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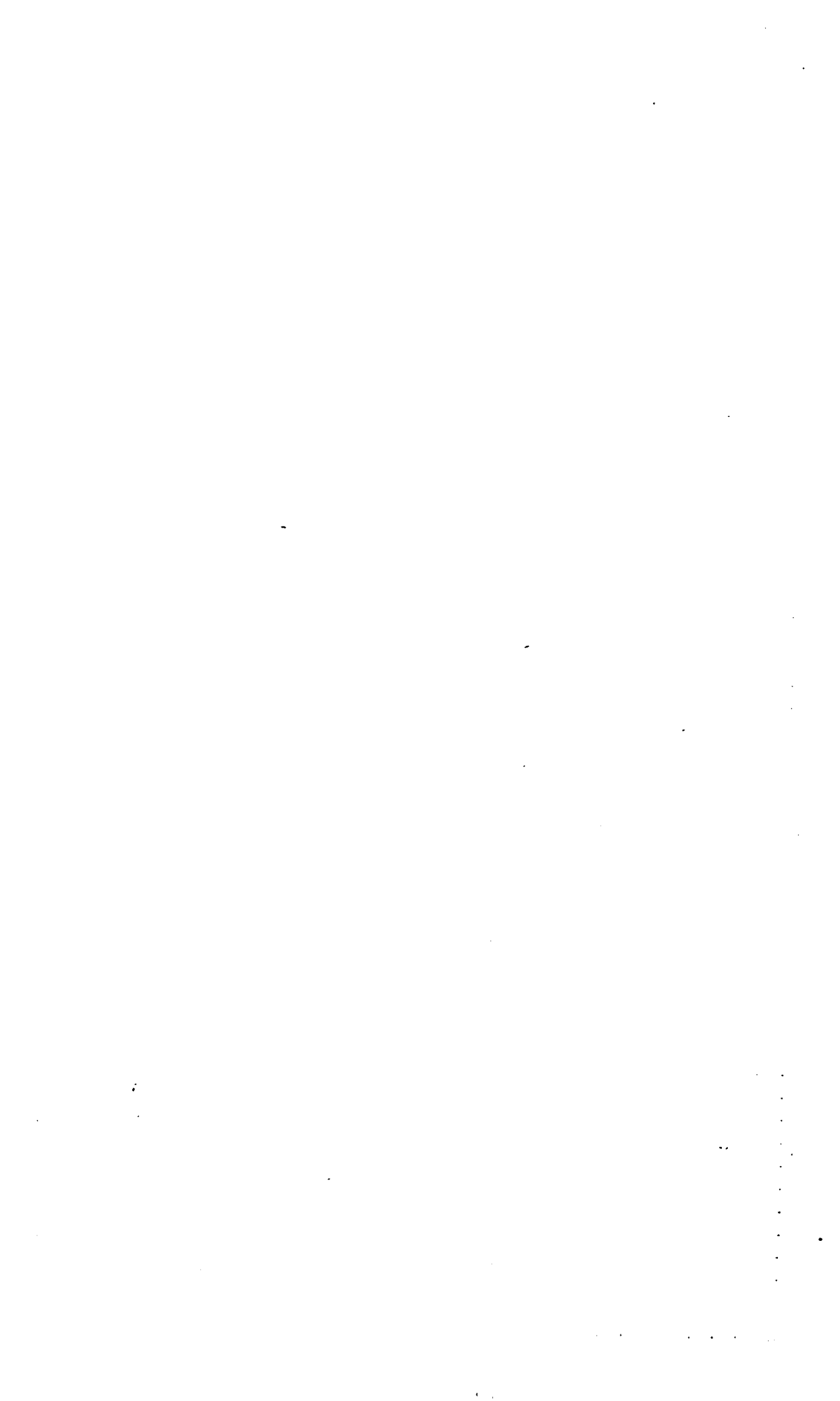
JOURNAL
OF THE
HOUSE OF ASSEMBLY
OF THE
PROVINCE
OF
NEW-BRUNSWICK,

FROM TUESDAY THE 9TH DAY OF DECEMBER, 1828, TO TUESDAY THE 10TH
DAY OF FEBRUARY, 1829.



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FREDERICTON:
PRINTED BY GEORGE K. LUGRIN,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY.
1829.



(L. S.) *By His Excellency Major-General Sir HOWARD DOUGLAS,
Baronet, Lieutenant-Governor and Commander-in-Chief
of the Province of New-Brunswick, &c. &c. &c.*

HOWARD DOUGLAS.

A PROCLAMATION.

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

Given under my Hand and Seal at Fredericton the fifth day of June, in the year of our Lord one thousand eight hundred and twenty-eight, and in the ninth year of His Majesty's Reign.

By His Excellency's Command.

WM. F. ODELL.

(L. S.) *By His Excellency Major-General Sir HOWARD DOUGLAS,
Baronet, Lieutenant-Governor and Commander-in-Chief
of the Province of New-Brunswick, &c. &c. &c.*

HOWARD DOUGLAS.

A PROCLAMATION.

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

Given under my Hand and Seal at Fredericton, the fifth day of September, in the year of our Lord one thousand eight hundred and twenty-eight, and in the ninth year of His Majesty's Reign.

By His Excellency's Command.

WM. F. ODELL.

(L. S.) *By His Excellency Major-General Sir HOWARD DOUGLAS,
Baronet, Lieutenant-Governor and Commander-in-Chief
of the Province of New-Brunswick, &c. &c. &c.*

HOWARD DOUGLAS.

A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to the third Tuesday in December next, and it is expedient that a meeting of the said General Assembly should be sooner held for the Despatch of Business: I have therefore thought fit to summon the said General Assembly, and the same is hereby summoned to meet at Fredericton, on Tuesday the ninth day of December next, *for the Despatch of Business.*

Given under my Hand and Seal at Fredericton, the tenth day of November, in the year of our Lord one thousand eight hundred and twenty-eight, and in the ninth year of His Majesty's Reign.

By His Excellency's Command.

WM. F. ODELL.

JOURNAL
OF THE
HOUSE OF ASSEMBLY
OF THE
PROVINCE OF NEW-BRUNSWICK.

Major-General Sir HOWARD DOUGLAS, Baronet, Lieutenant-Governor.

FREDERICTON,

TUESDAY, 9th December, 1828.

THE House of Assembly having been by several Proclamations prorogued until this day, then to meet for the despatch of business—

The House being met—

A Message was delivered from His Excellency the Lieutenant-Governor, by the Gentleman Usher of the Black Rod, requiring the immediate attendance of the House in the Council Chamber.

The House attended, and being returned,

Mr. Speaker reported, that His Excellency had been pleased to make a Speech to both Houses, and of which he had, to prevent mistakes, procured a copy, which he read to the House, and is as follows:—

“ *Mr. President, and Gentlemen of His Majesty’s Council ;*

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

“ I HAVE called you together at a season which is not, I fear, the most convenient, in consequence of having received an intimation from His Majesty’s Government which gave me every reason to apprehend that at a later period I should be deprived of the pleasure of meeting you in Session, to bring forward some important business which I wish to recommend, in person, to your consideration.

“ In furtherance of those objects, and in your other deliberations for the public good, I have no doubt that I shall continue to receive that assistance from your zeal, wisdom, and loyalty, which I have hitherto had the high satisfaction to experience, in my Administration of the Government of this Province.

“ Although

“ Although the Revenue of the present year may not be quite equal to that of the past, yet, I am happy to have it in my power to say, that in this contingent fluctuation, which may be easily accounted for, there is nothing to apprehend for the future, and that the financial resources of the Country are substantially sound and unimpaired.

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

“ The Treasurer’s Accounts shall be laid before you as soon as they can be prepared : and I rely on your making provision for the ordinary services of the Province.

“ I shall likewise cause to be laid before you, statements drawn up by the person whom I have appointed to examine and report upon the expenditure of the Public Monies.

“ To give the fullest and surest effect to a measure so important, I instructed that Gentleman, not only to make a strict and efficient audit of each and every account of expenditure for the present year, but further to have retrospect to a period at which it appeared material to commence ; and to carry forward, by distinct years, a statement showing the amount of appropriations in each, so to exhibit an accurate and comprehensive view of the state of the expenditure to the present time. Referring to those statements, and in due consideration of the advances and heavy expenses which have been incurred on account of a yet recent calamity, I recommend the expediency of making less liberal appropriations than usual, for some of the extraordinary and other services of the Country, and a rigid observance of economy, until those floating advances are redeemed.

“ *Mr. President, and Gentlemen of His Majesty’s Council ;*

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

“ I am happy to acquaint you that various important operations of internal improvement have made considerable advancement during the present year. Had those retrenchments in the expenditure of the Country, which I now recommend, been suddenly introduced, when the late severe depression occurred, many of the Public Works then under execution must have been suspended, and the Country subjected to great additional distress, from the more general stagnations so thrown upon her internal operations. Being enabled, by a particular arrangement, to keep those works in full activity, I deemed it highly expedient rather to cause them to proceed with increased spirit, than to relax in exertion which I perceived would be highly productive, as well as in other respects beneficial. The effect is apparent ; and in reviewing the past period of depression in the Commercial affairs of the Country, it is highly consolatory to perceive that the liberal grants which you have made, realized and promptly applied as they have been, to the more important Public Works, have effected more than was contemplated, or could, in other times, have been accomplished, with equal means.

“ To Agriculture and the Fisheries, as the main sources of prosperity and wealth, I particularly and earnestly desire always to engage your continued and most serious attention. I am happy to perceive in all quarters of the Province, that the system of Agriculture, in all its branches, continues to make great and visible improvement. The encouragement which you have given to both, has been highly salutary ; but the fruits are still vastly insufficient ; and the Country is paying dearly, and suffering grievously from these deficiencies. These two great branches of industry are intimately and inseparably connected ; for Agriculture is the basis of public wealth. Here they are obviously seeking to go hand in hand, and I present them together for your protection, because an increased cultivation of both is as essential to the commercial prosperity, as it is to the internal well-being of the Country. When enterprise and industry, which it has been, and is your wise policy to direct to those sources, shall have succeeded in rendering them plenteous, articles of Provincial growth and production, will become staple subjects in important and lucrative branches of trade, which are now commencing under inconvenience and difficulty, from these being in defect. Profit to the Merchant, and substantial advantage to the Country, will then more certainly accrue. Capital, accumulating and circulating in the Province, when no longer abstracted, as at present, in its intrinsically valuable part, will further facilitate the pursuits of industry, and render all the internal transactions of the Country, more active and intense. Commerce will then find itself enabled to extend
and

and generalize its operations, with the fairest prospects; and the Province, resting and dealing more securely, upon real and inherent resources, will no longer be exposed to suffer, as she has done, from any external depression that may occur; but which will still be impending over her, from a single cause, so long as she continues to bend her force, so exclusively, on a single pursuit.

“It affords me infinite pleasure to perceive the distinct improvement which has for some time been taking place in the Commercial Affairs of the Mother Country. I congratulate you on this, and on the fair expectation that may be entertained, that this improvement is about to reach those branches of Trade, in which this Province is more immediately concerned. In this favourable conjuncture, which it will behove the Country to meet with discretion and circumspection, it may be well to consider, whether some measures might not be devised for better specifying the technical description, and regulating the manufacture of the great staple production of the Country; so to uphold that important commodity in public estimation and demand, in a degree justly commensurate with its natural good qualities, and due to the facilities with which it may at all times be exported.

“I particularly recommend to your continued liberality, the Institutions of Education and Learning, for which you have hitherto provided. I shall cause to be laid before you some Reports which I have called for upon a very important class of those Institutions, necessary, in themselves, to give a competent degree of classical and other education, to young persons not destined for the learned professions; and essentially so to provide for youth, in the different Counties of the Province, the means of qualifying themselves to enter with advantage, and duly to profit by, that noble Institution which the patronage and munificence of our Most Gracious Sovereign, and the wisdom and liberality of the Legislature of this Province, have enabled me to establish in this Capital. Should it appear, from these Reports, that the Institutions of which they treat, may be rendered more generally and actively beneficial, you will propose whatever your joint wisdom may suggest, for accomplishing so important a purpose.

“I have great satisfaction in acquainting you that, in compliance with my representations, a measure has been adopted by His Majesty's Government, for completing the armament of all the Militia Forces of this Province, without any charge upon its local Funds. I shall have occasion to communicate with you by Special Message, on some arrangements, relating to this important subject. Confident, now, in the full efficiency of an excellent Militia System, to the formation of which my attention has long been devoted, and which you have enabled me to establish, by Law.—Provided with every requisite by which to render that system practically efficient, when necessary; and convinced of the sentiments and spirit which would animate and inspire it for the defence and security of the Country, I congratulate you on the perfection of a measure upon which so much reliance may justly be placed in the day of need; and which, by a judicious exercise of the powers vested in me, will be lightly felt by the People, when no need is. I recommend this system to your continued support, in all its essential provisions.

“The liberal appropriations which you have made for the improvement of the Great Roads, have, in general, been applied to the best advantage. New and important communications have been opened and established, in directions highly essential to the business and convenience of the Province; and others will be brought, in turn, under the same circumspect and substantial principle of management and execution, to such extent as you may consider it suitable to the circumstances of the Country to undertake. In revising the Law, I recommend you to consider of the expediency of introducing some amendment for more effectually regulating, and applying, Statute Labour on the Great Roads; and likewise to reconsider the principle upon which it is assessed in the Country generally, with a view to regulate it according to some scale that may be adapted to the different circumstances of the People.

“I took an early opportunity of bringing under the consideration, of a former Assembly, the expediency of ascertaining the practicability, and probable cost, of opening a water communication across the narrow Isthmus which separates the Gulph of St. Lawrence from the Bay of Fundy. The practicability of such an undertaking has been

been satisfactorily ascertained; but it would not have been prudent for New-Brunswick to take the execution upon herself; and the circumstances of those times were not altogether propitious for bringing it forward on general grounds. But in the present state of the British inter-colonial Trade, the accomplishment of this great project becomes an object of so much national importance, that I have recommended it, in the strongest manner, to the paternal consideration of His Majesty's Government, and to the Governments of the adjoining Provinces. Copies of my communications on this subject, shall be laid before you. Though not to be undertaken solely on New-Brunswick account, this is a measure in which she is most nearly concerned, and which could not proceed without your concurrence. In the documents which have been prepared for your information, you will find reason sufficient to induce you to give to the measure, the fullest consideration; and, without giving any precise pledge, these will incline you to afford whatever conditional contribution may appear to correspond with the particular position and circumstances of this Province, viewed relatively with the general objects of the measure; and with the extent to which New-Brunswick may participate, with the other North American Provinces and the West India Colonies, generally, in a National Work which it may fairly be considered will be beneficial to all.

“The interests of this Province very urgently require your immediate attention to some general measure by which the approach to, and navigation of our Coasts, may be facilitated and rendered more safe, by the establishment of additional Light Houses. I am persuaded that you perceive the absolute necessity, and policy, of providing for a gradual application of these safeguards, in a manner that will admit of devoting to that specific purpose, generally, whatever sums may purport to be levied for this particular object. Such means shall be applied with the utmost care and circumspection, in a manner that will be satisfactory and beneficial to all the navigation, shipping and local interests concerned.

“The several objects which I have thus recommended to your particular consideration, are all essential, and in the nearest and dearest degrees, to your well being and happiness; in a prudent management of your finances, and a judicious application of your income; in providing for the Education and Instruction of youth; an industrious improvement of the internal condition, public and domestic economy of the Province; a spirited cultivation of its natural resources; a discreet and well regulated dealing in that great staple, upon the character of which, the stability and productiveness of one main branch of your external transactions will chiefly depend; and, eminently, upon a fixed and permanent degree of attention, to secure and maintain this Province, as an integral part of the British Empire.

“In the personal observation which I have bestowed upon the local circumstances and natural resources of this Country; and in the studies by which I have endeavoured to qualify myself to execute, to the best of my powers, the duties with which I am intrusted, I find, at every step, much reason to remark, (notwithstanding the great calamity and depression of recent times,) how favored the Land, how fortunate the People, who, with constituents of prosperity such as these, are called to improve them under circumstances so greatly to their own advantage! and I am sure that, first, with devout sentiments of thankfulness to the Almighty Dispenser of all Good, you fully appreciate those blessings, and are grateful for the other advantages you enjoy.

“In a position one of the least remote from the parent State; and remarkably favoured, in productions as well as in localities, for constant and mutually advantageous intercourse with her, and with other of her Colonies.—Protected by her power, and free to participate in the benefits of her extended commerce, which she adapts with special regard to the interests of these Possessions.—With a rich and fertile soil, over which cultivation and its attendant benefits are gradually extending their comforts and their blessings; or, where still in a virgin state, abounding with valuable productions which will long enable this Province to contribute to the commercial and maritime greatness of the Empire, and, at the same time, if properly managed, improve her own condition and enrich herself.—Intersected with Rivers, and other water communications, extending, from near the centre where this Capital is fast rising in consideration and importance, to every part of the Seaboard, where, at the Estuaries of noble Rivers,
a flourishing

a flourishing and populous City, thriving Towns, and dense Communities, about to become such, have already arisen.—Surrounded by Seas, teeming with sources of future wealth and power; and not deficient, in the more unexplored recesses of her Soil, of other inherent resources, which, at a suitable season, it will become prudent and productive to develop.—Enjoying all the rights and privileges of British Subjects, under the Paternal Government of our Most Gracious Sovereign, and a wise system of Laws, framed by yourselves, administered at the charge of your generous and affectionate Parent.—With capabilities of high statistical value, such as these, in the possession of a hardy, loyal, industrious and well disposed population, I hold not too high the advantages which you may secure to yourselves, and transmit to your descendants; nor indulge too freely in the hope and expectation, that New-Brunswick shall flourish in no common degree, if her inhabitants continue to show that they know how to estimate the blessings, and improve the advantages they possess; and if proper measures be taken, by all on whom it may depend, to promote and secure them.”

The House adjourned until to-morrow morning, at 10 o'clock.

WEDNESDAY, 10th DECEMBER, 1828.

Prayers.

On motion of Mr. Harrison.—Resolved, That the Clerk of the Crown in Chancery, or his Deputy, do attend this House with the last Writ issued to the Sheriff of Queens County, for the Election of a Member to serve in General Assembly for the said County.

In pursuance of the above order, the Clerk of the Crown attended with the Writ and the Sheriff's return thereto, whereby it appeared that Thomas Gilbert, Esquire, was the person duly elected for that County.

Ordered, that Mr. Harrison, Mr. Taylor, and Mr. Miles, be a Committee to attend the Commissioner and see Mr. Gilbert qualified.

The Committee appointed to see Mr. Gilbert qualified, having attended to that duty, reported, that Mr. Gilbert was duly qualified by taking the oaths prescribed by Law.

Ordered, that Mr. Gilbert be allowed to take his seat:

Whereas Mr. Speaker has announced to the House his acceptance of the Office of Treasurer of the Province, and conceiving that the situation is incompatible with that of a Member of this House, requests that his seat should be vacated; and the House concurring in Mr. Speaker's opinion on this subject, do comply with his request.

Resolved thereupon, that an humble Address be presented to His Excellency the Lieutenant-Governor, praying that he will be pleased to direct the House to choose another Speaker, and that Mr. Campbell, Mr. Crane and Mr. Chandler, be a Committee to wait upon His Excellency with this Address.

The House adjourned until to-morrow morning, at 10 o'clock.

THURSDAY, 11th DECEMBER, 1828.

Prayers.

A Message from His Excellency the Lieutenant-Governor.

Mr. Secretary Odell delivered the following Message.

“NEW BRUNSWICK.

“MESSAGE to the HOUSE OF ASSEMBLY,

“11th December, 1828.

“HOWARD DOUGLAS.

“The Lieutenant-Governor, in answer to the Address of the House of the 10th instant, gives leave to the House to proceed to the choice of a new Speaker; and directs the House to present the person so to be elected, to the Lieutenant-Governor in the Council Chamber, forthwith, for his approbation.”

“H. D.”

Mr.

Mr. Allen, a Member for York County, then addressing himself to the Clerk, said—

“ Mr. Wetmore,

“ His Excellency the Lieutenant-Governor having been pleased, by Message to this House, to direct that they proceed to the choice of a Speaker, I now rise to nominate Charles Simonds, Esquire, as a fit person to be elected to that important situation. That Gentleman’s long experience as a Member of this House, connected with his acknowledged acquaintance of the usages and proceedings of the British Parliament, I think justifies an opinion, that, if elected, he will conduct the duties of the Chair with dignity, ability, and independence; and at all times maintain the privileges of the House in the most ample manner.”

And the motion being seconded by Mr. Hayward, a Member for the County of Sunbury, and the House appearing to be unanimous, Mr. Simonds was taken from his Seat, and conducted to the Chair; and when on the Steps, said—

“ I beg leave to express my grateful acknowledgments to the House for this most flattering proof of your confidence, in electing me to one of the most important and honorable situations in the Country.

“ In the hope that my deficiencies may be viewed with indulgence, I cheerfully submit to the wishes of the House; confidently relying, that in the discharge of my duty, I shall have your constant aid and support.”

Mr. Simonds then took the Chair, *nem. con.*

A Message from His Excellency the Lieutenant-Governor, by the Gentleman Usher of the Black Rod, requiring the immediate attendance of the House in the Council Chamber: whereupon Mr. Speaker elect, with the House, attended.—

And being returned—

Mr. Speaker informed the House that he had addressed His Excellency as follows:—

“ *May it please your Excellency,*

“ The House of Assembly, in pursuance of leave granted by your Excellency, and in the exercise of an undoubted right, have elected a Speaker, and now present me to your Excellency as the person chosen: But aware of my inability to discharge the duties of that highly important situation, I trust that your Excellency will be pleased to disapprove of me, and command the House to elect a more fit person to be their Speaker.”

That the Honorable Mr. Chief Justice Saunders, then said—

“ Charles Simonds, Esquire.

“ I am commanded by His Excellency the Lieutenant-Governor, to acquaint you, that he hath so good an opinion of your integrity, diligence, and sufficiency, for executing the important office into which you are elected, that His Excellency is perfectly satisfied with the choice which the House of Assembly have made, and doth allow and confirm you to be their Speaker.”

Mr. Allen moved for leave to bring in a Bill further to amend and alter the Laws now in force for assessing, collecting, and levying of rates for public charges.”

Leave granted.

On motion of Mr. Chandler.—Resolved, that an humble Address be presented to His Excellency the Lieutenant-Governor, in answer to his Speech.

Ordered, that Mr. Chandler, Mr. Campbell, Mr. Taylor, Mr. Allen and Mr. Crane, be a Committee to prepare the Address.

On motion of Mr. Weldon.—Resolved, That a Committee of Privilege be appointed, to whom may be referred all matters which may hereafter arise, that may in any way be supposed to affect the Privileges of this House.

Ordered, that Mr. Weldon, Mr. Chandler, Mr. Campbell and Mr. Ward, be a Committee therefor.

On motion of Mr. Weldon.—Resolved, that a Committee be appointed to examine what Laws have lately expired, or are near expiring, and report thereon to the House.

Ordered, that Mr. Weldon, Mr. Chandler and Mr. Humbert, be a Committee for that purpose.

On motion of Mr. Ward.—Resolved, that a Committee be appointed to consider and report upon all matters relating to the Commerce of the Province.

Ordered, that Mr. Ward, Mr. Crane, Mr. Taylor, Mr. Barlow and Mr. Ketchum, be a Committee for that purpose.

On motion of Mr. Allen.—Ordered, that 150 Copies of His Excellency's Speech, be immediately printed for the use of the Legislature.

On motion of Mr. Weldon.—Ordered, that the Journals of this House, be daily, or soon as a Copy thereof can be prepared by the Clerk, printed; and that the Printer do furnish 150 Copies thereof, for the use of the Legislature.

On motion of Mr. Crane.—Resolved, that no Petition be received; or Bill brought in, after the 10th day of January next, except by Special Leave of the House.

On motion of Mr. Allen, the House went into Committee of the whole, in consideration of His Excellency the Lieutenant-Governor's Speech at the opening of the Session.

Mr. Taylor took the Chair of the Committee.

Mr. Speaker resumed the Chair:

Mr. Taylor, from the Committee, reported, that having gone into consideration of the business referred to them, they had passed a number of Resolutions, which being handed in at the Clerk's Table, were there read and agreed to by the House, and are as follow:—

Resolved, that such part of His Excellency's Speech as relates to the encouragement of Agriculture, be referred to a Select Committee to report thereon.

Resolved, that such part of His Excellency's Speech as relates to the Fisheries, be referred to the Committee of Trade.

Resolved, that such part of His Excellency's Speech as relates to the manufacturing and export of Timber, be referred to the Committee of Trade, to report thereon by Bill or otherwise.

Resolved, that such part of His Excellency's Speech as relates to the Institutions of Education, be referred to a Committee, with instructions to enquire particularly into their present state, and the best means for making them more generally useful, and to report their proceedings to the House.

Resolved, that such part of His Excellency's Speech as relates to the Militia System, be referred to a Select Committee, to report thereon.

Resolved, that so much of His Excellency's Speech as relates to the Great Roads of Communication, and the present system of applying the Statute Labour on the Roads, be referred to a Select Committee, to report thereon.

Resolved, that such part of His Excellency's Speech as relates to the opening of a Water Communication from the Bay of Fundy to the Gulph of St. Lawrence, be referred to a Select Committee, to report thereon.

And Mr. Taylor further reported that he was directed to ask leave to sit again.

Leave granted.

On motion of Mr. Ward.—Resolved, that a Committee be appointed to enquire and examine what part of the appropriations for the last four years remain unpaid, in order to ascertain what amount the House will be able to appropriate this Session.

Ordered, that Mr. Ward, Mr. Crane, Mr. Taylor and Mr. Miles, be a Committee for that purpose.

Mr. Barlow, by leave, presented a Petition from Isaac Woodward, and John G. Woodward, of the City of St. John, Merchants, praying for a return of duties on Sugar imported from Trinidad, in the year 1827, and also for drawback on Wine exported in the same year. Which he read in his place.

Ordered, that the said Petition be received and referred to the Committee of Supply.

On motion of Mr. Humbert.—Resolved, that a Committee be appointed, to consist of a Member from each County, to take into consideration, and ascertain what sums may be necessary for the improvement of all the Communications throughout the Province, and for opening roads to new Settlements, and report thereon.

Ordered, that Mr. Campbell, Mr. Dow, Mr. Hayward, Mr. Harrison, Mr. Humbert, Mr. Barlow, Mr. Crane, Mr. Weldon, Mr. Rankin and Mr. Munro, be a Committee for that purpose.

On motion of Mr. Taylor.—Resolved, that a Standing Committee be appointed, to examine, liquidate, and report on public and private accounts.

Ordered, that Mr. Partelow, Mr. Taylor, Mr. Rankin and Mr. Ward, be a Committee for that purpose.

The House then adjourned until to-morrow morning, at 10 o'clock.

FRIDAY, 12th DECEMBER, 1828.

Prayers.

Ordered, that Mr. Campbell, Mr. Dow, Mr. Gilbert, Mr. Palmer, Mr. Munro and Mr. Crane, be a Committee to take into consideration that part of His Excellency's Speech which relates to Agriculture, in pursuance of a Resolution of yesterday.

Ordered, that Mr. Parker, Mr. Chandler, Mr. Miles, Mr. Crane and Mr. Campbell, be a Committee to take into consideration that part of His Excellency's Speech which relates to the Institutions of Education.

Ordered, that Mr. M'Kay, Mr. Campbell and Mr. Freeze, be a Committee to take into consideration that part of His Excellency's Speech which relates to the Militia System.

Ordered, that Mr. Campbell, Mr. Ward, Mr. Humbert, Mr. Harrison, Mr. Hayward, Mr. Ketchum, Mr. Scott, Mr. Weldon, Mr. Rankin and Mr. Munro, be a Committee to take into consideration that part of His Excellency's Speech which relates to the Great Roads of Communication, and the system of applying the Statute Labour.

Ordered, that Mr. Chandler, Mr. Barlow, Mr. Miles, Mr. Parker and Mr. Allen, be a Committee to take into consideration that part of His Excellency's Speech which relates to the opening a Canal between the Bay of Fundy and the Gulph of St. Lawrence.

Mr. Barlow moved for leave to bring in a Bill, for the early trial and discharge of persons committing criminal offences in the City and County of St. John, under the degree of Grand Larceny.

Leave granted.

And the said Bill being brought in, and accompanied by the requisite Certificate from the Clerk of the Peace for the said City and County, was read a first time.

Mr. Ward moved for leave to bring in a Bill to authorize the extension of the Gaol Limits in the City of St. John.

Leave granted.

And the said Bill being brought in, and duly certified by the Clerk of the Peace, for the said City and County, was read a first time.

Mr. Clinch, by leave, presented a Petition from Moses Vernon and others, Mill Owners on the Magaguadavic, praying that an Act may pass for the better securing the Dams and Booms on that River, which he read.

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

Mr. Clinch moved for leave to bring in a Bill to regulate Saw Mills on the River Magaguadavic.

Leave granted.

And the said Bill being brought in, and accompanied by the requisite Certificate from the Clerk of the Peace, was read a first time.

Mr. Ward, by leave, presented a Petition from Anthony Lockwood, Junior, praying to be remunerated for compiling a Map of this Province, which he read.

Ordered, that the said Petition be received and referred to the Committee of Supply.

Mr. Weldon moved for leave to bring in a Bill to restrain Hawkers and Pedlars, within this Province, from selling without Licence.

Leave granted.

Ordered, that Mr. Allen, M. Palmer, M. Crane and Mr. Clinch, be added to the Committee to report upon the Militia System.

Mr. Weldon, from the Committee appointed to enquire what Laws have expired or are near expiring, reported that they had attended to that duty, and submitted the following, which he read, viz.—

That the following Acts will expire at the end of the present Session, viz.—Act 50, Geo. 3, cap. 6, intituled "an Act for regulating, laying out, and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways, within the several Towns and Parishes, in this Province," passed 14th March, 1810.

Also, Act 58, Geo. 3, cap. 3, intituled an Act to continue and amend the above Act, passed 11th March, 1818.

Also, Act 5, Geo. 4, cap. 14, to continue the above Acts, passed 11th March, 1824.

Also, Act 7, Geo. 4, cap. 23, in amendment of the above Act of 50, Geo. 3, cap. 6.

Act

Act 56, Geo. 3, cap. 17, intituled "an Act more effectually to provide for the support of a Nightly Watch in the City of St. John." Also, Act 56 Geo. 3, cap. 17, to continue the same.

Act 58, Geo. 3, cap. 4, intituled "an Act to authorize the Justices of the Peace in the General Sessions, to establish Ferries in their respective Counties :” Also, 4, Geo. 3, cap. 5, to continue the same.

Act 4, Geo. 4, cap. 17, intituled "an Act to provide for the surrender of the principal in discharge of Bail, in actions pending in the Supreme Court of Judicature in this Province."

Act 4, Geo. 4, cap. 21, intituled "an Act for the regulation of Booms, for securing Masts, Logs and Lumber, in certain parts of the County of Northumberland.

Act 4, Geo. 4, cap. 23, intituled "an Act in further amendment of the Laws for regulating Fisheries in the County of Northumberland."

That the Act 4, Geo. 4, cap. 9, intituled "an Act for regulating the inspection of Fish to be consumed within the Province :” And Act 8, Geo. 4, cap. 5, to continue and amend the same, will expire on the 19th March, 1829.

Act 7, Geo. 4, cap. 19, intituled "an Act for granting bounties on Grain raised on new Land," will expire on the 31st March, 1829.

Act 8, Geo. 4, cap. 14, intituled "an Act to regulate the Bass Fishery in the River Richibucto and its Branches," will expire on the 1st April, 1829.

Act 8, Geo. 4, cap. 15, intituled "an Act to empower the Justices of the County of Charlotte, to make regulations for driving Timber and Logs down the Rivers St. Croix, Magaguadavic and Digdeguash, and their Branches," will expire on the 1st May, 1829.

Act 7, Geo. 4, cap. 12, intituled "an Act to repeal all the Laws now in force for the regulation of Seamen, and to make more effectual provision for that purpose," passed 7th March, 1826, will expire on the 31st March, 1829.

Act 60, Geo. 3, cap. 15, intituled "an Act for granting further aid in support of the Grammar School in the Town of St. Andrews :” Also, Act 8, Geo. 4, cap. 3, to continue the above, will expire on the 19th March, 1829.

Act 9, Geo. 4, cap. 1, intituled "an Act to continue and amend the Revenue Laws of the Province," will expire on the 1st April, 1829.

Your Committee do not find that any Acts have expired since the last Session which were not then particularly reported to the House.

J. W. WELDON,
E. B. CHANDLER,
JOHN HUMBERT.

Mr. Humbert, by leave, presented a Petition from Rebecca Porter, praying that a remuneration may be granted for her services as a Teacher, in the Parish of Norton, Kings County.

Ordered, that the said Petition be received and referred to the Committee of Supply.

Mr. Campbell moved for leave to bring in a Bill to alter and amend an Act, intituled "an Act to regulate the Exportation of Lumber, and to repeal all the Acts now in force for regulating the same," and to make more effectual provision for the security thereof.

Leave granted.

The House then adjourned until to-morrow morning, at 10 o'clock.

SATURDAY, 13th DECEMBER, 1828.

Prayers.

Mr. Chandler, from the Committee appointed to prepare an Address, in answer to His Excellency the Lieutenant-Governor's Speech, at the opening of the Session, reported, that they had prepared a draft thereof, which he read, and being handed in at the Clerk's Table, was there again read.

Ordered, that the Report be accepted.

Mr. Weldon moved for leave to bring in a Bill to continue an Act, intituled "an Act to repeal all the Laws now in force for the regulation of Seamen, and to make more effectual provision for that purpose.

Leave granted.

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

On motion of Mr. Chandler,—The House went into Committee of the whole, in consideration of the draft of the Address to His Excellency the Lieutenant-Governor, as reported by the Select Committee.

Mr. Weldon took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Weldon, from the Committee, reported, that having gone into consideration of the said Address, they had agreed to the same without any amendment.

Ordered, that the Report be accepted.

Thereupon resolved unanimously, that the Address be engrossed, signed by the Speaker, and presented to His Excellency by the whole House.

Mr. Chandler moved for leave to bring in a Bill to continue and amend an Act, intituled "an Act to provide for the surrender of the Principal in discharge of Bail, in actions pending in the Supreme Court of Judicature, in this Province."

Leave granted.

On motion of Mr. Crane,—Ordered, that the Speaker do issue his Warrant to the Clerk of the Crown in Chancery, to issue a new Writ for the Election of a Member to serve in General Assembly, for the County of Northumberland, in the place of Richard Simonds, Esquire, who has accepted the Office of Treasurer of this Province.

Mr. Weldon, pursuant to leave, brought in a Bill, to restrain Hawkers and Pedlars, within this Province.

Which was read a first time.

Mr. Ketchum moved for leave to bring in a Bill to encourage the raising of Bread Corn in this Province.

Leave granted.

The House then adjourned until Monday morning next, at 10 o'clock.

MONDAY, 15th DECEMBER, 1823.

Prayers.

Read, as engrossed, the Address of the House in answer to His Excellency the Lieutenant-Governor's Speech, at the opening of the Session.

Ordered, that Mr. Allen, Mr. Campbell and Mr. Hayward, be a Committee to wait upon His Excellency, to know when he will be pleased to receive the House with their Address.

Mr. Weldon, by leave, presented a Petition from Thomas W. Wood, praying remuneration for teaching a School in the Parish of Carleton, in the year 1826.

Which he read.

Ordered, that the said Petition be received and referred to the Committee of Supply.

Mr. Parker moved for leave to bring in a Bill further to amend the several Acts providing for the more effectually repairing the Streets and Bridges in the City and County of St. John.

Leave granted.

And the said Bill being brought in, and accompanied by the requisite Certificate from the Clerk of the Peace for the said City and County was read a first time.

Mr. Parker, by leave, presented a Petition from Henry Gilbert, Esquire, and others, Merchants and Traders, of the City of St. John, praying a revision of the Law for regulating the Sale of Goods by Auction, and levying a Duty on Goods imported by non-residents.

Which he read.

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

On

On motion of Mr. Parker.—Resolved, that a Committee be appointed to examine the Treasurer's Accounts for the last ten years, and report to the House a statement of the Duties which have been paid by Auctioneers throughout the Province on Goods sold at Auction during that period.

Ordered, that Mr. Parker, Mr. Ward and Mr. Rankin, be a Committee for that purpose.

Mr. Weldon, by leave, presented a Petition from Peter L. Smith, praying remuneration for teaching a School in the Parish of Wellington, from September, 1824, to September following; the Certificate of the Trustees to the General Sessions of Northumberland, having been either lost or mislaid.

Which he read.

Ordered, that the said Petition be received and referred to the Committee of Supply.

Read, a second time, the following Bills:—

A Bill to restrain Hawkers and Pedlars, within this Province, from selling without Licence.

A Bill to continue an Act, intituled "an Act to repeal all the Laws now in force for the regulation of Seamen, and to make more effectual provision for that purpose.

A Bill to authorize the extention of the Gaol Limits in the City of St. John.

A Bill for the early trial and discharge of persons committing criminal offences in the City or County of St. John, under the degree of Grand Larceny.

A Bill to regulate Saw Mills on the River Magaguadavic.

Ordered, that Mr. Parker, be added to the Committee to consider and report upon all matters relating to the Commerce of the Province.

Mr. Clinch moved for leave to bring in a Bill in addition to an Act for regulating the driving of Saw Logs on the Rivers Magaguadavic, St. Croix, Digdeguash and their Branches.

Leave granted.

Mr. Allen, from the Committee appointed to wait on His Excellency the Lieutenant-Governor to know when he would be pleased to receive the House with their Address in answer to his Speech, reported, that His Excellency was pleased to say he would receive the House on Wednesday next, at $\frac{1}{2}$ past 1 o'clock, at Government House.

Mr. Campbell, by leave, presented a Petition from Charles Carson and John Carson, of St. Patricks in the County of Charlotte, accompanied by a Certificate of its having been read in General Sessions, and praying an Act may pass authorizing them to build a Dam across the Digdeguash River, in the said County.

Which he read.

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

Mr. Weldon moved for leave to bring in a Bill further to increase the Revenue of the Province, by imposing a duty upon all Rum and other Spirituous Liquors that shall be distilled within the same.

Leave granted.

Mr. Barlow, by leave, presented a Petition from Richard Hichens and Edmund Crowell, residing on the Seal Island near Cape Sable, praying aid for relief extended to Shipwrecked persons.

Mr. Parker moved for leave to bring in the following Bills:—

A Bill to prevent the failure of Justice by reason of variances between Records and Writings produced in evidence in support thereof.

A Bill for rendering a written Memorandum necessary to the validity of certain promises and engagements.

A Bill for amending the Law of Evidence in certain cases.

Leave granted.

On motion of Mr. Humbert.—Resolved, that a Committee of five Members be appointed to take into consideration the prayer of the Petition of Stephen Humbert, complaining of an undue return of Robert Parker, Esquire, and to examine into Evidence which may be brought before it by the Parties; and that the Committee report their proceedings to this House: And further Resolved, that the Committee do attend to that business on Monday the 22d instant.

John Mout Consult And
John Benson

And upon the question for passing the said Resolution, the House divided :—

YEAS.	NAYS.
<p><i>Mr. Chandler,</i> <i>Palmer,</i> <i>Humbert,</i> <i>Crane,</i> <i>Barlow,</i> <i>Ward,</i> <i>Harrison,</i> <i>Scott,</i> <i>Taylor,</i> <i>Ketchum,</i> <i>Miles,</i> <i>Hayward,</i> <i>Freeze,</i> <i>Clinch,</i> <i>Rankin,</i> <i>Munro,</i> <i>Dow.</i></p>	<p><i>Mr. Allen,</i> <i>Weldon,</i> <i>Campbell.</i></p>

It was thereupon carried in the affirmative.

Ordered, that Mr. Weldon, Mr. Crane, Mr. Taylor, Mr. Campbell and Mr. Harrison, be a Committee to take into consideration the said Petition.

Mr. Parker, pursuant to leave, brought in a Bill to prevent a failure of Justice by reason of variance between Records and Writings produced in evidence in support thereof.

Also, a Bill for amending the Law of Evidence in certain cases.

Which were read a first time.

The House adjourned until to-morrow morning, at 10 o'clock.

TUESDAY, 16th DECEMBER, 1828.

Prayers.

Mr. Clinch, pursuant to leave, brought in a Bill in addition to an Act for regulating the driving of Saw Logs on the Rivers Magaguadavic, St. Croix, Digdeguash and their Branches.

Which was read a first time.

Ordered, that Mr. Rankin be added to the Committee for taking into consideration all matters relating to the Commerce of this Province.

Mr. Clinch moved for leave to bring in a Bill to continue an Act, intituled "an Act to empower the Justices of the County of Charlotte, to make regulations for driving Lumber and Logs down the Rivers St. Croix, Magaguadavic and Digdeguash, and their Branches.

Leave granted.

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

On motion of Mr. Humbert.—Resolved, that the Speaker do issue his Warrant for the attendance of Stephen Foster at the Bar of this House, to give evidence in the matter of the Petition of Stephen Humbert, complaining of an undue return of Robert Parker, Esquire, for the County of St. John, on Monday the 22d instant, at 10 o'clock, in the forenoon of the same day, on behalf of the Petitioning Candidate.

Read a second time the following Bills.—

A Bill further to amend the several Acts providing for the more effectually repairing the Streets and Bridges in the City and County of St. John.

A Bill for amending the Law of Evidence in certain cases.

And a Bill to prevent a failure of Justice by reason of variances between Records and Writings produced in evidence in support thereof.

On motion of Mr. Clinch.—The House went into Committee of the whole, on a Bill to regulate Saw Mills on the River Magaguadavic.

Mr.

Mr. Allen took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Allen, from the Committee, reported, that they had gone into consideration of the said Bill, and made progress therein, and that he was directed to ask for leave to sit again.

Ordered, that the Report be accepted and leave granted.

On motion of Mr. Weldon.—The House went into Committee of the whole, on a Bill to restrain Hawkers and Pedlars, within the Province, from selling without Licence.

Mr. Campbell took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Campbell, from the Committee, reported, that they had gone into consideration of the Bill referred to them, and made progress therein, and that he was directed to ask for leave to sit again.

Ordered, that the Report be accepted and leave granted.

On motion of Mr. Hayward.—Resolved, that the Speaker do issue his Warrant for the attendance of James Peters, Junior, Esquire, Clerk of the Peace for the City and County of St. John, on behalf of Stephen Humbert, Esquire, at the Bar of the House, to give evidence in the matter of the Petition of the said Stephen Humbert, complaining of an undue return for the said County of St. John, on Monday the 22d instant, at 10 o'clock in the forenoon, and that the said James Peters, Junior, Esquire, bring with him and produce the original Poll Book of the said Election, filed with him by the Returning Officer.

Mr. Speaker laid before the House, Plans and Reports, and other Documents, relative to a projected Canal to connect the waters of the Bay of Fundy with those of the Gulph of St. Lawrence.

Ordered, that the several Documents lie on the Table, for the information of the House.

On motion of Mr. Weldon.—The House went into Committee of the whole, on a Bill to continue an Act, intituled “an Act to repeal all the Laws now in force for the regulation of Seamen, and to make more effectual provision for that purpose.

Mr. Hayward took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Hayward, from the Committee reported, that they had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered, that the Report be accepted, and the Bill engrossed.

On motion of Mr. Parker.—The House went into Committee of the whole, on a Bill for the early trial and discharge of persons committing criminal offences in the City or County of St. John, under the degree of Grand Larceny.

Mr. Partelow took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Partelow, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had agreed to the same with amendments, under the title of a Bill to repeal an Act, intituled, “an Act for the speedy punishment and release of such persons as shall commit criminal offences under the degree of Grand Larceny.”

Ordered, that the Report be accepted, and the Bill engrossed, as amended.

On motion of Mr. Parker.—Resolved, that an humble address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to direct to be laid before the House, a list of Persons who have received Licences as Auctioneers in the several Counties of this Province, since its first erection.

Ordered, that Mr. Parker, Mr. Miles and Mr. Dow, be a Committee to present the said Address to His Excellency.

Mr. Campbell, from the Committee appointed to take into consideration that part of His Excellency's Speech, which relates to the improvement of Agriculture, reported that they had attended to that duty, and submitted the following, which he read.

“That they recommend a continuance of the Bounties for Grain raised on new Land, and for Oat Mills.

“They also beg leave to express their decided opinion, that the monies, usually called Bye Road Appropriations, have a direct tendency to encourage Agricultural improvements,

ments, these sums being generally expended in opening and improving roads for communication to new Settlements, thereby enabling the industrious Settler to participate in the benefits of the expenditure, stimulating him to improve the road in which he is more particularly interested, and furnishing him with the means of purchasing, from the more improved districts, such necessities as he may be unable to raise from his land in the early state of its cultivation.

“Your Committee, therefore, being fully of opinion, that the appropriation of Public Monies for opening and improving of roads to new Settlements, has a beneficial operation on the Agricultural interests of the Country, beg leave to recommend such a continuance of the sums usually voted for that purpose, as the state of the public funds will allow.

COLIN CAMPBELL,
JOHN DOW,
THOMAS GILBERT,
PHILIP PALMER,
H. MUNRO.
W. CRANE.”

The Report being handed in at the Clerk's Table, was there again read, and ordered to be accepted.

Mr. Barlow moved for leave to bring in a Bill further to continue an Act, intituled “an Act more effectually to provide for the support of a Nightly Watch in the City of St. John.”

Leave granted.

And the said Bill being brought in, was read a first and second time.

Mr. Chandler gave notice, that on Thursday next he should submit certain Resolutions to the House upon the subject of the system now in force for the disposal of Crown Lands in this Province.

On motion of Mr. Chandler.—Resolved, that a Committee of five Members be appointed to take into consideration, the prayer of the Petition of Joseph N. Clarke, Esquire, complaining of an undue return of Patrick Clinch, Esquire, to serve in General Assembly, and to examine into evidence which may be adduced on either side, touching the said Petition, and report their proceedings to the House; and that they attend to that duty on the 30th December, instant.

And upon the question the House divided—YEAS 15. NAYS 3.

It was thereupon carried in the affirmative.

Ordered, that Mr. Chandler, Mr. Partelow, Mr. Gilbert, Mr. Ketchum and Mr. Palmer, be a Committee to take into consideration the said Petition.

On motion of Mr. Allen.—Resolved, that the Speaker do issue his Warrant for the attendance of Harris Hatch, Esquire, Clerk of the Peace for the County of Charlotte, Hallet Whitlock, John M'Allister, Robert Hitchings, George Hunter and Charles R. Hatheway, Esquires, at the Bar of this House, on Tuesday the 30th day of December inst., at 11 o'clock in the forenoon, to be examined as Witnesses, on behalf of Joseph N. Clarke, Esquire, on the matter of a scrutiny ordered by this House between the said Joseph N. Clarke and Patrick Clinch, Esquires, and that the said Harris Hatch, bring with him and produce at the same time, the original Poll Book of the late General Election, filed in the Clerk's Office by the Returning Officer.

The House adjourned until to-morrow morning, at 10 o'clock.

WEDNESDAY, 17th DECEMBER, 1828.

Prayers.

Mr. Parker, from the Committee of Correspondence, submitted the following report, which he read.

“That since the close of the last Session they have received from the Province Agents, a Letter which accompanies this report: The Agents also forwarded to the Committee

Committee the late Act in amendment of the Laws regulating the Customs, which has been laid before the House.

“Your Committee further report, that in pursuance of the Resolution passed at the last Session, they have imported for the use of the Legislature, the following Books, viz:—

“The last volume of the Statutes at Large, to complete the set belonging to the House.

“Hume’s Laws of the Customs.

“Roe and Rogers on the Law of Elections, with the necessary forms of proceeding;

“And two sets of Mr. Peel’s Acts.

“The Committee regret that in consequence of not being able to obtain payment at the Treasury, of the grant made for the purpose of procuring the above mentioned Books, and also a Clock for the House of Assembly, the Clock has not yet been imported; but one of their Members, Mr. Johnston, who is now in England, has undertaken to purchase, and send a suitable one out, during the ensuing Summer.

“All which is respectfully submitted.

ROBERT PARKER,
CHARLES SIMONDS.”

Which was again read at the Clerk’s Table, and ordered to be accepted.

On motion of Mr. Parker.—The House went into Committee of the whole, on a Bill for amending the Law of Evidence in certain cases.

