wood, Hay and other Necessaries between the several Ports in this Province, that those Fees being exacted, operates as a Discouragement to that useful and industrious part of the Community, and praying the House would grant them such Relief as they in their Wisdom may see fit.

Order thereon.

Ordered, That the above Petition be referred to the select Committee appointed to take into Consideration the Petitions relative to the Naval Office.

Then the House adjourned till Tomorrow Ten of the Clock.

Tuesday 16th *March*, 1790.

PRAYERS.

Committee appointed to prepare Addresses to their Majesties, Report.

The Committee appointed to prepare an Humble Address to Congratulate His Majesty on his Restoration to Health, and also a similar Address to Her Majesty the Queen, on the like Occasion, reported Drafts of the same, which were severally read a first and second time, agreed to unanimously, and are as follows.

To the King's Most Excellent Majesty.

Address to His Majesty.

MOST GRACIOUS SOVEREIGN,

“ **W**E Your Majesty's most dutiful and loyal Subjects the Representatives of the Province of *Nova-Scotia*, in *General Assembly* convened; with Hearts filled with the warmest and liveliest Gratitude, to the merciful Dispenser of every Blessing; beg leave to embrace this Opportunity of congratulating your Majesty, on your happy Recovery from your late dangerous Indisposition: The extreme Anxiety and Distress that overwhelmed us, during that melancholy Period, can be equalled only by the Excess of our Joy upon the present Occasion, and we lament, that we have not had an earlier Opportunity to present ourselves before your Majesty; and to make known with what Transports the Inhabitants of your affectionate Province of *Nova-Scotia*, joined in that general Exultation of Joy; that pervaded every part of your Majesty's Dominions; and vibrated through all the Kingdoms of Europe. It is our Happiness and our Glory, that the Monarch of *England*, is at once the Father of his People; and the Favourite of Mankind. To be in Possession of the best and purest Constitution in the World; and at the same Time to have the best of Sovereign's presiding over that Constitution; is to be placed upon so high a Pinnacle of national Happiness, as should make us tremble while we enjoy.

“ May

“ May your Majesty long live in Health and Happiness. A Blessing to your Subjects, and an Example to the Sovereigns of the Earth, and may your grateful People, truly sensible of their present Felicity prove worthy of this recent and merciful Interposition of Providence in their behalf.”

To the Queen's Most Excellent Majesty.

May it please Your Majesty.

“ **W**E the Representatives of *Nova-Scotia* in *General Assembly* convened; most humbly request your Majesty's Acceptance, of our sincere and dutiful Congratulations, on his Majesty's Restoration to Health. The melancholy Information, of our most Gracious Sovereign's Indisposition: delivered to us during our last annual Sessions, naturally impressed our Minds, with anxious Solicitude, for his Recovery: And while we reflected on our distressed Situation: Our Affection and Sensibility, lead us to participate in your more exquisite Sensations, on so alarming an Occasion.

Address to her Majesty.

“ May the all wise Disposer of the Universe; who hitherto has preserved that best of Kings: And your most Excellent Majesty; still extend his providential Care. May you long continue in the enjoyment of Health; and every other earthly Blessing; dispensing Happiness to Millions universally adored by your Subjects, and admired and respected by all the World.”

Ordered, That the said two Addresses be engrossed,

Resolved, That the Speaker and the House will Tomorrow between Twelve and One o'Clock wait upon his Excellency the Lieutenant-Governor with the above Addresses and request that he will be pleased to transmit the same to their Majesties in such way as he shall think most dutiful and respectful.

Resolution thereon.

The House then proceeded on the Order of the Day.

The first Article of Charge exhibited against the Justices of the *Supreme Court* was read.

First Article of charge against Justices *Supreme Court* read.

William Lyon and *Thomas Wood* were sworn and examined in support thereof, and thereupon,

William Lyon and *Thomas Wood* examined.

Resolved, That the Speaker do require the Prothonotary to furnish this House with a Copy of the Affidavit filed in the *Supreme Court* and made by the Attorney General for continuing the cause of *Tremaine* and *York* against *Stout* in *Trinity Term*, 1787.

Resolution in consequence of examination.

Jonathan Tremaine was also sworn and examined in Support of the first Article of Charge,

Jonathan Tremaine, examined.

A Copy of the Affidavit filed in the *Supreme Court* by the Attorney General in the cause of *Tremaine* and *Stout* against *York* was received from the Prothonotary and the same was read in support of the said first Article of charge against said Justices of the *Supreme Court*.

Read

Second Article read.
Jonathan Sterns examined.

Read the second Article of Charge against the Justices of the Supreme Court,

Jonathan Sterns, Esq; sworn and examined in Support thereof.

Resolved, That this House will To-morrow resume the Consideration of the Charges exhibited against the Justices of the Supreme Court.

The House then adjourned till Tomorrow Eleven of the Clock.

Wednesday 17th March, 1790.

PRAYERS.

Committee appointed to draw up a Petition to His Majesty Report.

Major *Millidge* reported from the Committee appointed to draw up a Petition to His Majesty, relative to the Loyalists, and presented to the House a Draft of a Petition, which being read a first and second time, was agreed to, and is as follows.

Petition to His Majesty,

To the King's Most Excellent Majesty.

The humble and dutiful Petition of the House of Representatives for the Province of *Nova-Scotia* in General Assembly convened.

Most respectfully sheweth.

“ THAT many of your Majesty’s loyal Subjects, who have settled
“ in this Province from their remote Situations, and indigent
“ Circumstances, as well as their ignorance of the mode to be pursued
“ had it not in their power to prefer their Claims under the first Act
“ of Parliament “ appointing Commissioners to examine into the
“ Losses sustained by Persons in consequence of their Loyalty to your
“ Majesty and Attachment to the British Government during the late
“ unhappy Dissentions in *America*.

“ Relying upon your Majesty’s paternal Attention to all Your
“ faithful Subjects. This House most humbly requests permission
“ to lay before your Majesty the peculiar Situation of these unfor-
“ tunate Loyalists, beseeching your Majesty to take into Considera-
“ tion their deplorable Case; and to grant them such Relief, as in
“ your Royal Wisdom may be deemed expedient.

“ And Your Petitioners shall ever pray.”

Resolution thereon.

Resolved, That the said Petition be presented by the House this Day to His Excellency the Lieut. Governor to be by him transmitted to his Majesty.

Mr. *Schwartz* moved for leave to withdraw the Petition of *James Pedley*, and to have leave to present the same on some future day during the present Session, leave given.

On Motion, the Order of the day was adjourned until To Morrow.

The

The House pursuant to the Order of Yesterday, waited on his Excellency the Lieutenant Governor,

House wait on His Excellency with their Addresses.

The House being returned,

The Speaker resumed the Chair, and reported, that the House had waited on His Excellency, and that he had delivered to him the Addresses to their Majesties, and that he at the same Time had addressed His Excellency as follows :

May it please Your Excellency,

I AM directed by the *House of Assembly* humbly to request, that you will be pleased to receive the two Addresses now delivered to You, and that you will take the earliest Opportunity to have them presented to our Most Gracious Sovereign and his Royal Consort, in such manner as you shall think will best shew the Duty and Affection of their Loyal Subjects in this Province.

Speaker's Address to His Excellency.

You, Sir, have seen the Distress of this Country while the Life of our beloved Sovereign was in Danger, and have witnessed the Joy of its Inhabitants on his Recovery, You therefore can easily imagine the heart felt Pleasure with which the Representatives of the Province now avail themselves of the first Opportunity they have had of joining in the general national Congratulations, and testifying the Joy of themselves and Constituents on so memorable an Occasion.

To which Address his Excellency was pleased to reply, that he would take the most speedy Method to have the same done agreeable to the Wishes of the House."

His Excellency's reply.

The Speaker also reported, that he had pursuant to the Order of this Day delivered to His Excellency the Petition to his Majesty relative to the Loyalists, and had requested him to transmit the same, which his Excellency was pleased to say he would do.

Petition to His Majesty relative to Loyalists presented to His Excellency.

Resolved, That the Order for considering private Petitions on Friday the 19th Instant be adjourned without Day.

Then the House adjourned till To-morrow Ten of the Clock.

Thursday 18th March, 1790.

PRAYERS.

On Motion of Mr. Hill, *resolved*, That the House should Petition his Majesty in behalf of those Persons, Inhabitants of this Province, who have been plundered, and Suffered Losses in their Property by the Depredations of the *Americans*, during the late unhappy Controversy with that Country.

Resolution to Petition his Majesty in behalf Inhabitants of the Province who have been plundered and suffered losses by the *Americans*.

Ordered, That Mr. Hill, Major Crane and Mr. Jessen be a Committee to prepare an humble Address to his Majesty, agreeable to the above Resolution.

Order thereon.

Second Article of Charge against Justices of the Supreme Court, &c. ad.

According to the Order of the Day.

The House proceeded on the second Article of Charge against the Justices of the *Supreme Court*, which was read.

Witnesses examined.

Thomas Wood, William Veitch, and Daniel Wood, jun. Esqr; were sworn and examined in support thereof.

Copy of Papers received from Prothonotary, respecting said second Article.

A Copy of the Extract of the Minute entered on the Non-suit in the Cause *Tremaine and Stout* against *York* in the *Supreme Court*, in *Michael Term 1787*, was delivered by the Prothonotary and read in support of the said second Article of Charge against the Justices of the *Supreme Court*.

Titles of Articles altered.

Resolved, That the Article of Charge against the Justices of the *Supreme Court*, entitled the third Article be entitled the fourth Article, and that the said fourth Article be entitled the third Article.

Third Article Charge read.

The third Article of Charge against the Justices of the *Supreme Court* was read.

Witnesses examined.

Daniel Wood, jun. and Martin S. Wilkins, Esqrs; Mary Bartling and James Clarke, Esqr; Sheriff of *Halifax County*, were severally sworn and examined in support thereof.

Prothonotary to furnish Copy of Writ of *habeas Corpus*, &c. respecting *Christian Bartling*.

Resolved, That the Speaker do require the Prothonotary to furnish this House, with a Copy of the Writ of *Habeas Corpus*, issued in Favour of *Christian Bartling*, and the Return made on said Writ; also a Copy of the Entry made by Order of Judge *Brenton* in the Minute Book of the *Supreme Court*, relative to the said Writ of *Habeas Corpus*.

Goaler to furnish Copies of Commitments respecting *Bartling*.

Ordered, That *John Nevil Goaler*, do furnish this House with Copies of the several Commitments directed to him, for committing to Prison the said *Christian Bartling*.

Resolved, That the House will To-morrow resume the Consideration of the Articles of Charge against the Justices of the *Supreme Court*.

Then the House adjourned till To-Morrow Ten of the Clock.

Friday 19th March, 1790.

PRAYERS,

Bill relative to Candle making or Soap boiling, read first time.

Pursuant to leave given, Mr. *Marchinton* presented a Bill, *to prohibit the erecting, or carrying on Works, for the Purpose of Candle making, or Soap Boiling, within the Town of Halifax*, and the same was read a first Time.

Resolved, That the Bill should lie on the Table, and be read a second Time.

Clerk to furnish Naval Officer with Copies of Petitions.

On Motion of Mr. *Day* *resolved*, That the Clerk do furnish Col. *Tonge* the Naval Officer, with Copies of the Petitions relative to the Naval Office, which have been, or may be presented to this House.

Ordered, That Mr. *Day* and Mr. *Dewolf* be added to the select Committee for considering the Petitions respecting the Naval Office.
Mr.

Mr. Hill reported from the Committee appointed to prepare an humble Petition to his Majesty in behalf of those Persons, Inhabitants of this Province, who have been plundered and suffered Losses in their Property by the depredations of the *Americans* during the late unhappy controversy with that country ; and presented the Draft of a Petition, which was read a first and second Time, agreed to ; and is as followeth :

To the King's most Excellent Majesty,

The humble and respectful Representation, and Petition of the *House of Representatives* of the Province of *Nova-Scotia*, in *General Assembly* convened.

Most respectfully sheweth,

THAT many of your Majesty's Subjects, and old Settlers of the Province, during the late Rebellion in *America*, suffered in their Persons, and Fortunes, by Depredations of the Crews of armed Ships, and Privateers of the *American States*, landing on their Coasts, destroying their Fisheries and Houses, and carrying of their Property.

Petition to His Majesty Reported.

Your Majesty's faithful Subjects, the old Settlers, with the greatest Satisfaction, beheld the rewards so justly bestowed on those Men, who, during that unnatural Rebellion, risked their Lives, and have since forfeited their Property, in Defence of your Majesty ; such Acts of princely Benignity gives your Majesty's old and not less faithful Subjects, the fullest hopes that their Complaints only hitherto have remained unredressed, because they have been unrepresented ; they therefore rest assured they will meet with Attention, so soon as their Sufferings are made known to the Royal Breast.

Relying on your Majesty's paternal Attention to all your faithful Subjects, this House most humbly implores leave to submit, to your Majesty the very peculiar Situation of the old Settlers on the Coast, who have, on all Occasions, cheerfully exerted themselves in Support of your Majesty's Crown, and Dignity.

We therefore most humbly entreat your Majesty's Attention to their unfortunate Situation, and, that you will be graciously pleased to order such Enquiry, and Relief, as to your Royal Wisdom may seem expedient.

And your Petitioners shall every pray.

Ordered,

Order thereon.

Ordered, That the said Petition be engrossed, and read a third Time.

Third Article of Charge against Justices *Supreme Court* read.

According to the Order of the Day, the House proceeded on the third Article of Charge against the Justices of the *Supreme Court*, which was read.

Thomas Wood, examined.

Tho. Wood was sworn and examined in Support thereof.

On Motion, the Order of the Day was adjourned for to read a third Time, the Petition to his Majesty, which had been engrossed, and thereupon,

Committee to wait on His Excellency with the Petition to His Majesty.

Ordered, That the Committee appointed to draw up the Petition to his Majesty, do immediately wait on his Excellency the Lieut. Governor therewith, and pray that he will transmit the same to his Majesty in such way as he may judge most proper.

Witness examined in support 3d Article Charge against Justices *Supreme Court*.

The House went again into the Order of the Day,

Charles Oldendoff was sworn and examined in Support of the third Article of Charge against the Justices of the *Supreme Court*.

Prothonotary to furnish Copy of *William Smalls*, recognizance.

Resolved, That the Speaker do require the Prothonotary to furnish this House with a Copy of the Recognizance entered into by one *William Small*, who was indicted for the felonious Murder of one *Wm. Lloyd*, and also the date of the Corner's Inquest on said *Lloyd*.

Fourth Article Charge against Justices *Supreme Court*, read.

The Prothonotary delivered to the House a Copy of the Writ of *Habeas Corpus* issued in Favor of *Christian Bartling*, and also a Copy of the Entry made in the Minute Book of the *Supreme Court* respecting said Writ.

Witnesses examined

The fourth Article of Charge against the Justices of the *Supreme Court*, was read.

Prothonotary to furnish Copy of Indictment preferred against *Christian Bartling*.

Philip Van Courtland, *M. S. Wilkins*, *Daniel Wood*, Junr. and *James Clarke*, Esqrs; were sworn and examined in Support thereof.

Resolved, That the Speaker do require the Prothonotary to furnish this House with a Copy of the Bill of Indictment preferred against *Christian Bartling*, and the Return of the grand Jury on the same, also a Copy of the Minutes of the *Supreme Court* on the Re-commitment of said *Bartling* to Prison.

Fifth Article Charge against Justices *Supreme Court*, read.

The fifth Article of Charge against the Justices of the *Supreme Court*, was read.

Witnesses examined

Daniel Wood, Junr. and *M. S. Wilkins*, Esqrs; were sworn and examined in Support thereof.

Prothonotary to furnish copies relative to cause *Sullivan* against *Storey*.

Resolved, That the Speaker do require the Prothonotary to furnish this House with the following Papers.

A Copy of the Certificate of the Marriage of *William* and *Frances Storey*.

A Certified Copy of the *Capias* issued against *Frances Storey* at the Suit of *Timothy Sullivan*, also,

A Copy of the Judgement of the *Supreme Court* in said Cause *Sullivan* against *Storey*. *Resolved*,

Resolved, That the House will To-Morrow resume the Consideration of the Articles of Charges exhibited against the Justices of the Supreme Court.

The Committee who was directed to wait upon his Excellency the Governor, with the Petition to his Majesty, in behalf of the Inhabitants of this Province, reported to the House, that they had delivered the Petition to his Excellency, and that he was pleased to say, he would comply with the Wishes of the House.

The House then adjourned till To-morrow Ten of the Clock.

Saturday 20th March, 1790.

PRAYERS.

Major Millidge reported from the Committee to whom the Petitions of the Inhabitants of *Piçou, Margomishc, &c.* and the Townships of *Digby, Clements and Clare* were referred; that the Committee had pursuant to a Resolution of the House conferred with his Excellency on the subject of the above Petitions, and stated to the House the Substance of the Conference, and thereupon.

Conference with His Excellency on subject of Petitions from the Inhabitants of *Piçou, Digby, &c.* reported.

On Motion of Major Millidge, ordered, That Major Millidge, Major Barclay, Mr. Wilkins, Mr. Morris and Col. Delancey be a Committee for the Purpose of preparing an humble Petition to his Majesty, praying his Majesty would be graciously pleased to allow the two new Counties to be formed or erected agreeable to the Prayer of the Petitioners beforementioned.

Order thereon.

The Bill to prohibit the erecting or carrying on Works, for the purpose of Candle making, and Soap Boiling, within the Town of Halifax, was read a second time.

Bill relative to Candle making and Soap Boiling read second time.

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

According to the Order of the Day.

The third Article of Charge against the Justices of the Supreme Court, was read.

Article of charge against Justices of Supreme Court read.

John Nevil, Goaler was sworn and examined, in Support thereof.

Witness examined.

A Copy of the Coroner's Warrant dated 21st January 1789, for committing to Prison *William Small*, a Negroe Man charged with the felonious Murder of *William Loyd, junr.* was taken by the Clerk at the Table, and read in support of said third Charge.

The Sixth Article of Charge against the Justices of the Supreme Court, was read.

Sixth article, charge against Justices Supreme Court read.

Daniel Wood, junr. and *Jonathan Sterns*, Esquires, were sworn and examined in support thereof.

Witness examined.

Mr. Pyke having put the following Question to Mr. Sterns, viz. "Do you know who drew up or framed the Sixth Article of Charge against the Justices of the Supreme Court, and in whose Hand writing is the same." And an Exception being taken and put to the House, whether the Question was proper to ask the Witnesses or not; the House were of Opinion the said Question was improper.

Question proposed to Witness excepted to.

Resolved, That the Speaker do require the Prothonotary to furnish the House with the following Papers.

Prothonotary to furnish copies Papers relative to suit *Squires* against *Seamark*.

A Copy of the Affidavit made by *Noah Squires*, in cause against *Seamark*, and filed in the *Supreme Court*.

A Copy of the several *Capias*'s issued at the suit of *Squires* against *Seamark*.

And a Copy of the Minutes of all the Proceedings in the said Cause *Squires* against *Seamark*, as entered upon record in the *Supreme Court*.

Eight article charge against *Supreme Court* read.

On Motion, the reading of the Seventh Article of Charge against the Justices of the *Supreme Court* was adjourned, in Consequence of the Non Attendance of Witnesses.

The Eight Article of Charge against the Justices of the *Supreme Court* was read, and thereupon.

Motion thereon.

