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JOURNAL
OF
THE LEGISLATIVE COUNCIL
OF
THE PROVINCE
OF
NEW BRUNSWICK.

From 15th January to 23d March, 1839.
Being the Second Session of the Twelfth General Assembly.



FREDERICTON, NEW BRUNSWICK:

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

1839.





By His Excellency Major General Sir JOHN HARVEY, K. C. H.
and C. B. Lieutenant Governor and Commander in Chief of the
Province of New Brunswick, &c. &c. &c.

J. HARVEY, Lt. Governor.

A PROCLAMATION.

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

Given under my Hand and Seal, at Fredericton, the sixth day of June, in the year of our Lord one thousand eight hundred and thirty eight.

By His Excellency's Command.

WM. F. ODELL.



By His Excellency Major General Sir JOHN HARVEY, K. C. B.
and K. C. H. Lieutenant Governor and Commander in Chief of
the Province of New Brunswick, &c. &c. &c.

J. HARVEY, Lt. Governor.

A PROCLAMATION.

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

Given under my Hand and Seal, at Fredericton, the fourth day of September, in the year of our Lord one thousand eight hundred and thirty eight.

By His Excellency's Command.

WM. H. ODELL,

Deputy Secretary.



By His Excellency Major General Sir JOHN HARVEY, K. C. B.
and K. C. H. Lieutenant Governor and Commander in Chief of
the Province of New Brunswick, &c. &c. &c.

J. HARVEY, Lt. Governor.

A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to the second Tuesday in December next, I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued to Tuesday the fifteenth day of January next, then to meet at Fredericton for the despatch of business.

Given under my Hand and Seal, at Fredericton, the sixth day of November, in the year of our Lord one thousand eight hundred and thirty eight, and in the second year of Her Majesty's reign.

By His Excellency's Command.

WM. F. ODELL.

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

SECOND SESSION OF THE TWELFTH GENERAL ASSEMBLY.

ANNO SECUNDO VICTORIÆ REGINÆ.

**His Excellency Major General Sir John Harvey, K. C. B. and K. C. H.
Lieutenant Governor and Commander in Chief.**

At Fredericton in the Province of New Brunswick.

LEGISLATIVE COUNCIL CHAMBER, Tuesday 15th January, 1839.

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

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Botsford.

Mr. Attorney General.

Mr. Chandler.

PRAYERS.

The House was adjourned during pleasure.

After some time the House resumed.

At two o'clock His Excellency Major General Sir John Harvey, Knight, Commander of the Most Honorable Military Order of the Bath, and Knight, Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor and Commander in Chief of the Province, came to the Council Chamber, and being seated in the Chair on the Throne, The Honorable the President commanded the Gentleman Usher of the Black Rod to let the Assembly know: "It is His Excellency's pleasure they attend him immediately in this House."

Who being come with their Speaker,

His

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

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

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

“ I AM happy in again meeting you in Provincial Parliament, and in tendering to you my cordial co-operation in such measures as may be deemed calculated to promote the prosperity of New Brunswick.

“ I offer you my congratulations upon the state of the Province, in which tranquillity and good order, security of person and property, plenty and contentment, may be said to prevail, to a degree for which we cannot be too thankful,—more especially when we contrast our situation with that of those of the sister Provinces of British America, in which the extraordinary spectacle has again been exhibited of Her Majesty’s peaceful and loyal subjects having to defend in arms their lives, property and institutions, against attacks from volunteer Armies, principally composed of hostile citizens of a friendly Nation.

“ With the Institutions of other States we can have no desire to interfere, nor even to animadvert upon them, so long as our own rights and security are not endangered. The power of controlling the excesses of its population, by enforcing submission to the laws, is one which would seem essential to be possessed by the Government of every well constituted State, and of which the absence might also be regarded as amounting to a virtual dissolution of the social and consequently of the international compact. Entertaining these opinions, I observe, with satisfaction, that the Officers of the General Government of the United States, supported by the approbation of the moderate and respectable of all classes of its citizens, appear to be exerting themselves with energy in their endeavours to demonstrate, that in that Union there does reside the power of controlling the action of its Citizens, and of thereby maintaining its friendly relations with Foreign States.

“ In times like the present, one of the most important objects to which your attention can be directed is the efficiency of the Provincial Militia. To the general tenor of the Militia Laws I have nothing to object,—but they must, I fear, continue inoperative, in many instances, for want of a Stipendiary Officer who would be responsible to the Government for duly mustering the several Battalions and enforcing the fines for non-attendance. By the Act passed last Session you were pleased to confide to me powers, which, if circumstances should arise to render it expedient or necessary to call them into exercise, either for the defence of this Province, or to aid in the suppression of rebellion, or in maintaining the Royal Authority in an adjacent one, would, I am persuaded, aided by the loyalty of the Militia population, be found fully adequate to meet every emergency. As a measure preparatory to such a contingency, I have caused several Volunteer Companies of Militia Artillery to be placed under the superintendence of an experienced Artillery Officer, for the purpose of organization and instruction; and I would suggest that the Commander in Chief be empowered by Law, to form the several Companies of Militia Artillery and those of the ‘Sea Fencibles’ into Battalions at his discretion.

“ Recent events have shewn the great importance of the communications between these Lower Provinces and the Canadas being rendered more practicable, not only for

for the passage of the Mail Carriers, but of Troops at all seasons of the year. In connexion with this subject I have to invite your early attention to a Despatch which I have received from the Secretary of State, and which I shall cause to be laid before you, relative to the establishment, by the Home Government, of Steam Packets, for the conveyance of Her Majesty's Mails to Halifax, and suggesting that the improvement of the Roads and Communications between that place and Quebec should be brought under the consideration of the Provincial Legislatures,—and with reference to that part of them which passes through this Province, I recommend to your consideration the great advantage, as well with a view to expediting and facilitating our intercourse with Lower Canada, as to the opening and settlement of the Country, which would attend the early completion of the 'Royal Road,' upon which so large a sum has been already expended. I am happy to say that the result of a recent examination of that Road, which I shall direct to be laid before you, appears satisfactorily to prove that the land through which it passes, is in general well adapted for settlement. In further connexion with this line, I would draw your attention to the recent exploration of the obstructions in the bed of the Saint John River, above Fredericton, the report of which will also be laid before you; and I would further suggest an immediate exploration of a Road direct from Fredericton to the Restigouche, to strike that River opposite to the commencement of the 'Metis Road.' This line might perhaps be advantageously connected with the 'Royal Road,' and also with the Settlement of Stanley. I would likewise suggest the improvement of the Road from Bathurst to Dalhousie and Campbelltown,—also the shortening of that from Sackville, in the County of Westmorland, to the Nova Scotia Province Line, across the 'Tantamar Marsh.' All the other lines of Great Roads will doubtless receive a due share of your attention. I would more particularly indicate that from Saint Andrews to Fredericton and Saint John, including on the latter line a more safe, expeditious and convenient passage across the mouth of the River Saint John than at present exists,—an improvement by which the whole of the western section of the Province, including Fredericton and the City of Saint John itself, would be greatly benefited; to this object Legislative aid has already been afforded. The experience which I have recently had of the advantages possessed by the Port of 'Shediac,' as a convenient point for connecting the Navigation of the Bay of Fundy with that of Northumberland Straits and the Gulph of Saint Lawrence, will, I trust, be turned to future useful account, and I would suggest the appropriation of a small sum to be applied to the objects of erecting a Jetty, or Wharf, in that Harbour, and making a correct survey of the channel leading to it, with a view to determine any doubt which may now exist as to its safe and perfect accessibility during the whole of the open season of the year.

"A Petition praying for the appointment of a Collector of the Customs at Shediac, for the general advantage of that Port, Cocagne, and Buctouche, will be laid before you, with a view to provision being made for the office, should you concur with me in opinion as to its necessity.

"To the enlightened Legislature of a Country whose soil is eminently fertile, and whose climate requires nothing but a system of Agriculture properly adapted to it, to ensure to the cultivator a certain and an abundant return, it can scarcely be necessary to suggest the advantages of giving encouragement to agricultural pursuits; the mode
by

by which this important object may be best effected, it will be for you to devise. I will merely observe in recommending the subject generally to your attention, that besides the usual objects of importing Stock Cattle, models of improved Agricultural Implements, Seed and the like, the plan, not only not expensive, but quite capable, if properly managed, of being made to pay its own expenses, of *Experimental Farms*,—of which the principal objects are practically to demonstrate, not only the best mode of cultivating particular crops, but also to shew what crops are best adapted to particular soils and situations, and therefore likely to be most productive and remunerative, and perhaps above all to ensure a supply of pure, unmixed seed—has been found eminently useful and successful in Great Britain.

“ With regard to another valuable branch of Provincial enterprise, viz. ‘The Coast and Harbour Fisheries,’ all the information which has reached me on this very interesting subject has tended to satisfy my mind that a Bounty, judiciously guarded against abuse, might at the present juncture be very beneficial; on this subject I shall lay before you Petitions which have been transmitted to me from the County of Charlotte.

“ The Report of a Geological survey and exploration of a section of the Province will be laid upon your Table, and I trust to your liberality to enable me to continue so useful a research.

“ Upon a subject of so much importance to a rising and essentially agricultural Colony as that of the survey of its lands, I would offer the following observations: The necessity of promptly providing for the Loyalists and disbanded Troops, at the first settlement of this Province, appears to have led to a hasty and in many respects inaccurate mode of making those surveys, in which generally speaking the lots appear to have been marked only on the front, without any extension or marks of the other boundaries: this imperfect mode of survey has necessarily occasioned much confusion, and consequent litigation, which as lands become more valuable, is likely to increase. To obviate these evils for the future, as well as to provide for the reception of Emigrants, and to facilitate the settlement of the rapidly increasing population of this Province, I would propose that the practice of granting isolated Lots, to be selected at the will of the applicant, should be discontinued, and that situations well adapted and likely to be taken up for immediate settlement, should be selected by the Government, particularly upon the Great Roads, either already laid out or in contemplation, and that in these situations blocks of Land should be surveyed, and the boundaries marked, and subsequently divided into Lots, in such a manner as should accurately determine their limits. This should be done at the public expense, and a corresponding addition be made to the purchase money of each Lot. By this arrangement less expense would be incurred than the aggregate amount of the survey of separate Lots; the doubts and confusion respecting boundaries would be avoided; the lines of Parishes would be more easily ascertained and fixed; allotments would at all times be ready for the immediate location of Emigrants, upon such terms as the Government may adopt, and the settlements in the Province would not only be accelerated but rendered more contiguous and compact, and the population more condensed—advantages too obvious to require to be enlarged upon. In addition I would suggest the expediency of selecting proper sites and making reservations for small inland Towns and Villages, to which Roads should be, if not opened, at least laid out; these would

soon

soon become settled for the purpose of domestic trade, and become the means of affording, not accommodation only, but often essential relief to the surrounding inhabitants.

“ I shall direct to be laid before you a correspondence which has passed between Her Majesty’s Government and myself, upon the question of the expediency of abolishing the duties now levied upon Salted Provisions and Flour, under an Act of the Imperial Parliament, upon their importation into this Province. You will observe that I have recommended that no final decision should be adopted by Her Majesty’s Government in relation to these duties, until you should have had an opportunity of expressing your opinion and wishes upon the subject in your Legislative capacity, and that that recommendation has been complied with.

“ On the subject of the survey of the Bay of Fundy, I will communicate to you a Despatch from Her Majesty’s Secretary of State for the Colonies, by which it will be seen that that survey will be commenced as soon as that of the Gulph of Saint Lawrence now in progress is completed.

“ The Secretary of State having entered into an exposition of the principles upon which Her Majesty’s Government recommend the Colonial Banking system to be conducted, I shall direct the Despatch referred to, to be laid before you, and recommend the subject to your attentive consideration.

“ The Queen’s Government has also addressed to me enquiries, indicating a warm degree of interest in the actual condition of the aboriginal inhabitants of the country, resident in this Province. It will be my duty to afford all the information which it may be in my power to procure on this interesting subject, which it appears also to consist with that duty, to bring under your favorable notice—a copy of the Despatch will therefore be laid before you.

“ Upon the subject of Education, I will merely observe, that the system recently established by Law, is undergoing a fair trial; the arrangements for the supply of books, under the grant of the last Session, are not yet completed; but I will take care that it shall include none which can contaminate the morals or impair the loyalty of the rising generation, or which shall not be conducive to the attainment of a moral, religious, practical and useful elementary education.

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

“ I have directed the Treasurer’s Accounts, together with a statement of the receipts of the Casual and Territorial Revenue, to be laid before you. You will, I trust, find that your appropriations have been correctly and usefully applied to the objects for which they were made, and I do not entertain any doubt of your disposition to make liberal provision for the ordinary as well as for the contingent expenses of the Government.

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

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

“ In concluding the observations which a sense of public duty and an anxious desire to promote the prosperity and welfare of this rising and truly British Province have alone dictated, I will advert to one other topic, and that is the state of insecurity in which its valuable Records are at present placed, and I would suggest for your
c
consideration,

consideration, whether it would not consist with a wise economy to erect a substantial Province Building, in which all the principal Public Offices might be concentrated, the Public Records placed in comparative security, and the different branches of the Legislature, as well as the higher Courts of Justice, with their respective Officers, be more conveniently accommodated."

Which being ended,

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

The Honorable the President reported His Excellency's Speech.

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

ORDERED, That the Honorable Messrs. Botsford, Attorney General and Chandler, be appointed a Committee for the above purpose.

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

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 16th January, 1839.

PRESENT.

THE HON.

	<i>Mr. Chief Justice Chipman, President.</i>	
<i>Mr. Black.</i>		<i>Mr. Peters.</i>
<i>Mr. Robinson.</i>		<i>Mr. Botsford.</i>
<i>Mr. Chandler.</i>		

PRAYERS.

Her Majesty's Commission requiring eight Members to be a Quorum of this House, for the despatch of the business thereof, and there not being eight Members present,

The House adjourned until to-morrow at 12 o'clock.

THURSDAY, 17th January, 1839.

PRESENT.

THE HON.

	<i>Mr. Chief Justice Chipman, President.</i>	
<i>Mr. Shore,</i>		<i>Mr. Baillie,</i>
<i>Mr. Peters.</i>		<i>Mr. Robinson.</i>
<i>Mr. Botsford.</i>		<i>Mr. Attorney General.</i>
<i>Mr. Chandler.</i>		

PRAYERS.

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

ORDERED,

ORDERED, That the report be received, and the said draft was again read by the Clerk.

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

To His Excellency Major General Sir JOHN HARVEY, Knight, Commander of the Most Honorable Military Order of the Bath, and Knight, Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

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

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Legislative Council in General Assembly, beg leave to express to Your Excellency the thanks of this House for Your Excellency's Speech at the opening of the Session.

It affords us true satisfaction to receive Your Excellency's renewed assurance of your cordial co-operation in all measures calculated to promote the interest of a Province in which we are so deeply interested.

In reciprocating Your Excellency's congratulations on the tranquillity, security, prosperity and contentment which every where prevail in this Province, we feel and acknowledge that we cannot be too thankful for those blessings, more especially when our fellow subjects in some of our Sister Colonies have at this moment to defend in arms their lives, property, and institutions, against the attacks of American Citizens: and however much recent occurrences may lead us to call in question the ability of the Government of the United States to enforce submission to its own Laws, we would still indulge the hope that a sense of national honor will impel the enlightened and respectable portion of the American People to support their Government, in its attempts to control and repress those lawless and unprovoked aggressions which are inflicting such grievous injury upon our Canadian fellow subjects, and are evidently endangering the continuance of peaceful relations between the two Countries.

The necessity of a well organized Militia, under any circumstances, is manifest; and the events which have recently occurred in our neighbouring Colonies convince us that the present time is one that calls for our particular attention to that valuable arm of defence; we shall therefore give the most ready consideration to Your Excellency's suggestions upon this subject.