Mr. Barlow took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Barlow, from the Committee, reported, that they had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered, that the Report be accepted, and the Bill engrossed.

On motion of Mr. Parker.—The House went into Committee of the whole, on a Bill to prevent a failure of Justice by reason of variances between Records and Writings produced in evidence in support thereof.

Mr. Miles took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Miles, from the Committee, reported, that having gone into consideration of the said Bill, they had agreed to the same.

Ordered, that the Report be accepted, and the Bill engrossed.

On motion of Mr. Parker.—The House went into Committee of the whole, on a Bill further to continue an Act, intituled “an Act more effectually to provide for the support of a Nightly Watch in the City of St. John.”

Mr. Palmer took the Chair of the Committee.

Mr. Speaker resumed the Chair:

Mr. Palmer, from the Committee, reported, that they had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered, that the Report be accepted, and the Bill engrossed.

On motion of Mr. Weldon.—The House went into Committee of the whole, in further consideration of a Bill to restrain Hawkers and Pedlars, within this Province, from selling without Licence.

Mr. Campbell took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Campbell, from the Committee, reported, that they had gone into the further consideration of the Bill referred to them, and made progress therein, and that he was directed to ask for leave to sit again.

Ordered, that the Report be accepted, and leave granted.

Mr. Parker, from the Committee appointed to wait on His Excellency the Lieutenant-Governor, with the Address of the House, requesting that a list of Licenced Auctioneers may be laid before the House, reported, that they had attended to that duty, and His Excellency was pleased to say, he had already given orders that the information should be furnished from the proper Office, as soon as the list could be prepared.

The House waited upon His Excellency the Lieutenant-Governor with the following Address, in answer to His Excellency’s Speech.

“ To His Excellency Major-General Sir HOWARD DOUGLAS, Baronet, Lieutenant-Governor and Commander-in-Chief of the Province of New-Brunswick, &c. &c. &c.

“THE HUMBLE ADDRESS OF THE HOUSE OF ASSEMBLY.

“ May it please your Excellency.

66 **W**E, the Representatives of His Majesty's Loyal Subjects in the Province of New-Brunswick, thank your Excellency for the Speech you have been pleased to make at the opening of the present Session.

“ We are gratified to learn, that although the Revenue of the present year may not be quite equal to that of the last, yet, that the financial resources of the Province are substantially sound and unimpaired.

“ We thank your Excellency for your promise, that the Treasurer's Accounts shall (as soon as they can be prepared) be laid before us : And your Excellency may rely on our making suitable provision for the ordinary services of the Province.

“ We fully concur with your Excellency, in the expediency of making less liberal appropriations than usual, for some of the extraordinary and other services of the Province, and in the necessity of a rigid observance of economy in the management of its financial concerns.

“ We are happy to hear from your Excellency, that the liberal grants which have been made for several important public works, have been promptly applied, and that they have effected all that could have been contemplated.

“ It gives us great satisfaction to perceive, that under the judicious and fostering care of your Excellency, the Agriculture of the Province still continues to make great and visible improvement ; and your Excellency may be assured, that the all important subjects of Agriculture and the Fisheries, shall receive our distinct and diligent attention.

“ It affords us great encouragement to observe the improvement which has taken place in the Commercial affairs of the Mother Country, and we are cheered with the prospect that a corresponding improvement is about to reach those branches of Trade in which this Province is more immediately concerned. We are fully sensible that in this favorable conjuncture, it will behove the Legislature to devise some measure for better regulating the manufacture and shipment of the great staple commodity of the Country.

“ We duly appreciate the importance of making liberal provision for the Institutions of Education and Learning, and your Excellency's recommendation on this subject, shall receive our earnest and respectful attention.

“ We thank your Excellency for the highly gratifying information, that Arms have been furnished for the Militia of this Province, without any charge upon its local funds ; which affords another convincing proof of the continued liberality and fostering care of the Mother Country. By placing these in the hands of a zealous, hardy and loyal population, regulated by an efficient Militia System, a formidable barrier will be presented for the defence and security of the Country, whenever their services may be required.—Any further communication which your Excellency may be pleased to make on this subject, shall receive our diligent attention.

“ We have much pleasure in observing, that the liberal appropriations for the improvement of Great Roads have in general been applied to the best advantage, and we fully agree with your Excellency, that such a scale should be adopted in the assessment of Statute Labour on the Roads, as to render it more equally adapted to the different circumstances of the People.

“ The information which your Excellency has obtained relative to a water communication from the Bay of Fundy to the Gulph of St. Lawrence, a subject of very great importance to this and the neighbouring Colonies, is an additional instance of your Excellency's constant and anxious solicitude to promote the welfare of this Province : The communications which your Excellency has been pleased to say shall be laid before us, will receive our fullest consideration.

“ We are fully convinced of the necessity and policy of adopting some general measure by which the approach to, and navigation of our Coasts may be rendered more safe ; and we will most cheerfully co-operate with your Excellency in any measure which may facilitate so desirable an object.

“ We

“ We participate with your Excellency in the sanguine and cheering hope, that, (notwithstanding the great depression and calamity of recent times,) this Province, with her resources and natural capabilities, drawn forth and developed by the active and judicious administration of your Excellency, will ere long flourish in no common degree; and we have the fullest reliance that the Loyal Inhabitants of New-Brunswick will at all times be disposed to second your Excellency's exertions, to secure for them a continuance of the blessings and advantages they now enjoy.

And being returned, Mr. Speaker reported, that His Excellency was pleased to make the following reply thereto :

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

“ In my solicitude to promote the welfare of New-Brunswick, it affords me great satisfaction to receive the assurances presented in this Address, of the cordial concurrence of the House of Assembly, in those measures by which it has ever appeared to me, this great object may best be effected. I place the fullest reliance on your zeal, wisdom and liberality, to aid me in all measures that may be necessary to draw forth and develop the natural resources and capabilities of the Province, and to secure to its loyal Inhabitants a continuance of the blessings and advantages they now enjoy.”

The House went into Committee of the whole, in further consideration of the Bill to restrain Hawkers and Pedlars, within this Province, from selling without Licence.

Mr. Campbell again took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Campbell, from the Committee, reported, that they had gone into the further consideration of the Bill referred to them, and agreed to the same with amendments.

Ordered, that the Report be accepted, and the Bill, as amended, engrossed.

Mr. Chandler, pursuant to leave, brought in a Bill to continue and amend an Act, intituled “ an Act to provide for the surrender of the Principal in discharge of Bail, in actions pending in the Supreme Court of Judicature, in this Province.”

Which was read a first time.

On motion of Mr. Campbell.—Ordered, that such part of an order of this House, made the 21st day of March last, as relates to the Scrutiny between Hugh M'Kay, Esquire, and James Brown, be discharged.

Mr. Weldon moved for leave to bring in a Bill to continue until the first day of April, 1835, an Act to authorize the Justices of the Peace in their General Sessions, to establish Ferries in their respective Counties. Leave granted.

The House adjourned until to-morrow morning, at 10 o'clock.

THURSDAY, 18th DECEMBER, 1828.

Prayers.

Mr. Rankin moved for leave to bring in a Bill, to continue an Act, intituled “ an Act in further amendment of the Laws for regulating Fisheries in the County of Northumberland.”

Also, a Bill to continue an Act, intituled “ an Act for the regulation of Booms, for securing Masts, Logs and Lumber, in certain parts of the County of Northumberland.

Leave granted.

On motion of Mr. Parker.—The House went into Committee of the whole, on a Bill to authorize the extention of the Gaol Limits in the City of St. John.

Mr. Crane took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Crane, from the Committee, reported, that they had gone into consideration of the Bill referred to them, and agreed to the same with amendments.

Ordered, that the Report be accepted, and the Bill engrossed, as amended.

Mr. Ward moved for leave to bring in a Bill, to regulate the ungranted Fisheries in the Harbour of St. John.

Leave granted.

And the said Bill being brought in, and duly certified by the Clerk of the Peace for the County, was read a first time.

Mr. Weldon, pursuant to leave, brought in a Bill further to increase the Revenue of the

this Province, by imposing a duty upon all Rum and other Spirituous Liquors that shall be distilled within the same.

Which was read a first time.

Mr. Rankin moved for leave to bring in a Bill in addition to an Act, intituled "an Act to make more effectual provision for preventing the importation and spreading of infectious distempers within the Towns or Settlements on the River Miramichi."

Also, a Bill to lay a Tax on Dogs, in certain parts of the Parishes of Newcastle, Chatham and Nelson, in the County of Northumberland.

Leave granted.

Mr. Weldon, pursuant to leave, brought in a Bill to continue until the first day of April, 1835, an Act to authorize the Justices of the Peace in their General Sessions to establish Ferries in their respective Counties.

Which was read a first time.

On motion of Mr. Clinch.—Resolved, that this House will go into consideration of the Petition complaining of an undue Election for Charlotte County, so far as relates to Hugh M'Kay, Esquire, and James Brown, on the 7th day after the opening of the next Session of the General Assembly.

And upon the question for passing the same the House divided :—YEAS 14. NAYS 6.

It was thereupon carried in the affirmative.

Mr. Humbert, by leave, presented a Petition from John Flinn, praying remuneration for teaching a School in the Parish of Hampton, in King's County, in the years 1825 and 1826.

Which he read.

Ordered, that the said Petition be received and referred to the Committee of Supply.

Read a second time the following Bills :—

A Bill in addition to an Act for regulating the driving of Saw Logs on the Rivers Magaguadavic, St. Croix, Digdeguash and their Branches.

And a Bill to continue an Act, intituled "an Act to empower the Justices of the County of Charlotte, to make regulations for driving Timber and Logs down the Rivers St. Croix, Magaguadavic and Digdeguash, and their Branches.

Mr. Parker moved for leave to bring in a Bill for the more speedy and effectual punishment of Persons keeping disorderly Houses.

Leave granted.

On motion of Mr. Freeze.—Resolved, that the Speaker do issue his Warrant for the attendance of Tristram Moore, Esquire, Alexander M'Allister, Ananias M'Allister and Stuart Sealy, at the Bar of this House, on Friday the 2d day of January next, to give evidence in the matter of the Petition of Joseph N. Clarke, Esquire, complaining of the undue Election of Patrick Clinch, Esquire.

Mr. Scott moved for leave to bring in a Bill to impose a duty on all live Cattle, imported into this Province from the United States.

Leave granted.

The House went into Committee of the whole in further consideration of a Bill to regulate Saw Mills on the River Magaguadavic.

Mr. Harrison took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Harrison, from the Committee, reported, that they had gone into the further consideration of the Bill referred to them, and agreed to the same with amendments, under the title of "A Bill to provide for the necessary repairs of Mill Dams, Sluices and Booms on the River Magaguadavic."

Ordered, that the Report be accepted, and the Bill engrossed as amended.

Mr. Parker, pursuant to leave, brought in a Bill for the more speedy and effectual punishment of Persons keeping disorderly Houses.

Which was read a first time.

Read a second time,—

A Bill to continue and amend an Act, intituled "an Act to provide for the surrender of the Principal in discharge of Bail, in actions pending in the Supreme Court of Judicature, in this Province."

The House adjourned until to-morrow morning, at 10 o'clock.

FRIDAY,

FRIDAY, 19th DECEMBER, 1828.

Prayers.

Read, a second time, the following Bills :—

A Bill further to increase the Revenue of this Province, by imposing a Duty upon all Rum and other Spiritous Liquors that shall be distilled within the same.

A Bill further to continue until the first day of April, 1835, an Act to authorize the Justices of the Peace, in their General Sessions, to establish Ferries in their respective Counties.

A Bill for the more speedy and effectual punishment of Persons keeping disorderly Houses.

And a Bill to regulate the ungranted Fisheries in the Harbour of St. John.

On motion of Mr. Parker.—Ordered, that the Bill for the more speedy and effectual punishment of Persons keeping disorderly Houses; be referred to a Committee of the whole House to-morrow.

On motion of Mr. Parker.—Resolved, that an humble Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to direct that the principal Officers of His Majesty's Customs, at the Ports of St. John and St. Andrews, furnish, for the information of the House, a return of Vessels which have cleared out at their respective Ports for the Cod and Scale Fisheries, since the first day of April last; and also of Vessels entered from Fishing Voyages since that date, with a particular statement of their cargoes, the place to which such Vessels belong; and such other information relative thereto as may be obtained from the Custom House Books.

Ordered, that Mr. Parker, Mr. Barlow and Mr. Clinch be a Committee to wait upon His Excellency with the Address.

On motion of Mr. Chandler.—The House went into Committee of the whole, on a Bill to continue and amend an Act, intituled “an Act to provide for the surrender of the Principal in discharge of Bail, in actions pending in the Supreme Court of Judicature, in this Province.”

Mr. Palmer took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Palmer, from the Committee, reported, that they had gone into consideration of the Bill, referred to them, and agreed to the same with amendments.

Ordered, that the Report be accepted, and the Bill engrossed as amended.

Read a third time, as engrossed,

A Bill further to continue an Act, intituled “an Act more effectually to provide for the support of a nightly watch in the City of St. John.”

And a Bill to repeal an Act, intituled “an Act for the speedy punishment and release of such Persons as shall commit Criminal offenses under the degree of Grand Larceny.”

Resolved, that these Bills do pass.

Ordered, that Mr. Barlow and Mr. Taylor, carry the said Bills to the Council and desire their concurrence thereto.

Read a third time, as engrossed,

A Bill for amending the Law of Evidence in certain cases.

Resolved, that the Bill do pass.

Ordered, that Mr. Parker and Mr. Miles, carry the said Bill to the Council, and desire their concurrence thereto.

Read a third time, as engrossed.

A Bill to continue an Act, intituled “an Act to repeal all the Laws now in force for the regulation of Seamen, and to make more effectual provision for that purpose.

Resolved, that the Bill do pass.

Ordered, that Mr. Weldon and Mr. Rankin, carry the said Bill to the Council, and desire their concurrence thereto.

The Committee appointed to take into consideration that part of His Excellency's Speech which relates to the Great Roads of Communication, and the system of applying the Statute Labor, having attended to that duty, report as follows :—

“ That

“ That in their opinion, persons residing on the Great Roads of Communication, should perform their Statute Labor, upon those Great Roads, under the direction of the Commissioners of Highways.

“ They think the quantum of Statute Labor, to be performed, should be equalized, and have more regard to the circumstances of the several classes in the community, by some scale to be provided for that purpose ; the greatest number of days in such scale not to be more than ten in any one year, nor less than three ; that the sum to be received in lieu of each day’s labour shall be 3s., to be paid immediately after the term appointed, for labour, unless paid during the said term.

“ They are also unanimously of opinion, that the property of non-residents should be made to contribute to the Statute Labour, throughout the Province.

“ All which is respectfully submitted for the consideration of the House.

COLIN CAMPBELL,
JOHN WARD, JUN.,
JOHN HUMBERT,
CHARLES HARRISON,
GEORGE HAYWARD,
RICHARD KETCHUM,
R. SCOTT,
J. W. WELDON,
H. MUNRO.
ALEX. RANKIN.”

The Report being again read, at the Clerk’s Table, was ordered to be accepted.

Mr. Rankin, pursuant to leave, brought in the following Bills :—

A Bill to continue the Laws for regulating the Fisheries in the County of Northumberland.

A Bill to continue an Act, intituled “ an Act for the regulation of Booms for securing Masts, Logs and Lumber, in certain parts of the County of Northumberland.

And a Bill to lay a Tax on Dogs in certain parts of the Parishes of Newcastle, Chatham and Nelson, in the County of Northumberland, accompanied by the requisite Certificate from the Clerk of the Peace, of its having been read in Session.

Which were severally read a first time.

Mr. Parker moved for leave to bring in a Bill to amend the Statute Law, relative to offences against the Person, and to provide for the more effectual punishment of such offences.

Leave granted.

Read a third time, as engrossed,

A Bill to prevent a failure of Justice by reason of variances between Records and Writings produced in evidence in support thereof.

Resolved, that the Bill do pass.

Ordered, that Mr. Parker and Mr. Allen, carry the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Ketchum.—Resolved, that a Committee of Five Members be appointed to bring in a Bill for regulating, laying out and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways, within the several Towns and Parishes in this Province.

Ordered, that Mr. Ketchum, Mr. Chandler, Mr. Allen, Mr. Rankin and Mr. Crane, be a Committee for that purpose.

The House went into Committee of the whole, on a Bill to continue an Act, intituled “ an Act to empower the Justices of the County of Charlotte, to make regulations for driving Timber and Logs down the Rivers St. Croix, Magaguadavic and Digdeguash, and their Branches.

Mr. Ketchum took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ketchum, from the Committee reported, that they had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered, that the Report be accepted and the Bill engrossed

Mr. Humbert, by leave, presented a Petition from Sylvanus Haviland, of Westfield,

in King's County, praying compensation for damage sustained in consequence of an alteration made in the Great Road, by leading the same through his land.

Which he read.

Ordered, that the said Petition be received and referred to the Committee of Supply.

Mr. Parker, from the Committee appointed to present His Excellency with the Address, requesting a return from the Custom House, relative to vessels engaged in Fishing Voyages, reported that they had attended to that duty, and that in reply thereto, they were directed by His Excellency to inform the House, that he had already given directions that the requisite information should be furnished as soon as possible.

The House adjourned until to-morrow morning, at 10 o'clock.

SATURDAY, 20th DECEMBER, 1828.

Prayers.

Mr. Ketchum, pursuant to leave, brought in a Bill to encourage the raising of Bread Corn on new Land.

Which was read a first time.

On motion of Mr. Weldon.—The House went into Committee of the whole, on a Bill further to continue until the first day of April, 1835, an Act to authorize the Justices of the Peace, in their General Sessions, to establish Ferries in their respective Counties.

Mr. Freeze took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Freeze, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had agreed to the same.

Ordered, that the Report be accepted, and the Bill engrossed.

Mr. Parker, pursuant to leave, brought in a Bill to amend the Statute Law, relative to offences against the Person, and to provide for the more effectual punishment of such offences.

Which was read a first time.

On motion of Mr. Weldon.—The House went into Committee of the whole, on a Bill further to increase the Revenue of the Province, by imposing a Duty upon all Rum and other Spirituous Liquors that shall be distilled within the same.

Mr. Humbert took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Humbert, from the Committee, reported, that they had gone into consideration the Bill referred to them, and made progress therein, and he was directed to ask leave to sit again.

Ordered, that the Report be accepted and leave granted.

The House, according to the order of the day, went into Committee of the whole, on a Bill for the more speedy and effectual punishment of Persons keeping disorderly Houses.

Mr. Weldon took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Weldon, from the Committee, reported, that they had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered, that the Report be accepted, and the Bill engrossed.

Mr. Rankin, pursuant to leave, brought in a Bill in addition to an Act, intituled "an Act to make more effectual provision for preventing the importation and spreading of infectious distempers within the Towns or Settlements on the River Miramichi."

Which was read a first time.

Read a second time, the following Bills:—

A Bill to continue the Laws for regulating the Fisheries in the County of Northumberland.

A Bill to lay a Tax on Dogs, in certain parts of the Parishes of Newcastle, Chatham and Nelson, in the County of Northumberland.

And a Bill to continue an Act, intituled "an Act for the Regulation of Booms for securing Masts, Logs and Lumber, in certain parts of the County of Northumberland.

On motion of Mr. Ward.—The House went into Committee of the whole, on a Bill to regulate the ungranted Fisheries in the Harbcur of St. John.

Mr. Gilbert took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Gilbert, from the Committee, reported, that having gone into consideration of the said Bill, they had passed the following Resolution, which he was directed to report :—

“ Resolved, that in the opinion of this Committee, the further consideration of this Bill should be postponed until the next Session of the General Assembly, and in the mean time, a copy of the said Bill be delivered to the Mayor, Aldermen and Commonalty of the City of Saint John.

Ordered, that the Report be accepted.

Mr. Speaker laid before the House, a list of the several persons licenced as Auctioneers from the year 1784 to the present period.

Mr. Barlow moved for leave to bring in a Bill in further amendment of the Acts regulating the exportation of Fish.

Leave granted.

Mr. Chandler, from the Committee appointed to bring in a Bill for regulating, laying out and repairing Highways and Roads throughout the Province, reported that they attended to that duty, and prepared a Bill under the title of “ A Bill to repeal all the Laws now in force for regulating, laying out, and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways in the several Towns and Parishes in this Province, and to make more effectual provision for the same.”

And the said Bill, as reported by the Committee, being handed in at the Clerk’s Table, was read a first time.

Mr. Parker, from the Committee appointed to examine into the Treasurer’s accounts, for ascertaining the amount of Auction Duties paid into the Treasury for the last ten years, having attended to that duty, submitted the following Report, which he read :—

“ That on a careful examination of the Treasurer’s accounts for that period, they find that the following Auction Duties have been collected, viz :—

AT SAINT JOHN.

1818	£205	:	7	:	6
1819	199	:	18	:	8½
1820	112	:	11	:	4½
1821	275	:	14	:	1
1822	296	:	19	:	1
1823	225	:	10	:	10½
1824	164	:	15	:	8
1825	1035	:	11	:	0
1826	241	:	15	:	2½
1827	399	:	16	:	11

Amounting to £3,158 : 0 : 0

The only sums which appear to have been paid into the Treasury from other parts of the Province; during the same time, are,

From Saint Andrews,	1821	£21	:	0	:	9½
„ Fredericton,	1822	6	:	8	:	7½
„ Miramichi,	1823	15	:	10	:	10
„ „	1824	44	:	15	:	2½

“ Thus it will appear to the House, that no Auction Duties have been collected in any part of the Province, but Saint John, for the last three years; and only one payment each from the Counties of York and Charlotte, and two from Northumberland in ten years, notwithstanding there have been several Persons licensed as Auctioneers in most of the Counties, a list of whom has been laid before the House.

“ Your Committee find that it has been the custom to require persons licenced, to enter into Bond to the King with sureties, conditioned for their due accounting and faithful observance of the provisions of the Act of Assembly.

“ It will be seen by reference to the Act of Assembly, 26, Geo. 3, c. 44, that in order
more

more effectually to secure the Duty, Auctioneers are expressly enjoined not to sell until they have entered into recognizance with sureties before some Judge of the Supreme Court or Common Pleas, duly to account, &c. : Your Committee are not fully informed whether this recognizance has been required in addition to the Bond before mentioned, but they are led to suppose that the Bond to the King has been taken in lieu of the recognizance, being considered, probably, as equally effectual, and more convenient for the person licenced to enter into.

“ The said Act also directs that all Auctioneers shall render accounts to the Province Treasurer on oath, every three months, and within twenty-one days thereafter pay the Duty, under the penalty of £50 for each and every offence.

“ Your Committee, feeling quite satisfied, from the information they had obtained, that there have been many sales by Auction, of Goods liable to the Duty, of which no account has been rendered, and that in many parts of the Province the salutary provisions of the Act have been almost entirely defeated, are at a loss to account for this, except from the circumstance of the Act not expressly authorizing the payment to be made to the Deputy Treasurers in their respective districts as well as the Province Treasurer.

“ They respectfully suggest that the Deputy Treasurers should be authorized and required to carry into effect the said Law ; and that some prompt measures should be adopted to oblige the several Auctioneers to render accounts and make payments of the arrears which may now be due from them.

ROBERT PARKER,
JOHN WARD, JUN.,
ALEX. RANKIN.”

The Report being again read at the Clerk's Table, was ordered to be accepted.

On motion of Mr. Parker.—Resolved, that the Petition of Henry Gilbert, Esquire, and others, Inhabitants of the City of St. John, praying for a revision of the Laws regulating sales by Auction, be referred to the Committee of Trade, to report thereon by Bill or otherwise, and that the said Committee be also instructed to take into consideration the Report made by the Select Committee respecting the amount of Duties paid into the Treasury during the last ten years.

The House adjourned until Monday morning next, at 10 o'clock.

MONDAY, 22d DECEMBER, 1828.

Prayers.

On motion of Mr. Rankin.—The House went into Committee of the whole, on a Bill to continue an Act, intituled “ an Act for the regulation of Booms for securing Masts, Logs and Lumber, in certain parts of the County of Northumberland.”

Mr. Barlow took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Barlow, from the Committee, reported that they had gone into consideration of the Bill referred to them, and agreed to the same.

Ordered, that the Report be accepted and the Bill engrossed

On motion of Mr. Rankin.—The House went into Committee of the whole, on a Bill to lay a Tax on Dogs in certain parts of the Parishes of Newcastle, Chatham and Nelson, in the County of Northumberland.

Mr. Parker took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Parker, from the Committee, reported, that they had gone into consideration of the Bill referred to them, and agreed to the same with amendments.

Ordered, that the Report be accepted, and the Bill engrossed as amended.

Read, a second time, the following Bills :—

A Bill to encourage the raising of Bread Corn on new Land.

A Bill in addition to an Act, intituled “ an Act to make more effectual provision for preventing the importation and spreading of infectious distempers within the Towns or Settlements on the River Miramichi.”

And

And a Bill to amend the Statute Law, relative to offences against the Person, and to provide for the more effectual punishment of such offences.

Mr. Munro presented a Petition from William Carman, Esquire, and others, Freeholders and Inhabitants of the County of Gloucester, praying that a sum may be granted to improve the road from the County of Northumberland to Restigouche.

Which he read.

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

Mr. Gilbert moved for leave to bring in a Bill, in addition to an Act, intituled "an Act for the appointment of Town or Parish Officers in the several Counties in this Province."

Leave granted.

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

Mr. Clinch moved for leave to bring in a Bill to provide for the erection of Oat Mills throughout the Province. Leave granted.

Read a second time:—

A Bill to repeal all the Laws now in force for regulating, laying out and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways, in the several Towns and Parishes in this Province, and to make more effectual provision for the same.

Ordered, that the said Bill be referred to a Committee of the whole House to-morrow.

On motion of Mr. Weldon.—Resolved, that the Speaker do issue his Warrant to the Clerk of the Crown in Chancery, requiring him to attend to-morrow, at 11 o'clock in the forenoon, before the Committee appointed to take into consideration the Petition of Stephen Humbert, complaining of an undue Election and return of Robert Parker, Esquire, for the County of St. John, and to bring with him the last Writ for the Election of Members to serve in General Assembly for the said County, together with the Sheriff's return thereto.

Read a third time, as engrossed,

A Bill for the more speedy and effectual punishment of Persons keeping disorderly Houses.

Resolved, that the Bill do pass.

Ordered, that Mr. Parker and Mr. Gilbert carry the said Bill to the Council, and desire their concurrence thereto.

Read a third time, as engrossed,

A Bill to authorize the extention of the Gaol Limits in the City of St. John.

Resolved, that the Bill do pass.

Ordered, that Mr. Ward and Mr. Weldon carry the said Bill to the Council, and desire their concurrence thereto.

Read a third time, as engrossed,

A Bill to continue and amend an Act, intituled "an Act to provide for the surrender of the Principal in discharge of Bail, in actions pending in the Supreme Court of Judicature, in this Province."

Resolved, that the Bill do pass.

Ordered, that Mr. Chandler and Mr. Dow carry the said Bill to the Council, and desire their concurrence thereto.

Read a third time, as engrossed,

A Bill to continue an Act, intituled "an Act for the regulation of Booms, for securing Masts, Logs and Lumber, in certain parts of the County of Northumberland."

Resolved, that the Bill do pass.

Ordered, that Mr. Rankin and Mr. Crane carry the said Bill to the Council and desire their concurrence thereto.

Mr. Chandler, by leave, presented a Petition from several Inhabitants of the Parishes of Westmorland and Sackville, in the County of Westmorland, praying an Act may pass to authorize the building of an Aboideau over the River Au Lac.

Which he read.

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

Mr. Chandler moved for leave to bring in a Bill to authorize the building of an Aboideau over the River Au Lac, in the County of Westmorland. Leave granted.

The House adjourned until to-morrow morning, at 10 o'clock.

TUESDAY,

TUESDAY, 23d DECEMBER, 1828.

Prayers.

Read a second time :—

A Bill, in addition to an Act, intituled “an Act for the appointment of Town and Parish Officers in the several Counties in this Province.”

On motion of Mr. Ketchum.—The House went into Committee of the whole, on a Bill to encourage the raising of Bread Corn on new Land.

Mr. Dow took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Dow, from the Committee, reported, that they had gone into consideration of the Bill and agreed to the same, under the title of a Bill to continue an Act for granting Bounties on Grain raised on new Land.

Ordered, that the Report be accepted, and the Bill under the amended title engrossed.

Mr. Humbert moved for leave to bring in a Bill to authorize and empower the Rector, Church Wardens and Vestry, of Trinity Church, in the Parish of Kingston, in Kings County, to make certain conveyances of Lands, now held by them in trust, in exchange for other Lands, and for other purposes therein mentioned.

Leave granted.

And the said Bill being brought in, was read a first and second time.

On motion of Mr. Parker.—The House went into Committee of the whole, on a Bill to amend the Statute Law, relative to offences against the Person, and to provide for the more effectual punishment of such offences.

Mr. Chandler took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Chandler, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had agreed to the same with amendments.

Ordered, that the Report be accepted, and the Bill engrossed as amended.

The House, according to the order of the day, went into Committee of the whole, on a Bill to repeal all the Laws now in force for regulating, laying out and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways, in the several Towns and Parishes in this Province, and to make more effectual provision for the same.

Mr. Partelow took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Partelow, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had made progress therein, and he was directed to ask leave to sit again.

Ordered, that the Report be accepted and leave granted.

The House adjourned until to-morrow morning, at 10 o'clock.

WEDNESDAY, 24th DECEMBER, 1828.

Prayers.

Mr. Campbell, by leave, presented a Petition from Sylvanus Appleby, of Deer Island, in the County of Charlotte, praying relief in a case where he had paid Provincial Duties twice on the same articles.

Which he read.

Ordered, that the said Petition be received and referred to the Committee of Trade.

On motion of Mr. Gilbert.—The House went into Committee of the whole, on a Bill in addition to an Act, intituled “an Act for the appointment of Town and Parish Officers in the several Counties in this Province.”

Mr. Ward took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Ward, from the Committee, reported that they had gone into consideration of the Bill referred to them, and that in the Committee it was moved that the further consideration thereof be postponed for three months; whereupon the Committee divided,

vided, YEAS 7, NAYS 13, and was carried in the negative : And that he was directed further to report, that they had agreed to the said Bill, with an amendment.

Ordered, that the Report be accepted and the Bill engrossed as amended.

Mr. Chandler, pursuant to leave, brought in a Bill to authorize the building of an Aboideau over the River Au Lac, in the County of Westmorland.

Which was read a first time.

On motion of Mr. Chandler.—Resolved, that an humble Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to direct that there be laid before the House a statement of the number of Grants which have passed the Great Seal for Lands sold under the new system of disposing of Crown Lands in this Province ; the number of Lots which have been sold, and in what Counties ; the number of Lots actually surveyed and settled.

Ordered, that Mr. Chandler, Mr. Barlow and Mr. Munro, be a Committee to present the said Address.

Mr. Campbell, pursuant to leave, brought in a Bill to regulate the Exportation of Lumber, and to repeal all the Acts now in force for regulating the same.

Which was read a first time.

Mr. Scott moved for leave to bring in a Bill, to regulate the appointment of County Treasurers.

Leave granted.

Mr. Freeze moved for leave to bring in a Bill to amend and alter the Laws now in force, to enable the owners of stray Cattle more easily to recover the same.

Leave granted.

Mr. Barlow, pursuant to leave, brought in a Bill in further amendment of the Acts regulating the exportation of Fish.

Which was read a first time.

On motion of Mr. Rankin.—The House went into Committee of the whole, on a Bill in addition to an Act, intituled “an Act to make more effectual provision for preventing the importation and spreading of infectious distempers within the Towns or Settlements on the River Miramichi.”

Mr. Parker took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Parker, from the Committee, reported, that they had gone into consideration of the Bill referred to them, and agreed to the same with amendments.

Ordered, that the Report be accepted, and the Bill engrossed, as amended.

The House went into Committee of the whole, in further consideration of a Bill to repeal all the Laws now in force for regulating, laying out, and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways in the several Towns and Parishes in this Province, and to make more effectual provision for the same.

Mr. Partelow took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Partelow, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had made further progress therein, and that he was directed to ask leave to sit again.

Ordered, that the Report be accepted and leave granted.

Mr. Chandler, from the Committee appointed to wait upon His Excellency the Lieutenant-Governor with the Address of the House, on the subject of the Crown Land System, reported, that they had attended to that duty ; and His Excellency was pleased to say he would immediately direct the proper officer to furnish the information required.

A Message from His Excellency the Lieutenant-Governor.

Mr. Secretary Odell delivered the following Message.

“NEW-BRUNSWICK.

“MESSAGE to the HOUSE OF ASSEMBLY,

“24th December, 1828.

“HOWARD DOUGLAS.

“The Lieutenant-Governor informs the House of Assembly, that he has received a Letter

Letter from Sir George Murray, dated 25th August, 1828, stating, that in consequence of representations on the subject of the Militia of New-Brunswick, and the almost total deficiency of Arms and Accoutrements, His Majesty's Government have determined to forward 3000 Stand of Arms and Accoutrements, and a further supply in the Spring, on receiving returns of the precise number required, but that it is desirable that the Legislature should engage to keep them in repair, and also provide for their safe custody at the Head Quarters of the different Regiments, or at such places as the Lieutenant-Governor may appoint for receiving them into store, when they are no longer required for the Annual Training of the Militia ; and the Lieutenant-Governor depends upon the Legislature making provision for the whole of this establishment.

“ H. D. ”

On motion of Mr. Weldon.—Resolved, that James Peters, Junior, Esq., the Common Clerk of the City and County of St. John, who has attended with the Poll Book of the last Election for the said County, by order of this House, have permission to return home ; and that the said Poll Book be delivered into the charge of the Clerk of the House, to remain until the decision of the House is made upon the said Election, and then to be delivered over to the said Common Clerk.

Mr. Clinch, by leave, presented a Petition from Thomas Gray, a settler on the St. Andrews Road, praying aid to assist in keeping an establishment on the said Road.

Which he read.

Ordered, that the said Petition be received and referred to the Committee of Supply. The House then adjourned till Friday next, at 10 o'clock.

FRIDAY, 26th DECEMBER, 1828.

Prayers.

Read a second time, the following Bills :—

A Bill to authorize the building of an Aboideau over the River Au Lac, in the County of Westmorland.

A Bill in further amendment of the Acts regulating the Exportation of Fish.

And a Bill to regulate the exportation of Lumber, and to repeal all the Acts now in force for regulating the same.

Ordered that Mr. Dow be added to the Committee to report upon the present Militia System.”

On motion of Mr. Crane.—The House went into Committee of the whole, on the Message from His Excellency the Lieutenant-Governor, of the 24th instant, upon the subject of the Arms and Accoutrements forwarded from England for the use of the Militia.

Mr. Humbert took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Humbert from the Committee, reported, that having gone into consideration of the said Message, the following Resolution was passed :—

“ Resolved, that the recommendation from His Excellency the Lieutenant-Governor, contained in his Message to this House, be referred to the Committee appointed to take into consideration that part of His Excellency's Speech which relates to the Militia System.”

Ordered, that the Report be accepted.

Mr. Campbell, by leave, presented a Petition from John Wilson, of Saint Andrews, in the County of Charlotte, praying a grant may pass for the sum of £94 : 9 : 1, to reimburse that sum expended by him over and above the grant made at the last Session for opening a road from the Commons line to the Great Road from Saint John to Saint Andrews ; and that a further sum of £21 may be granted to remunerate William Hawkins, for work done on the said road.

Which he read.

Ordered, that the said Petition be received and referred to the Committee of Supply.

On motion of Mr. Rankin—The House went into Committee of the whole, on a Bill to continue the Laws for regulating the Fisheries in the County of Northumberland.

Mr.

Mr. Scott took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Scott, from the Committee, reported, that they had gone into consideration of the Bill referred to them, and had agreed to the same.

Ordered, that the Report be accepted, and the Bill engrossed.

Mr. Partelow, by leave, presented a Petition from Messrs. Crookshank and Walker, and others, Licenced Auctioneers in the City of Saint John, praying that no further Duties may be imposed on Goods sold by public outcry.

Ordered, that the said Petition be received and referred to the Committee of Trade.

The House went into Committee of the whole in further consideration of a Bill to repeal all the Laws now in force, for regulating, laying out, and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways in the several Towns and Parishes in this Province, and to make more effectual provision for the same.

Mr. Partelow took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Partelow, from the Committee, reported, that having gone into consideration of the Bill referred to them, they had made further progress therein, and that he was directed to ask leave to sit again.

Ordered, that the Report be accepted, and leave granted.

On motion of Mr. Scott.—Resolved, that an humble Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency would be pleased to direct to be laid before this House an account of the expenditure of the sums granted by the Legislature, towards the support of the New-Brunswick Agricultural and Emigrant Society; and also a statement of the funds of that Society.

Ordered, that Mr. Scott, Mr. Barlow and Mr. Crane, be a Committee to present the said Address to His Excellency.

Mr. Clinch, by leave, presented a Petition from Stephen Humbert, praying permission to withdraw a former Petition, presented at the last Session of the Legislature, complaining of the undue Election and return of Robert Parker, Esquire, for the City of St. John.

Which he read.

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

The House adjourned until to-morrow morning, at 10 o'clock.

SATURDAY, 27th DECEMBER, 1828.

Prayers.

Mr. Parker, from the Committee of Trade, to whom was referred the Petition of Henry Gilbert, Esquire, and others, of the City of St. John, praying a revision of the Laws regulating sales by Auction, reported, that having taken into consideration the said Petition, they had prepared a Bill, under the title of "a Bill for the better regulation of Sales by Auction."

Which being handed in at the Clerk's Table, was there read a first time.

The House went into Committee of the whole, on a Bill to authorize the building of an Aboidean over the River Au Lac, in the County of Westmorland.

Mr. Munro took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Munro, from the Committee, reported that having gone into consideration of the said Bill, they had made progress therein, and that he was directed to ask leave to sit again.

Ordered, that the Report be accepted, and leave granted.

Read a third time, as engrossed,

A Bill further to continue until the first day of April, 1835, an Act to authorize the Justices of the Peace, in their General Sessions, to establish Ferries in their respective Counties.

Resolved, that the Bill do pass.

Ordered, that Mr. Weldon and Mr. Partelow carry the said Bill to the Council, and desire their concurrence thereto.

Read

Read a third time, as engrossed,

A Bill to continue an Act, intituled "an Act to empower the Justices of the County of Charlotte, to make regulations for driving Timber and Logs down the Rivers St. Croix, Magaguadavic and Digdeguash, and their Branches.

Resolved, that the Bill do pass.

Ordered, that Mr. Clinch and Mr. Munro carry the said Bill to the Council, and desire their concurrence thereto.

Read a third time, as engrossed,

A Bill in addition to an Act, intituled "an Act for the appointment of Town and Parish Officers in the several Counties in this Province."

Resolved, that the Bill do pass.

Ordered, that Mr. Gilbert and Mr. Taylor carry the said Bill to the Council, and desire their concurrence thereto.

Read a third time, as engrossed,

A Bill to continue the Laws for regulating the Fisheries in the County of Northumberland.

Resolved, that the Bill do pass.

Ordered, that Mr. Rankin and Mr. Ward carry the said Bill to the Council and desire their concurrence thereto.

Mr. Weldon, Chairman of the Committee, appointed under the Resolution of the House of the 15th instant, for examining into the matter of the Petition of Stephen Humbert, complaining of an undue return of Robert Parker, Esquire, for the County of St. John, reported, that they had proceeded in the business referred to them, and submitted a report, which he read, and being handed in at the Clerk's Table, was there again read, and is as follows :—

"That on the 22d instant, the Committee met in the Speaker's Room, and adjourned until the next day, when they again met and notified the parties that they were ready to attend to the duty required of them, and the said Stephen Humbert, the Petitioning Candidate, attended, but the said Robert Parker, the Sitting Member, not being in attendance, the Committee adjourned until the 24th instant, on which day the House being occupied on very important business, the Committee were under the necessity of adjourning until the 26th instant, on which day the House being still occupied with business of importance, and several Members absent, the Committee were under the necessity of again adjourning until this morning, and the Sitting Member Robert Parker, Esquire, not having attended before your Committee, they are desirous of being instructed as to the course of proceeding to be adopted by them:

J. W. WELDON,
W. CRANE,
W. TAYLOR,
COLIN CAMPBELL."

Ordered, that the Report be accepted.

On motion of Mr. Chandler,—The House proceeded to take into consideration the Petition of Stephen Humbert, presented to this House yesterday, and praying to be permitted to withdraw a former Petition.

Whereupon, Mr. Chandler moved the following Resolution :—

"Resolved, that the said Petition of Stephen Humbert, Esquire, praying that he may be allowed to withdraw his Petition, presented to this House complaining of the undue Election and return of Robert Parker, Esquire, for the County of St. John, be complied with."

And upon the question for passing the said Resolution, the House divided as follows

YEAS.
Mr. Crane,
Barlow,
Ward,
Weldon,
Chandler,
Taylor,

NAYS.
Mr. Humbert,
Scott,
Gilbert,
Partelow,
Miles,
Freeze,

YEAS.
Mr. Ketchum,
Rankin,
Munro,
Dow,
Campbell.

NAYS.
Mr. Palmer,
Clinch.

It was thereupon carried in the affirmative.

Mr. Campbell moved for leave to bring in a Bill to authorize the building a Dam across the Digdeguash River.

Leave granted.

The House went into Committee of the whole, in further consideration of a Bill to repeal all the Laws now in force for regulating, laying out, and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways in the several Towns and Parishes in this Province, and to make more effectual provision for the same.

Mr. Partelow took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Partelow, from the Committee, reported, that they had made further progress in the said Bill, and asked leave to sit again.

Ordered, that the Report be accepted and leave granted.

The House went into Committee of the whole, on a Bill in further amendment of the Acts regulating the exportation of Fish.

Mr. Taylor in the Chair of the Committee.

The Chairman reported, that they had agreed to the Bill under the title of "A Bill to extend the provision of the several Acts regulating the exportation of Fish, to all Pickled Fish intended for Exportation."

Ordered, that the Report be accepted, and the Bill engrossed under the amended title.

On motion of Mr. Weldon.—The House went into Committee of the whole, on a Bill further to increase the Revenue of the Province, by imposing a Duty upon all Rum and other Spirituous Liquors that shall be distilled within the same.

Mr. Partelow in the Chair of the Committee.

The Chairman reported, that they had gone into consideration of the Bill referred to them, and had agreed to the same with amendments.

Ordered, that the Report be accepted, and the Bill engrossed, as amended.

The House adjourned until Monday morning next, at 10 o'clock.

MONDAY, 29th DECEMBER, 1828.

Prayers.

Read a third time, as engrossed,

A Bill to amend the Statute Law, relative to offences against the Person, and to provide for the more effectual punishment of such offences.

Resolved, that the Bill do pass.

Ordered, that Mr. Parker and Mr. Rankin carry the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed.

A Bill to continue an Act for granting Bounties on Grain raised on new Land.

Resolved, that the Bill do pass.

Ordered, that Mr. Ketchum and Mr. Miles carry the said Bill to the Council, and desire their concurrence thereto.

Read a second time :—

A Bill for the better regulation of Sales by Auction.

Ordered, that the said Bill be referred to a Committee of the whole House to-morrow.

Mr. Ketchum moved for leave to bring in a Bill to provide for the better security of Lumber, in the several Rivers, Coves and Harbours, within this Province.

Leave granted.

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

Mr.

Mr. Chandler moved for leave to bring in a Bill further to amend an Act, intituled "an Act subjecting Real Estates in the Province of New-Brunswick, to the payment of Debts, and directing the Sheriff in his proceedings thereon."

Leave granted.

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

Mr. Ketchum, by leave, presented a Petition from Robert and William Gibson, of the Parish of Northampton, in the County of York, Mill Wrights, praying aid to assist in the erection of an Oat Mill in that Parish.

Which he read.

Ordered, that the said Petition be received and referred to the Committee of Supply.

The House, in Committee of the whole, went into the further consideration of a Bill to repeal all the Laws now in force for regulating, laying out and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways, in the several Towns and Parishes in this Province, and to make more effectual provision for the same.

Mr. Partelow in the Chair of the Committee.

The Chairman reported, that in the Committee the following amendment was moved as the XXX Section to the said Bill.

And whereas it is considered expedient that the scale for the assessment of labour provided in the VI Section of this Act, should not apply to the Parish of Fredericton, in the County of York, and that in lieu thereof other provisions should be made.

Be it therefore enacted, That in the said Parish of Fredericton, the amount of labour to be performed by the Inhabitants of said Parish, shall be agreeably to the following scale:—For Licenced Schoolmasters and all Apprentices and Persons under the age of twenty-one years, two days. Journeymen Mechanics, Hired Servants and Common Labourers, whose real and personal Estate may be estimated at not being worth £100, three days. All persons whose real and personal Estate may be estimated to be worth the sum of £100, and not exceeding £200, three days; exceeding £200 and not exceeding £500, four days; exceeding £500 and not exceeding £1000, five days; exceeding £1000 and not exceeding £2000, six days; exceeding £2000 and not exceeding £3000, eight days; exceeding £3000 and not exceeding £4000, ten days; exceeding £4000, twelve days. And also, all persons whose yearly income may exceed £300, twelve days: And all other male Inhabitants who do not come within any of the foregoing description of persons, shall work four days.

Upon the question for passing the said amendment the Committee divided:—

YEAS 6.

NAYS 17.

It was thereupon carried in the negative.

And he further reported that they had agreed to the said Bill with amendments, under the title of a Bill for the regulating, laying out, and repairing Highways.

Ordered, that the Report be accepted and the Bill as amended engrossed, under the title as amended.

Mr. Ketchum moved for leave to bring in a Bill to alter the Great Road leading from Fredericton to the Canada Line.

Leave granted.

Mr. Scott, pursuant to leave, brought in a Bill to regulate the appointment of County Treasurers.

Which was read a first time.

Read a third time, as engrossed.

A Bill to extend the provisions of the several Acts regulating the exportation of Fish, to all Pickled Fish intended for Exportation.

Resolved, that the Bill do pass.

Ordered, that Mr. Barlow and Mr. Ward carry the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Partelow.—Resolved, that this House having taken into consideration the falling off of the Revenue for the last year, deem it highly expedient, that a rigid system of œconomy be adopted in the appropriations, and that such reductions should be made in the Grants as well for the ordinary as extraordinary services, as will in some measure, comport with the general circumstances of the Country.

Mr. Speaker laid before the House documents from the Offices of the Secretary and Surveyor

Surveyor General, as required by the Address of this House to His Excellency the Lieutenant-Governor, of the 24th instant, upon the subject of the present system of disposing of Crown Lands.

Ordered, that the several Documents lie on the table for the information of the House.

Mr. Ketchum moved for leave to bring in a Bill to empower the Justices of the General Sessions of the Peace, in the different Counties in the Province, to provide for the security of the County Records.

Leave granted.

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

Mr. Parker, from the Committee appointed to examine the Treasurer's Accounts, in order to ascertain the amount of Auction Duties paid into the Treasury during the last ten years, made a further report, which he read, and it being handed in at the Clerk's Table, was there again read, and is as follows:—

“ That since making their former report they discovered that some small sums have been received in addition to those specified in such Report, find the following sums credited in the accounts of the Deputy Treasurers.

Charlotte County,	1818,	£6 : 0 : 6
”	”	1819, 3 : 4 : 5
”	”	1820, 2 : 0 : 0
”	”	1822, 2 : 3 : 5
”	”	1823, 1 : 13 : 2½
”	”	1824, 5 : 1
		£15 : 7 : 1½

York County, 1825 and 1826, paid by Asa Coy, 9 : 8 : 5

“ In consequence of these not having been specially reported at the Annual examination of the Treasurer's accounts, or kept distinct from the general account ; they escaped the notice of the Committee at the time of making their former report.

ROBERT PARKER,
JOHN WARD, JUN.,
ALEX. RANKIN.”

Ordered, that the Report be accepted.

On motion of Mr. Partelow.—Ordered, that the order of the day, for going into Committee of the whole House, in consideration of Supplies to be granted for the Public Service, be discharged, and that it stand the order of the day for to-morrow.

The House adjourned until to-morrow morning, at 10 o'clock.

TUESDAY, 30th DECEMBER, 1828.

Prayers.

The House, in pursuance of the order of the day, went into Committee of the whole, on a Bill for the better regulation of Sales by Auction.

Mr. Weldon in the Chair of the Committee.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had agreed thereto, with amendments.