Mr. Pyke moved, That the House should not enter on the Consideration of any Charge, against the Justices of the *Supreme Court*, which was referred in a former Session to the Consideration of the Governor, these Charges having been determined on by the Council, and being now referred House to *Great Britain* for his Majesty's consideration, which being seconded and put, and the House dividing thereon there appeared.

For the Motion Eight.

Mr. Dight,
Mr. Bulkeley,
Mr. Noribup,
Mr. Derwolf,
Mr. Pyke,
Mr. McMonagle,
Mr. Dennison,
Mr. Hill,

Against the Motion 21.

Mr. Marchinton,
Mr. Day,
Mr. Fillis,
Mr. McElbinny,
Mr. Morris,
Major Milledge,
Col. Lawrence,
Mr. Wilkins,
Major McNeil,
Mr. Dickson,
Major Crane,
Mr. Poole,
Mr. Belcher,
Mr. Collins,
Col. Delancey,
Capt. White,
Mr. Archibald,
Col. Perkins,
Mr. Woollenhaupt,
Mr. Schwartz,
Major Barclay.

Resolved, That the House will on Monday resolve itself into a Committee of Ways and Means.

Then the House adjourned till Monday at Ten of the Clock.

Monday

Monday 22th March, 1790.

PRAYERS.

The Bill for preventing the Introduction of indigent, or dissolute Persons into this Province, which are, or may be likely, to become chargeable to the same, was read a second time.

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

According to the Order of the Day the House resolved itself into a Committee of Ways and Means.

The Speaker left the Chair,

Mr. Pyke took the Chair,

The Speaker resumed the Chair,

The Chairman reported from the Committee, that they had made some progress, and prayed leave to set again To-Morrow, which Report was agreed to, and thereupon

Resolved, That the House will To-morrow go into a Committee on Ways and Means.

Then the House adjourned till To-morrow Ten of the Clock.

House resolve itself into committee ways and means. Report.

Report.

Tuesday 23th March, 1790.

PRAYERS.

A Petition of John Butler Dight, Agent to the Contractors for victualling His Majesty's Forces in Nova-Scotia, New Brunswick, Cape Breton, Newfoundland, &c. And also a Petition of John Grant, Agent to the Contractor for Victualling his Majesty's Ships and Careening-Yard were severally presented and read; setting forth, that the Petitioners have understood that it is the Intention of this House to continue the Act for laying a Duty of Ten per Cent. on certain Articles of Provisions imported from the United States of America, and also further to Impose a Duty on Flour imported as aforesaid, that should such Regulations take place, the said Contractors would be greatly injured, and in all probability under the Necessity of giving up their Contracts, which Circumstance would eventually operate as a Tax upon Government, and praying that the said Contractors may be exempted from paying Duties, on all Articles of Provisions, that they may import from said United States for the use of their said Contracts.

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

According to order,

The House resolved itself into a Committee of Ways and Means.

The Speaker left the Chair,

Mr. Pyke took the Chair,

The Speaker resumed the Chair.

Petition of J. Butler Dight, and John Grant, presented.

House resolve itself into a Committee of Ways & Means.

The

Report of the Committee.

The Chairman *reported* from the Committee of Ways and Means, that the Committee had come to the following Resolutions, *viz.*

Resolved, That the present System of Revenue be continued, subject to such Alterations and Amendments as the House may deem proper to be made therein.

Resolved, That an additional Excise Duty of Three Pence per Gallon, be paid upon Wine.

Resolved, That an additional Excise Duty of One half Penny per Pound, be paid upon refined Sugar.

Resolved, That an Excise Duty of two Shillings and six Pence, per Gross Hundred Weight, be paid upon Brown Sugar.

Resolved, That an additional Excise Duty, of two Shillings and six Pence per Hoghead be paid upon Porter.

Resolved, That an Excise Duty, of one Penny per Pound be paid upon Bohea Tea, and four pence per pound upon all other Teas.

Resolved, That an additional Impost Duty, of three half pence per Gallon be paid upon Spirits.

Resolved, That the Sum of Four Pounds be paid, upon all Tavern and Shop Licences, granted within the Peninsula of *Halifax*.

Resolved, That two Pounds ten Shillings, be paid upon all Tavern and Shop Licences, granted within the several Counties and Districts in this Province (the Peninsula of *Halifax* excepted).

The said Resolutions being severally read and put, the Report of the Committee was agreed to, by the House ; and thereupon,

Ordered, That Bills be prepared and brought in, for the Purpose of continuing the several Revenue Acts, subject to the foregoing Alterations and Amendments, as reported by the Committee of Ways and Means.

Order thereon.

Ordered, That the Committee on the Laws near expiring, do prepare, and bring in a Bill, for continuing the same agreeable to their Report.

Resolved, That the House will To-morrow go into the Consideration of the several Bills which stand committed.

Then the House adjourned till To-morrow Ten of the Clock.

Wednesday 24th March, 1790.

PRAYERS.

Bill for continuing and amending Revenue Acts also

According to Order the Draft of a Bill to provide for the Support and Maintenance of His Majesty's Government in this Province by amending or continuing the several Laws for raising a Revenue therein particularly mentioned and expressed, also

Bill for continuing Acts therein mentioned read 1st and 2d time.

The Draft of a Bill for continuing in Force the several Acts therein mentioned were severally presented, and read a first and second time, and,

Ordered to be committed to a Committee of the whole House.

Mr.

Mr. Hill, moved, that previous to the House going into the Order of the Day, the Petition of *Timothy Folger* and *William Sabatier* should be read, it relating to a Part of the System of Revenue, and thereupon, by Order the said Petition was read, and the House having also considered the same,

Petition of *Timothy Folger* and *William Sabatier*, Considered and Dismissed.

Resolved, That the Petition be dismissed, the House not deeming it consistent to grant the Prayer of the same.

According to Order.

The House then *resolved* itself into a Committee upon the several Bills, which stand committed.

House resolve itself into Committee on Bills.

The Speaker left the Chair,

Mr. *Pyke* took the Chair,

The Speaker resumed the Chair.

The Chairman *reported* from the Committee, that they had gone through the Bill to provide for the Support and Maintenance of His Majesty's Government in this Province, by amending or continuing the several Laws for raising a Revenue therein particularly mentioned and expressed ; also the Bill for continuing in force the several Acts therein mentioned, and agreed to the said Bills with Amendments, and prayed leave to sit again ; which Report the House agreed to, and thereupon,

Report of the Committee.

Ordered, That the Bills as amended and passed in the Committee, be engrossed, and read a third Time To-Morrow.

Order thereon.

Resolved, That the House will resolve itself into a Committee upon the further Consideration of the Bills which stand committed.

Then the House adjourned till To-Morrow Eleven of the Clock.

Thursday 25th March, 1790.

PRAYERS.

A Bill, intituled, an *Act to provide for the Support and Maintenance of his Majesty's Government in this Province, by amending and continuing the several Laws for raising a Revenue, as are herein after particularly mentioned and expressed.*

Bill for Continuing and Amending Revenue Acts.

Also a Bill, intituled, an *Act for continuing in force the several Acts herein after mentioned.*

Bill for Continuing Acts therein mentioned.

And also a Bill, intituled, an *Act in Amendment of an Act for the more speedy and effectual collecting such Town Rates and Taxes, as may be assessed on the inhabitants of the Town of Halifax, being engrossed, were severally read a third Time and passed.*

And also Bill in Amendment of Act relative to Collecting Rates and Taxes in Halifax.

Ordered, That Mr. *Day* do carry the above Bills to the Council, and desire their Concurrence to the same.

Sent to the Council for Concurrence.

According to Order, a Bill for continuing and amending the several

Acts

Bill for continuing
and amending
Licence Duty Acts
&c.
Read 1st and 2d
Time.

Acts for suppressing unlicensed Houses, and for granting to his Majesty a Duty on Persons hereafter to be licensed, as also for compelling Persons retailing Gunpowder within the Peninsula of Halifax, to take out a Licence for retailing the same, was presented, and read a first, and second Time.

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

Report of select
Committee relative
to Naval Office.

Mr. Schwartz made a Report from the select Committee to whom the Petitions relative to the Naval-Office were referred; which Report was read and is as followeth;

“ That the Committee have examined the Laws relative to the Naval-Office, and find, that it is founded on an Act passed in the Fifteenth Year of King CHARLES the Second, intituled, *an Act for the Encouragement of Trade*; by which it appears, that it was the wish and Intention of Great-Britain to keep the Plantation Trade entirely to herself, and the better to effect that Purpose, *It is Enacted by the eight Section of the aforesaid Act,* “ That all Persons importing any Goods into any of the Colonies or Plantations, shall make report to the Governor thereof, or to some Person (7. 8. *William III. called Naval-Officer*) by him appointed, and shew to him, that the Vessel in which such Goods are imported is an English built Vessel, belonging to *England, Wales* or the Town of *Berwick*, and navigated with an English Master, and three fourths of the Mariners Englishmen, and at the same Time deliver to the said Governor or to some Person by him appointed an Inventory or Invoice of such Goods, under the Pain of the Loss of the Ship, and all such Goods, as were not laden and taken in, in *England, Wales,* or the Town of *Berwick.*”

That Vessels belonging to any of his Majesty's Subjects in his *American* Provinces, and trading from one Province to another, are not within the intent Meaning or Letter of that Act.

That Vessels belonging to his Majesty's Subjects in this Province, and navigated according to the late Acts of Parliament, and which bring from the *United States of America*, such Articles as are within his Excellency the Governor's Proclamation, are by no Means compellable to make Report to the Naval-Office; but to the Custom-House only; as such Vessels do not come within the Meaning or Letter of the aforesaid Act of King CHARLES the Second.

That the Naval Officer or Person appointed by his Excellency the Governor under the aforesaid Act of King CHARLES the Second, has no Power or Authority to appoint Deputies at the several Ports or Harbours of this Province, where there is no Custom-House: But that the Appointment of Naval Officer, is confined to the Governor by the aforesaid Act, and to him only.

That Fees are allowable to Naval Officers by the 10th GEO. 3. Cap. 37. But as this Act does not with sufficient Certainty define what those Fees are, whereby Owners of Vessels are made liable to Imposition. The Committee therefore recommend, that an Act be made giving to the Naval Officer such Fees, as shall appear to this House to be a sufficient Compensation for his Services.

15 Cap. 2.
Sec: 8.

That

That the Committee can find no other Acts of Parliament, that give greater or other Powers to the Naval Officers than those in the said Act of King CHARLES the Second mentioned.

That it appears that the Naval Officer and his Deputies have exacted very high and burthensome Fees from the Owners of small Vessels, coasting from one Port or Harbour to another in this Province, to the great Interruption and Detriment of its internal Commerce, and to the Oppression of the Subject, and contrary to the Spirit and Letter of all the aforesaid Acts, relative to the Naval Office.

On Motion of Mr. *Jessen*, resolved, That the House will on Monday next go into the Consideration of the above Report, and the Petitions relative to the Naval Office.

Resolution thereon

Major *Barclay* made a Report from the Committee appointed to examine into the Acts now in Force for making Lands and Tenements liable for the Payment of Debts, as also for the present Method of recovering Debts due on Mortgages; which Report was read, and is as followeth.

Committee appointed to examine Acts relative to Mortgages &c.

That the Committee are of Opinion both Mortgages and Mortgagers suffer great Inconvenience, and are put to great Expence in being under the Necessity of foreclosing or suffering the Equity of Redemption on Mortgages to be foreclosed in the Court of Chancery. The Committee therefore recommend a Law to enable Mortgagees to recover the Monies due on Mortgagers in the Common Courts at Law, for Sums not exceeding three Hundred Pounds.

Report.

Ordered, That the Report do lie on the Table for Consideration.

Order thereon.

The House went into a Committee, on the further Consideration of the Bills, which stand Committed,

House resolve itself into Committee on Bills.

The Speaker left the Chair,

Mr. *Pyke* took the Chair,

The Speaker resumed the Chair to receive a Message from the Council with the

Bill, intituled, an Act, in Amendment of the Act, intituled, *An Act for the more speedy, and effectually, collecting such Town Rates and Taxes, as may be assessed, on the Inhabitants of the Town of Halifax.*

Bill in amendment of Act relative to the collecting Rates and Taxes in Halifax.

Also the Bill, intituled, *An Act to prevent the destroying, or defacing Mile Posts Mile Boards, or Mile Stones, erected, or to be erected within this Province,* agreed to by the Council.

Also Bill relative to Mile Posts, Mile Boards &c. Agreed to by the Council.

The House went again into the Committee, and Mr. *Pyke* took the Chair,

The Speaker resumed the Chair,

The Chairman reported from the Committee, that they had gone through the Bill, for continuing and amending the Acts relative to licensed Houses, &c.

House resolve itself into Committee on Bills.

The Bill, in Amendment of the Act, for establishing a Market House at Halifax, &c. and also the Bill, in Amendment of the Act, relative to the issuing Procefs, and Executions, from the Inferior Courts of Common Pleas

Report.

Order thereon.

Pleas in this Province ; and agreed to the said Bills with fundry Amendments, and prayed leave to sit again To-Morrow on the further Consideration of the Bills to them refered ; which report, the House agreed to ; and thereupon.

Ordered, That the Bills as amended and passed in the Committee be engrossed, and read a third Time To-morrow.

Resolved, That the House will To-morrow, resolve itself into a Committee, upon the further Consideration, of the Bills which stand Committed.

Then the House adjourned till To-morrow Eleven of the Clock.

Friday 26th March, 1790.

PRAYERS,

A Bill for continuing and amending Licence duty Acts &c. and also.

A Bill, intituled, *An Act for continuing and amending the several Acts, for suppressing unlicensed Houses, and for granting to his Majesty a Duty on Persons hereafter to be licensed, as also, for compelling Persons, retailing Gunpowder, within the Peninsula of Halifax, to take out a Licence for retailing the same, and also,*

Bill in Amendment of Act for regulating Market House &c.

A Bill, intituled, An Act, in Amendment of the Act, intituled, *an Act for establishing a Public Market House in Halifax, and for regulating the same* ; and also in Amendment of an Act, intituled, *an Act for building a Slaughter House in the Town of Halifax, and for regulating the same*, being engrossed, were severally read a Third time, and thereupon.

Sent to the Council for Concurrence.

Ordered, That Mr. Day do carry the above Bills to the Council, and desire their Concurrence to the same.

House resolve itself into Committee on Bills.

According to the Order of the Day.

The House *resolved* itself into a Committee, on the further Consideration of the Bills, which stand committed.

The Speaker left the Chair,

Mr. Pyke took the Chair,

The Speaker resumed the Chair.

Report.

The Chairman *reported* from the Committee, that they had gone through the Bill, *relative to transient Poor* ; the *Bill in Amendment of the Act for appointing Commissioners of Sewers, and the Bill for establishing a Free School in the Town of Halifax*, and agreed to the said Bills with Amendments, that the Committee had deferred, the Consideration of the *Bill to prevent Indigent, and dissolute Persons, from coming into Province* ; and that the Committee had also made some progress, in the Bill, *for amending the Act, for erecting a Light House on Sambro Island*, and prayed leave to sit again, upon the further Consideration of said Bill ; which Report the House agreed to ; and the several Bills, as amended, and passed, in the Committee, were *ordered* to be Engrossed, and read a Third time To-morrow.

Order thereon.

On Motion, the House resolved itself into Committee, on the Consideration of private Petitions.

House resolve itself into a Committee on private Petitions

The Speaker left the Chair,

Mr. Pyke took the Chair,

The Speaker resumed the Chair, to receive a Message from the Council, proposing a Conference by Committee, on the subject of the Revenue Bill, and thereupon,

Conference proposed by the Council on subject of Revenue Bill.

Resolved and Ordered, That Major Barclay, Mr. Wilkins, Mr. Day, Mr. Hill, and Mr. Morris; be a Committee, to confer with a Committee of the Council accordingly.

Committee appointed to confer.

The House went again into Committee,

Mr. Pyke took the Chair,

The Speaker resumed the Chair.

The Chairman reported from the Committee, that they had made some Progress in the Matter to them referred; and prayed leave to sit again, which Report the House agreed to,

Report of the Committee on Private Petitions.

Major Barclay, reported, from the Committee appointed to confer with a Committee of the Council, that they had conferred; that the said Committee of his Majesty's Council, propose for the Consideration of the House; whether the Revenue Bills as passed in the last Session had not better be continued the present Year without any increased Excise or Impost Duties, the Revenue of the said Year having been very productive, and also requested, that the Bill for Continuing the Act for laying an Impost Duty on Articles imported from the United States of America, should be separated from the General Revenue Bill.

Conference with Council reported.

Resolved, That the House will To-morrow resume the Consideration of the Charges against the Justices of the Supreme Court.

The House then adjourned till To-morrow Ten of the Clock.

Saturday 27th March, 1790.

PRAYERS.

A Bill, Intituled, an Act in Amendment of an Act for regulating the Manner of issuing Process, and Execution from the Inferior Courts of Common Pleas for the several Counties in this Province, and for altering the form of the Summonses heretofore used by his Majesty's Justices of the Peace, and also in Amendment and declaratory of the Act for the Summary Trial of Actions, also

Bill in Amendment of Act relative to issuing process from Inferior Court, &c.

A Bill, Intituled, an Act for appointing Commissioners to superintend and direct the Maintenance and Support of certain Poor Persons, known by the general Appellation of transient Poor, also

Bill relative to Transient Poor.

A Bill, intituled, an Act for establishing a free School in the Town of Halifax, and also

Bill for establishing free School in Halifax.

A Bill in Amendment of an Act, intituled, an Act for appointing Commissioners of Sewers, being engrossed, the said Bills were severally read a Third Time, and passed.

Also Bill in Amendment of Act for appointing Commissioners of Sewers.

L

Ordered

Sent to Council for Concurrence:

Ordered, That Mr. *Pyke* do carry the above Bills to the Council, and desire their Concurrence to the same.

According to the Order of the Day.

The House proceeded on the Consideration of the Articles of Charges exhibited against Justices of the *Supreme Court*.

Eight Article charge against Justices *Supreme Court* read, and Witness examined.

The Eight Article of Charge was read, and *Rufus Chandler*, Esqr; was sworn and examined in Support thereof.

Thirteenth Article read and

The Thirteenth Article of Charge was read, and *Rufus Chandler*, Esqr; was sworn and examined in Support thereof.

Witness examined. Eight Article read and

The Eight Article of Charge was again read, and *Jonathan Sterns*, Esqr; was sworn and examined in Support thereof.

Witness examined.

A Copy of the Answers of the Justices of the *Supreme Court* to the Charges exhibited against them in *November 1787*, by Mr. *Sterns*, and Mr. *Taylor*, were delivered to the House by Major *Barclay*, and authenticated by Mr. *Sterns*.

Bill for continuing and Amending Revenue Acts, also Bill for limiting duration of the *General Assemblies* from the Council with Amendments.

A Message was received from his Majesty's Council with the *Bill for continuing and amending the Revenue Acts*, and also, the *Bill for limiting the Duration or Continuance of the General Assemblies*, sent down with Amendments.

Resolution thereon.

The House having considered the Message from the Council relative to the Revenue Bill, thereupon,

Resolved, That Mr. *Pyke* do carry back the Bill to the Council, and inform them, that the House unanimously adhere to the said Bill as passed in the House.

Bill in Amendment of Act for regulating Market House, &c. Agreed to by the Council, also Bill for continuing and Amending Licence duty Acts with Amendments.