We learn with great satisfaction that it is the intention of Her Majesty's Government to establish Steam Packets for the conveyance of the Mails to Halifax—a measure eminently calculated to encrease the prosperity of these distant portions of Her Majesty's

Majesty's dominions, and which will unquestionably tend to cement and perpetuate the blessings of British connexion. To secure the full advantages to be derived from this design, we shall cheerfully lend our assistance to improve the Roads and Communications between these lower Provinces and the Canadas. We observe with pleasure the warm interest evinced by Your Excellency in the improvement of the Great Roads throughout the Province, and the recommendations, founded upon a personal examination of the several Counties by Your Excellency, thus brought to our notice, demand and shall receive our most favorable consideration.

In a country possessing such capacities for cultivation, and whose permanent prosperity must mainly depend upon the productions of its soil, it is the obvious duty of the Legislature to bestow every encouragement upon agricultural pursuits, by favoring and attracting the application of labour and the investment of capital in the cultivation of the soil, and by affording facilities for obtaining a practical knowledge of an improved system of husbandry; and we beg to express our obligations to Your Excellency for so pointedly directing our attention to this important subject.

We shall cheerfully concur in any measure which may be deemed advisable for the encouragement of the Fisheries of the Province, and we entirely agree with Your Excellency that they form a most important branch of Provincial enterprise.

We are happy to learn that the system of Education lately established by law is undergoing a fair trial; and we beg to express our thanks to Your Excellency for the pains which Your Excellency is taking to provide Books of a proper description for the use of the elementary Schools.

We are fully aware of the danger of leaving the public Records in their present state of insecurity, and of the irreparable loss which would ensue from their destruction; and we beg leave on this occasion to repeat the expression of our sense of the great inconvenience to which this Branch of the Legislature, in particular, is subjected, from the want of proper accommodations; a remedy for these evils and inconveniences cannot, with a due regard to the public service, be any longer delayed, and we shall cheerfully concur in the measures necessary to remove them.

We tender to Your Excellency our best thanks for the particular and detailed views which Your Excellency has been pleased to lay before us upon so many subjects of great public interest—to which we do not feel it necessary specifically to allude; we content ourselves with assuring Your Excellency that we shall most heartily concur in promoting the evident object of Your Excellency's wishes and exertions, by co-operating in every measure that shall have a tendency to advance the welfare and prosperity of the Province.

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

Adjourned until To-morrow at 12 o'clock.

FRIDAY,

FRIDAY, 18th January, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Chandler.

PRAYERS.

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

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

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

“ Mr. President, and Honorable Gentlemen,

“ I request you to receive my sincere thanks for this very gratifying Address, and for the assurance which you have given me of your readiness to co-operate with me in the advancement of the measures to which it has been my duty to direct the attention of the General Assembly of the Province.”

Adjourned until Monday next at 12 o'clock.

MONDAY, 21st January, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

The Honorable the President informed the House, that he had received from the Honorable the Secretary of the Province,

Abstracts shewing the state of the Bank of New Brunswick, on the second day of July one thousand eight hundred and thirty eight, and the seventh of January one thousand eight hundred and thirty nine :

Abstract shewing the state of the City Bank, on the thirtieth of April and sixth November one thousand eight hundred and thirty eight :

c

Abstract.

Abstracts shewing the state of the Central Bank, on the fifth day of March, the fourth day of June, and the third day of December one thousand eight hundred and thirty eight :

An abstract shewing the state of the Saint Stephen's Bank, on the seventh day of January one thousand eight hundred and thirty nine ; also,

Statements of the affairs of the Marine Assurance Company, dated the sixth day of April one thousand eight hundred and thirty eight, and third day of January one thousand eight hundred and thirty nine.

ORDERED, that the same do lie on the Table.

The Honorable Mr. Shore, by direction of His Excellency the Lieutenant Governor, lays before the House copies of certain Despatches and documents, which were read by the Clerk, and are as follows :—

ABORIGINAL INHABITANTS.

“ No. 115.

“ *Downing Street, 23d August, 1838.*

“ SIR—I have to request that you will, at your early convenience, furnish me with a report on the state of any of the Aboriginal Inhabitants who may still exist in the Province under your Government, shewing their numbers and present condition ; the increase or decrease which has during the last few years occurred among them, their moral state, and any efforts which may have been made for their civilization, the proportion settling on the Lands and cultivating it, and the numbers who still adhere to savage life, the amount, if any, of property belonging to them, and the effect of any local Statutes which may have been passed for their government ; I would request you to add to this report any other information which you may consider important, and more especially to favor me with any suggestions as to the measures which would be best calculated to ameliorate the condition of these people.

“ I have the honor to be, &c. &c. &c.
(Signed)

“ GLENELG.

“ Major General Sir JOHN HARVEY, K. C. B. &c. &c. &c.”

SURVEY OF THE BAY OF FUNDY.

“ No. 117.

“ *Downing Street, 29th August, 1838.*

“ SIR—With reference to my Despatch, No. 84, of the 1st May, in which I informed you, that I had referred to the Lords Commissioners of the Admiralty the proposition of the Legislature of New Brunswick, that an immediate Survey of the Bay of Fundy should be commenced, I have now the honor to acquaint you, that their Lordships have apprised me that the Survey in progress, under the direction of Captain Bayfield, is intended to embrace the Bay of Fundy, and that however desirous of meeting the wishes of the Legislature of New Brunswick, their Lordships cannot at present undertake a separate Survey of that part of the Coast, without inconveniently interfering with other arrangements of consequence to the public service.

“ I have the honor to be, &c. &c. &c.
(Signed)

“ GLENELG.

“ Major General Sir JOHN HARVEY, K. C. B. &c. &c. &c.”

STEAM PACKETS TO HALIFAX.

“ *Downing Street, 24th October, 1838.*

“ SIR—The attention of Her Majesty's Government having been directed to the great importance both to Great Britain and to her Possessions in North America, of establishing a direct communication by Steam between the two countries, it is in contemplation to substitute Steam Packets for the sailing vessels now employed in the conveyance of the Mails between this country and Halifax ; the Lords Commissioners of the Admiralty have accordingly been instructed to advertise for tenders for this service. The arrangement, if it can be concluded, will probably take effect about the commencement of next spring.

“ The

“The Postmaster General will, in the mean time, direct the local Post Office authorities to turn their attention to the line of communication between Quebec and Halifax, with a view to increase expedition, and also to make the requisite preparations for supplying, when the alteration is carried into operation, every facility, and using every proper caution, in order to give full effect to the proposed arrangement. Her Majesty’s Government trusts, that the contemplated measures, involving as they do considerable additional expenditure, will prove beneficial to the public, and give satisfaction to these Colonies.

“The co-operation of the respective Legislatures is essential to the complete attainment of the advantages anticipated; I have therefore to desire that you will, on the opening of the next Session of the Legislature of your Government, submit the matter for their consideration, and invite them to co-operate in improving the Mail routes, and to afford such other facilities as may depend on those bodies. I have further to request, that you will endeavour, before their meeting, to collect the necessary information for the guidance of the Legislature, and that you will render every assistance in your power to further the views of Her Majesty’s Government.

“I have the honor to be, &c. &c. &c.

(Signed)

“GLENELG.

“Major General Sir JOHN HARVEY, K. C. B.”

COLONIAL BANKING.

“No. 108.

“Downing Street, 26th July, 1838.

“SIR—I have the honor to transmit to you, herewith, an order passed by Her Majesty in Council on the 18th instant, leaving to their operation four Acts passed by the Legislature of New Brunswick in the month of March, 1836, (numbered 1035, 1059, 1060, and 1061) for incorporating and increasing the Capital Stock of four Provincial Banks of New Brunswick. Although Her Majesty’s Government do not entirely approve of the powers vested in these Companies by the Acts in question, yet as they were passed prior to the receipt of my Circular Despatch of the 31st August, 1836, relating to the issue of paper currency, and have already been two years in operation, I have thought proper to advise Her Majesty no longer to withhold her confirmation of them, trusting that the Assembly will see the propriety of considering the following observations, with a view to their amendment:—Her Majesty’s Government entertain a very decided objection to Provincial Banks issuing Notes under the value of one pound, and it is much to be regretted that these Acts do not contain clauses to prevent the issue of small Notes; in the event of either of these Banks applying for any renewal or extension of their privileges, you will recommend to the Assembly the propriety of prohibiting them from circulating any Promissory Notes for sums under one pound currency, as provided for in the Charter granted by the Crown to the Commercial Bank of Saint John—a regulation to which Her Majesty’s Government would be disposed to adhere in all future Charters or Acts for the establishment of Banking Companies in the Province.

“I have further to observe, that it would have been more satisfactory if these Acts had provided that the periodical returns of the state of the respective Banks should be made out like these of the Chartered Banks, in such manner as to shew the average transactions of the state of the establishments during the previous six months, instead of the state of their assets and liabilities on one given day only.

“I enclose an order, passed by Her Majesty in Council on the 18th instant, leaving the Act No. 1116 to its operation.

“I have the honor to be, &c. &c. &c.

(Signed)

“GLENELG.

“Lieutenant Governor of New Brunswick.”

“Downing Street, 17th August, 1838.

“No. 112.

“SIR—With reference to my Despatch of the 26th ultimo, No. 108, I have now to apprise you that I have had under my consideration two Acts passed by the Legislature of New Brunswick, in the month of March, 1837, for incorporating the Banks of Saint George and Fredericton. The operation of these Acts is suspended for the signification of Her Majesty’s pleasure; but for the following reasons I am yet unable to communicate to you Her Majesty’s decision upon them. “It

"It appears to the Lords of the Treasury to whom they have been referred, that each of these Acts is defective in the same respects as the Acts adverted to in my Despatch of the 28th ultimo. In these Acts, no less than in those to which I have referred, there is no restriction on the issue of Promissory Notes for sums under one pound currency, while the clauses providing for the periodical returns of assets and liabilities are equally obnoxious to the objections stated in my Despatch of the 26th July. The Lords of the Treasury are therefore of opinion, that these Acts should be amended in those respects before they are permitted to come into operation.

"In this opinion I concur, and I shall therefore postpone advising Her Majesty to make any order in Her Privy Council in referenceto these Acts, until the Legislative Council and Assembly of New Brunswick shall have had an opportunity of considering the objections stated to them. You will bring the subject under the notice of those bodies at their next meeting.

"In regard to the Act for the establishment of a legal Tender, I abstain for the present from expressing any opinion. The question of the establishment of a general Colonial currency is under the consideration of Her Majesty's Government, and until their decision on that question shall be formed, it would be premature to state what course will be adopted with reference to the Act passed for this purpose by the Legislature of New Brunswick.

"I have the honor, &c.

(Signed)

"GLENELG.

"Major General Sir JOHN HARVEY, K. C. B. &c. &c. &c."

DUTIES ON SALTED PROVISIONS AND FLOUR.

"No. 74.

"*Downing Street, 5th March, 1838.*

"SIR—I have the honor to transmit for your information and guidance the enclosed copies of a correspondence which has passed between the Board of Trade and my Department, respecting the proposed repeal of the Duties, now levied under Acts of the Imperial Parliament, on Salted Provisions and Wheat Flour, on importation into New Brunswick and Nova Scotia, and Prince Edward Island.

"I have the honor, &c.

(Signed)

"GLENELG.

"Major General Sir JOHN HARVEY, &c. &c. &c."

"*Office of Committee of Privy Council for Trade,*

"*Whitehall, 11th January, 1838.*

"SIR—I am directed by the Lords of the Committee of Privy Council for Trade, to transmit to you the enclosed copy of a Petition from the Chamber of Commerce in New Brunswick, relative to the duties on Salted Provisions and Wheat Flour in that Colony; and I am to request that in drawing the attention of Lord Glenelg to this Petition, you will also place under his notice the new regulations of the Act of April, 1831, chap. 24, which was passed for the purpose of preparing for the readmission of the ships of the United States to a trade with our Colonies.

"In the second section of the Act referred to, Salted Provisions and Wheat Flour, as well as Wood and Lumber, are rendered free of duty in the two Canadas. But in the third section Wood and Lumber only are declared to be free in New Brunswick, Nova Scotia and Prince Edward Island.

"The desire of the Lords of this Committee was to have extended to the three last named Colonies the exemption granted to the Canadas, but they refrained from doing so, because it was stated by the Secretary of State that the finances of those three Colonies required the continuance of duties on flour and provisions.

"The Lords of this Committee are aware of no Commercial grounds upon which they should avoid to place these five Northern Colonies upon the same footing; and therefore I am to request that you will move Lord Glenelg to take this subject into his consideration, and to acquaint their Lordships with his present opinion thereon.

"I am, &c.

(Signed)

"J. D. HUME.

"JAMES STEPHEN, Esquire, &c. &c. &c."

"*Downing.*

Downing Street, 5th March, 1838.

“SIR—I have laid before Lord Glenelg your Letter of the 11th January, enclosing a copy of a representation from the Chamber of Commerce at Saint John, New Brunswick, to the Lords of the Treasury, on the subject of the duties levied on Salted Provisions and Wheat Flour imported into that Province, and inquiring whether Lord Glenelg entertains any objection to the repeal of those duties in New Brunswick, as well as in Nova Scotia and Prince Edward Island.

“I am directed in reply to remind you that so far back as the 6th April, 1835, the Secretary of State intimated to the Lords of the Committee of Privy Council for Trade his acquiescence in their Lordship’s proposal to repeal these duties. When, however, the local authorities became acquainted with the intentions of Her Majesty’s Government, the Lieutenant Governor of Nova Scotia pointed out two important objections to the measure, which were communicated to the Lords of the Committee of Privy Council for Trade on the 12th August, 1835. The one was, that the extinction of these taxes would be almost destructive to the farming interests in that Province, in whose favor they operated as a bounty—and the other, that it would deprive the Colonial Government of the fund from which the heavy expense of the Customs Department was defrayed. It would consequently have become necessary to resort to the Provincial Legislature for other means of meeting that charge, and would have exposed the Executive Government of the Province to a very embarrassing discussion with the House of Assembly, with whom the expense of the Customs Establishment was, and still is a subject of frequent complaint and remonstrance.

“No objection has been made by the Governors of New Brunswick and Prince Edward Island to the repeal of these duties, and Lord Glenelg, therefore, sees no reason to prevent its execution in the case of those Colonies; but his Lordship is of opinion, that it would be proper to except Nova Scotia from the arrangement until the Provincial Legislature shall have provided the requisite funds for the support of the Customs Establishment.

“Lord Glenelg has accordingly referred the subject to Sir Colin Campbell, with instructions to make the necessary application to the Legislature, if, in his opinion, he can do so with a reasonable prospect of success.

“I am, &c.
(Signed)

“JAMES STEPHEN.

“J. D. HUME, Esquire, &c. &c. &c.”

“No. 77.

Downing Street, 27th March, 1838.

“SIR—With reference to my Despatch, No. 74, of the 5th instant, I transmit herewith, for your information, an extract of a letter from the Secretary to the Treasury, on the subject of the proposed repeal of the duties levied on Salted Provisions and Wheat Flour, imported into the Province, under your Government; and I have to request, that you will furnish me with the report desired by that Board, as to the probable effect of that measure, and also that you will make, to the Chamber of Commerce at Saint John, the communication suggested at the conclusion of the extract.

“I have the honor to be, &c. &c. &c.

(Signed)

“GLENELG.

“Major General Sir JOHN HARVEY, K. C. B. &c. &c. &c.”

Extract of a Letter from Mr. Spearman, dated Treasury Chambers, 16th March, 1838.

“I am further directed to request that you will, at the same time, suggest for His Lordship’s consideration whether it might not be, likewise, expedient to ascertain from the Officers in charge of the Government of New Brunswick and Prince Edward’s Island, if the repeal of the duties on Salted Provisions and Wheat Flour, which has been applied for in the case of New Brunswick by the Chamber of Commerce at Saint John, would be desirable as regards the interest of the Inhabitants of those Colonies, and the state of their respective Revenues; and should His Lordship consider it advisable to adopt this course, my Lords request that he will instruct the Lieutenant Governor of New Brunswick to apprise the Chamber of Commerce that the subject of their application has been under the consideration of Her Majesty’s Government.”