Ordered, that the Report be accepted, and the Bill as amended, engrossed.

The House proceeded to the order of the day, for going into Committee of the whole, in consideration of Supplies to be granted for the Public Service.

Mr. Partelow took the Chair of the Committee.

Mr. Partelow, from the Committee, reported, that having gone into consideration of the business referred to them, they had passed a number of Resolutions, which he read, and they being again severally read at the Clerk's Table, were agreed to by the House, and are as follow :

Resolved, that there be granted to the Chaplain of the Council, in General Assembly, the sum of 20/.

To the Chaplain of the House of Assembly, the sum of 20/.

Abstract of Revenue of New-Brunswick, from 1st January, to 20th October, 1828. inclusive.

PLACES OF ENTRY.	NETT LIGHT DUTY.			DUTY ON HORSES.			ORDINARY DUTIES.			AD VALOREM DUTIES.			DUTIES BY ACTS OF PARLIAMENT.			TOTAL £
	£	s	d	£	s	d	£	s	d	£	s	d	£	s	d	
Saint John,	512	3	3½				10,765	5	11½	520	3	9	8,605	10	8	20,400
Saint Andrews,				7	15	0	2,989	6	8	327	2	10	1,501	12	2	4,822
Miramichi,							3,273	18	11½				828	5	11	4,101
Liverpool,							503	3	3				144	1	9	647
Dorchester,							48	7	4½				47	19	6½	96
Dalhousie,							264	5	10				46	1	1½	310
Fredericton,													17	16	8½	17
Shediac,							49	6	4				6	7	9	55
West Isles,							712	18	5							712
TOTALS,	512	3	3½	7	15	0	18,606	7	9½	847	6	7	11,197	15	8	31,171

St. John, New-Brunswick, 21st October, 1828.

B. ROBINSON,

One of the Executors of the late John Robinson.

Statement of the Revenue of New-Brunswick, from 21st October, to 31st December, 1828.

PLACES OF ENTRY.	DUTY ON HORSES.			AUCTION DUTY.			ORDINARY DUTY.			LIGHT HOUSE DUTY.			AD VALOREM DUTY.			DUTY BY ACTS OF PARLIAMENT.			To AMT
	£	s	d	£	s	d	£	s	d	£	s	d	£	s	d	£	s	d	
Saint John,	5			4	10	7	1,166	3	7	167	17	3	73	11	11	1,269	1	10	2,686
Saint Andrews,	45			11	16	8	1,177	11	7				48	1	5				1,282
Miramichi,							697	14	2										697
Liverpool,							98	11	11										92
Chediac,							12	1	0										12
TOTALS,	50			16	7	3	3,146	2	3	167	17	3	121	13	4	1,269	1	10	4,771

Treasury, St. John, 1st January, 1829.

R. SIMONDS,

Province Treasurer.



DR. } *General State of the Public Accounts in ACCOUNT CURRENT with the Estate of the late Honorable JOHN ROBINSON, Province* } CR.
Treasurer, from 1st January, to 20th October, 1828, inclusively.

<p>To error in the addition of Account of Warrants paid in 1827, 20</p> <p>„ Cash paid amount of 488 Warrants from 1st January to 20th October, 1828, per account, 7 29,000 15 8½</p> <p>„ Amount of 96 cases of Drawbacks paid at St. John, from do. to do. per account, 8 1,095 17 4</p> <p>„ Amount of Bonds sent to the Attorney-General for collection, per account, 9 558 18 2</p> <p>„ Amount of Discount allowed for prompt payment of Duties from 1st January to 20th October, per account, 10 4 8 8</p> <p>„ Amount of 1 per cent duty collected at St. Andrews from 1st January, 1822, to 31st December, 1825, the same having been twice credited to the Province, per account, 11 293 4 3½ 30,973 4 2</p> <p>„ To balance remaining, 28,254 17 8</p> <p style="text-align: right; border-top: 1px solid black;">£ 59,228 1 5</p>		<p>By balance from last year's account, 27,585 17 10½</p> <p>„ Overcharge on a School Warrant in last account, 5 0 0</p> <p>„ Cash received from Attorney General per account, 1 692 12 2</p> <p>„ Balance of Light House account, 2 512 8 3½</p> <p>„ Cash received from Collector and Controller of H. M. Customs per account, 3 8,605 10 8</p> <p>„ Amount of Ordinary Duties collected at St. John, from 1st January, to 20th October, 1828, per account, 4 10,765 5 11½</p> <p>„ Amount of Advalorem Duties collected at do. from 1st January to 20th October, 1828, per account, 5 520 8 9 20,405 8 8</p> <p>„ Amount received from Savings Bank per account, 6 200 0 0</p> <p>„ Remittances from Deputy Treasurer's, viz.</p> <p>From Deputy Treasurer of Miramichi, 4,947 9 9</p> <p>„ „ „ Charlotte, 4,879 18 11</p> <p>„ „ „ Richibucto, 170</p> <p>„ „ „ West Isles, 349 15 5</p> <p>„ „ „ Restigouche, 102 8 7½ 10,348 7 8½</p> <p style="text-align: right; border-top: 1px solid black;">£ 59,228 1 5</p>
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The Executors, in rendering the above account from the documents which they have found in the Office, have to state that, although there is an apparent balance of £28,250 against the late Treasurer, they are convinced, as well from a Memorandum of his, dated in June last, as from the assets of his Estate, the actual balance ought not to exceed £22,250, their ignorance of previous transactions prevents their ascertaining the cause of this difference at so short a notice, but they pledge themselves to account for it satisfactorily to the Province at an early period.

St. John. N. B. 21st October, 1828.

B. ROBINSON,

One of the Executors of the late John Robinson.

W. H. ROBINSON, }
 B. ROBINSON, } *Executors.*





To the Clerk of the Council, in General Assembly, the sum of 50*l.* and 20*s.* per diem, during the present Session.

To the Clerk of the House of Assembly, the sum of 100*l.* and 20*s.* per diem, during the present Session.

To the Clerk Assistant of the House of Assembly, the sum of 20*s.* per diem, during the present Session.

To the Sergeant at Arms, attending the Council in General Assembly, the sum of 15*s.* per diem, during the present Session.

To the Sergeant at Arms, attending the House of Assembly, the sum of 15*s.* per diem, during the present Session.

To the Doorkeepers, attending the Council and Assembly, the sum of 10*s.* per diem, each, during the present Session.

To the Messengers, attending the Council and Assembly, the sum of 10*s.* per diem, each, during the present Session.

To His Excellency the Lieutenant-Governor or Commander-in-Chief for the time being, for defraying the contingent expenses of the Province, a sum not exceeding 200*l.* for the year 1829.

To the Keeper of the Light House on Partridge Island, the sum of 100*l.* for his services for the year 1829.

To the Executors of the Estate of the late Hon. John Robinson, Province Treasurer, the sum of 385*l.* 6*s.* 8*d.* for the services of that Gentleman from the first March last, until 20th day of October.

To Richard Simonds, Esquire, Province Treasurer, for his services from the 20th day of October, to the 31st December, the sum of 116*l.* 13*s.* 4*d.* being at the rate of 600*l.* per annum.

To Robert Parker, Esquire, late acting His Majesty's Attorney General, for his services from the 1st day of April, 1828, to the 8th day of September following, the sum of 50*l.*

And he further reported, that he was directed to ask leave to sit again.

Ordered, that the Report be accepted, and leave granted.

A Message from His Majesty's Council.

Mr. Baillie delivered the following Message.

“ Council Chamber, 30th December, 1828.

“The practice which has hitherto prevailed of sending Bills and other Messages from the Council to the House of Assembly by a Member of the Council, having been found contrary to Parliamentary Usage and Colonial Practice ;

“Resolved, on motion of Mr. Baillie, that henceforth all Bills and Messages from the Council to the House of Assembly, be carried by a Master in Chancery.”

The House adjourned until to-morrow morning, at 10 o'clock.

WEDNESDAY, 31st DECEMBER, 1828.

Prayers.

Mr. Palmer, by leave, presented a Petition from Abraham Dobson, and others, Inhabitants of the Parish of Westmorland, in the County of Westmorland, and elsewhere, against the erection of an Aboideau across the River Au Lac.

Which he read.

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

On motion of Mr. Chandler.—The House went into Committee of the whole, in further consideration of a Bill to authorize the building of an Aboideau over the River Au Lac, in the County of Westmorland.

Mr. Munro in the Chair of the Committee.

The Chairman reported, that they had agreed to the Bill with amendments, under the title of “A Bill to authorize the erection of an Aboideau over the River Au Lac, in the County of Westmorland.

Ordered, that the Report be accepted, and the Bill engrossed, as amended.

Mr. Parker, by leave, presented a Petition from the Mayor, Aldermen and Commonalty of the City of St. John, praying that an Act may pass to authorize the election

of Charter Officers for Brook's Ward and Guy's Ward, in the said City, to be held in the manner directed by the Charter, and that the Act of the Legislature altering the Charter in this respect, be repealed.

Which he read.

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

Mr. Parker moved for leave to bring in a Bill relative to the Election of Charter Officers for Guy's Ward and Brook's Ward, in the City of St. John.

Leave granted.

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

Mr. Allen, from the Committee appointed to take into consideration that part of His Excellency the Lieutenant-Governor's Speech which relates to the Militia of the Province, and to whom was referred His Excellency's Message with regard to the Arms forwarded from England for the use of the Province, submitted a Report, which he read, and is as follows:—

“ That in the present state of this Province it does not appear to them expedient that any alteration should be made in the Militia Law.

“ The Committee have also taken into their most serious consideration, the Message of His Excellency the Lieutenant-Governor, of the 14th inst., relative to the Arms furnished for the Militia of this Province, and they are of opinion that it is not expedient at present, to make Legislative provision for the securing and repair of the said Arms; but they entertain a sanguine hope, that such provision will be made by the Militia of the Province; and they beg leave therefore to recommend, that when it shall appear to the satisfaction of His Excellency the Lieutenant-Governor, that the necessary and proper provision has been made by any Battalion of Militia for the safe keeping of the Arms, the said Battalion should be furnished with such a proportion of the said Arms, as to His Excellency may seem advisable. The Committee also recommend, that provision be made for storing and securing the said Arms, until otherwise disposed of.

PHILIP PALMER,
W. CRANE,
PATRICK CLINCH,
S. FREEZE,
JOHN DOW.”

Ordered, that the Report be accepted and referred to the Committee of the whole House on Friday next.

On motion of Mr. Hayward.—The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Partelow in the Chair of the Committee.

The Chairman reported, that they had passed several other Resolutions, which he read, and they being handed in at the Clerk's Table, were again severally read and agreed to by the House, and are as follow:—

Resolved, that there be granted to His Majesty's Solicitor-General, for his services from the 8th day of September last, to the 31st day of December, the sum of 16*l.* 18*s.* 4*d.*, being at the rate of 50*l.* per annum.

To the Clerk of the Crown in the Supreme Court, for his services for the year 1829, the sum of 75*l.*

To the Lieutenant-Governor or Commander-in-Chief for the time being, a sum not exceeding 4000*l.* for the encouragement of the Fisheries pursuant to the Acts of the General Assembly.

To the Lieutenant-Governor or Commander-in-Chief for the time being, a sum not exceeding 200*l.* for the encouragement of the destruction of Bears, agreeably to a Law of the Province.

To the Lieutenant-Governor or Commander-in-Chief for the time being, a sum not exceeding 3000*l.* to be paid for the encouragement of raising Grain on new Land, agreeably to a Law of this Province.

To Doctor John Boyd, innoculating Surgeon for the Vaccine Institution, in the City of St. John, the sum of 40*l.* for services performed in the year 1828.

To His Excellency the Lieutenant-Governor or Commander-in-Chief for the time being,

being, the sum of 100*l.* to be applied towards the support of the Light House on Brier Island for the year 1829.

To His Excellency the Lieutenant-Governor or Commander-in-Chief for the time being, the sum of 120*l.* to be applied towards the support of a Light House on Cranberry Island, in the Province of Nova Scotia, for the year 1829.

To the Adjutant General of the Militia forces, the sum of 75*l.* for the duties of his Office for the year 1829.

And the Chairman further reported, that he was directed to ask leave to sit again.

Ordered, that the Report be accepted, and leave granted.

Read a second time :—

A Bill further to amend an Act, intituled “an Act subjecting Real Estates in the Province of New-Brunswick, to the payment of Debts, and directing the Sheriff in his proceedings thereon.”

The House adjourned until Friday morning next, at 10 o'clock.

FRIDAY, 2d JANUARY, 1829.

Prayers.

Read a third time, as engrossed,

A Bill to restrain Hawkers and Pedlars, within the Province, from selling without Licence.

Resolved, that the Bill do pass.

Ordered, that Mr. Weldon and Mr. Palmer carry the said Bill to the Council, and desire their concurrence thereto.

Mr. Campbell, by leave, presented a Petition from Flora M' Rae, Widow of the late Captain Alexander M' Rae, praying pecuniary Legislative aid in her distressed situation.

Which he read.

And upon the question that the said Petition be received and referred to the Committee of Supply, the House divided—

YEAS.
Mr. Clinch,
Ward,
Gilbert,
Partelow,
Ketchum,
Rankin,
Campbell,
Palmer,

NAYS.
Mr. Weldon,
Humbert,
Scott,
Barlow,
Harrison,
Taylor,
Freeze,
Dow,
Chandler,
Crane,

It was thereupon carried in the negative.

Read a second time, the following Bills :—

A Bill relative to the Election of Charter Officers for Guy's Ward, and Brooks's Ward, in the City of St. John.

A Bill to provide for the better security of Lumber, in the several Rivers, Coves and Harbours, within this Province.

A Bill to regulate the appointment of County Treasurers.

A Bill to empower the Justices of the General Sessions of the Peace, in the different Counties in the Province, to provide for the security of the County Records.

Mr. Parker, from the Committee appointed to consider of all matters relative to the Commerce of the Province, reported, that they had prepared a Bill, under the title of a Bill further to increase the Revenue of the Province.

And the said Bill being handed in at the Clerk's Table, was read a first time.

The House went into Committee of the whole, on a Bill to authorize and empower the Rector, Church Wardens and Vestry, of Trinity Church, in the Parish of Kingston, in Kings County, to make certain conveyances of Lands, now held by them in trust, in exchange for other Lands, and for other purposes therein mentioned.

Mr.

Mr. Taylor in the Chair of the Committee.

The Chairman reported, that having gone into consideration of the said Bill they had agreed to the same with amendments.

Ordered, that the Report be accepted, and the Bill engrossed.

Mr. Scott, from the Committee appointed to wait upon His Excellency the Lieutenant-Governor with the Address of the House of the 30th ult., praying His Excellency to direct that a statement of the expenditure of the sums granted by the Legislature, in support of the New-Brunswick Agricultural and Emigrant Society, and an account of the Funds of that Society, be laid before the House, Reported, that His Excellency was pleased to say, that so soon as the necessary documents could be prepared, he would comply with the wishes of the House.

On motion of Mr. Dow.—The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Partelow in the Chair of the Committee.

The Chairman reported, that the following Resolution was moved :—

“ Resolved, that there be granted to Charles I. Peters, Esquire, His Majesty’s late Solicitor General, for his services to the 8th day of September last, the sum of ”

And upon the question for making the usual provision for Charles I. Peters, as Solicitor-General, the following Resolution was moved :—

“ Resolved, that in consequence of statements made by Charles Simonds, Esquire, a Member for the County of Saint John, affecting the conduct of Mr. Peters, in his late office of Solicitor-General, the Committee think fit not to sustain the Resolution for the present.”

Whereupon the Committee divided :—YEAS 18. NAYS 4.

It was thereupon carried in the affirmative.

A Message from His Majesty’s Council.

Mr. Bliss, Master in Chancery, delivered the following Message :—

“ Mr. Speaker—I am directed to inform this House that the Council have agreed to the following Bills :—

“ A Bill to continue the Laws for regulating the Fisheries in the County of Northumberland.

“ A Bill to continue the Act, for the regulation of Booms in Northumberland.

“ A Bill to continue an Act for granting Bounties on Grain.

“ A Bill to continue an Act to authorize the Justices in Sessions, to establish Ferries.

“ A Bill to authorize the extension of the Gaol Limits in the City of St. John.

“ A Bill for the more speedy and effectual punishment of Persons keeping disorderly Houses.

“ A Bill to prevent a failure of Justice by reason of variances between Records and Writings produced in evidence.

“ A Bill to continue a Nightly Watch in St. John.

“ A Bill, in addition to an Act for the appointment of Town and Parish Officers.”

And the Council have likewise agreed to the following Bills, with amendments :—

“ A Bill to continue and amend an Act, intituled “ an Act to provide for the surrender of the Principal in discharge of Bail, in actions pending in the Supreme Court of Judicature, in this Province.

“ A Bill to continue an Act, intituled “ an Act to repeal all the Laws now in force for the regulation of Seamen, and to make more effectual provision for that purpose.

“ A Bill amend to the Law of Evidence in certain cases.”

To which amendments they desire the concurrence of this Honorable House.

And I am further directed to inform the House of Assembly that the Council have passed the following Resolution :—

“ Resolved, that whenever a Message shall be sent from the House of Assembly to the Council, that the President shall receive the Messenger at the Bar.”

The House proceeded to take into consideration the several amendments made by the Council, to the following Bills :—

A Bill to continue and amend an Act to provide for the surrender of the Principal in discharge of Bail.

A Bill to continue an Act to repeal the Laws for the regulation of Seamen, and to make more effectual provision for that purpose.

A Bill for amending the Law of Evidence in certain cases.

The amendments being severally read, and the question severally put thereon, they were agreed to by the House.

Ordered, that Mr. Chandler and Mr. Parker do return the said Bills with the amendments to the Council, and inform them that the House have concurred therein.

Mr. Chandler stated to the House that Charles I. Peters, Esquire, Attorney General, was desirous of being heard before this House, in reply to statements made in the House when in Committee of Supply, touching the improper conduct of that Gentleman in his late office of Solicitor General.

Thereupon, on motion of Mr. Parker.—Resolved, that it be referred to the Committee of Privilege to examine and report to the House whether it is according to Parliamentary usage to suspend the ordinary allowance to a Public Officer, upon the allegations made by a Member of the House in his place or before a Committee of the whole House; and further whether it is according to Parliamentary usage that a Public Officer should be allowed to appear at the Bar of this House, to make any statement in reply; or be permitted in any and in what other manner to answer or explain statements made by a Member of this House, touching the conduct of such Officer.

Mr. Humbert, by leave, presented a Petition from Daniel Green, praying for redress on account of the injustice heaped upon him by a Public Officer.

Which he read.

And upon the question that the said Petition be received and lie on the Table, the House divided—YEAS 14. NAYS 8.

It was thereupon carried in the affirmative.

On motion of Mr. Parker.—Resolved, that the Petition of Daniel Green, be referred to the Committee of Privilege to examine and report thereon.

The House, according to the order of the day, went into Committee of the whole, on the report of the Select Committee to inquire into the Militia System, and take into consideration His Excellency's Message relative to the Arms forwarded by His Majesty's Government, for the use of the Militia in this Province.

Mr. Harrison in the Chair of the Committee.

The Chairman reported, that the Committee had passed the following Resolution:—

Resolved, that it is not expedient until some proper Legislative provisions are made for the protection of the Arms, which His Majesty has been most graciously pleased to present to the Province for the use of the Militia, to distribute them among the Battalions in the several Counties, but that it will in the opinion of this Committee, be highly necessary and proper, that the same should be kept in such places of safe deposit, as His Excellency the Lieutenant-Governor may appoint, and kept in order at the expense of the Province; and that the House should make the requisite provision for such service.

Ordered, that the Report be accepted.

The House adjourned until to-morrow morning, at 10 o'clock.

SATURDAY, 3d JANUARY, 1829.

Prayers.

On motion of Mr. Parker.—Resolved, that in future one Member only, be named to carry up any Bill or Message from this House to His Majesty's Council, and that such other Members as choose, may accompany him to the Bar of the Council.

Ordered, that Mr. Parker and Mr. Chandler acquaint the Council with the above Resolution.

Mr. Speaker laid before the House a report from the Commissioners for Superintending the affairs of the Indians in the Province, for the past year.

Also, reports and other documents relative to Grammar School establishments throughout the Province.

Ordered, that the several papers lie on the Table for the information of the House.

On motion of Mr. Parker.—The House went into Committee of the whole, on a

Bill relative to the Election of Charter Officers for Guy's Ward, and Brooks's Ward, in the City of St. John.

Mr. Miles in the Chair of the Committee.

The Chairman reported, that having gone into consideration of the said Bill they had agreed to the same with amendments.

Ordered, that the Report be accepted, and the Bill engrossed.

Mr. Rankin, by leave, presented a Petition from Duncan M'Grigor, praying compensation for his services as Courier between Fredericton and Miramichi, for the year ending 15th July, 1828.

Which he read.

Ordered, that the said Petition be received and referred to the Committee of Supply.

Mr. Rankin, also by leave, presented a Petition from John Smith, praying remuneration for teaching a School, in the Parish of Chatham, in the County of Northumberland.

Which he read.

Ordered, that the said Petition be received and referred to the Committee of Supply.

Mr. Rankin, by leave, presented a Petition from Alexander Davidson, Esq., and others, Freeholders and Inhabitants of the County of Northumberland, praying that the grants which may be made, this present Session for the Great Road from Fredericton to Miramichi, and from Miramichi to Westmoreland, may be applied to the improvement of one of the said Roads.

Which he read.

Ordered, that the said Petition be received and referred to the Committee of Great Roads.

Read a second time :—

A Bill further to increase the Revenue of the Province.

Ordered, that the said Bill be referred to a Committee of the whole House on Monday next.

Read a third time, as engrossed,

A Bill to authorize the erection of an Aboideau over the River Au Lac, in the County of Westmorland.

Resolved, that the Bill do pass.

Ordered, that Mr. Chandler carry the said Bill to the Council and desire their concurrence thereto.

On motion of Mr. Chandler.—The House went into Committee of the whole, on a Bill further to amend an Act, intituled "an Act subjecting Real Estates in the Province of New-Brunswick, to the payment of Debts, and directing the Sheriff in his proceedings thereon."

Mr. Hayward in the Chair of the Committee.

The Chairman reported, that having gone into consideration of the said Bill, they had agreed to the same with amendments.

Ordered, that the Report be accepted, and the Bill engrossed, as amended.

On motion of Mr. Scott.—The House went into Committee of the whole on a Bill to regulate the appointment of County Treasurers.

Mr. Humbert in the Chair of the Committee.

The Chairman reported, that they had agreed to the said Bill.

Ordered, that the Report be accepted, and the Bill engrossed.

Read a third time, as engrossed.

A Bill in addition to an Act, intituled "an Act to make more effectual provision for preventing the importation and spreading of infectious distempers within the Towns or Settlements on the River Miramichi."

Resolved, that the Bill do pass.

Ordered, that Mr. Rankin carry the said Bill to the Council, and desire their concurrence thereto.

Mr. Rankin, by leave, presented a Petition from William Joplin, Esquire, praying compensation for services performed while Supervisor of the Great Road from Chatham to Chediac.

Which he read.

Ordered, that the said Petition be received and referred to the Committee of Supply.

On

On motion of Mr. Ketchum.—The House went into Committee of the whole, on a Bill to empower the Justices of the General Sessions of the Peace, in the different Counties in this Province, to provide for the security of the County Records.

Mr. Ward in the Chair of the Committee.

The Chairman reported, they had gone into consideration of the said Bill, and in the Committee, the following was moved as the first and only Section.

“*Be it enacted by the Lieutenant-Governor, Council and Assembly, That it shall and may be lawful for the Justices of the Peace in the several Counties, out of the contingent monies of the County, to have safe cases or boxes made to hold the Books of Record and other Papers and Documents belonging to the Register’s Offices ; which said cases and boxes shall be the property of the County, and delivered over to the Registers for the time being, to be under their charge and custody.*”

And upon the question for adopting the said amendment, the Committee divided—

YEAS 13.

NAYS 7.

It was thereupon carried in the affirmative.

And further that they had agreed to the Bill, under the title of a Bill to provide for the more safe keeping of the County Records.

Ordered, that the Report be accepted and the Bill engrossed, as amended.

Mr. Campbell, by leave, presented a Petition from Benjamin Milliken, and others, Mill Owners and residents on the River Magaguadavic, praying aid to remove Rocks and other obstacles in that River, and also to open a Road along the said River, from the Bridge at the Block House, to the Northeast Stream, within four miles of Lake George in the County of York.

Which he read.

Ordered, that the said Petition be received and referred to the Committee of Great Roads.

Read, as engrossed, the Resolutions of Appropriation made and passed the 30th and 31st days of December.

Ordered, that Mr. Allen, carry the said Resolutions to the Council, and desire their concurrence thereto.

On motion of Mr. Campbell.—Ordered, that the Bill to regulate the exportation of Lumber, and to repeal all the Acts now in force for regulating the same, be referred to a Committee of the whole House on Monday next.

Mr. Partelow, by leave, presented a Petition from Aaron Turner, of the State of New-York, in the United States of America, setting forth that he brought into the Province nine Horses trained to Equestrian performances, and solely for the purpose of exhibiting feats of Horsemanship, and not intended for Sale, that he had been obliged to enter into a Bond for the payment of the Provincial Duties, amounting to £45 : 12 : 6, and praying that sum may be granted him, or that he may otherwise be relieved from the payment of the said Bond.

Which he read.

And upon the question that the said Petition be received and referred to the Committee of Supply.

It was decided in the negative.

Mr. Partelow moved for leave to bring in a Bill to alter and amend the Militia Laws. Leave granted.

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

Mr. Freeze, pursuant to leave, brought in a Bill to amend and alter the Laws now in force, to enable the owners of stray Cattle more easily to recover the same.

Which was read a first time.

The House adjourned until Monday morning next, at 10 o’clock.

MONDAY, 5th JANUARY, 1829.

Prayers.

Mr. Taylor, by leave, presented a Petition from Israel Smith, and others, Inhabitants of New Maryland and Rushagonis Settlements in the Counties of York and Sunbury, praying pecuniary aid towards the support of a School in those Districts.

Which he read.

Ordered,

Ordered, that the said Petition be received and referred to the Committee, to whom was referred that part of His Excellency the Lieutenant-Governor's Speech, which relates to the Institutions of Education.

Ordered, that Mr. Wyer be added to the Committee to consider of all matters relative to the Commerce of the Province.

Read a second time :—

A Bill to alter and amend the Militia Laws.

And a Bill to amend and alter the Laws now in force to enable the owners of Stray Cattle, more easily to recover the same.

According to the order of the day, the House went into Committee of the whole, on a Bill further to increase the Revenue of the Province.

Mr. Crane in the Chair of the Committee.

The Chairman reported, that having gone into consideration of the said Bill, they had agreed to the same with amendments.

Ordered, that the Report be accepted and the Bill engrossed, as amended.

Mr. Chandler, in pursuance of notice given, submitted the following Resolutions upon the subject of the present system of disposing of Crown Lands, viz.

"1st. Resolved, that this House deem it an indispensable duty which they owe as well to His Majesty, as to His faithful Subjects the people of this Province, whom they represent, humbly but earnestly to solicit His Majesty's most gracious attention to the present state of this Province; to pray that His Majesty will be pleased to annul the orders by which the granting of Lands on the terms stated in the Royal Instructions has been suspended, and a new system of Sale introduced, which though doubtless framed with no other object than to promote the interest of the Province, and encourage the settlement of the same; Yet, in the unanimous opinion of the House, will if persevered in, be productive of great loss and damage to the Crown, and irreparable injury to the Colony.

"2nd. Resolved, that it is the full and unanimous conviction of the House, that many very valuable settlers have been lost to the Province under the operation of the new system, who doubtless would have remained here, could they have obtained Grants in the manner heretofore practiced. And that not only Emigrants coming here to settle, but many of the native youth of the Country will seek an abode in other parts, if no greater encouragement be given than is now held forth.

"3rd. Resolved, that though some apparently advantageous sales may occasionally be made, yet when the facility given to purchasers to rob the land of its valuable Timber before making any payment, the great uncertainty of ever realizing the Purchase Money, the distress which must ensue in most cases, if exacted, added to these, the enormous expense of the establishment required to give effect to the new system, are considered, no future benefit can possibly be derived to the Crown in any manner equivalent to the evil which it will immediately and infallibly produce.

"5th. Further resolved, that it is now highly expedient, that a dutiful and humble Address be presented to His Majesty, praying that His Majesty will be graciously pleased to take into his Royal consideration, the information and recommendation of His loyal and dutiful subjects, the representatives of the People in this Province.

"And further resolved, that His Majesty's Council be requested to join this House in the said Address."

The Resolutions being severally read, were agreed to by the House.

Ordered, that Mr. Campbell communicate the above Resolutions to the Council, and request them to join in the said address.

Read a third time, as engrossed,

A Bill further to increase the Revenue of the Province, by imposing a duty upon all Rum and other Spirituous Liquors that shall be distilled within the same.

Resolved, that the Bill do pass.

Ordered, that Mr. Weldon carry the said Bill to the Council, and desire their concurrence thereto.

Read a third time, as engrossed,

A Bill for the better regulation of Sales by Auction.

Resolved, that the Bill do pass.

Ordered, that Mr. Parker carry the said Bill to the Council, and desire their concurrence thereto.

Mr.

Mr. Speaker laid before the House, returns from the Custom House for the Port of St. John, of Duties collected at that port for the quarters ending 5th April, 5th July, and 10th of October last : Also, returns from the Custom House at the Port of St. Andrews, during the same period.

Ordered, that the several Returns lie on the Table for the information of the House.

Mr. Weldon, from the Committee of Privilege, to whom was referred the application of Charles J. Peters, Esquire, His Majesty's Attorney General, desiring to be heard in reply to statements made by a Member of this House, when in Committee of Supply, touching the improper conduct of the said Charles J. Peters, when Solicitor General ; and also to report to this House whether it is the practice, either in the British Parliament, or the previous usages of this House, to suspend the ordinary allowance to a Public Officer upon allegations made by a Member either in his place or in a Committee of the whole House ; having attended to the duty required of them, submitted the following report, which he read:—

“ That they had made diligent search into the Journals of the Imperial Commons, and of the Assembly of this Province, and in no instance do they find a precedent of a Public Officer, or other person, being heard at the Bar of the House to reply to, or be permitted to rebut any statements made by a Member of the House ; should such be the case, a doubt would arise who should be entitled to the general reply : and further as the debates in this House are not reported, the person desiring to be heard would not be aware of the nature of the objections against him, and in conformity to the first principles of common justice, any charge intended to affect a Public Officer or other person, should distinctly and plainly appear, otherwise the person charged would be ignorant of the charge or charges intended to be, or which may have been, preferred against him.

“ That it does not appear to have been the practice of the British Parliament or of the Assembly of this Province, to suspend annual grants for the Public Service upon bare statements ; but the proper course which appears to your Committee, would be by Petition to this House, which should contain the charges of improper conduct complained of, (but no such Petition or ex parte statement to affect the individual complained of,) and if upon examining such Petition, and this House finding sufficient matter therein to cause inquiry to be made into the conduct of such individual, to lay the same before the Executive, with an humble Address, praying that he would be pleased to have inquiry made into the matters of such complaint.

“ All which is respectfully submitted to this Honorable House.

J. W. WELDON,
E. B. CHANDLER,
COLIN CAMPBELL,
JOHN WARD, JUN.,”

Sir

Ordered, that the Report be accepted.

On motion of Mr. Chandler.—The House went into Committee of the whole, upon the said Report.

Mr. Barlow in the Chair of the Committee.

The Chairman reported, that having gone into consideration of the report referred to them, it was resolved that he do leave the Chair.

Ordered, that the Report be accepted.

Mr. Allen, by leave, presented a Petition from Isaac Micheau, a settler at the Great Falls, praying Legislative aid to enable him to render assistance to poor Travellers.

Which he read.

Ordered, that the said Petition be received and referred to the Committee of Supply.

Ordered, that the order of the day for going into Committee of the whole House, on a Bill to regulate the Exportation of Lumber, and to repeal all the Acts now in force for regulating the same, be discharged, and stand as the order of the day for to-morrow.

The House adjourned until to-morrow morning, at 10 o'clock.

TUESDAY, 6th JANUARY, 1828.

Prayers.

Mr. Speaker laid before the House, the accounts of the late Honorable John Robinson, Province Treasurer, made up by the Executors of the late Mr. Robinson up to the 20th October, 1828.

Ordered, that Mr. Rankin, Mr. Taylor, Mr. Ward, Mr. Barlow and Mr. Crane, be a Committee to examine and report upon the Treasurer's accounts.

Mr. Parker moved for leave to bring in a Bill, for the protection of British Creditors.

Leave granted.

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

Read a third time, as engrossed,

A Bill further to amend an Act, intituled "an Act subjecting Real Estates in the Province of New-Brunswick, to the payment of Debts, and directing the Sheriff in his proceedings thereon."

Resolved, that the Bill do pass.

Ordered, that Mr. Chandler carry the said Bill to the Council, and desire their concurrence thereto.

Upon the question for the third reading of a Bill to provide for the more safe keeping of the County Records,

The House divided, and it was carried in the negative.

On motion of Mr. Campbell.—Whereas it appears that numbers of persons of good character and habits, have come into this Province, from different parts of the United States of America, for the purpose of becoming settlers, pursuant to the provisions of the Act of Parliament, 13, Geo. 2. cap. 7: and other persons of a similar description, are desirous of coming into the Province for the same purpose, but are prevented by conscientious scruples respecting the Sacrament of the Lord's Supper, required by that Act to be taken and received.

Thereupon resolved, that a dutiful and humble Address be presented to His Majesty, praying for a repeal of so much of that Act of Parliament as requires settlers coming in under its provisions, to take the Sacrament, previous to their being admitted to take the Oath of Allegiance.

And further resolved, that His Majesty's Council be requested to join with this House in the said Address.

Ordered, that Mr. Campbell be a Committee to communicate the Resolutions to the Council, and to request they will join therein.

Read a third time, as engrossed,

A Bill to regulate the appointment of County Treasurers.

Resolved, that the Bill do pass.

Ordered, that Mr. Scott take the said Bill to the Council, and desire their concurrence thereto.

Read a third time, as engrossed,

A Bill relative to the Election of Charter Officers for Guy's Ward, and Brook's Ward, in the City of St. John.

Resolved, that the Bill do pass.

Ordered, that Mr. Parker take the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Freze.—The House went into Committee of the whole, on a Bill to amend and alter the Laws now in force to enable the owners of Stray Cattle, more easily to recover the same.

Mr. Wyer in the Chair of the Committee.

The Chairman reported, that having gone into consideration of the said Bill, they had agreed to the same, under the title of "A Bill in addition to an Act to enable the owners of Stray Cattle more easily to recover the same."

Ordered, that the Report be accepted and the Bill engrossed, under the amended title.

Mr. Parker, by leave, presented a Petition from James P. Quinn, of the City of St. John, Surgeon, praying remuneration for his Medical attendance on certain sick and disabled Irish Emigrants, sent to this Province from Rio de Janeiro.

Which

Which he read.

Ordered, that the said Petition be received and referred to the Committee of Supply.

Mr. Allen, by leave, presented a Petition from the Inhabitants of the Parish of Kingsclear, in the County of York, praying a repeal of so much of the Act for the erection of an Alms House and Work House, in the County of York, as respects the said Parish of Kingsclear.

Which he read.

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

On motion of Mr. Allen.—Resolved, that an humble Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to make known to His Majesty, the grateful sense which this House entertain of the renewed proof which His Majesty has given of His Paternal regard for this Province, in the late munificent and most acceptable donation of Arms and Accoutrements for the equipment of its Militia Forces.

Ordered, that Mr. Allan, Mr. Campbell and Mr. Miles, be a Committee to wait upon His Excellency with the Address.

The House, according to the order of the day, went into Committee of the whole, on a Bill to regulate the exportation of Lumber, and to repeal all the Acts now in force for regulating the same.

Mr. Partelow in the Chair of the Committee.

The Chairman reported, that having gone into consideration of the said Bill, they had made progress therein, and that he was directed to ask leave to sit again.

Ordered, that the Report be accepted and leave granted.

Mr. Scott moved the following Resolution:—Whereas statements have been made by Charles Simonds, Esq., a Member of this House, touching the conduct of Charles J. Peters, Esq., as King's Council and Solicitor General; which statements have induced this House to withhold the usual Grant to him as Attorney-General: And Whereas it is highly necessary an investigation of these statements should take place before a proper Tribunal;

Therefore resolved, that an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause an investigation of these statements to be made: And further resolved, that this House will allow their Members, making the statement, to appear before any Tribunal properly constituted for that purpose."

Whereupon Mr. Parker moved the following as an amendment.

"Resolved, that in the opinion of this House, it is not proper that any person should be called to the Bar of the House to answer or make his defence to charges made by a Member in debate; but that if it appears that any person has been oppressed by a Public Officer, and cannot obtain redress from the proper legal Tribunals of the Country; the House will deem it their duty to interfere for his protection: and the proper course for the House to pursue in ordinary cases will be, by Address to His Excellency the Lieutenant-Governor, praying His Excellency to institute an inquiry."

And upon the question for adopting the said amendment, the House divided as follows:—

YEAS.
Mr. Chandler,
Parker,
Partelow,
Weldon,
Barlow,
Wyer,
Ward,
Campbell.

NAYS.
Mr. Palmer,
Freeze,
Craze,
Scott,
Humbert,
Gilbert,
Taylor,
Hayward,
Ketchum,
Miles,
Harrison,
Cinch.
Allen,
Munro,
Dow.

It was thereupon carried in the negative.

The

The question being then put upon the original Resolution,
It was carried in the affirmative.

Ordered, that Mr. Scott, Mr. Barlow and Mr. Miles, be a Committee to wait upon His Excellency with the Address.

Mr. Weldon, from the Committee of Privilege, to whom was referred the Petition of Daniel Green, praying for redress on account of the injustice heaped upon him by a Public Officer, made the following Report: which he read.

“ That it is the opinion of this Committee, the Petitioner should seek redress in the Supreme Court of this Province, where the party charged can have an opportunity of answering thereto.

Which is respectfully submitted.

J. W. WELDON,
E. B. CHANDLER,
COLIN CAMPBELL.”

The report being again read, and upon the question for accepting the same, the House divided—

YEAS.

*Mr. Chandler,
Parker,
Weldon,
Wyer,
Campbell,
Clinch.*

NAYS.

*Mr. Palmer,
Freeze,
Scott,
Humbert,
Harrison,
Gilbert,
Taylor,
Hayward,
Miles,
Ketchum,
Rankin,
Munro,
Dow,
Ward.*

It was thereupon decided in the negative.

The House adjourned until to-morrow morning, at 10 o'clock.

WEDNESDAY, 7th JANUARY, 1829.

Prayers.

Read a third time, as engrossed.

A Bill to lay a Tax on Dogs, in certain parts of the Parishes of Newcastle, Chatham and Nelson, in the County of Northumberland.

Resolved, that the Bill do pass.

Ordered, that Mr. Rankin carry the said Bill to the Council, and desire their concurrence thereto.

Read a second time —

A Bill for the protection of British Creditors.

Mr. Wyer moved for leave to bring in a Bill to repeal an Act, intituled “an Act for erecting and maintaining a Light House upon one of the Islands or Rocks near the Southeast coast of the Island of Grand Manan.

Leave granted.

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

Mr. Munro moved for leave to bring in a Bill for erecting Grammar Schools in the new Counties of Kent and Gloucester.

Leave granted.

Mr. Parker, by leave, presented a Petition from the Rev. John Carrol, Rector of the Roman Catholic Church, at St. John, praying for aid to enable him to continue a Free School, established and supported hitherto by voluntary subscription.

Which he read.

Ordered, that the said Petition be received and referred to the Committee of Supply.
Mr.

Mr. Allen moved for leave to bring in a Bill to repeal an Act, intituled "an Act to provide for the erection of an Alms House and Work House within the County of York, and for making rules and regulations for the management of the same, so far as respects the Parish of Kingsclear."

Leave granted.

Mr. Allen, from the Committee, appointed to wait upon His Excellency the Lieutenant-Governor, with the Address of this House, expressive of the high sense, entertained by the House, of His Majesty's munificence in sending out Arms and Accoutrements for the equipment of the Militia Forces, reported they had attended to that duty; and His Excellency was pleased to say, that he would not fail to communicate to His Majesty in the strongest terms, the grateful feelings of the House.

Mr. Scott, from the Committee, appointed to wait upon His Excellency the Lieutenant-Governor, with an Address, in pursuance of a Resolution of yesterday, upon the subject of statements made by a Member of this House, relative to the conduct of Charles J. Peters, Esquire, formerly Solicitor-General, of this Province, and requesting His Excellency, to cause an investigation of those statements, having attended to that duty, His Excellency was pleased to say, he would reply to the same by Message.

Mr. Taylor, by leave, presented a Petition from David Pickard and Oliver Smith, praying pecuniary aid to enable them to carry into more extensive operation, a Carding Machine and Fulling Mill, erected in the Parish of Douglas, in the County of York.

Which he read.

Ordered, that the said Petition be received and referred to the Committee of Supply.

Mr. Ward, by leave, presented a Petition from the Trustees of Schools at Loch Lomond, in the County of St. John, praying to be remunerated for monies, advanced to the Teacher of a School in that district.

Which he read.

Ordered, that the said Petition be received and referred to the Committee of Supply.

A Message from His Majesty's Council.

Mr. Bliss, Master in Chancery, informed the House that the Council had agreed to the following Bills:—

"A Bill to extend the provisions of the several Acts regulating the exportation of Fish, to all Pickled Fish intended for Exportation."

"A Bill to repeal an Act, for the speedy punishment and release of such Persons as shall commit Criminal offences, under the degree of Grand Larceny."

Mr. Partelow, by leave, presented a Petition from Colin Campbell, Supervisor of the Great Road from St. Andrews to Fredericton, praying a Committee may be nominated, to examine and report upon an account of his, formerly rendered, for the information of the House.

Which he read.

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

Ordered, that Mr. Partelow, Mr. Wyer and Mr. Miles, be a Committee to examine and report upon the accounts of Mr. Campbell, agreeably to the prayer of his Petition.

On motion of Mr. Crane.—The House went into Committee of the whole on a Bill to alter and amend the Militia Laws.

Mr. Dow in the Chair of the Committee.

The Chairman reported, that having gone into consideration of the said Bill, they had made progress therein, and he was directed to ask leave to sit again.

Ordered, that the Report be accepted and leave granted.

Mr. Speaker laid before the House, sundry Documents comprising a report from Thomas Heaviside, Auditor of Public Accounts.

Returns from the Collectors and Comptrollers of Customs at the Ports of St. John and St. Andrews, of Vessels engaged in the Fisheries, which have entered and cleared at those Ports, during the last year, as well as of their return cargoes.

Reports from several of the Supervisors of Great Roads throughout the Province.

Also, the Plan and Survey of a proposed site, for a Bridge across Hammond River, together with Mr. Hazen's report, upon the same subject.

Ordered, that the several Papers lie on the Table for the information of the House.

Mr. Clinch, pursuant to leave, brought in a Bill to provide for the erection of Oat Mills.

Which was read a first time.

The House adjourned until to-morrow morning, at 10 o'clock.

THURSDAY, 8th JANUARY, 1829.

Prayers.

Read a second time —

A Bill to repeal an Act, intituled “an Act for erecting and maintaining a Light House upon one of the Islands or Rocks, near the Southeast coast of the Island of Grand Manan.

And a Bill to provide for the erection of Oat Mills.

Mr. Ketchum, pursuant to leave, brought in a Bill to alter the Great Road leading from Fredericton to the Canada Line.

Which was read a first and second time.

Read a third time, as engrossed,

A Bill in addition to an Act to enable the owners of Stray Cattle more easily to recover the same.

Resolved, that the Bill do pass.

Ordered, that Mr. Freeze take the said Bill to the Council, and desire their concurrence thereto.

The House went into Committee of the whole, in further consideration of a Bill to regulate the exportation of Lumber, and to repeal all the Acts now in force for regulating the same.

Mr. Partelow in the Chair of the Committee.

The Chairman reported, that they had made further progress therein, and he was directed to ask leave to sit again.

Ordered, that the Report be accepted and leave granted.

Mr. Clinch, by leave, presented a Petition from Alexander Strachan, and others composing the Grand Jury of the County of Charlotte, at the General Sessions of the Peace, holden in and for the said County, in the month of September last, praying an Act may pass, giving power to Grand Juries to examine into the County accounts.

Which he read.

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

Mr. Taylor, by leave, presented a Petition from Jedediah Slason, Esq., praying to be remunerated for interest paid on Monies received at the Bank, in consequence of the grants to him, as Contractor, for building the new Government House, not being paid at the Treasury when presented.

Which he read.

Ordered, that the said Petition be received and referred to the Committee of Supply.

Ordered, that Mr. Weldon be a Committee to communicate to the Council, the Resolutions relative to the present system, of disposing of Crown Lands, in the place of Mr. Campbell, who was permitted to withdraw.

On motion of Mr. Parker.—The House went into Committee of the whole, on a Bill for the protection of British Creditors.

Mr. Allen in the Chair of the Committee.

The Chairman reported, that they had gone into consideration of the said Bill, and that in the Committee the postponement thereof for three months was moved, whereupon the Committee divided as follows.

YEAS.

*Mr. Speaker,
Campbell,
Dow,
Munro,
Wyer,
Clinch.
Humbert,
Ketchum,
Gilbert,
Hayward,
Scott,
Partelow.*

NAYS.

*Mr. Parker,
Weldon,
Ward,
Crane,
Barlow,
Taylor,
Freeze,
Rankin,
Harrison.*

It was thereupon carried in the affirmative.

Read

Read a third time, as engrossed.

A Bill to increase the Revenue of the Province.

Resolved, that the Bill do pass.

Ordered, that Mr. Parker take the said Bill to the Council, and desire their concurrence thereto.

Ordered, that Mr. Crane, be added to the Committee to report upon the expediency, of opening a Canal between the Bay of Fundy and Gulph of St. Lawrence, in the place of Mr. Chandler, who has leave of absence.

Read a third time, as engrossed,

A Bill to authorize and empower the Rector, Church Wardens and Vestry, of Trinity Church, in the Parish of Kingston, in Kings County, to make certain conveyances of Lands, now held by them in trust, in exchange for other Lands, and for other purposes therein contained.

Resolved, that the Bill do pass.

Ordered, that Mr. Humbert, take the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Ketchum.—Ordered, that the House do on Wednesday next, go into Committee of the whole, on a Bill to alter the Great Road leading from Frederickton to the Canada Line.

Mr. Parker, from the Committee, to whom was referred, that part of His Excellency the Lieutenant-Governor's Speech at the opening of this Session, which relates to the opening a Canal, to connect the Waters of the Bay of Fundy, with those of the Gulph of St. Lawrence; submitted a Report, which he read, and it being again read at the Clerk's Table, is as follows:—

“Your Committee, having examined the papers and plans, laid before the House, by order of His Excellency the Lieutenant-Governor, are of opinion, that a good water communication may be made from the Bay of Fundy, by way of the Au Lac River, to the River Tidnish, which discharges into the Bay of Vert, and this, so far as the Committee can judge, is the most practicable route for the contemplated Canal, between the Bay of Fundy and the Gulph of St. Lawrence.

“Your Committee are fully convinced of the importance of this measure, not only as a great national undertaking, which would fully deserve the attention of the Mother Country; but also one, which when accomplished, cannot fail to be highly beneficial to this Province; as affording a more safe and easy communication, between its different Sea Ports: and also enabling the interchange of Commodities, between the Canadas and Prince Edward Island, and the Ports of this Province, situated on the Bay of Fundy, to be made in a much shorter time, and at a much less risk than can be now effected.

“Your Committee think the advantages which will be derived by our Sister Colonies from this work, are so obvious that they cannot doubt, that large contributions would be made by the Legislatures of the Canadas, Nova Scotia, and Prince Edward Island, towards the completion of it, and it appears proper that any measure which it might be deemed advisable to adopt, should be taken in concert with those Provinces.

“Taking into consideration, the, as yet, infant state of this Colony, the various and increasing demands made on the Revenue, for the advancement of learning and education; the improvement of the internal communications of the Country; the encouragement of Agriculture and the Fisheries; the erection of public buildings, and other matters which may be deemed of paramount importance; and viewing also the great depression that still exists in the various branches of Commerce, in which this Province was unhappily too deeply engaged, to recover from, in a very short period; Your Committee do not think it expedient, as yet, to commence the great work, recommended to their consideration, without large aid from the Mother Country, and the cordial co-operation of the other North American Colonies.