A Message was received from the Council with the Bill in Amendment of an Act for establishing a *Public Market House* in *Halifax*, and for regulating the same, and also in Amendment of an Act, intituled, an Act for building a *Public Slaughter House* in the *Town of Halifax*, agreed to; also with the *Bill for continuing and amending the Licence Duty Acts, &c.* sent down with Amendments.

Resolution thereon.

The House considered the Message from the Council relative to the above Bill, and thereupon,

Resolved, That the House do adhere to their Bill as passed by them:

Ordered, That Mr. *Pyke* do carry back the Bill to the Council, and inform them of the above Resolution of the House.

Act for limiting duration of the *General Assemblies*, amended and sent back to the Council.

The House considered the Amendments proposed by the Council, for limiting the Continuance or Duration of the *General Assemblies*, agreed to the same, and thereupon the said Bill was amended, passed, and sent back to the Council by Mr. *McMonagle*.

Ninth Article of Charge against the Justices of *Supreme Court*, read.

The Ninth Article of Charge against the Justices of the *Supreme Court* was read, and thereupon.

Record of proceedings *Supreme Court* in cause *John Bent* against *Thomas Watson* read.

Major *Barclay* presented to the House a Copy of the Record of the Proceedings of the *Supreme Court* for the County of *Cumberland* in *August Term 1787*, in the Cause *John Bent* against *Thomas Watson*, which was read, and *ordered* to lie on the Table.

Message from the Council with Revenue Bill.

A written Message was received from His Majesty's Council, together with the Revenue Bills;

Resolved,

Resolved, That the House cannot receive any written Message relative to the respective Powers of either the *Council* or *House of Assembly* from His Majesty's Council.

Resolved, That the written Message now delivered with the said Revenue Bill be returned to his Majesty's Council.

Resolutions thereon.

Resolved, That the usual and regular Mode of adjusting any Difference between the Branches of the Legislature, relative to their respective Powers is either by a private Conference between the Committees of both Branches, or otherwise by a public and free Conference between both Houses.

Ordered, That Major *Barclay*, Mr. *Wilkins* and Col. *Perkins*, be a Committee for the Purpose of delivering to the Council the above Resolutions of the House, and also the Revenue Bill with the written Message sent by them with said Bill.

Committee appointed to deliver resolutions of House, &c. to the Council.

Mr. *Dight* moved, That the Justices of his Majesty's *Supreme Court* be allowed to answer the Charges exhibited to this House against them, after the Evidence in Support of those Charges shall have been fully produced, and that they be notified accordingly, which being seconded, thereupon

Major *Barclay* moved, That the Consideration of the above Motion be deferred until Monday, which being seconded, and put, passed in the Affirmative.

Then the House adjourned till Monday at Ten of the Clock.

Monday 29th *March*, 1790.

PRAYERS.

The House according to the Order of Saturday proceeded on the Consideration of the Motion made by Mr. *Dight*, and he having agreed to withdraw the same, thereupon

Mr. *Dight* moved, that the Justices of his Majesty's *Supreme Court* shall be permitted to reply to the Charges, exhibited against them upon Petition to this House for that Purpose, which being seconded.

Motion to allow Justices *Supreme Court* to reply to charges exhibited against them.

Mr. *Day* then moved, that the Consideration of the above Motion be deferred to a future Day, which being seconded and put, and the House dividing there appeared

Division of House thereon.

For the Adjournment 18.

Against the Adjournment 12.

- Major Barclay,*
- Mr. Fillis,*
- Col. Lawrence,*
- Col. Perkins,*
- Major Crane,*
- Mr. M^r Elbinny,*
- Mr. Belcher,*
- Mr. Wilkins,*
- Mr. Marchinton,*
- Mr. Woollenhaupt,*

- Mr. Jessen*
- Mr. Dewolf,*
- Mr. Schwartz,*
- Mr. Morris,*
- Mr. Dight,*
- Mr. M^r Monagle,*
- Mr. Bulkeley,*
- Mr. Pyke,*
- Mr. Hill,*
- Mr. Wallace,*

Mr.

For the Adjournment 18.

Mr. Archibald,
Mr. Poole,
Capt. White,
Col. Delancey,
Major M^cNiel,
Mr. Collins,
Mr. Day,
Major Millidge,

Against the Adjournment 12.

Mr. Dickson,
Mr. Northrup,

The Consideration of the Motion was then adjourned.

Major Barclay reported, That the Committee had delivered the Revenue Bill, Message and Resolutions of Saturday last to his Majesty's Council.

On Motion, the House proceeded on the further Consideration of the Charges exhibited against the Justices of the *Supreme Court*.

The eight Article of Charge was read, and Major Barclay sworn and examined in support thereof.

A Message was received from his Majesty's Council with the Revenue Bill, agreed to in part, and thereupon.

Resolved and Ordered, that the former Committee of the House do carry back the said Bill to his Majesty's Council, and at the same time, inform the Council, that the House can admit of no Alteration in the said Bill, and to request that they will either agree to, or reject the Bill in toto, and likewise inform the Council, that if any Doubts existed with the Council, the House were ready to meet them in open and free Conference of both Houses, should the Council think such a step necessary.

The following Message was received from His Majesty's Council, Viz:

Agreeable to the Request of the *House of Assembly*, his Majesty's Council have appointed a Committee, who are now ready to meet a Committee of the House, in conference on the Revenue Bill.

Resolved and Ordered, That the former Committee do repeat to the Council the last Message sent by the House, the House not having requested the Conference as proposed by the Council.

A Message was received from the Council with the Bill for limiting the Duration or Continuance of the General Assemblies, agreed to, as also the following Message.

His Majesty's Council again return the Bill sent up by the House, intituled, *an Act to provide for the Support and Maintenance of his Majesty's Government in this Province, by amending and continuing the several Laws for raising a Revenue as are hereinafter particularly mentioned*, and expressed with the Amendments proposed thereto, to which his Majesty's Council still adhere, the said Message having been considered,

Resolved, That the House will not receive the Revenue Bill sent down by His Majesty's Council, unless the Council will signify their Assent or Dissent thereto, by endorsing the same in the usual and established Mode,

Ordered,

Eight Article charge against Justices *Supreme Court*, read. Witness examined.

Message from the Council with Revenue Bill agreed to in part:

Resolution thereon.

Message from Council respecting a conference by Committee.

Resolution thereon.

Bill for limiting duration of the General Assemblies agreed to by the Council.

Council adhere to Amendments proposed by them to Revenue Bill.

Resolution thereon.

Ordered, That the Clerk of this House do carry back the Revenue Bill to the Council, and also inform them of the above Resolution of the House.

A Message was received from His Majesty's Council with the Bill relative to the Transient Poor, sent down with Amendments, as also the following Message.

Bill relative to Transient Poor from the Council with Amendments,

His Majesty's Council have no doubts whatever of the Propriety of the Amendments proposed by them to the Revenue Bill, nor have they any Objections to the House of Assembly (conformable to a Precedent entered on the Journals of the House of the 17th November, One Thousand Seven Hundred and Eighty Three) considering the Amendments as a total Rejection of the Bill if they should think proper.

Message from Council respecting Revenue Bill.

The House having considered said Message, Order the Clerk of the Council to return said Bill to the Council, as the House cannot receive the same until the Council have signified their assent, or dissent thereto, in the usual manner.

House refuse to receive Revenue Bill from Council.

Major Barclay moved, That the House do present an humble Address to his Excellency the Lieutenant Governor to inform him of the Measures taken by the House to provide for the support of his Majesty's Government in this Province, which being agreed to by the House.

Address to be presented to his Excellency on the subject of Measures taken to support the Government.

Ordered, That Major Barclay, Mr. Wilkins and Col. Lawrence, be a Committee to prepare such Address.

The House then adjourned till To-Morrow Nine of the Clock.

Tuesday 30th March, 1790.

PRAYERS.

Major Barclay reported from the Committee appointed Yesterday, to prepare an Address to his Excellency the Lieutenant Governor; and presented a Draft of an Address to his Excellency, which was twice read, agreed to, and is as follows:

Address to his Excellency reported.

TO HIS EXCELLENCY

J O H N P A R R, Esquire.

Lieutenant Governor and Commander in Chief of His Majesty's Province of Nova-Scotia, and its Dependencies, Vice Admiral of the same, &c. &c. &c.

May it please your Excellency.

THE House of Assembly having seriously and maturely deliberated on your Excellency's Speech at the opening of the present Session, in which your Excellency, among other matters recommended to them to take into their Consideration, "The most proper and effectual means for discharging the accumulated and increasing Debts, for which the Province is engaged; that by providing a satisfactory Security for the payment of each Individual, the Public credit may be fully established, and a good foundation laid for every laudable undertaking,"—and having been made fully sensible from the state-

ment of the Public accounts, that an augmentation of the Revenue was at the present conjuncture necessary, proceeded to adopt the only expedient they conceived in their power, for the accomplishment of so important a purpose; which was, the re-enacting the former Revenue Laws. A system which by experience they had found to be the least burthensome, and most productive of any that they could devise; and subjecting certain additional articles to such an Impost and Excise as they conceived would be sufficiently productive to make that necessary augmentation to the Revenue, which the public exigencies seemed to require. In doing of this, we conceived we had fully complied with your Excellency's wishes, and with the expectations of the Public: And had no doubt the Bill for that purpose, would have met with the Cheerful and ready Concurrence of His Majesty's Council; but to our great surprize, many unimportant objections were made, when the Bill was sent up to them for their concurrence; a Committee of conference from both Houses was appointed, the result of which Conference was, that the *House of Assembly* were confirmed in the Opinion of the propriety and good policy of their own Measures; and of course determined to adhere to their Bill, conceiving at the same time, that it was one of their inherent privileges, that all money Bills should originate with them, and that no interference of the Council, by attempting to make any alterations in them, should be admitted; this inherent privilege, the *House of Assembly* are determined to maintain, as essential to their very existence; they are nevertheless, extremely concerned that this struggle for an undoubted privilege, should be the means of throwing the Public into Confusion, and of depriving His Majesty of an annual and efficient Revenue of near Ten Thousand Pounds.

We trust your Excellency will do us the Justice to believe, that every measure consistent with our Duty, has been taken on our parts, to prevent so great a Calamity. And we have no doubt, when your Excellency shall have perused the Minutes of our Proceedings, which we now beg leave to lay before your Excellency for that purpose, the *House of Assembly* will stand fully acquitted of every degree of Culpability, in this respect.

We cannot help subjoining, that as the Council have as yet, never rejected the Bill in the *usual form*, it still remains in their power to wardoff an Evil, which in a few hours (by the expiration of the present Revenue Laws) may have a very serious and alarming effect.

Ordered, That the above Address be engrossed.

Resolution thereon.

Resolved, That the House will between Eleven and 12 o'Clock this day, wait upon his Excellency the Lieutenant Governor with their Address, agreeable to his Excellency's Pleasure, thereupon communicated by him to the Speaker.

Bill relative to Transient Poor amended and sent to the Council.

The House having considered the Amendments proposed by the Council to the *Bill relative to the Transient Poor*, agreed to the same, and

and thereupon the Bill was amended, passed, and delivered to the Council by the Clerk.

Major *Millidge*, reported from the Committee appointed, to draw up an humble Petition to his Majesty on the subject of the erecting or forming two new Counties within this Province; and presented a Draft of a Petition, which was read, and ordered to lie on the Table.

Petition to His Majesty on subject of the new Counties Reported.

The Petition of *Joseph Tinckham*, praying for Payment of the Bounty on the Brig *Ruby*, was read and considered, and Resolved, That the Petition be dismissed.

Petition of *Joseph Tinckham* considered and dismissed.

The House waited upon His Excellency the Lieutenant Governor pursuant to a Resolution of this date.

House wait upon His Excellency with Address.

The House being returned.

The Speaker resumed the Chair, and reported, that the House had delivered their Address to His Excellency, who received the same, and was pleased to say, he would give an Answer thereto without loss of time.

The Petition of *Joseph Tinckham*, Sheriff of *Queen's County*, was considered, and thereupon.

Petition of Sheriff *Queen's County* considered.

Resolved, That it be recommended to His Excellency the Lieutenant Governor to indemnify the said Sheriff by paying out of the contingent Money such reasonable Reward as

Resolution thereon.

McKay shall appear to be entitled to, for apprehending *Timothy Doyle* a Felon, under Sentence of Death, who escaped out of the Goal at *Shelburne*.

The Petition of *Catherine Creamer*, was read, and thereupon, Resolved, That the same be dismissed, the House having decided upon the Merits of the same, in a former Session.

Petition of *Catherine Creamer* considered and dismissed.

The Petition of *John Butler Dight*, and also the Petition of *John Grant*, were on Motion dismissed, the Committee of the whole House having had the said Petitions under Consideration previous to the passing the Revenue Bill, and made no exceptions therein in favor of the Petitioners.

Petition of *John Butler Dight* also Petition of *John Grant*. Dismissed.

The Petition of the Inhabitants and Freeholders of the District of *Colchester*, was read, and thereupon

Petition of Inhabitants and Freeholders of District of *Colchester*, read. Resolution thereon.

Resolved, That the Consideration of said Petition be deferred to a future Session.

The Petition of *Jotham Blanchard* was considered, and thereupon Resolved, That the sum of £.15. be granted and paid to the Petitioner, as a Bounty on three Tons Pot Ash, manufactured and shipped by him in the year 1788 in a Vessel called the *Truro*, as stated in his Petition.

Petition of *Jotham Blanchard* considered. Resolution thereon.

The Petition of *James Kavanagh*, was read, and thereupon,

Petition of *James Kavanagh*,

Resolved,

Dismissed. *Resolved*, That the Petition be dismissed, the House not deeming it proper to take Cognizance of the same.

Petition of *Gregory Springall*. The Petition of *Gregory Springall*, was read, and Mr. *Wilkins*, moved, that the Sum of £254. 11. 3. be paid to the Petitioner, agreeable to the prayer of his Petition, which passed in the Negative, and thereupon

Dismissed. *Resolved*, That the said Petition be dismissed.

Petition of *John Nevil*, and dismissed. The Petition of *John Nevil* Goaler, was read, and considered, and *Resolved*, That the Petition be dismissed.

Consideration of the Petition of *Robert Archibald* and others and the Petition of *John Harris* deferred. The Petition of *Robert Archibald*, and others, also the Petition of *John Harris* (which Petitions were referred over from last Session) were severally read, and on motion the Consideration of said Petitions was again deferred to next Sessions.

Copy of Papers in cause *Squires* against *Seamark* received. The Prothonotary delivered to the House a Copy of the several Capias's issued in Cause *Squires* against *Seamark*; a Copy of Affidavit made by *Squires* in said Cause, and also a Copy of Minutes of Proceedings in *Supreme Court* in the Cause *Squires* against *Seamark*.

House resolve itself into Committee on Light House Bill. The House *resolved* itself into Committee on the Light House Bill.

The Speaker left the Chair,

Mr. *Pyke* took the Chair,

The Speaker resumed the Chair.

Report. The Chairman reported from the Committee, that they had gone through the Bill, and agreed to the same with Amendments, which Report the House agreed to, and the Bill as passed in the Committee, was ordered to be engrossed, and read a third time.

The Speaker, signified to the House, that it was His Excellency's Wish, that a Committee should wait upon him on the Subject of the Address delivered this Morning, thereupon,

Committee appointed to wait on His Excellency. *Resolved* and ordered, That Mr. *Wilkins*, Mr. *Dight*, Mr. *Hill*, Col. *Perkins*, Mr. *Day*, Major *Barclay*, and Mr. *Schwartz* be a Committee to wait on His Excellency accordingly.

Committee report His Excellency's Answer to Address of the House. Mr. *Wilkins*, reported to the House, that the Committee had waited upon His Excellency, agreeable to Order, and that his Excellency was pleased to give them an Answer to the Address of the House this Day presented, which is as follows :

GENTLEMEN,

“ HAVING communicated to His Majesty's Council your Address of this Day to me, I have been in consequence waited upon by the Council with an Address from them upon the same subject, which I am ready to communicate to you.

“ I can

“ I can only add, that I shall be extremely grieved if the Public
“ Business should be longer impeded by any Disagreement between
“ the two Houses about their respective Privileges or Forms of
“ Proceedings.”

Mr. *Wilkins* also reported to the House the Substance of the Con-
versation, which passed between His Excellency, and the Committee
on the Subject of the Address this Morning, and also delivered to
the House a Copy of the Address presented by His Majesty's Council
this day to His Excellency, and

Conference with
his Excellency on
subject of Address
from Council.

It appearing to the House on Perusal of the Address presented by
His Majesty's Council to His Excellency the Lieutenant Governor
(and by him laid before this House) that the Bill, intituled, *an Act*
to provide for the Support and Maintenance of His Majesty's Government
in this Province, by amending and continuing the several Laws for raising a
Revenue, as are herein after particularly mentioned, and expressed, as sent
up yesterday by this House to his Majesty's Council, had by some
accident been lost.

Resolutions there-
on.

Resolved, That a Copy of the said Bill be immediately made, and
sent up to His Majesty's Council for their Consideration and Concur-
rence.

Resolved, That an humble Address be presented to His Excellency
the Lieutenant Governor to explain the Transactions stated in the
Address of His Majesty's Council this day, presented by them to His
Excellency relative to the Proceedings of this House.

Ordered, That Major *Barclay*, Mr. *Wilkins* and Col. *Lawrence* be
a Committee to prepare an Address to His Excellency conformable
to the foregoing Resolution.

Committee ap-
pointed to prepare
an Address to his
Excellency.

Then the House adjourned till To-morrow at Ten of the Clock.

Wednesday 31st March, 1790.

PRAYERS.

A Copy of the Bill, intituled, *an Act to provide for the Support and*
Maintenance of His Majesty's Government in this Province, by amending
and continuing the several Laws for raising a Revenue, as are herein after
particularly mentioned and expressed, being made by the Clerk according
to the Order of Yesterday, the same was read, and thereupon.

A Copy of Bill for
continuing and a-
mending Revenue
Acts, sent to the
Council.

Resolved and Ordered, That the Clerk do carry the said Copy of
the Revenue Bill to the Council, with the following Message, viz.

The House of Assembly, finding by the Address of his Majesty's
Council to his Excellency the Lieutenant Governor, that the Council,
have not the Bill for raising a Revenue for the Support and Maintenance
of His Majesty's Government in this Province, which Bill was sent from
the House to the Council; the House wishing not to delay the De-
liberation of the Council on so important a Subject, have ordered a
Copy of said Bill to be delivered to His Majesty's Council for their
Concurrence.

Message sent to the
Council with Re-
venue Bill.

Address to His
Excellency,
Reported.

Mr. *Wilkins* reported from the Committee appointed, to prepare an humble Address to His Excellency the Lieutenant Governor; and presented a Draft of an Address, which was twice read, agreed to, and is as follows:

TO HIS EXCELLENCY

J O H N P A R R, Esquire.

Lieutenant Governor and Commander in Chief, in and over His Majesty's Province of Nova-Scotia and its Dependencies, Vice Admiral of the same, &c. &c. &c.

May it please your Excellency,

THE *House of Assembly* are sorry to be under the Necessity of again addressing your Excellency, upon the Subject of the Disagreement subsisting between them and His Majesty's Council,—they lament exceedingly the Cause of that Disagreement, and wish it had been, on their part, avoidable.—But as they conceive a strict Adherence to their Privileges, to be an indispensable Part of their Duty, and absolutely necessary to preserve that just equilibrium between the three component Parts of the Constitution, upon which the Welfare of the Whole depends. They are conscious that no blame can be laid to their Charge, on that account.—They are much concerned, however to find, that while they have been attentive to their own Rights, they have been accused of intruding upon the Rights of others;—a charge which they intirely disavow, and from which they are, on this occasion, anxious to vindicate themselves.