“ *Government House, Fredericton, May 18, 1838.*

“ MY LORD—I have the honor to acknowledge the receipt of Your Lordship’s Despatches, of the 5th and 27th March, Nos. 74 and 77, upon the subject of the proposed repeal of the Duties levied by an Act of the Imperial Parliament upon ‘ Salted Provisions’ and ‘ Wheat Flour,’ imported into this Province, and having communicated with the Officers of Her Majesty’s Customs at Saint John upon the subject, I beg to invite Your Lordship’s attention to the statement which they have addressed to me, in reference to this question, by which it will be seen that the effect of the duty upon the last named article has been progressively and rapidly to diminish the importation of Flour into the Province, from the United States, nearly in the ratio in which it has increased the importation of Wheat from England. Than the former branch of trade, viz. the importation of Flour from the United States, nothing can be more injurious to the Colony, in as much as it carries out of it a large amount of Specie, in exchange for an article, the whole benefit of manufacturing and importing which is enjoyed by Foreigners, and further, that the duty proposed to be repealed has unquestionably operated as an indirect bounty to the Provincial Agriculturist. By the petitions against the proposed repeal, which I have the honor to enclose, Your Lordship will be informed that large investments of capital have been made in the erection of Mill Establishments in the immediate vicinity of Saint John, and extensive arrangements entered into for the importation of bonded wheat from England, with the object of entirely superseding the necessity of importing Flour. The great advantages which must necessarily attend the manufacture of bread stuffs to the country in which that manufacture is carried on, added to those derived by the shipping interests, from the importation of the unmanufactured material, in *British Shipping*, and I will add, to the New Brunswick Farmer, in respect to such of the Grain as may be raised in the Province, are too obvious to render it necessary for me to do more than advert to them, and to observe that from the enclosed documents, but still more from the communications which I have held with the members of Her Majesty’s Council and others whom I believe to be well informed upon the general and local interests of the Province, I am conducted to the conclusion, that it would be inexpedient to repeal the duty upon the importation of Flour into New Brunswick before the sense of the various interests concerned can be ascertained and declared at the next meeting of the Provincial Legislature. I have therefore the honor to recommend, that no final determination be adopted by Her Majesty’s Government upon the subject, as respects this Province, for *one year*, in order to afford time not only for the Legislature to express its opinion upon a subject of so much importance, but also for all those of Her Majesty’s subjects of the Province, who may take views of it different from those which have as yet been presented to me, to be heard by *counter Petitions*, which I will take care shall be duly transmitted. I am aware that an objection may be urged upon the plea of a *monopoly* being raised upon the continuance of a prohibitory duty, upon the importation of Wheat Flour from Foreign Countries to the prejudice of *fair* competition, but I am inclined to the opinion that there can exist little ground for any well founded apprehension upon this subject; the strongest objection which presents itself to my mind is the quality of the imported wheat, which is represented as being generally old and stale, and therefore incapable of making sound, sweet, and wholesome bread.

“ Upon this subject, I beg to invite Your Lordship’s attention to the answer to a series of queries which I sent down to Saint John, to be submitted to persons well acquainted with the facts and merits of the question, and at the same time believed to be free from any interested motives upon the subject.

“ With regard to Salted Provisions, the amount imported is so trifling as to render the continuance or removal a matter of indifference to the people or to the revenue of this Province. I therefore consider its removal *desirable*.

“ I have not failed to convey to the Chamber of Commerce of Saint John, the communication included in the extract enclosed in your Lordship’s Despatch, No. 77.

“ Doubts have been expressed to me, as to how far this body represent the real commercial interests of the Province; to this point and if necessary to the reconstruction of that body, which I apprehend possesses no legally recognized existence, my early attention shall be given—one of my first objects this summer being to visit and make myself better acquainted with the various interests of the rising City of Saint John.

“ I have the honor to be, &c. &c. &c.

(Signed)

“ J. HARVEY, *Lt. Governor.*

“ The Right Honourable the Lord GLENELG, &c. &c. &c.”

“ No. 122.

“ *Downing Street, 10th October, 1838.*

“ SIR—I have received your Despatch, No. 34, of the 18th May, on the subject of the proposed repeal of the duties levied on Salted Provisions and Wheat Flour, imported into Nova Scotia, New Brunswick and Prince Edward Island.

“ Having referred your Despatch for the consideration of the Lords Commissioners of the Treasury, their Lordships have informed me, that in consequence of the objections felt by you, and by the Lieutenant Governor of Nova Scotia, to the immediate repeal of the duty on Wheat Flour, and of the unimportant amount of the importation of Salt Provisions, it did not appear to their Lordships advisable to take any steps for effecting the repeal of those duties, until they were apprised of the result of the reference on the subject, proposed by you and by Sir Colin Campbell, to be made to the Legislatures of Nova Scotia and New Brunswick.

“ I have therefore to desire that you will early in their next Session submit the question to the Legislature of New Brunswick, and that you will acquaint me with the opinion of the Council and Assembly, for the information of the Lords of the Treasury.

“ I have the honor to be, &c. &c. &c.

(Signed)

“ GLENELG.

“ Major General Sir JOHN HARVEY, K. C. B. &c. &c. &c.”

ORDERED, that the said Despatches and documents do lie on the Table.

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

A Petition from W. F. W. Owen, and seventy other inhabitants of Grand Manan, West Isles, and Campo Bello, in Charlotte County, praying an Act may pass for the protection and management of the Fisheries, and for the establishment of a Packet to maintain and continue a certain communication with other parts of this Province :

A Petition from B. R. Fitzgerald, Walter Grant, James Brown and other householders of Campo Bello, praying an Act may pass to authorize them to rate themselves, for the purpose of establishing Schools and making provision for the education of their children :

A Petition from John Pendlebury, praying that he may be repaid certain expenses incurred in making improvements in the Light House at Machias Seal Islands; and

A Petition from John Wilson, James Rait, Harris Hatch and ninety other inhabitants of Charlotte County, praying that a bounty may be granted to vessels employed in Fisheries, and that further protection may be extended to them to secure the rights and privileges of persons employed in this branch of trade.

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

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 22d January, 1839.

PRESENT.

THE HON.

<i>Mr. Chief Justice Chipman, President.</i>	
<i>Mr. Shore,</i>	<i>Mr. Baillie,</i>
<i>Mr. Robinson.</i>	<i>Mr. Botsford.</i>
<i>Mr. Attorney General.</i>	<i>Mr. Lee.</i>
<i>Mr. Chandler.</i>	

PRAYERS.

The

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

A Petition from the New Brunswick Marine Assurance Company, praying that certain amendments may be made in their Charter :

A Petition from James Reynolds, praying to be remunerated for services performed in keeping the Ferry at Indian Town, in the Parish of Portland :

A Petition from Joseph N. Clarke, as foreman of a Grand Inquest of the County of Charlotte, praying that an Act may pass providing for the payment of the Grand and Petit Jurors; and

A Petition from the Magistrates of the County of Charlotte, praying for a grant of money to assist them in the erection of a Court House in the said County.

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

The Honorable Mr. Shore, by direction of His Excellency the Lieutenant Governor, lays before the House a general abstract of the revenue and expenditure of the Province, in the year one thousand eight hundred and thirty eight.

ORDERED, That the same do lie on the Table.

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

A Petition from Horatio N. Hill and Daniel Hill, of Saint Stephen, praying for Legislative encouragement to enable them to settle a tract of wilderness land; and

A Petition from Christopher Milner, Deputy Postmaster at Dorchester, praying compensation in consequence of the increased and arduous duties of his office.

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

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

A Bill to continue an Act, intituled “ An Act to prevent Pedlars travelling and selling within this Province without license;” and

A Bill to continue the Act relating to Parish Schools.

The said Bills were severally read the first time.

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

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 23d January, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill to continue an Act, intituled “ An Act to prevent Pedlars travelling and selling within this Province without licence;” and
The

The Bill to continue the Act relating to Parish Schools, were severally read the second time.

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

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

The Honorable the President read the same ;

And they were again read by the Clerk as follows.—

NEW BRUNSWICK.

Message to the Legislative Council,

16th January, 1839.

J. HARVEY, Lt. GOVERNOR.

The Lieutenant Governor informs the Council that in pursuance of an Address of the House of Assembly of the 19th February, 1838, the division line between the Counties of King's and Queen's has been marked ; in the performance of which service an expense amounting to £238 5 11, more than the sum granted by the Legislature, has been incurred, for which the Lieutenant Governor recommends that provision be made.

J. H.

NEW BRUNSWICK.

Message to the Legislative Council,

17th January, 1839.

J. HARVEY, Lt. GOVERNOR.

The Lieutenant Governor transmits to the Legislative Council, copy of a Letter which has been addressed to him by the Province Secretary, upon the subject of extension and repairs required to be made to the Building in which that Office is at present held. The Lieutenant Governor having satisfied himself by personal inspection of the necessity of those repairs &c., recommends the subject to the favorable consideration of the Council.

J. H.

[*See Appendix, No. 1.*]

NEW BRUNSWICK.

Message to the Legislative Council,

22d January, 1839.

J. HARVEY, Lt. GOVERNOR.

The Lieutenant Governor informs the Council, that a new line of Road from Saint Andrew's to Saint Stephen has been explored by Jacob Allan, Esquire, which promises to be highly advantageous, and the Lieutenant Governor therefore strongly recommends it to the favorable consideration of the Council.

J. H.

NEW BRUNSWICK.

Message to the Legislative Council,

22d January, 1839.

J. HARVEY, Lt. GOVERNOR.

The Lieutenant Governor informs the Council that a Road has been explored from Woodstock, through the Williamstown settlement, to the River Des Chutes, which if opened, would pass through thriving settlements and a tract of country eminently calculated for agricultural pursuits, and be productive of great public benefit. The Lieutenant Governor, therefore, strongly recommends it to the favorable consideration of the Council.

J. H.

The Honorable Mr. Shore, also by direction of His Excellency, lays before the House a copy of a report from the Commissioners appointed last year to explore a new line of road over the Sackville Great Marsh.

ORDERED, That the report lie on the Table.

[See Appendix, No. 2.]

A Message was brought from the Assembly by Mr. Brown, with a Bill, intituled "A Bill to authorise the Justices of the Peace for the County of Charlotte, to levy an assessment for the building a new Court House in the said County," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

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

A Petition from Lydia Berry, praying for Legislative bounty for teaching a School in the Parish of Saint Martin's:

A Petition from Joseph Prince, a licenced Schoolmaster, praying an allowance for teaching a School in Westmorland in the year 1834; and

A Petition from Catherine Hull, praying an allowance for teaching a School in New Bandon, in the year 1838.

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

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 24th January, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

A Message was brought from the Assembly by Mr. Partelow, with the following Resolutions:—

House

House of Assembly, January 23d, 1839.

WHEREAS our gallant fellow subjects in the Canadas have been repeatedly exposed to the most wanton depredations upon their Territory by numerous bands of marauders and incendiaries, levied, armed and equipped on the opposite frontier, in a country professedly at amity with Great Britain; and whereas in successfully repelling such unprovoked and unexampled outrages, and in defending their families, their homes and their institutions, many valuable loyal lives have been sacrificed, and, in too frequent instances, brave men have been so desperately wounded as to render them incompetent to provide for themselves, and those to whom they had hitherto afforded protection and support; and whereas from the great distress which must now necessarily prevail, it is desirable that some efficient relief should be immediately given, and, in the opinion of this Committee, the Legislature of this Province, representing the will and opinion of the people, should not be behind in shewing that they not only deeply sympathize with such their fellow subjects in their severe trials and sufferings, but also that their cause is viewed as the cause of New Brunswick, as an integral part of the British dominions on this Continent, and enjoying the inestimable blessings of *rational* liberty, with the wholesome and impartial administration of British Laws; therefore

RESOLVED unanimously, That there be granted to His Excellency the Lieutenant Governor, the sum of one thousand pounds, to be by His Excellency transmitted to Sir John Colborne, the Governor General, for the purpose of being distributed under the direction of the Governor General, towards relieving the immediate necessities of the loyal sufferers in the two Canadas, as in his discretion may be considered just and expedient.

CHAS. P. WETMORE, *Clerk.*

House of Assembly, January 23d, 1839.

RESOLVED, That the Resolution unanimously granting one thousand pounds in the Committee of Supply this day, towards the relief of the loyal Canadian sufferers, be forthwith communicated to the Legislative Council for their concurrence.

RESOLVED, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to give immediate effect to the Resolution so passed in Supply; and further

RESOLVED, That the Legislative Council be requested to join in the Address to His Excellency.

ORDERED, That Mr. Partelow communicate the above Resolution to the Council.

CHAS. P. WETMORE, *Clerk.*

RESOLVED unanimously, That this House doth most heartily concur in the Resolutions sent up this day from the House of Assembly, relating to a grant of One thousand pounds for the relief of our suffering fellow subjects in the Canadas; and

That the Honourable Messrs. Shore and Baillie be a Committee on the part of this House, to join such Committee as may be appointed by the House of Assembly, to present the proposed Address to His Excellency the Lieutenant Governor.

A Message was brought from the Assembly, by Mr. Gilbert, with a Bill, intituled
 “ A Bill to continue an Act to provide for the erection of Fences with Gates across
 Highways,

Highways, leading through intervale lands in Queen's County and the County of Sunbury, where the same may be found necessary, and to extend the provisions of the same to King's County," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

A Message was brought from the Assembly, by Mr. Woodward, with a Bill, intituled "A Bill for the incorporation of the Saint John Chamber of Commerce," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

Pursuant to the Order of the Day, the Bill to authorise the Justices of the Peace for the County of Charlotte, to levy an assessment for the building a new Court House in the said County, was read the second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue the Act relating to Parish Schools.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into consideration the Bill to continue an Act, intituled "An Act to prevent Pedlars travelling and selling within this Province without licence."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the said report be received, and that the said Bill be read the third time.

The said Bill was read the third time and passed.

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

The Honorable the President informed the House, that he had received from the Honorable the Secretary of the Province,

A Return shewing the state of the Central Fire Insurance Company, on the third day of January, one thousand eight hundred and thirty nine, with the names of the Stockholders: also

A List of Stockholders in the Saint John Whale Fishing Company.

ORDERED, That the same do lie on the Table.

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

A Petition from John Ward and others, Magistrates, Merchants, and other inhabitants of the City and County of Saint John, praying that no Act may pass imposing a duty on Timber at the place of shipment : and

A Petition from the Saint John Water Company, praying an amendment may be made in their Charter.

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

A Message was brought from the Assembly, by Mr. Rankin, with a Bill, intituled "A Bill to continue an Act for the regulation of Booms for securing Masts, Logs and Lumber in certain parts of the County of Northumberland," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

A Message was brought from the Assembly, by Mr. Weldon, with a Bill, intituled "A Bill for enabling persons indicted of felony to make their defence by Counsel," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

A Message was brought from the Assembly, by Mr. Partelow, that Mr. Partelow, Mr. Allen, Mr. Wyer and Mr. M'Leod are appointed a Committee from the Assembly to join the Committee of this House, to wait upon His Excellency the Lieutenant Governor with the joint Address of this House and the House of Assembly on the subject of the resolution, granting to His Excellency the Lieutenant Governor the sum of one thousand pounds for the relief of the loyal sufferers in the two Canadas.

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

A Petition from Duncan M'Graw, praying for a Legislative Grant, to reimburse his expenditure in building a Bridge on the Great Road, in the parish of Glenelg ; and

Petitions from David Kilpatrick and Maria Niles, praying an allowance may be made them respectively for teaching Schools.

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

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 25th January, 1839.