“Should the British Government, for the general benefit of His Majesty's dominions, either in a Military or Commercial point of view, determine that it ought to be undertaken; your Committee, consider, it would be the duty of the General Assembly, to render every aid in its power, by passing in conjunction with Nova Scotia, the necessary Legislative enactments; and appropriating such sum as might appear

appear to correspond, with the peculiar position, and circumstances, of this Province, viewed relatively with the general object of the measure.

ROBERT PARKER,
COLIN CAMPBELL,
THOMAS BARLOW,
W. CRANE,
THOMAS O. MILES."

Ordered, that the Report be accepted.

Read a third time, as engrossed,

A Bill to provide for the necessary repairs of Mill Dams, Sluices and Booms, on the River Magaguadavic.

Whereupon, an engrossed clause was offered as a Rider, to be added as a Proviso to the 4th section of the Bill. Which being thrice read, was agreed to by the House, to be made part of the Bill, by way of Rider.

Resolved, that the Bill do pass.

Ordered, that Mr. Clinch, carry the said Bill to the Council, and desire their concurrence thereto.

Ordered, that Mr. Clinch, have leave of absence, for the space of ten days to enable him to procure further evidence, in the matter of the scrutiny pending between him and Joseph N. Clarke, Esquire.

The House adjourned until to-morrow morning, at 10 o'clock.

FRIDAY, 9th JANUARY, 1829.

Prayers.

Mr. Partelow, by leave, presented a Petition from Thomas T. Handford and Thomas Raymond, Merchants of the City of St. John, praying that the sum of £20 : 12 : 6, may be granted them, being amount of duty paid on six pipes of Wine not landed in the Province.

Which he read.

Ordered, that the said Petition be received and referred to the Committee of Supply.

On motion of Mr. Parker.—The House went into Committee of the whole, upon the recommitment of a Bill for the regulating, laying out, and repairing Highways.

Mr. Partelow in the Chair of the Committee.

The Chairman reported, that having gone into consideration of the said Bill, they had made further amendments thereto.

Ordered, that the Report be accepted, and the Bill as further amended, engrossed.

Mr. Parker, moved for leave to bring in a Bill further to amend the Acts relating to Streets and Highways, in the City and County of St. John.

Leave granted.

And the said Bill being brought in, was read a first and second times.

Mr. Hayward, by leave, presented a Petition from Darby Gillan, a settler on the Nerepis Road, praying further aid to enable him to finish his House.

Which he read.

Ordered, that the said Petition be received and referred to the Committee of Supply.

Mr. Clinch, by leave, presented a Petition from Patrick Waters, a settler on the Great Road from St. John to St. Andrews, praying aid to enable him to extend relief to poor travellers.

Which he read.

Ordered, that the said Petition be received and referred to the Committee of Supply.

Mr. Weldon moved for leave to bring in a Bill to appropriate a part of the Public Revenue, to the payment of the ordinary services of the Province.

Leave granted.

The House went into Committee of the whole, on a Bill to provide for the better security of Lumber, in the several Rivers, Coves and Harbours, within this Province.

Mr. Palmer in the Chair of the Committee.

The Chairman reported, that having gone into consideration of the said Bill, they had

had agreed to the same with amendments, under the title of "A Bill to provide for the better security of certain description of Lumber, in the several Rivers, Coves and Harbours, within this Province."

Ordered, that the Report be accepted and the Bill as amended, engrossed under the amended title.

On motion of Mr. Clinch.—The House went into Committee of the whole, on a Bill to provide for the erection of Oat Mills, throughout the Province.

Mr. Humbert in the Chair of the Committee.

The Chairman reported, that having gone into consideration of the said Bill, it was moved, that the further consideration thereof be postponed for three months; whereupon the Committee divided.

YEAS.	NAYS.
<p><i>Mr. Speaker,</i> <i>Crane,</i> <i>Parker,</i> <i>Palmer,</i> <i>Scott,</i> <i>Barlow,</i> <i>Partelow,</i> <i>Ward,</i> <i>Harrison,</i> <i>Rankin,</i> <i>Taylor,</i> <i>Ketchum,</i> <i>Hayward,</i> <i>Munro,</i> <i>Allen.</i></p>	<p><i>Mr. Gilbert,</i> <i>Miles,</i> <i>M'Kay,</i> <i>Weldon,</i> <i>Clinch.</i> <i>Freeze,</i> <i>Wyer,</i> <i>Dow,</i> <i>Campbell.</i></p>

It was thereupon carried in the affirmative.

Ordered, that the Report be accepted.

On motion of Mr. Crane.—The House went into Committee of the whole, in further consideration of a Bill to regulate the exportation of Lumber, and to repeal all the Acts now in force for regulating the same.

Mr. Partelow in the Chair of the Committee.

The Chairman reported, that having gone into further consideration of the said Bill, they had agreed to the same with amendments.

Ordered, that the Report be accepted and the Bill as amended, engrossed.

Mr. Allen, by leave, presented a Petition from James Taylor, Sen., & Co., and William Cross, Contractors for building the College at Fredericton, praying to be remunerated for loss sustained in the completion of their Contract.

Which he read.

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

Mr. Campbell, pursuant to leave, brought in a Bill to authorize the erection of a Dam across the River Digdeguash, near Falls Brook, in the County of Charlotte, pursuant to the Petition of William and Charles Carson.

And on the question that the Bill should be received and read a first time, there being no certificate thereon of the same having been read at any General Sessions of the Peace for the County of Charlotte, it was carried in the negative.

On motion of Mr. Weldon.—Resolved, that a Committee be appointed to search the Journals of the Honorable the Legislative Council, to ascertain what proceedings have been had on a Bill to restrain Hawkers and Pedlars, within the Province, from selling without Licence.

Ordered, that Mr. Weldon be a Committee for that purpose.

On motion of Mr. Crane.—Resolved, that a Committee be appointed to search the Journals of the Honorable the Legislative Council, to ascertain what proceedings have been had on a Bill to authorize the erection of an Aboideau over the River Au Lac in the County of Westmorland: Also, a Bill further to amend an Act, intituled "an Act subjecting Real Estates in the Province of New-Brunswick, to the payment of Debts, and directing the Sheriff in his proceedings thereon."

Ordered, that Mr. Crane be a Committee for that purpose.

Mr. Miles, by leave, presented a Petition from the Magistrates of the County of Sunbury, praying further aid to enable them to finish a part of the second flat in the New Gaol for a Grand Jury room, in order that the room now occupied for that purpose may be fitted up for the accommodation of the Judges of the Supreme Court.

Which he read.

Ordered, that the said Petition be received and referred to the Committee of Supply.

The Committee appointed to take into consideration that part of His Excellency the Lieutenant-Governor's Speech, at the opening of the present Session, which relates to the Institutions of Education, with instructions to inquire into their present state, and the best means of making them more generally useful, submitted a report, which he read, and is as follows :—

“ The attention of your Committee was first directed to the University, now established by Royal Charter, under the Great Seal of the United Kingdom, by the name of King's College : and they have prepared a Bill to provide for the Endowment of the same, in conformity to the previous Resolutions of the House.

“ As the Grammar School at Fredericton was established by the Governor and Trustees of the late College, and will now of course be under the superintendance of the new Corporation ; your Committee have deemed it proper, that the annual sum granted should be at their disposal, to be applied to the Endowment of the University and establishment and support of collegiate Schools ; conceiving that the sum of £1100, pledged by the Resolution of the House of 25th Feb., 1826, was intended to cover the expense of both Establishments, so far as Provincial aid could be extended.

“ Your Committee having next examined the several reports made of other Grammar Schools in the Province ; and from these, and the information they have obtained from other quarters, that great objection is made to the present site of the Grammar School in King's County ; and that in Northumberland, the Inhabitants of Newcastle are desirous that the Provincial allowance should be applied to the support of two Schools, one on each side of the River.

“ As no Petition has been presented to the House, on the subject of either of the above Schools ; your Committee are not prepared to say whether or no the suggested alterations should be made.

“ The following is an abstract of the School reports :—

“ In *Kings County* School, the Scholars were, in August, 1827, 7 Boys, 2 of whom were for English only, and 4 Girls. No free Scholars.

“ *Queens County*, November, 1828, 17 Boys, and 11 Girls, one of the Boys was a free Scholar ; but the report does not state what number were Grammar Scholars.

“ *Sunbury*. The report dated May, 1828, states, that in the course of the year, 36 Boys had attended the School, 11 of whom were free Scholars : the number of Scholars in the School at any one period is not stated, neither are the number of Grammar Scholars specified.

“ *Charlotte County*. The report is not dated, but gives the number of Scholars to be, 10 Grammar, and 2 English.

“ *Northumberland*, May, 1828. 12 Grammar, and 5 English.

“ *Westmorland*, May, 1828. 8 Grammar and 21 English.

“ There are no free Scholars mentioned in either of the three last named Schools : The Bye Laws of the several Schools seem to afford all proper facilities for the admission of free Scholars ; and that so few of that class embrace the opportunity afforded of obtaining good education, is to be regretted, though your Committee beg to observe, that they see no cause to impute to the Trustees, or Masters, any blame on this head.

“ Your Committee observe, that in Westmorland and Sunbury, the Schools are taught by the Rectors of the Parishes : That persons holding those stations are eminently qualified by their learning and characters, to have charge of Schools, is most probable, but how far the constant attendance necessarily required of Schoolmasters is compatible with the due discharge of their sacred functions, may be questioned : Although cases may occur in which these objections would not be insurmountable, your Committee have no hesitation in saying that in general such an arrangement should not be encouraged.

“ There are no returns before the House from the Grammar Schools at Fredericton and St. John, the Act of Assembly not requiring them to render such, but your Committee

mittee are informed and believe the number of Scholars continues nearly the same as for some years past, and that the Schools are conducted in an unexceptionable manner.

“ Your Committee are fully convinced of the benefit derived to the Province from the Establishment of Grammar Schools ; and the expediency of still contributing largely to their support from the public purse ; but after a full consideration, they are of opinion that the sums now provided by Law, are larger than the present circumstances of the Country, and state of the Revenue will admit. As the arrangements for the present year have probably been made with the full expectation of the Schools receiving the sums specified in the several Acts of Assembly, your Committee think that it would operate unjustly, to make any great reduction in the Appropriation at this Session ; but they have prepared a Bill to provide for the gradual reduction of the public expenditure in this respect, in which they have inserted some other provisions appearing to them advisable.

“ The attention of your Committee was next directed to the Schools established on the Madras system ; and although they are fully satisfied of the great advantage of these Institutions, in Towns or thickly settled places, where a great number of poor children are collected, than could receive instruction in the ordinary way, yet they have great reason to doubt whether any benefit has been derived from the adoption of this system in the common Parish Schools ; neither do they think it necessary that these Schools should be encouraged by an additional premium, to place themselves under the Madras regulations.

“ The Parish Schools established under the provisions of the Act of Assembly, and in which the great bulk of the people are mainly interested, appear to be rapidly extending their usefulness in the different sections of the Province: Founded as they are on the wise principle of giving the blessings of education to the children of the poorer classes, they still, in the opinion of your Committee, deserve and require the fostering care of the Legislature.

“ Your Committee have prepared a Bill for making some alteration and amendment in the existing regulations, which will, they hope, if enacted, be found beneficial in its operation.

ROBERT PARKER,
THOMAS O. MILLS,
COLIN CAMPBELL,
W. CRANE.”

The Report being handed in at the Clerk's Table, was there again read.

Ordered, that the Report be accepted.

Mr. Parker then further reported, that they had prepared three several Bills under the following titles :—

A Bill for the Endowment of King's Colledge, at Fredericton, in the Province of New-Brunswick.

A Bill in amendment of the several Acts for establishing Grammar Schools.

A Bill in amendment of the Acts for establishing Parish Schools.

And the said Bills being handed in at the Clerk's Table, were there read a first time.

The House adjourned until to-morrow morning, at 10 o'clock.

SATURDAY, 10th JANUARY, 1829.

Prayers.

Mr. Wyer, by leave, presented a Petition from James Kellum, a settler on the road from St. John to St. Andrews, praying Legislative aid to improve his establishment for the accommodation of Travellers.

Which he read.

Ordered, that the said Petition be received and referred to the Committee of Supply.

Mr. Allen, by leave, presented a Petition from Joseph N. Clarke, Esquire, praying that the House will direct the Committee appointed to examine and report upon the
Petition

Petition of the said Joseph N. Clarke, complaining of the undue election of Patrick Clinch, Esquire, to resume the investigation submitted to them.

Which he read.

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

Mr. Taylor, by leave, presented a Petition from Edward Winslow Miller, praying to be remunerated for the loss of his house, by fire during the occupancy of His Excellency Sir Howard Douglas, on Monday the 29th day of December last.

Which he read.

And upon the question for receiving the Petition, it was carried in the negative.

Read a third time, as engrossed.

A Bill for the regulating, laying out, and repairing Highways.

Resolved, that the Bill do pass.

Ordered, that Mr. Campbell carry the said Bill to the Council, and desire their concurrence thereto.

Mr. Scott moved for leave to bring in a Bill to enable defendants in Civil Actions to enter pleas by themselves.

Leave granted.

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

Mr. Dow moved for leave to bring in a Bill to authorize Ministers of Dissenting Congregations to solemnize marriage in this Province.

Leave granted.

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

Mr. Weldon, by leave, presented a Petition from Patrick Clinch, Esquire, a Member from the County of Charlotte, praying that time may be given him to obtain evidence in the scrutiny, now pending between him and Joseph N. Clarke, Esquire.

Which he read.

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

On motion of Mr. Parker.—Resolved, that a Committee be appointed to take into consideration so much of His Excellency's Speech as relates to the erection of Light Houses, and that the said Committee do report thereon, during the present or the next Session.

Ordered, that Mr. Wycer, Mr. Partelow, Mr. Barlow, Mr. Ward and Mr. Crane, be a Committee for that purpose.

Read a second time the following Bills —

A Bill for the Endowment of King's College at Fredericton, in the Province of New-Brunswick.

A Bill in amendment of the several Acts for establishing Grammar Schools.

A Bill in amendment of the Acts for establishing Parish Schools.

The House went into Committee of the whole in further consideration of a Bill to alter and amend the Militia Laws.

Mr. Dow in the Chair of the Committee.

The Chairman reported, that they had gone into further consideration of the said Bill, and had made further progress therein, and that he was directed to ask leave to sit again.

Ordered, that the Report be accepted and leave granted.

Mr. Ketchum, by leave, presented a Petition from William Wilmot, and others, inhabitants of Fredericton, praying that an Act may pass, to authorize the extension of the Gaol Limits in the said County,

Which he read.

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

The House went into Committee of the whole, on a Bill further to amend the Acts relative to Streets and Highways in the City and County of St. John.

Mr. Weldon in the Chair of the Committee.

The Chairman reported, that having gone into consideration of the said Bill, they had agreed to the same with amendments.

Ordered, that the Report be accepted, and the Bill as amended, engrossed.

Mr. Barlow, by leave, presented a Petition from Sarah Quinton, praying remuneration for damage sustained in consequence of the Nerepis Road being laid out through her land.

Which he read.

Ordered, that the said Petition be received and referred to the Committee of Supply.

Mr.

Mr. Clinch moved for leave to bring in a Bill to authorize the Grand Juries to examine into the public accounts of the different Counties.

Leave granted.

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

The House adjourned until Monday morning next, at 10 o'clock.

MONDAY, 12th JANUARY, 1829.

Prayers.

Read a second time the following Bills :—

A Bill to enable defendants in Civil Actions to enter Pleas by themselves.

A Bill to authorize Ministers of Dissenting Congregations to solemnize marriage in this Province.

A Bill to authorize the Grand Juries to examine into the public accounts of the different Counties.

Mr. Parker, from the Joint Committee of the Council and House of Assembly, appointed at the last Session of the Legislature to look out for a site for a Provincial Penitentiary, and to collect information from those places where establishments of a similar nature have been made, as to the best mode of managing the same, and to report thereon at the present Session of the General Assembly, submitted a Report.

Which was ordered to be received and lie on the Table.

And on motion of Mr. Parker.—Resolved, that the Committee appointed to inquire into the subject of the Penitentiary, be authorized to have two hundred copies of the said Report printed under their superintendence.

Mr. Allen, pursuant to leave, brought in a Bill in addition to the several Laws now in force for assessing, collecting and levying of rates for public charges.

And upon the question for the first reading of the Bill, the following Resolution was passed :—Resolved, that sufficient reasons having been given by the Member introducing this Bill, the House will dispense with the order in the present case, for limiting the time for bringing in Bills, to the 10th inst., and receive the Bill. The Bill was accordingly read a first time.

On motion of Mr. Parker.—The House in Committee of the whole, went into consideration of Ways and Means for raising a Revenue in this Province.

Mr. Hayward in the Chair of the Committee.

Mr. Hayward, from the Committee, reported, that they had gone into consideration of the business to them referred, and passed the following Resolution, which he read :—

Resolved, that the Committee of Trade be instructed to prepare a Bill for continuing the Revenue Law, until the 1st April, 1830, and that a clause be inserted in the said Bill, imposing a duty of £ per head on horned Cattle imported from the United States or any other Foreign Country. And also a duty of per cwt. on all dead meats imported into the Province from the United States or other Foreign Countries.

Ordered, that the Report be accepted.

On motion of Mr. Parker.—Ordered, that the Bill for the Endowment of King's College, at Fredericton, in the Province of New-Brunswick, be referred to a Committee of the whole House to-morrow.

On motion of Mr. Weldon.—The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Partelow in the Chair of the Committee.

The Chairman reported, that the Committee had gone into further consideration of Supplies to be granted for the Public Service, and had passed several Resolutions, which were severally read, and being handed in at the Clerk's Table, were there again read, and are as follow :—

Resolved, that there be granted to His Excellency the Lieutenant-Governor or Commander-in-Chief for the time being, the sum of £350, as a provision for two Staff Officers to instruct and inspect the Regiments, and Battalions of Militia of this Province, for the year 1829.

To Anthony Lockwood, Junr., the sum of £50, as a gratuity for his voluntary exertions in preparing and publishing a Map of this Province.

O

That

That the Petition of I. & J. G. Woodward, praying for a return of duties paid by them on Sugar and Wine, be not complied with.

That there be granted to Thomas W. Wood, a Licenced Schoolmaster, the sum of £20, for teaching a School in the Parish of Carleton, formerly a part of the County of Northumberland, for the year 1826.

To Peter L. Smith, a Licenced Teacher, the sum of £20, for teaching a School in the Parish of Wellington, formerly part of the County of Northumberland, from September, 1824, to September following.

To His Excellency the Lieutenant-Governor or Commander-in-Chief for the time being, a sum not exceeding £25, in order to enable His Excellency to remunerate Richard Hitchins and Edmund Crowell, residents at the Seal Islands, for expenses which they may be put to in relieving shipwrecked persons; the amount of such expenses to be proved to the satisfaction of His Excellency.

And the Chairman further reported that he was directed to ask leave to sit again.

Ordered, that the Report be accepted and leave granted.

A Message from His Majesty's Council.

Mr. Bliss, Master in Chancery, delivered the following Message:—

Mr. Speaker.—I am directed to communicate to the House of Assembly, that the Council have passed the following Resolution.

“ *Council Chamber, January 12th, 1828.*

“ The Master in Chancery appointed to carry down Messages from the Council to the House of Assembly, having reported that the Speaker of that House received the said Messages standing, but covered;

“ Thereupon Resolved, that as it appears to be the usage of Parliament, after the Messenger has made his three Conge's, for the Speaker to rise uncovered to receive the Message, and as this has also been the invariable practice since the existence of a Legislature in this Province, and as the House has not communicated to the Council any notice of this alteration; The Council do therefore think proper to inform the House, that they consider themselves as entitled to receive in future from the House this long established and accustomed mark of courtesy and respect.”

On motion of Mr. Allen.—Ordered, that the above Message be referred to the Committee of Privilege to report thereon.

A Message from His Excellency the Lieutenant-Governor.

Mr. Secretary Odell delivered the following Message.

“ NEW-BRUNSWICK.

“ *MESSAGE to the HOUSE OF ASSEMBLY,*

“ *12th January, 1829.*

“ *HOWARD DOUGLAS.*

“ The Lieutenant-Governor, in answer to the Address of the House of Assembly, of the 5th instant, assures the House that he is always most sincerely disposed to pay the greatest attention to their Communications, and, when in his power, to comply with their wishes. In this instance, however, he finds himself obliged to observe, that as there are not in the Address of the House, any specific articles of charge exhibited against His Majesty's Attorney-General, there are no grounds before the Lieutenant-Governor upon which he can direct any proceedings to be instituted against that Officer.

“ The Lieutenant-Governor at the same time cannot avoid expressing his regret, that the House of Assembly should have withheld an allowance from the Office of Attorney-General, merely upon statements made by a Member in the course of a Speech. The Lieutenant-Governor is so sure that the House of Assembly will, upon reconsideration, perceive into what length, and to what difficulties such a mode of proceeding, if acted upon, would lead, that he will refrain from pointing out the manner in which it would tend to subvert the very foundations of British liberty, and affect privileges which even the meanest of His Majesty's subjects claim as his Birthright, that of being heard in his defence before he can be deemed guilty, whether that defence relate to the security of his person, of his property, or of his reputation.

“ The proceedings of the House in this case, appear to have deviated from these known

“ know and acknowledged usages of the Parliament of the United Kingdom, which are
 “ the only sure and constitutional guides by which the different branches of the Le-
 “ gislature can regulate their proceedings ; and a strict observance of which the
 “ House solemnly pledged themselves to observe in 1798, in their Address in answer
 “ to the Speech of His Excellency the then Lieutenant-Governor, where they say,
 “ ‘ We recognize with perfect satisfaction the maxim which, upon the completion of
 “ ‘ our Provincial Establishment and the institution of a Legislative Assembly, was,
 “ ‘ in each department considered as fundamentally necessary to be observed.
 “ ‘ That our proceedings should in every instance be regulated by that standard,
 “ ‘ which on similar occasions had been established by the practice of the Parent State,
 “ ‘ and convinced of the propriety of conforming to examples that have been thus
 “ ‘ sanctioned and confirmed by the wisdom of ages, we shall never deviate from them,
 “ ‘ but in cases where our local circumstances and subordinate condition may render
 “ ‘ it necessary.’ ”

“ H. D.”

The House went into Committee of the whole in further consideration of Supplies to be granted for the Public Service.

Mr. Partelow resumed the Chair of the Committee.

The Chairman reported, that having gone into further consideration of the business referred to them, they had passed two Resolutions, which he read, and they being again read at the Clerk's Table, were agreed to by the House and are as follow :—

Resolved, that there be granted to Thomas Gray, a settler on the road from Saint John to St. Andrews, the sum of £10, as a compensation for relieving distressed Emigrants.

To Duncan M'Grigor, the sum of £69 : 12 : 5, being a compensation for his services as Courier between Fredericton and Miramichi, for the year ending 15th July, 1828.

And he was directed to ask leave to sit again.

Ordered, that the Report be accepted and leave granted.

The House adjourned until to-morrow morning, at 10 o'clock.

TUESDAY, 13th JANUARY, 1829.

Prayers.

Read a third time, as engrossed,

“ A Bill to provide for the better security of certain description of Lumber, in the several Rivers, Coves and Harbours, within this Province.

Resolved, that the Bill do pass.

Ordered, that Mr. Ketchum carry the said Bill to the Council, and desire their concurrence thereto.

Mr. Parker, by leave, presented a Petition from the Magistrates of the City and County of St. John, in Sessions Assembled, accompanied by three several accounts, one from the Overseers of the Poor, for the City of St. John, for support of distressed Emigrants, from January 1828, to January following ; amounting to £322 : 15 : 10½, and two other accounts from the Parish of Portland for the support of distressed Emigrants, and Black Refugees for the same year ; and shewing the balance remaining unpaid the preceding year for support of distressed Emigrants, in that Parish ; both of which accounts amount together to the sum of £355 : 16 : 7½, and praying to be relieved from the payment of these very heavy taxes upon those Parishes.

Which he read.

And satisfactory reasons being given to the House, that the said Petition could not have been presented at an earlier day, in consequence of the accounts accompanying, the same being made up to the close of the last year, and afterwards requiring examination by the Sessions ; and that the said Petition was also detained on the road ; special leave was given for introducing the same.

Ordered, that the said Petition be received and referred to the Committee of Supply.

Read

Read a second time:—

A Bill in addition to the several Laws now in force for assessing, collecting and levying rates for the Public Charges.

On motion of Mr. Scott.—The House went into Committee of the whole, on a Bill to enable defendants in Civil Actions to enter pleas by themselves.

Mr. Campbell in the Chair of the Committee.

The Chairman reported, that having gone into consideration of the said Bill, they had agreed to the same with an amendment.

Ordered, that the Report be accepted, and the Bill as amended, engrossed.

On motion of Mr. Humbert.—The House went into Committee of the whole, on the Message from His Excellency the Lieutenant-Governor, of the 12th inst., in reply to an Address from this House to His Excellency, of the 6th instant, praying that His Excellency would constitute a Tribunal to investigate statements made by Charles Simonds, Esquire, a Member of this House, touching the conduct of Charles J. Peters, Esquire, Attorney-General, when King's Counsel and Solicitor-General of the Province.

Mr. M'Kay, in the Chair of the Committee.

The Chairman reported, that they had made progress therein, and he was directed to ask leave to sit again.

Ordered, that the Report be accepted and leave granted.

On motion of Mr. Parker.—Ordered, that the order of the day for going into Committee of the whole House, on a Bill for the Endowment of King's College at Fredericton, in the Province of New-Brunswick, be discharged and stand the order of the day for to-morrow.

The House went into Committee of the whole, in further consideration of a Bill to alter and amend the Militia Laws.

Mr. Dow in the Chair of the Committee.

The Chairman reported, that they had agreed to the said Bill with amendments.

Ordered, that the Report be accepted and the Bill, engrossed as amended.

The House adjourned until to-morrow morning, at 10 o'clock.

WEDNESDAY, 14th JANUARY, 1829.

Prayers.

Mr. Parker, Chairman of the Committee of Trade, reported, that the Committee had prepared a Bill, under the title of a Bill to continue and amend the several Acts for raising a Revenue in this Province.

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

On motion of Mr. Scott.—The House went into Committee of the whole, in further consideration of His Excellency's Message, of the 12th instant, in reply to an Address of the House, of the 6th, relative to the statements made touching the conduct of Charles J. Peters, Esquire, as King's Counsel and Solicitor-General.

Mr. M'Kay in the Chair of the Committee.

The Chairman reported, that the Committee had unanimously passed the following Resolution; which he read.

“Resolved, that such part of the Message of His Excellency the Lieutenant-Governor, as relates to the allowance to the office of Attorney-General, be referred to the Committee of Supply.”

The Resolution being again read was agreed to by the House.

Ordered, that the order of the day for going into Committee of the whole House, on a Bill for the Endowment of King's College at Fredericton, in the Province of New-Brunswick, be again discharged, and stand the order of the day for to-morrow.

Read a third time, as engrossed,

A Bill further to amend the Acts relating to Streets and Highways in the City and County of St. John.

Resolved, that the Bill do pass.

Ordered, that Mr. Parker, carry the said Bill to the Council, and desire their concurrence thereto.

The

The House went into Committee of the whole, on a Bill in amendment of the several Acts for establishing Grammar Schools.

Mr. Ward in the Chair of the Committee.

The Chairman reported, that the Committee had gone into the consideration of the Bill referred to them, and made progress therein, and that he was directed to ask leave to sit again.

Ordered, that the Report be accepted and leave granted.

On motion of Mr. Dow.—The House went into Committee of the whole, on a Bill to authorize Ministers of Dissenting Congregations to solemnize marriage in this Province.

Mr. Palmer in the Chair of the Committee.

The Chairman from the Committee, reported, that they had gone into consideration of the said Bill, and agreed to the same.

Ordered, that the Report be accepted, and the Bill engrossed.

On motion of Mr. Parker.—The House in Committee of the whole, went into consideration of a Bill in amendment of the Acts for establishing Parish Schools.

Mr. Gilbert in the Chair of the Committee.

The Chairman reported, that they had agreed to the said Bill with amendments.

Ordered, that the Report be accepted and the Bill engrossed, as amended.

The House went into Committee of the whole, on a Bill to authorize the Grand Juries to examine into the public accounts of the different Counties.

Mr. Hayward in the Chair of the Committee.

The Chairman reported, that they had gone into consideration of the said Bill, and agreed to the same with amendments, under the title of "A Bill to provide for the publication of the County accounts.

Ordered, that the Report be accepted and the Bill engrossed, as amended, under the amended title.

On motion of Mr. Ketchum.—Ordered, that the order of the day for going into Committee of the whole House, on a Bill to alter the Great Road leading from Fredericton to the Canada Line, be discharged.

On motion of Mr. Parker.—Resolved, that the Committee of Privilege, to whom was referred the last Message of His Majesty's Council, be directed to report thereon to-morrow morning.

The House adjourned until to-morrow morning, at 10 o'clock.

THURSDAY, 15th JANUARY, 1829.

Prayers.

Read, as engrossed, the Resolutions of Appropriation, of the 12th instant.

Ordered, that Mr. Partelow carry the said Resolutions to the Council, and desire their concurrence thereto.

Read a second time:—

A Bill further to continue and amend the several Acts for raising a Revenue in this Province.

Mr. Weldon, from the Committee of Privilege, to whom was referred the Message of His Majesty's Council, of the 12th instant, respecting the manner in which the Speaker received the Master in Chancery bringing Messages from the Council to the House of Assembly, submitted the following Report; which he read.

"That by the practice of the British Parliament, no Message from the Lords is sent to the Commons except by two Messengers: this being the case, the Speaker un-
"ders at the third Congè. Although His Majesty's Council have been the first to
"depart from the established usage, by sending one Master in Chancery instead of two
"Messengers to the House, your Committee consider in the present state of the
"Country, that one Messenger is sufficient, and recommend in future, after the Master
"in Chancery bringing Messages from His Majesty's Council, the Speaker do uncover
"at

“ at the third Congé, and receive the Message uncovered, according to Parliamentary usage.

“ All which is respectfully submitted for the consideration of this Honorable House.

J. W. WELDON,
COLIN CAMPBELL,
JOHN WARD, JUN.,”

The Report being again read, was ordered to be accepted.

On motion of Mr. Hayward.—The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Partelow in the Chair of the Committee.

The Chairman reported, that upon their taking into consideration that part of His Excellency the Lieutenant-Governor's Message, of the 12th instant, referred to them by Resolution of yesterday, the following Resolutions were moved :—

“ 1st. Resolved, that there be granted to His Majesty's late Solicitor-General, Charles J. Peters, Esquire, for his services to the 8th day of September last, the sum of £ .”

And upon the question for sustaining the Resolution, the Committee divided :—

YEAS.
Mr. Parker,
Weldon,
M. Kay,
Clinch.
Wyer,
Campbell.

NAYS.
Mr. Speaker,
Humbert,
Crane,
Scott,
Barlow,
Ward,
Harrison,
Gilbert,
Taylor,
Ketchum,
Hayward,
Freeze,
Palmer,
Dow.

It was thereupon decided in the negative.

“ 2d. Resolved, that there be granted to His Majesty's Attorney General, for his services from the 8th day of September, 1828, to the 31st day of December following, the sum of £ .”

And for sustaining this Resolution, the Committee again divided—

YEAS.
Mr. Parker,
Crane,
Weldon,
M. Kay,
Clinch.
Wyer,
Campbell.

NAYS.
Mr. Speaker,
Humbert,
Scott,
Barlow,
Ward,
Harrison.
Gilbert,
Taylor,
Ketchum,
Allen,
Hayward,
Freeze,
Palmer,
Munro,
Dow,
Miles.

Which was likewise decided in the negative.

That the Committee had passed the following Resolution :—

Resolved, that there be granted to Isaac Mischeau, a settler at the Great Falls, the sum of £10, in consequence of relief extended to distressed Emigrant Travellers.

And further that he was directed to ask leave to sit again.

Ordered, that the Report be accepted and leave granted.

On

On motion of Mr. Parker.—Resolved, that when a Message is received from His Majesty's Council, after the Messenger has made his three Congè's, the Speaker do rise uncovered, and receive the Message according to the usage of Parliament on such occasions.

Ordered, that Mr. Parker communicate this Resolution to the Council.

Mr. Weldon, from the Committee appointed to search the Journals of the Honorable the Legislative Council, in pursuance of an order of the 9th instant, to ascertain what proceedings have been had on a Bill to restrain Hawkers and Pedlars, within the Province, from selling without Licence; reported, that he had attended to that duty, and that he found the following entry:—

“ Council Chamber, January 8, 1829.

“ Read a third time a Bill relating to Hawkers and Pedlars; and on the question whether the Bill do pass the Council divided—

CONTENTS.

Mr. JUSTICE BLISS,
Mr. PETERS,
Mr. ROBINSON,

NON-CONTENTS.

Mr. CHIEF JUSTICE,
Mr. BAILLIE,
Mr. HURD.”

“ On motion of Mr. Justice Bliss.—That the Bill do pass, and be sent down to the House of Assembly.

“ The Council again divided—

CONTENTS.

Mr. JUSTICE BLISS,
Mr. PETERS,
Mr. ROBINSON,

NON-CONTENTS.

Mr. CHIEF JUSTICE,
Mr. BAILLIE,
Mr. HURD.”

“ Council Chamber, 12th January, 1829.

“ Upon consideration of the division of the 8th instant, on the question, whether the Bill relating to Hawkers and Pedlars do pass.

“ Ordered, that the entry thereon, be, that it passed in the negative.”

Mr. Speaker laid before the House, a second Report from the Auditor of Public Accounts, together with a Book containing the general Index, of Grants for Bye Roads, and another containing general Accounts of expenditure on the Great Roads throughout the Province.

Ordered, that these Documents lie on the Table for the information of the House.

On motion of Mr. Allen.—The House went into Committee of the whole, on a Petition presented to this House, from James Taylor, Sen., & Co, and William Cross, praying to be remunerated for loss sustained in completion of the College Contract.

Mr. Harrison in the Chair of the Committee.

The Chairman reported, that in the Committee, the following Resolution was moved:

“ Resolved, that the Petition of James Taylor, Sen., & Co, and William Cross, Contractors for building the College at Fredericton, praying for remuneration, be referred to the Committee of Supply.”

And upon the question for sustaining the Resolution, the Committee divided—

YEAS.

Mr. Speaker,
Allen,
Gilbert,
Ketchum,
Hayward,
Rankin,
Dow,
Campbell,
M'Kay,
Clinch,
Ward.

NAYS.

Mr. Parker,
Palmer,
Scott,
Humbert,
Barlow,
Partelow.
Crane,
Weldon,
Wyer.
Freeze.

And that it was thereupon carried in the affirmative.

Upon the question for accepting the report, the House divided—

YEAS 11.

NAYS 10.

And it was likewise carried in the affirmative.

Ordered, that the Report be accepted.

A Message from His Majesty's Council.

Mr. Bliss, Master in Chancery, informed the House that the Council had agreed to the following Bills :—

“ A Bill to continue an Act, to empower the Justices of Charlotte to make regulations for driving Timber.

“ A Bill for the better regulation of Sales by Auction.

A Bill relative to the Election of Charter Officers for Guy's Ward, and Brook's Ward, in the City of St. John.

“ A Bill to increase the Revenue of the Province, by imposing a duty upon all Rum and other Spirituous Liquors that shall be distilled in the Province.

“ A Bill to regulate the appointment of County Treasurers.

“ A Bill to lay a Tax on Dogs, in certain parts of the Parishes of Newcastle, Chatham and Nelson, in the County of Northumberland.

“ A Bill in addition to an Act, to make more effectual provision for preventing the importation and spreading of infectious distempers in Settlements on Miramichi.”

And that the Council had likewise agreed to a Bill to amend the Statute Law, relative to offences against the Person, and to provide for the more effectual punishment of such offences, with an amendment, to which they request the concurrence of this House.

And he was further directed to communicate to the House that the Council had passed the following Resolution :—

“ *Council Chamber, 9th January, 1829.*

“ Resolved, that the Council do agree to join with the House of Assembly, in a dutiful and humble address to His Majesty, praying for a repeal of so much of the Act of Parliament 13 Geo. 2, cap. 7, as requires Settlers coming in under its provisions, to take the Sacrament previous to their being admitted to take the oath of allegiance.”

The House proceeded to take into consideration the amendment made by the Council to the Bill to amend the Statute Law relative to offences against the Person, and to provide for the more effectual punishment of such offences.

Which being read, is as follows :

Sec. VII. at A after the word person, insert “ or shall unlawfully and maliciously stab, cut or wound any person.”

And the question being put thereon, Resolved, that the House do concur therein.

Ordered, that Mr. Parker return the Bill, with the amendment, to the Council, and inform them therewith.

Ordered, that Mr. Campbell, Mr. Taylor and Mr. Weldon, be a Committee to join a Committee of the Council to prepare an address to His Majesty, praying a repeal of so much of the Act of Parliament of 13 Geo. 2, c. 7, which requires Aliens to take the Sacrament before being admitted to naturalization.

And further ordered that Mr. Campbell communicate this appointment to the Council.

Mr. Speaker laid before the House a report of the Grammar School at the City of Saint John.

Ordered, that the order of the day for going into Committee of the whole House, on a Bill for the Endowment of King's College at Fredericton, in the Province of New-Brunswick, be again discharged and stand the order of the day for to-morrow.

Mr. Munro, pursuant to leave, brought in a Bill for erecting Grammar Schools in the new Counties of Kent and Gloucester.

Which was read a first time.

The House went into Committee of the whole, on a Bill to alter the Great Road leading from Fredericton to the Canada Line.

Mr. Miles in the Chair of the Committee.

The Chairman reported, that in the Committee it was resolved, that the further consideration of the said Bill, be postponed for three months.

Ordered, that the Report be accepted.

On motion of Mr. Weldon.—The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Partelow resumed the Chair of the Committee.

The Chairman reported, that the Committee had passed several other Resolutions; which he read, and are as follow :

Resolved, that there be granted to John Smith, the sum of £15 for teaching a School for one year, in Chatham, County of Northumberland.

To Darby Gillan, a settler on the Nerepis road, the sum of £10 to remunerate him for assistance rendered to distressed Emigrants and other indigent Travellers, agreeably to the prayer of his Petition.

To James P. Quinn, Surgeon, the sum of £30 as a small remuneration for Medicine and Medical attendance applied by him for certain sick and indigent Irish Emigrants sent to this Province from Rio de Janeiro, in a very distressed state.

To the Rev. John Carroll, Pastor of the Roman Catholic Chapel at Saint John, the sum of £75, in aid of individual Subscription, to enable him to continue a Free School for the education of poor children belonging to that Communion; and to pay the debts due on account of such Schools, pursuant to the prayer of his Petition.

To the Trustees of Schools for the Parish of Portland, the sum of £10 to pay Lawrence O'Flanagan for teaching a School at Loch Lomond.

To Messrs. Handford and Raymond of St. John, Merchants, the sum of £13 : 15 : 0, being the amount of duties on Wine imported by them into the Province, but exported to Trinidad without being landed in the Province.

Resolved that the Petition of Patrick Waters, be not complied with.

Resolved, that the Petition of Jedediah Slason, Esquire, be not complied with.

The Resolutions being again read, were agreed to by the House, and the Chairman further reported he was directed to ask leave to sit again, which was granted.

The House adjourned until to-morrow morning, at 10 o'clock.

FRIDAY, 16th JANUARY, 1829.

Prayers.

Read a second time:—

A Bill for erecting Grammar Schools in the new Counties of Kent and Gloucester.

On motion of Mr. Campbell.—“Whereas doubts have arisen as to the true meaning of that part of the Charter of King's College, New-Brunswick, which relates to the qualifications of professors in the said College: and whereas it is highly desirable that all doubts respecting the same should be removed. Therefore Resolved, that an humble address be presented to His Excellency the Lieutenant-Governor, praying, that His Excellency will be pleased to make known to this House, whether the College Council are of opinion that persons, other than Members of the Church of England, are eligible, by virtue of the said Charter, to be Professors in the said College; and also, whether permanent situations, with the accustomed honors and emoluments, are, by construction of the said Charter, to be conferred on persons other than of the Established Church of England and Ireland.”

Ordered, that Mr. Campbell, Mr. Barlow, and Mr. Freeze, be a Committee to present the address to His Excellency.

The House went into Committee of the whole, on a Bill further to continue and amend the several Acts for raising a Revenue in this Province.

Mr. Humbert in the Chair of the Committee.

The Chairman reported, that having gone into consideration of the said Bill, and upon the question for filling up a blank in the 11th sec: which provides for the imposing a duty on “all horned cattle imported” with the sum of 50s per head, the Committee divided.

YEAS.

<i>Mr. Speaker,</i>	<i>Mr. Weldon,</i>
<i>Parker,</i>	<i>Harrison,</i>
<i>Palmer,</i>	<i>Taylor,</i>
<i>Crane,</i>	<i>Miles,</i>
<i>Scott,</i>	<i>Hayward,</i>
<i>Barlow,</i>	<i>Freeze,</i>
<i>Partelow,</i>	<i>Munro,</i>
<i>Ward.</i>	<i>Dow.</i>

NAYS.

<i>Mr. Ketchum,</i>
<i>M'Kay,</i>
<i>Clinch,</i>
<i>Rankin,</i>
<i>Wyer,</i>
<i>Campbell.</i>

It was thereupon carried in the affirmative.

And

And he further reported, that they had agreed to the Bill with amendments.

Ordered, that the Report be accepted, and the Bill engrossed as amended.

A Message from His Majesty's Council.

Mr. Bliss, Master in Chancery, acquainted the House that the Council had passed the following Resolution.

“ Council Chamber, 16th January, 1829.

“ Went into consideration of the Resolution sent up by the House of Assembly, on the subject of the present system of disposing of Crown Lands, and the Council not being in possession of any documents, which would enable them to form a judgment whether it would be advisable, or not, to join in the proposed address.

“ Thereupon resolved, on motion of Mr. Shore, that the House of Assembly be requested to communicate to the Council such information upon the subject as may be in their possession.”

On motion of Mr. Weldon.—The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Partelow in the Chair of the Committee.

The Chairman reported, that the Committee had passed several Resolutions, which he read, and they being again read, at the Clerk's Table, were agreed to by the House, and are as follow :—

Resolved, that the Petition of David Pickard and Oliver Smith, be not complied with.

And likewise that the Petition of James Kellum, be not complied with.

That there be granted to the Justices of the Peace of the City and County of Saint John, the sum of £79 : 19 : 6, in order to defray the expense incurred by the Overseers of the Poor, of the Parish of Portland, in the support of sick and indigent Black Refugees.

To the Justices of the Peace of the City and County of St. John, the sum of £322 : 15 : 10, in order to enable them to defray the expense incurred by the Overseers of the Poor of the City of Saint John, in the support and relief of sick and indigent Emigrants in the year 1828.

To the Justices of the Peace of the City and County of Saint John, the sum of £275 : 17 : 1, in order to defray the expense incurred by the Overseers of the Poor of the Parish of Portland, in the support of sick and distressed Emigrants.

To Sylvanus Haviland, of Westfield, in King's County, the sum of £10 as a compensation for damage sustained in consequence of an alteration made in the Nerepis road, by leading the same through his premises.

To the Overseers of the Poor of the Parish of Chatham, in the County of Northumberland, the sum of £16 : 7 : 1, for expense incurred in support of transient Poor, up to the 3d December, 1828.

To the Governor and Trustees of the Madras School in New-Brunswick, for the year of 1829, the sum of £400 towards the support of that Institution throughout the Province ; such part of the said sum as may be necessary for that purpose, to be appropriated to the support of a School for Children of Colour in the City of Saint John, and a sum not exceeding £100, part of the said sum to be appropriated for a similar School in Fredericton.

To the Clerk of the Council, in General Assembly, the sum of £25 for the purpose of defraying the expense of an Assistant during the present Session.

To the Speaker of the House of Assembly, the sum of £150, and to the Members of the said House, the sum of 40*l.* each, for defraying their expenses of attending during the present Session, and twenty shillings per diem travelling expenses, reckoning 20 miles for each day's travel, to be certified by the Speaker, agreeably to a Law of this Province.

To William Watts, the sum of £15 for airing and taking care of the Province Hall, from the 10th November, 1827, until 31st December, 1828.

To His Excellency the Lieutenant-Governor, for the purpose of enabling the Treasurer to pay John Abrams and William Ball, for their services as Tide Waiters at the Port of St. John for the past year, the sum of £182 : 10*s.*

To His Excellency the Lieutenant-Governor, for the purpose of enabling the Treasurer to pay a Tide Waiter to the Treasury at the Port of St. John, for his services for the past year, the sum of £91 : 5*s.*

To

To David W. Jack, Tide Surveyor at the Port of St. Andrews, for his services from the 1st day of April, 1828, to the 1st day of April, 1829, the sum of 150*l*.

To the Adjutants of Militia a sum not exceeding 240*l*. for the year 1829, agreeably to the Militia Laws.

To Flora Mac Rae, widow of the late Captain Alexander Mac Rae, of His Majesty's late North Carolina Highlanders, the sum of 15*l*. to relieve her in her present indigent circumstances.

To James Kelly, Adjutant of the 1st Battalion of Westmorland Militia, the sum of 15*l*. to compensate him for duties performed in the year 1827,—Also, to Jacob Trites, Sergeant Major of the said Battalion, the sum of 7*l*. 10*s*. for services performed in the same year.

To William Kennedy, of St. Stephen's, the sum of 15*l*. to assist him in the support of himself and family, he being very aged and indigent, and having served his country faithfully during the Revolutionary War in the United States of America.

And the Chairman further reported that he was directed to ask leave to sit again, which was granted.

A Message from His Majesty's Council.

Mr. Bliss, Master in Chancery, informed the House that the Council had passed the following Resolution.

“ Council Chamber, January 16, 1829.

“ Resolved, that Mr. Hurd and Mr. Robinson be a Committee on the part of the Council, to join the Committee on the part of the House of Assembly, to prepare an address to His Majesty, praying a repeal of so much of the Act of Parliament 13 Geo. 2, c. 7, as requires Aliens to take the Sacrament, before being admitted to take the oath of allegiance.”

Ordered, that the order of the day for going into Committee of the whole House, on a Bill for the Endowment of King's College at Fredericton, be again discharged.

Mr. Speaker laid before the House the accounts of the present Treasurer, up to the 31st of December last.

Also, a report from Colin Campbell, Esquire, Supervisor of the Great Road from Fredericton to St. Andrews; and J. W. Weldon, Esquire, Supervisor of the Great Road from Shediac River to Richibucto.

The House adjourned until to-morrow morning, at 10 o'clock.

SATURDAY, 17th JANUARY, 1829.

Prayers.

On motion of Mr. Parker.—Resolved, that in future when papers are laid before the House by the Speaker, he do state to the House from whom the same were received, and that an entry to that effect be made in the Journals.

On motion of Mr. Parker.—Resolved, that the several Returns and papers, laid before this House in compliance with their address of the 24th December, 1828, relative to the sale of Lands under the new system, be transmitted to His Majesty's Council for their information, and that the Council be requested to return the same when they have no further occasion for them.

On motion of Mr. Allen.—The House went into Committee of the whole, on a Bill in addition to the several Laws now in force for assessing, collecting and levying of rates for public charges.

Mr. Campbell in the Chair of the Committee.

The Chairman from the Committee, reported, that they had gone into consideration of the said Bill, and made progress therein, and he was directed to ask leave to sit again.

Ordered, that the Report be accepted and leave granted.

On motion of Mr. Munro.—The House went into Committee of the whole, on a Bill for erecting Grammar Schools in the new Counties of Kent and Gloucester.

Mr. Hayward in the Chair of the Committee.

The Chairman reported, that in the Committee it was moved, that the further consideration thereof, be postponed for three months.

Whereupon

Whereupon the Committee divided—

YEAS.
Mr. Speaker,
Palmer,
Humbert,
Harrison,
Scott,
Ward,
Barlow,
Partelow,
Crane,
Dow,
Freeze.

NAYS.
Mr. Parker,
Weldon,
Taylor,
Miles,
M. Kay,
Munro,
Clinch,
Campbell,
Rankin,
Wyer.

And it was thereupon carried in the affirmative.

On motion of Mr. Parker.—The House went into Committee of the whole, in further consideration of a Bill in amendment of the several Acts for establishing Grammar Schools.