The Council have, in their Address to your Excellency of Yesterday, asserted that we had presumed “to dictate to them the Mode in which they should transact their own Business,” and had treated their Messenger in an improper Manner.—As to *the first* of these, we can only say, that, we do not recollect a single Instance, in which we have so far deviated from the Rule of Right Conduct, as in any Degree to merit so severe a Censure.—and as to *the latter*, we hesitate not to assert, that *the Dignity of the House of Representatives* shall never be degraded, while we have the honor to compose that Body, by an unworthy Submission to the Rudeness or Insolence of any Messenger, under whatsoever Authority he may think proper to shelter himself.—We beg leave to assure your Excellency, that we shall always hold sacred the Rights of others, and have no doubt we shall ever meet with your Approbation and Support, while we pay a steady and due Attention to the Preservation of our own.

Ordered, That the above Address be engrossed.

A Petition of *William Cotnam Tonge*, Esqr; Deputy Naval Officer for the Province, was received and read; setting forth, that the Petitioner has not yet received full Instructions or the necessary Papers from his Principal, previous to his appearing before the House on the Business of the Naval Office, and praying the House will adjourn the Investigation of said Business to another Day, and thereupon, on Motion

Resolved,

Petition of Deputy
Naval Officer for
the Province re-
ceived.

Resolved, That the Consideration of the Business, relative to the Naval-Office be adjourned to Saturday next.

Consideration of business relative to Naval Office adjourned. Government estimate for 1790, received.

The Deputy Secretary of the Province delivered to the House the Government Estimate for the Year 1790

Ordered, That it do lie on the Table for Consideration.

A Message was received from his Majesty's Council, requesting a Conference by Committee on the subject of the Revenue Bill.

Message from Council requesting a conference. Committee appointed for that purpose.

Resolved and Ordered, That Major *Barclay*, Mr. *Wilkins*, Mr. *Day*, Mr. *Wallace* and *Captain White* be a Committee, to confer with the Council, agreeable to their request, and that the Committee do attend immediately.

Major *Barclay* reported to the House the Substance of the Conference with a Committee of the Council, which is as follows.

“ That his Majesty's Council to avoid all unnecessary Controversy with the *House of Assembly*, forbear to remark on the Message sent up with a Copy of the Revenue Bill, and that good Harmony between the two Houses may be restored, without which the public Business must unavoidably suffer; the Council propose that the Copy sent up may be taken back by the House, and a Bill framed by them to continue the Revenue Laws, which will expire this day for another Year, for the Continuance whereof the Legislature have pledged the public Faith, and that the new Taxes, which the House wish to impose, may be put into a new Bill, and sent to the Council for their Concurrence, and the House may be assured it shall be considered with a sincere Desire on the Part of the Council to meet the Inclination of the House on those Taxes; and that the Council do not consider the Act imposing a Duty of Ten *per Cent*, on the *American Trade* as a Part of the standing Revenue, but will consider the Continuance of that Law by itself; which conference being considered by the House.”

Substance of conference with the Council reported.

Resolved and Ordered, That the former Committee of this House do confer again with the Council, and deliver them the following Message.

That the House of Assembly having considered the Report made by the Committee of their House on the Conference with a Committee of his Majesty's Council; are as anxious as His Majesty's Council to preserve Harmony and Unanimity between the different Branches of the Legislature, and they hope their Conduct hitherto has fully proved the sincerity of their Intentions.

That the House have agreeable to the Speech of His Excellency the Lieutenant Governor, at the opening of the present Session, adopted such a System of Revenue, as in their Opinion would be adequate to the effectual Support of his Majesty's Government, and have passed a Bill for that Purpose, which was delivered to his Majesty's Council, in full hope, that it would meet with their concurrence.

That the House have signified repeatedly to his Majesty's Council, that they would strenuously adhere to their privileges, and that they expected his Majesty's Council, when a Bill went from the House of Assembly to the Council for their Concurrence; would signify their

Resolutions thereon.

Assent

Affent, or Dissent thereto, in the usual and established Form, by endorsing on the back thereof, agreed to, or not agreed to. The House have already conceded every Thing to his Majesty's Council that they consistently could, hoping that it would be the means to preserve that Harmony, which is so necessary between the Council and the House.

That the House therefore cannot on any Account comply with the request of the Council, they having already refused to comply with the like request.

Message from the Council with

A Message was received from His Majesty's Council with the four following Bills, agreed to, viz.

Bill relative to Transient Poor.

A Bill intituled an Act for appointing Commissioners to superintend and direct the Maintenance of certain Poor Persons, known by the general Appellation of transient Poor ; also

Bill for continuing Acts therein mentioned.

A Bill, intituled, an Act for continuing in force the several Acts herein after mentioned,

Bill relative to Licence duty acts &c.

Also a Bill, intituled, an Act for continuing and amending the several Acts for suppressing unlicensed Houses, and for granting to His Majesty a Duty on Persons hereafter to be licenced ; as also for compelling Persons retailing Gunpowder within the Peninsula of Halifax, to take out a Licence for retailing the same ; and also

Also Bill respecting issuing Procefs from Inferior Court, &c. agreed to.

A Bill, intituled, " an Act in Amendment of an Act for regulating the manner of issuing Procefs and Execution from the Inferior Courts of Common Pleas for the several Counties in this Province, and for altering the Form of the Summonses heretofore used by His Majesty's Justices of the Peace, and also in Amendment and declaratory of the Act for the Summary Trials of Actions."

Resolved, That a Message should be sent to his Majesty's Council to inform them, that the House having little Business before them for Consideration this day, mean shortly to adjourn, unless the Council have any thing to send down for their further Consideration.

Ordered, That the Clerk do deliver the above Message to the Council.

Bill in Amendment of Act relative to Commissioners of Sewers from the Council with amendments.

A Message was received from His Majesty's Council with the Bill in Amendment of the Act for appointing Commissioners of Sewers, sent down with Amendments.

A Message was received from his Majesty's Council to inform the House, that the Council will shortly send down some Business for their Consideration.

Message from Council with bill intituled an Act to continue the several Laws therein after named for concurrence.

A Message was received from his Majesty's Council at Ten Minutes after three o'Clock, with a Bill, intituled, an Act to continue the several Laws therein after named, for Concurrence, and thereupon

Resolved, That it is the right of this House, to originate all Bills, which have for their object the raising a Revenue, on the Inhabitants of this Province, and further.

Resolutions thereon.

Resolved, That the Bill sent down from his Majesty's Council to the House, intituled, an Act to continue the several Laws therein after mentioned

mentioned, being a Money Bill cannot be received by the House, the object thereof being already provided for, in a Bill, intituled, an *Act to provide for the Support and Maintenance of His Majesty's Government, by amending and continuing, the several Laws for raising a Revenue, as are herein after particularly mentioned and expressed*: which Bill has passed this House, and now remains with his Majesty's Council for their Concurrence.

The Sense of the House being taken on the said Bill, intituled; an *Act to continue the several Laws therein after mentioned*, the same was rejected without a Division.

Resolved and Ordered, That the Clerk do inform his Majesty's Council, that it is expected by the House that their Messenger when sent down with a Bill or Message in Writing to the House, do deliver the same in the usual Manner to the Speaker.

Bill from the Council for concurrence rejected.

The Clerk was ordered at Eighteen Minutes past three of the Clock, to return with the same Bill to His Majesty's Council, the Clerk returned, and informed the House, that the Council had adjourned.

The House proceeded on the further Consideration of the Charges exhibited against the Justices of the *Supreme Court*.

The Tenth Article of Charge was read; and *Jonathan Sterns, Esqr.* and *Major Barclay* were examined in Support thereof.

Tenth Article charge against Justices *Supreme Court* read. Witnesses examined.

The Thirteenth Article of Charge was read, and *Jonathan Sterns, Esq.* and *Major Barclay* were examined in support thereof.

Thirteenth Article read. Witnesses examined.

On Motion *resolved*, That the House will Tomorrow *resolve* itself into a Committee, to take into Consideration the present alarming State of the Province.

The House then adjourned till To-morrow Ten of the Clock.

Thursday 1st April, 1790.

PRAYERS.

The Address to his Excellency the Lieutenant Governor, pursuant to the Order of Yesterday was engrossed, and thereupon

Resolved and Ordered, That *Mr. Hill, Col. Delancey* and *Captain White*, be a Committee for the purpose of waiting upon His Excellency with the above Address immediately.

Committee appointed to present Address to his Excellency.

Pursuant to Order, *Mr. Marchinton* presented a Bill, intituled, an *Act to enable the Holders of small Mortgages to sell the Premises mortgaged to them more speedily than heretofore*, and the same was read a first time,

Bills relative to Mortgages read first time.

Resolved, That the Bill be read a second Time.

Mr. Hill, reported to the House, that pursuant to Order, the Committee had presented the Address to his Excellency the Lieutenant Governor, who was pleased to receive the same.

According to Order.

House resolve itself into Committee on State of Province.

The House *resolved* itself into a Committee on the present alarming State of the Province.

The Speaker left the Chair,
Mr. *Belcher* took the Chair,
The Speaker resumed the Chair,

The Chairman *reported* from the Committee, that they had come to the following Resolutions.

Resolved, That it is the Opinion of the Committee, that a Bill should be prepared and brought in for the Purpose of reviving, continuing and amending the several Acts for suppressing unlicensed Houses, and for granting to his Majesty a Duty on Persons hereafter to be licenced ; as also for compelling Persons retailing Gunpowder within the Peninsula of *Halifax* to take out a Licence for retailing the same.

Resolutions entered into by committee.

Resolved, That it is the Opinion of the Committee, that a Bill should be prepared and brought in for the Purpose of reviving an Act to provide for the Support and Maintenance of his Majesty's Government in this Province, by reviving, amending and continuing the several Laws for raising a Revenue.

Agreed to by House.

Resolved, That it is the Opinion of the Committee, that a Bill should be prepared and brought in, for reviving and continuing in Force the several Temporary Acts, which have lately expired ; which Resolutions being severally read, the report of the Committee, was agreed to by the House, and thereupon

Order thereon.

Ordered, That the several Bills as specified in the Resolutions of the Committee be prepared, and brought in accordingly.

Message from his Excellency.

A Message from his Excellency the Lieutenant Governor commanding the Attendance of the House in the Council-Chamber.

The House attended accordingly,
The House being returned,

House attend his Excellency:

The Speaker resumed the Chair, and *reported*, that they had waited upon his Excellency in Council, when his Excellency was pleased to make a SPEECH, a Copy of which is as follows :

*Gentlemen of the Council, and
Gentlemen of the House of Assembly,*

His Excellency Speech.

“ **T**HAT an end may be put to the disagreement between the two Houses, relative to the passing of the Revenue Bill, and
“ that the mode of transacting the Public Business may be facilitated.
“ I have called you together to state for your Consideration, the
“ urgent necessity there is, that the Proceedings of both Houses,
“ should be conducted with mutual Harmony and Condescension.
“ And that each House may preserve its peculiar Privileges, I would
“ recommend that the mode of doing Business should be simplified
“ as much as possible, and that the standing Revenue Laws which
“ have been continued for several years already, should be again
“ revived and continued by a Bill to be framed for that purpose in the
“ *House of Assembly*, and separate Bills be framed there, also for continuing the American Trade Act, and for imposing any new Taxes ;
and

“ and that to such Bills the Council should agree or disagree generally.

“ By this method the Revenue Bills will originate in the House, and the right of the Council to agree or disagree to each Bill be also preserved.

“ As I rely on the disposition of you all to prefer the Public Service to any contention about your own Power or Privilege, I recommend an Accommodation of the difference subsisting, on these Principles in full confidence it will prove acceptable.

The House having considered his Excellency SPEECH, thereupon, It was *moved*, and seconded, that a Committee should be appointed to answer the said Speech, which was *resolved* accordingly, and *ordered*, that Major Barclay, Col. Lawrence, and Mr. Hill be a Committee for that purpose.

Resolution thereon.

Pursuant to Order a Bill for *reviving, continuing and amending the several Acts for suppressing unlicensed Houses, and for granting to his Majesty a Duty on Persons hereafter to be licensed; as also for compelling Persons retailing Gunpowder within the Peninsula of Halifax to take out a licence for retailing the same.*

Bill for reviving continuing and amending Licence Duty Acts.

Also a Bill for *reviving and continuing in Force the several Acts herein after mentioned,* and

Also Bill for reviving and continuing Acts herein mentioned.

Also a Bill to *provide for the Support and Maintenance of His Majesty's Government in this Province, by reviving, amending and continuing the several Laws for raising a Revenue as herein after expressed.*

Also Act for reviving continuing and amending revenue Acts, read 1st and 2d time.

were severally presented, and read a first and second Time.

Resolved, That the Bills be committed to a Committee of the whole House, and

On Motion the House *resolved* itself into a Committee on the above Bills.

House resolve itself into a Committee on the above Bills.

The Speaker left the Chair,

Mr. Pyke took the Chair,

The Speaker resumed the Chair,

The Chairman reported from the Committee, that they had gone through the Bills to them referred, and agreed to them without amendment, which Report the House agreed to, and the Bills as passed in the Committee were *ordered* to be engrossed, and read a third Time.

Report of the committee.

Then the House adjourned until this Evening Nine of the Clock. The House met according to Adjournment.

The Committee appointed to prepare an Address to his Excellency the Lieutenant Governor, in Answer to his Excellency's Speech of this date *reported* a Draft of an Address, which was once read, and on Motion of Mr. Dight, the second reading adjourned until Saturday next.

Address to his Excellency in answer to his Speech, reported.

A Bill intituled, *an Act for reviving and continuing in Force the several Acts herein after mentioned,*

Bill for reviving & continuing Acts therein mentioned.

Also a Bill, intituled, *an Act for reviving, continuing and amending the several Acts for suppressing unlicensed Houses, and for granting to his Majesty a Duty on Persons hereafter to be licensed, as also for compelling Persons*

Bill for reviving continuing and amending Licence Duty Acts.

Persons retailing Gunpowder within the Peninsula of Halifax to take out a Licence for retailing the same :

Also Bill for reviving amending and continuing revenue Acts, read 3d time and passed.

And also, a Bill, intituled, *an Act to provide for the Support and Maintenance of his Majesty's Government in this Province, by reviving, amending and continuing the several Laws for raising a Revenue as are herein after particularly mentioned and expressed ; being engrossed, the said Bills were severally read a third time and passed.*

Committee appointed to confer with the Council on subject of above Bills.

Resolved and ordered, That Major Barclay, Mr. Wilkins, Mr. Hill, Col. Perkins and Captain White, be a Committee to confer with a Committee of his Majesty's Council on the subject of the above Bills.

Bills sent to Council for concurrence.

Ordered, That the Clerk do carry the three Bills passed by the House to his Majesty's Council, and desire their Concurrence to the same.

Message from the Council with the Bill for reviving & continuing Acts therein mentioned, also the Bill for reviving continuing and amending Licence duty Acts, agreed to.

A Message was received from his Majesty's Council with the Bill, intituled, *an Act for reviving and continuing in Force the several Acts herein after mentioned. And also a Bill for reviving, continuing and amending the several Acts for suppressing unlicensed Houses, and for granting to his Majesty a Duty on Persons hereafter to be licensed ; as also for compelling Persons retailing Gunpowder within the Peninsula of Halifax, to take out a Licence for retailing the same. Agreed to.*

Humble Petition to his Majesty agreed to.

The humble Petition to his Majesty on the subject of erecting or forming two new Counties in this Province, was read a second time, agreed to, and is as follows :

To the KING'S Most EXCELLENT MAJESTY.

The humble and dutiful Petition of the House of Representatives for the Province of Nova-Scotia in GENERAL ASSEMBLY, convened.

Most respectfully sheweth,

“ **T**HAT from the very great Accession of Inhabitants, who
“ have seated themselves on the Extremities of the Counties
“ of *Halifax* and *Annapolis* ; it has become absolutely necessary for
“ their Convenience, order and good Government, that a Division of
“ the said Counties should be made : That the principal Settlements
“ now forming in the remote Parts of the County of *Halifax* are
“ *Piétou* and *Merigumish* Harbour, in which are now settled upwards
“ of Twelve Hundred Inhabitants, who from the want of Roads find
“ their Communication with *Halifax* at all times difficult ; they being
“ near Ninety Miles distant from it, and in Consequence thereof,
“ they are deprived of that inestimable Privilege of British Subjects,
“ the giving their Suffrages to elect a Person to represent them in
“ *General Assembly*.

“ That the Townships of *Digby*, *Clement* and *Clare* in the County
“ of *Annapolis*, have become extremely populous. That a large
“ Part of the Township of *Digby* is near Forty Miles from the Court
“ House at *Annapolis*, that the Township of *Clare* is still farther
“ removed, being in some Places not less than Sixty Miles distant
“ from

“ from the said Town of *Annapolis*. That the Roads from those
 “ Townships to *Annapolis* are extremely bad, and at most seasons of
 “ the Year impassable.—That the Inhabitants of those Townships
 “ are compelled to attend as Grand and Petit Jurors at the Courts of
 “ *Annapolis*, which are held four Times a Year.—That, and a Va-
 “ riety of other Duties, which as Citizens, they are obliged to perform
 “ under their present Situation is very burthenfome and inconvenient
 “ to them.

“ Relying therefore on your Majesty’s Most Gracious Attention to
 “ the Interest, Welfare, and good Government of your loyal Subjects
 “ of this Province, we most humbly implore your Majesty, will most
 “ graciously be pleased, to signify your Royal Permission to his Excel-
 “ lency the Lieutenant Governor of this Province, that he may give
 “ his Assent to a Bill to be passed this *House of Assembly*, for the pur-
 “ pose of dividing the Counties of *Halifax* and *Annapolis*, and forming
 “ new Counties out of the same (as follows) the County to be for-
 “ med out of the Northern Part of the County of *Halifax*, to be
 “ bounded northerly and westerly by *Cumberland* County, westerly
 “ and southerly by *King’s* County, and the County of *Hants* to the con-
 “ fluence of *Gay’s* River with the *Schubenacadie*, thence up said *Gay’s*
 “ River by its several courses until it meets its first Forks, from thence
 “ to run East until it meets the western Line of the County of *Sydney*,
 “ thence Northerly along said Line until it comes to the Sea Shore of
 “ the Gulf of *St. Lawrence*, thence by the several Courses of the said
 “ Shore northerly and Westerly until it meets the boundary of *Cum-
 “ berland* County above mentioned, including the Island of *PiEsou*.—
 “ The Bounds of the new County, to be formed out of the Western
 “ part of the County of *Annapolis*, to begin at the Mouth of *Moose*
 “ River where the same falls into the Bay of *Annapolis*, and from
 “ thence running south Thirty Degrees East until it meets the out-
 “ side line of the County of *Shelburne*, thence running along the same,
 “ the Courses thereof, until it meets the Sea Coast—thence easterly
 “ along the same to the Bay of *St. Mary’s*, thence along the same the
 “ several Courses thereof to the *Petit* passage, thence along the same
 “ to the Bay of *Fundy*, and thence easterly along the same, to the
 “ Gut of *Annapolis*, thence along the same and said Bay of *Annapolis*
 “ southerly, westerly and easterly to the beginning, and including
 “ also *Briar* Island and *Long* Island.