PRESENT.

THE HON.

	<i>Mr. Chief Justice Chipman, President.</i>	
<i>Mr. Shore.</i>		<i>Mr. Baillie.</i>
<i>Mr. Robinson.</i>		<i>Mr. Botsford.</i>
<i>Mr. Attorney General.</i>		<i>Mr. Lee.</i>
<i>Mr. Chandler.</i>		

PRAYERS.

The Honorable Mr. Shore, from the joint Committee of this House and the Assembly,
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appointed to wait upon His Excellency the Lieutenant Governor with the Address to His Excellency relating to the grant of one thousand pounds for the relief of our suffering fellow subjects in the Canadas, reported, that they had attended to that duty, and His Excellency was pleased to say, he would with the highest satisfaction give immediate effect to the wishes of the Legislative Council and Assembly as respects the Resolution, so worthy of the high character of this loyal Province, and the moral effect of which is not to be calculated.

Pursuant to the Order of the Day, the Bill to continue "An Act to provide for the erection of fences with gates across highways, leading through intervale land in Queen's County and the County of Sunbury, where the same may be found necessary, and to extend the provisions of the same to King's County," was read the second time.

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

Pursuant to the Order of the Day, the Bill for the incorporation of the Saint John Chamber of Commerce: and

The Bill to continue an Act for the regulation of Booms for securing Masts, Logs and Lumber in certain parts of the County of Northumberland, were severally read a second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to authorize the Justices of the Peace for the County of Charlotte to levy an assessment for the building a new Court House in the said County.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

A Message was brought from the Assembly, by Mr. Allen, with a Bill, intituled "A Bill to amend an Act, intituled 'An Act to incorporate sundry persons by the name of the New Brunswick Marine Assurance Company,'" to which they desire the concurrence of this House.

The said Bill was read the first time.

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

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

A Petition from Phineas Williston and George Taylor, Overseers of Poor for the Parish of Chatham, praying to be reimbursed for expenses incurred in relieving William W. Jeromes, a transient Pauper; and

A Petition from the Commissioners of Highways for the Parish of Saint Andrews, and other inhabitants of the County of Charlotte, praying for a grant of money to make a new line of road from Saint Andrews to Saint Stephen.

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

The

The Honorable Mr. Chandler, by leave, presented a Petition from Andrew Hay, of the Parish of Saint Patrick, praying for remuneration for services performed on the roads.

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

Adjourned until Monday next at 12 o'clock.

MONDAY, 28th January, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

There not being eight members present, the House adjourned until to-morrow at 12 o'clock.

TUESDAY, 29th January, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore,

Mr. Baillie,

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

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

The Honorable Messrs. Peters, Botsford and Chandler do compose the same.

Pursuant to the Order of the Day, the Bill to amend an Act, intituled "An Act to incorporate sundry persons by the name of the New Brunswick Marine Assurance Company," was read the second time.

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

The Order of the Day, for the House to be put into a Committee of the whole, to take into consideration the Bill for the incorporation of the Saint John Chamber of Commerce, being read, it was

ORDERED, To be discharged, and that the Bill be referred to the Select Committee appointed to examine and report upon Bills relating to Corporations.

Pursuant to the Order of the Day, the House was put into a Committee of the whole,

whole, to take into consideration the Bill to continue "An Act to provide for the erection of fences with gates across highways, leading through intervale lands in Queen's County and the County of Sunbury, where the same may be found necessary, and to extend the provisions of the same to King's County."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and the Bill be read the third time.

The said Bill was read a third time and passed.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to continue "An Act for the regulation of booms for securing Masts, Logs and Lumber in certain parts of the County of Northumberland."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and the Bill be read the third time.

The said Bill was read a third time and passed.

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

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

The Honorable the President read the same ;

And they were again read by the Clerk as follows:—

NEW BRUNSWICK.

Message to the Legislative Council,

19th January, 1839.

J. HARVEY, Lt. GOVERNOR.

The Lieutenant Governor informs the Council, that an expense has been incurred by the Commissioner of Crown Lands, in preparing and copying certain Accounts of his Department, pursuant to requisitions to that effect, amounting to £337 10s., which the Lieutenant Governor recommends to the consideration of the Council.

J. H.

NEW BRUNSWICK.

Message to the Legislative Council,

23d January, 1839.

J. HARVEY, Lt. GOVERNOR.

The Roman Catholic Bishop of Quebec, having been pleased, upon the suggestion of

of the Lieutenant Governor, to send a second Missionary, who is represented to him as being a well qualified Clergyman, as an assistant to the Priest stationed in the Madawaska Settlement, chiefly for the purpose of giving his attendance on the Tobique or other Indians established in the neighbourhood of that Settlement, the Lieutenant Governor recommends some moderate allowance being made in aid of the services of those gentlemen.

J. H.

NEW BRUNSWICK.

Message to the Legislative Council,

23d January, 1839.

J. HARVEY, Lt. GOVERNOR.

Having under recent instructions from the Secretary of State, renewed all Offices held under the Public Seal of this Province, the salaries of which do not exceed two hundred pounds per annum, previous to the period at which they would at other times have ceased, viz: within eighteen months from the demise of His late Majesty William the Fourth, and the fees upon those Offices having been already paid by the incumbents upon their first appointment, the Lieutenant Governor recommends that they be not again exacted upon the present occasion; but that provision be made for the extra clerical and other expenses attending the renewal of those Commissions. Copy of a letter from Mr. Secretary Odell on the subject, is herewith transmitted.

J. H.

[See Appendix, No. 3.]

The Honorable Mr. Shore, also by directions from the Lieutenant Governor, lays before the House certain Returns and Accounts of the Commissioner of Crown Lands, for the year one thousand eight hundred and thirty eight.

ORDERED, That these Returns and Accounts do lie on the Table.

The Honorable Mr. Chandler presented to the House a Bill, intituled "An Act in addition to and in amendment of an Act, intituled 'An Act relating to insolvent confined Debtors.'"

The said Bill was read the first time.

ORDERED, That the said Bill stand for a second reading on Monday the 11th day of February next.

ORDERED, That there be a Call of the House on Monday the fourth day of February next, and that the Clerk do notify absent Members.

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

A Petition from George Knilands, praying an allowance for teaching a School in the Parish of Portland, in the year one thousand eight hundred and thirty five:

A Petition from Rachael Martin, praying an allowance for teaching a School near the borders of the Counties of King's and Westmorland; and

A Petition from William George Cody, and other inhabitants of Portland, praying a law may pass to erect the eastern section of the said Parish into a separate and distinct Town or Parish.

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ORDERED,

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

The Honorable Mr. Shore, by leave, presented a Petition from Frances Jemima Earls, praying an allowance for teaching a School in the Parish of Woodstock.

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

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

A Bill to repeal the Act establishing the times of holding the Courts of General Sessions of the Peace and Inferior Courts of Common Pleas in the County of Northumberland, and for enlarging the Terms of the sittings of the said Courts, and for making other and better regulations concerning the same ; and

A Bill to lay a tax on Dogs in a certain part of the Parish of Chatham, in the County of Northumberland.

The said Bills were severally read a first time.

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

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

A Bill to continue an Act, intituled “ An Act to authorise the extension of the Gaol Limits in the City and County of Saint John :”

A Bill to revive and continue an Act to regulate the Driving of Timber and Saw Logs down the Magaguadavic ; and

A Bill in addition to an Act for granting Patents for useful inventions.

The said Bills were severally read a first time.

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

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

A Bill to authorise the Justices of the Peace for the County of Restigouche, to assess the said County for erecting a Court House and Gaol therein ; and

A Bill to divide the County of Restigouche into five Towns or Parishes, and to define the boundaries thereof.

The said Bills were severally read a first time.

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

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 30th January, 1839.

PRESENT.

THE HON.

Mr. Black.
Mr. Baillie.
Mr. Botsford.
Mr. Lee.

Mr. Shore.
Mr. Robinson.
Mr. Attorney General.
Mr. Chandler.

The

The Honorable Mr. Black sat President.

PRAYERS.

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

A Bill to repeal the Act for establishing the times of holding the Courts of General Sessions of the Peace and Inferior Courts of Common Pleas in the County of Northumberland, and for enlarging the times of the sittings of the said Courts, and for making other and better regulations concerning the same :

A Bill to lay a tax on Dogs in a certain part of the Parish of Chatham, in the County of Northumberland :

A Bill to continue an Act, intituled “ An Act to authorise the extension of the Gaol Limits in the City and County of Saint John :”

A Bill to revive and continue an Act to regulate the driving of Timber and Saw Logs down the River Magaguadavic, and its Branches ; and

A Bill in addition to an Act for granting Patents for useful inventions.

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

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

A Bill to authorise the Justices of the Peace for the County of Restigouche, to assess the said County for erecting a Court House and Gaol therein ; and

A Bill to divide the County of Restigouche into five Towns or Parishes, and to define the boundaries thereof.

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

A Message was brought from the Assembly, by Mr. Jordan, with a Bill, intituled “ A Bill to erect the eastern part of the Parish of Portland, in the County of Saint John, into a separate and distinct Town or Parish,” to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly, by Mr. Weldon, with sundry Resolutions of Appropriation, dated the twenty third day of January, instant, to which they desire the concurrence of this House.

The said Resolutions were read the first time.

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 31st January, 1839.

PRESENT.

THE HON.

Mr. Black.

Mr. Robinson.

Mr. Shore.

Mr. Botsford.

Mr.

Mr. Attorney General.
Mr. Chandler.

Mr. Lee.

The Honorable Mr. Black sat President.

PRAYERS.

There not being eight Members present, the House adjourned until to-morrow at 12 o'clock.

FRIDAY, 1st February, 1839.

PRESENT.

THE HON.

Mr. Black.
Mr. Attorney General.

Mr. Robinson.
Mr. Lee.

The Honorable Mr. Black sat President.

PRAYERS.

There not being eight members present, the House adjourned until Monday next, at 12 o'clock.

MONDAY, 4th February, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.
Mr. Black.
Mr. Baillie.
Mr. Robinson.
Mr. Attorney General.
Mr. Chandler.

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

PRAYERS.

Pursuant to the Order of the Day, the House was called.

PRESENT.

The Honorable	Ward Chipman, President,
" "	William Black,
" "	George Shore,
" "	Thomas Baillie,
" "	Harry Peters,
" "	William H. Robinson,
" "	Amos Edwin Botsford,
" "	The Attorney General,
" "	Thomas C. Lee,
" "	Edward B. Chandler.

ABSENT.

ABSENT.

The Honorable Joseph Cunard, *Excused by leave from the Lieutenant Governor,*
 ” ” James Allanshaw,
 ” ” John S. Saunders, *Excused by leave from the Lieutenant Governor.*

On motion—

The Bill to erect the eastern part of the Parish of Portland, in the County of Saint John, into a separate and distinct Town or Parish, was read a second time.

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to repeal the Act establishing the times of holding the Courts of General Sessions of the Peace, and Inferior Courts of Common Pleas, in the County of Northumberland, and for enlarging the times of the sittings of the said Courts, and for making other and better regulations concerning the same.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to lay a Tax on Dogs in a certain part of the Parish of Chatham, in the County of Northumberland.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly, by Mr. Fisher, with a Bill, intituled “ A Bill to continue an Act, intituled ‘ An Act to provide for reporting and publishing the decisions of the Supreme Court,’ ” and

With Resolutions of Appropriation, dated the thirty first day of January last, to which they desire the concurrence of this House.

The same were severally read the first time.

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to continue an Act, intituled “ An Act to authorize the extension of the Gaol Limits in the City and County of Saint John.”

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and the Bill be read the third time.

Read a third time and passed the said Bill.

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill in addition to an Act for granting Patents for useful Inventions.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to divide the County of Restigouche into five Towns or Parishes, and to define the boundaries thereof.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to continue the Act relating to Parish Schools.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Read a third time and passed the said Bill.

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

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

A Petition from John Sutton, praying the House may concur in a grant for removing certain obstacles in the River Saint John, near the Aroostook :

A Petition from Henry John Caldwell, praying a Bill about to be brought before the Legislature, to alter the mode of collecting the stumpage duty on Timber and Lum-
ber

ber exported from this Province, may not be allowed to extend so far as to affect the proprietors of lands situate in Lower Canada, who are so circumstanced as to render it necessary to bring their Timber and Lumber through the waters of the River Saint John :

A Petition from William M'Dougald, praying he may be allowed a grant of Land free from any expense, for reasons set out in his Petition :

A Petition from George Fields, praying for pecuniary aid to enable him to remove his family to the County of Carleton ; and

A Petition from Stephen Smith, praying to be remunerated for the loss of a Horse, while assisting to transport Her Majesty's Troops, the present winter, to Canada.

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

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

A Petition from the proprietors of the Harvey Eastern Mail Coach, praying aid to enable them to continue the line from Saint John to Dorchester :

Petitions from Andrew Shanklin and William Bell, licenced Schoolmasters, respectively praying compensation for teaching Schools :

A Petition from Richard Coltart, of Northumberland, praying remuneration for losses sustained in road contracts ; and

A Petition from David M'Almon, praying compensation for losses sustained in discharge of his duty as a Militia Officer.

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

The Honorable the President, by leave, presented the following Petitions :—

A Petition from the Governor and Trustees of the Madras School, praying aid to enlarge the School House under their charge in Fredericton ; and

A Petition from the President and Directors of the Grammar School in the City of Saint John, praying that they may, by law, be empowered to grant leases of part of their Land, with covenants for renewal &c., to prevent any doubts which may exist with regard thereto.

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

The Honorable Mr. Botsford, by leave, presented four several Petitions from Messrs. Crookshank and Walker, Merchants, of Saint John, praying a return of duties paid by them ; and

A Petition from Messrs. Ezekiel Barlow & Sons, and thirteen other persons of Saint John, praying a further regulation may be made by law, as to the survey of Saw Logs.

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

Adjourned until To-morrow at 12 o'clock.

TUESDAY

TUESDAY, 5th February, 1839.

PRESENT.

THE HON.

<i>Mr. Chief Justice Chipman, President.</i>	
<i>Mr. Black.</i>	<i>Mr. Shore.</i>
<i>Mr. Baillie.</i>	<i>Mr. Peters.</i>
<i>Mr. Robinson.</i>	<i>Mr. Botsford.</i>
<i>Mr. Attorney General.</i>	<i>Mr. Lee.</i>
<i>Mr. Chandler.</i>	

PRAYERS.

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

A Bill to lay a Tax on Dogs, in a certain part of the Parish of Chatham, in the County of Northumberland; and

A Bill to repeal the Act establishing the times of holding the Courts of General Sessions of the Peace and Inferior Courts of Common Pleas, in the County of Northumberland, and for enlarging the times of the sittings of the said Courts, and for making other and better regulations concerning the same.

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

Pursuant to the Order of the Day, the Bill to continue an Act, intituled “An Act to provide for reporting and publishing the decisions of the Supreme Court,” was read a second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to erect the eastern part of the Parish of Portland, in the County of Saint John, into a separate and distinct Town or Parish.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received.

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

At A. Section I. expunge the word “eastern,” and insert the word “eastward.”

At B. insert the words “the head of.”

At C. expunge the words, “thence running a due south course till it meets,” and insert the words “thence at right angles, easterly, until it meets the eastern line of the Marsh Road so called, thence southerly, following the eastern line of the said Marsh Road, and the road which passes along the front of Walker Tisdale’s stone cottage, and a prolongation of the said last mentioned line until it strikes.”

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to divide the County of Restigouche into five Towns or Parishes, and to define the boundaries thereof.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A. in Section I. insert the words “ at mid channel.”

At B. expunge the words “ several courses of the.”

At C. expunge the word “ Belle,” and insert the word “ Eel.”

At D. expunge the word “ or,” and insert the words “ thence following the said rear line easterly.”