Mr. Ward in the Chair of the Committee.

The Chairman from the Committee, reported, that they had agreed to the said Bill, with amendments.

Ordered, that the Report be accepted, and the Bill engrossed, as amended.

Mr. Campbell, from the Committee appointed to wait on His Excellency the Lieutenant-Governor, with the address of the House relative to the construction of the College Charter : Reported, that they had attended to that duty, and His Excellency was pleased to say he would call a meeting of the College Council, and report their opinion upon the subject in question, by Message.

The House adjourned until Monday morning next, at 10 o'clock.

MONDAY, 19th JANUARY, 1829.

Prayers.

Read a third time, as engrossed.

A Bill to authorize Ministers of Dissenting Congregations to solemnize marriage in this Province.

Resolved, that the Bill do pass.

Ordered, that Mr. Dow carry the said Bill to the Council, and desire their concurrence thereto.

Read a third time, as engrossed.

A Bill in amendment of the Acts for establishing Parish Schools.

Resolved, that the Bill do pass.

Ordered, that Mr. Parker, take the said Bill to the Council, and desire their concurrence thereto.

Read a third time, as engrossed.

A Bill to enable Defendants in Civil Actions to enter Pleas by themselves.

Resolved, that the Bill do pass.

Ordered, that Mr. Scott carry the said Bill to the Council, and desire their concurrence thereto.

Read, as engrossed, the Resolutions of Appropriation, made and passed the 15th inst.

Ordered, that Mr. Barlow carry the said Resolutions to the Council, and desire their concurrence thereto.

Read a third time, as engrossed.

A Bill providing for the publication of the County Accounts.

Resolved, that the Bill do pass.

Ordered, that Mr. Clinch carry the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Partelow.—The House went into Committee of the whole, upon the recommitment of a Bill to alter and amend the Militia Laws.

Mr. Dow in the Chair of the Committee.

The Chairman reported, that they had made a further amendment thereto.

Ordered, that the Report be accepted, and the Bill as further amended, engrossed.

On motion of Mr. Parker.—Resolved, that an humble Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to direct that there be laid before the House, a statement of the sums of money paid out of the Treasury for Bounties on Grain raised on new Land from the year 1817 to 1827 inclusive, specifying in such return the particular years, and Counties, in which the Grain has been raised : And also a return of the Bounties paid on vessels engaged in the Cod and Scale Fisheries during the same period, specifying the Ports or places to which the vessels belong, the Ports where fitted out, and the amount of Bounties in each year.

Ordered, that Mr. Parker, Mr. Ward and Mr. Allen, be a Committee to present the Address to His Excellency.

Read a third time, as engrossed,

A Bill to regulate the exportation of Lumber, and to repeal all the Acts now in force for regulating the same.

Resolved, that the Bill do pass.

Ordered, that Mr. Campbell, take the said Bill to the Council, and desire their concurrence thereto.

Mr. Allen, pursuant to leave, brought in a Bill to repeal an Act, intituled “an Act to provide for the erection of an Alms House and Work House within the County of York, and for making rules and regulations for the management of the same, so far as respects the Parish of Kingsclear.”

Which was read a first and second times.

Mr. Weldon, by leave, presented a Petition from Patrick Clinch, Esquire, praying the House will direct the Committee not to proceed upon the scrutiny between Joseph N. Clarke, Esquire, and himself, and that he may have further time to procure testimony.

Which he read.

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

A Message from His Excellency the Lieutenant-Governor,

By Mr. Secretary Odell.

“NEW-BRUNSWICK.

“MESSAGE to the HOUSE OF ASSEMBLY,

“19th January, 1829.

“HOWARD DOUGLAS.

“The Lieutenant-Governor in answer to the Address of the House of Assembly of the 15th instant, directs to be laid before them the accompanying opinion of the College Council, respecting the terms and conditions of the College Charter.

“H. D.”

The following is the Document mentioned in His Excellency’s Message :—

“To His Excellency Sir HOWARD DOUGLAS, Baronet, Chancellor of
“King’s College, &c. &c. &c.

“The College Council in answer to the question propounded to them by your Excellency, in compliance with the Address of the House of Assembly to your Excellency, of the 15th instant, have no hesitation in expressing their unanimous opinion, that by the terms of the Charter, any persons of suitable character and qualifications are eligible to the office of Professors in the College, whatever may be their religious tenets or professions ; and that all the honors and advantages to be conferred by the College under the Charter. are open to persons of every religious persuasion, as fully and freely as to Members of the Church of England, with the single exception of the Degrees in Divinity.

(Signed)

JOHN SAUNDERS,
CHARLES SIMONDS,
ROBERT PARKER,
WM. F. ODELL.”

On motion of Mr. Weldon.—Resolved, that the Committee to whom was referred the Petition of Joseph N. Clarke, Esquire, complaining of the undue Election and return.

return of Patrick Clinch, Esquire, for the County of Charlotte, do resume the business referred to them on Wednesday next, at 10 o'clock, A. M.

On motion of Mr. Parker.—Whereas it appears absolutely necessary in order to this House forming a correct judgment of the state of the Revenue and disposable funds of the Province, that regular accounts should be furnished by the Officer employed in the collection of Treasury Bonds, which have been put in suit from time to time by the direction of the Treasurer and Deputy Treasurers.

Thereupon resolved, that an humble Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to direct that an annual account be rendered by the Attorney-General, and laid before the House, together with the Treasurer's accounts; and further praying that His Excellency will be pleased to direct that an account be furnished by the Executors of the late Attorney General, of the proceedings had upon the Bonds sent to him for collection, since the date of his last account in 1822; and also the necessary information relative to the recovery of the balance at that time appearing uncollected.

Ordered, that Mr. Parker, Mr. M'Kay and Mr. Munro, be a Committee to present the Address.

On like motion of Mr. Parker.—Resolved, that an humble Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to give directions to the Province Treasurer, to call upon the Licenced Auctioneers throughout the Province (who have not complied with the provisions of the Act,) to render forthwith, accounts of the sales made by them of dutiable articles, and to make payment of the duties either to the Treasurer or the Deputy Treasurers of the Districts for which such Auctioneers may have been respectively appointed.

Ordered, that Mr. Parker, Mr. M'Kay, and Mr. Munro, be a Committee to present the Address.

Mr. Weldon, pursuant to leave, brought in a Bill to appropriate a part of the Public Revenue, to the payment of the ordinary services of the Province.

Which was read a first time.

The House went into Committee of the whole, on a Bill in addition to the several Laws now in force for assessing, collecting and levying of rates for public charges.

Mr. Partelow in the Chair of the Committee.

The Chairman reported, that they had gone into further consideration of the said Bill, and agreed to the same.

Ordered, that the Report be accepted, and the Bill engrossed.

Mr. Crane, Chairman of the Committee appointed to examine the Treasurer's accounts: Reported that they had taken under their consideration those rendered by the Executors of the late Honorable John Robinson, Province Treasurer, and submitted the following which he read.

A. Is the general account current of the Executors to the late Province Treasurer, shewing a balance in the Treasury in Bonds and Cash on 21st October last, of £28,254 : 17 : 3; of which sum £22,254 : 17 : 3, has been paid over to R. Simonds, Esquire, the present Province Treasurer, leaving a balance of £6,000, to be hereafter accounted for. The Executors of the late Treasurer state, that they are not at present in possession of sufficient information to enable them to make up a full statement of the public accounts, but pledge themselves to do so at an early period; and your Committee recommend that a reasonable time be allowed them for that purpose.

In this account there is a charge of £293 : 4 : 3 $\frac{1}{4}$, being the amount of one per cent duty collected at St. Andrews in the years 1822, '23, '24, and '25, which sum having been included in the Deputy Treasurer's general accounts for the same years, formed a part of his remittances to the Province Treasury, and having been also credited to the Province, by the Treasurer (together with the duties for the same services collected at St. John) in an account made by him for the whole of the said one per cent duties collected in the Province; it is evident that the same has been twice credited, first by the Deputy Treasurer in his General Account, and again by the Province Treasurer in his said one per cent duty account.

B. Is an abstract of the whole amount of the Revenue collected and secured within the Province from the 1st January, 1828, until the 20th October last, amounting to £31,171 : 8 : 4.

No. 1. Is an account of sums received from the Attorney General, on account of Bonds put in suit from 1st January, 1828, to 20th October following £692 : 12 : 2.

No. 2. Is an account of Light House duty collected at St. John, from 1st January 1828, to the 20th October, amounting to £858 : 0 : 0

From which deduct William Donald's account

for Supplies to the 10th October, 1827, £222 : 6 : 10½

Salary of the Keeper from 10th October, 1827,
to 6th August, 1828,

123 : 9 : 10

£345 : 16 : 8½

Nett proceeds

£512 : 3 : 8½

No. 3. Is an account of money paid to the Province Treasurer by the Collector and Comptroller of the Customs at St. John, for duties collected under the Acts of Parliament, amounting to 8,605*l.* : 10 : 8.

The sums received by the Treasurer for the periods ending the 5th July, and the 10th October, appear to be rather less than the nett amount collected under the Acts of Parliament, it paid in dollars at 4*s.* 4*d.* each, which your Committee think arise from a part of the said duties having been received by the Deputy Treasurers in British money, and accounted for with the addition of merely the difference of Exchange.

The Committee recommend that when British Money is received by the Deputy Treasurers they should account for the same at the current value.

No. 4. Is a particular account of Merchandize imported into St. John, subject to the Ordinary Provincial duties between 1st January and 21st October, 1828, which duties amount to 10,765*l.* : 5 : 11½.

No. 5. Is an account of Merchandize imported into St. John from the United States of America, subject to Provincial duties, between 1st January and 21st October, 1828, which duties amount to 520*l.* : 3 : 9.

No. 6. Is an account of the sum due the Savings Bank at St. John, from the Province, up to the 20th October, 1828, amounting to 1,319 : 0 : 5.

No. 7. Is an Abstract of the Warrants paid at the Province Treasury at St. John, from 1st January, to 20th October, 1828, inclusive, amounting to 29,000*l.* : 15 : 8½.

No. 8. Is an account of drawbacks allowed and paid at the Province Treasury, between the 1st January and 20th October, 1828, inclusive, amounting to 1,095*l.* : 17 : 4.

No. 9. Is an account of Bonds, delivered to the Attorney General, to be put in suit between the 1st January and 20th October, 1828, amounting to 558*l.* : 18 : 2.

No. 10. Is an account of sums paid at St. John, for discount for prompt payment of duties between the 1st January and 20th October, 1828, amounting to 4*l.* : 8 : 8.

No. 11. Is a particular statement of one per cent. duty collected at St. Andrews for the support of the Revenue Cutter Elizabeth, for the years 1822, 1823, 1824 and 1825, amounting to 293*l.* : 4 : 3¾, and which appears to have been twice credited to the Province, and is explained in the note on the account marked A.

No. 12. Is a list of Bonds remaining in the Province Treasury at St. John, on the 21st October, 1828, amounting to 15,092 : 15 : 2½.

No. 13. Is the account current of the Deputy Treasurer at St. Andrews, with the Province Treasurer, shewing a balance in his hands in Bonds and Cash on the 21st October last, of 3,945*l.* : 9 : 6½.

No. 14. Is a statement of money paid to the Deputy Treasurer by the Collector and Comptroller of the Customs at St. Andrews, in part of the duties collected by them under the Acts of Parliament between the 1st January and 20th October, 1828, amounting to 1,501*l.* : 12 : 2.

No. 15. Is an account of duties collected at St. Andrews on Horses from the United States, from 1st January to 20th October, 1828, amounting to 7*l.* : 5 : 0.

No. 16. Is an account of Merchandize imported into St. Andrews from the United States, subject to the Ordinary Provincial Duties, between the 1st January and 20th October, 1828, which duties amount to 327*l.* : 2 : 0.

No. 17. Is an account of Merchandize imported into St. Andrews, subject to the Ordinary Provincial Duties, between the 1st January and 20th October, 1828, amounting to 2,989*l.* : 6 : 8.

No. 18. Is an account of sums paid to the St. Andrews Savings Bank, between 1st January and 20th October, 1828, for interest on sums deposited, amounting to $17 : 0 : 4$.

No. 19. Is an account of sums paid at St. Andrews, from 1st January to 20th October, 1828, for discount for prompt payment of duties amounting to $47 : 8 : 8$.

No. 20. Is an account of sums paid for drawback at St. Andrews, between 1st January and 20th October, 1828, amounting to $127 : 17 : 6$.

No. 21. Is an account of sums received from the Attorney General on account of Bonds in suit at St. Andrews, from 1st January to 20th October, 1828, amounting to $2657 : 12 : 10$.

No. 22. Is an account of Bonds sent to the Attorney General, to be put in suit by the Deputy Treasurer at St. Andrews, from 1st January to 20th October, 1828, amounting to $827 : 1 : 0$.

No. 23. Is a list of Bonds remaining in the hands of the Deputy Treasurer at St. Andrews, on the 21st October, 1828, amounting to $3,9307 : 8 : 0$.

No. 24. Is the account of the Ordinary Duty collected at West Isles, between the 1st January, 1828, and the 20th October, inclusive, amounting to $7127 : 18 : 5$.

No. 25. Is the account current of the Deputy Treasurer at West Isles with the Province Treasurer, shewing a balance in his hands in Bonds and Cash on the 20th October last, of $7857 : 5 : 9$.

It appears by this account that there was a balance in his hands on the 31st December, 1827, of $1437 : 13 : 2$, and it does not appear that this Officer has made any remittance to the Province Treasury during the past year.

No. 26. Is the account of Ordinary Duties collected at Westmorland between the 1st January, 1828, and the 20th October, inclusive, amounting to $487 : 7 : 4\frac{1}{2}$.

No. 27. Is the account current of the Deputy Treasurer at Westmorland with the Province Treasurer, shewing a balance in his hands in Bonds and Cash on the 20th October last, of $887 : 14 : 9\frac{1}{2}$.

There is a letter from Mr. Kiellor the Deputy Treasurer, explaining the mode adopted by him in his former accounts, regarding the charge of his commission, by which it appears that he has been in the habit of charging commission only on the sums of money paid by him and not on the amount collected, and the Committee having examined his former accounts, find that statement to be correct; the balance in his hands as per his account 31st December, 1827, was therefore $187 : 14 : 9$, instead of $227 : 17 : 7$, as reported by the Committee of last Session, Mr. Kiellor charges in this account the sum of 157 paid to the Administrators of Joshua Weatherhead. For this charge there is no voucher.

He also charges a commission of 10 per cent. on $487 : 3 : 1$, being the amount of duties collected under the Act of 6 Geo. 4, cap. 114, by the Collector of the Customs at Dorchester last September, and paid to the Deputy Treasurer, which is of course incorrect. The true state of his account will stand thus.

Treasurer, DR.

Balance due the Province 31st December, 1827,.....	£18 : 14 : 9
Amount of Ordinary duties collected up to 20th October, 1828,...	48 : 7 : 4½
Amount received from the Collector of the Customs as above stated,	48 : 3 : 1
	115 : 5 : 2½

CR. By commission on the above sums of	18 : 14 : 9	
And	48 : 7 : 4½	
	67 : 2 : 1½	6 : 14 : 1¼

Balance due the Province,..... £108 : 11 : 1¼

It appears by the account current of R. Simonds, Esquire, the present Province Treasurer, that this Officer has remitted to the said Province Treasurer, between the 10th October and 31st December, the sum of $887 : 14 : 11\frac{1}{2}$.

No. 28. Is the account current of the Deputy Treasurer at Miramichi with the Province Treasurer, shewing a balance in his hands in Bonds and Cash, on the 20th of October, 1828, of $2,1187 : 4 : 7$.

He credits Commission charged on money received from the Collector of Customs in 1827, $17 : 12 : 3\frac{1}{4}$. Which

Which your Committee suppose to be an account of a difference of 21*l.* : 1 : 9, pointed out last Session against the Sub-Collector of Miramichi. Also difference on dollars received at 5*s* and paid at 5*s* 4*d*, in 1827, 34*l.* : 8 : 11½. And difference on 106*l.* ; 5 : 3½ sterling, received from the Collector of Customs in dollars at 4*s* 4*d*, sterling, 4*l.* : 10 : 10.

No. 29. Is a particular account of the Ordinary Provincial Duties collected at Miramichi, between the 31st December, 1827, and the 20th October, 1828, amounting to £3,273 : 13 : 11½

Also a statement of the amount received from the Sub-Collector of the Customs there, in part of Duties collected by him under the Acts of Parliament, amounting to 745*l.* : 9 : 4 sterling. 828 : 5 : 11

	4,101 : 19 : 10½
From which he deducts the amount of Salary,	300 : 0 : 0
	£3,801 : 19 : 10½

No account from the Sub-Collector of the Customs at Miramichi of the amount of Duties collected by him in 1828, under the Acts of Parliament, accompanies this statement.

No. 30. Is a note of Discounts allowed for prompt payment of Duties at Miramichi in 1828, amounting to 10*l.* : 13 : 7½.

No. 31. Is a list of Bonds in the Treasury at Miramichi, on the 1st November, 1828, amounting to 1,892*l.* : 18 : 5½.

No. 32. Is an account of Duties collected at Miramichi for the relief of sick and disabled Seamen, from the 1st December, 1827, to the 20th October, 1828, inclusive, amounting to 635*l.* : 16 : 0.

No. 33. Is an account current of the Deputy Treasurer at Miramichi with the Province Treasurer, on account of the Fund for the support of sick and disabled Seamen, shewing a balance in his hands on the 20th October, 1828, amounting to 201*l.* : 2 : 8.

No. 34. Is the account current of J. W. Weldon, Deputy Treasurer at Liverpool, shewing a balance in his hands on the 20th October, 1828, in Bonds and Cash, amounting to 611*l.* : 11 : 0¾.

In this account Mr. Weldon credits an error in last year's account in Commission upon Duties received from Sub-Collector of Customs there, of 1*l.* : 7 : 9.

No. 35. Is a particular account of the Ordinary Provincial Duties collected at Liverpool, between the 1st January, 1828, and the 20th October 1828, amounting to £503 : 3 : 3

From which the Deputy Treasurer deducts Commission 10 per cent. 50 : 6 : 4

	£452 : 16 : 11
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Accompanying this account there is a statement of money received from the Sub-Collector of Customs at Liverpool, in part of duties collected by him at that Port in 1828, under the Acts of Parliament, amounting to 144*l.* : 10 : 7¾.

In which statement there is an error of 20*s*. in favor of the Province.

It does not appear that the late Deputy Treasurer, B. M. Goldsmith, Esquire, has paid over or accounted for any part of the balance of 653*l.* : 10 : 3¾, reported to be due the Province by him, by the Committee of last year, neither does he appear to have accounted for the balance of 103*l.* : 5 : 10, also reported to have been due to the Fund for the relief of sick and disabled Seamen.

No. 36. Is the account current of the Deputy Treasurer at Chediac between the 1st January and 20th October, 1828, shewing a balance in his hands at that date of 116*l.* : 10 : 11 ; accompanying this, is an account of the Ordinary Duties collected and secured at Chediac, amounting to 49*l.* : 6 : 4. He gives no list of Bonds.

The Committee do not find any returns of Duties on Goods sold at Auction throughout the Province, during the last year ; and they recommend that the Treasurer, as well as the Deputy Treasurers, be directed to call on the Auctioneers, in their respective districts, and to require them to furnish a statement of the amount of Duties on Goods sold by them at Auction, respectively, and not previously accounted for.

All the foregoing accounts appear to be correct, except where particularly noticed in this Report.

All which is respectfully submitted to this Honorable House.

W. CRANE.
 JOHN WARD, JUN.,
 THOMAS BARLOW,
 W. TAYLOR,
 ALEX. RANKIN.

Ordered, that the Report be accepted.

The House adjourned until to-morrow morning, at 10 o'clock.

TUESDAY, 20th JANUARY, 1829.

Prayers.

Read a third time, as engrossed,

A Bill in amendment of the several Acts for establishing Grammar Schools.

Resolved, that the Bill do pass.

Ordered, that Mr. Parker carry the said Bill to the Council, and desire their concurrence thereto.

Read a third time, as engrossed,

A Bill in addition to the several Laws now in force for assessing, collecting and levying rates for the Public Charges.

Resolved, that the Bill do pass.

Ordered, that Mr. Allen carry the said Bill to the Council and desire their concurrence thereto.

Mr. Ketchum moved for leave to bring in a Bill in amendment of an Act for the relief of confined Debtors.

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

On motion of Mr. Humbert.—The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Partelow, in the Chair of the Committee.

The Chairman from the Committee reported, that having gone into the further consideration of Supplies to be granted for the Public Service, they had passed several Resolutions, which he read, and they being again read, at the Clerk's Table, were agreed to by the House, and are as follow :—

Resolved, that there be granted to His Excellency the Lieutenant-Governor, a sum not exceeding £200, for the purpose of assisting aged and distressed Indians, in the different Counties of the Province.

To William H. Lyon, a settler on the Great Road leading from Fredericton to St. John, and at the junction of the road through Gage-Town to Nerepis, to reimburse him in part for services rendered to poor travellers and distressed Emigrants, the sum of £20.

To Matthew Brannen, a Clerk in the Secretary's Office, the sum of £15, as a mark of approbation of his uniform obliging conduct and courteous demeanour, in attending to the duties of the Office, and his unwearied attention in giving every information in his power to persons who have occasion to attend to the said Office.

That the sum of £ , be granted to His Excellency the Lieutenant-Governor or Commander-in-Chief, in aid of paying a Missionary for the instruction of the Indians, provided the said Missionary be approved of by the Lieutenant-Governor or Commander-in-Chief of this Province.

—And upon the question for sustaining the Resolution, the Committee divided—

YEAS.
 Mr. Speaker,
 Parker,
 Palmer,
 Allen,
 Ketchum,

NAYS.
 Mr. Barlow,
 Humbert,
 Crane,
 Scott,
 Weldon.

Mr.

YEAS.

Mr. M. Kay,
Ward,
Clinch,
Wyer,
Munro,
Campbell.

NAYS.

Mr. Harrison,
Gilbert,
Taylor,
Freeze,
Rankin,
Dow.

And the Chairman decided in the affirmative.

And upon the question for filling up the blank with £25, the Committee divided—

YEAS 12.

NAYS 10.

And it was carried in the affirmative.

To the High Sheriff of Queens County, the sum of £25, for executing a Writ of Election and returning a Member to serve in General Assembly.

To James Whitney and others, the sum of £150, to enable them to run a good and sufficient Steam Boat between Annapolis, Digby and St. John, for seven months and a good and sufficient vessel for the remainder of the year, provided the said Proprietors carry the Mail, if required, without any additional charge; the said sum of money to be drawn when it shall be proved to the satisfaction of His Excellency the Lieutenant-Governor or Commander-in-Chief, that the services have been performed.

To the joint Committee of the Council and House of Assembly, appointed to inquire and report on the subject of a Penitentiary, the sum of £50, to defray the expense of printing the Report and other incidental charges, and also to enable them to procure any plans and documents which they may deem necessary for the information of the Legislature.

That the sum of 25*l.* granted in 1828, to the late Robert Reid, formerly High Sheriff of Northumberland, be re-appropriated and granted to Agnes Reid, widow of the late Mr. Reid, to relieve her in her present distressed situation.

To His Excellency the Lieutenant-Governor, the sum of 75*l.* for the services of a Tide Waiter at Miramichi, for the year 1829.

To His Excellency the Lieutenant-Governor or Commander-in-Chief, a sum not exceeding 50*l.* to defray the necessary expense of repairs required on the buildings adjoining the Province Hall; and of painting the Supreme Court Room.

And the Chairman further reported that he was directed to ask leave to sit again.

Ordered, that the Report be accepted and leave granted.

Mr. Humbert moved the following Resolution.

“Whereas upon consideration of the Petition of Daniel Green, complaining of the injuries sustained by reason of imprisonment on a Warrant from the late Solicitor General,

“Resolved, that the High Sheriff of King’s County, be summoned forthwith to appear at the Bar of this House, to give such evidence as may be required of him, touching the said Petition.”

To which Resolution the following amendment was moved by Mr. Parker.

“Whereas it appears to this House that the injury complained of by Daniel Green, may be redressed in the ordinary course of legal proceedings: Thereupon resolved, that the Petition presented by the said Daniel Green to this House, praying further interference, be dismissed.”

And upon the question for adopting the amendment, the House divided.

YEAS.

Mr. Parker,
Crane,
Freeze,
Partelow,
Barlow,
Weldon,
Ward,
M. Kay,
Clinch,
Wyer,
Campbell.

NAYS.

Mr. Humbert,
Palmer,
Scott,
Harrison,
Gilbert,
Taylor,
Ketchum,
Rankin,
Munro,
Dow,
Allen.

The House having divided equally, the question was then decided from the Chair in the negative.

The question was then put on the original Resolution, whereupon the House again divided.

YEAS.

Mr. Humbert,
Scott,
Gilbert,
Taylor,
Ketchum.

NAYS.

Mr. Parker,
Crane,
Partelow,
Barlow,
Weldon,
Ward,
Harrison.
M^r Kay,
Freeze,
Clinch.
Rankin,
Wyer,
Allen,
Munro,
Dow,
Campbell,
Palmer.

Which was carried in the negative.

It was then moved that the House do adjourn, and upon the question the House divided, and it was carried in the affirmative.

The House adjourned accordingly.

WEDNESDAY, 21st JANUARY, 1829.

Prayers.

Mr. Campbell, from the joint Committee of the Council and House of Assembly to prepare an humble and dutiful address to His Majesty, praying for a repeal of so much of the Act of the Imperial Parliament, 13 Geo. 2, c. 7, which requires Aliens before being naturalized to take the Sacrament, reported, that they had prepared an address, which he read, and it being handed in, was again read.

Read a second time,

A Bill in amendment of an Act for the relief of confined Debtors.

And a Bill to appropriate a part of the Public Revenue, to the payment of the Ordinary Services of the Province.

Mr. Parker, from the Committee appointed to wait on His Excellency the Lieutenant-Governor, with the address of this House, praying that His Excellency would direct to be laid before the House, a particular statement of the sums of money, drawn from the Treasury for Bounties on Grain raised on new Land, from the year 1817 to 1827 inclusive. And also for Bounties on vessels engaged in the Cod and Scale Fisheries during the same period,

Reported, that the Committee have attended to that duty, and His Excellency was pleased to say he would give immediate directions for the necessary information to be furnished to the House.

Mr. Parker, from the Committee appointed to wait on His Excellency the Lieutenant-Governor, with the address of the House, praying that His Excellency would be pleased to direct regular accounts to be furnished by the Attorney-General from year to year; and also that the Executors of the late Attorney-General render an account,

Reported, that the said Committee have attended to that duty, and His Excellency was pleased to say he would comply with the wishes of the House, as expressed in their address.

Mr. Parker, from the Committee appointed to wait on His Excellency the Lieutenant-Governor, with the address of the House praying His Excellency would be pleased

to give directions to the Province Treasurer, to call for accounts and payment of duties from Auctioneers, reported, that they had attended to that duty, and His Excellency was pleased to say, he would give the necessary directions as requested by the House.

Read a third time, as engrossed.

A Bill further to continue and amend the several Acts for raising a Revenue in this Province.

Resolved, that the Bill do pass.

Ordered, that Mr. Parker take the said Bill to the Council, and desire their concurrence thereto.

Read a third time, as engrossed.

A Bill to alter and amend the Militia Laws.

Resolved, that the Bill do pass.

Ordered, that Mr. Partelow carry the said Bill to the Council and desire their concurrence thereto.

On motion of Mr. Taylor.—Whereas it is expedient that the House should be informed as to the yearly income of the College previous to the Endowment thereof:

Therefore Resolved, that an humble address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to direct an account of the present annual income of the College, derived from rents of Lands, interest of money, or from any other source, to be laid before the House.

Ordered, that Mr. Taylor, Mr. Harrison and Mr. Barlow, be a Committee to present the Address.

Mr. Crane, from the Committee, to examine and report upon the Treasurer's accounts, submitted a further Report, relative to the accounts of the present Province Treasurer, Richard Simonds, Esquire; which he read, and is as follows:—

A. Is Richard Simonds, Esquire, Province Treasurer's General account, shewing a balance in the Province Treasury, in Bonds and Cash on the 31st December, 1828, £12,205 : 17 : 5

B. Is a list of Bonds remaining in the Treasury at Saint John, 31st December, 1828, £8,599 : 8 : 6

Leaving a balance in Bonds, Cash, and Warrants in part paid, 3,606 : 8 : 11

£12,205 : 17 : 5

No. 1. Is an account of sums received from the Attorney-General on account of Bonds put in suit from 21st October to 31st December, 1828, amounting to £962 : 8 : 10.

No. 2. Is an account of Light House Duty collected at St. John, from 21st October to 31st December, 1828, amounting to £167 : 7 : 8.

No. 3. Is an account of Ordinary Duties, collected at St. John, from 21st October to 31st December, 1828, amounting to £1,166 : 3 : 7.

No. 4. Is an account of ad valorem Duty collected at St. John, from 21st October to 31st December, 1828, amounting to £78 : 11 : 10³/₄.

No. 5. Is an account of Duty on a Horse, £5.

No. 6. Is an account of Auction Duty paid by Carey and Trenholm of Westmorland, for 1828, amounting to £4 : 10 : 7.

No. 7. Is an account of money paid to the Province Treasury by the Collector and Comptroller of His Majesty's Customs, from duties collected under the Acts of Parliament, from 21st October to 31st December, 1828, amounting to 1,269*l.* : 1 : 10.

No. 8. Is an account current of the Savings Bank at St. John, with the Province Treasurer, shewing a balance due to that Institution on the 1st January, 1829, amounting to £1,123 : 12 : 0.

No. 9. Is an abstract of Warrants paid at the Province Treasury at St. John, from 21st October to 31st December, 1828, amounting to 18,621*l.* : 12 : 0.

No. 10. Is an account of Drawbacks allowed and paid at the Province Treasury from 21st October to 31st December, 1828, amounting to 392*l.* : 14 : 9.

No. 11. Is a list of Bonds placed in the hands of Charles J. Peters, Esquire, Attorney-General, for collection, between the 20th October and 31st December, 1828, amounting to 2,169*l.* : 17 : 1.

No. 12. Is a statement of the Revenue of New-Brunswick, between the 20th October and 31st December, 1828, including the amount received from the Collector and Comptroller of Customs, amounting to 4,771*l.* : 1 : 11.

No. 13. Is an abstract of contingent expenses incurred at the Province Treasury at St. John for the year 1828, viz. B. C. Chaloner's account for weighing and gauging dutiable articles, from January to 20th October, 1828, amounting to £94 : 17 : 0

Do. Do's. account from 21st October to 31st December, 1828, amounting to _____ 22 : 18 : 0

Henry Thomas as Tide Waiter from 28th March to the 22d September, 1828, since which the Duty has been performed by Messrs. Chaloner and Clarke, amounting to _____ 91 : 5 : 0

The Treasurer's account for Stationary, Printing, Postages, &c. &c. 45 : 2 : 4

_____ 258 : 17 : 4

The above amount is not included in the Treasurer's account for the preceding year.

No. 14. Is an account current of the Deputy Treasurer at St. Andrews, from the 21st October to the 31st December, 1828, shewing a balance in his hands in Bonds and Cash, at the latter period, of _____ 2,628 : 5 : 5

It also appears by a note attached to this account, that the Deputy Treasurer has an additional sum of 1000*l.* in his hands, deposited by the St. Andrew's Savings Bank. _____ 1,000 : 0 : 0

Total in his hands 31st December, _____ 3,628 : 5 : 5

No. 15. Is an account of Bonds remaining in the hands of the Deputy Treasurer at St. Andrews, on the 31st December last, amounting to 3,105 : 14 : 0

Leaving a balance of Cash in his hands at that period, _____ 522*l.* : 11 : 5

No. 16. Is an account of sums received from the Attorney-General by the Deputy Treasurer at St. Andrews, between the 21st of October and 31st December, 1828, amounting to 47*l.* : 7 : 11.

No. 17. Is an account of Merchandize imported into St. Andrews between the 21st October and 31st December, 1828, subject to the Ordinary Provincial Duties; which Duties amount to 1,177*l.* : 11 : 7.

No. 18. Is an account of Merchandize imported into St. Andrews, from the United States, subject to the Provincial Duties between the 21st October and 31st December 1828, which duties amount to 48*l.* : 1 : 5.

No. 19. Is an account of duties collected at St. Andrews on Horses from the United States between the 21st October and 31st December, 1828, amounting to 45*l.*

No. 20. Is an account of Duty received by the Deputy Treasurer at St. Andrews on Goods sold by Auction, between 21st October and 31st December, 1828, amounting to 11*l.* : 16 : 8.

No. 21. Is an account of Bonds sent to the Attorney General for collection, by the Deputy Treasurer at St. Andrews between the 21st October and 31st December, 1828, amounting to 943*l.* : 15 : 10.

No. 22. Is an account of sums paid for Drawbacks by the Deputy Treasurer at St. Andrews, between the 21st October and 31st December, 1828, amounting to 359*l.* : 9 : 5.

No. 23. Is the sick and disabled Seamen's Hospital account with the Deputy Treasurer at St. Andrews, between the 1st January and 31st December, 1828, shewing a balance in the hands of the Deputy Treasurer, at the last period, of 419*l.* : 10 : 5.

No. 24. Is the account current of the Deputy Treasurer at Miramichi with the Province Treasurer, between the 20th October and the 31st December, 1828, shewing a balance in his hands, at the latter date, in Bonds and Cash, amounting to 2,143*l.* : 10 : 4.

No. 25. Is a particular account and abstract of the Ordinary Provincial Duties collected at Miramichi, between the 20th October and the 31st December, 1828, amounting to 697*l.* : 14 : 2.

No. 26. Is an account current of the Deputy Treasurer at Miramichi with the Commissioners of the Fund for sick and disabled Seamen, between the 20th October and the 31st December, 1828, shewing a balance in the hands of Mr. Peters, at the latter period of 202*l.* : 19 : 2.

Accompanying

Accompanying this account, is an account of Money collected at Miramichi, during the above period, under the Act to provide for sick and disabled Seamen, not being Paupers, amounting to 1*l*. : 16*s*. : 6, which sum is included in the said account current. No list of Bonds in hand has been furnished since the 1st November last.

No. 27. Is an account of Provincial Duties secured at Liverpool from the 21st day of October to the 31st day of December, amounting to 102 : 17 : 8
From which deduct the Deputy Treasurer's Commission of 10 per cent. 10 : 5 : 9

92 : 11 : 11

No. 28. Is the account current of the Deputy Treasurer at Liverpool, shewing a balance in his hands, in Cash and Bonds, amounting to the sum of 384*l*. : 2 : 11 $\frac{3}{4}$.

No. 29. Is a list of Bonds remaining in the hands of J. W. Weldon, Esquire, Deputy Treasurer at Liverpool, on the 31st of December, 286 : 11 : 11 $\frac{1}{2}$
Leaving a balance of Cash in hand, 97 : 11 : 0 $\frac{1}{4}$

£384 : 2 : 11 $\frac{3}{4}$

No. 30. Is an account of J. W. Weldon, Deputy Treasurer at Liverpool, with the Province Treasury, for Duties collected by him for sick and disabled Seamen, shewing a balance in his hands, of 40*l*. : 15 : 4 $\frac{1}{2}$.

No. 31. Is the account of William Hannington, Esquire, Deputy Treasurer at Chediac, of the Duties secured at that place between the 20th day of October, 1828, to the 31st December following, amounting to 1*l*. : 1.

No. 32. Is the account current of William Hannington, Esquire, Deputy Treasurer at Chediac; with the Province Treasury, shewing a balance due the said Deputy Treasurer of 1*l*. : 19 : 8.

No. 33. Is an account of expenses incurred for protection of the Revenue in 1828, accompanied with the necessary Vouchers, amounting to 845*l*. : 12 : 8.

The Committee observe that in the abstract of Warrants paid previous to the 20th October last, the sum of 1,000*l*. granted in 1827, has been paid for protection of the Revenue, but no account has been furnished shewing the expenditure of the same.

No. 34. Is David W. Jack's account for Gauging and Weighing, from 1st January to 31st December, 1828, amounting to 41*l*. : 9 : 6.

No. 35. Is the account of George Henderson, Miramichi, for Gauging for the Province, from the year 1821, to 1828, amounting to 15*l*. : 4 : 6.

No. 36. Is an account of the Deputy Treasurer at Fredericton, shewing a balance in his hands on the 31st December, 1828, of 36*l*. : 3 : 5 $\frac{3}{4}$. The sum of 33*l*. : 18 : 5 $\frac{3}{4}$, of the above balance, appears to have been in this Officer's hands since 31st December, 1827.

The Deputy Treasurer of York has produced a receipt from the late Treasurer for the sum of 41*l*. : 6 : 8, reported by the Committee of the last Session to have been omitted in the Province Treasurer's General account. This sum therefore remains to be accounted for.

There are no returns from Bathurst and Restigouche, for the year 1828, or from West Isles and Westmorland, since 20th October last.

It appears by the Lists of Bonds sent to the Attorney General for collection, that some of them are of long standing : the Committee think it necessary to call the attention of the House to this subject.

The foregoing accounts appear to be correctly stated.

All which is respectfully submitted to this Honorable House.

W. CRANE,
JOHN WARD, JUN.,
ALEX. RANKIN,
THOMAS BARLOW,
W. TAYLOR.

Ordered, that the Report be accepted.

On motion of Mr. Allen.—The House went into Committee of the whole, on a Bill to repeal an Act, intituled "an Act to provide for the erection of an Alms House and Work House within the County of York, and for making rules and regu-

Mr.

lations for the management of the same," so far as respects the Parish of Kingsclear.

Mr. Freeze in the Chair of the Committee.

The Chairman reported, that they had gone into consideration of the said Bill, and agreed to the same with amendments, under the title of a Bill to repeal an Act intituled "an Act to provide for the erection of an Alms House and Work House within the County of York, and for making rules and regulations for the management of the same," so far as respects the Parish of Kingsclear, Prince William and Queensbury.

Ordered, that the Report be accepted, and the Bill engrossed, as amended, under the amended title.

Mr. Speaker laid before the House accounts put into his hands by Mr. Secretary Odell, by command of His Excellency the Lieutenant-Governor, from Richard Simonds, Esquire, Secretary to the New-Brunswick Agricultural and Emigrant Society, furnished in pursuance of an address to His Excellency of the 12th December last.

The joint address of the Council and House of Assembly, to His Majesty, praying a repeal of a part of the Act of the Imperial Parliament, 13 Geo. 2, c. 7, as reported by the Committee of the House this day, was again read.

Whereupon ordered, that the said address be engrossed and signed by the Speaker.

The House went into Committee of the whole, on a Bill in amendment of an Act for the relief of confined Debtors.

Mr. Scott in the Chair of the Committee.

The Chairman reported, that they had made progress therein, and he was directed to ask leave to sit again.

Ordered, that the Report be accepted and leave granted.

On motion of Mr. Wyer.—The House went into Committee of the whole, on a Bill to repeal an Act, intituled "an Act for erecting and maintaining a Light House upon one of the Islands or Rocks near the Southeast coast of the Island of Grand Manan.

Mr. Humbert in the Chair of the Committee.

The Chairman reported, that having gone into consideration of the said Bill, they had agreed to the same.

Ordered, that the Report be accepted, and the Bill engrossed.

The House adjourned until to-morrow morning, at 10 o'clock.

THURSDAY, 22d JANUARY, 1829.

Prayers.

Mr. Freeze, moved the following Resolution:—

Whereas the Sheriff and Deputy Sheriff of Kings County are now in Fredericton, and it is necessary that they should be examined touching the matter contained in the Petition of Daniel Green,

Therefore Resolved, that the said Sheriff and Deputy Sheriff of Kings County be forthwith called to the Bar of this House, to answer such questions as may be put to them respecting the imprisonment and other proceedings against the said Daniel Green in Kings County.

And upon the question, the House divided—

YEAS.

Mr. Palmer,
Humbert,
Scott,
Ward,
Gilbert,
Taylor,
Ketchum,
Harward,
Freeze,
Dow,
Munro.

NAYS.

Mr. Parker,
Crane,
Partelow,
Barlow,
Weldon,
Harrison,
McKay,
Allen,
Clinch,
Rankin,
Wyer,
Campbell.

It was thereupon decided in the negative.

Mr.

Mr. Taylor, from the Committee, appointed to wait upon His Excellency the Lieutenant-Governor, with the address of the House of the 21st instant, praying that His Excellency would be pleased to direct an account of the present annual income of the College to be laid before the House. Reported, that they had attended to that duty, and His Excellency was pleased to say, he would direct the proper Officers to prepare such an account; and that so soon as it could be prepared he would comply with the wishes of the House.

On motion of Mr. Scott.—The House reconsidered the Resolution submitted this day, for calling in the Sheriff and Deputy Sheriff of Kings County, to the Bar of the House, to answer questions respecting the imprisonment, and other proceedings against Daniel Green.

And upon the question for sustaining the Resolution, the House divided—

YEAS.	NAYS.
<p><i>Mr. Humbert,</i> <i>Scott,</i> <i>Palmer,</i> <i>Ward,</i> <i>Harrison,</i> <i>Gilbert,</i> <i>Taylor,</i> <i>Ketchum,</i> <i>Hayward,</i> <i>Freeze,</i> <i>Rankin,</i> <i>Clinch,</i> <i>Munro,</i> <i>Dow.</i></p>	<p><i>Mr. Weldon,</i> <i>Parker,</i> <i>Crane,</i> <i>Partelow,</i> <i>Barlow,</i> <i>M. Kay,</i> <i>Wyer,</i> <i>Campbell,</i> <i>Allen.</i></p>

And it was thereupon carried in the affirmative.

Mr. Bates, High Sheriff for Kings County, was then admitted, and being examined therein, was ordered to withdraw.

Mr. Davidson the Deputy Sheriff, was then admitted, and being examined, was likewise ordered to withdraw.

A Message from His Excellency the Lieutenant-Governor,

Mr. Secretary Odell, by command of His Excellency, laid before the House the following Communication from George F. Street, Esquire, Treasurer and Clerk of the College Council, in compliance with an Address of yesterday.

Annual Income of King's College, New-Brunswick, independent of the Provincial Grants.

Interest of Monies invested on Real Estates, _____ £151 : 14 : 0

LAND RENTS.

The nominal amount of these Rents as they stand on the Books is £141 : 13 : 2, but owing to the poverty of many of the Tenants, and the absconding of others without paying their Rents or leaving any improvements or property on the lands, to cover the arrears, the total amount that has been realized in the last three years, including the arrears that have been, during that period collected, has not exceeded the sum of £254 : 10, which makes an average per annum of 84 : 13 : 7

And in the present state of the College Lands, I do not think there is much probability of the Land Rents greatly exceeding this amount for some years to come.

The annual rent of the Fredericton Ferry may be averaged at about 30 : 0 : 0

Total, _____ £266 : 7 : 7

Against which must be set off the Debts now due from the old Corporation of the Governor and Trustees of the College of New-Brunswick, amounting in the whole to about £2,400, for the payment of which, the property from which the above Income is derived, is answerable, taking then the interest on these debts from the above Income, say, 144 : 0 : 0

Balance of Income at the disposal of the Corporation of King's College, after payment of the Debts, independent of the Government Grants, 122 : 7 : 7

To which is to be added the Grant from the Crown conditionally on the Provincial Legislature making an equal Grant, amounting to £1000 sterling, which in currency is _____ £1,111 : 2 : 2

It will be to be recollected, that the support of the English and Grammar Schools, independant of the College Establishment, has heretofore cost the Corporation £825 a year, besides contingencies.—And the great amount of Debts now due from the old Corporation has arisen from their Expenditure having necessarily, so much exceeded the amount of their income in keeping up the old Establishment.

GEO. FREDERICK STREET,
Treasurer and Clerk of the College.

22d January, 1829.

On motion of Mr. Parker.—Ordered, that the House, do to-morrow, go into Committee of the whole, on a Bill for the Endowment of King's College at Fredericton, in the Province of New-Brunswick.

On motion of Mr. Crane.—The House went into Committee of the whole, on the Reports of the Auditor of Provincial accounts.

Mr. Taylor in the Chair of the Committee.

The Chairman from the Committee, reported, that they had gone into consideration of the matter referred to them, and submitted the following Report, which he read,

No. 14. Is the audit of H. Johnston, jun., and C. J. Peters' account for the expenditure of money, as Commissioners for the Marsh Road near the City of St. John, in 1827. This account appears by the Auditor's Report to be correct. And no commission is charged.

No. 13. Is the audit of J. W. Weldon's account for 1827, (Supervisor of the Great Road between Richibucto and Chediac River.) This account appears by the Auditor's Report to be correct, and no Commission is charged.

No. 11. Is the audit of Supervisor William Hannington's account for 1824, 1825, and 1826. This account appears by the Auditors Report to be correct, and a balance due to him of £65 : 19 : 3½, which balance is to be paid by the Supervisor, of the Great Road from Chediac to Richibucto, agreeably to a Resolution of the House at the last Session. There is no Commission charged in this account.

Nos. 9 and 10. Is the audit of the Hon. W. Botsford's accounts for 1825 and 1826. These accounts appear by the Auditor's Report to be correct. Balance due the Province £58 : 13 : 2. It is proper to observe, with respect to the accounts of the Hon. Judge Botsford, that the whole amount of incidental charges in the expenditure of £1,368 : 19 : 9½, is only 17%, and no Commission is charged by him, a circumstance, in the opinion of your Committee, worthy of observance and imitation.

And the Chairman further reported that he was directed to ask leave to sit again.

Ordered, that the Report be accepted and leave granted.

The House adjourned until to-morrow morning, at 10 o'clock.

FRIDAY, 23d JANUARY, 1829.

Prayers.

The House, in Committee of the whole, went into further consideration of a Bill in amendment of an Act for the relief of confined Debtors.

Mr. Scott in the Chair of the Committee.

The Chairman reported, that they had agreed to the said Bill with amendments, under the title of a Bill to authorize the extension of the Gaol Limits in the Town of Fredericton.

Ordered, that the Report be accepted, and the Bill as amended, engrossed, under the amended title.

Ordered, that Mr. Weldon, communicate to the Council a Resolution of the House of the 17th instant, transmitting to the Council returns and papers relative to the sale of Crown Lands under the new System.

On motion of Mr. Parker.—The House, according to the order of the day, went into Committee of the whole, on a Bill for the Endowment of King's College at Fredericton, in the Province of New-Brunswick.

Mr. Miles in the Chair of the Committee.

The

The Chairman reported, they had gone into consideration of the said Bill, and that upon the question for passing the first section thereof, the Committee divided.

YEAS.	NAYS.
<i>Mr. Speaker,</i>	<i>Mr. Humbert,</i>
<i>Parker,</i>	<i>Palmer,</i>
<i>Crane,</i>	<i>Harrison,</i>
<i>Clinch,</i>	<i>Gilbert,</i>
<i>Partelow,</i>	<i>Scott,</i>
<i>Ward,</i>	<i>Freeze,</i>
<i>Weldon,</i>	<i>Rankin,</i>
<i>Barlow,</i>	<i>Munro,</i>
<i>Taylor,</i>	<i>Dow.</i>
<i>Ketchum,</i>	
<i>M. Kay,</i>	
<i>Hayward,</i>	
<i>Wyer,</i>	
<i>Campbell,</i>	
<i>Allen.</i>	

It was thereupon carried in the affirmative.

And the Chairman further reported, that the Committee had agreed to the Bill with amendments.

Upon the question, for accepting the Report, the House divided—

YEAS.	NAYS.
<i>Mr. Parker,</i>	<i>Mr. Humbert,</i>
<i>Crane,</i>	<i>Palmer,</i>
<i>Clinch,</i>	<i>Harrison,</i>
<i>Partelow,</i>	<i>Gilbert,</i>
<i>Ward,</i>	<i>Scott,</i>
<i>Weldon,</i>	<i>Freeze,</i>
<i>Barlow,</i>	<i>Rankin,</i>
<i>Taylor,</i>	<i>Munro,</i>
<i>Ketchum,</i>	<i>Dow.</i>
<i>M. Kay,</i>	
<i>Hayward,</i>	
<i>Wyer,</i>	
<i>Campbell,</i>	
<i>Allen,</i>	
<i>Miles.</i>	

It was carried in the affirmative.

Ordered, that the Report be accepted, and the Bill engrossed, as amended.

A Message from His Majesty's Council.

Mr. Bliss, Master in Chancery, informed the House, that the Council had agreed to the Bill in amendment of the Act for establishing Parish Schools.