“ And your Petitioners as in duty bound will every Pray.”

Ordered, That the Petition be engrossed.

Mr. *Pyke*, Chairman of the Committee on private Petitions, re-
 ported from that Committee; which Report was read, agreed to by
 the House, and is as follows.

Chairman of Com-
 mittee on private
 Petitions report,
 and agreed to.

The Petition of *John Tyson*, was read, and on Motion *resolved*, that
 the Consideration of said Petition be deferred until the next Session.

The Petition of *Alexander Cocken* was read, and thereupon,

Resolved, That the Consideration of said Petition be deferred until
 the State of the Light House on *Sambro* Island be taken into Consi-
 deration.

The Petition of *Samuel Willoughby*, and also the Petition of *Thomas Farrel*, were severally read, and considered, and thereupon

Resolved, That the said Petitions be dismissed.

The Petition of *John Daniel Hail*, was withdrawn.

The Petition of *James Moody* was read, and considered, and thereupon

Resolved, That the said Petition be dismissed.

The Petition of *Richard Kidston*, the Petition of *William Mott*, and also the Petition of *John* and *Edward Kerby*, were severally read, and considered, and thereupon

Resolved, That it appears to the Committee, that the Petitioners are entitled to Relief.

Proceedings of that
Committee.

Resolved, That the Petitions be referred to the Commissioners of the Revenue, and that they do grant such Relief to the Petitioners, as they may deem right, upon due Proof being made by the Petitioners of the Justness of their Demand.

The Petition of *John Ritchie* and others, was read, and considered, and thereupon

Resolved, That the Prayer of the Petition appears to the Committee to be very reasonable, but that the present State of the Province Funds, will not admit, of their granting the Relief prayed for.

The Petition of *Matthew Hutchin's* was read, and considered, and on Motion of Captain *White*.

Resolved, That the Sum of £15. be granted and paid to the Petitioner in full for his past Services.

The Petition of *Philip Marchinton*, in behalf of *James Moody* and others, was read ; and considered and thereupon.

Resolved, That the Sum of £.72. 7. 6. be granted and paid to the said *James Moody*, and others ; agreeable to the Prayer of the Petition.

The Petition of *William Forsyth* and *Co. Lewis, Odber* and *Co.* and others, having been read ; and the Petitioners fully heard by their Council in Support of the same, thereupon

Resolved, That the Petition be dismissed.

The Petition of *James Lodge* and *William Armstrong*, was withdrawn by Major *Barclay*, the Certificates attending the said Petition not being duly authenticated.

The Petition of *William Forsyth* and *Co.* was read, and considered, and thereupon

Resolved, That it appears to the Committee, that the Petitioners are entitled to Relief.

Resolved, That the said Petition be referred to the Commissioners of the Revenue, and that they do grant such Relief to the Petitioners, as they may deem fit, upon their making due Proof of the Justness of their Claim to the said Commissioners.

The Petition of Messrs. *Brymer* and *Belcher* was read, and considered, and Mr. *Day*, moved, That the Prayer of the same should be granted, which passed in the negative, and thereupon

Resolved, That the Petition be dismissed.

Resolved,

Resolved, That the several Resolutions of the House for granting Money be sent by the Clerk to his Majesty's Council for Concurrence.

A Message was received from his Majesty's Council, requesting a further Conference between a Committee of the Council and a Committee of this House.

Resolved and ordered, That the former Committee of this House to attend accordingly.

Major *Barclay*, reported to the House, the Substance of the Conference between the Committee of the House, and the Committee of his Majesty's Council.

Then the House adjourned till Saturday at Ten of the Clock, the Morrow being GOOD FRIDAY.

Saturday 3d April, 1790.

PRAYERS.

According to Order.

The House proceeded on the Consideration of the several Petitions, and Report of the select Committee relative to the Naval Office, and *W. C. Tonge*, Esqr. Deputy Naval Officer of the Province, was heard in Behalf of Col. *Tonge* the Naval Officer, pursuant to his request.

House proceed on the consideration of business relative to Naval Office.

A Message was received from his Majesty's Council with the Bill, intituled, "an Act to provide for the Support and Maintenance of his Majesty's Government in this Province, by reviving, amending and continuing the several Laws for raising a Revenue, as are herein after particularly mentioned and expressed. Agreed to.

Message from the Council with Revenue Bill. Agreed to.

On Motion, the House went into Committee on the Business relative to the Naval Office.

House resolve itself into Committee on business of Naval Office.

The Speaker left the Chair,

Mr. *Pyke* took the Chair,

The Speaker resumed the Chair, to receive a Message from his Excellency the Lieutenant Governor, commanding the Attendance of the House in the Council Chamber.

House attend his Excellency.

The House attended accordingly.

The House being returned,

The Speaker resumed the Chair, and reported to the House, that his Excellency was pleased to give his Assent to the following Bills Viz.

A Bill, intituled, *An Act for reviving and continuing in force the several Acts herein after mentioned.*

A Bill, intituled, *An Act for reviving continuing and amending the several Acts for suppressing unlicensed Houses, and for granting to his Majesty*

jefty a Duty on Persons hereafter to be licensed ; as also for compelling Persons retailing Gunpowder within the Peninsula of Halifax to take out a Licence for retailing the same.

A Bill, intituled, *An Act to provide for the Support and Maintenance of his Majesty's Government in this Province by reviving, amending and continuing the several Laws for raising a Revenue, as are herein after particularly mentioned and expressed.*

Bills Assented to.

A Bill, intituled, *An Act for appointing Commissioners to superintend and direct the Maintenance and Support of certain Poor Persons, known by the general Appellation of transient Poor.*

A Bill, intituled, *An Act in Amendment of an Act, intituled, an Act for establishing a public Market House in Halifax, and for regulating the same, and also in Amendment of an Act, intituled, An Act for building a public Slaughter House in the Town of Halifax, and for regulating the same.*

The House went again into Committee, on the Business relative to the Naval Office.

Mr. Pyke took the Chair,

The Speaker resumed the Chair,

Report of the Committee relative to Naval Office.

The Chairman reported from the Committee, that they had made some Progress in the Matter to them referred, and prayed leave to sit again, which Report the House agreed to.

Address in answer to his Excellency's Speech. Agreed to.

According to Order the Address in Answer to his Excellency's Speech was read a second time, agreed to, ordered to be engrossed, and is as follows :

TO HIS EXCELLENCY

J O H N P A R R, Esquire.

Lieutenant Governor and Commander in Chief, in and over His Majesty's Province of Nova-Scotia and its Dependencies, Vice Admiral of the same, &c. &c. &c.

The humble Address of the Representatives of the Province of Nova-Scotia in GENERAL ASSEMBLY, convened.

May it please your Excellency,

“ **T**HE House of Assembly, having fully considered your Excellency's Speech of this Day, delivered to both Houses, take the earliest Opportunity of expressing their utmost Confidence in your Excellency's Wishes and Endeavours to see Harmony restored, between his Majesty's Council and the House of Assembly.— An Object this House beg leave to assure your Excellency, they are equally anxious to effect.

“ They cannot refrain expressing their Satisfaction at the Sanction your Excellency has given in your Speech to their Claim, that all Bills tending to raise a Revenue for the Support of his Majesty's Government in this Province ought to originate with them, and that to such Bills his Majesty's Council had only a power to agree or dis-

“ agree

“ *agree generally.* This may it please your Excellency was all the
 “ Right we ever asserted in such Bills, and those were controuling
 “ Powers we ever acknowledged as constitutionally vested in his Ma-
 “ jesty’s Council.

“ To our Astonishment however, during the present Session re-
 “ peated Attempts have been made by his Majesty’s Council, not
 “ only to amend such Bills, but also to originate, and create new
 “ Ones. As the Representatives of the People, we conceive, we are
 “ the best and sole Judges of the Quantum of Taxes and Impositions
 “ they are able to bear, and also what may be necessary for the Ex-
 “ igencies of Government for the ensuing Year; we have therefore
 “ in Conformity to your Excellency’s wishes, and from a full Con-
 “ viction of the Necessity of the Measure increased the Revenue in
 “ such a Manner, as we hoped most conducive to the public Weal,
 “ and at the same Time least burthensome to the Subject.

“ We perfectly concur with your Excellency in the Idea, that the
 “ most simple is the most eligible Mode of conducting the public
 “ Business of the Province, and we beg leave to assure your Excel-
 “ lency, that we have in framing the Revenue Bill passed this House
 “ during the present Session, and sent up for the Concurrence of his
 “ Majesty’s Council been peculiarly Attentive, to that object, and
 “ that we conceive a seperate Act for laying the additional Duties,
 “ of Impost and Excise, so necessary for the Support of his Majesty’s
 “ Government; and the Credit of this Province would have render-
 “ ed the System of Revenue Laws double voluminous and complex,
 “ without any one public Benefit to compensate for those Inconveni-
 “ encies. Had the Object of Taxation this Year, been new or dis-
 “ similar to each other, either in the mode of levying or collecting
 “ them, we should have thought it highly expedient to have imposed
 “ the Taxes seperately, but that not being the case, we have adopted
 “ the Mode sanctioned by the almost uninterrupted Usage of this
 “ House, and ever heretofore agreed to by his Majesty’s Council.

“ We are under the disagreeable Necessity of informing your Ex-
 “ cellency, that not only the Laws for raising a Revenue have been
 “ suffered to expire, but certain other temporary Laws, equally ne-
 “ cessary, Laws, some of which were passed so long ago as the Year
 “ 1765, and which long experience has evinced to be beneficial, and
 “ policy required should be continued each ensuing Session up to the
 “ present. For the continuing and amending of these Laws the
 “ *House of Assembly* framed Bills, and sent them up to his Majesty’s
 “ Council, for their Concurrence, on the 25th *March*, those Bills
 “ remained with his Majesty’s Council until the 31st Instant (the very
 “ day of their Expiration) when they were sent down to this House
 “ agreed to. The instant the House were informed of the Concur-
 “ rence of the Council, the Bills were signed by the Speaker and
 “ sent up to the Council ready for your Excellency’s assent.—His
 “ Majesty’s Council, we humbly conceive, were in duty bound im-
 “ mediately to have informed your Excellency thereof, and thereby
 “ at least prevented a part of the wholesome and necessary

“ Laws then in Force from expiring.—But such has been the Conduct of his Majesty’s Council on the Occasion, that they have not only declined either to agree or disagree to the Revenue Laws, as sent up for their Concurrence—but have also thus suffered Laws, agreed to by both Houses to expire from Inattention or Design.

Bill in Amendment of Act relative to Wills, Legacies, &c.
Read first Time.

Pursuant to leave Major Milledge presented a Bill in Amendment of an Act, intitled, *an Act relating to Wills, Legacies and Executors, and for the Settlement and Distribution of Estates of Intestates, and to enable Executors and Administrators the more speedily to settle the estates of the deceased, which was read a first time.*

Resolved, That the Bill be read a second Time.

Resolved, That the House will on Monday proceed on the final Determination of the Charges exhibited against His Majesty’s Justices of the *Supreme Court*.

Then the House adjourned till Monday at Ten of the Clock.

Monday 5th April, 1790.

PRAYERS,

The Address in Answer to his Excellency’s Speech, being engrosed, thereupon

Resolved, That the said Address be presented by the whole House at such Time as his Excellency may think proper to receive the same.

Bill relative to the Naval Office.
Read first Time.

Pursuant to leave given, a Bill *for regulating the Naval Office and for ascertaining of the Fees thereof*, was presented, and read a first Time.

Resolved, That the Bill be read a second Time.

According to Order.

The House proceeded on the final Consideration of the Charges exhibited against his Majesty’s Justices of the *Supreme Court*.

First, second and sixth Articles of charge against Justices of *Supreme Court*, considered and,

On Motion, the first, second and sixth Articles of Charge were read, together with the Testimony of the several Witnesses, who were examined; as also the written Evidence exhibited in Support thereof, and the Opinion of the House having been seperately taken thereupon, it was,

Resolutions thereon

Resolved, That the first and second Articles of Charge exhibited against the Justices of his Majesty’s *Supreme Court* do severally contain Matter sufficient to sustain specific and seperate Articles of Impeachment against the said Justices.

Resolved, That the sixth Article of Charge exhibited against the Justices of his Majesty’s *Supreme Court* does not contain Matter sufficient to sustain a specific or seperate Article of Impeachment against them, but that the said sixth Article contains sufficient Matter to contrast, with and make part of the specific and seperate Article or Articles of Impeachment against said Justices, to be founded on the first and second Articles of Accusation.

The Third and fourth Articles of Charge against the Justices of the *Supreme Court* were read, together with the Testimony of the several Witnesses, who were examined, as also the written Evidence in Support thereof.

Third and fourth Articles charge considered.

And the Opinion of the House having been seperately taken thereupon.

Resolved, That the Third, and fourth Articles of Charge exhibited against the Justices of his Majesty's *Supreme Court* do severally contain Matter sufficient to sustain specific and seperate Articles of Impeachment against said Justices.

Resolutions thereon

The fifth Article of Charge against the Justices of the *Supreme Court* was read, together with the Testimony of the several Witnesses, who were examined, as also the written Evidence exhibited in Support thereof.

Fifth Article considered.

And the Opinion of the House having been taken, thereupon.

Resolved, That the fifth Article of Charge exhibited against the Justices of his Majesty's *Supreme Court* does contain Matter sufficient to sustain a specific and seperate Article of Impeachment against the said Justices.

Resolution thereon

Resolved and Ordered, That Major *Barclay*, Mr. *Belcher*, Major *Crane*, Mr. *Wilkins* and Colonel *Lawrence* be a Committee for the purpose of drawing up, and preparing specific Articles of Impeachment against *Isaac Deschamps* and *James Brenton*, Esquires, Justices of His Majesty's *Supreme Court*, agreeable to the foregoing Resolutions of the House.

Committee appointed to prepare Articles of Impeachment against Justices *Supreme Court*.

Resolved, That the Speaker do inform his Excellency the Lieutenant Governor of the above Proceedings of the House, relative to the Justices of his Majesty's *Supreme Court*.

Then the House adjourned till To-morrow Ten of the Clock.

Tuesday 6th *April*, 1790.

PRAYERS.

Major *Barclay*, reported, from the Committee appointed to prepare Articles of Impeachment against the Justices of his Majesty's *Supreme Court*, and presented, Drafts of three Articles of Impeachment against said Justices, which the Committee had drawn up, and founded upon the several Resolutions of Yesterday.

Articles of Impeachment reported by Committee.

The second Article of Impeachment was read, and the Sense of the House being taken, whether the same should pass to be engrossed, and the House Dividing thereon there appeared.

Second Article read.

For the passing 17.

Against the passing 12.

Mr. Marchinton,

Mr. Jessen,

Major Millidge,

Mr. Dewolf,

Mr. Day,

Mr. Bulkeley,

Mr. Poole,

Mr. Northup,

Mr. Woollenbaupt,

Mr. Fillis,

Col.

For the passing.

Col. Lawrence,
Col. Delancey,
Capt. White,
Mr. Archibald,
Mr. McElhinny,
Mr. Collins,
Col. Perkins,
Mr. Belcher,
Major Crane,
Major McNeil,
Mr. Wilkins,
Major Barclay,

Against the passing.

Mr. Dickson,
Mr. Pyke,
Mr. Hill,
Mr. Morris,
Mr. Schwartz,
Mr. Dight,
Mr. McMonagle,

Passed to be engrossed.

The said second Article was then passed to be engrossed.

Third Article read.

The third Article of Impeachment was read, and the Sense of the House being taken, whether the same should pass to be engrossed, the House divided thereon and there appeared.

For the passing 18.

Mr. Marchinton,
Major Millidge,
Mr. Day,
Mr. Dickson,
Mr. Collins,
Mr. Belcher,
Col. Perkins,
Major Crane,
Major McNeil,
Mr. Poole,
Mr. Woollenhaupt,
Col. Lawrence,
Capt. White,
Mr. Archibald,
Mr. Schwartz,
Col. Delancey,
Mr. Wilkins,
Major Barclay,

Against it 11

Mr. Jessen,
Mr. Dewolf,
Mr. Dight,
Mr. Noribup,
Mr. Pyke,
Mr. McMonagle,
Mr. Filtis,
Mr. Bulkeley,
Mr. Hill,
Mr. Morris,
Mr. McElhinny,

Passed to be Engrossed.

The said third Article was then passed to be engrossed.

The Speaker informed the House, that his Excellency the Lieutenant Governor would be ready at Eleven o'Clock this day to receive the House with their Address, in Answer to his Excellency's Speech delivered on Thursday last.

House to attend his Excellency with Address.

Resolved, That the House do attend his Excellency at that hour.

Resolved, That the Speaker when he presents his Excellency with the foregoing Address, do also in the Name of the House inform his Excellency, that the *House of Assembly* have accused the Honorable *Isaac Deschamps,* and *James Brenton* Esquires, Justices of his Majesty's

Supremis

Supreme Court of high Crimes and Misdemeanors, and that the House have agreed to, and pass three Articles of Impeachment against said Justices, which together with such other Articles as the House may agree to, will shortly be delivered to his Excellency, and that the Speaker do also in the Name of the House request his Excellency the Lieutenant Governor to suspend the said *Isaac Deschamps* and *James Brenton*, Esqrs. from their Offices as Justices of his Majesty's *Supreme Court*, until His Majesty's Pleasure shall be known.

Speaker to inform His Excellency that the House have agreed to, and passed Articles of Impeachment against Justices *Supreme Court*, and to request the said Justices may be suspended from their office.

Resolved, That the Speaker do deliver to his Excellency a Copy of the foregoing Resolution, together with the Proceedings of the House this day relative to said Articles of Impeachment, and also such of said Articles as have been engrossed and passed the House.

His Excellency to be furnished with the Proceedings relative to said business.

The House then adjourned till Eleven of the Clock this Day.

The House met according to Adjournment.

House attend his Excellency with Address.

The Speaker and the House waited upon His Excellency the Lieutenant Governor with their Address.

The House being returned,

The Speaker resumed the Chair, and reported to the House, that he had presented the Address to his Excellency, together with the Proceedings of the House this Day, relative to the Justices of the *Supreme Court*, that his Excellency was pleased to receive the same, and say he would take them into his Consideration.

Motion relative to report of select Committee on the business of the Naval Office.

Mr. Day, moved, that it might appear on the Journals, that he had not agreed to the Report of the select committee to whom the Petitions, relative to the Naval-Office were referred, and of which Committee he was a Member, the said Report having been entered on the Journals without the Signatures thereto, which being seconded and put, passed in the negative.

Bill relative to the Naval Office, also Bill relative to Mortgages, read second Time.

The Bill for regulating the Naval Office, and for ascertaining the Fees thereof; Also the Bill to enable the Holders of small Mortgages to sell the Premises mortgaged to them more speedily than heretofore, were read a second Time.

Eight Article charge against Justices *Supreme Court*, considered.

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

On Motion the House proceeded on the Business, relative to the Justices of his Majesty's *Supreme Court*.

The eight Article of Charge against the Justices of the *Supreme Court* was read, together with the Testimony of the several Witnesses, who were examined in Support thereof.

And the Opinion of the House having been taken thereupon,

Resolved, That the eight Article of Charge exhibited against the Justices of his Majesty's *Supreme Court* contains Matter sufficient to sustain a specific and separate Article of Impeachment against said Justices.