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

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

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

A Petition from George M'Gee, praying compensation for a loss sustained whilst assisting to convey Her Majesty's Troops to Canada:

A Petition from Ann E. M'Leod, a licenced Teacher, praying an allowance for teaching a School in the Parish of Sheffield; and

A Petition from William Corry, of Westfield, King's County, a licenced Teacher, and author of a Spelling Book and a Treatise on Mercantile Arithmetic, compiled for the use of Schools in this Province, praying aid towards defraying the expenses of printing and publishing the works.

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

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

A Petition from the President, Directors and Company of the Saint Andrews and Saint John Stage Coach Company, praying for pecuniary assistance to enable them to continue the Coaches on the said route; and

A Petition from Messrs. Robert Rankin & Company, Agents for the owners of the Brig Leslie Gault, praying a return of head money on twenty nine passengers from Londonderry in May last.

The Honorable Mr. Black, also by leave, presents a Report from George P. Peters, M. D., to the Directors of the Provincial Vaccine Establishment.

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

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 6th February, 1839.

PRESENT.

THE HON.

Mr. Black.

Mr. Baillie.

Mr. Robinson.

Mr. Attorney General.

Mr. Shore.

Mr. Peters.

Mr. Botsford.

Mr. Lee.

The Honorable Mr. Black sat President.

PRAYERS.

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

The Honorable Mr. Black read the same ;

And it was again read by the Clerk as follows:—

NEW BRUNSWICK.

Message to the Legislative Council,

6th February, 1839.

J. HARVEY, Lt. GOVERNOR.

The Lieutenant Governor invites the attention of the Legislative Council, to the accompanying extracts of a Despatch from the Right Honorable Lord Glenelg, by which it will be seen that although the necessity of the appointment of a "Master of the Rolls," and the individual selected for that office, are fully recognized and approved by Her Majesty's Government, yet that the Colonial Secretary has delayed advising Her Majesty to give Her Royal allowance to the Bill of last Session, in consequence of a slight informality in regard to one of its provisions, which the Lieutenant Governor does not doubt the Legislative Council will at once agree to remove.

J. H.

Extract of a Despatch from the Right Honorable Lord Glenelg, to His Excellency Major General Sir John Harvey, K. C. B. & K. C. H., dated Downing Street, 26th May, 1838.

"SIR,

"I have received your Despatch of the 16th of March, No. 13, enclosing the copy of an Act passed by the Legislature of New Brunswick, authorizing the appointment of a Master of the Rolls in that Province, and reporting your selection for that office of Mr. Neville Parker, the senior Master of the Provincial Court of Chancery.

"I observe that the Act vests this appointment not in Her Majesty but in the Lieutenant Governor of the Province. This I am perfectly aware was a mere inadvertency, for which the responsibility rests with the persons employed to prepare the draft of this law.

"It is, however, necessary for me to call your attention to it, and to instruct you to suggest to the local Legislature such an amendment of the Statute as will transfer to the Queen, and not to Her Majesty's local Representative, the right of appointing a Judicial Officer of such high rank as the Master of the Rolls.

"In the mean time Her Majesty's decision upon this Act will be suspended.

"As the Law at present stands, it is scarcely competent to me to advise the Queen to confirm your choice of Mr. Parker, or to overrule it in favor of any other Candidate—Mr. Parker holds his office in strict conformity with the terms of the Act. He must necessarily continue to hold it upon the same tenure, until the proposed amendment of the Act shall have been made, that is, until the spring of the year 1839. After so long a possession of such an Office, the motives must be powerful indeed which could justify his removal from it, in favor of any other person. Practically, therefore, Mr. Parker's tenure of this employment must be considered as finally settled.

Under

“ Under such circumstances I am happy in the assurance which you have given me of this Gentleman’s eligibility for this important trust, and of the general satisfaction with which his promotion has been received. As the choice of such an Officer must of course be confined to the more conspicuous members of the Provincial Bar, it is a duty in the discharge of which Her Majesty’s Government are far better satisfied to act in deference to your opinion than in reliance on any judgment, which, at this distance, it would be possible for them to form as to the merits of different candidates.”

Certified true extract.

SAMUEL TRYON, *Private Secretary.*

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

A Bill to divide the County of Restigouche into five Towns or Parishes, and to define the boundaries thereof; and

A Bill to erect the eastern part of the Parish of Portland, in the County of Saint John, into a separate and distinct Town or Parish.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to continue an Act, intituled “ An Act to provide for reporting and publishing the decisions of the Supreme Court.”

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and the Bill be read the third time tomorrow.

A Message was brought from the Assembly, by Mr. Weldon, with sundry Resolutions of Appropriation dated the first day of February, instant, to which they desire the concurrence of this House.

The said Resolutions were read the first time.

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

A Petition from Messrs. M’Pherson and Coy, F. W. Hatheway, and Spafford Barker, of Fredericton, praying this House may concur, should a grant be made by the House of Assembly, for finishing a Wharf in Fredericton, at the end of Regent Street, on the margin of the River Saint John; and

A Petition from Abner Bull, of Woodstock, praying a grant of ninety nine pounds for building a Bridge over Bull’s Creek, the expense of this Bridge exceeding thus much the amount of seventy pounds granted by the Legislature at the last Session.

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

The Honorable Mr. Baillie, by leave, presented a Petition from William Williams, praying a grant of Land in consideration of his services in Her Majesty’s 34th Regiment.

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

The

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

A Petition from James Killen, a licenced Teacher, praying an allowance for teaching a School in the Parish of Woodstock; and

A Petition from Richard Ketchum, John Dibblee, A. B. Sharp, and others, Magistrates, Grand Jurors, and residents of the County of Carleton, praying the duties imposed on Timber and Lumber may be collected at the Shipping Ports.

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

Adjourned until to-morrow at 12 o'clock.

THURSDAY, 7th February, 1839.

PRESENT.

THE HON.

Mr. Black.

Mr. Baillie.

Mr. Botsford.

Mr. Shore.

Mr. Peters.

Mr. Attorney General.

The Honorable Mr. Black sat President.

PRAYERS.

There not being eight Members present, the House adjourned until to-morrow at 12 o'clock.

FRIDAY, 8th February, 1839.

PRESENT.

THE HON.

Mr. Black.

Mr. Baillie.

Mr. Robinson.

Mr. Attorney General.

Mr. Chandler.

Mr. Shore.

Mr. Peters.

Mr. Botsford.

Mr. Lee.

The Honorable Mr. Black sat President.

PRAYERS.

On motion—

The Bill to continue an Act, intituled “An Act to provide for reporting and publishing the decisions of the Supreme Court,” was read a third time and passed.

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

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

The Honorable Mr. Black read the same;

And it was again read by the Clerk as follows:—

NEW BRUNSWICK.

NEW BRUNSWICK.

*Message to the Legislative Council,**5th February, 1839.*

J. HARVEY, Lt. GOVERNOR.

With reference to that part of his Speech which relates to the survey of the Port of Shediac, the Lieutenant Governor invites the favorable attention of the Legislative Council to a plan of the Bay and Harbour of that place, stated to have been carefully executed by Mr. James Milne, Harbour Master, and Mr. William Milne, Port Warden, and both of them Pilots for the Port of Shediac, after a practical acquaintance with that Port of eighteen years.

Copy of a Letter addressed by the Messrs. Milne to the Lieutenant Governor, is also transmitted.

J. H.

[*See Appendix, No. 4.*]

A Message was brought from the Assembly, by Mr. Barberie, that the Assembly had agreed to the amendments made by this House to the Bill to divide the County of Restigouche into five Towns or Parishes, and to define the boundaries thereof.

A Message was brought from the Assembly, by Mr. End, with a Bill, intituled "A Bill for the relief of Old Soldiers of the Revolutionary War and their widows," to which they desire the concurrence of this House.

The said Bill was read a first time.

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

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

A Petition from John Wright, William Abrams, Francis Peabody, and numerous others, of the County of Northumberland, praying Legislative aid in support of the Agricultural interest of the County:

Petitions from Margaret Merry and John M'Dougal, respectively praying allowances for teaching Schools in Northumberland:

A Petition from two of the Trustees of Schools in the Parish of Glenelg, praying an allowance may be made to Angus M'Kenzie, for teaching a School in that Parish; and

A Petition from Abraham J. Wetmore, Deputy Treasurer at Saint George, praying for compensation for services rendered in that capacity.

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

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

A Petition from Jacob Day, Robert Golding, Alexander B. M'Donald, and other inhabitants of the Parish of Wickham, in Queen's County, praying for a division of the said Parish:

A Petition from William Foshay, Thomas T. Hewlett, Stephen Golding, and 105 others, Magistrates, Grand Jurors and inhabitants of Queen's County, praying that no alteration may be made in the division line between the said County and King's County:

A Petition from James Gilmour, James Souter, William Abrams, and others, of the Parish

Parish of Newcastle, praying a sum may be granted in aid of the Grammar School at that place :

A Petition from Joseph Barwise, a licensed Teacher, praying compensation for teaching a School in Chatham :

A Petition from Benjamin G. Gray, John Kerr, Henry Gilbert, and one hundred and thirteen other persons of the City and County of Saint John, praying a repeal of the existing Tavern licence Law, and that a new and more particular one be enacted ; and

A Petition from Calvin L. Hatheway, John Owens, William Eagles, and one hundred and twenty one other persons, members of Temperance and Abstinence Societies, and others, on the same subject, and praying that all smuggled liquors seized may be destroyed, and not sold as heretofore accustomed.

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

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

A Petition from sundry Magistrates of the County of York, praying for Legislative aid to assist in the erection of a new Gaol in said County :

A Petition from the Commissioners of the Alms House in the County of York, praying the sum of one hundred and forty one pounds nine shillings and three pence, may be granted them for expenses incurred in relieving destitute transient paupers and emigrants, for the year ending thirty first December eighteen hundred and thirty eight ; and

A Petition from William Napier, Benjamin Dawson, Joseph Read, and others, Merchants and Inhabitants of the County of Gloucester, praying aid to support a Courier between Bathurst and Shippegan.

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

Adjourned until Monday next at 12 o'clock.

MONDAY, 11th February, 1839.

PRESENT.

THE HON.

Mr. Baillie.

Mr. Robinson.

Mr. Attorney General.

Mr. Peters.

Mr. Botsford.

Mr. Lee.

The Honorable Mr. Baillie sat President.

PRAYERS.

There not being eight members present, the House adjourned until to-morrow at 12 o'clock.

TUESDAY,

TUESDAY, 12th February, 1839.

PRESENT.

THE HON.

*Mr. Shore.**Mr. Peters.**Mr. Botsford.**Mr. Lee.**Mr. Baillie.**Mr. Robinson.**Mr. Attorney General.**Mr. Chandler.*

The Honorable Mr. Shore sat President.

PRAYERS.

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to authorize the Justices of the Peace for the County of Restigouche, to assess the said County for erecting a Court House and Gaol therein.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly, by Mr. Fisher, with a Bill, intituled "A Bill to amend an Act, intituled 'An Act to incorporate the Fredericton Hotel and Stage Coach Company,'" to which they desire the concurrence of this House.

The said Bill was read the first time.

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

The said Bill was read the second time.

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

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

The Honorable Mr. Shore read the same ;

And it was again read by the Clerk as follows :—

NEW BRUNSWICK.

*Message to the Legislative Council,**11th February, 1839.*

J. HARVEY, Lt. GOVERNOR.

The Lieutenant Governor lays before the Council, a copy of a Letter addressed to him by the Officers of Customs at Saint John, with copies of a correspondence between those Officers and the Sub-Collector at Bathurst, upon the subject of sundry wrecked goods which were found within his district ; and the Lieutenant Governor recommends to the Council the making of some Legislative enactment, the necessity of which is apparent, not only for the protection and disposal of wrecked property and the security of the Revenue, but to prevent a system of plunder and opposition

to

to the Civil Authority, which, in the case referred to, has been manifested, and which, if not timely checked, will soon become an evil of serious magnitude.

J. H.

[*See Appendix, No. 5.*]

A Message was brought from the Assembly, by Mr. Weldon, with a Bill, intituled "A Bill to make perpetual an Act for the support of the Civil Government of the Province," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

The Honorable Mr. Baillie, by leave, presented a Petition from Mark Needham, Secretary to the Firewards of Fredericton, praying a return of duty on an Engine imported from Great Britain.

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

The Honorable Mr. Attorney General, by leave, presented a Petition from Jarvis Ring, and others, a Committee of Management for the Baptist Education Society, praying assistance to pay off a debt incurred by them in erecting a Building in Fredericton.

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

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

A Bill to authorize the President and Directors of the Public Grammar School in the City of Saint John, to grant Leases with covenants for renewal:

A Bill to repeal an Act, intituled "An Act for the more effectual prevention of Fires within the City of Saint John:"

A Bill to provide for the government and regulation of the House of Correction for the City and County of Saint John; and

A Bill to explain and amend an Act, intituled "An Act to incorporate sundry persons by the name of the Saint John Water Company."

The said Bills were severally read a first time.

ORDERED, That the Bill to authorize the President and Directors of the Public Grammar School in the City and County of Saint John to grant Leases, with covenants for renewal:

The Bill to repeal an Act, intituled "An Act for the more effectual prevention of Fires within the City of Saint John;" and

The Bill to provide for the government and regulation of the House of Correction for the City and County of Saint John, be severally read the second time to-morrow; and

That the twenty third rule of this House be dispensed with, as regards the Bill to explain and amend an Act, intituled "An Act to incorporate sundry persons by the name of the Saint John Water Company," and that the same be read the second time.

The said Bill was read a second time.

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

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

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A Petition from Neil M'Lean, of Newcastle, praying a return of duties :

A Petition from George C. M'Alister, and others, praying Doubloons may be made legal tender, at the value stated in the Petition :

A Petition from John Fraser, John Nesmith, Thomas C. Allan, and others, inhabitants of Newcastle, in Northumberland, praying aid for a School in connexion with the Roman Catholic congregation :

A Petition from the Overseers of the Poor in the Parish of Saint George, praying to be allowed money advanced in support of distressed emigrants and transient poor :

A Petition from James Rait and ninety other inhabitants of Charlotte County, praying some measure may be adopted to obtain a repeal of the Act of the Imperial Parliament, imposing a duty on Flour and salted Provisions :

A Petition from the Commissioners of the Alms House in Charlotte, praying to be refunded expences incurred in the support of transient and emigrant paupers :

A Petition from John B. Terrio, praying a grant of money to assist him in continuing a Mill erected in a remote settlement in Gloucester County :

A Petition from A. J. Maxwell, Lieutenant Colonel commanding Her Majesty's 6th Regiment, praying a drawback on wine imported for the use of the Regiment :

A Petition from Caleb Wetmore, praying an amount of £39 10 8, over expended on the Road from Bellisle to Andrew Hennigar's, may be allowed him :

A Petition from the Justices of the Peace of Saint John, in General Session convened, praying a repeal of the Act for the more effectual prevention of Fires in the City, or that certain amendments may be made thereto :

A Petition from Stephen Humbert, and 219 other Inhabitants of the City Saint John, with a similar prayer :

A Petition from the Justices of the Peace of Saint John, praying an Act may pass to authorize the General Sessions to remunerate Assessors of Taxes ; and

A Petition from the same Justices, praying an Act may pass for the government of the House of Correction in the said City and County.

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

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

A Petition from John T. Smith, and two thousand two hundred and fifty Inhabitants of the Province, praying assistance to pay off debts incurred by the Committee of management of the New Brunswick Baptist Education Society :

A Petition from Samuel Grimshaw, praying an allowance for teaching a School in King's County :

A Petition from the surviving Trustees of the late Charlotte County Savings Bank, praying compensation in consequence of losses sustained by them :

A Petition from James Savage, praying an allowance may be made him, he having by accident had a horse destroyed whilst aiding to convey Her Majesty's 34th Regiment to Canada :

A Petition from James Brown, Junior, praying an allowance for expenses incurred whilst inspecting the Royal Road ; and

A Petition from a Temperance Society in Saint Stephen, praying an alteration may be made in the Law regulating Tavernkeepers and Retailers.