On motion of Mr. Campbell.—Resolved that a Committee be appointed to search the Journals of the Honorable the Legislative Council to ascertain what proceedings have been had on "a Bill in amendment of the several Acts for establishing Grammar Schools.

Ordered, that Mr. Campbell be the Committee for that purpose.

Mr. Parker, by leave, presented a Petition from the Chancellor, President and Scholars of King's College, at Fredericton, in the Province of New-Brunswick, praying for an Act to pass to enable them to sell Block No. 7, in the Town Plat of Fredericton. Which he read.

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

Mr. Parker moved for leave to bring in a Bill to enable the Chancellor, President, and Scholars of King's College, at Fredericton, in the Province of New-Brunswick, to dispose of a Lot of Land in the Town of Fredericton. Leave granted.

And the said Bill being brought in, was read a first and second times.

Read, as engrossed, the Resolutions of Appropriation of the 16th instant.

Ordered, that Mr. Scott carry the said Resolutions to the Council and desire their concurrence thereto: Read,

Read, as engrossed, the Resolutions of Appropriation of the 20th instant.

Ordered, that Mr. Ward take the said Resolutions to the Council, and desire their concurrence thereto.

Ordered, that Mr. Campbell be a Committee to communicate to His Majesty's Council, that the House have agreed to the Address to His Majesty, prepared by the Joint Committee of the Council and House of Assembly, praying a repeal of so much of an Act of the Imperial Parliament of the 13 Geo. 2, c. 7, which requires Aliens to take the Sacrament before naturalization.

Mr. Scott moved for leave to bring in a Bill to provide for the erection of Fences with Gates across Highways leading through Intervale Lands in the Parish of Salisbury, within the County of Westmorland, where the same may be found necessary.

And upon the question, the House divided, and it was carried in the affirmative.

On motion of Mr. Crane.—The House went into Committee of the whole, in further consideration of the Reports from the Provincial Auditor.

Mr. Taylor in the Chair of the Committee.

The Chairman reported, that they had made further progress in the matter referred to them, and submitted a report, which he read, and being handed in at the Clerk's Table, was there again read, and is as follows :—

Nos. 1 and 3. Are the Audits of the accounts of James A. Maclauchlan, Supervisor of the Great Road from Fredericton to the Canada Line, from 1823 to 1826, inclusive, By which there appears a balance due the Province of £89 : 3 : 4½. These accounts appear by the Auditor's Report to be correct.

It appearing by the contingent account furnished by the Supervisor, that many articles and implements were purchased by him for carrying on the work, under his direction ; it is the opinion of the Committee he should furnish an account of the manner in which they have been disposed of.

The Chairman further reported, he was directed to ask leave to sit again.

Ordered, that the Report be accepted and leave granted.

The House adjourned until to-morrow morning, at 10 o'clock.

SATURDAY, 21th JANUARY, 1829.

Prayers.

Mr. Scott, pursuant to leave, brought in a Bill to provide for the erection of Fences with Gates across Highways, leading through Intervale Lands in the Parish of Salisbury, in the County of Westmorland, where the same may be found necessary.

Which was read a first and second times.

Read a third time, as engrossed,

A Bill to repeal an Act, intituled "an Act for erecting and maintaining a Light House upon one of the Islands or Rocks near the Southeast coast of the Island of Grand Manan.

Resolved, that the Bill do pass.

Ordered, that Mr. Wycr carry the said Bill to the Council, and desire their concurrence thereto.

Mr. Campbell from the Committee appointed to take into consideration and ascertain what sums may be necessary for the improvement of all the communications throughout the Province, and for opening roads to new Settlements, submitted the following report, which he read.

The Committee are of opinion that the sum of £1,150 should be applied for the purpose of repairing the Great Roads throughout the Province, which your Committee recommend to be apportioned as follows :—

From Saint John to the Nova Scotia line,.....	£200
„ „ to Saint Andrews,.....	200
„ „ to Fredericton, via Nerepis,.....	100
„ Fredericton to Newcastle,.....	100
„ „ to St. Andrews,.....	100
„ „ to the Canada Line,.....	100
„ „ to the Finger Board,.....	50
„ Newcastle to Bathurst,.....	150
„ Richibucto to Chatham,.....	75
„ Chediac to Richibucto,.....	75

£1,150

Your Committee respectfully suggest the propriety of making no appropriation for Bye-Roads, as nearly all the Grants for the last year remain unpaid, owing to the distressed state of the Treasury.

Your Committee recommend a sum of money should be appropriated for the opening and improving of a road from the N. E. Branch of Magaguadavic to Prince William, in the County of York; and that the Petition of John Wilson, be complied with, so far as relates to the money advanced by him.

COLIN CAMPBELL."
JOHN DOW."
GEORGE HAYWARD,
CHARLES HARRISON.
JOHN HUMBERT,
THOMAS BARLOW,
W. CRANE,
J. W. WELDON,
ALEX. RANKIN,
H. MUNRO.

The Report being handed in at the Clerk's Table, was there again read.

Ordered, that the Report be accepted.

On motion of Mr. Humbert—Whereas great delay has yearly taken place in printing and distributing the Acts of Assembly, whereby serious difficulties and inconveniences are frequently experienced by Magistrates and others, particularly as most of the Laws take effect from the time of the passing the same.

Thereupon Resolved, that an humble Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to direct that the Acts of the present Session, be printed and distributed as early as possible, after the close thereof.

Ordered, that Mr. Humbert, Mr. Dow, and Mr. Crane, be a Committee to present the Address.

On motion of Mr. Crane.—The House went into Committee of the whole; in further consideration of the Provincial Auditor's Reports.

Mr. Taylor in the Chair of the Committee.

The Chairman from the Committee, submitted a further Report, which he read, and being handed in, was again read, and is as follows:—

No. 4. Is the audit of the account of L. B. Rainsford, acting Supervisor of the Great Road from Fredericton to the Canada Line, for 1827.

By which audit there appears to be due to the Province, the sum of £36:12:0.

The account is correctly stated, and the Committee recommend that Mr. Rainsford be directed to pay over the said balance to the Supervisor.

Ordered, that the report be accepted.

The House adjourned until Monday morning next, at 10 o'clock.

MONDAY, 26th JANUARY, 1829.

Prayers.

Mr. Weldon moved for leave to bring in a Bill to prevent Pedlars travelling and selling within this Province without Licence.

And upon the question the House divided:—YEAS 10. NAYS 9.

It was carried in the affirmative.

Mr. Chandler, by leave, presented a Petition from Patrick Clinch, Esquire, praying for further time to procure evidence in the matter of the Petition of Joseph N. Clarke, Esquire, complaining of the undue return of the said Patrick Clinch, as a Member for the County of Charlotte. Which he read.

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

Mr. Partelow, Chairman of the Committee to examine into the Scrutiny pending between Patrick Clinch, Esq., the Sitting Member, and Joseph N. Clarke, Esq., a Candidate

Candidate at the last Election for Charlotte County, reported, that they had gone through the evidence adduced by both parties, and submitted a report, accompanied by minutes of the evidence taken in the course of the investigation: The Report being read, and handed in at the Clerk's Table, was again read, and is as follows:

"That on the 31st December, the Committee met and adjourned from day to day, until the 2d instant, when they commenced to hear and to take testimony adduced by both parties, and have from time to time proceeded in the business, until both parties declared they had no further testimony to adduce.

"That on reference to the original Poll Book, the Committee found that the Sitting Member, Patrick Clinch, Esquire had 423 votes, and that the Petitioning Candidate, Joseph N. Clarke, had 420 votes, at the close of the Poll.

"The Petitioning Candidate alledged that 247 out of the 423 votes, given for the Sitting Member, were improperly polled, the voters not having the requisite qualifications, and the objections against each vote were particularized in a list handed to your Committee, a copy of which the Sitting Member acknowledged to have received, agreeably to a Resolution of the House at the last Session; of these 78 were admitted to be good by the Petitioning Candidate, and 125 were admitted to be bad by the Sitting Member, and proof was adduced to the satisfaction of your Committee, that they were so.

"Two of the persons objected to did not vote for the Sitting Member, and the remaining 42 are doubtful.

"The Sitting Member alledged, that 178 of the 420 votes, polled for the Petitioning Candidate, were bad, the voters not having the necessary qualifications; and a copy of a list was handed to your Committee by the Sitting Member, particularizing the nature of the objections to each vote respectively, the original of which the Petitioning Candidate acknowledged to have received in exchange for the list of objected votes delivered by him to the Sitting Member; of these 46 were admitted to be good by the Sitting Member, and 68 were acknowledged to be bad by the Petitioning Candidate; and satisfactory proof was adduced to your Committee that they were so.

"One of the persons objected to, is not on the Poll Book, and the remaining 68 are doubtful.

"All the evidence taken in the course of the investigation, and this report, are respectfully submitted to the consideration of the House.

January 26, 1829.

J. R. PARTELOW,
THOMAS GILBERT,
RICHARD KETCHUM,
PHILIP PALMER."

Ordered, that the Report be accepted.

On motion of Mr. Rankin.—Resolved, that the Clerk of the Crown in Chancery, or his Deputy, do attend this House with the last Writ issued to the Sheriff of the County of Northumberland, for the election of a Member to serve in General Assembly, for the said County, together with the Sheriff's return thereto.

The House proceeded to take into consideration the report from the Committee upon the Scrutiny between Patrick Clinch and Joseph N. Clarke, Esquires, and to examine into the evidence adduced before the said Committee.

Resolved, that the Sitting Member be heard at the Bar of the House, touching any matters which may arise in the course of the investigation, and not in his place as a Member.

And further resolved, that the Petitioning Candidate be admitted and heard at the Bar of the House touching the said Scrutiny.

Mr. Clarke the Petitioning Candidate was admitted.

The Petitioning Candidate was ordered to withdraw.

The Clerk of the Crown in Chancery attended with the Writ issued to the Sheriff of the County of Northumberland, for the election of a Member to serve in General Assembly for the said County, together with the Sheriff's return thereto, by which it appeared that Joseph Cunard, Esquire, was duly elected a Member for that County.

Ordered, that Mr. Rankin and Mr. Munro attend the Commissioners and see Mr. Cunard qualified.

Mr. Clarke, the Petitioning Candidate, was re-admitted.

The

The Committee appointed to attend the Commissioners, with Mr. Cunard and see him qualified, report that Mr. Cunard had taken the oaths prescribed by Law.

Ordered, that Mr. Cunard be allowed take his seat.

The House having gone through the doubtful votes given in favor of the said Patrick Clinch, as contained in the report of the select Committee,

The Petitioning Candidate withdrew.

On motion of Mr. Weldon.—Whereas 14 of the 42 votes given for Patrick Clinch, Esquire, and reported as doubtful, are considered bad by this House.

Therefore resolved, that in the opinion of this House, Patrick Clinch, Esquire, is not duly elected a Member to serve in General Assembly, for the County of Charlotte, but that Joseph Nehemiah Clarke, Esquire, is duly elected a Member for the said County, he having a majority of votes upon the Scrutiny.

Thereupon ordered, that the Clerk of the Crown in Chancery, do attend this House with the last Writ of Election for the County of Charlotte, with the return of the Sheriff thereto, in order that the same may be amended.

Mr. Humbert, from the Committee, appointed to wait on His Excellency the Lieutenant-Governor, with the address of the House, relative to the publication and distribution of the Acts of this present Session of the Legislature, having attended to that duty, reported, His Excellency was pleased to say, he would attend to the wishes of the House, and give the necessary directions.

Mr. Weldon, pursuant to leave, brought in a Bill to prevent Pedlars travelling and selling within this Province without Licence.

Which was read a first and second times.

The Committee appointed to examine what amount of former appropriations remain unpaid, in order to ascertain the disposable funds of the Province for the current year, made the following report, which he read.

“That it appears from the report on the Treasurer’s accounts, and the statements of the Provincial Auditor, that the aggregate amount of unpaid appropriations is about £64,700, from which may be deducted about £14,700, being an excess of appropriations over what may be actually required to meet those services; leaving about £50,000 to be provided for; from this may be deducted the amount of securities in the hands of the Treasurer and his Deputies, and the balance on the late Treasurer’s accounts, amounting together to £24,000, which sums, when deducted from the £50,000, as above stated, will leave the sum of £26,000, to be paid out of the Revenue for the year 1829. Your Committee therefore recommend that the appropriations of the present Session, should be on a very limited scale.

All which is respectfully submitted to this Honorable House.

JOHN WARD, JUN.,
W. CRANE,
WM. TAYLOR
THOMAS O. MILES.”

The Report being again read at the Clerk’s Table, was ordered to be accepted.

On motion of Mr. Scott.—The House went into Committee of the whole, on a Bill to provide for the erection of Fences with Gates across Highways, leading through Intervale Lands in the Parish of Salisbury, in the County of Westmorland, where the same may be found necessary.

Mr. Gilbert in the Chair of the Committee.

The Chairman reported, they had gone into consideration of the said Bill, and agreed to the same.

Ordered, that the Report be accepted, and the Bill engrossed.

The House went into Committee of the whole, on the report, made the 24th inst., by the Committee for ascertaining what sums will be required for the improvement and repairing the Great Roads throughout the Province.

Mr. Ward in the Chair of the Committee.

The Chairman reported, that the Committee, having gone into consideration of the matter referred to them, it was resolved that the Report of the Select Committee be referred to the Committee of Supply.

Ordered, that the report be accepted.

On motion of Mr. Weldon.—The House in Committee of the whole, went into further consideration of Supplies to be granted for the Public Service.

Mr. Partelow in the Chair of the Committee.

The Chairman reported, they had made progress in the business referred to them, and that he was directed to ask leave to sit again.

Ordered, that the Report be accepted and leave granted.

The Clerk of the Crown in Chancery, attended with the last Writ of Election for Members to serve in General Assembly for the County of Charlotte with the Sheriff's return thereto, when the same, in obedience to the order of the House, was altered by erasing the name of Patrick Clinch, and inserting that of Joseph Nehemiah Clarke.

Ordered, that Mr. Campbell and Mr. Wyer, attend the Commissioner and see Mr. Clarke qualified.

Mr. Campbell reported, that pursuant to an order of the House of the 23d instant, he had communicated to His Majesty's Council, that the House had agreed to the Joint Address of the Council and House of Assembly, to be presented to His Majesty, praying a repeal of so much of the Act of the Imperial Parliament, of 13 Geo. 2, c. 7, requiring Aliens to take the Sacrament before naturalization.

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Partelow resumed the Chair of the Committee.

The Chairman reported, that they had made further progress therein, and that he was directed to ask leave to sit again.

Ordered, that the Report be accepted and leave granted.

The Committee appointed to attend the Commissioner with Mr. Clarke, and see him qualified, reported, they had attended to that duty, and Mr. Clarke had taken the oaths prescribed by Law.

Ordered, that Mr. Clarke be allowed to take his seat.

The House adjourned until to-morrow morning, at 10 o'clock.

TUESDAY, 27th JANUARY, 1829.

Prayers.

Read a third time, as engrossed,

A Bill to provide for the erection of Fences, with Gates across Highways leading through Intervale Lands in the Parish of Salisbury, in the County of Westmorland, where the same may be found necessary.

Resolved, that the Bill do pass.

Ordered, that Mr. Scott take the said Bill to the Council, and desire their concurrence thereto.

Read a third time, as engrossed.

A Bill to authorize the extension of the Gaol Limits in the Town of Fredericton.

Resolved, that the Bill do pass.

Ordered, that Mr. Ketchum take the said Bill to the Council and desire their concurrence thereto.

Read a third time as engrossed.

A Bill to repeal an Act, intituled "an Act to provide for the erection of an Alms House and Work House within the County of York, and for making rules and regulations for the management of the same, so far as respects the Parish of Kingsclear, Prince William and Queensbury.

Resolved, that the Bill do pass.

Ordered, that Mr. Allen take the said Bill to the Council and desire their concurrence thereto.

Mr. Campbell, by leave, presented a Petition from John Roger on behalf of the Merchants of St. Andrews, praying to be relieved from the payment of additional Duties imposed by the Officers of the Customs at that Port, on Brandy and Gin, imported by himself and others, over and above those exacted at the Port of St. John.

Which he read.

Ordered, that the said Petition be received and lie on the table.

On

On motion of Mr. Weldon.—The House, in Committee of the whole, went into consideration of a Bill to prevent Pedlars travelling and selling within this Province without Licence.

Mr. Ward in the Chair of the Committee.

The Chairman reported, that they had agreed to the Bill, with amendments.

Ordered, that the Report be accepted, and the Bill engrossed, as amended.

Mr. Campbell, from the Committee appointed to search the Journals of the Honorable the Legislative Council, to ascertain what proceedings had been had upon a Bill in amendment of the several Acts for establishing Grammar Schools, having attended to that duty, reported, they found the following entry:—

“ Council Chamber, 22d January, 1829.

PRESENT.

The CHIEF JUSTICE,

Mr. JUSTICE BLISS,

Mr. BLACK,

Mr. JUSTICE BOTSFORD,

Mr. BAILLIE,

Mr. HURD,

Mr. PETERS,

Mr. ROBINSON.

“ Read a second time, a Bill in amendment of the several Acts for establishing Grammar Schools.

“ On motion resolved, (Judge Bliss dissenting,) that the further consideration of this Bill be put off for three months.”

On motion of Mr. Weldon.—The House in Committee of the whole, went into further consideration of Supplies to be granted for the Public Service.

Mr. Partelow in the Chair of the Committee.

The Chairman reported, they had made progress in the business referred to them, and that he was directed to ask leave to sit again.

Ordered, that the Report be accepted and leave granted.

A Message from His Majesty's Council.

Mr. Putnam, Master in Chancery, informed the House that the Council had agreed to “ A Bill to regulate the exportation of Lumber, and to repeal all the Acts now in force relating to the same, with amendments, to which they request the concurrence of this House.

“ And that the Council had passed a Bill to ascertain all ungranted Lands in the Township of Sackville in the County of Westmorland, and to vest all the vacant and unlocated wilderness Lots within the same, in the Crown.

To which they likewise request the concurrence of the House.

And further that the Council had agreed to “ A Bill further to continue and amend the several Acts for raising a Revenue in this Province.”

And that he was directed to communicate to the House that the Council had passed the following Resolution.

“ Resolved, that the Council have observed, that by this Bill, sundry articles are made subject to duty which have not been previously submitted to their consideration, which the Council consider as a measure highly dangerous and unconstitutional, and a departure from the mode which has been adopted and acted upon for many years by the two Houses.

“ The Council however have concurred in the present Bill, but hope this concurrence will not in future be drawn into a precedent.”

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Partelow resumed the Chair of the Committee.

The Chairman reported, that the Committee, having gone into consideration of the business referred to them, they had passed the following Resolutions:—

Resolved, that there be granted to His Excellency the Lieutenant-Governor, or Commander-in-Chief for the time being, the sum of ninety-four pounds nine shillings and one penny, for the purpose of reimbursing John Wilson, Esquire, of Saint Andrews, for that sum advanced by him to open and improve the new route, from Mowat's Hill, so called, to Chamcook, now adopted as part of the Great Road from St. John's to St. Andrews, to be taken out of the sum to be appropriated for that road.

And further that in the Committee the following Resolution was then moved :—

That there be granted to the New-Brunswick Agricultural and Emigrant Society, the sum of £ , for the promotion of Agriculture throughout the Province, during the present year.

And upon the question for sustaining the Resolution, the Committee divided—

YEAS.	NAYS.
<i>Mr. Speaker,</i>	<i>Mr. Chandler,</i>
<i>Parker,</i>	<i>Palmer,</i>
<i>Crane,</i>	<i>Humbert,</i>
<i>Campbell,</i>	<i>Scott,</i>
<i>Ward,</i>	<i>Barlow,</i>
<i>Gilbert,</i>	<i>Weldon,</i>
<i>Ketchum,</i>	<i>Harrison,</i>
<i>M^cKay,</i>	<i>Hayward,</i>
<i>Cunard,</i>	<i>Freeze,</i>
<i>Miles,</i>	
<i>Allen,</i>	
<i>Rankin,</i>	
<i>Wyer,</i>	
<i>Dow,</i>	
<i>Clarke,</i>	
<i>Munro.</i>	

It was thereupon carried in the affirmative.

And upon the question for granting the sum of £300, it was likewise carried in the affirmative.

That the Committee then proceeded to take into their consideration the Petition of James Taylor, Senr. and Co. and William Cross, Contractors for building the College.

When the following resolution was moved,

Resolved, that there be granted to James Taylor, Senr. and Co. and William Cross, the sum of £ to remunerate them for extra expense incurred in the erection of the College Building, in consequence of the very imperfect plans and specifications upon which they were called upon to make their estimates, it appearing that such extra expense has been incurred in consequence of the superior quality of the materials used by them, and the superior style in which the work has been executed : £ part of the said sum to be paid in the present year, £ another part thereof, to be paid in the year 1830, and the remaining sum of £ to be paid in the year 1831, without interest.

To which the following amendment was moved :—

“ Resolved, that the Petition of James Taylor, Senr. and others, be not complied with, it being the opinion of this Committee, that whatever compensation the Petitioners are entitled to receive, for the reasons stated in their Petition, should be paid by the College Corporation, with whom the Contract was made, and that if it is proper for the Legislature to grant any sum, in addition to what has already been provided for the erection of the College, the Grant therefore should be made to the College Corporation.

And for adopting the amendment the Committee divided—

YEAS.	NAYS.
<i>Mr. Parker,</i>	<i>Mr. Speaker,</i>
<i>Chandler,</i>	<i>Harrison,</i>
<i>Palmer,</i>	<i>Gilbert,</i>
<i>Humbert,</i>	<i>Allen,</i>
<i>Crane,</i>	<i>Ketchum,</i>
<i>Barlow,</i>	<i>Miles,</i>
<i>Ward,</i>	<i>Cunard,</i>
<i>Weldon,</i>	<i>Rankin,</i>
<i>Freeze,</i>	<i>Wyer,</i>
<i>Scott.</i>	<i>M^cKay,</i>
	<i>Munro,</i>
	<i>Dow,</i>
	<i>Campbell.</i>

It was thereupon decided in the negative.

And

And upon the question being then put for sustaining the original Resolution, the Committee again divided. YEAS 13. NAYS 10.

It was thereupon carried in the affirmative.

And upon the question that a Grant of the sum of £1,500 be made, the Committee again divided.

YEAS.

Mr. Speaker,
M^r. Kay,
Ketchum,
Hayward,
Miles,
Allen,
Cunard,
Rankin,
Wyer,
Munro,
Dow,
Campbell,
Clarke.

NAYS.

Mr. Freeze,
Gilbert,
Harrison,
Ward,
Barlow,
Scott,
Crane,
Weldon,
Humbert,
Palmer,
Parker,
Chandler.

It was likewise decided in the affirmative.

And the Chairman further reported, that he was directed to ask leave to sit again. Which was granted.

The report being then handed in, and the question put for accepting the same, the House divided as follows:—

YEAS.

Mr. Ketchum,
Hayward,
Miles,
M^r. Kay,
Cunard,
Rankin,
Wyer,
Allen,
Munro,
Clarke,
Dow,
Campbell.

NAYS.

Mr. Chandler,
Parker,
Palmer,
Humbert,
Partelow,
Crane,
Scott,
Barlow,
Weldon,
Ward,
Harrison,
Gilbert,
Freeze.

It was thereupon decided in the negative.

The House adjourned until to-morrow morning, at 10 o'clock.

WEDNESDAY, 28th JANUARY, 1829.

Prayers.

Mr. Parker moved for leave to bring in a Bill relative to the Grammar Schools in this Province. Leave granted.

On motion of Mr. Parker.—Resolved, that the Resolution of His Majesty's Council on the subject of the Revenue Bill, communicated to this House on the 27th inst., be referred to the Committee of Privileges to report thereon; and that the Committee be instructed to examine into the previous practice of the General Assembly as to imposing new Duties; and also into the usage of Parliament on such occasions.

The House proceeded to take into consideration the amendments made by the Council to the Bill to regulate the Exportation of Lumber, and to repeal all the Acts now in force relating to the same.

The said amendments being read, and the question severally put thereon:—

Resolved, that the House do concur therein.

Ordered,

Ordered, that Mr. Campbell return the Bill with the amendments to the Council, and acquaint them therewith.

On motion of Mr. Campbell.—Resolved, that this House having taken into consideration the prayer of the Petition of John Rodger, of St. Andrews, alledging the hardships the trade was exposed to at that Port, by the construction put upon the Act of Parliament by the Collector and Comptroller, in levying a duty of 10*d.* per Gallon on Gin and Brandy, in addition to the 1*s.* Sterling mentioned in that Act, are of opinion, that no measure of that kind was contemplated by the said Act, and that the mode adopted at the other ports of this Province by the Collectors and their Deputies, in exacting the duty of 1*s.* Sterling only, at the Custom-House, on the said articles is correct.

A Message from His Excellency the Lieutenant-Governor, Mr. Secretary Odell delivered the following Message :—

“NEW-BRUNSWICK.
“MESSAGE to the HOUSE OF ASSEMBLY,
“27th January, 1829.

“HOWARD DOUGLAS.

“The Lieutenant-Governor acquaints the House of Assembly, that he has been directed by His Majesty’s Government to make the following communication to the Assembly on the subject of the Salaries to the Officers of His Majesty’s Customs.

“His Majesty’s Government have had under their consideration the Address of the House of Assembly of New-Brunswick, and also the representations which have been made from the other North American and the West India Colonies, with respect to the mode of paying such Salaries.

“The main object of His Majesty’s Government in the abolition of Fees upon shipping, from which the Officers of the Customs had, for a long course of years derived their emolument, being Colonial relief, it must be considered unfortunate that this abolition should have taken place, before some satisfactory arrangement had been made with the Colonies for permanently providing for the Salaries of those Officers.

“Although it might have been better to have made the abolition contingent upon the maintenance of that exclusive dependance of the Officers abroad on the department at home, which has always hitherto been maintained, and which appears essential to the satisfactory discharge of their duties, both as regards the Mother Country and the Colony in which they may be stationed, His Majesty’s Government cannot believe that the circumstance of the relief having been given in the first instance by the immediate abolition of the Fees, can operate upon the Colonial Legislature, to the disadvantage of the Officers themselves, or can be considered a ground for throwing a further burthen on the Mother Country, or for invading the just and acknowledged right of the Crown, to appoint the Officers of the Customs, and to assign to them a reasonable and proper remuneration.

“On the contrary, His Majesty’s Government have the fullest confidence, that when the Colonial Legislature shall have had under their consideration the actual circumstances of the case, and the real nature of the authority given to the Officers to pay their Salaries, out of the gross Revenue which may come into their hands, they will not be disposed to resist an arrangement, which cannot but be for their own advantage.

“It appears to His Majesty’s Government to be without a doubt, that under the Statute 18th Geo. 3, c. 12, the power to deduct, (from the Revenue levied under the Acts of Parliament and paid over to the Receiver-General of the Colony,) the expense of collection is expressly reserved to the Crown.

“The Section directs “the nett produce to be applied to the use of the Colony,” and although the 6th Geo. 4, c. 14, directs that the produce of the duties raised under that Act should be paid over for the use of the Colony, yet the 10th Section of the same Act expressly declares, that nothing in that Act shall extend to alter the provisions of the 18th Geo. 3, c. 12, which authorized the previous deduction of the expense of collection. The opinion of the Law Officers of the Crown is express, that the Salaries of the Officers, in the case of the duties raised under 6th Geo. 4, c. 114, as in that, of those received under former Acts, are legally payable out of the gross produce,

“ produce, and that the balance alone, after such payment, is to be paid over to the Colonial Officers.

“ Although the objections which have been made, that the expense of collection does not include the Salaries of the Officers, and that the Officers are not requisite for Colonial purposes, cannot, in the opinion of His Majesty's Government, be supported, yet the Lieutenant-Governor has been expressly commanded to acquaint the House of Assembly, that it never was intended, nor is it now proposed, that a larger charge for Officers Salaries, should, in consequence of the abolition of fees, be imposed on this Province ; still less that the Mother Country should derive pecuniary advantage from the change ; and all that is desired by His Majesty's Government is, that the relief, which it has been their desire to afford to the Colonies, by the abolition of fees, should not be made the means of additional and unreasonable burthens upon the Revenue at home.

“ To show to what extent relief has been afforded to the Colonies, generally, by this measure, it is necessary to remark, that the sums levied in the several ports in the shape of fees, on shipping, previous to the 6th Geo. 4, amounted to about £108,000, while the total of the new and reduced Salaries of Officers of Customs, proposed to be defrayed out of the Colonial Revenue, amounts to no more than £78,000.

“ It is also proper to observe, that fees to a large amount, heretofore paid to the Naval Officers in the several Colonies, have been abolished, and that the compensation to these Officers, in lieu of those fees, is now paid out of the Revenue of Great Britain ; the compensation so paid in the last year amounted to £5,600 : 16 : 4 $\frac{3}{4}$.

“ The Lieutenant-Governor has been further instructed to acquaint the House of Assembly, that His Majesty's Government, with every disposition to give due weight to the observations which have been urged by the Colonies, have not failed to notice the statements made relative to the burthen under the former system, not being wholly borne by the Colonies.

“ His Majesty's Government have not however deemed it necessary that the exact proportions in which the fees on shipping were a tax upon the Colony, and the Mother Country, should be precisely defined.

“ To the extent of that proportion which fell upon the Colony, the repeal of them has been a measure of Colonial relief, and that relief will be further extended by the addition now proposed to be made to the charges on the Revenue at home.

“ His Majesty's Government have also consented that the Crown Revenues should continue to be charged with the incidental expences of the collection of the Customs, and with the compensation which it has been found necessary to assign to the Customs Officers, whose Salaries have been reduced ; and if there should be any Colony in which the Salaries to the Officers exceed the amount of fees formerly levied, it is not intended that the excess should be defrayed by the Colony.

“ With these qualifications, however, it has appeared to His Majesty's Government by no means an unreasonable expectation, that the Colonies should either acquiesce in the deduction from the duties received in the Colony of the adequate Salaries now fixed for the Officers, or should themselves, which will be equally satisfactory, make a permanent provision for the Officers to that amount.

“ By the adoption of either alternative, the additional expense thrown upon the Mother Country will not be extravagant, and the Customs Officers enjoying Salaries which are considered moderate, will still be placed in that state of independence which is essential to the due discharge of their duty.

“ The Lieutenant-Governor is further instructed to acquaint the Assembly, that His Majesty's Government have deemed it advisable to postpone recommending to Parliament any amendment of the Act 6th Geo. 4, c. 114, until they shall have before them the further proceedings of the Colonies on the subject, since the nature of that amendment must necessarily, in a great degree, depend upon the course which the several Colonies may pursue.

“ The Lieutenant-Governor is also directed to lay before the House a detail of the charge for Salaries heretofore defrayed by fees levied in this Province, and that now proposed to be borne out of the duties raised in the Colonies, and of the Salaries, compensation and expenses proposed to be defrayed by the Crown or out of the Revenue

“venue of the United Kingdom under the new arrangement, which is to take effect from the 5th January instant.

“The Lieutenant-Governor, in making this communication to the House of Assembly, cannot refrain from expressing his hope that the arrangement now proposed by His Majesty’s Government, will be deemed satisfactory, and that the House will not fail to perceive that the abolition of fees, which necessarily gave rise to the present mode of paying the Officers, was a measure not only intended, but calculated to afford substantial relief to the trade of the Province, in some measure at the expense of the Mother Country.”

“ H. D.”

Colony.	Fees paid prior to 1826.	Salaries paid by the Crown prior to 1826.	Incidental charge paid by the Crown, 1826.	Total paid in 1826.		Salaries to be paid out of the Colonial Duties.	Salaries to be paid by the Crown.	Compensation paid by the Crown.	Incidental charge to be borne by the Crown.	Total to be defrayed.	
				By the Colony.	By the Crown.					By the Colony.	By the Crown.
New-Brunswick.	£ 9,133:7:1	509	577:3:3½	1133:7:1	1,086:3:3½	6,397	509	550	577:3:3½	6,397	1036:3:3½

On motion of Mr. Weldon.—Whereas it has been stated to this House, that William Cross did use threatening and abusive language towards a Member of this House touching his vote on a question before this House, and that the said William Cross did assault the said Member,

Thereupon ordered that the Sergeant at Arms do forthwith take the said William Cross in custody and bring him to the Bar of the House, to answer to such things as may be objected against him.

Mr. Parker pursuant to leave, brought in a Bill relative to the Grammar Schools in this Province.

Which was read a first and second times.

Mr. Speaker informed the House that the Sergeant at Arms had William Cross in custody in obedience to the order of the House.

The said William Cross was thereupon brought to the Bar, and made acquainted with the charges preferred against him.

Ordered that the said William Cross do withdraw, and that the Sergeant at Arms do detain him in custody, to await such order as the House may make.

Resolved unanimously, that the Speaker do issue his Warrant for the commitment of William Cross to the Common Gaol of the County of York, there to remain during the pleasure of the House.

A Message from His Majesty’s Council.

Mr. Putnam, Master in Chancery, acquainted the House that the Council had passed a Bill to secure and reclaim a tract of Marsh on the Au Lac River in the County of Westmorland, to which they request the concurrence of the House.

And that he was directed to inform the House that the Council had agreed to the Address prepared by the Joint Committee of the Council and Assembly, on the subject of Aliens, and have appointed Mr. Hurd a Committee with such Committee as the House shall appoint, to wait upon His Excellency the Lieutenant-Governor, and request that he will be pleased to transmit the same to be laid before His Majesty.

On motion of Mr. Crane.—The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Partelow in the Chair of the Committee.

The Chairman reported, that having gone into further consideration of the business referred to them, he was directed to make the following report; which he read.

Resolved, that there be granted to Joseph Baxter, the sum of 2*l.* to compensate him for work done on the Great Road leading from Saint John to the Missiguash, to be paid from the grant for that road this Session.

To His Excellency the Lieutenant-Governor or Commander-in-Chief, the sum of 50*l.* towards opening a road from the Bridge over the Magaguadavic River at the Block-house on the Great Road from Fredericton to Saint Andrews, to the Settlement

at Lake George in the County of York, pursuant to the prayer of the Petition of Benjamin Milliken, and others, resident Freeholders of St. George in the County of Charlotte.

To His Excellency the Lieutenant-Governor or Commander-in-Chief, the sum of 100*l.* towards defraying the expense of printing the daily Journals of the present Session.

To Robert Scott, Esquire, the sum of 12*l.* : 10, being a balance due him for building a Bridge over French Brook, in the Parish of Salisbury.

And that the following was moved :—

Resolved, that there be granted to James Taylor, Senr. and Co. and William Cross, the sum of £ to remunerate them for extra expense incurred in the erection of the new College Building, it appearing that such extra expense has been incurred in consequence of the very imperfect plans and specifications upon which they were called upon to make their estimate, of the superior quality of the materials used by them, and the superior style in which the work has been executed :—£ part of the said sum, to be paid in the present year, and the remaining sum of £ in the year 1830, without interest.

And upon the question for sustaining the Resolution, the Committee divided—

YEAS 18. NAYS 6.

It was therefore passed in the affirmative.

And for making the grant of 1000*l.* to be paid in two equal payments, 500*l.* to be paid this present year, and the remaining 500*l.* the year following, it was likewise carried in the affirmative.

That the following then passed as an amendment to the Resolution :—

Further resolved, that in the opinion of the Committee this grant should not be drawn into a precedent for allowing similar applications in future.

That there be granted to His Excellency the Lieutenant-Governor or Commander-in-Chief, the sum of 30*l.* in aid of individual subscription to pay a Courier to pass between Hopewell and the Bend of Peticodiac River, in the County of Westmorland.

To the Magistrates of the County of Sunbury, the sum of 150*l.* towards the payment of debts contracted in the erection of a new Gaol in that County, and in aid of finishing the same, agreeably to the prayer of their petition.

To His Excellency the Lieutenant-Governor or Commander-in-Chief, the sum of £94 : 9 : 1, for the purpose of reimbursing John Wilson, Esquire, of Saint Andrews, for that sum advanced by him to open and improve the new route, from Mowat's Hill, so called, to Chamcook, now adopted as part of the Great Road from St. John to St. Andrews, to be taken out of the sum to be appropriated for that road.

To the New-Brunswick Agricultural and Emigrant Society, the sum of 300*l.* to be applied to the encouragement of Agriculture during the year 1829.

To His Excellency the Lieutenant-Governor or Commander-in-Chief, the sum of 50*l.*, towards defraying the expense of printing the Laws of the present Session, and a further sum not exceeding 10*l.* for the purpose of having a proper Index printed to the Acts of the present Session.

That the following Resolution was moved :—

Resolved, that there be granted to Daniel Green, the sum of to redress him for injury sustained by imprisonment on a Warrant from the late Solicitor General.

And upon the question for sustaining the Resolution the Committee divided—

YEAS.

Mr. Speaker,
Palmer,
Humbert,
Scott,
Harrison,
Hayward,
Rankin,
Dow,
Gilbert,
Ketchum,
Munro,
Allen,

NAYS.

Mr. Parker,
Crane,
Barlow,
Weldon,
Ward,
Miles,
Taylor,
M'Kay,
Clarke,
Chandler,
Freeze,
Wyer,
Campbell.

It was thereupon decided in the negative.

Resolved,

Resolved, that there be granted to Edward West, the sum of 10*l*. : 10, for assisting in the arrest and commitment of John Baker.

To the Commissioner appointed to administer the oaths to the Members returned to serve in General Assembly, the sum of three pounds.

To Richard S. Clarke, Esquire, Sheriff of the County of Northumberland, the sum of 25*l*. for executing a Writ of Election, and returning a Member to serve in General Assembly.

To His Excellency the Lieutenant-Governor or Commander-in-Chief, the sum of 75*l*. to be applied to defray the expense incurred in binding the revised edition of the Laws.

To James Gillenders, the sum of 20*l*. to compensate him for teaching a School in the Parish of Wellington, formerly in the County of Northumberland, from March 1821, to March following.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, the sum of 400*l*. in aid of individual subscription to build a Bridge over Hammond River, in Kings County, to be laid out by Special Commissioners to be appointed by His Excellency the Lieutenant-Governor.

The Chairman further reported, he was directed to ask leave to sit again.

Ordered, that the Report be accepted and leave granted.

A Message from His Majesty's Council.

Mr. Putnam, Master in Chancery, informed the House, that the Council had agreed to a Bill to repeal an Act, for erecting and maintaining a Light House upon one of the Islands or Rocks near the Southeast coast of the Island of Grand Manan.

A Message from His Excellency the Lieutenant-Governor.

Mr. Secretary Odell, by command, of His Excellency laid before the House an account from William Hazen, for exploring a new line of road from Burpe's Mill, in the Parish of Burton, County of Sunbury, to the Nerepis road.

Ordered, that the account be referred to the Committee of Supply.

Read a first and second times, the following Bills sent down from the Council for concurrence.

A Bill to ascertain all ungranted Lands in the Township of Sackville in the County of Westmorland, and to vest all the vacant and unlocated wilderness Lots within the same, in the Crown.

And a Bill to secure and reclaim a Tract of Marsh on the Au Lac River, in the County of Westmorland.

The House adjourned until to-morrow morning, at 10 o'clock.

THURSDAY, 29th JANUARY, 1829.

Prayers.

Ordered, that Mr. Campbell and Mr. M'Kay, be a Committee to join the Committee of Council, to wait upon His Excellency the Lieutenant-Governor, with the Joint Address of the Council and Assembly, to be laid before His Majesty, praying an amendment of the Act of Parliament, for the naturalization of Aliens, and to request His Excellency will be pleased to transmit the said Address.

And further ordered, that Mr. Campbell communicate the said appointment to the Council.

The Address as engrossed, being read, is as follows :

"TO THE KING'S MOST EXCELLENT MAJESTY.

"The joint and humble Address of His Majesty's Council and the House of Assembly, of His Majesty's Province of New-Brunswick, in General Assembly, convened.

"MAY IT PLEASE YOUR MAJESTY,

"We the Council and Assembly of New-Brunswick, beg with sentiments of the deepest respect, to approach your Majesty with this Address : and to represent to your Majesty the peculiar situation, in which several trusty and highly respectable Individuals, in this Province, are placed, by the operation of certain Provisions, in the existing act of the Imperial Parliament, being the 13th Geo. 2, cap. 7, for naturalizing such Persons, as are settled, or shall settle, in your Majesty's North American Colonies : which requires that "no Person shall be naturalized by Virtue of this Act, unless such

Person

Person shall have received the Sacrament of the Lord's Supper, in some Protestant and reformed Congregation, within this Kingdom of Great Britain, or within some of the Colonies in America, within three months next before his taking or subscribing the said Oaths."—The Parties, in whose behalf, we thus venture to Address Your Majesty, are Persons; who, since the Independence of the American States, have removed, or would remove hither with a view to become permanent Settlers in your Majesty's Colonial Dominions, but who find themselves precluded from so doing, by certain religious scruples, which will not permit them to participate in the Holy Sacrament for their temporal purposes, and who are thereby debarred from availing themselves of the high Privileges, arising from this Act of Parliament.

"We therefore most humbly pray, that your Majesty will be graciously pleased, to take this Address into your Royal Consideration and direct that the 2d section of the Act of the 13th Geo. 2, c. 7, be brought before the Imperial Parliament, with a view to the repeal of this particular provision, therein contained.

S. P. HURD,
F. P. ROBINSON,
COLIN CAMPBELL.
J. W. WELDON,
W. TAYLOR."

Read a third time, as engrossed,
A Bill to prevent Pedlars travelling and selling within this Province without Licence.

Resolved, that the Bill do pass.

Ordered, that Mr. Weldon, take the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Hayward.—Whereas it has been represented to this House, that that part of the Great Road leading from Fredericton to the Finger Board, which passes through the farm of James Taylor, Esquire, in the Parish of Maugerville, is in a very bad state, and at times totally impassable: Resolved, that a Committee be appointed to examine the said Road, and inquire into the best mode to be adopted for repairing the same, and to report at the next Session of the Legislature.

Ordered, that Mr. Hayward, Mr. Miles and Mr. Allen, be a Committee to examine into the state of the said Road, agreeably to the above Resolution.

On motion of Mr. Parker.—The House went into Committee of the whole, on a Bill relative to Grammar Schools in this Province.

Mr. Cunard in the Chair of the Committee.

The Chairman reported, that they had gone into consideration of the said Bill, and made progress therein, and that he was directed to ask leave to sit again.

Ordered, that the Report be accepted and leave granted.

Mr. Weldon, Chairman of the Committee of Privileges, to whom was referred the Message from His Majesty's Council to the House of Assembly, under date of the 26th inst., having attended to the duty required of them, submitted the following report, which he read.

"That they have made diligent search into the former practice of this House, as to the mode of passing Revenue Bills, and in no one instance do your Committee find when sundry articles not included in provision Bills, are made subject to duty, that it never has been usual to submit the same previously for the consideration and approbation of the Council. Should such be the case it would be contrary to all Parliamentary precedent, and tend to destroy the hitherto unquestioned privileges of the Assembly. Your Committee find that in 1796, the Council disclaim having a right to have each article of taxation sent up to them for their approbation or rejection, as being a departure from Parliamentary usage.

"In the year 1807, when "a Bill was passed for imposing a duty on Gypsum, or Plaster of Paris," the mode stated by the Council in their Resolution, was not adopted or acted upon, nor does it appear by the Journals of the House of Assembly, that the

mode adopted in the British Parliament, in this respect, has ever been departed from.

J. W. WELDON,
E. B. CHANDLER,
COLIN CAMPBELL,
JOHN WARD, JUN.,
JOHN ALLEN."

The report being handed in at the Clerk's Table, was there again read.

Ordered, that the report be accepted.

And on motion of Mr. Dow.—Further ordered, that the House do to-morrow go into Committee of the whole, in consideration of the said report.

On motion of Mr. Allen.—Resolved, that an humble Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased direct the Commissioners for superintending the erection of Government House, to accompany a Committee to be appointed by this House, to inspect the said Building and to report thereon.

Ordered, that Mr. Allen, Mr. Hayward, and Mr. Harrison, be a Committee to present the address.

On motion of Mr. Chandler.—The House went into Committee of the whole, on a Bill to secure and reclaim a tract of Marsh on the Au Lac River in the County of Westmorland, sent down from the Council.

Mr. Scott in the Chair of the Committee.

The Chairman reported, they had agreed to the Bill without making any amendments.

Ordered, that the Report be accepted.

On motion of Mr. Crane.—The House went into Committee of the whole, on a Bill to ascertain all ungranted Lands in the Township of Sackville in the County of Westmoreland, and to vest all the vacant and unlocated wilderness Lots, within the same, in the Crown.

Mr. McKay in the Chair of the Committee.

The Chairman reported, that having gone into consideration of the said Bill, the Committee had passed the following Resolution:—

"Whereas it appears that this Bill is entirely of a local nature, and tends materially to effect private rights; that there is no petition before the Legislature, praying for the same to be passed, and such Bill has never been read at a General Sessions of the Peace for the County of Westmorland; And whereas it is highly just and proper that the said Bill should be published,

"Thereupon resolved, that the further consideration thereof be postponed until the next Session of the General Assembly, and that the persons desirous of having the said Bill passed, do cause the same to be thrice published in the New-Brunswick Courier, within three months, after the end of this Session, and also to be twice read at the General Sessions of the Peace for the said County."

Ordered, that the Report be accepted, and the Resolution as reported from the Committee, be adopted by the House.

On motion of Mr. Chandler.—Resolved, that a Committee be appointed to search the Journals of the Honorable the Legislative Council, to ascertain what proceedings have been had on a Bill for the regulating, laying out, and repairing Highways.

Also a Bill further to amend the Acts relating to Streets and Highways, in the City and County of St. John.

Ordered, that Mr. Chandier be a Committee for that purpose.

Mr. Hayward, by leave, presented a Petition from William Cross, a Prisoner confined in the Common Gaol of the County of York, by an order of this House, he having been guilty of a high breach of the Privileges of the House, by insulting a Member thereof, and praying to be released from such confinement.

Which he read.

Ordered, that the said Petition be received and lie on table.

On motion of Mr. Hayward.—Whereas William Cross having expressed contrition for the offence committed by him against the privileges of this House,

Therefore resolved, that the said William Cross be forthwith brought to the Bar of the

the House, receive a suitable reprimand from the Speaker, and be then discharged.

On motion of Mr. Scott.—Resolved, that a Committee be appointed to search the Journals of the Honorable the Legislative Council, to ascertain what proceedings have been had on a Bill to enable Defendants in Civil Actions to enter Pleas by themselves.

Ordered, that Mr. Scott be a Committee for that purpose.

Mr. Speaker acquainted the House that the Sergeant at Arms was in attendance with the Prisoner.

The said William Cross being brought to the Bar of the House, was reprimanded by Speaker and discharged.

On motion of Mr. Crane.—The House went into Committee of the whole, in further consideration of a Bill relative to Grammar Schools in this Province.

Mr. Cunard in the Chair of the Committee.

The Chairman reported, that having gone into consideration of the said Bill, they had agreed to the same with amendments.

Ordered, that the Report be accepted and the Bill engrossed, as amended.

The House adjourned until to-morrow morning; at 10 o'clock.

FRIDAY, 30th JANUARY, 1829.

Prayers.

Read a third time, as engrossed.

A Bill relative to the Grammar Schools in this Province.

Resolved, that the Bill do pass.

Ordered, that Mr. Chandler take the said Bill to the Council and desire their concurrence thereto.

Read a third time, a Bill to secure and reclaim a Tract of Marsh on the Au Lac River, in the County of Westmorland, sent from the Council for concurrence.

Ordered, that Mr. Crane return the Bill to the Council, and inform them that the House have agreed thereto.

On motion of Mr. Weldon.—The House, according to the order of the day, went into Committee of the whole, on the report of the Committee of Privilege upon the subject of a Resolution of His Majesty's Council, communicated to this House by Message, the 27th instant, protesting against the mode of including articles of taxation in Revenue Bills, without being previously submitted to their consideration.

Mr. Palmer in the Chair of the Committee.

The Chairman reported, "That the Committee having taken into their consideration, the Resolution of His Majesty's Council of the 27th inst., are unanimously of opinion that such Resolution is not warranted by Parliamentary usage, or any prior practice of the General Assembly of this Province, and that the same is an improper interference with the Rights and Privileges of this House, and calculated to destroy the harmony which has for many years existed between the Council and House of Assembly."

Ordered, that the report be accepted, and the resolution agreed to.