The ninth Article of Charge was read, and also the written Evidence exhibited in Support thereof,

And the Opinion of the House being taken thereupon,

Resolution thereon.

Ninth Article charge, considered.

Resolution thereon *Resolved*, That the ninth Article of Charge exhibited against the Justices of his Majesty's *Supreme Court* contains Matter sufficient to sustain a specific and seperate Article of Impeachment against said Justices.

Tenth Article charge, considered. The Tenth Article of Charge was read, together with the Testimony of the several Witnesses, who were examined in Support thereof,

Resolution thereon And the Opinion of the House being taken thereupon, *Resolved*, That that part of the Tenth Article of Charge exhibited against the Justices of his Majesty's *Supreme Court*, which relates to the Lessee of *Kerrin* against *Bonnel*, contains Matter sufficient to sustain a specific and seperate Article of Impeachment against said Justices.

Resolved, That the remaining Part of said tenth Article of Charge, which relates to the Cause of *Chambers* against *Shaw*, not being supported by sufficient Evidence, the House reject the same.

Thirteenth Article charge, considered. The Thirteenth Article of Charge was read, and also the Testimony of the several Witnesses, who were examined in Support thereof.

Resolution thereon And the Opinion of the House having been taken thereupon, *Resolved*, That the Thirteenth Article of Charge exhibited against the Justices of his Majesty's *Supreme Court* contains Matter sufficient to sustain a specific and seperate Article of Impeachment against said Justices.

Committee to prepare Articles of Impeachment against said Justices. *Resolved* and *Ordered*, That the former Committee of the House do prepare, and bring in specific and seperate Articles of Impeachment against *Isaac Deschamps* and *James Brenton*, Esquires, the Justices of his Majesty's *Supreme Court*, conformable to the foregoing Resolutions.

Petition to be presented to his Majesty, praying he would be pleased to institute a Court for Trial of said Justices *Supreme Court*. *Resolved*, That an humble Petition should be presented to his Majesty, praying, That he would be graciously pleased to institute such a Court as in his Royal Wisdom he may think fit, for the purpose of trying *Isaac Deschamps* and *James Brenton*, Esquires, the Justices of his Majesty's *Supreme Court*, upon the several Articles of Impeachment now adopted and preferred by this House against said Justices, and likewise on such other Articles of Impeachment or Accusation, as may hereafter be preferred by this House against them.

Address to be presented to his Excellency upon said business. *Ordered*, That the said Committee before named do prepare a Petition for that Purpose.

Committee appointed to confer with the Council on Fees taken at the Naval Office and Custom House. *Ordered*, That the same Committee do prepare an humble Address to his Excellency the Lieutenant Governor, requesting, that he will be pleased to transmit to his Majesty for his Consideration the foregoing Petition, together with the Articles of Impeachment, and the Evidence accompanying the same.

Resolved and *ordered*, That *Mr. Wallace*, *Mr. Day*, *Col. Perkins*, *Mr. Schwartz* and *Mr. Hill*, be a Committee for the Purpose of conferring with a Committee of his Majesty's Council on the subject of the Fees taken at the Naval Office and the Custom-House.

Resolved, That the House will To-morrow resolve itself into a Committee on the several Bills, which stand committed.

Then the House adjourned till To-morrow Ten of the Clock.

Wednesday 7th April, 1790.

PRAYERS.

Major Barclay pursuant to the Order of Yesterday, reported from the Committee, and presented Drafts of four Articles of Impeachment against the Justices of his Majesty's Supreme Court, intituled, the fourth, fifth, sixth and seventh Articles, which the Committee had drawn up, and founded upon the several Resolutions of Yesterday.

Articles of Impeachment against Justices Supreme Court reported.

The fourth Article was read, and thereupon Resolved, That the said Article do pass this House to be engrossed.

Fourth Article read and passed.

The fifth Article was read, and thereupon Resolved, That the said Article to pass to be engrossed.

Fifth Article read and passed.

The sixth Article was read, and thereupon Resolved, That the said Article do pass to be engrossed.

Seventh Article read and passed.

The seventh Article was read, and thereupon Resolved, That the said Article do pass to be engrossed.

Petition to His Majesty, also Address to his Excellency the Lieutenant Governor presented.

Major Barclay also presented a Draft of an humble Petition to his Majesty, also a Draft of an Address to his Excellency the Lieutenant Governor, which were severally read, and Ordered to lie on the Table for further Consideration.

Petition of W. C. Tonge, presented.

A Petition of William Cotnam Tonge, in behalf of Col. Tonge the Naval Officer was presented, and read, setting forth, that the Petitioner understands it is in the Contemplation of the House to Address his Excellency the Lieutenant Governor to request he would give Directions for a public Prosecution to be commenced against his Father the Naval Officer, on pretence of his having exacted illegal Fees in that Office, and praying he may be heard in Behalf of his said Father.

Ordered, That it do lie on the Table.

Light House Bill passed and sent to the Council.

A Bill, intituled, an Act in Amendment of an Act passed in the 33d Year of his late Majesty's King Geo. 2d, Reign for regulating and maintaining a Light House on Sambro Island; and also for extending the Provisions and Clauses in this Act contained to the Light House at Shelburne, being engrossed, was read a third Time, and passed.

Ordered, That the Clerk do carry the above Bill to his Majesty's Council, and desire their Concurrence to the same.

Bill relative to Inferior Courts &c. at Yarmouth, read first Time.

Pursuant to leave, Mr. Poole presented a Bill in Addition to an Act for establishing the Times of holding an Inferior Court of Common Pleas and General Sessions of the Peace in the Township of Yarmouth; which was read a first Time, and a Motion being made to reject the said Bill; the House divided thereon, and there appeared for the Motion Ten, against it Sixteen.

The Bill was then ordered to be read a second Time.

The Order of the Day being read.

House resolve itself into Committee upon Bills.

The House thereupon went into Committee on the Consideration of the several Bills, which stand committed.

The Speaker left the Chair,

Mr. *Pyke* took the Chair,

The Speaker resumed the Chair,

The Chairman reported from the Committee, that they had deferred to a future Day the Consideration of the Bill to enable the Holders of small Mortgages to sell the Premises Mortgaged to them more speedily than heretofore, and also the Bill to prohibit the erecting or carrying on Works for the purpose of Candle making and Soap boiling within the Town of *Halifax*.

Report of the Committee.

That the Committee had gone through the Bill in Amendment of the Act relative to Wills, Legacies, &c. and agreed to the same with Amendments, which Report the House agreed to, and the Bill as amended and passed in the Committee, was Ordered to be engrossed, and read a third time To-morrow.

Order thereon.

Resolved, That the House will To-morrow resolve itself into a Committee on the further Consideration of the Business relative to the Naval-Office.

Then the House adjourned till To-morrow Eleven of the Clock.

Thursday 8th April, 1790.

PRAYERS.

Bill relative to Bills Legacies, &c. passed and sent to the Council.

The Bill, intituled, an Act in Amendment of an Act, relating to Wills, Legacies and Executors, and for the Settlement and Distribution of Estates of Intestates, and to enable Executors and Administrators the more speedy to settle the Estates of the Deceased, being engrossed, was read a third Time.

Ordered, That the Clerk do carry the Bill to his Majesty's Council, and desire their Concurrence to the same.

Petition to his Majesty, read second time.

On Motion, the humble Petition to his Majesty was read a second Time, and thereupon, Mr. *Dewolf* moved, That the Petition be amended by striking out the Words, " And those Complaints daily increasing to the great Distraction of the Community ;" which being seconded and put, and the House dividing thereon and there appeared,

Division thereon:

For the Amendment, Ten.	Against it Seventeen.
Mr. <i>Fillis</i> ,	Major <i>Barclay</i> ,
Mr. <i>Morris</i> .	Major <i>Crane</i> ,
Mr. <i>Schwartz</i> ,	Mr. <i>Belcher</i> ,
Mr. <i>Dewolf</i> ,	Mr. <i>M'Elbinny</i> ,
Mr. <i>M' Menagle</i> ,	Mr. <i>Collins</i> ,
Mr. <i>Fessen</i> ,	Capt. <i>White</i> ,
Mr. <i>Northrop</i> ,	Mr. <i>Day</i> ,
Mr. <i>Dickson</i> ,	Major <i>Millidge</i> ,
Mr. <i>Sberlock</i> ,	Mr. <i>Wollenhaupt</i> ,

For the Amendment, Ten.
Mr. Pyke,

Against it Seventeen.
Mr. Archibald,
Col. Delancey.
Mr. Poole.
Col. Perkins,
Mr. Marchinton,
Col. Lawrence,
Major M^o Niel,
Mr. Wilkins.

The Petition was then agreed to.

The humble Address to his Excellency the Lieutenant Governor was also read a second Time, agreed to, and thereupon

Address to his Excellency the Lieutenant Governor, read a second time.

Ordered, That the said Petition and Address be engrossed, and read a third Time.

The Petition of Philip Marchinton and others, Administrators to the Estate of the late Ebrahim Dean, deceased, was read, and pursuant to leave of the House, Mr. Sterns appeared in behalf of Mr. James Kavanagh, who was heard, as also the Petitioners, and thereupon

Petition of Philip Marchinton and others, considered.

Resolved, That the said Petitioners as Administrators of Ebrahim Dean, are the Persons to whom the Bounty is due for building the Brigantine Royal Charlotte, which Bounty was granted by an Act passed in the last Session.

Resolution thereon.

The Bill in Amendment of the Act relative to the Inferior Court of Common Pleas, &c. at Yarmouth, was read a second Time, and thereupon

Bill relative to Inferior Court, &c. at Yarmouth, read a second time.

Resolved, That the further Consideration of the Bill be deferred to the next Session.

A Message was received from his Majesty's Council, informing the House, that the Council had appointed a Committee, to confer with the Committee of the House, on the subject of the Fees taken at the Naval Office and Custom-House.

Committee appointed by Council to confer on subject of Fees taken at Naval Office & Custom House.

Ordered, That the Committee of the House do attend accordingly.

Mr. Wilkins pursuant to leave, presented a Bill for altering and adding to the Times appointed for holding the Court of Common Pleas and General Sessions of the Peace in the Town and County of Sherburne, which was read a first Time, and on Motion was read a second Time, and ordered to be engrossed, and read a third Time To-morrow.

Bill for altering times of holding Courts of Common Pleas, &c. at Sherburne, read a first & second time.

Mr. Wallace, reported to the House the Substance of the Conference with a Committee of his Majesty's Council, on the Subject of the Fees taken at the Naval Office, and Custom-House, and thereupon

House resolve itself into a Committee on Business relative to Naval-Office & Custom-House.

The House resolved itself into a Committee on the further Consideration of the Business relative to the Naval Office, and the Fees taken at the Custom-House, and also the Bill for regulating the Naval Office.

The Speaker left the Chair,

Mr. Pyke took the Chair,

The Speaker resumed the Chair,

Committee report.

The Chairman reported from the Committee, that they had gone through the Bill to them committed, and agreed to the same with Amendments.

The Chairman also reported, that the Committee were of Opinion, that an Address should be presented to his Excellency the Lieutenant Governor on the subject of the coasting Trade, and the Fees taken at the Custom-House, which the House agreed to, and thereupon

Ordered, That Mr Wallace, Mr. Day, Col. Perkins, Mr. Schwartz, and Mr. Hill be a Committee, to prepare an Address to his Excellency the Lieutenant Governor agreeable to the Report of the Committee.

Ordered, That the Bill relative to the Naval Office, as passed in the Committee be engrossed and read a third Time To-morrow.

On Motion of Major Barclay, resolved, that an humble Address be presented to his Excellency the Lieutenant Governor, praying, that he would be pleased to suspend the Honorable Isaac Deschamps and James Brenton, Esquires, from their Offices as Justices of his Majesty's Supreme Court until his Majesty's Pleasure shall be known on the Articles of Impeachment, which have been sustained by this House, and are to be transmitted for his Most Gracious determination, and thereupon

Ordered, That Major Barclay, Mr. Wilkins, and Col. Lawrence be a Committee to prepare such Address.

Resolved, That the House will To-morrow go into Committee upon the Government Estimate for the Year 1790.

The House then adjourned till To-morrow Ten of the Clock.

Friday 9th April, 1790.

PRAYERS.

The Bill, intituled, *an Act for regulating the Naval Office, and for ascertaining of the Fees thereof*; and also the Bill, intituled, *an Act for altering and adding to the Times appointed for holding a Court of Common Pleas and the General Sessions of the Peace in the Town and County of Shelburne*, being engrossed, were read a third Time and passed.

Ordered, That the Clerk do carry the above Bills to his Majesty's Council, and desire their Concurrence to the same.

Mr. Wallace pursuant to Order of Yesterday, reported from the Committee, and presented the Draft of an Address to his Excellency the Lieutenant Governor on the subject of the Fees taken at the Custom-House, which was read a first and second Time, agreed to, and is as follows:

TO HIS EXCELLENCY

J O H N P A R R, Esquire.

Lieutenant Governor and Commander in Chief, in and over His Majesty's Province of Nova-Scotia and its Dependencies, Vice Admiral of the same, &c. &c. &c.

The humble Address of the Representatives of the Province of Nova-Scotia in GENERAL ASSEMBLY, convened.

May it please your Excellency,

“ THE House of Assembly having taken into their serious Consideration, the various and repeated Complaints laid before them during the present, and former Sessions of Assembly, stating
“ the

Address to be presented to his Excellency for the Suspension of the Justices of the Supreme Court.

Bill relative to the Naval-Office, and the Bill for altering times of holding Court of Common Pleas &c. at Shelburne, passed & sent to the Council.

Address to his Excellency on subject of the Fees taken at Custom-House, presented.

“ the Hardships and Burthens, which the fishing and the coasting
 “ Trade of the Province labour under, in consequence of the Re-
 “ gulations for Entering and Clearing small Boats and other coast-
 “ ing Vessels, and the Fees exacted from them by the Officers of his
 “ Majesty’s Customs; which the House conceive to be a Grievance,
 “ and altogether unnecessary, either for the Protection of the Re-
 “ venue or Regulation of Commerce, and a very great check to the
 “ Industry of the Inhabitants and the Advancement of the Trade and
 “ Agriculture of the Province in general.

“ They therefore humbly pray, that your Excellency may be
 “ pleased to direct the Collector of his Majesty’s Customs to lay be-
 “ fore the House for their Information, a Copy of the general Table
 “ of Fees as established by the late Commissioners of the Customs
 “ in *America*, and they further pray, that your Excellency would be
 “ pleased to recommend it to the principal Officers of his Majesty’s
 “ Customs to confer with a Committee of the House on the subject
 “ of such a Reform in the Custom House with respect to the fishing
 “ and coasting Trade, as may afford an immediate and effectual Re-
 “ medy for the hardship complained of, and future Encouragement
 “ for the Industry of His Majesty’s Subjects throughout the Pro-
 “ vince.”

Mr. *Wilkins* also reported from the Committee, and presented a
 Draft of an Address to his Excellency the Lieutenant Governor on
 the subject of suspending the Justices of his Majesty’s *Supreme Court*,
 which was read a first and second time, agreed to, and is as follows :

Address to his Ex-
 cellency to sus-
 pend the Justices of
 the *Supreme Court*,
 presented.

To HIS EXCELLENCY

J O H N P A R R, Esquire.

Lieutenant Governor and Commander in Chief in and over His
 Majesty’s Province of *Nova-Scotia*, and its Dependencies, Vice
 Admiral of the same, &c. &c. &c.

*The humble Address of the Representatives of the Province of NOVA-SCOTIA
 in GENERAL ASSEMBLY, convened.*

May it please your Excellency.

“ THE *House of Assembly* having sustained seven Articles of Im-
 “ peachment against the Honourable *Isaac Deschamps* and
 “ *James Brenton*, Esquires, Justices of his Majesty’s *Supreme Court* for
 “ high Crimes and Misdemeanors in Office, and having on Tuesday
 “ last presented your Excellency with Copies of two of those Articles,
 “ and at the same Time informed your Excellency, that the Remain-
 “ der should be delivered, as soon as engrossed, did on that day re-
 “ quest your Excellency to suspend the said *Isaac Deschamps* and *James*
 “ *Brenton*, Esquires, from their Office as Judges until his Majesty’s
 “ Pleasure should be known on those Articles.—The House are sorry
 “ to observe, that those Justices are still permitted to exercise their

“ usual

“ usual Jurisdiction, and to have Cognizance of Causes both civil and
“ criminal.

“ Impeached as they the said *Isaac Deschamps* and *James Brenton*,
“ Esquires, now stand by all the Commons of *Nova Scotia* for high
“ Crimes and Misdemeanors, the *House of Assembly*, beg leave to re-
“ present to your Excellency the Impropriety of suffering those
“ Judges to act in, or execute the said Office, until they shall have
“ been duly tried and acquitted of the Crimes, with which they are so
“ solemnly charged.

“ The Duty the House owes to their Most Gracious Sovereign,
“ your Excellency, themselves, and his Majesty’s Subjects in this
“ Province, compels them again to request your Excellency will be
“ pleased to suspend those Judges from their said Offices until his Ma-
“ jesty’s Pleasure shall be known, as well thereon, as on the Arti-
“ cles of Impeachment to be transmitted for his Royal Pleasure and
“ Determination.

“ Nothing but a Sense of our Duty, and the fullest Conviction of
“ the Necessity of the measure would have induced us again to
“ trouble your Excellency. Whatever the Event may be, we trust,
“ we shall stand acquitted from every Degree of Neglect or Censure
“ on so important an Occasion.”

Ordered, That the two Addresses above-mentioned be engrossed.

The Addresses to his Excellency the Lieutenant Governor, being
engrossed, the Speaker informed the House, that his Excellency
would be ready to receive them immediately.

Resolved, That the House do attend his Excellency accordingly.

The Speaker and the House waited upon his Excellency the Lieu-
tenant Governor.

The House being returned,

The Speaker resumed the Chair and *reported*, that the House had
waited upon, and presented his Excellency with the Address, relative
to the Justices of his Majesty’s *Supreme Court*, to which Address his
Excellency was pleased to give the following Answer :

“ GENTLEMEN,

“ I have read the Papers you have submitted to me, relative
“ to your Proceedings against the Justices of the *Supreme Court*, and
“ not chusing to act myself on so important a Matter, I have submit-
“ ted those Papers for the Consideration of his Majesty’s Council, and
“ received their Advice against the Suspension of the Justices of the
“ *Supreme Court*, until his Majesty’s Pleasure shall be known re-
“ lative thereto. I cannot therefore comply with your Request.

“ And have the Honor to be

“ GENTLEMEN,

“ Your most obedient humble Servant

J. P A R R,

The Speaker also *reported*, That he had presented to his Excel-
lency the Address of the House relative to the Custom House, which
Address

House wait upon
his Excellency with
their Addresses.

His Excellency’s
answer to Address
relative to the Jus-
tices of the *Supreme
Court*.

Excellency was pleased to receive, and say he would take it into Consideration.

The Order of the Day being read.

The House *resolved* itself into a Committee on the Government Estimate.

The House resolve itself into Committee upon Government Estimate.

The Speaker left the Chair,

Mr. Pyke took the Chair,

The Speaker resumed the Chair to receive a Message from his Excellency the Lieutenant Governor with a Letter directed to him from his Excellency, which was read and is as follows :

Message from his Excellency with a letter to the Speaker relative to the Custom-House.