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

The

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

A Petition from Enoch Currier, praying remuneration for the loss of a Horse at Tamasquatta Lake, whilst assisting to convey Her Majesty's Troops to Canada :

A Petition from John B. Walker, praying an allowance for teaching a School in Kingsclear :

A Petition from John Ward, Junior, John Kinnear, and forty nine others, praying aid to enable them to remove a rock at West Head, at the mouth of the River Saint John :

A Petition from David and Peter Hatfield, of Saint John, praying a return of duties ; and

A Petition from the proprietors and drivers of a line of Coaches established to run between Saint John and Fredericton, praying a return of duties on certain articles imported by them, and such further assistance as the wisdom of the Legislature may deem reasonable and just.

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

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY, 13th February, 1839.

PRESENT.

THE HON.

Mr. Shore.

Mr. Peters.

Mr. Robinson.

Mr. Attorney General.

Mr. Chandler.

Mr. Baillie.

Mr. Allanshaw.

Mr. Botsford.

Mr. Lee.

The Honorable Mr. Shore sat President.

PRAYERS.

Pursuant to the Order of the Day, the Bill to authorize the Justices of the Peace for the County of Restigouche, to assess the said County for erecting a Court House and Gaol therein, was read the third time and passed.

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

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

A Bill to make perpetual an Act for the support of the Civil Government in this Province :

A Bill to provide for the government and regulation of the House of Correction for the City and County of Saint John :

A Bill to repeal an Act, intituled "An Act for the more effectual prevention of Fires within the City of Saint John;" and

A Bill to authorize the President and Directors of the Public Grammar School in the City of Saint John to grant Leases, with covenants for renewal.

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

On motion—

The Bill for the relief of old Soldiers of the Revolutionary War, and their Widows, was read a second time.

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

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

ORDERED, That the report be received.

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

The Committee to whom were referred all Bills relating to Corporations, report, that they have examined a Bill to amend an Act, intituled “An Act to incorporate sundry persons by the name of the New Brunswick Marine Assurance Company,” and recommend the same to the adoption of the House.

HARRY PETERS, *Chairman*.

ORDERED, That the House be put into a Committee of the whole presently, to take the said Bill and Report of the Select Committee thereon, into consideration.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

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

A Petition from a Grand Jury in the County of Carleton, praying an alteration may be made in the Law relating to Retailers:

A Petition from the Stockholders of the Saint John Bridge Company, praying that they may be relieved from the debt due from them to the Crown, or that the Crown may take in satisfaction of the same all the material connected therewith, in order that the Bridge may be completed at the public expense, or otherwise, as may be deemed best:

A Petition from John C. Vail, George Pitfield, and Cyrus Stockwell, proprietors of a line of Coaches between Saint John and Dorchester, praying a return of duties:

A Petition from the same persons, praying a grant of money to enable them to continue the establishment; and

A Petition from the proprietors of the Woodstock and Fredericton Stage Coach Company, with a similar prayer.

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

Adjourned until To-morrow at 12 o'clock.

THURSDAY,

THURSDAY, 14th February, 1839.

PRESENT.

THE HON.

Mr. Baillie.
Mr. Allanshaw.
Mr. Botsford.
Mr. Lee.

Mr. Peters.
Mr. Robinson.
Mr. Attorney General.
Mr. Chandler.

The Honorable Mr. Baillie sat President.

PRAYERS.

Pursuant to the Order of the Day, the Bill to amend an Act, intituled "An Act to incorporate sundry persons by the name of the New Brunswick Marine Assurance Company," was read the third time and passed.

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

A Message was brought from the Assembly, by Mr. Jordan, that the Assembly had agreed to the amendments made to the Bill to erect the eastern part of the Parish of Portland, in the County of Saint John, into a separate and distinct Town or Parish.

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

A Bill to authorize the Justices of the Peace for the City and County of Saint John, to make compensation to the Assessors of Taxes for the City of Saint John, for the year one thousand eight hundred and thirty eight :

A Bill more effectually to regulate the Ferry and Public Landing in front of Indian Town, in the Parish of Portland, and County of Saint John ; and

A Bill to amend an Act, intituled "An Act to incorporate the Portland Mills and Manufacturing Company."

The said Bills were severally read a first time.

ORDERED, That the two first mentioned Bills be severally read the second time to-morrow ; and

That the twenty third Rule of this House be dispensed with, as regards the Bill to amend an Act, intituled "An Act to incorporate the Portland Mills and Manufacturing Company," and that the same be read the second time.

The said Bill was read a second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to authorize the President and Directors of the Public Grammar School in the City of Saint John, to grant Leases, with covenants for renewal.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to provide for the government and regulation of the House of Correction, for the City and County of Saint John.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly, by Mr. Fisher, with a Bill, intituled "A Bill relating to the sale and disposition of the real estate of Infants," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to make perpetual an Act for the support of the Civil Government in this Province.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill for the relief of old Soldiers of the Revolutionary War, and their Widows.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to repeal an Act, intituled "An Act for the more effectual prevention of Fires within the City of Saint John."

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received and leave granted.

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

A Petition from Nathaniel Blake, R. Hayne, D. Ludlow Campbell, and others, of
York

York County, praying the sum of seventy five pounds may be granted by the Legislature, to be expended on the Road from Stanley to the Bridge, on the Nashwaak River :

A Petition from B. W. Palmer, Paul Enery, and others, of Stanley, praying a sum of money may be granted for establishing a School, at that place :

Petitions from John Gault, of Woodstock, and James Millar, of Chatham, severally praying allowance for teaching Schools in those Parishes :

A Petition from the Rector and Church Wardens of the Parish of Saint Andrews, Directors of the Madras School in that place, praying a grant of money in aid of private subscriptions for the purpose of building a School House ; and

A Petition from Walter Britt, James A. Armstrong, Thomas Young, and others, of York County, praying money may be expended on the road from Stanley to Campbell.

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

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 15th February, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

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

A Bill to make perpetual an Act for the support of the Civil Government in this Province ; and

A Bill to authorize the President and Directors of the Public Grammar School in the City of Saint John to grant Leases, with covenants for renewal.

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

Pursuant to the Order of the Day, the Bill more effectually to regulate the Ferry and Public Landing in front of Indian Town, in the Parish of Portland, and County of Saint John, was read a second time.

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

Pursuant to the Order of the Day, the Bill to authorize the Justices of the Peace for the City and County of Saint John, to make compensation to the Assessors of Taxes

Taxes for the City of Saint John for the year one thousand eight hundred and thirty eight, was read a second.

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

Pursuant to the Order of the Day, the Bill relating to the sale and disposition of the real estate of Infants, was read a second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill for the relief of Old Soldiers of the Revolutionary War and their widows.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

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

A Petition from Isaac Richardson, Brevet Major in Her Majesty's eleventh Regiment, praying a return of duties paid on Wine imported for the use of the Regiment :

A Petition from the Justices of the Peace of Saint John, praying to have allowed them an amount stated to have been expended by the Overseers of the Poor of the Parish of Portland, in supporting emigrants during the last year :

A Petition from William Eagles, Samuel Reynolds, and sixty six others, praying that further regulation by Law may be made, respecting a Public Landing at Indian Town, near the entrance of the River Saint John :

A Petition from Nehemiah Merritt, William H. Street, Samuel Gould, and others, of Saint John, praying a representation may be made to Her Majesty's Government, in order that an additional duty may be placed on Sugar, imported from foreign countries :

A Petition from the Mayor, Aldermen and Commonalty of Saint John, praying further aid to enable them to extend the Break Water at the entrance of the Harbour :

A Petition from the same Corporation, praying a further grant of money to aid them in widening the Road at the Mill Bridge, between Saint John and Indian Town ; and

A Petition from John Ward, William Reynolds, Henry Porter, and fifty one others, of Saint John, praying some law of settlement with regard to paupers may be enacted.

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

A Message was brought from the Assembly, by Mr. Beardsley, with a Bill, intituled " A Bill to provide for the establishing and maintaining a Boom across the Maduxnikick, in the County of Carleton, for securing Masts, Logs, and other Lumber," to which they desire the concurrence of this House.

The said Bill was read the first time.

ORDERED, That the said Bill be read a second time on Monday next.

The

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

A Petition from Alexander Wright, Andrew Weldon, and others, praying a return of duties on a Coach imported into the Province :

A Petition from Theophilus S. Beauchant, praying to be reimbursed expenses incurred by him in laying before the Home Government the subject of the Mines and Minerals in this Province :

A Petition from Cavalier H. Jouett, late Deputy Treasurer of West Isles, praying a return of expenses incurred in discharge of his duty :

A Petition from Samuel Clarke, praying a return of head money paid for passengers on board the Barque Lord John Russell :

A Petition from Theodosia E. Close, praying an allowance for teaching a School near the line of King's and Queen's Counties ; and

A Petition from James Tilley, Thomas O. Miles, and others, inhabitants of the County of Sunbury, praying that duties on Timber may be paid at the port of Shipment.

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

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

A Bill to encourage the establishment of Schools in the Parish of Campo Bello, and providing for the same ; and

A Bill to incorporate the Saint John Mechanics' Institute.

The said Bills were severally read the first time.

ORDERED, That the Bill to encourage the establishment of Schools in the Parish of Campo Bello, and providing for the same, be read the second time on Monday next, and

That the twenty third rule of this House be dispensed with, as regards the Bill to incorporate the Saint John Mechanics' Institute, and that the same be read the second time.

The said Bill was read a second time.

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

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

A Petition from William Fleming, Archibald Ranney, Robert Ferguson, and three hundred and twenty others Inhabitants of Restigouche, praying aid to them in building a Gaol in said County ; and

A Petition from Arthur Ritchie, Joseph Hunter, John Montgomery, and two hundred and seventy other Inhabitants of the County of Restigouche, praying no Act may pass to assess the said County for any debts due from the County of Gloucester.

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

Adjourned until Monday next at 12 o'clock.

MONDAY,

MONDAY, 18th February, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Lee.

PRAYERS.

Pursuant to the Order of the Day, the Bill to provide for the establishing and maintaining a Boom across the Maduxnikick, in the County of Carleton, for securing Masts, Logs, and Lumber; and

The Bill to encourage the establishment of Schools in the Parish of Campo Bello, and providing for the same, were severally read the second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to authorize the Justices of the Peace for the City and County of Saint John, to make compensation to the Assessors of Taxes for the City of Saint John, for the year one thousand eight hundred and thirty eight.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

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

ORDERED, That the report be received.

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

The Committee to whom were referred all Bills relating to Corporations, report, they have had under consideration a Bill to explain and amend an Act, intituled "An Act to incorporate sundry persons by the name of the Saint John Water Company," that they have prepared certain amendments to the said Bill, which they recommend to the adoption of the House.

HARRY PETERS, *Chairman.*

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

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 19th February, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

Pursuant to the Order of the Day, the Bill to authorize the Justices of the Peace for the City and County of Saint John to make compensation to the Assessors of Taxes for the City of Saint John, for the year one thousand eight hundred and thirty eight, was read a third time and passed.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to provide for the establishing and maintaining a Boom across the Maduxnikick, in the County of Carleton, for securing Masts, Logs, and other Lumber.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly, by Mr. Gilbert, with a Bill, intituled "A Bill to erect a part of the Parish of Wickham, in Queen's County, into a separate and distinct Town or Parish," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to encourage the establishment of Schools in the Parish of Campo Bello, and providing for the same.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly, by Mr. Woodward, with a Bill, intituled "A Bill to authorize the sale of mortgaged premises by the Court of Chancery, and directing the application of the proceeds thereof;" and

With

With sundry Resolutions of Appropriation, dated the sixteenth day of February, instant, to which they desire the concurrence of this House.

The same were severally read the first time.

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

A Message was brought from the Assembly, by Mr. Fisher, with a Bill, intituled "A Bill to regulate the Agencies of Foreign Insurance Companies," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

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

ORDERED, That the Report be received.

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

The Committee to whom were referred all Bills relating to Corporations, further report, that they have had under consideration a Bill to amend an Act, intituled "An Act to incorporate the Portland Mills and Manufacturing Company," and also a Bill to amend an Act, intituled "An Act to incorporate the Fredericton Hotel and Stage Coach Company," and recommend the several Bills to the adoption of the House.

HARRY PETERS, *Chairman.*

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

The Honorable Mr. Botsford, by leave, presented a Petition from the President, Directors and Company of the Bank of New Brunswick, praying the Stockholders of the said Bank may be authorized at any of their general meetings to change the present number of Directors, and reduce the same to not less than five.

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

Adjourned until to-morrow at 12 o'clock.

WEDNESDAY, 20th February, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

PRAYERS.

The Honorable the President acquainted the House, that by an instrument under the hand and seal of His Excellency the Lieutenant Governor, dated the sixteenth day of February instant, Harris Hatch, Esquire, was appointed provisionally, until Her Majesty's

Majesty's pleasure should be known, a Member of this House, and desired to be admitted.

ORDERED, That the Honorable Messrs. Allanshaw and Lee be a Committee to attend Mr. Hatch, and see him qualified.

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

The President read the same ;

And it was again read by the Clerk as follows:—

NEW BRUNSWICK.

Message to the Legislative Council,
19th February, 1839.

J. HARVEY, Lt. GOVERNOR.

The Lieutenant Governor feeling the necessity of some amendment in the Law relating to the administration of the estates of deceased persons, and the disposal of real estate for the payment of their debts, invites the consideration of the Council to the Act "relating to Wills, Legacies, Executors and Administrators, and for the settlement and distribution of the estates of intestates;" and as the office of Master of Rolls is now established, the Lieutenant Governor recommends to the House the passing of a Law to transfer to that officer the powers by that Act vested in the Governor and Council, with such additional powers and regulations as may appear to be requisite for securing the interest of Heirs, as well as the rights of Creditors.

J. H.

A Message was brought from the Assembly, by Mr. J. M. Wilmot, with a Bill, intituled "A Bill to alter and amend an Act, intituled 'An Act to incorporate sundry persons by the name of the President, Directors and Company of the Bank of New Brunswick,'" to which they desire the concurrence of this House.

The said Bill was read the first time.

ORDERED, That the same be read the second time to-morrow.

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

A Petition from the Stockholders of the City Bank, praying for an alteration in the Act of Incorporation, to reduce the number of Directors to nine; and

A Petition from John M'Lauchlan, a licenced Schoolmaster, praying an allowance for teaching a School in York County.

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

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

A Bill to erect a part of the Parish of Wickham, in Queen's County, into a separate and distinct Town or Parish:

A Bill to authorize the sale of mortgaged premises by the Court of Chancery, and directing the application of the proceeds thereof; and

A Bill to regulate the Agencies of Foreign Insurance Companies.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to amend an Act, intituled "An Act to incorporate the Fredericton Hotel and Stage Coach Company," and the report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

The Honorable Mr. Hatch was then introduced between the Honorable Messrs. Allanshaw and Lee, and took his seat.

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

ORDERED, That the report be received.

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

The Committee to whom were referred all Bills relating to Corporations, report that they have examined a Bill to incorporate the Saint John Mechanics' Institute, and recommend the same to the adoption of the House.

HARRY PETERS, *Chairman.*

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

A Message was brought from the Assembly, by Mr. Fisher, with a Bill, intituled "A Bill to amend and explain an Act to provide for the better assessment of County and Parish rates," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 21st February, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Lee.

Mr. Chandler.

Mr. Hatch.

PRAYERS.

Pursuant

Pursuant to the Order of the Day, the Bill to alter and amend an Act, intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the Bank of New Brunswick," was read the second time.

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

Pursuant to the Order of the Day, the Bill to amend and explain an Act to provide for the better assessment of County and Parish rates, was read the second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to erect a part of the Parish of Wickham, in Queen's County, into a separate and distinct Town or Parish.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to incorporate the Saint John Mechanics' Institute, and the report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to regulate the Agencies of Foreign Insurance Companies.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received and leave granted.