On motion of Mr. Crane.—The House went into Committee of the whole, on the reports from the Select Committee on the Treasurer's accounts.

Mr. Barlow in the Chair of the Committee.

The Chairman reported, that having gone into consideration of the reports referred to them, they had passed the following Resolutions, which he read:—

Resolved, that the Treasurer of the Province be directed to call upon the Executors of the late Treasurer, for the balance of Six Thousand Pounds, reported by the Committee on the Treasurer's accounts, as due from the Estate. One third of such sum to be paid in four months; one third in eight months; and the remainder in twelve months with Interest.

Resolved, that the Deputy Treasurers in the different Ports of this Province do in future furnish a statement of the manner in which they receive payments from the Officers of His Majesty's Customs, and when such payments are made in British Money, that

that they dispose of the same to the best advantage, and account to the Province for such premium as they may receive on such money.

Resolved, that the Deputy Treasurer at West Isles do forthwith pay over to the Deputy Treasurer at St. Andrews, the balance of £143 : 13 : 2, so long due from him, together with any further sum that may be in his hands : and if such gross neglect should again appear in this Officer's conduct, or if a similar case occur in any part of this Province, it is the opinion of this Committee, that it will be the duty of the House of Assembly to make application to the proper quarter for the removal of such Officer.

Resolved, that the Treasurer, as well as the Deputy Treasurers, be directed to call on all the Auctioneers, in their respective districts, and to require them forthwith to furnish a statement of the amount of Duties on Goods sold by them at Auction respectively, and not previously accounted for, and that they also require such Auctioneers to pay over to the said Treasurer or Deputy Treasurer any duties that may be due by them.

Resolved, that in the opinion of this Committee, the Bonds No. 82 and No. 102, included in the list of Bonds furnished by the Treasurer as now in his hands, should be forthwith collected.

The Resolutions being handed in were again read at the Clerk's Table.

Ordered, that the report be accepted.

Mr. Allen from the Committee, appointed to wait upon His Excellency the Lieutenant-Governor, with an address, praying His Excellency would be pleased to direct the Commissioners for superintending the erection of Government House, to accompany a Committee to be appointed by this House, to inspect the building and report thereon, having attended to that duty, reported, His Excellency was pleased to say he would certainly comply with the wishes of the House.

Ordered, that Mr. Allen, Mr. Scott, Mr. Barlow, Mr. Wyer, Mr. Freeze, Mr. Chandler, Mr. Weldon, Mr. Cunard, and Mr. Hayward, be a Committee to attend with the Commissioners for the inspection of the said Building.

A Message from His Majesty's Council.

Mr. Putnam, Master in Chancery, informed the House, that the Council had agreed to a Bill to authorize the extension of the Gaol Limits in Fredericton.

And a Bill providing for the publication of the County Accounts.

And he further informed the House, that the Council had agreed to the Resolutions of Appropriation, sent up by the Assembly, dated 30th and 31st December, 1828, and 12th, 15th, 16th, and 20th January, 1829, excepting the following :—

12th January. To Anthony Lockwood, £50, for his voluntary exertions in preparing and publishing a Map of the Province.

15th January. To James P. Quinn, £30 for Medicine and Medical attendance, supplied by him for Irish Emigrants from Rio de Janeiro.

To the Rev. John Carroll, Pastor of the Roman Catholic Chapel at Saint John, £75, in aid of individual Subscription, to enable him to continue a Free School for the education of the poor children belonging to that communion, and to pay the debts due on account of such School.

To the Trustees of Schools for the Parish of Portland, £10 to pay Lawrence O'Flanagan for teaching a School at Loch Lomond.

To Thomas Handford and Thomas Raymond, £13 : 15, amount of duties on Wine imported by them, but exported to Trinidad without being landed in the Province.

16th January. To the Justices of St. John, £79 : 19 : 6, to defray the expense incurred by the Overseers of the Poor of the Parish of Portland, in support of sick and indigent Black Refugees.

£322 : 15 : 10, to defray the expense incurred by the Overseers of the Poor of the City of St. John, in the support and relief of sick and indigent Emigrants, in the year 1828,

£275 : 17 : 1, to defray the expense incurred by the Overseers of the Poor of the Parish of Portland, in support of sick and distressed Emigrants.

To Sylvanus Haviland, £10, for damage in consequence of an alteration made in the Nerepis Road leading through his premises.

To the Overseers of the Poor of the Parish of Chatham, 16*l.* : 7 : 1, for expenses incurred in support of Transient Poor to the 3d December, 1828. 20th

20th January. To Wm. H. Lyon, 20*l.* for services rendered to poor travellers and distressed Emigrants.

16th January. To the Adjutants of Militia 240*l.* for the year 1829.

And that they had directed him to communicate the following Resolution :—

“ Resolved, that the Council will not in future concur in a grant for the Vaccine Institution unless it shall appear that the inoculating Surgeon of the Institution has been at all times provided with fresh Vaccine matter.”

Read, as engrossed, the Resolutions of Appropriation, made and passed the 20th inst.

And upon the question that they be sent to the Council for concurrence, the House divided, and it was carried in the affirmative.

Ordered, that Mr. Taylor take the said Resolutions to the Council and desire their concurrence thereto.

On motion of Mr. Crane.—The House went into Committee of the whole, in further consideration of the reports from the Provincial Auditor.

Mr. Taylor in the Chair of the Committee.

The Chairman reported, they had made further progress in the business referred to them, and he was directed to submit the following report, which he read, and to ask leave to sit again.

No. 8. Is the Audit of John Hazen's account for 1823; and in the opinion of your Committee the charge of Commission made by Mr. Hazen should be on the sum of £443 only, being the amount actually expended by him; his account will then stand thus.—

The amount of Commission charged by him is	£50 : 0 : 0
The amount should be 10 per Cent. on £443,	44 : 6 : 0
	£5 : 14 : 0
Balance in his hands as appears by his account,	7 : 0 : 0

Now due, £12 : 14 : 0

Which sum the Committee think Mr. Hazen should pay over to the present Supervisor of the said Road.

The report being handed in at the Clerk's Table, was there again read.

Ordered, that the Report be accepted and leave granted.

Mr. Chandler, from the Committee appointed to search the Journals of the Honorable the Legislative Council, to ascertain what proceedings have been had on a Bill for the regulating, laying out, and repairing Highways. Also, a Bill further to amend the Acts relative to Streets and Highways in the City and County of St. John, reported, that he had attended to that duty, and that he found the following entries :—

“ Council Chamber, 28th January, 1829.

PRESENT.

The CHIEF JUSTICE,
Mr. JUSTICE BLISS,
Mr. BLACK,
Mr. SHORE,

Mr. JUSTICE BOTSFORD,
Mr. BAILLIE,
Mr. HURD,

“ Went again into the second reading of the Bill for regulating, laying out, and repairing Highways.

On motion, Resolved, that the further consideration of this Bill be put off for three months. And therefore further resolved, that by the provisions of this Bill, the Commissioners of Highways are required to do the duty of Assessors by estimating the amount of property of persons liable to work on the Highways.

“ That at present there is no Legislative direction as to the objects or mode of making assessments. But in executing that public and important duty, Assessors are wholly left to their own discretion, thereby subjecting the property of the subject to their uncontrolled and arbitrary discretion.

“ That the amount of the taxes must necessarily increase with the increase of the population and wealth of the community; it therefore becomes the imperative duty of the Legislature to interfere, and to regulate the same, before any additional burdens are imposed upon the people. That the Council are, and always have been, (as communicated to the House of Assembly in a conference in 1810,) ready to give their

assent to a Law by which all the labour of the Highways, beyond a proper number of days work, to be performed by every male Inhabitant of a proper age and description, may be apportioned; whenever a Law shall be made for ascertaining taxable property, with proper and adequate provisions."

"Read a second time, a Bill further to amend the Acts relative to the Streets and Highways in the City and County of Saint John."

"On motion, Resolved, that the further consideration of this Bill be put off three months."

The House adjourned until to-morrow morning, at 10 o'clock.

SATURDAY, 31st JANUARY, 1829.

Prayers.

On motion of Mr. Dow.—Resolved, that a Committee be appointed to search the Journals of the Honorable the Legislative Council, to ascertain what proceedings have been had on a Bill to authorize Ministers of Dissenting Congregations to solemnize marriage in this Province.

Ordered, that Mr. Dow be a Committee for that purpose.

Ordered, that the House do on Monday next, go into Committee of the whole, on a Bill further to amend the several Acts providing for the more effectually repairing the Streets and Bridges in the City and County of St. John.

On motion of Mr. Hayward.—The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Partelow in the Chair of the Committee.

The Chairman reported, that having gone into further consideration of the business referred to them, they had passed certain other Resolutions, which he read, and they being handed in at the Clerk's Table, were there again read, and are as follow:—

Resolved, that there be granted to His Excellency the Lieutenant-Governor, or Commander-in-Chief, the sum of 87*l*. : 12 : 2, for duties due the Province from William Saunders; it appearing that the said William Saunders has been for a long time confined in the Gaol of the County of Northumberland, and has no means of making payment, having lost most of his property by the great fire of 1825. Provided that this grant shall not extend to exonerate the Deputy Treasurer of that County, from any liability which he may be under with regard to the said Debt.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, the sum of 200*l*. to be applied towards improving the Great Road from Saint John to the River Miseguash.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, the sum of 250*l*. towards improving the Great Road from Saint John to Saint Andrews; 50*l*. part of the said sum of 250*l*., to be laid out from Magaguadavic to Saint Andrews, through the wilderness, provided that sum should remain unexpended after the Bridges are replaced and repaired between Musquash and Magaguadavic.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, the sum of 100*l*. towards improving the Great Road from Fredericton to Saint John, *via* Nerepis, part of which sum to be appropriated for the payment of the balance due the present Supervisor.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, the sum of 100*l*. for the improvement of the Great Road of Communication between Fredericton and Newcastle.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, the sum of 100*l*. for the improvement of the Great Road from Fredericton to St. Andrews.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, the sum of 100*l*. for the improvement of the Great Road from Fredericton to the Canada Line.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, the sum of 50*l*. for the improvement of the road between Fredericton and the Finger Board.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, the sum of 150*l*. for the improvement of the Great Road of Communication between Newcastle and Bathurst.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, the sum of 75*l.* for improving the Great Road of Communication between Richibucto and Chatham.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, the sum of 75*l.* for improving the road from Chediack to Richibucto.

To Richard Simonds, Esquire, Province Treasurer, the sum of 45*l.* : 2 : 4, to defray the contingent expenses of the Treasurer's office during the year 1828.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, the sum of 678*l.* : 12 : 5, to enable the Commander-in-Chief, to reimburse the Overseers of the Poor for the City of St. John, and Parish of Portland, in the County of St. John, for sums advanced by them to distressed Emigrants and Black Refugees, on satisfactory proof being laid before His Excellency of such Expenditure.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, the further sum of 16*l.* : 7 : 1, to reimburse expense incurred in the Parish of Chatham, in support of transient poor, up to the 3d of December, 1828, upon like proof being made to the satisfaction of His Excellency of such expenditure.

To Benjamin C. Chaloner the sum of 117*l.* : 10, being the amount of his accounts for gauging and weighing for the Province, for the year 1828.

To Commissioners to be appointed by His Excellency the Lieutenant-Governor, or Commander-in-Chief, the sum of 50*l.* for defraying the expenses of a Courier between Bathurst and Restigouche, in the County of Gloucester, for the year 1829.

To George Henderson, junior, of Miramichi, for gauging for the Province from the year 1821 to 1828, the sum of 15*l.* : 4 : 6.

To Benjamin C. Chaloner, Tide Surveyor at the City of Saint John, the sum of 50*l.* for his services from the first of May, 1828, to the first of May, 1829.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, to pay Thomas Heavside, Esquire, the sum of 100*l.* on account of his services in auditing the public accounts.

And the Chairman further reported, he was directed to ask leave to sit again.

Ordered, that the Report be accepted, and leave granted.

A Message from His Majesty's Council.

Mr. Putnam, Master in Chancery, acquainted the House that the Council had passed the following Resolution :—

“ Resolved, that the Council do agree to join the House of Assembly, in a dutiful and humble address to His Majesty, praying, that His Majesty will be pleased to take into his most gracious consideration, the orders by which the granting of Lands on the terms stated in the Royal Instructions have been suspended, and that he would be pleased to annul the same.

Ordered, that Mr. Chandler, Mr. Partelow, Mr. Cunard, and Mr. Crane, be a Committee to join such Committee as may be appointed by the Council to prepare the Address.

And further ordered, that Mr. Chandler acquaint the Council with such appointment.

The House adjourned until Monday morning next, at 10 o'clock.

MONDAY, 2d FEBRUARY, 1829.

Prayers.

The House, according to the order of the day, went into Committee of the whole, on a Bill further to amend the several Acts, providing for the more effectually repairing the Streets and Bridges in the City and County of Saint John.

Mr. Crane, in the Chair of the Committee.

The Chairman reported, that having gone into consideration of the said Bill, they had agreed to the same with amendments.

Ordered, that the report be accepted, and the Bill engrossed, as amended.

On motion of Mr. Partelow—Ordered, that the House, do to-morrow, go into Committee of the whole, in consideration of the Message from His Excellency the Lieutenant-Governor, to this House, received the 28th instant, upon the subject of the Customs Salaries.

On

On motion of Mr. Weldon.—The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Partelow in the Chair of the Committee.

The Chairman reported, that the Committee had passed several other Resolutions, which he read, and they being handed in at the Clerk's Table, were there again read, and are as follow :—

Resolved, that there be granted to His Excellency the Lieutenant-Governor, or Commander-in-Chief for the time being, the sum of £100, to pay the Quarter Master General for his services from the date of his appointment, until the end of the year 1829 ; and a further sum not exceeding £100, to enable the Quarter Master General to take care of the Arms sent out for the use of the Militia Forces.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, a sum not exceeding £500, for defraying the expenses which may be incurred for the protection of the Revenue the ensuing year.

To Thomas P. Marter, Tide Surveyor at the Port of Saint John, for his services from the 1st day of February, 1828, to the 1st day of February, 1829, the sum of £75, and this allowance to be discontinued thereafter.

And the Chairman further reported, that he was directed to ask leave to sit again. Ordered, that the Report be accepted and leave granted.

A Message from His Excellency the Lieutenant-Governor, Mr. Secretary Odell delivered the following Message :—

“ NEW-BRUNSWICK.

“ MESSAGE to the HOUSE of ASSEMBLY,

“ 30th January, 1829.

“ HOWARD DOUGLAS.

“ The Lieutenant-Governor acquaints the House of Assembly, that in consequence of the want of money in the Treasury to meet several urgent demands upon it, he was under the necessity of applying to the President, Directors, and Company of the Bank of New-Brunswick, in whose hands the Casual Revenue was deposited, to make advances out of the same, for the payment of the several warrants drawn for grants of 1826 and 1827, with an understanding that the same should be replaced out of the first monies coming into the Treasury.

“ The Bank consented to make the requisite advances, but having made a closedeposit of the Crown money, applied their own funds, to the payment of warrants, amounting to £7,387 : 10, a list of which is herewith transmitted ; which warrants were lodged in the Bank, there to remain until the same were taken up by the Treasury.

“ The Lieutenant-Governor further informs the House, that the amount of the said warrants still remains due to the Bank, the Directors of that Institution, having, in compliance with the Lieutenant-Governor's request, agreed to extend the time for payment in full confidence that the Legislature would make provision for the interest upon the sums so advanced for the Public Service.

“ The Lieutenant-Governor considering that the public have derived much benefit from these advances, and that many necessary appropriations must have remained unpaid to this day, had the Bank required payment, as was first stipulated, recommends to the House of Assembly, that interest should be paid on the amount of the said warrants, from such time as the House may consider proper under all the circumstances of the case.

“ The Lieutenant-Governor takes this opportunity of communicating to the House of Assembly, certain regulations which were made by His Excellency and His Majesty's Council, during the last Summer, to enforce a more strict observance of the provisions of the Revenue Laws.

“ 1. In cases where it can be done without inconvenience, the Treasurer or Deputy Treasurer, to send a notice to the principal of any instalment becoming due on a Bond, a week or ten days before the time of payment ; and if not paid to notify the surety immediately.

“ 2. A strict attention to the Revenue Law in future to be enforced ; and that it be incumbent on the Treasurer or Deputy Treasurer to send to the Attorney-General all Bonds, any part of which has been one month over due and remaining unpaid.

" 3. That care be taken to have sufficient sureties, and particular reference be had to the sum for which persons proposed as sureties may already stand bound to the Treasury.

" 4. That it shall be the duty of the Attorney-General, within twenty days after the end of each year, to render, in duplicate, the following accounts brought up to the close of the past year, one copy to remain in the Secretary's Office, and the other to be laid before the Assembly.

" First. A list of Bonds received from the Treasurer and Deputy Treasurers specifying the dates when the same were received, and particularly noting, in a distinct column, such Bonds as were not received by him within two months after any instalment thereon being in arrear, (which allows a month for the transmission,) accompanied by a statement of the proceedings had on such Bonds.

" Second. An account of the monies by him collected, specifying distinctly the particular Bonds upon which payments have been made, with the time of such payments, and on account of the monies by him paid into the Treasury.

" 5. That the Attorney-General be directed to write a Circular Letter to the several Sheriffs in those Counties where Bonds are taken, requiring them to execute the several writs sent to them for the collection of Crown Debts without delay; and to make return according to the exigency thereof, and to pay over monies by them received, to the Attorney-General, or his order.

" 6. That it shall be the duty of the Attorney-General, from time to time, to report to His Excellency the Lieutenant-Governor, or Commander-in-Chief, any repeated neglect or default of any Sheriff in the discharge of that part of his duty, in order that the public interest may not suffer from a continuance of the same."

" H. D."

List of Warrants referred to in the Message to the House of Assembly, 30th Jan., 1829.

To Commissioners for Government House,	5th June, 1827,	£1000,	paid 9th June, 1827.
Sufferers by fire,	6th Oct., 1826,	4687 : 10 : 0	" 10th July, "
Agricultural Society,	9th June, 1827,	700	" " " "
Commissioners for Government House	31st July, "	1000	" 4th Aug. "
Total,		£7387 : 10 : 0	

A Message from His Majesty's Council.

Mr. Bliss, Master in Chancery, informed the House, that the Council had agreed to the Bill to prevent Pedlars travelling and selling within this Province.

And that he was directed to communicate to the House that the Council had appointed Mr. Justice Botsford and Mr. Shore, a Committee to join with the Committee of the House in preparing an Address to His Majesty on the subject of the present system of disposing of the Crown Lands.

A Message from His Excellency the Lieutenant-Governor.

Mr. Secretary Odell, by command of His Excellency, laid before the House returns and accounts from several of the Supervisors of Great Roads, submitted by Mr. Heaviside, Provincial Auditor, together with the third Report from Mr. Heaviside.

Mr. Dow, from the Committee appointed to search the Journals of the Honorable the Legislative Council, to ascertain what proceedings were had on a Bill to authorize Ministers of Dissenting Congregations to solemnize marriage in this Province,

Reported, that they found the following entry :—

" Monday, January 26th, 1829.

PRESENT.

The CHIEF JUSTICE,
Mr. JUSTICE BLISS,
Mr. BLACK,
Mr. SHORE,

Mr. JUSTICE BOTSFORD,
Mr. BAILLIE,
Mr. HURD,
Mr. ROBINSON,

" Read a second time, the Bill to authorize Dissenters to solemnize Marriage.

On motion, Resolved, that the further consideration of this Bill be put off for three months."

On motion of Mr. Partelow—Resolved, that a Committee be appointed to search the Journals of the Honorable the Legislative Council, to ascertain what proceedings have been had on a Bill to alter and amend the Militia Law.

Ordered, that Mr. Partelow be a Committee for that purpose.

On motion of Mr. Crane.—The House went into Committee of the whole, on the Message received from His Excellency the Lieutenant-Governor, upon the subject of monies advanced by the Bank of New-Brunswick, towards the payment of Treasury Warrants, as to certain regulations made in the Council for enforcing payment to the Treasury.

Mr. Ketchum in the Chair of the Committee.

The Chairman reported, they having gone into consideration of the said Message, they had passed a Resolution, which he read as follows :—

Resolved, that this Committee are of opinion that the Bank of New-Brunswick is entitled to receive interest from the 1st January, 1829, on the sum of £7,387 : 10, due to the said Bank, as communicated by His Excellency's Message, dated 30th ult., received this day, and that provision should be made in the Committee of Supply.

The Resolution being handed in at the Clerk's Table, was there again read, and agreed to by the House.

Ordered, that the report be accepted.

The House adjourned until to-morrow morning, at 9 o'clock.

TUESDAY, 3d FEBRUARY, 1829.

Prayers.

Read, as engrossed, the Resolutions of Appropriation of the 31st ultimo.

Ordered, that Mr. Partelow take the said Resolutions to the Council and desire their concurrence thereto.

On motion of Mr. Chandler.—The House according to the order of the day, went into Committee of the whole, on the Message from His Excellency the Lieutenant-Governor, received 28th January, upon the subject of the Customs Salaries.

Mr. McKay in the Chair of the Committee.

The Chairman reported, that having gone into consideration of the Message referred to them, they had made progress therein, and that he was directed to ask leave to sit again.

Ordered, that the report be accepted, and leave granted.

On motion of Mr. Allen.—Resolved unanimously, that this House are desirous to present an address to His Excellency the Lieutenant-Governor, to express the high respect which they entertain for His Excellency, and their regret that he is about to depart from this Province for Great Britain; and that the Speaker do communicate the desire of this House to His Excellency.

Read a third time, as engrossed,

A Bill further to amend the several Acts, providing for the more effectually repairing the Streets and Bridges in the City and County of St. John.

Resolved, that the Bill do pass.

Ordered, that Mr. Partelow take the said Bill to the Council, and desire their concurrence thereto.

The Committee of Trade, to whom was referred the Petition of Sylvanus Appleby, of Deer Island, praying relief in a case where he had paid Provincial duty on 4,368lbs. Coffee, amounting to 18*l.* : 4, both to the Custom House and Province Treasury, Reported, that having examined fully into the matters set forth in the said Petition, find that the said duty has been twice paid as therein stated.

W. CRANE,
THOMAS WYER,
JOHN WARD, JUN.,
ALEX. RANKIN,
WM. TAYLOR,
THOMAS BARLOW.

The Report being handed in at the Clerk's Table, was there again read, and ordered to be accepted.

On motion of Mr. Hayward.—The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr.

Mr. Partelow in the Chair of the Committee.

The Chairman reported, that the Committee had passed two Resolutions, which he read, and they being again read, at the Clerk's Table, were agreed to by the House, and are as follow:—

Resolved, that there be granted to William Hazen, the sum of 6*l.* : 10, for his services in exploring a road from Burpe's mill, in Burton, to the Nerepis road; the account for this service having been sent down to this House by Message from His Excellency the Lieutenant-Governor, accompanied by a certificate from the Supervisor of the Nerepis Road, that the exploration was satisfactorily performed.

To the Mayor, Aldermen, and Commonalty, of the City of St. John, the sum of £300, to enable them to erect a Pier, on the shoal, where the Beacon now stands, and to place a Harbour light thereon, in order to facilitate the navigation into the Harbour of St. John; the said sum to be taken out of the surplusage of the money collected for the Light House.

And the Chairman further reported, that he was directed to ask leave to sit again.

Ordered, that the Report be accepted and leave granted.

Mr. Partelow, from the Committee appointed to examine, liquidate, and report on Public and Private Accounts, submitted a Report, which he read; and being handed in at the Clerk's Table, was there again read, and is as follows:—

No. 1. Is an account of George K. Lugin, amounting to £202 : 10, for printing 250 copies of the Acts of the Legislature, and 200 copies of the Journals of the House of Assembly, with some other items.

Credit is given for a Warrant on the Treasury for 150*l.* leaving a balance due Mr. Lugin on this account of £52 : 10.

No. 2. Is an account of George K. Lugin, for publishing in the Royal Gazette, the Acts of the General Assembly, of the last Session amounting to 3*l.* : 12 : 3.

No. 3. Is an account of the same person, amounting to £1 : 16, for one year's Gazette furnished to the Adjutant-General, and Lieutenant-Colonel Love, one of the Inspecting Field Officers.

No. 4. Is an account of the same person, amounting to £6 : 12 : 6, for publications relating to the Surveyor General's Office. This charge is confined to answers to the applicants for Land.

No. 5. Is an account of the same person, amounting to £32 : 6 8; for sundry publications in the Gazette, always provided for by the House of Assembly.

No. 6. Is an account of the same person, amounting to 10*l.* : 5 : 4, for the publication of Militia General Orders.

The whole of these accounts amount to 138*l.* : 2 : 10, and the calculations are correct. Your Committee are not aware how far it would be proper to provide for account No. 3.

No. 7. Is an account of the Secretary of the Province, for fees on 459 Warrants drawn on the Treasury, between the 26th February and the 16th December last, amounting to 114*l.* : 15.

Ordered, that the report be accepted.

On motion of Mr. Weldon.—The House went into Committee of the whole, in consideration of the said Report.

Mr. Weldon in the Chair of the Committee.

The Chairman reported, they had passed the following Resolutions, and was directed to ask leave to sit again.

1. Resolved, that the charges made by George K. Lugin, for printing the Journals of this House and the Acts of the Legislature, at its last Session, are exorbitant, and in the opinion of this Committee must not be allowed.

2. Resolved, that account No. 3, for Royal Gazettes furnished to the Adjutant-General and Lieutenant-Colonel Love, cannot be complied with.

3. Resolved, that this Committee consider that the sum of £103 : 16 : 10, will amply pay Mr. Lugin for the amount due him on the accounts reported by the standing Committee, and that provision therefor be made in the Committee of Supply.

4. Resolved, that the account of the Secretary of the Province, as reported, No. 7, be referred to the Committee of Supply.

The Resolutions being again read at the Clerk's Table, were agreed to by the House: Ordered, that the Report be accepted, and leave granted. On

On motion of Mr. Crane.—The House went into Committee of the whole, in further consideration of the reports from the Provincial Auditor.

Mr. Taylor in the Chair of the Committee.

The Chairman reported, that having gone into consideration of the matter referred to them, he was directed to submit the following report; which he read,

A. Is the audit of the account of J. W. Weldon, (Supervisor for the Great Road from Chediac to Richibucto,) for 1828, by which it appears that the sum of £178 : 10 : 1½ has been expended by him. This account is satisfactory, the necessary vouchers are furnished, and no Commission is charged. There appears to be a balance of £187 : 14 : 10½, in his hands, which balance it appears will be appropriated to the payment of Mr. Hannington, and other persons who have claims for the money appropriated for said road.

B. Is the audit of the Hon. Judge Botsford's account, (Supervisor of the Great Road, in the County of Westmorland,) for 1828, shewing an expenditure of £341 : 4 : 2. He credits £300 received from the Treasurer, and also £13 : 13, a part of the balance reported to be due by him, by the audit of accounts Nos. 9 & 10. This account is correct, the necessary vouchers accompany it, and no commission is charged.

C. Is the audit of John Young's account, (Supervisor of the Great Road from Miramichi to Bathurst,) shewing a balance due to him of £627 : 16 : 4. The only error in this account is a charge of commission on 55% paid by him to James Forein and Francis Fleiur; amounting to £5 : 10, which being deducted from the balance of £627 : 16 : 4, leaves the true balance due to this Supervisor of £622 : 6 : 4. This account is correct, and the necessary vouchers accompany it. It also appears by the Auditor's report, that the sum of 500% has been received from the Treasury, which sum the Committee suppose has been applied towards the discharge of the above balance.

D. Is the audit of G. N. Scovil's accounts, (Supervisor on the road from St. John to Westmorland,) for 1825, 1826, 1827, 1828. These accounts are correct, with the exception of a sum of 11s. 8d., over charged, which being deducted, leaves a balance due the Province of £15 : 17 : 4.

And the Chairman further reported, he was directed to ask leave to sit again.

Ordered, that the Report be accepted and leave granted.

On motion of Mr. Crane.—The House went into Committee of the whole, on a Bill to appropriate a part of the Public Revenue, to the payment of the Ordinary Services of the Province.

Mr. Partelow in the Chair of the Committee.

The Chairman reported, that having gone into consideration of the said Bill, they had agreed to the same.

Ordered, that the report be accepted, and the Bill engrossed.

Read, as engrossed, the Resolutions of Appropriation of the 2d instant.

Ordered, that Mr. Crane take the said Resolutions to the Council, and desire their concurrence thereto.

Mr. Speaker acquainted the House, that he had, agreeably to a Resolution of this day, upon the subject of an Address to His Excellency the Lieutenant-Governor, upon his taking his departure from this Province, communicated to His Excellency the wishes of the House, in the following Letter :—

“ Fredericton, February 3, 1829.

“ SIR,

“ I am directed by the House of Assembly to inform your Excellency, that it is their wish, to present an Address to you, that they may have an opportunity to express the high respect they entertain for your Excellency, and their regret that you are about to depart from this Province for Great Britain.

“ And I beg leave to say, that I shall feel much obliged by the expression of your Excellency's sentiments, as regards the wishes of the House of Assembly.

I have the honor to be, with great respect,

Your Excellency's

Most obedient humble Servant,

CHARLES SIMONDS,

Speaker of the House of Assembly.”

To His Excellency Major-General Sir Howard Douglas, Bart., }
Lieutenant-Governor, &c. &c. &c. }

And

And that he had received from His Excellency, the following Reply :—
“ Fredericton, 3rd February, 1829.

“ SIR,

“ I have the honor to acknowledge the receipt of your communication, of this day's date, acquainting me, that it is the wish of the House of Assembly to present an Address to me, on my approaching departure from this Province. Placing great value on the sentiments and opinions which you state to be entertained by the House of Assembly, I shall receive with great satisfaction, the Address which it is the wish of the House to present.

I have the honor to be, Sir,
Your obedient humble Servant,
HOWARD DOUGLAS.”

The Honorable the Speaker, &c. &c. &c.

Ordered, that Mr. Allen, Mr. M'Kay, Mr. Munro, Mr. Partelow, and Mr. Campbell, be a Committee to prepare the Address.

The House adjourned until to-morrow morning, at 10 o'clock.

WEDNESDAY, 4th FEBRUARY, 1829.

Prayers.

On motion of Mr. Hayward.—Ordered, that the accounts of Robert Doak, Supervisor of the Great Road from Fredericton to Newcastle, for the year 1826, together with the Report and Audit of the Provincial Auditor thereon, be referred to the Committee to examine and Report on Public and Private Accounts.

On motion, Resolved, that it is the opinion of this House, that Sylvanus Appleby, should be repaid the sum of 18*l.* : 4, paid by him for duty on Coffee, imported into St. Andrews; but that such payment should be made by the Collector of His Majesty's Customs, the said Collector having taken such duty from him improperly.

Mr. Allen, from the Committee to prepare an Address to His Excellency the Lieutenant-Governor, previous to His Excellency taking his departure from this Province, for Great-Britain, submitted a Draft thereof, which he read, and it being handed in, was again read from the Chair.

On motion of Mr. Allen.—The House went into consideration of the said Address.

The Address, as prepared, being unanimously agreed to by the House, was ordered to be engrossed, signed by the Speaker, and presented to His Excellency by the whole House.

On motion of Mr. Partelow.—Whereas in pursuance of a Resolution of the House at the last Session, His Excellency was pleased to appoint Thomas Heaviside, Esquire, to audit the Provincial Accounts; and whereas this House are of opinion that the examining and auditing of Public Accounts can be much better performed by a Committee of this House, than in any other way;

Therefore resolved, that Mr. Heaviside do confine his examination to such accounts as are connected with the monies paid by the Treasurer, prior to the 1st January, 1829.

And whereas, of the large amount of monies granted for the Public Service, during the last seven years, for various purposes, and received by Commissioners and others, for the expenditure thereof; considerable sums in the different Counties are yet unaccounted for, and in some cases acknowledged balances, where accounts have been furnished, remain due to the Province; And whereas it is necessary that some measure should be adopted by the House in order that persons who have been so grossly neglectful, should be compelled to answer for such delinquency;

Therefore resolved, that a Committee be appointed to consist of one or more members for each County, who are required to correspond with all such persons in their several Counties, who have hitherto not accounted for balances due on monies received for any Public Services; and that Mr. Heaviside, do without delay, furnish a list to the said Committee of the names of the persons so having Public money, in order that the Committee may respectively, in the several Counties where they reside, direct such Defaulters to account for the same to the Treasurer or his Deputies, in the several Counties.

Thereupon ordered, that Mr. Ward, Mr. Wyer, Mr. Crane, Mr. Taylor, Mr. Rankin,

kin, Mr. Miles, Mr. Gilbert, Mr. Weldon, Mr. Munro, and Mr. Humbert, be a Committee to carry into effect the said Resolution.

And further ordered, that the Clerk do furnish Mr. Heaviside with a copy thereof.

Mr. Partelow, from the Committee appointed to examine and report upon Public and Private Accounts, made a further report, which he read ; and being handed in at the Clerk's Table, was there again read, and is as follows :

No. 8. Is an account of the Commissioners of the old Government House amounting to 49*l.* : 8 : 7, for the year 1827 : no vouchers appear with this account, but your Committee examined the vouchers last year, and omitted to report on the account.

No. 9. Is the account of the same Commissioners for the year 1828, accompanied by proper vouchers, amounting to 14*l.* : 3 : 8.

No. 10. Is a particular account of Richard Dunn, amounting to 47*l.* : 8 : 2, for repairs on the Province Hall.

No. 11. Is an account of C. P. Wetmore, Esquire, Clerk of the House of Assembly, for contingent expenses of the Session, amounting to 331*l.* : 17 : 8.

Ordered, that the Report be accepted.

The House went into Committee of the whole, on the Report.

Mr. Taylor in the Chair of the Committee.

The Chairman reported, that having gone into consideration of the said report they had passed one Resolution, which he read, and is as follows :—

Resolved, that the accounts Nos. 8, 9, 10, and 11, be referred to the Committee of Supply.

And the Chairman further reported, he was directed to ask leave to sit again.

Ordered, that the Report be accepted and leave granted.

The House, went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Partelow in the Chair of the Committee.

The Chairman reported, they had passed several other Resolutions, and they being handed in at the Clerk's Table, were there read, and are as follow :—

Resolved, that there be granted to George K. Lugin, the sum of £103 : 16 : 10, being the amount allowed by the Committee of this House as the balance due him for printing.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, the sum of £59 : 3 : 7, to pay the Commissioners for repairs on the old Government House, for the year 1827, and the sum of £14 : 3 : 3, for the year 1828 : Also, the sum of 47*l.* : 8 : 2, to pay Richard Dunn for repairs on the Province Hall.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, a sum not exceeding 400*l.*, for the purpose of defraying the expense of building a Light House on the northern head of Campo Bello Island ; one half of the sum to be paid in the present year, and the other half in the year 1830.

To T. P. Marter, Tide Surveyor at the Port of Saint John for his services, the sum of 25*l.* in addition to the sum of 75*l.* already granted.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, a sum not exceeding 450*l.* to enable him to pay any Interest on Treasury Warrants in the Bank of New-Brunswick ; such Interest to commence on the 1st of January, 1829, and to be paid quarterly on whatever sum may be in the Bank at the respective periods.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, the sum of 50*l.*, towards defraying the expense of printing the Journals of the House of Assembly of the present Session.

To William F. Odell, Esquire, the sum of 75*l.* as compensation for his services for issuing Warrants from the 26th day of February until the 16th day of December, 1828.

To the Clerk of the House of Assembly, the sum of 331*l.* : 17 : 8, to enable him to pay the contingent expenses of the present Session.

That the following was then moved :—

Resolved, that there be granted to His Excellency the Lieutenant-Governor, or Commander-in-Chief, the sum of 770*l.* to be applied towards the support of the several Grammar Schools in the Province, hereinafter named, for the year 1829, in the following proportions, *to wit* :—

To the Grammar School in Saint John, £150

To

To the Grammar School in Saint Andrews, _____	120
To the Grammar School in Westmorland, _____	100
To the Grammar School in Northumberland, _____	100
To the Grammar School in Sunbury, _____	100
To the Grammar School in Kings County, _____	100
To the Grammar School in Queens County, _____	100

£770

And upon the question for sustaining the same, the Committee divided—

YEAS 20.

NAYS 2.

It was carried in the affirmative.

And the Chairman further reported, that he was directed to ask leave to sit again.

Ordered, that the Report be accepted, and leave granted.

A Message from His Majesty's Council.

Mr. Bliss, Master in Chancery, informed the House that the Council had agreed to the Resolutions of Appropriation, dated 28th January, excepting that granting 3*l.* to the Commissioner appointed to administer oaths to the Members to serve in General Assembly, which is not agreed to : The Commissioner having been paid for that service upon the first meeting of the present House, beg leave to decline receiving any further remuneration.

Read the engrossed Address of the House to His Excellency the Lieutenant-Governor, upon his departure from the Province.

Ordered, that Mr. M'Kay, Mr. Ketchum and Mr. Miles, be a Committee to wait on His Excellency to know when he will be pleased to receive the Address.

Read, as engrossed, the Resolutions of Appropriation, of the 3d inst.

Ordered, that Mr. Dow take the said Resolutions to the Council and desire their concurrence thereto.

Read a third time, as engrossed,

A Bill to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province.

Resolved, that the Bill do pass.

Ordered, that Mr. Weldon take the said Bill to the Council, and desire their concurrence thereto.

The House adjourned until to-morrow morning at 10 o'Clock.

THURSDAY, 5th FEBRUARY, 1829.

Prayers.

Mr. Taylor, pursuant to leave, brought in a Bill to appropriate a part of the Public Revenue for the services therein mentioned.

Which was read a first and second times.

And on motion of Mr. Taylor, the House went into Committee of the whole, in consideration of the said Bill.

Mr. Humbert in the Chair of the Committee.

The Chairman reported, they had made progress therein, and that he was directed to ask leave to sit again.

Ordered, that the Report be accepted, and leave granted.

Mr. Taylor, from the Standing Committee appointed to examine and report upon Public and Private Accounts, and to whom was referred, by a Resolution of yesterday, the accounts of Robert Doak, Supervisor of the Great Road from Fredericton to Newcastle, made the following report ; which he read,

That having had under consideration the said Accounts, as well as the Provincial Auditor's Report and Audit thereon, the Committee find that the Audit embraces tools, camp equipage, work of Oxen, hay, pasturage, &c., as part of the charge for provisions. The provisions, including expense of Scow hire and hauling the same, amounting to 353*l.* : 5 : 4, which is a fraction more than 2*s.* 2*d.* per diem for each working day.

The

The statement of this account will stand thus :—

Labour 3,148½ days,	£549 : 17 : 0½
Provisions,	353 : 5 : 4
Tools and camp equipage, work of Oxen, hay and pasturage,	118 : 17 : 9
Commission paid J. Taylor for receiving and transmitting money,	4 : 13 : 9
Building Bridges,	150 : 0 : 0
Work done by Mr. Doak,	20 : 0 : 0
Commission,	119 : 13 : 9½
	<hr/>
	£1,316 : 7 : 7½

CR

By amount of Warrants received, ...	£1,274 : 4 : 6	
Less difference between dollars received at 5s. 4d. and paid at 5s.,	79 : 12 : 9	
		1,194 : 11 : 9

The charge of Commission paid Mr. Taylor is inadmissible,

	£121 : 15 : 10½
	4 : 13 : 9

Balance due the Supervisor on this account is,

	£117 : 2 : 1½
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It appears by this Supervisor's Report, that the distance of road made by him, was about thirteen miles, and chiefly through a perfect wilderness; in which distance there were eight Bridges, averaging about ninety feet in length, one of which by actual contract cost £140: and it also appears by his Report, that the road has been cut, stumped and turnpiked, with the exception of a very small part thereof. Your Committee are therefore of opinion that this account is satisfactory.

Mr. Doak's account for the year 1827, was audited by the Standing Committee of last Session; and upon a reference to the report of that Committee, your Committee find that the balance brought by Mr. Doak as the first charge in his account was £117 : 2 : 1½, being the balance due to him after deducting the Commission charged by him, as paid to Mr. Taylor. The balance reported to be then due to him was £127 : 6 1, with which he commences his account for 1828.

The state of his account for 1828 will stand thus :—

Balance due him,	£127 : 6 : 1
Amount paid Thomas Bois, extra allowance to him, for building a Bridge in the year 1827, over Clear Water Brook, pursuant to agreement, by which Mr. Bois was to receive £49 : 10, if paid in 1827, and if not then paid, he was to receive £60; the Supervisor not having funds to pay him in 1827, was compelled to pay the extra charge for which there is a receipt attached to this account,	10 : 10 : 0
Amount for exploring a road from Miramichi River, to Fredericton, (by order of His Excellency,)	31 : 17 : 6
Charge for labour per day, and month, in which is included £10 for 2½ months hire of Oxen,	215 : 4 : 3
Amount due Alexander M'Laggan, for erecting a Bridge over Gardner's Creek, by Contract,	75 : 0 : 0
Turnpiking a Swamp,	8 : 0 : 0
A Bridge at Brown's,	20 : 0 : 0
Provisions, Tools, &c. &c.	241 : 9 : 4
Commission charged on £599 : 13 : 7,	55 : 19 : 5
	<hr/>
	£785 : 6 : 7

He credits for a warrant for defraying the expense of erecting Bridges over Clear Water Brook, and Burnt Land Brook,.....£124
Received from the Treasury,..... 200

Errors in his favour,	5 : 15 : 7
	<hr/>
	£467 : 2 : 2
Deduct,	30 : 0 : 0
	<hr/>
	£437 : 2 : 2

It

It appears by the vouchers that the amount paid for labour is 206*l.* : 14 : 1, instead of 205*l.* : 4 : 3, the amount of labour charged, after deducting the 10*l.* for Ox hire; there is therefore an error in his favour of 1*l.* : 9 : 10; the rate of labour per day is about 2*s.* : 10½*d.*, and the rate per day for provisions to the men after deducting the amount of tools, &c., included in the charge of 241*l.* : 9 : 4, is about 2*s.* : 1½, per diem, for each working day.—In the charge for Commission there also appears to be an error in his favour of 4*l.* : 5 : 7, as the sum expended appears to have been 602*l.* : 11 : 1, instead of 599*l.* : 13 : 7. The account is accompanied with the necessary vouchers, with the exception of 75*l.* for M'Laggan, and two or three small items.—The want of a voucher for M'Laggan's account may be accounted for from the circumstance of only 200*l.* out of the grant of 600*l.* being yet received.

Your Committee are of opinion that this account is also correct, with the two exceptions in his favour.

The Report being again read, was ordered to be accepted.

And further ordered, that the Report of the Standing Committee be annexed to the Report and Audit of the Provincial Auditor on those accounts.

Mr. M'Kay, from the Committee appointed to wait upon His Excellency, the Lieutenant-Governor, to know when he would be pleased to receive the House with their Address to His Excellency, on his approaching departure from the Province,—Reported, that His Excellency was pleased to say, he would communicate to the House by Message.

Mr. Partelow, from the Committee to whom was referred the accounts formerly rendered by Colin Campbell, Esq., Supervisor of the Great Road from Fredericton to St. Andrews, agreeably to an order of the House of the 7th ultimo,—Reported, that they had attended to that duty, and submitted the following:—

By a Resolution on the Journals, dated the 9th March, 1822, the Petitioner was authorized to explore the land between Fredericton and the Blockhouse, on the Oro-mocto, in order to ascertain the shortest and best route on that part of the road, between the Seat of Government and St. Andrews, the expenses of which were to be paid him by the Province. The service was performed upon very reasonable terms, and the amount, 17*l.* : 9, was charged to the Province in an account rendered March, 1824, but the Committee on public and private accounts of the Legislature at that Session, disallowed it, as well as a charge of Commission of £9 : 3 : 9, and 2*l.* : 13 : 6, for printing.

In March, 1827, without any reference to previous matters, the Auditor reported that Mr. Campbell was due the Province 50*l.* and in consequence that sum was deducted by the Committee from an account rendered by Mr. Campbell at that time for building Bridges. A rigid investigation has been made by your Committee into these accounts, and they find that the Commission deducted as an overcharge, is not correct; that they cannot find any good reason influenced the Committee in striking off the charge for exploration, and conclude they were not aware it was made by the authority of the House; and that the sum of 50*l.* has been accounted for by Mr. Campbell in a previous account with the Province.

Your Committee are therefore unanimously of opinion, that the sum of £76 : 12 : 9 is justly due Colin Campbell, Esquire, on these accounts, and respectfully recommend that provision be made in the Committee of Supply therefor.

J. R. PARTELOW,
THOMAS WYER,
THOMAS O. MILLS."

The Report being handed in at the Clerk's Table, was there again read, and ordered to be accepted.

And on motion of Mr. Partelow—Ordered, that the Report be referred to the Committee of Supply.

On motion of Mr. Chandler—The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Partelow in the Chair of the Committee.

The Chairman reported, that they had passed two Resolutions, which he read, and they being again read, at the Clerk's Table, are as follow:—

Resolved, that there be granted to Colin Campbell, Esq., £76 : 12 : 9, that amount
Cc having

having been reported as due him from the Province, to the year 1826 inclusive, by the select Committee appointed to report upon his Petition; to be taken out of the sum granted for the road from Fredericton to Saint Andrews the present Session.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, the sum of £260, to enable His Excellency to pay the rent of his residence in Fredericton for one year.

And the Chairman further reported, that the Committee having finished the business referred to them, it was resolved that the Committee do now rise.

Ordered, that the report be accepted.

On motion of Mr. Chandler—Resolved, that a Committee be appointed to search the Journals of the Honorable the Legislative Council, to ascertain what proceedings have been had on a Bill relative to Grammar Schools in this Province.

Ordered, that Mr. Chandler be a Committee for that purpose.

On motion of Mr. Crane.—The House went into Committee of the whole, on the Reports from the Provincial Auditor.

Mr. Taylor in the Chair of the Committee.

The Chairman reported, that having gone into further consideration of the business referred to them, he was directed to submit the following; which he read,

No. 12. Is the audit of accounts of Thomas Wyer, Supervisor of the Great Road from St. John to St. Andrews, for the years of 1825, 1826 and 1827. This account appears to be correct. Balance due the Supervisor of 10*l.* : 16 : 3. In this account it included the expenditure of 250*l.* from the Casual Revenue, on which the Supervisor charges no commission.

E. Is the audit of the same Supervisor's account, for the year 1828. The amount of this account is 379*l.* : 5 : 6, in which is included the above balance. The account is correct. Balance due the Province 20*l.* : 14 : 6.

Nos. 6 & 7. Are the accounts of Colin Campbell, Supervisor of the Great Road from Fredericton to St. Andrews, for the years 1823 to 1827 inclusive. These accounts are correct. Balance due the Province 16*l.* : 2 : 2.

F. Is the audit of the same Supervisor's account, for the year 1828. This account is correct and satisfactory, with the exception of the vouchers Nos. 3, 4 and 5, which do not express whether the work was done by the day, or by contract. On this account there appears to be a balance of 6*l.* : 6, due this Supervisor, which, being deducted from the balance of 16*l.* : 2 : 2, due to the Province by last account, now leaves a balance due by this Supervisor, of 9*l.* : 16 : 2.

No. 5. Is the audit of accounts of the Supervisor of the Great Road from Fredericton to St. John, via. Nerepis, by which it appears that there is a balance due the Province, of 10*l.* : 6 : 3.

G. Is the audit of the same Supervisor, shewing the expenditure of 1,225*l.* : 15 : 4. In this account the Supervisor, credits an error in the account No. 7, of 14*l.* : 15 : 9, leaving a balance now due the Supervisor, of 58*l.* : 2 : 8.

The whole of the foregoing accounts are correct and satisfactory.

The Report being handed in at the Clerk's Table, was there again read, and ordered to be accepted.

Mr. Partelow, the Committee appointed to search the Journals of the Honorable the Legislative Council, to ascertain what proceedings have been had on a Bill to alter and amend the Militia Laws.

Reported, that they found the following entry:—

“ Council Chamber, January 30, 1829.

“ Read a second time, the Bill to alter and amend the Militia Law.

On motion, Resolved, that the further consideration of this Bill be put off for three months.”

Mr. Chandler, the Committee appointed to search the Journals of the Honorable the Legislative Council, to ascertain what proceedings have been had on the Bill relative to Grammar Schools in this Province,

Reported, that they found the following entry:—

“ Council Chamber, February, 1829.

“ Read a second time, a Bill relative to the Grammar Schools.

“ On motion, Resolved, that the further consideration of this Bill be put off three months.