S I R,

“ INCLOSED I send you a Table of Fees taken by the Collector, and other Officers of his Majesty’s Customs, agreeable to the Address of the *House of Assembly* this Morning.
“ And inclosed I also send you the Collector’s Letter upon that Subject.

“ I have the Honor to be

“ S I R,

“ Your most Obedient Humble Servant.”

J. PARR.

The Table of FEES being read, is as follows :

	Collectors	Comptrollers	Surveyors and Searchers.	Waiters.
	Sterling.	Sterling.	Sterling.	Sterling.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.
For the general Entry or clearance of vessels to and from Europe, Asia, Africa, the West-Indies and Foreign ports,	0. 13. 6.	0. 6. 9.	0. 6. 9.	0. 1. 6.
For the general Entry or clearance - of vessels to and from Quebec, New-Brunswick, Newfound- land, &c.	0. 9. 0.	0. 4. 6.	0. 4. 6.	0. 1. 0.
For the Entry of vessels or clearing from or to Cape-Breton, Island of St. John, & Bay of Fundy,	0. 4. 6.	0. 2. 3.	0. 2. 3.	0. 0. 6.
For vessels coastwise from Cape- Sable or Cape Canso, or vessels to fish on the coast,	0. 3. 0.	0. 1. 0.	0. 1. 0.	0. 0. 1.
For shallops decked and register- ed coastwise inward or outward	0. 1. 6.	0. 0. 9.	0. 0. 9.	0. 0. 0.
For reports inwards and outwards Foreign vessels,	0. 1. 8.	0. 0. 5.	0. 0. 5.	0. 0. 0.
For a cocket, - - -	0. 2. 0.	0. 1. 0.	0. 1. 0.	0. 0. 0.
For Bonds, - - -	0. 1. 8.	0. 0. 5.	0. 0. 5.	0. 0. 0.
For Certificate to cancel bonds, &c.	0. 2. 0.	0. 1. 0.	0. 1. 0.	0. 0. 0.
For sufferances to load or unload Foreign trade.	0. 1. 8.	0. 0. 5.	0. 0. 5.	0. 0. 0.
For cancelling, bonds, - -	0. 0. 9.	0. 0. 4½.	0. 0. 4½.	0. 0. 0.
For a Bill of stores and list of men for Foreign trade,	0. 1. 8.	0. 0. 5.	0. 0. 5.	0. 0. 0.
For anchorage of vessels from Foreign Parts,	0. 2. 0.	0. 2. 0.	0. 2. 0.	0. 0. 0.
For the registry of a vessel, certi- ficate thereof, bonds and oaths, for owner and master,	0. 13. 0.	0. 4. 4.	0. 0. 0.	0. 0. 0.
For indorsing a new owner or mas- ter, or recording a register.	0. 2. 2.	0. 1. 1.	0. 0. 0.	0. 0. 0.

N. B. Open Boats bringing Wood, Roots, and other produce of the Province to this Port pay no Fees.

The above Fees were taken from the first Establishment of the Officers here, commencing upwards Seventy Years ago, according to Fees taken at other Ports in America, and were under the consideration of the American Board of Commissioners, as well as the Commissioners in London, and the several Officers appointed since at Quebec, New-Brunswick, Shelburne, Cape-Breton and Island St. John, take the like Fees, and is Authorized to be taken by an Act passed in the 5th Year of His present Majesty.

The Collectors Letter to his Excellency was also read, and together with the above Table of Fees, were Ordered to lie on the Table.

The House went again into Committee upon the Government Estimate.

Mr. Pyke took the Chair,
The Speaker resumed the Chair.

The Chairman, *reported*, from the Committee, that they had made some Progress in the Matter to them referred, and prayed leave to sit again To-morrow, which Report the House agreed to, and thereupon

Report on Government Estimate.

Resolved, That the House will To-morrow go into Committee upon the further Consideration of the Government Estimate.

Then the House adjourned till Monday at Ten of the Clock.

Saturday 10th April, 1790.

PRAYERS.

The Order of the day Being read,

The House went into Committee on the further Consideration of the Government Estimate,

The Speaker left the Chair,
Mr. Pyke took the Chair,

The Speaker resumed the Chair, to receive a Message from his Majesty's Council with the following Resolves, agreed to,

The Resolve in Favor *James Moody's* and others.

- Do. Do. *William Forsyth,*
- Do. Do. *Matthew Hutchins,*
- Do. Do. *Jotham Blanchard,*
- Do. Do. The Sheriff of *Queen's County,*
- Do. Do. *Richard Kidston, William Mott,*
And *John and Edward Kerby.*

House resolve itself into Committee on Government Estimate.

Resolves agreed to by the Council.

Also the Bill for altering and adding to the Times appointed for holding the Court of Common Pleas and General Sessions of the Peace in the Town and County of *Shelburne,* agreed to, and also the Bill relative to *Wills, Legacies, &c.* sent down with Amendments, which Bill with the Amendments were read, and thereupon

Also Bill relative to Inferior Court, &c. at *Shelburne,* and Bill relative to *Wills, Legacies with Amendments.*

Ordered, that Major *Barclay,* Major *Milledge* and Mr. *Belcher* be a Committee to confer with his Majesty's Council upon the Amendment proposed by them to the above Bill.

Committee of Conference appointed.

Major *Barclay* reported the Substance of the Conference with the Council on the Subject of the Bill relative to *Wills, Legacies, &c.* and thereupon the said Amendments were agreed to, and the Bill Amended passed, and sent back to the Council.

Bill relative to *Wills, Legacies &c.* sent back to the Council.

The House went again into Committee,
Mr. Pyke the Chair,

The Speaker resumed the Chair to receive a Message from His Majesty's Council, requesting a Conference by Committee on the Bill relative to the *Naval Office,* and thereupon

Conference requested by Council on *Naval Office Bill.*

Ordered

Ordered, That the former Committee appointed to confer upon the Business of the Naval Office to attend and confer accordingly.

Bill relative to Wills and Legacies &c. agreed to by the Council.

A Message was received from his Majesty's Council with the Bill, intituled, *an Act in Amendment of an Act*, intituled, an Act relating to Wills, Legacies and Executors, and for the settlement and Distribution of the Estates and Intestates, and to enable Executors and Administrators the more speedily to settle the Estates of the Deceased, Agreed to,

Conference on Naval Office Bill reported.

Mr. *Wallace* stated to the House the Substance of the Conference with his Majesty's Council on the Bill for *regulating the Naval Office*,

The House went again into Committee,

Mr. *Pyke* took the Chair,

The Speaker resumed the Chair,

The Chairman *reported* from the Committee, that they had come to the following Resolutions.

Resolved, That the Treasurer do give Credit to the Collector of *Shelburne* in Account for four Warrants, amounting to One Hundred and Twenty five Pounds one Shilling and Eleven Pence, paid in by him; which Warrants are dated previous to the first Day of *July* last.

Resolved, That the Sum of Twenty Pounds be granted, and paid, to Mr. *Benjamin Belcher*, to replace the like Sum he has expended for completing the Repairs of the main Road, leading from the Township of *Cornwallis* to *Alysford*.

Committee of the House report proceedings.

Resolved, That the Sum of £.20. 10. 7. be granted and paid to *Anthony Henry Printer*, in full for Stationary supplied by him for the use of the *House of Assembly*, and the Commissioners of his Majesty's Revenue for the Year 1789, per Account.

Resolved, That the Sum of £.200. be granted and paid, to the Justices in their Sessions for the County of *Shelburne*, to enable them to discharge the very heavy Debt, which that County has incurred in erecting public Buildings, and performing other necessary Services in that County.

Resolved, That the Sum of £.100. be granted and paid to *David Nichols* and others, the Proprietors of the Iron Works at *Nisfour* in the Township of *Annapolis*, for having erected a Bloomery or Forge for the making of Iron.

Agreed to.

The Chairman of the Committee also *reported*, That they had made further progress in the Government Estimate, and prayed leave to sit again, and thereupon the Report and Resolutions as passed in the Committee were severally read, and agreed to,

Order thereon.

Ordered, That the Clerk do carry a Copy of the above Resolutions to his Majesty's Council, and desire their Concurrence to the same.

Resolved, That the House will To-morrow go again into Committee upon the Government Estimate.

Then the House adjourned till Monday at Ten of the Clock.

Monday

Monday 12th April, 1790.

PRAYERS,

According to Order.

The House went into Committee upon the further consideration of the Government Estimate, and other Supplies.

The Speaker left the Chair,

Mr. Pyke took the Chair,

The Speaker resumed the Chair,

The Chairman reported from the Committee, that they had gone through the Estimate, and included the same with several other Resolutions for granting Monies in a Draft of a Bill, intituled, *an Act for applying certain Monies therein mentioned for the Services of the Year 1790, and for appropriating such part of the Supplies granted in this Session of the General Assembly, as are not already appropriated by the Laws or Acts of the Province*; which Draft the Chairman delivered to the House.

The Chairman also reported, that the Committee had agreed upon a Draft of a Bill to provide a suitable Place for the General Assembly and King's Courts to sit in, and for other public Purposes; also for disposing of the Building, wherein the General-Assembly now sits, and for adjusting the Debt due from the Province to the public School at Halifax; which Draft the Chairman also delivered to the House, and thereupon the Report of the Committee was agreed to, and the Drafts of the Bills as passed by them, read a first and second Time, and

Ordered, That they be engrossed, and read a third Time To-morrow

On Motion of Major Barclay, ordered, that Major Barclay, Mr. Wilkins, and Mr. Marchinton, be a Committee to confer with a Committee of his Majesty's Council on the subject of sending to Great Britain two Gentlemen for the Purpose of soliciting Benefactions for erecting and endowing a College at Windsor in this Province.

The Committee appointed to confer with the principal Officers of his Majesty's Customs on the subject of the fishing and coasting Trade, reported as follows,

That the Committee had accordingly held a Conference with the principal Officers of the Customs, who very readily laid before the Committee the Authorities and Instructions, which regulate their Conduct respecting the Fishing and coasting Trade, by which they conceive it is out of their Power to dispense with their Instructions in the Manner desired by the House. But willing to afford every Ease and Encouragement to coasting Vessels within the District of the Port of Halifax, that may be safe and consistent with their Duty; they will in future give a Passport to each coasting Vessel, trading to the Port of Halifax, to continue in force for three Months, upon paying five Shillings and seven Pence half-penny only, provided the Masters of every such coasting Vessel do make a regular and true Report of their lading every Time they arrive at Halifax, and take out a permit to unload, for which they must pay two Shillings and nine Pence, and when they take on board at Halifax any other lading than Ballast and

House resolve itself into Committee on Government Estimate.

Report proceedings

Agreed to:

Order thereon.

Committee appointed to confer with Council on subject of sending persons to Great Britain to solicit benefactions for College.

Committee appointed to confer with principal Officers of the Customs.

Report.

Stores, they must regularly clear out as heretofore and pay the accustomed Fees.

Ordered, That the Report do lie on the Table.

Bill relative to Light-House on Sambro-Island. &c. and, Also a Bill relative to Naval Office not agreed to.

A Message was received from his Majesty's Council with the Bill, intituled, *an Act in Amendment of an Act for regulating and maintaining a Light House on Sambro Island, and also for extending the Provisions and Clauses in this Act contained to the Light House at Shelburne*, And

The Bill for regulating the Naval Office, and ascertaining the fees thereof, not agreed to.

Likewise sundry Resolves, agreed to.

And also with the following Resolves, agreed to, viz.

The Resolve in Favour of *David Nichols* and others.

The Resolve in favour of *Anthony Henry*.

The Resolve in Favour of the Magistrates of *Shelburne*.

The Resolve in Favour of *Benjamin Belcher*, and

The Resolve in Favour of Collector of *Shelburne*.

Committee of Conference appointed by the Council.

A Message from his Majesty's Council informing the House, they had appointed a Committee to confer upon the subject of sending two Persons to *Great-Britain*, relative to the College, agreeable to the Request of the House.

Ordered, That the Committee attend accordingly, and like wise confer upon the present state of the Light-House.

House resolve itself into Committee on State of Naval Office and Light-House.

On Motion the House *resolved* itself into Committee upon the present State of the Naval-Office, and the Light-House on *Sambro-Island*.

The Speaker left the Chair,

Mr. *Pyke* took the Chair,

The Speaker resumed the Chair,

Committee report.

The Chairman *reported* from the Committee, that they were of Opinion, that the House should wait upon his Excellency the Lieutenant-Governor, and confer upon the above Business relative to the Naval-Office and Light-House, which Report the House agreed to, and thereupon

Resolution thereon.

Resolved, That the House do wait upon his Excellency accordingly, at such Time as he may be pleased to appoint for that Purpose, and that the Speaker do acquaint his Excellency therewith.

Major *Barclay*, *reported* from the Committee, and stated the Substance of the Conference with the Council.

The Speaker *reported* to the House, that his Excellency was ready to receive them immediately.

House attend upon his Excellency the Lieutenant-Governor.

The House attended accordingly.

The House being returned,

Speaker report.

The Speaker resumed the Chair, and *reported*, that the House had waited upon his Excellency the Lieutenant Governor, and conferred with him upon the present State of the Naval-Office, and Light-House on *Sambro-Island*, and that his Excellency was pleased to say he would take such Steps therein as in his Opinion would be adequate to accomplish the Wishes of the House.

Then the House adjourned till to To-morrow Ten of the Clock.

Tuesday 13th April, 1790.

PRAYERS.

The Bill to provide a suitable Place for the General-Assembly and King's Courts to sit in, and for other public Purposes, also for disposing of the Building wherein the General-Assembly now sits, and for adjusting the Debt due from the Province to the public School at Halifax, being engrossed, was read a third Time and passed.

Bill to provide a suitable place for the General Assembly to sit again &c.

passed and sent to the Council.

Ordered, That the Clerk do carry the above Bill to his Majesty's Council, and desire their Concurrence to the same.

On Motion of Mr. Wilkins, resolved, that there be furnished to each of the Justices of his Majesty's Supreme Court a Copy of the Articles of Impeachment sustained against them, which have passed this House, and are to be presented to his Excellency the Lieutenant Governor for his Majesty's Consideration.

Justices of Supreme Court to be furnished with Copy of Articles of Impeachment.

A Message from his Majesty's Council, requesting a further Conference on the Subject of sending two Persons to Great-Britain, and thereupon

Ordered, That the Committee of the House do attend accordingly, and that Mr. Morris, be added to that Committee.

Conference with Council on subject of sending persons to Great Britain.

Major Barclay, reported from the Committee of Conference, and stated that they had informed his Majesty's Council, that the House had nominated two of their Members for the above purpose.

The following Message was received from His Majesty's Council.

Message from Council relating to said Business.

That they are of Opinion, that the Person or Persons to be authorized to collect public Benefactions in Great-Britain and Ireland, for building a College in this Province, should be Residents there, nominated by the Lieutenant Governor, the Bishop of Nova-Scotia, and the Bishop of London, but by no Means by the Legislature here, as that would subject the Province to a Claim for the Expences, and be in other Respects very improper.

A Message from the Council requesting a conference by Committee on the Bill for establishing a free School at Halifax, sent up for Concurrence, and thereupon,

Committee appointed to confer on Bill for establishing free School at Halifax.

Ordered, That Mr. Pyke, Mr. Hill and Mr. Sberlock be a Committee to confer accordingly.

Mr. Day moved, That the House should direct the Speaker to request the Agent of the Province to assist John Cunningham, Esquire in his Application for Payment of certain Monies by him expended, and certain Services by him rendered, as Superintendant of Indians in this Province, if the Agent should be of opinion that such Claim can be made with propriety, which being seconded, and put, and the House dividing thereon there appeared,

Motion relative to John Cunningham's Claims for disbursements on account of Indians.

For the Motion 15.

Against it 8.

Mr. Fillis,

Mr. M^cMonagle,

Mr. Dickson,

Mr. Wilkins,

Major Barclay,

Col. Lawrence,

For

For the Motion 15.

- Capt. White,*
- Mr. Poole,*
- Major Crane,*
- Mr. Archibald,*
- Mr. Day,*
- Mr. Morris,*
- Col. Perkins,*
- Major Millidge,*
- Mr. Pyke*
- Mr. Sberlock,*
- Mr. Hill,*
- Mr. Marchinton,*

Against it 8.

- Mr. Dight,*
- Mr. Schwartz,*
- Mr. Noribup,*
- Mr. Belcher,*
- Mr. Collins,*

Conference with Council on subject of free School Bill reported.

Mr. Pyke stated the Substance of the Conference with the Council upon the Bill for *Establishing a free School at Halifax*, and also reported to the House sundry Amendments proposed by them to said Bill, which Amendments were read and rejected.

Committee appointed to know whether the Lieutenant Governor would meet the House in Council.

Resolved, That a Committee be appointed to wait upon his Excellency the Lieutenant Governor to know whether it is his Excellency's Pleasure to meet the House this day in Council.

Report of the Committee.

Resolved, That Major Millidge, Mr. Day, and Mr. Marchinton be a Committee for that purpose.

Major Millidge, reported to the House, that the Committee had waited upon his Excellency, and that he was pleased to say, it was not his Intention to meet the House To-day.

Bill to provide a suitable place for General Assembly to sit in &c. from the Council with Amendments.
Order thereon.

A Message was received from the Council with the *Bill to provide a suitable Place for the General Assembly to sit in, &c.* sent down with Amendments, which were read, and thereupon

Ordered, That Mr. Pyke, Mr. Marchinton and Mr. Schwartz, be a Committee to confer with the Council upon the above Bill.

Then the House adjourned till To-morrow Twelve of the Clock.

Wednesday 14th April, 1790.

PRAYERS.

Bill to provide a suitable place for the General Assembly to sit in &c. divided into two Bills.

It was *Moved*, that the Bill, intituled, *an Act to provide a suitable Place for the General-Assembly and King's Courts to sit in, and for other public Purposes, also for disposing of the Building wherein the General Assembly now sits and for adjusting the debt due from the Province to the public School at Halifax*, which was sent down from his Majesty's Council yesterday with Amendments, should be divided into separate Bills, and the same was accordingly *ordered*, and being made into two Bills the Titles of which are as follows, viz.

Bill to authorize Commissioners to dispose of General Assembly House.

A Bill to authorize certain Commissioners to dispose of the House wherein the General Assembly now sits, and also to adjust the Debt due from the Province to the public School at Halifax,

And

And a Bill to *provide a suitable place for the General Assembly and King's Courts to sit in, and for other public Purposes.*

Also a Bill to provide a suitable place for General Assembly &c. passed.

The said Bills were read, passed and *ordered*, to be sent to his Majesty's Council for their Concurrence.

Committee appointed to deliver Bills and confer with the Council thereupon.

Ordered, That the Committee appointed Yesterday, to confer with his Majesty's Council on the subject of the foregoing Bill, do take said Bills and deliver them to the Committee of Council, and inform them the reasons why the House have divided said Bill agreeable to the request of the Council.

Ordered, That said Committee do also confer with his Majesty's Council on the Subject of the Bill for establishing a free School at *Halifax*.

Mr. *Pyke*, reported from the Committee of Conference, that they had delivered the Bills to a Committee of his Majesty's Council, and had explained the Nature thereof to such Committee.

Committee report

Mr. *Pyke* pursuant to leave, presented a Bill to amend the Act, intitled, *an Act for appointing Firewards and ascertaining their Duty and preventing Thefts and Disorders at the time of Fire*, and also in *Amendment or Addition to said recited Act, and to extend the several Provisions therein contained to the Town of Shelburne*, which was read a first and second Time, *ordered* to be engrossed and read a third Time.