A Message was brought from the Assembly, by Mr. Fisher, with a Bill, intituled "A Bill to amend an Act, intituled 'An Act to incorporate the Fredericton Mill and Manufacturing Company,'" to which they desire the concurrence of this House.

The said Bill was read the first time.

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill for the relief of old Soldiers of the Revolutionary War, and their Widows.

The Honorable Mr. Shore took the Chair.

The

After some time the House resumed.

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

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

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

The Honorable the President read the same ;

And it was again read by the Clerk as follows :—

NEW BRUNSWICK.
Message to the Legislative Council,
20th February, 1839.

J. HARVEY, Lt. GOVERNOR.

The Lieutenant Governor informs the Legislative Council, that a supply of School Books which he had commissioned from England has been received, of which specimens will be laid upon the Table of the Council, together with a copy of the joint report upon these Books by the Vice President of the King's College, and the Head Master of the Grammar School of Fredericton, and the Lieutenant Governor submits for its consideration whether, in addition to a gratuitous supply of a certain number of the most approved of these Books proposed to be sent to the Boards of Education in the several Counties, for the purpose of being by them distributed for the use of the District Schools, it might not tend as well to the promotion of the interests of education and the general diffusion of useful knowledge, if a certain number of the most approved of these Books were to be imported at the public expense, and placed in the charge of individuals at the principal Towns and Ports of the Province, for the purpose of being retailed at their wholesale prime cost, thereby bringing within the reach of the poorest individual, the advantage of supplying himself with useful Books, upon terms far more reasonable than they could be procured any where out of England. The first outlay as appears to the Lieutenant Governor could not be considerable, and the ultimate repayment well secured.

J. H.

[*See Appendix, No. 6.*]

A Message was brought from the Assembly, by Mr. Allen, with a Bill, intituled "A Bill to amend the Laws now in force relating the Militia in this Province," to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The said Bill was read a second time.

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and had made

made certain amendments thereto, which they recommended to the adoption of the House.

ORDERED, That the report be received.

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

At A. in Section II, expunge the word “ Volunteer.”

At AA. expunge the word “ and,” and insert the word “ or.”

At B. add the following Section :—

“ IV. And be it enacted, That this Act may be altered, amended or repealed by any Act to be passed during the present Session of the General Assembly.”

The said amendments being read a second time, and the question of concurrence put thereon, they were severally agreed to by the House.

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

Read a third time and passed the said Bill.

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

On motion—

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

A Message was brought from the Assembly by Mr. Woodward, with a Bill, intituled “ A Bill to amend an Act, intituled ‘ An Act to incorporate sundry persons by the name of the President, Directors and Company of the City Bank,’ ” to which they desire the concurrence of this House.

The said Bill was read the first time.

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

The said Bill was read the second time.

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

A Message was brought from the Assembly, by Mr. Allen, that the Assembly had agreed to the amendments made by the House to the Bill to amend the Laws now in force relating to the Militia in this Province.

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

A Petition from Beverley Robinson, respecting his purchase of Land in York County, praying the purchase may be annulled, for reasons set forth in the Petition :

A Petition from Neil D. Shaw, of Calais, in the State of Maine, setting forth that in 1835 he purchased from sundry persons, various tracts of Crown Land in this Province, and praying he may be allowed to surrender this Land on certain conditions set forth in the Petition ; and

A Petition from Isaac Foshay, praying the interference of this House to obtain a stay of proceedings instituted against him for a breach of his contract for building a Bridge over the Hammond River.

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

The

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

A Petition from I. Woodward, and four other persons, praying an amendment may be made to the Act incorporating the Portland Mills and Manufacturing Company; and

A Petition from L. A. Wilmot, and nine other persons, with a like prayer, regarding the Fredericton Hotel and Stage Coach Company.

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

The House adjourned during pleasure.

After some time the House resumed.

His Excellency the Lieutenant Governor came to the Council Chamber, and being seated in the Chair on the Throne, the Honorable the President commanded the Gentleman Usher of the Black Rod to let the Assembly know "it is His Excellency's pleasure they attend him immediately in this House."

The House attended accordingly.

His Excellency then gave his assent to "a Bill to amend the Laws now in force relating to the Militia in this Province."

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

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 22d February, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Peters.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

Mr. Hatch.

PRAYERS.

The Honorable the President acquainted the House, that by an instrument under the hand and seal of His Excellency the Lieutenant Governor, dated the fourteenth day of February instant, John Robertson, Esquire, was appointed a Member of this House, provisionally, until Her Majesty's pleasure should be known, and desired to be admitted.

ORDERED, That the Honorable Messrs. Lee and Hatch be a Committee to attend Mr. Robertson, and see him qualified.

The Honorable The President also acquainted the House, that by an instrument under the hand and seal of His Excellency the Lieutenant Governor, dated the eighteenth day of February, instant, William Boyd Kinnear, Esquire, was appointed

a Member of this House, provisionally, until Her Majesty's pleasure should be known, and desired to be admitted.

ORDERED, That the Honorable Messrs. Lee and Hatch be a Committee to attend Mr. Kinnear, and see him qualified.

Pursuant to the Order of the Day, the Bill to incorporate the Saint John Mechanics' Institute, was read a third time and passed.

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

Pursuant to the Order of the Day, the Bill to amend an Act, intituled "An Act to incorporate the Fredericton Mill and Manufacturing Company," was read a second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, upon Resolutions of Appropriation.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the twenty third and thirty first of January last, and the first day of February instant, and recommended that the House should concur in the same, and asked leave to sit again.

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

Whereupon the Resolutions of Appropriation dated the twenty third and thirty first of January, and first of February, were concurred in by the House.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to erect a part of the Parish of Wickham, in Queen's County, into a separate and distinct Town or Parish.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

The Honorable Mr. Hatch, by leave, presented a Petition from Alexander Campbell, of Charlotte County, praying he may be relieved from the payment of the balance due on a purchase of land from the Crown in 1835, he having sustained loss by such purchase.

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

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

A Petition from William Foshay, and one hundred and sixty six other persons, praying aid for cutting a Canal across Grimross Neck, so called; and

A Petition from James Kerr, by his Attorney, praying an allowance for teaching a School in the Parish of Gage Town.

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

The Honorable Mr. Allanshaw, by leave, presented a Petition from Nehemiah Marks, William Porter, Robert Lindsay, and thirty others, Merchants and Inhabitants of Saint Stephen, in the County of Charlotte, praying that the Deputy Treasurer at Saint Stephen may be authorized to enter and receive the Provincial duties on all cargoes in British vessels, and also the Beacon and Light monies on all shipping subject to the payment thereof, arriving at the said Port of Saint Stephen.

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

Adjourned until Monday next at 12 o'clock.

MONDAY, 25th February, 1839.

PRESENT.

THE HON.

	<i>Mr. Chief Justice Chipman, President.</i>	
<i>Mr. Black.</i>		<i>Mr. Shore.</i>
<i>Mr. Baillie.</i>		<i>Mr. Allanshaw.</i>
<i>Mr. Robinson.</i>		<i>Mr. Attorney General.</i>
<i>Mr. Lee.</i>		<i>Mr. Chandler.</i>
<i>Mr. Hatch.</i>		

PRAYERS.

ORDERED, That this House will adjourn this day, at 2 o'clock, to attend the Funeral of Captain Gerald L. Harvey, late Son and Aid-de-Camp of His Excellency the Lieutenant Governor.

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

The Honorable Mr. Kinnear was then introduced between the Honorable Messrs. Lee and Hatch, and took his seat.

Pursuant to the order of the Day, the Bill to erect a part of the Parish of Wickham, in Queen's County, into a separate and distinct Town or Parish, was read a third time and passed.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to regulate Foreign Insurance Companies.

The Honorable Mr. Attorney General took the Chair.

After some time the House resumed.

The

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

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill for the relief of old Soldiers of the Revolutionary War, and their Widows.

The Honorable the Attorney General took the Chair.

After some time the House resumed.

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

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

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

The Honorable Mr. Robertson was then introduced between the Honorable Messrs. Lee and Hatch, and took his seat.

The Honorable the President presented a Bill, intituled "An Act in further amendment of the Criminal Law."

The said Bill was read the first time.

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

On motion—

The Order for the House to be put into a Committee of the whole to take into further consideration the Bill, to repeal an Act, intituled "An Act for the more effectual prevention of Fires within the City of Saint John," being read, it was

ORDERED, To be discharged, and that the said Bill and Petitions regarding the same, be referred to a Select Committee of three Members to examine and report thereon.

ORDERED, That the Honorable Messrs. Allanshaw, Chandler and Robertson do compose the said Committee.

The Honorable Mr. Chandler, by leave, presented a Petition from William Hannington, praying an extra allowance on his Contract for building a Bridge over Buc-touche River.

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

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

A Petition from Robert W. Crookshank, Daniel Leavitt, Henry Gilbert, and others, Shipowners, Builders, Merchants, and other Inhabitants of Saint John, praying for an enactment respecting Seamen at the Port of Saint John:

A Petition from the Board of Health for Saint John, praying a grant of money to reimburse

reimburse an expenditure to arrest the progress of the Small Pox in the City and County :

A Petition from Cavalier H. Jouett, praying a grant for twenty five pounds, and interest thereon, the said sum having been expended by him as Commissioner of Roads in Deer Island, and no warrant having issued for its payment :

A Petition from the Justices of the Peace for the City and County of Saint John, praying to be reimbursed for the expenditure by the Overseers of the Poor for distressed Emigrants :

A Petition from the same Justices, praying a grant of money to reimburse an expenditure for keeping Lunatics in Saint John ; and

A Petition from L. B. Wetmore, Isaac Perry, John T. Coffin, Justices of Common Pleas, and other Magistrates and Inhabitants of King's County, praying for an alteration in the times of holding the Circuit Court, one of the General Sessions of the Peace, and one of the additional terms of the Common Pleas in the said County.

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

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 26th February, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Peters.

Mr. Robinson.

Mr. Attorney General.

Mr. Chandler.

Mr. Robertson.

Mr. Hatch.

Mr. Kinnear.

PRAYERS.

A Message was brought from the Assembly, by Mr. Weldon, with certain Resolutions of Appropriation, dated the 22d day of February instant, to which they desire the concurrence of this House.

The said Resolutions were read the first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

Pursuant to the Order of the Day, the Bill in further amendment of the Criminal Law, was read the second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill for the relief of old Soldiers of the Revolutionary War, and their Widows.

The Honorable the Attorney General took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, and had made

made certain amendments thereto, which they recommended to the adoption of the House.

ORDERED, That the report be received.

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

At A. in the Preamble, insert the words, “ in America.”

At B. in Section I. expunge the words, “ Her Majesty’s.”

At C. expunge the word “ the,” and insert the word “ such.”

At D. expunge the word “ the,” and insert the word “ such.”

At E. insert the words, “ at the time of the passing of this Act.”

At F. add the words, “ Provided always, that such Widow shall have been married to such Soldier before the time of the passing of this Act, and shall also be a Widow at the time of making her application as hereinafter mentioned.”

At G. in Section II. insert the words, “ and that I did actually reside in this Province at the time of the passing of an Act made in the second year of the Reign of Her Majesty Queen Victoria, intituled ‘ An Act for the relief of old Soldiers of the Revolutionary War, and their Widows,’ and.”

At H. in Section III. insert the words “ in America.”

At I. insert the words, “ that I did actually reside in this Province at the time of the passing of an Act made in the second year of the Reign of Her Majesty Queen Victoria, intituled ‘ An Act for the relief of old Soldiers of the Revolutionary War, and their Widows,’ and that I was married to the said before the passing of the said Act, and.”

At K. insert the words “ now and have been for the last twelve months a Widow, and.”

At L. in Section IV. expunge the word “ nearest,” and insert the word “ near.”

At M. in Section V. expunge the words “ once in each and every year.”

At N. add the following Sections:—

“ VII. And be it enacted, That the first yearly sum applied for by any Soldier or Widow, under the provisions of this Act, shall be for the year ending on the day of the making of the affidavit hereinbefore mentioned.

“ VIII. Provided always, and be it enacted, That no Soldier or Widow for whom any special grant may be made during the present Session of the General Assembly, shall be entitled to the benefit of the provisions of this Act until after the first day of November next, and then yearly from that period.

“ IX. And be it enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty two and no longer.”

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

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

A Message was brought from the Assembly, by Mr. Gilbert, with a Bill, intituled “ A Bill to provide for making and maintaining a Canal across Grimross Neck, in Queen’s County,” to which they desire the concurrence of this House.

The said Bill was read the first time.

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

A

A Message was brought from the Assembly, by Mr. Barberie, with a Bill, intituled "A Bill relating to Circuit Courts in the Counties of Gloucester, Restigouche and Charlotte," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to authorize the Justices of the Peace for the County of Charlotte, to levy an assessment for the building a new Court House in the said County.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to amend an Act, intituled "An Act to incorporate the Fredericton Hotel and Stage Coach Company," and the report of the Select Committee thereon.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill in addition to an Act for granting Patents for useful inventions.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to explain and amend an Act, intituled "An Act to incorporate sundry persons by the name of the Saint John Water Company," and the report of the Select Committee thereon.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The

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

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to provide for the government and regulation of the House of Correction for the City and County of Saint John.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill more effectually to regulate the Ferry and Public Landing in front of Indian Town, in the Parish of Portland, and County of Saint John.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

On motion made and seconded the following Resolution was passed:—

WHEREAS it is expedient that a proper, convenient and more extensive Public Landing place should be laid out and established at Indian Town, so called, in the Parish of Portland, in the City and County of Saint John, for the accommodation of the great number of persons who are compelled to resort thereto with their boats and vessels;

RESOLVED, That this House will most cheerfully unite with the Assembly in an Address to His Excellency the Lieutenant Governor, praying that he will be pleased to appoint three persons as Commissioners, to examine the place in question, and make report as to what space it will be requisite such Public Landing should embrace, how it will affect the property of individuals connected therewith, accompanied with a particular plan describing the bounds and extent of the same, and also if any and what sum of money will be requisite to render such landing effectual for the public accommodation.

ORDERED, That this Resolution be communicated to the Assembly, and that House be requested to join in the proposed Address to His Excellency the Lieutenant Governor.

ORDERED, That the Master in Chancery do go down to the Assembly, and communicate the foregoing Resolution.

The

The Honorable Mr. Hatch, by leave, presented a Petition from James Coffey, a licenced Teacher, praying an allowance for teaching a School in Charlotte County.

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

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

The Honorable the President read the same ;

And they were again read by the Clerk as follows :—

NEW BRUNSWICK.

Message to the Legislative Council,

23d February, 1839.

J. HARVEY, Lt. GOVERNOR.

The Lieutenant Governor informs the Council, that circumstances having rendered necessary the calling out, for actual service, of a portion of the Militia, he has ordered Drafts to be made of eight hundred and fifty men, to be held in readiness as emergencies may require ; of these about five hundred are now actually embodied, for whose pay and subsistence immediate provision is required. The Lieutenant Governor therefore recommends to the Council, that a temporary provision be made for this service, to be available until further arrangements can be made by Her Majesty's Government.

J. H.

NEW BRUNSWICK.

Message to the Legislative Council,

26th February, 1839.

J. HARVEY, Lt. GOVERNOR.

The Lieutenant Governor has great pleasure in communicating to the Legislative Council, the copy of a Letter which he has received from His Excellency the Governor in Chief, acknowledging, in terms which the Lieutenant Governor is persuaded will be most gratifying to the House, the receipt of their munificent donation in aid of the relief of the sufferers from the late inroads of Brigands into the Canadas.

J. H.

Government House, Montreal, 18th February, 1839.