“ And

“ And further resolved, that the Council concur in opinion with the House of Assembly, that the provisions made by the Legislature for the support of Grammar Schools are larger than the present circumstances of the Country will admit; and being also further of opinion that the inhabitants of the respective Counties, who are desirous of having Grammar Schools established, should contribute towards the support of the same, they will at all times be ready to concur in a Bill to introduce retrenchment in the present system, provided such Bill is perpetual.”

Mr. Scott, the Committee appointed to search the Journals of the Honorable the Legislative Council, to ascertain what proceedings have been had on a Bill to enable Defendants to enter pleas by themselves,

Reported, that they found the following entry :—

“ Read a second time, a Bill to enable Defendants to enter Pleas by themselves.

“ On motion, resolved, that the further consideration of this Bill be put off for three months.”

On motion of Mr. Chandler—Ordered, that the House, do to-morrow, go into Committee of the whole, upon the re-commitment of a Bill for the Endowment of King's College at Fredericton, in the Province of New-Brunswick.

Read, as engrossed, the Resolutions of Appropriation of the 4th instant.

Ordered, that Mr. Humbert take the said Resolutions to the Council, and desire their concurrence thereto.

On motion of Mr. Crane.—The House went into Committee of the whole, on the Report from the Standing Committee of Public and Private Accounts, upon the accounts of Robert Doak, Supervisor of the Great Road from Fredericton to Newcastle.

Mr. Wyer in the Chair of the Committee.

The Chairman reported, that having gone into consideration of the matter referred to them, they had passed two Resolutions, which he read, and are as follow :—

1. Resolved, that the several accounts of the Supervisor, Robert Doak, Esquire, as reported by the Standing Committee, upon Public and Private Accounts, are satisfactory, except that charge of 30*l.* granted by His Excellency in consideration of Services, during the year 1827, which being deducted, leaves a balance of 437*l.* : 2 : 2, due him.

2. And further resolved, that the Supervisor do furnish an inventory of the Tools and Camp Equipage now under his charge, and that the same accompany his next report and account.

The Resolutions being again read were agreed to by the House.

Ordered, that the report be accepted.

On motion of Mr. Cunard—“ Whereas this House fully concur in the views stated in the Resolution entered upon the Journals of the 6th February, 1826, as to the importance of establishing Light Houses in proper situations on the coasts of His Majesty's North American Colonies, and more especially upon St. Paul's Island at the entrance of the Gulf of St. Lawrence; and whereas the trade of Canada, and Prince Edward's Island, would participate largely in the benefits which must arise from the erection of a Light House on St. Paul's Island :—

“ Therefore resolved unanimously, that an humble address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency would be pleased to announce to the Government of the said Provinces of Canada and Prince Edward's Island, that this House will contribute its fair proportion towards the erection of a Light House at the place aforesaid, and will also agree to an Act to levy a duty, at the rate of not exceeding one penny half penny per ton, upon all vessels entering the ports of this Province within the Gulf of St. Lawrence, or Straights of Northumberland, provided a like duty be imposed upon all vessels entering at the several Ports in Canada or Prince Edward's Island, for the purpose of maintaining that Light House; and provided also that any surplus of those duties that may accrue, after paying the expense of erecting and maintaining such Light House, shall be applied towards the building and supporting of other establishments of a similar nature, within the Gulf of St. Lawrence: And further resolved that His Excellency be requested to apply to the proper authorities of the Mother Country, for aid towards erecting and maintaining these establishments, so essential to the shipping interests of the Empire.”

Ordered, that Mr. Cunard, Mr. Wyer, and Mr. Ward, be a Committee to wait upon His Excellency with the Address.

The House adjourned until to-morrow morning, at 10 o'clock.

FRIDAY, 6th FEBRUARY, 1829.

Prayers.

Read, as engrossed, the Resolutions of Appropriation of the 5th instant.

Ordered, that Mr. Harrison take the said Resolutions to the Council and desir their concurrence thereto.

Mr. Campbell, from the Joint Committee of the Council and House of Assembly to wait upon His Excellency the Lieutenant-Governor, with the Address to be laid before His Majesty, praying an amendment of the Act of Parliament for the naturalization of Aliens, and to request His Excellency would be pleased to transmit the same: Reported, that they had, with the Committee of the Council, waited upon His Excellency, and he was pleased to say, he would, with much pleasure, lay the Address before His Majesty.

On motion of Mr. Chandler.—The House, according to the order of the day, went into Committee of the whole, in further consideration of a Bill for the Endowment of King's College, at Fredericton, in the Province of New-Brunswick.

Mr. Clarke in the Chair of the Committee.

The Chairman reported, that they had made further amendments thereto, and agreed to the Bill under the title of a Bill for the Endowment of King's College, at Fredericton, in the Province of New-Brunswick; and also to make new provisions for the establishment and support of Grammar Schools, throughout the Province.

A Message from His Majesty's Council.

Mr. Bliss, Master in Chancery, informed the House that the Council had agreed to a Bill to repeal certain provisions of an Act to continue until the 1st day of April, 1830, certain Acts providing for the more effectually repairing the Streets and Bridges in the City and County of St. John, and to amend the same, with amendments; to which they request the concurrence of the House.

And that he was directed further to inform the House, that the Council had agreed to the Resolutions of Appropriation, dated 31st January, 1829, excepting that granting 678*l.* : 12 : 5, to reimburse the Overseers of the Poor, of St. John and Portland, for sums advanced to distressed Emigrants and Black Refugees; and that granting 16*l.* : 7 : 1, to reimburse the expenses incurred in Chatham, in support of transier Poor.

And to communicate to the House the following Resolution:—

“Resolved, that the Council are willing to concur in a grant to the Overseers of the Poor for St. John, or Portland, for expenses incurred by them for the relief of Black Refugees, and also in a grant for the relief and support of sick and indigent Emigrants generally, as granted in 1828.”

On motion of Mr. Chandler.—The House went into Committee of the whole, in further consideration of the Message from His Excellency the Lieutenant Governor relative to Customs Salaries.

Mr. McKay in the Chair of the Committee.

The Chairman reported, they had made further progress therein, and that he was directed to ask leave to sit again. Which was granted.

The House adjourned until to-morrow morning, at 10 o'clock.

SATURDAY, 7th FEBRUARY, 1829.

Prayers.

Upon the question for the 3d reading of a Bill for the Endowment of King's College, at Fredericton, in the Province of New-Brunswick, and also to make new provisions for the establishment and support of Grammar Schools, throughout the Province:

The House divided,

YEAS.

Mr. Crane,
Parker,
Ward,

NAYS.

Mr. Harrison,
Ketchum,
Rankin,

Mr

YEAS.
*Mr. Barlow,
Partelow,
Weldon,
Taylor,
M'Kay,
Hayward,
Chandler,
Cunard,
Clarke,*

NAYS.
*Mr. Munro,
Dow,
Freeze,
Wyer.*

It was carried in the affirmative.

The Bill was thereupon read a third time and passed.

Ordered, that Mr. Parker take the said Bill to the Council, and desire their concurrence thereto.

The House went into Committee of the whole, in further consideration of the Message from His Excellency the Lieutenant-Governor, upon the subject of the Customs Salaries.

Mr. M'Kay in the Chair of the Committee.

The Chairman reported, that in the Committee, it was resolved, that he should leave the Chair.

A Message from His Majesty's Council.

Mr. Bliss, Master in Chancery, informed the House, that the Council had agreed to the Resolutions of Appropriation, dated 4th and 5th February, 1830.

Mr. Rankin, by leave, presented a Petition from Alexander Fraser, junior, and others, Freeholders of the County of Northumberland, complaining of an undue Election and return for the said County, and praying for a scrutiny, to take place between Joseph Cunard, Esquire, the Sitting Member, and James D. Fraser, a candidate at the said Election, held in and for the said County. Which he read.

Ordered, that the said Petition be received, and lie on the table.

And on motion of Mr. Rankin.—Resolved, that the House will go into consideration of the said Petition of Alexander Fraser, junior, and others, praying for a scrutiny, between Joseph Cunard, Esquire, and James D. Fraser, on the 7th day after the opening of the next Session, of the Legislature, and that lists of objectionable votes be exchanged at the Register's Office, in Newcastle, on the 1st Monday in September next, at 12 o'clock, and that the Petitioners do furnish, at the same time, the said Joseph Cunard, Esquire, with a copy of the said Petition.

Ordered, that Mr. Cunard be added to the Committee appointed the 12th January last, to take under their consideration so much of His Excellency the Lieutenant-Governor's Speech, at the opening of this present Session, as relates to Light Houses, and to report at this or the next Session.

On motion of Mr. Partelow.—The House proceeded to take into consideration the amendments made by the Council to a Bill to repeal certain provisions of an Act, to continue, until the 1st day of April, 1830; certain Acts providing for the more effectually repairing the Streets and Bridges in the City and County of St. John, and to amend the same.

The said amendments being read, and the question put for passing the same, the House divided,

YEAS.
*Mr. Partelow,
Barlow,
Taylor,
Weldon,
Miles,
Munro,
Ketchum.*

NAYS.
*Mr. Parker,
Chandler,
Cunard,
Crane,
Allen,
Hayward,
Ward,
Clarke,
Wyer,
Dow.*

Thereupon, Resolved, that the House do not concur therein.

On motion of Mr. Taylor.—The House went into Committee of the whole, in further consideration of a Bill to appropriate a part of the Public Revenue for the services therein mentioned.

Mr. Partelow in the Chair of the Committee.

The Chairman reported, they had agreed to the Bill without making any amendments thereto.

Ordered, that the report be accepted, and the Bill engrossed.

On motion of Mr. Partelow.—“Resolved unanimously, that this House deeply lament that the proposal of His Majesty’s Government, on the settlement of the Custom House question, as communicated by His Excellency’s Message of the 27th ultimo, cannot be complied with.

“That the House, in unanimously coming to this determination, do it upon the principle, that the House of Assembly, are the sole constitutional judges of the proper compensation to be afforded Public Officers, when their salaries are to arise from taxation within the Province; and that although the House are well satisfied of the necessity of making proper provision, for Officers of the Customs, and will be at all times ready to appropriate a reasonable sum for that purpose, when the Revenues are left to the disposal of the Legislature; yet they feel bound to say, that the scale now proposed is far beyond what the circumstances of the Country, will admit; and out of all proportion to the allowances made for similar services, by the General Assembly.

“That the House deem it their imperative duty, again to express their opinion, that although, the abolition of fees, has greatly tended to relieve the coasting trade of the Country; yet that the principal benefit, derived from such abolition, have been enjoyed by the British Shipping coming to the Province, from which the Custom House Establishment was in a great measure supported.”

Mr. Chandler, from the Joint Committee of the Council, and House of Assembly, to prepare an address to His Majesty, upon the present system, of disposing of the Crown Lands; reported, they had prepared an address, which he read, and it being handed in at the Clerk’s table, was there again read.

The House adjourned until Monday morning next, at 10 o’clock.

MONDAY, 9th FEBRUARY, 1829.

Prayers.

Read a third time, as engrossed,

A Bill to appropriate a part of the Public Revenue to the payment of the services therein mentioned.

Resolved, that the Bill do pass.

Ordered, that Mr. Taylor carry the said Bill to the Council and desire their concurrence thereto.

Mr. Cunard, from the Committee appointed to wait upon His Excellency, the Lieutenant-Governor, with the Address relative to a Light House to be erected on Saint Paul’s Island, on the Gulf of St. Lawrence, Reported, that they had attended to that duty; and that His Excellency was pleased to say, he would with much satisfaction, announce to the Governments of Canada and Prince Edward’s Island, that the House will contribute its fair proportion towards the erection of a Light House on Saint Paul’s Island; and that he would likewise apply to the proper authorities of the Mother Country, for aid towards erecting and maintaining an establishment, so essential to the shipping interests of the Empire.

The House in Committee of the whole, went in consideration of the Joint Address of the Council and House of Assembly, to His Majesty, upon the subject of the Crown Lands System.

Mr. Crane in the Chair of the Committee.

The Chairman reported, that they had made progress therein, and that he was directed to ask leave to sit again.

Leave granted.

On motion of Mr. Wyer—Resolved, that an humble Address be presented to His Excellency

Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to direct to be laid before the House at the next Session, an account of all seizures made by the Revenue Cutters Elizabeth and Defiance; and also particular statements of the charges incurred in securing the same, the costs of condemnation, and the manner in which the nett proceeds of such seizures have been disposed of.

Ordered, that Mr. Wyer, Mr. Dow and Mr. Rankin, be a Committee to present the said Address.

Mr. Crane, from the Committee appointed to examine and report upon the Treasurer's Accounts, submitted the following, to correct an error in their second Report, relative to the account of expenses incurred for protection of the Revenue for 1827.

“ By their said Report, they observe, that in the abstract of Warrants paid previous to the 20th October last, the sum of £1000, granted in 1827, has been paid for the protection of the Revenue, but no account has been furnished shewing the expenditure of the same. Upon reference to the Journals of last Session your Committee find, that that account had been before the House and reported upon by the Committee of that Session, but being mislaid your Committee was induced to believe that no account had been furnished.

“ Your Committee also beg leave to report, that they have had under consideration an account submitted to them by the Executors of the late Treasurer, shewing a balance of £418 : 6 : 7, in favour of the late Treasurer, in account current with the sick and disabled Seamen's Fund account.

“ It is stated that this balance arises from an excess having been collected at the Out Bays, over and above the amounts paid at the same places, and the whole amounts collected and paid throughout the Province having been included in one general account by the Treasurer without such excess having been remitted to him;

“ The following is a list of the balances so stated to be due by the different Deputy Treasurers :—

At Miramichi, 1st January, 1826,.....	£205	:	0	:	1
„ St. Andrews, „	49	:	17	:	10
„ Richibucto, „	196	:	6	:	8
„ West Isles, 1st January, 1825,.....	18	:	5	:	6
„ St. Peters, „	78	:	6	:	4
„ Shediac, 1st January, 1826,.....	99	:	10	:	0

£637 : 6 : 0

“ Your Committee have no means of ascertaining whether or not these balances have been paid by the said Deputy Treasurers to the Province Treasurer. They therefore recommend that the said Deputy Treasurers be required to furnish accounts at the next Session of the Legislature, shewing how these balances have been accounted for.

W. CRANE,
WM. TAYLOR,
ALEX. RANKIN,
JOHN WARD, JUN.,
THOMAS BARLOW.

Mr. Chandler, by leave, presented a Petition from Richard S. Clarke, Esq., High Sheriff of the County of Northumberland, praying to be heard at the Bar of the House, touching charges against him, for his conduct at the last Election for the County of Northumberland, which he read.

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

Resolved, that this House will, on the 14th day of the next Session, go into consideration of the Petition of Richard S. Clarke, Esq., High Sheriff of the County of Northumberland, praying that he may be heard at the Bar of this House, touching certain charges made against him in the Petition of Alexander Fraser, and others, and complaining of his conduct in conducting a Scrutiny at the late Election in the said County.

Mr. Secretary Odell, by command of His Excellency the Lieutenant-Governor, laid before the House, a Statement of Warrants issued for the payment of Bounties on Grain raised in the several Counties in this Province, from 1817 to 1827, inclusive, by which it appears that for the ten Years, ending with the Year 1826, the following

Bounties

Bounties have been paid for Grain raised on new Land, in the undermentioned Counties, viz :—

York County,	£9336	: 12	: 4
Kings,	6860	: 1	: 6
Westmorland,	2904	: 1	: 8
Queens,	1201	: 15	: 10
Charlotte,	580	: 19	: 9
Saint John,	278	: 15	: 6
Sunbury,	103	: 1	: 5
Northumberland,	42	: 1	: 10
	£20,807	: 9	: 10

And likewise a statement of Warrants drawn on the Province Treasury, for Bounties on Fish, from 1817 to 1827, inclusive, (vide statement.)

TUESDAY, 10th FEBRUARY, 1829.

Prayers.

On motion of Mr. Chandler—The House went into Committee of the whole, in further consideration of the Joint Address of the Council and Assembly, to His Majesty upon the subject of the disposing of Crown Lands.

Mr. Crane in the Chair of the Committee.

The Chairman reported, they had agreed to the Address without any amendment thereto, and that he was further directed to Report, that the Committee had passed the following Resolution :—

Resolved, that this Committee, deeming it a matter of the utmost importance to the future welfare of the Province, that the present system for the Sale of Crown Lands should be annulled, are induced to accede to the proposed draft of the Address to His Majesty on the subject, though the Committee cannot but express their extreme regret that His Majesty's Council object to the addition of a clause, praying that His Majesty will be graciously pleased to permit the Legislature to suggest some alterations in the former System, before the same is permanently re-established, this Committee thinking that improvements may be made therein, equally beneficial to the interests of His Majesty in this Province.

The Resolution being handed in, was again read at the Clerk's Table.

Ordered, that the report be accepted, and the Address engrossed ; and further ordered, that Mr. Chandler, inform His Majesty's Council, that the House have agreed to the joint Address.

And on motion of Mr. Chandler—Resolved, that an humble Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to bring under the notice of His Majesty's Government the wishes of this House, respecting the adopting a system for the granting of Crown Lands in this Province, as expressed in the Resolution of the Committee of the whole House this day.

Ordered, that Mr. Chandler, Mr. Parker, and Mr. Ketchum, be a Committee to wait upon His Excellency with the Address.

Mr. Speaker informed the House, that a communication had been made to him from His Excellency the Lieutenant-Governor, by his Private Secretary, that he would receive the Address from the House upon his departure from the Province, at 3 o'Clock, this day, in the Council Chamber.

A Message from His Majesty's Council.

Mr. Bliss, Master in Chancery, communicated to the House that the Council had agreed to the Address prepared by the Joint Committee of the Council and Assembly, on the subject of the present system of disposing of the Crown Lands ;—and that they had appointed Mr. Shore, and Mr. Justice Botsford, a Committee with such Committee as the House shall appoint to wait upon His Excellency the Lieutenant-Governor, and request he will be pleased to transmit the same to be laid before His Majesty.

Ordered, that Mr. Chandler, Mr. Munro, Mr. Taylor, and Mr. Hayward, be a Committee to join a Committee of the Council, to wait upon His Excellency with the joint

*Statement of Warrants drawn on the Province Treasury, for Bounties on Fish,
from 1817 to 1827, inclusive.*

NAMES.	DATE OF WARRANT.	SUM.	TOTAL.
	1816.		
Stephen Fountain, — — —	Dec. 20th,	£ 90	
	1817.		
James Paul, — — — — —	May 28th,	59	
John M'Leod, — — — — —	June 3d,	96	
John Webster, — — — — —	16th,	79	
William Frankland, — — — —		50	
Joshua Hughson, — — — —	Nov. 14th,	72	
George D. Berton, — — — —		44	
	1818.		
Thomas Millidge, — — —	Jan. 8th,	100	£490 0 0
ditto, — — — — —		57	
ditto, — — — — —		120	
ditto, — — — — —		129	
ditto, — — — — —		37	
John M. Wilmot, — — — —		95	
ditto, — — — — —		51	
ditto, — — — — —		59	
ditto, — — — — —		54	
Zalmon Wheeler, — — — —		52	
ditto, — — — — —		79	
Cravan Calvery, — — — —		146	
James Drake, - - - - -	April 20th,	30	
Thomas Johnston, - - - - -	28th,	99	
Levi Handy, - - - - -		107	
Robert P. Stewart - - - - -		118	
William Black, - - - - -	July 7th,	48	
	1819.		
Brig Peggy - - - - -	July 24th,	145	1371 0 0
Schooner Flying Fish, - - -		118	
John Ingalls, - - - - -		44	
Schooner Messenger, - - -		101	
„ Lady Sherbrooke, - - -		99	
„ Friendship, - - - - -		51	
Sloop Sophia, - - - - -		90	
Wm. W. Franklin, - - - - -		50	
Schooner Three Brothers, -		90	
James Drake, - - - - -		30	
Schooner Compact, - - - -	Aug. 28th,	97	
„ Friendship, - - - - -		37	
„ Mary Ann, - - - - -		100	
Brig Mary Ann, - - - - -	Dec. 18th,	111	
„ May Flower, - - - - -		145	
Schooner Lively - - - - -		30	
	1820.		
„ L'Abdere - - - - -	Jan. 27th,	120	1338 0 0
„ Three Brothers, - - - -		91	
„ Compact, - - - - -		97	
„ Minerva, - - - - -	Feb. 26th,	31	
Sloop Catharine, - - - - -		50	
„ Albina and Augusta, - -		59	
„ Christopher, - - - - -		63	
Schooner Industry, - - - -		38	
„ Friendship, - - - - -		51	
„ Hopewell, - - - - -		126	
Brig Ruby, - - - - -		100	
Schooner Lively, - - - - -		30	
			856 0 0
Carried forward,			£4,053 0 0

Brought forward, £4,055 0 0

	1820.		
John Ingalls, - - -	May 19th,	£ 44	
Schooner Martin, - - -	23rd,	80	
Warren Hatheway, - - -	June 19th,	71	
	1821.		145 0 0
Alexander Johnston - - -	June 25th,	128	
William M'Leod, - - -		48	
John Ingalls, - - -		44	
John M'Neil, - - -	26th,	97	
Robert and John Wilson, - - -		38	
Walter Drake, - - -		68	
Alexander Rankin, - - -	27th,	63	
James Drake, - - -	Aug. 23rd,	30	
Charles Guay, - - -		120	
Isaac L. Bedell, - - -		91	
Brig Mary Ann, - - -		111	
	1822.		828 0 0
Munson and Wm. Jarvis, - - -	Feb. 5th,	51	
" " " " - - -		38	
John Ingalls, " - - -		44	
John Wright, - - -		63	
James Whitney, - - -		79	
Warren Hatheway, - - -		71	
James M'Kenney, - - -		112	
John M'Neil, - - -		97	
James Buchanan, - - -		112	
William Fisher & William Green,		31	
Schooner Mary, - - -	April 4th,	49	
" Friendship, - - -		51	
" Industry, - - -		38	
" Five Sisters, - - -		45	
Messrs. Hamptons, - - -	June 29th,	54	
Warren Hatheway, - - -	Nov. 11th,	159	
Benjamin Woodberry, - - -	16th,	30	
John M'Kenny, - - -		112	
William M'Gee & D. Keltie,		73	
J. Scott & John M'Neill, - - -		97	
Charles Guay & J. Sherlock,		60	
John Ingalls, - - -	28th,	44	
Samuel Backnam, - - -	Dec. 11th,	112	
Alexander Foster, - - -	27th,	42	
James Long, - - -		49	
James Drake, - - -		80	
	1823.		1748 0 0
Jacob Maybee, - - -	Jan. 15th,	134	
H. Gilbert and others, - - -	Feb. 11th,	54	
John M. Wilson, - - -		38	
John Appleby, - - -		44	
do. do. - - -	April 25th,	44	1822.
Hiram Betts, - - -	Aug. 18th,	30	1821.
William Vaughan, - - -		30	
William Green & W. Fisher,		31	
Samuel Buchanan, - - -	23rd,	112	
	1824.		517 0 0
George D. Berton, - - -	Feb. 24th,	45	
John Ingalls, - - -		44	
Charles Guay & John Sherlock,		60	
John Wilson, - - -		38	
John M'Kinney, - - -		112	
John Scott and John M'Neil,		97	
William Andrews, - - -		48	
			444 0 0

Carried forward, £7,732 0 0

Brought forward, £7,732 0 0

		1824.					
Elisha Andrews,	-	Feb. 24th,	£ 78				
James Paul,	-		59				
Cadwallader Curry,	-		81				
John Hewey,	-		55				
William Cummings,	-		56				
Jonathan Foster and others,	-		97				
William Green and W. Fisher,	-		31				
Henry Neil,	-	Sept. 20th,	37				
Dennis Sullivan,	-		36				
William Taylor,	-		30				
					560 0 0		
		1825.					
James Frost,	-	Jan. 22nd,	72				Nova Scotia.
Nathan Goodwin,	-		32				do.
Charles G. Coffin,	-		67				do.
Elisha Payson,	-		62				do.
John M. Farlan,	-	24th,	30				
Jas. Fox and Jonathan Masters,	-		47				
Daniel Wilson and Jas. Brown,	-		31				
Sam. Strange & R. Pangbourne,	-		64				
John Hendrick and others,	-		44				do.
Levi Nickerson and others,	-		102				
Peter Smith,	-		31				
George Bingay,	-		41				do.
Elisha Andrews,	-		78				
Benjamin Bingay,	-		42				do.
					743 0 0		
James Drake,	-		30				
Moses Nickerson and others,	-		39				
Charles Bellivon,	-		32				do.
Francis Bonegne and others,	-		69				do.
Colin Campbell, (of Shelburne),	-	28th,	35				do.
do.	do.		39				do.
William Brown, (of Yarmouth),	-		94				do.
George Leonard,	... ..		42				
John Ingalls	... ..		44				
Charles H. Hatheway,	... ..		56				
Dennis Lenahan,	... ..	April 11th,	79				do.
James Paul,	... ..		59				
Reubin Larkin,	... ..		84				do.
Samuel Reynolds,	... ..		88				do.
William M. Gee,	... ..		73			1823.	do.
ditto,	... ..		78			1824.	do.
Thomas P. Haycock,	... ..		84				do.
John Kenney,	... ..		38				do.
David Hendricks,	... ..		33				do.
John Bingay,	... ..		56				do.
					1092 0 0		
John Wilson,	... ..		38				
John Good,	... ..	Oct. 30th,	44				
Peter Smith,	... ..		31				
Wilford Fisher,	... ..		31				
Jacob Teaford,	... ..	Dec. 19th,	40			1824.	do.
James Frost,	... ..		72				do.
Philip D. Entremont,	... ..		48				do.
James Whitney or John Duskie,	... ..		31				do.
Ephraim Larkin,	... ..		40				do.
Charles D. Entremont,	... ..		31				do.
John Hendrick,	... ..		44				do.
Charles G. Coffin,	... ..		67				do.
Theodore Harding, ... 1st ...	... ..		33				do.
					550 0 0		
Carried forward					£10,677 0 0		

		Brought forward,	£10,677 0 0	
		1825.		
John Carr,	... ..	Dec. 19th,	£40	
J. W. Wilson & Robert Wilson,			38	
Elias Banks,	... ..		36	
George Leonard,	... ..		42	
James Wilson and others,	... ..		48	
Daniel Wilson and Jas. Brown,			31	
Wilford Fisher,	... ..		52	1825.
Wm. Brown,	... ..		94	
		1826,		
Albert G. Robison,	... ..	Jan. 6th,	30	
Colin Campbell, jun.	... ..	Jan. 7th,	35	Nova Scotia.
ditto, ditto,	... ..		39	do.
ditto, ditto,	... ..		56	do.
John Ingalls,	... ..		83	
Benjamin M'Kenney,	... ..	23rd,	34	do.
John M'Farlane,	... ..		30	
Samuel Reynolds,	... ..	Feb. 7th,	83	do.
Obadiah Wilson,	... ..		55	do.
Reubin Larkin,	... ..		84	do.
Charles Bellivon,	... ..		32	do.
David Swain,	... ..		73	do.
Thomas Crowell,	... ..		55	do.
Robert Eastman,	... ..		65	do.
Jacob Bradshaw and Wm. Vail,		Feb. 7th.	36	
William Cunningham,	... ..		52	do.
Obadiah, Wilson,	... ..		78	do.
Jethro Covell,	... ..		50	do.
Ebenezer Crowell,	... ..		49	do.
Nathan Goodwin,	... ..		32	do.
Ebenezer Scott,	... ..		83	
John Ingalls,	... ..		44	
John Bingay,	... ..	March 2d,	67	do.
ditto,	... ..		57	do.
Benjamin Bingay,	... ..		67	do.
ditto,	... ..		42	do.
Stephen Smith,	... ..		41	
Thomas L. Nicholson,	... ..		71	
John Appleby,	... ..		51	
John & Nehemiah Crowell,	... ..	April 6th,	35	do.
Joseph White and others,	... ..		37	do.
E. Barlow and others,	... ..		26 19 4	Additional Bounty.
John Kenney,	... ..	Sept. 9th,	45	Nova Scotia,
Peter Smith,	... ..	18th,	31	
Aram Smith,	... ..	Oct. 16th,	39	
George Leonard,	... ..	Nov. 6th,	42	
Joseph Banks,	... ..	18th,	36	
John Crowell and others,	... ..		44	do.
James Drake,	... ..	23d,	30	
David Shey,	... ..	Dec. 7th,	37	
John Good,	... ..		44	
Charles Pinkey and others,	... ..		40	do.
Reubin Larkin,	... ..		84	do.
Benjamin Bingay,	... ..	28th,	42	do.
		1827.		
Samuel Reynolds,	... ..	Jan. 18th,	83	do.
Eleazer H. Swain,	... ..		65	do.
Knowles Reynolds,	... ..		42	do.
David Swain,	... ..		73	do.
Benjamin M'Kenney,	---		34	do.
			297 0 0	
Carried forward,			£18,541 19 4	

		Brought forward.	£13,541 19 4		
		1827.			
Joel Ingersol, — —	— —	Jan. 24th,	£52		Nova Scotia.
Nathan Goodwin, — —	— —	29th,	32		
John Ingalls, — —	— —	Feb. 9th,	44		do.
Abijah Crowell, — —	— —		31		do.
William Cunningham, — —	— —		52		
				211 0 0	
Peter Degrace, — —	— —	26th,	32		do.
John Pindlebury, — —	— —	Aug. 31st,	30		
James and John Johnston, — —	— —	Nov. 6th,	49		
Benjamin Bingay, — —	— —	17th,	42		do.
Joseph Banks and others, — —	— —		36		
William Kenney and others, — —	— —		38		do.
William Brown, — —	— —		80		
Josh. Abbott and others, — —	— —	24th,	42		
Benjamin M'Kenney, — —	— —	26th,	34		do.
James Wilson, Senior, — —	— —		48		
John Ingalls, Senior, — —	— —		88		
do. do. — —	— —		44		
Charles Pinckney, — —	— —		40		do.
James Hobbs, — —	— —		75		do.
Winthorp Sergeant, — —	— —		31		do.
Thomas Ruggles & J. Crowley, — —	— —		32		do.
James Spinney, — —	— —		38		do.
				769 0 0	
John and Stephen Larkin, — —	— —	Nov. 26th,	30		do.
Edward Crowell, — —	— —		40		do.
David Shea, — —	— —		37		
Jethro Covell, — —	— —		48		do.
Thomas Sandall & J. D. Seeley, — —	— —		64		
Knowles Reynolds & others, — —	— —		42		do.
James Frost, — —	— —	Dec. 4th,	41		do.
John C. Crowell and others, — —	— —	12th,	30		do.
Seth Coffin, jun., and others, — —	— —		58		do.
William Cunningham, — —	— —		52		do.
Prince Smith, — —	— —		39		
				481 0 0	
		1828.			
John Price, — —	— —	Jan. 25th,	49		
Henry Stewart, — —	— —		30		
David Swain, — —	— —		83		do.
Eleazer H. Swain, — —	— —		64		do.
David Swain, — —	— —		78		do.
Enoch West, — —	— —		56		do.
Reubin Larkin, — —	— —		84		do.
Benjamin Gondy, — —	— —		40		do.
Jacob Ingersoll, ...	...		52		
Wilford Fisher, ...	...		31		
Dominicus Goodwin, ...	...		41		do.
James Campbell, jun., ...	...	March 17,	37		
Schooner Shepherd, — —	— —		37		
Henry, — —	— —		30		do.
Add'l Bounties per Schedule, — —	— —	28th,	48	9 0	
Hugh Johnston, jun., & others, — —	— —		45		
John Price & others, — —	— —	May 13th,	49		
				844 9 0	
Total,			£15,847 8 4		

joint Address upon the subject of the system of Crown Lands, and to request that His Excellency will transmit the same.

And further ordered, that Mr. Chandler acquaint the Council with the appointment.

Mr. Wyer, from the Committee appointed to wait upon His Excellency the Lieutenant-Governor, with the Address of yesterday, praying that His Excellency would be pleased to direct to be laid before the House an account of Seizures made by the Revenue Cutters Elizabeth and Defiance, and the manner in which the seizures have been disposed of, reported, that His Excellency was pleased to say he would direct the proper Officers to lay the necessary information before the House at the opening of the next Session.

On motion of Mr. Taylor.—Resolved, that the Clerk be authorized during the recess, to have the Assembly Room carpeted, and also to have the desk extended, and altered in form, so as to afford sufficient room for all the Members, and that this House will make provision for payment of the expense.

The Joint Address of the Council and House of Assembly to His Majesty upon the subject of the present system of disposing of Crown Lands, was read, as engrossed, and agreed to, and is as follows :—

TO THE KING'S MOST EXCELLENT MAJESTY.

The joint and humble Address of His Majesty's Council, and the House of Assembly, of His Majesty's Province of New-Brunswick, in General Assembly convened.

MAY IT PLEASE YOUR MAJESTY.

THE Council and House of Assembly of His Majesty's loyal Province of New-Brunswick, beg leave, with sentiments of the most profound respect, to approach your Majesty on a subject, that most seriously concerns the settlement and advancement of the Province.

They beg leave most humbly to submit for your Majesty's most Gracious consideration, that by the return of the Commissioner of Crown Lands, it appears that he has sold under the new System of disposing of the Crown Lands in this Province, between the 30th day of June, in the year 1827, and the 31st December last, 187,336 acres, for which there has been received in payment, the sum of *nine hundred and sixty-five pounds sixteen shillings and fourpence* only ; that from this sum the incidental expenses attending the Sales, amounting to *five hundred and three pounds eighteen shillings and eightpence*, are to be deducted, leaving the sum of *four hundred and sixty-one pounds seventeen shillings and sevenpence*, as the nett amount of the purchase money.

That this sum, together with the deposits which have been made by purchasers, on account of survey expenses, amounting to *forty-nine pounds ten shillings*, are not sufficient to defray the expenses incurred in the Surveyor-General's Department for the surveys, made under the new system, pursuant to his directions, amounting to the sum of *six hundred and sixty-one pounds nine shillings*, and which have been allowed out of the Casual Revenue.

That altho' the lots have been sold subject to a proportionate part of the expenses of survey, it is reasonably to be inferred from the indulgence shewn to purchasers, many of whom are in indigent circumstances, that the payment of these expenses in many instances, will be evaded.

The Council and Assembly humbly conceive, that the above statement is sufficient to shew, how vain must be the expectation of raising a Revenue from the sale of Crown Lands in this Province ; while on the other hand, the injuries eventually to arise from a system, so eminently calculated to demoralize the people, and to sap the foundation of all those political obligations, which would bind them to the Mother Country, are abundantly manifest to all who are conversant with the condition of New-Brunswick.

Altho' there may not be on the lands so sold, any considerable quantity of Pine Timber, fit for His Majesty's use, yet there is in all of them an abundant supply of very valuable Timber of other descriptions ; which, by the mode now pursued, is permitted to be monopolized by the people indiscriminately, without any value paid therefor to the Crown, or any security that the actual settlement of the Country will be advanced ; for it is well and publicly known, that in many instances, this monopoly is the object of the Purchasers, who, when they shall have attained it, and disposed of the Timber, will abandon the land denuded of most, if not all, of its present value, and thereby rendered unfit for settlement by others. The Purchasers will be thus trained to practice deliberate fraud

fraud upon the Government, by eluding the payment agreed on, and some of the most valuable lands in the Country, by pursuing this system, which permits them to occupy the same for seven years free of expense, either of quit rent or purchase, independently of the injury to be done to them, will be locked up from settlement, and thus deprive Emigrants who may arrive here, as well as the descendants of those loyal men, whose firm attachment to their King, led them to encounter the hardships incident to the first opening of the wilderness, from obtaining locations in situations where they would be willing or able to form permanent settlements.

Instead of a loyal, industrious, and sturdy Yeomanry, when lands are held in free and common soccage, and who would feel and maintain that spirit of determined loyalty to the King, and firm attachment to the British Constitution, which led to the first settlement of this Province, and which if cherished and supported, would render New-Brunswick a highly valuable appendage of the British Crown, the new system will be the means of raising up a class of men, who, are of idle habits in general, and stand low in the public estimation, and who, holding their lands by a temporary and precarious tenure, would take advantage of the first opportunity of placing themselves under a foreign jurisdiction, upon a promise of being secured in their possessions without payment; a promise which will be readily made by our neighbours upon any fit occasion that may offer.

The means heretofore in the power of the Governor and Council, and used by them for ascertaining the characters and condition of the persons to whom allotments of land were made, are by the present system entirely done away; as all persons, of whatever description, are indiscriminately permitted to purchase, and tracts of the most valuable land are thrown, it may be said, gratuitously into the hands of persons who will yield to the temptations above stated.

That in the opinion of the Council and Assembly, the great and increased expense of taking out a Grant of Land under the new system, and the restraint which it imposes on the settler, by compelling him to purchase a Lot not the object of his choice, which is in general influenced by some local cause, have retarded the settlement of the Country. In confirmation of this fact they beg leave humbly to state, that in the years 1825 and 1826, two hundred and sixty-two Grants of Land, comprising five hundred and six Grantees, were passed, while under the new system, no Grants have as yet passed, and only nine have been applied for.

That in this Province there are many millions of acres of wilderness lands, upon the settlement of which the future prosperity of the Country must depend: That in the opinion of the Council and Assembly, no circumstance could contribute more to the accomplishment of this important object, than facility in obtaining a Grant of Land, and at low and moderate expense. The Council and Assembly, grateful for the many blessings they enjoy under your Majesty's paternal Government, which is distinguished for its solicitude to promote the prosperity and happiness of any part of your vast Empire, however remote its situation; most humbly pray that your Majesty will take into your most Gracious consideration, the present system of disposing of the Crown Lands, by sale, and to grant such relief in the premises as to your Majesty, in your great wisdom, shall seem meet.

W. BOTSFORD,
E. B. CHANDLER,
JOSEPH CUNARD,
W. CRANE,
J. R. PARTELOW.

Mr. Chandler, from the Committee to wait upon His Excellency the Lieutenant-Governor, with an Address, praying His Excellency would be pleased to bring under the notice of His Majesty's Government, the wishes of the House, as expressed in a Resolution of this day, respecting the adopting a system for the granting of Crown Lands, reported, that His Excellency was pleased to say, he would most certainly comply with the wishes of the House.

Mr. Allen, from the Committee appointed to examine into the state of the New-Government House, and to report the result of such examination to the House, having attended to that duty, reported that owing to the severity of the season, they found it impossible

impossible to make such particular examination as would be necessary, in order to make a full report to the House at this Session, and they recommend that they may be allowed to make a report of the state of this Building at the next Session of the General Assembly.

Ordered, that the Report be accepted.

On motion of Mr. Crane—It appearing to this House that Treasury Bonds to a large amount, taken many years ago, were remitted to the late Attorney-General for collection, and that the proceeds thereof have not been paid into the Treasury, nor any account whatever rendered to this House.—Thereupon resolved, that it is the opinion of this House, that immediate measures should be taken to prevent loss to the Public and that this House ought to be furnished with information on the subject, in order that they may be able to judge whether the injury sustained in consequence of the delay in collection has been occasioned by the neglect or default of any and what Public Officers.

On motion of Mr. Parker—Ordered that Mr. Ward be added to the Committee of Correspondence, as well as the joint Committee of the Council and Assembly, to collect information upon the subject of Penitentiaries.

The House attended His Excellency the Lieutenant-Governor, in the Council Chamber, and presented him with the following address upon his approaching departure from the Province :—

“ To His Excellency Major-General Sir Howard Douglas, Bart., Lieutenant-Governor and Commander-in-Chief of the Province of New-Brunswick, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY.

66 **T**HE House of Assembly having learnt, that the important service to which our most Gracious Sovereign has appointed your Excellency, requires your immediate departure from this Province, cannot omit the only opportunity which may be afforded them, of expressing to your Excellency, the high sense, which they, in common with the whole population of this Colony, entertain of your Excellency's wise, paternal, energetic, and impartial Administration ; and they acknowledge with grateful feelings, that the deep and lively interest, which your Excellency from the first moment of your appointment to the Government of this Province, took in all that concerned its welfare, has continued undiminished.

“ Under the active, judicious, and vigilant, Administration of your Excellency, great improvement has been made in the rural economy of the Country : The Fisheries are more actively and successfully prosecuted ; the comfort and moral condition of the poorer classes have been much improved by the operation of those provident institutions which have been established at the recommendation, and under the Patronage of your Excellency ; and by the influence of other measures, recommended by your Excellency, many hitherto neglected internal resources have been developed, and the ground work laid for the gradual increase of the general prosperity of the Country.

“ To the persevering exertions of your Excellency, we are indebted for the establishment of an University, upon such enlightened principles as cannot fail to make it eminently useful in promoting Literature, so conducive to the happiness of mankind.

“ The constant solicitude, and unremitting zeal, with which your Excellency has devoted the energies of your active mind, to the advancement of the interests of His Majesty's Subjects of this Province ; the unvarying kindness with which the proper representations of all were received ; the patient attention with which those representations were examined, and the justice and impartiality which have marked your Excellency's decisions, all tend to bind still closer those ties, which unite us to the Parent State.

“ Be assured, Sir, that you will take with you the heartfelt wishes of the people of this Province, for your health and happiness, and their most ardent desires for your speedy return to this Government ; and we unite in prayers that your Excellency's passage across the Atlantic may be expeditious and pleasant ; that you may meet your amiable family in the enjoyment of health, and that you may be received by our

most Gracious King with that unqualified approbation, to which your Public conduct so justly entitles you."

To which His Excellency was pleased to make the following reply :—

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

66 I THANK you for this affectionate and very gratifying Address. I receive with the highest satisfaction the assurances you present, that the House of Assembly, in common with the whole population of this Colony, entertain so high a sense of the character of my Administration. The House of Assembly do not overrate the deep and lively interest which I have ever taken in the welfare of New-Brunswick, and in whatever degree my wishes and exertions to this end may have been realized, it is in a great measure to the wisdom and liberality of the House of Assembly that these great objects will have been effected.

" The exertions which I have used for the establishment of an University, have now happily been crowned with complete success ; and I fondly trust that this important Institution may prove eminently useful and conducive to the happiness and welfare of New-Brunswick.

" I am particularly sensible of the affectionate terms in which you express your prayers and wishes that my passage home may be safe and expeditious, and that I may meet my Family in the enjoyment of perfect health.

" The assurances contained in this Address, and the sentiments which the House of Assembly have at all times been pleased to express of my measures, will enable me to present myself to my Sovereign with some confidence, that my conduct in discharging the high trust of Administering the Government of this Province, will receive His Majesty's Most Gracious approbation."

Mr. Chandler, from the joint Committee of the Council and Assembly, appointed to wait upon His Excellency the Lieutenant-Governor with the Address to be laid before His Majesty, relative to the present system of disposing of Crown Lands, reported, they had waited upon His Excellency, and that he was pleased to say he would transmit or lay the same at the foot of the Throne.

A Message from His Excellency the Lieutenant-Governor, by the Gentleman Usher of the Black Rod, requiring the immediate attendance of the House in the Council Chamber. The House attended, and being returned, Mr. Speaker reported, he had addressed His Excellency in the following terms :—

" *May it please your Excellency,*

" I beg leave to present to your Excellency on behalf of His Majesty's faithful and loyal subjects, the Commons of New-Brunswick,

" A Bill further to continue and amend the Acts for raising a Revenue in this Province.

" A Bill further to increase the Revenue of the Province by imposing a duty upon all Rum and other Spirituous Liquors, that shall be distilled within the same.

" A Bill to appropriate a part of the Public Revenue for the payment of the Ordinary Services of the Province.

" A Bill to appropriate a part of the Public Revenue for the services therein mentioned.

" To which Bills I pray your Excellency's assent."

That His Excellency was pleased to give his assent to the following Bills :—

" A Bill further to increase the Revenue of the Province, by imposing a duty upon all Rum, and other Spirituous Liquors, that shall be distilled within the same.

" A Bill further to continue and amend the several Acts for raising a Revenue in this Province.

" A Bill to appropriate a part of the Public Revenue, to the payment of the Ordinary Services of the Province.

" A Bill to appropriate a part of the Public Revenue, for the Services therein mentioned.

" A Bill to prevent a failure of Justice by reason of variances between Records and Writings produced in evidence in support thereof.

" A Bill further to continue an Act, intituled " An Act more effectually to provide for the support of a Nightly Watch in the City of St. John."

" A Bill to continue the Laws for regulating the Fisheries in the County of Northumberland.

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“ A Bill to continue an Act, intituled “ An Act for the regulation of Booms for securing Masts, Logs, and Lumber, in certain parts of the County of Northumberland.”

“ A Bill to continue an Act for granting Bounties on Grain raised on new Land.

“ A Bill further to continue until the 1st day of April, 1835, “ An Act to authorize the Justices of the Peace, in their General Sessions, to establish Ferries in their respective Counties.”

“ A Bill to authorize the extension of the Gaol Limits in the City of Saint John.

“ A Bill for the more speedy and effectual punishment of Persons keeping disorderly Houses.

“ A Bill for amending the Law of Evidence in certain cases.

“ A Bill to continue an Act, intituled “ An Act to repeal all the Laws now in force for the regulation of Seamen, and to make more effectual provision for that purpose.”

“ A Bill to continue and amend an Act, intituled “ An Act to provide for the surrender of the Principal in discharge of Bail, in actions pending in the Supreme Court of Judicature in this Province.”

“ A Bill in addition to an Act, intituled “ An Act for the appointment of Town and Parish Officers in the several Counties in this Province.”

“ A Bill to extend the provisions of the several Acts regulating the exportation of Fish, to all Pickled Fish intended for exportation.

“ A Bill to repeal an Act, intituled “ An Act for the speedy punishment and release of such persons as shall commit Criminal offences under the degree of Grand Larceny.”

“ A Bill to regulate the appointment of County Treasurers.

“ A Bill to continue an Act, intituled “ an Act to empower the Justices of the County of Charlotte, to make regulations for driving Timber and Logs down the Rivers St. Croix, Magaguadavic and Digdeguash, and their Branches.”

“ A Bill for the better regulation of Sales by Auction.

“ A Bill relative to the Election of Charter Officers for Guy’s Ward, and Brook’s Ward, in the City of St. John.

“ A Bill to lay a Tax on Dogs in certain parts of the Parishes of Newcastle, Chatham, and Nelson, in the County of Northumberland.

“ A Bill in addition to an Act, intituled “ An Act to make more effectual provision for preventing the importation or spreading of infectious distempers within the Towns or Settlements on the River Miramichi.”

“ A Bill to amend the Statute Law, relative to offences against the person, and to provide for the more effectual punishment of such offences.

“ A Bill in amendment of the Act for establishing Parish Schools.

“ A Bill to regulate the Exportation of Lumber, and to repeal all the Acts now in force relating to the same.

“ A Bill to repeal an Act, intituled “ An Act for erecting and maintaining a Light House upon one of the Islands or Rocks near the Southeast coast of the Island of Grand Manan.”

“ A Bill to provide for the publication of the County Accounts.

“ A Bill to authorize the extension of the Gaol Limits in the Town of Fredericton.

“ A Bill to prevent Pedlars travelling and selling within this Province without Licence.

“ A Bill to secure and reclaim a tract of Marsh on the Au Lac River, in the County of Westmorland.

“ A Bill for the Endowment of King’s College at Fredericton, in the Province of New-Brunswick, and also to make new provisions for the establishment and support of Grammar Schools throughout the Province.”

After which His Excellency was pleased to make the following Speech :—

“ *Mr. President, and Gentlemen of His Majesty’s Council ;*

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

66 **I**N releasing you from your Legislative Labours, I have great pleasure in conveying to you my best thanks for the diligent attention you have given to all

the important matters which I recommended to your consideration at the commencement of the Session.

“ Closing this portion of my Administration, in the exercise of its most interesting, and most important functions, by giving effect to the Labours of a Session, which shall, I trust, prove to New-Brunswick, another firm and prudent step in the progress she is distinctly making to a high degree of prosperity, I shall proceed to apply myself, with entire devotion to other duties, intimately connected with your welfare; and I shall at the same time be watchful of any other that may be of general interest and advantage to the Province, and which my presence in England may enable me more effectually to promote.”

That His Honor the Chief Justice then said,

“ *Gentlemen of the Council ;*

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

“ It is His Excellency the Lieutenant-Governor's will and pleasure, that the General Assembly be now prorogued until the second Tuesday in June next; and this General Assembly is accordingly prorogued until the second Tuesday in June next, then to meet at Fredericton.”