Bill in Amendment of Fireward Act &c. read 1st and 2d time

The above Bill being engrossed, was read a third time and passed,

Passed and sent to the Council.

Ordered, That the Clerk do carry the Bill to his Majesty's Council, and desire their Concurrence to the same,

Major *Millidge*, moved, That a Committee should be appointed to confer with his Excellency the Lieutenant Governor to request him to agree with this House, in sending two fit and proper Persons to *Great Britain* to assist the Agent of the Province in collecting Benefactions for the purpose of erecting and endowing a College in this Province, which passed in the affirmative and thereupon. *Ordered*, That Mr. *Wilkins*, Major *M^rNiel*, Major *Millidge*, Col. *Perkins*, and Mr. *M^rMonagle* be a Committee for that Purpose.

Committee appointed to confer with His Excellency the Lieutenant Governor, upon sending persons to Great Britain to collect benefactions for the College.

Mr. *Wilkins*, reported, that the Committee had waited upon his Excellency the Lieutenant Governor agreeable to the foregoing Resolution, and that his Excellency had expressed a wish to Consult his Majesty's Council relative to the Business of the College.

Committee report Conference.

A Motion was made, that an humble Address should be presented to his Excellency the Lieutenant Governor relative to the Naval Office which was agreed to, and the following Address presented which being twice read, was *ordered* to be engrossed.

To His EXCELLENCY

J O H N P A R R, Esquire.

Lieutenant Governor and Commander in Chief, in and over His Majesty's Province of Nova-Scotia and its Dependencies, Vice Admiral of the same, &c. &c. &c.

The humble Address of the Representatives of the Province of Nova-Scotia in GENERAL ASSEMBLY, convened.

May it please your Excellency,

Address to his Excellency relative to the Naval Office reported:

“ THE *House of Assembly* having had under their Consideration the various Petitions preferred to them relative to the Naval Office, and having fully heard the Clerk of the Naval Office in justification of his Conduct and examined the Powers of said Office, as well as the Laws relating thereto have come to a Variety of Resolutions on that subject, and we should think ourselves negligent in the highest Degree did we not take the earliest Opportunity to inform your Excellency, that the Grievances and Oppressions, which his Majesty's Subjects in this Province have for a length of time laboured under from the Exactions of the Naval Office are of so extraordinary a Nature, that the Fishing and Coast- ing Trade of the Province is almost totally annihilated thereby.— The Grievances, which the People of this Province labour under on this Occasion are of such a nature that they can be no longer endured.

“ We therefore humbly pray, that your Excellency will be pleased to take this business in your immediate Consideration and by Proclamation, to direct the Naval Office no longer to exact Fees of any Kind whatsoever from fishing Vessels, Market Boats or Vessels of any kind going coastwise with the Produce of the Province or other Articles legally cleared from his Majesty's Custom Houses, or to oblige such Vessels to have recourse to such Office, and that your Excellency will be pleased to suffer the Naval Office to exact no Fees whatsoever from the other Trade of the Country for any Services, except such as your Excellency with the Advice of his Majesty's Council, shall appoint, and that such Fees shall be exacted only at such Ports and Places as Custom Houses, either now are, or hereafter shall be appointed : And the House humbly request your Excellency to use every Means in your Power to obtain his Majesty's Consent for the Total Abolition of such Office.

“ The *House of Assembly* having ever found your Excellency ready to redress the Grievances of his Majesty's Subjects have full Hope and Confidence, that you will take such Measures on this Occasion, as will effectually prevent the Inhabitants of a Province ever distinguished for their Loyalty from being driven to despair by a series of Oppression, which they are no longer able to endure.”

Committee appointed to present Address.

The foregoing Address being engrossed, passed the House, and was ordered to be presented by the following Members to wit, Mr. Schwartz, Mr. Marchinton, Capt. White, Mr. Collins and Mr. Sberlock.

A Message was received from his Majesty's Council with a Bill intituled, an *Act to authorise certain Commissioners to dispose of the Building wherein the General Assembly now sits*, and also to adjust the Debt due from the Province to the public School at Halifax, also a Bill, intituled, an *Act to provide a suitable place for the General Assembly and King's Courts to fit in*, and for other public Purposes. Agreed to.

Bill to authorize Commissioners to dispose of General-Assembly House, also, Bill to provide a suitable Place for General-Assembly, &c.

A Message from his Majesty's Council with the Bill, intituled, an *Act to amend the Act*, intituled, an *Act*, for appointing Firewards and ascertaining their Duty, and preventing Thefts and Disorders at the Time of Fire, and also in Amendment or Addition to said recited Act, and to extend the several Provisions therein contained to the Town of *Shelburne*. Agreed to.

And also Bill in Amendment of the Fireward Act, &c. agreed to by the Council.

Mr. *Schwartz*, reported, That the Committee had waited upon his Excellency the Lieutenant Governor, and presented to him the Address, relative to the Naval Office, that his Excellency was pleased to receive the same, and say it should have his immediate Consideration.

Address to his Excellency relative to Naval-Office, presented.

The House then adjourned till To-morrow One of the Clock.

Thursday 15th April, 1790.

PRAYERS.

A Message was received from his Excellency the Lieutenant Governor, by the Deputy Secretary of the Province, which was read, and is as follows :

“ GENTLEMEN,

“ **I**N Answer to your Address on the Subject of the Naval Office, I am to inform You, That, to relieve the coasting Trade from the Grievances complained of as far as is in my Power, I have ordered his Majesty's Fourth Instruction, which relates to the Ports, where Naval Offices are to be placed, to be sent to the Naval Officer, with Directions to him to recall immediately his Deputies from all other Ports and Places within the Province, except *Halifax*, and *Shelburne*.

Message from his Excellency the Lieutenant-Governor in Answer to Address.

“ And I am further to inform You, that I shall transmit your Address to his Majesty's Ministers, that such other Relief may be afforded, as I hope will effectually ease the Coasters and Fishermen from the Hardships they labour under.”

J. PARR.

Then the House adjourned till To-morrow Eleven of the Clock.

Friday 16th April, 1790.

PRAYERS.

The Speaker having this day received several Letters from Mr. *Cumberland*, the Provincial Agent, in answer to the Speaker's Correspondence with him, the same were presented, to the House and read for their information :

Letters from the Agent to the Speaker read:

“ WHEREAS

“ WHEREAS it is expedient and necessary, that some Provision should be made for the erecting and endowing a College at *Windsor*, and as the resources of this Province are at present inadequate to those important Purposes.”

Resolutions relative to the College at *Windsor*.

Resolved, That *Isaac Wilkins* and *Elisha Lawrence*, Esqrs. be appointed, and authorized by this House to Act in conjunction with the Agent of the Province, and such other Person or Persons as his Majesty’s Council or the Governors of the College shall think fit to nominate in Addition to them for the Purpose of applying for a Parliamentary Grant, and soliciting private Benefactions in *England*, *Scotland* and *Ireland*.

Resolved, That in Case the Governors of the College do approve of the foregoing Measures, the Speaker do furnish such Members with proper Credentials to enable them to undertake that Business.

Then the House adjourned till To-morrow Ten of the Clock.

Saturday 17th April, 1790.

PRAYERS.

A Message was received from his Excellency the Lieutenant Governor, which was read, and is as follows.

Message from his Excellency relative to the Naval-Office

“ GENTLEMEN,
“ SINCE my last Message to you on the subject of the Naval Office, I have taken the Opinions of the Attorney and Solicitor General, which I now send you for your better Information, and I shall also direct their Opinions to be transmitted to the Naval Officer for his future Government in Office.”

J. PARR.

A stated Case from his Excellency the Lieutenant Governor addressed to the Attorney and Solicitor-General, together with their Opinions thereupon, were also received with the above Message, read, and are as follows:

HALIFAX, 16th April, 1790.

Case to the Crown Officers,

Opinions of Crown Officers respecting said Office.

“ DO any of the Acts of Parliament made for regulating the Trade in the Plantations, require Vessels carrying only the Produce of the Province from one Port thereof to another, or that go out to Fish on the Coast to enter and clear at the Naval Office.”

J. PARR.

To His Majesty’s Attorney and }
Solicitor General. }

I AM of Opinion, That British Vessels owned and navigated according to Law, are not obliged to enter and clear at the Naval Office on such Voyages or Trips.

S. S. BLOWERS,
Attorney General.

I am

I AM of Opinion, that there is no Act of Parliament, that requires
Vejel. of the foregoing Description to enter or clear at the Naval-Office.

Crown Officers
Opinions relative
to Naval-Office.

RICH. JOHN UNIACKE.

Solicitor-General.

A Bill, intituled, an Act for applying certain Monies therein mentioned
for the Services of the Year 1790, and for appropriating such Part of the
Supplies granted in this Session of the General Assembly, as are not already
appropriated by the Laws or Acts of this Province, was read a third
Time and passed,

Appropriation Bill
for Year 1790,
passed and sent to
the Council.

Ordered, That the Clerk do carry the Bill to his Majesty's Council,
and desire their Concurrence to the same.

Then the House adjourned till Monday at one of the Clock.

Monday 19th April, 1790.

PRAYERS.

A Message from his Majesty's Council requesting a Conference by
Committee upon the subject of the Appropriation Bill, and thereupon

Ordered, That Major Barclay, Col. Lawrence and Mr. Wallace be
a Committee for that Purpose, and that they do attend accordingly.

Conference re-
quested by Council
on above Bill.
Order thereon.

Major Barclay, reported from the Committee, and stated the Sub-
stance of the Conference with the Committee of his Majesty's Council.

Conference with
the Council,
reported.

Then the House adjourned till To-morrow Twelve of the Clock.

Tuesday 20th April, 1790.

PRAYERS.

The Committee of Conference conferred again with his Majesty's
Council upon the Appropriation Bill, and Major Barclay stated to the
House the Substance of such Conference, which being considered, and
thereupon

Further Conference
with Council,
reported.

Resolved, That the Speaker and the House do wait upon his Ex-
cellency the Lieutenant-Governor, and inform him, that on Saturday
last the House had finished their Business, and that their Session being
unnecessarily prolonged to the present Day, is highly injurious to the
Members, and the Province at large.

Resolutions to wait
upon his Excellen-
cy the Lieutenant-
Governor, to in-
form him the House
had finished their
Business and to re-
quest he would put
an End to the Ses-
sion.

Resolved, That the Speaker do request his Excellency to put an
End to the Session, the House having no Business to transact.

The Speaker, reported, that he had informed his Excellency of the
Resolution of the House to wait upon him, and that his Excellency
was pleased to say, he was ready to receive them at the Government
House immediately.

House wait upon
his Excellency.

The House waited upon his Excellency accordingly,

The House being returned,

The Speaker resumed the Chair and reported, that the House had
waited upon, and delivered to his Excellency the foregoing Resolu-
tions; and that he was pleased to say he would take them into im-
mediate Consideration.

On Motion the House resolved itself into a Committee upon the pre-
sent State of the Province, and also to consider what Instructions are
necessary to be given to such Persons as the House may think proper
to send to Great-Britain, to assist the Agent in transacting the Business
of the Province.

House resolve itself
into Committee up-
on the present State
of the Province, &c.

Report.

Mr. Pyke took the Chair,
The Speaker resumed the Chair,
The Chairman reported from the Committee sundry Resolutions; which they House received, and resolved, should be considered To-morrow.

Wednesday 21st April, 1790.

PRAYERS.

Report of the Committee considered.

The House having according to Order considered and agreed to the Report of the Committee of Yesterday, and conceiving it necessary to lay before his Majesty and his Ministers the general State of the Province, thereupon

Resolution thereon.

Resolved, That *Elisha Lawrence* and *Isaac Wilkins*, Esquires, Members of this House be appointed to act in Conjunction with *Richard Cumberland*, Esqr; the Agent of the Province for that Purpose, and that the Speaker be directed to give them the necessary Credentials.

Resolved, That Major *Barclay*, Major *Milidge* and Mr. *Day* be a Committee to draw up Instructions for *Elisha Lawrence* and *Isaac Wilkins*, Esquires, for their Government and Direction.

Major *Barclay*, reported from the Committee, and presented a Set of Instructions agreeable to the Resolution of the House, which were read, agreed to and are as follows, viz.

The House having resolved to depute two of their Members to act as their Agents in *Great-Britain* for the Year ensuing in Conjunction with *Richard Cumberland*, Esqr; the Agent of this Province, and you being nominated and chosen for that Purpose; the following are the Objects to which they think proper to direct your particular Attention.

Instructions to Members deputed to act in behalf of the House in *Great-Britain*, presented.

In the First place you are to assure in the strongest and most respectful Terms our most Gracious Sovereign and his Ministers of the Loyalty and sincere Attachment of this House and the Province they represent to his Royal Person and Government, and of our warmest Gratitude to the parent State for the Protection and Support we have invariably experienced from its Liberality and Favor.

Secondly. You will attend to and endeavour to promote the Success of the several Petitions and Applications made by this House to our most Gracious Sovereign during the present and former Sessions of the *General-Assembly*.

Thirdly. You will lay before his Majesty or his Ministers the several Proceedings of this House during the present Session with the Ground and Motives on which they were adopted.

Fourthly. You will endeavour to ascertain the Powers of the Naval-Officer, the Extent of his Commission, and procure specific Instruction to him for the direction of his Conduct.

Fifthly. You are particularly to attend to, and endeavour to obtain the several Matters recommended to the Agent of this Province by the present Speaker of the House in his Letter to him of the 4th May, 1789. A Copy of which will be delivered to you.

Sixthly. You are to take Copies of the Petition to his Majesty respecting the Justices of his Majesty's *Supreme Court*, the Articles of Impeachment against them, together with the Evidence taken by this House on that Subject, and endeavour to obtain the Adoption of such Measures as will bring the Parties accused to Justice; and in Case you find it necessary, you will faithfully state to his Majesty's Ministers

Ministers the whole Proceedings of this House on the subject from the Year 1787 to the present Session.

Seventhly. You are to correspond with the Speaker of this House, and from Time to Time give him such Information on the several Matters committed to your Charge as to you may appear material to be communicated for the Interest of this Province.

Lastly. Having full Confidence in your Disposition to promote the general Good of the Province, we rely on your Attention to every Circumstance, which may come within your Knowledge during the Continuance of this Trust, which may conduce to benefit the Province. And we do particularly enjoin you in all your Applications to his Majesty or his Ministers fully to express the sincere and steady Loyalty and Affection of his Majesty's faithful Subjects in *Nova-Scotia*, and that you by no Means urge any Measures, which do not fully meet the Approbation of his Majesty's Ministers.

A Message was received from his Majesty's Council with the Appropriation Bill sent down with Amendments, which were read, and thereupon

Resolved, That the Council have no right to amend or alter a Money Bill, and that said Bill so amended by them be thrown under the Table.

Appropriation Bill from Council with Amendments.

Resolution thereon:

Major *Barclay*, moved for leave to bring in a new Bill for appropriating the Revenue, which the House agreed to.

Major *Barclay* pursuant to leave brought in a Bill, intituled, *an Act for applying certain Monies therein mentioned for the Services of the Year 1790, and for appropriating such Parts of the Supplies granted in this Session of the General Assembly as are not already appropriated by the Laws of the Province, and also in Addition to, and Amendment of that part of an Act passed in the Twenty ninth Year of his present Majesty's Reign for funding the Province Debt*, which was read and passed.

Bill for applying monies therein mentioned passed and sent to the Council.

Ordered, That the Clerk do carry the Bill to his Majesty's Council, and desire their Concurrence to the same.

A Message was received from his Majesty's Council with the above Bill sent down with Amendments, and thereupon

Bill for applying monies therein mentioned from the Council with Amendments. Committee appointed to confer thereupon.

Ordered, That Mr. *Wallace*, Mr. *Belcher*, and Mr. *Dight*, be a Committee to confer with the Council upon the same, and that the Council be informed thereof.

A Message was received from his Majesty's Council, informing the House they had appointed a Committee of Conference, and that they were ready to meet the Committee of the House immediately.

Ordered, That the Committee do attend accordingly.

Mr. *Wallace*, reported from the Committee, and stated the Substance of the Conference with the Committee of the Council, and thereupon

Conference in Bill reported.

Ordered, That the Clerk do carry back the Bill to the Council, and inform them, the House adhere to the same as sent up for Concurrence, and therefore request the Council would either agree or disagree to the Bill in the usual Form.

Order thereon.

A Message was received from his Excellency the Lieutenant-Governor, commanding the Attendance of the House in the Council-Chamber.

Message from his Excellency.

The

House attend.

The Speaker and the House attended accordingly, when his Excellency was pleased to give his Assent to the following Bills ;

Bills assented to.

A Bill, intituled, an Act in Addition to an Act made in the fifth Year of the Reign of his present Majesty, intituled, *an Act for the raising Money by Presentment on the several Counties in this Province for the defraying certain County Charges therein mentioned.*

A Bill, intituled, an Act in Addition to an Act to prevent the destroying or defacing Mile-Posts, Mile-Boards, or Mile-Stones, erected or to be erected within this Province.

A Bill, intituled, an Act in Amendment of an Act for the more speedy and effectual collecting such Town Rates and Taxes as may be assessed on the Inhabitants of the Town of *Halifax.*

A Bill, intituled, an Act in Amendment of an Act for regulating the manner of issuing Process and Execution from the *Inferior Court of Common Pleas* for the several Counties in this Province, and for altering the Form of the Summons heretofore used by his Majesty's Justices of the Peace, also in Amendment and declaratory of the Act for the Summary Trial of Actions.

A Bill, intituled, an Act in Amendment of an Act, intituled *an Act for appointing Commissioners of Sewers.*

A Bill, intituled, an Act in Amendment of an Act, intituled, *an Act relating to Wills, Legacies and Executors, and for the Settlement and Distribution of Estates of Intestates, and to enable Executors and Administrators the more speedily to settle the Estate of the Deceased.*

A Bill, intituled, an Act to amend an Act, intituled, an Act for appointing Firewards and ascertaining their Duty, and for punishing Thefts and Disorders at the Time of Fire, also in Amendment of the several Acts made in Amendment or Addition to said recited Act, and to extend the several Provisions therein contained to the Town of *Shelburne.*

A Bill, intituled, an Act to authorize certain Commissioners to dispose of the Building wherein the *General-Assembly* now sits, and also to adjust the Debt due from the Province to the Public School at *Halifax.*

A Bill, intituled, an Act to provide a suitable Place for the *General-Assembly*, and King's Courts to sit in, and for other public Purposes.

A Bill, intituled, an Act for altering and adding to the Times appointed for holding the *Courts of Common Pleas and General Sessions of the Peace* in the Town and County of *Shelburne.*

After which the Speaker read and presented to his Excellency the following Papers, *viz.*

An Humble Address to his Excellency relative to the Justices of his Majesty's *Supreme Court.*

Numbers 1, 2, 3, 4, 5, 6, 8, 9, 10 and 13 Depositions taken on Articles of Accusation against said Justices.

No. I. Containing seven Articles of Impeachment exhibited by the Representatives of the People of *Nova-Scotia* against the Justices of his Majesty's *Supreme Court.*

Also An humble Petition of the House of Representatives of the Province of *Nova-Scotia* in *General Assembly* to the King's Most Excellent Majesty.

Then the Secretary of the Province by his Excellency's Command, declared the *General Assembly* prorogued to Thursday the Fifteenth Day of *July* next, and the same was prorogued accordingly.