SIR,

I have had the honor to receive your Letter of the — ultimo, with which you transmit, in compliance with the desire of the Legislature of New Brunswick, the sum of One Thousand Pounds, voted by the House of Assembly and warmly concurred in by the Legislative Council, for the purpose of being applied under my direction to the relief of the immediate necessities of such of their fellow subjects in the Canadas, and their families, as have suffered from the recent inroads of Brigands from the United States.

I need not assure you of the very great satisfaction with which the Resolutions of the Legislature of New Brunswick have been received in these Provinces, and I am confident that this beneficent and liberal gift will afford essential relief to the sufferers

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from

from the late wicked attempts of the Brigands and their associates, and will be ever remembered with gratitude by the loyal inhabitants of the Canadas.

I have the honor to be, &c. &c. &c.

J. COLBORNE.

His Excellency Major General Sir JOHN HARVEY, K. C. B. &c. &c. &c.

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

A Petition from William Hammond, praying a drawback on goods exported by him from Saint John:

A Petition from the Mayor of Saint John, praying a grant of money to enable him to pay one of the Constables of Saint John, for services performed in searching for deserters from Her Majesty's XI. Regiment, during the past year :

A Petition from the Mayor, Aldermen and Commonalty of Saint John, praying for aid towards completing the erection of the Wharves requisite for the landing of Steam Ferry Boats :

A Petition from John and Harrison G. Kinnear, praying a return of duties paid by them into the Provincial Treasury ; and

A Petition from Thomas G. Hatheway, James Gallagher, Timothy Collins, and one hundred and ninety six others, Mechanics, and other Inhabitants of Saint John, praying an Act of incorporation may pass for the establishment of a Bank upon the principles, and for the reasons set forth in the Petition.

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

The Honorable Mr. Chandler presented to the House a Bill, intituled " An Act to alter and amend an Act, intituled ' An Act to provide for the maintenance of Bastard children.' "

The said Bill was read the first time.

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

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

ORDERED, That the report be received.

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

The Committee to whom were referred all Bills relating to Corporations, further report, that they have examined a Bill to amend an Act, intituled " An Act to incorporate sundry persons by the name of the President, Directors and Company of the City Bank," and recommend the same to the adoption of the House. They further report, that they have examined a Bill to alter and amend an Act, intituled " An Act to incorporate sundry persons by the name of the President, Directors and Company of the Bank of New Brunswick," to which they have prepared several amendments, which they recommend to the adoption of the House.

HARRY PETERS, *Chairman.*

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

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY,

WEDNESDAY, 27th February, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Baillie.

Mr. Peters.

Mr. Allunshaw.

Mr. Robinson.

Mr. Attorney General.

Mr. Chandler.

Mr. Robertson.

Mr. Hutch.

Mr. Kinneur.

PRAYERS.

Pursuant to the Order of the Day, the Bill for the relief of old Soldiers of the Revolutionary War and their Widows, as amended, was read a third time and passed.

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

Pursuant to the Order of the Day, the Bill to authorize the Justices of the Peace for the County of Charlotte, to levy an assessment for the building a new Court House in the said County, was read a third time and passed.

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

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

A Bill to provide for making and maintaining a Canal across Grimross Neck, in Queen's County; and

A Bill, intituled "An Act to alter and amend an Act, intituled 'An Act to provide for the maintenance of Bastard children.'"

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

Pursuant to the Order of the Day, the Bill relating to Circuit Courts in the Counties of Gloucester, Restigouche and Charlotte, was read a second time.

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to authorize the sale of mortgaged premises by the Court of Chancery, and directing the application of the proceeds thereof.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

On

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill relating to the sale and disposition of the real estate of Infants.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to amend an Act, intituled “ An Act to incorporate the Portland Mills and Manufacturing Company,” and the report of the Select Committee thereon.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to provide for the establishing and maintaining a Boom across the Maduxnikick, in the County of Carleton, for securing Masts, Logs and other Lumber.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to encourage the establishment of Schools in the Parish of Campo Bello, and providing for the same.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

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

On

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to amend and explain an Act to provide for the better assessment of County and Parish Rates.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to amend an Act, intituled “ An Act to incorporate the Fredericton Mill and Manufacturing Company.”

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

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

On motion—

The Bill, intituled “ An Act in addition to and in amendment of an Act, intituled ‘ An Act relating to insolvent confined debtors,’ ” was read a second time.

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

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

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to explain and amend an Act, intituled “ An Act to incorporate sundry persons by the name of the Saint John Water Company,” and the report of the Select Committee thereon.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into further consideration of the said Bill, and had made certain amendments thereto, which they recommended to the adoption of the House.

ORDERED, That the report be received.

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

At A. expunge the Preamble, and insert as follows :—

“ Whereas by an Act made and passed in the second year of the reign of His late Majesty King William the Fourth, intituled ‘ An Act to incorporate sundry persons by the name of the Saint John Water Company,’ and by a certain other Act made and passed in the fourth year of the same reign, intituled ‘ An Act to revive and amend an Act to incorporate sundry persons by the name of the Saint John Water Company,’ authority was given to establish the said Company agreeably to the several provisions of the said Acts, and the same has been established and is now in full operation, but doubts are entertained whether some of the terms of the said Acts have been strictly complied with, and thereby the permanence of this useful undertaking may be greatly endangered ; for remedy whereof.”

At B. in Section I. expunge the word “ said.”

At C. expunge the words “ herein before in part recited,” and insert “ the word “mentioned.”

At D. expunge the remainder of the section.

At E. in Section II. expunge the words “ all and any part and parts of the said Capital Stock that has and have been,” and insert the words “ such part of the said Capital Stock as has been.”

At F. expunge the words “ or not,” and insert the words “ or otherwise.”

At G. expunge the words “ or parts.”

At H. expunge the remainder of the section, and insert the word “ Acts.”

At I. in Section III. expunge the words “ two hereinbefore in part recited,” and insert the word “ said.”

At K. expunge the words “ hereinbefore in part recited.”

At L. expunge the word “ and,” and insert the words “ under the.”

At M. expunge the words “ first hereinbefore in part recited.”

At N. in Section IV. expunge the words “ in manner and according to the directions of the said first hereinbefore in part recited.”

At O. in Section V. expunge the word “ special.”

At P. expunge the word “ special.”

At Q. expunge the words “ first herein in part recited.”

At R. expunge the words “ hereinbefore in part recited,” and insert the word “ mentioned.”

At S. expunge the words “ first hereinbefore in part recited.”

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

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

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

A Petition from the Justices of the Peace of the City and County of Saint John, praying to be reimbursed a sum expended by the Overseers of the Poor in support of aged, sick, and destitute Black Refugees:

A Petition from James Whitney, praying that the privilege of conveying Her Majesty's Mails between Digby and Saint John may be continued, and remuneration for the same:

A Petition from John Ward, and two hundred and six others, Merchants, Ship-owners, Mill proprietors and Mechanics of the City of Saint John, praying the influence of the Legislature with Her Majesty's Government to prevent the abolition of the present duty upon Flour imported into this Province; and

A Petition from the Mayor, Aldermen and Commonalty of the City of Saint John, praying aid to pay off a debt incurred by them in making improvements in Brussell Street during the last year.

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

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

A Petition from George Raymond and others, Overseers of Poor of the Parish of Kingston, praying to be reimbursed expenses incurred in the relief and support of John Carew, a maimed Emigrant Pauper: and

Petitions from John M'Carthy and Dennis John Casey, licenced Schoolmasters, respectively praying allowances for teaching Schools in King's County.

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

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 28th February, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Baillie.

Mr. Peters.

Mr. Allanshaw.

Mr. Robinson.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

Mr. Robertson.

Mr. Hatch.

Mr. Kinnear.

PRA YERS.

Pursuant to the Order of the Day, the Bill in further amendment of the Criminal Law, was read the third time and passed.

ORDERED, That the Title be "An Act in further amendment of the Criminal Law."

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

Pursuant to the Order of the Day, the Bill to explain and amend an Act, intituled "An Act to incorporate sundry persons by the name of the Saint John Water Company," as amended, was read the third time and passed.

ORDERED,

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

A Message was brought from the Assembly, by Mr. M'Almon, with a Bill, intituled "A Bill relating to wrecked property," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

A Message was brought from the Assembly, by Mr. Fisher, with a Bill, intituled "A Bill relating to the partition of lands, tenements and hereditaments, held in coparcenary, joint tenancy, and tenancy in common," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

On motion—

The House was put into a Committee of the whole, upon Resolutions of Appropriation.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the sixteenth day of February, instant, and recommended that the House should concur in the same, with certain exceptions, which the Committee recommended should not be concurred in, and asked leave to sit again.

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

Whereupon the Resolutions of Appropriation dated the sixteenth day of February, instant, were concurred in, with the exception of the following grants, to wit:—

To James Coffee, the sum of twenty pounds, being for his services in teaching a School in Saint David, County of Charlotte, for one year, ending first day of April one thousand eight hundred and thirty eight :

To Maria Niles, the sum of fifteen pounds, for teaching a School in the Parish of Woodstock, for nine months ending the nineteenth day of June one thousand eight hundred and thirty seven :

To John M'Dougald, a licenced Teacher, the sum of eight pounds six shillings and eight pence, for teaching a School in the Parish of Newcastle, in the County of Northumberland, for the period of five months, ending the first day of November in the year one thousand eight hundred and thirty eight :

To James Dunn, of the Parish of Nelson, in the County of Northumberland, the sum of five pounds for teaching a School in that Parish in the year one thousand eight hundred and thirty seven :

To Catherine Hull, the sum of five pounds, for teaching a School in the Parish of New Bandon, County of Gloucester, for three months, ending the first day of July one thousand eight hundred and thirty eight; and

To John M'Lean, the sum of twenty pounds, for teaching a School in Sussex, King's County, for the year ending sixth December one thousand eight hundred and thirty five, Which were not concurred in by the House.

ORDERED,

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the Resolutions of Appropriation dated the sixteenth day of February last, with the exceptions hereinbefore mentioned.

The Honorable Mr. Black, by direction of His Excellency the Lieutenant Governor, lays before the House copies of certain Despatches, which are read by the Clerk as follows:—

Downing Street, 25th December, 1838.

SIR—Her Majesty's Government having had under their consideration, the inconvenience which may arise in the Colonial Possessions of the Crown from an imperfect acquaintance in the Legislative Bodies and Courts of Justice with the Acts passed from time to time by the Imperial Legislature, have made arrangements for supplying annually, to each of the British Colonies, so many copies of those Acts as may be required for the respective Legislatures and Courts of Justice. There will, accordingly, be annually transmitted to the Colony under your Government five copies, to be distributed as follows:—

- One for the use of the Executive Council, to be deposited with the Colonial Secretary;
- One for the Legislative Council;
- One for the House of Assembly;
- One for the Supreme Court of Justice;
- One for the Court of Chancery.

You will make such arrangements as shall appear to you necessary, in concert with the Legislative Bodies and the Judges of the Courts of Justice, for the safe custody and preservation of these copies of Acts of Parliament.

I have the honor, &c.
(Signed)

GLENELG.

Major General Sir JOHN HARVEY, K. C. B. &c. &c. &c.

Downing Street, 3d January, 1839.

SIR—The Lords Commissioners of Her Majesty's Treasury have had under their consideration, two Acts passed by the Legislature of New Brunswick during their last Session, and entitled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the Miramichi Bank," and "An Act to increase the Capital Stock of the Charlotte County Bank, and to amend the Act incorporating the same."

The Lords of the Treasury are of opinion that in these Acts many provisions of great importance have been omitted. In that relating to the Miramichi Bank, there is no clause prohibiting the issue of Notes for sums under one pound, or the making of loans on mortgage, or on pledges of lands, ships or goods, whether as direct or collateral security, or providing for the forfeiture of the privileges of the Company on their suspension of payments in specie, or other infraction of the more material conditions of incorporation. Their Lordships also consider as insufficient the provisions relating to payment of the Notes that may be issued by the Company at the place of issue, in specie on demand, to the payment of dividends to Shareholders out of profits only, and to the preparation and publication of statements shewing the average amount of the assets and liabilities of the Company during each half yearly period; and they moreover disapprove the unnecessarily long period which appears to be allowed for paying up the second moiety of the Capital.

With respect to the Act relating to the Charlotte County Bank, the Lords of the Treasury observe that it not only authorizes an increase of the Capital of that Establishment, but likewise extends all the existing powers and privileges of the Company, which, under the original Act of Incorporation, would expire in the year 1845, to the 1st of May 1860. Their Lordships therefore consider that this Act must be held to be equivalent to a fresh Act of incorporation and ought not therefore to be confirmed, unless accompanied by the same conditions and securities as it is thought necessary to require in the case of the other newly proposed establishments.

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As

As these Acts contain clauses suspending their operation until Her Majesty's pleasure shall be declared respecting them, I shall abstain from bringing them under the notice of Her Majesty in Council, until the Legislature of New Brunswick shall have had an opportunity of considering and remedying the objections stated to them. I have therefore to request that you will communicate the substance of this Despatch to the Legislative Council and House of Assembly at their next meeting.

I have the honor, &c.

(Signed)

GLENELG.

Major General Sir JOHN HARVEY, K. C. B. &c. &c. &c."

ORDERED, That the said Despatches do lie on the Table.

On motion—

The Order of the twenty ninth day of January last, referring the Bill for the incorporation of the Saint John Chamber of Commerce to the Select Committee appointed to examine and report upon Bills relating to Corporations, was ordered to be discharged ; and it was

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to amend an Act, intituled " An Act to incorporate sundry persons by the name of the President, Directors and Company of the City Bank," and the report of the Select Committee thereon.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill to alter and amend an Act, intituled " An Act to incorporate sundry persons by the name of the President, Directors and Company of the Bank of New Brunswick," and the report of the Select Committee thereon.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to provide for making and maintaining a Canal across Grimross Neck, in Queen's County.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

Pursuant

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill, intituled "An Act to alter and amend an Act, intituled 'An Act to provide for the maintenance of Bastard Children.'" "

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 1st March, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Peters.

Mr. Allanshaw.

Mr. Robinson.

Mr. Attorney General.

Mr. Chandler.

Mr. Robertson.

Mr. Hatch.

Mr. Kinnear.

PRAYERS.

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

A Bill to alter and amend an Act, intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the Bank of New Brunswick;" and

A Bill to amend an Act, intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the City Bank."

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

Pursuant to the Order of the Day, the Bill relating to wrecked property was read a second time.

ORDERED, That the same be referred to a Select Committee of three Members to report thereon, and that the Honorable Messrs. Allanshaw, Robertson and Kinnear do compose the Committee.

Pursuant to the Order of the Day, the Bill relating to the partition of lands, tenements and hereditaments, held in coparcenary, joint tenancy, and tenancy in common, was read the second time.

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

A Message was brought from the Assembly, by Mr. Hanington, with certain Resolutions of Appropriation, dated the twenty seventh day of February instant, to which they desire the concurrence of this House. The

The said Resolutions were read the first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to provide for the government and regulation of the House of Correction for the City and County of Saint John.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made certain amendments to the same, which they recommend to the adoption of the House.

ORDERED, That the report be received.

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

At A. in Section I. insert the words “except as hereinafter provided.”

At B. in Section II. expunge the remainder of the Section, and insert as follows:—
“to enforce the observance of the rules, orders and regulations which they may from time to time make for the government and management of the prisoners in the said House of Correction, by solitary confinement or other reasonable punishment; provided always, that at any meeting of the said Commissioners at which any rule, order or regulation for the government and management of the said House of Correction, or of the prisoners therein being, may be made, or at which any officer, keeper or servant may be appointed or removed, there shall be not less than five Commissioners present, and the said Commissioners shall cause a record of all their proceedings to be kept in a book to be provided for that purpose.”

At C. in Section V. expunge the word “or,” and insert the words “nor shall any Commissioner.”

At D. insert the words “either as security or otherwise.”

At E. in Section VI. expunge the remainder of the Section, and insert the words, “and be kept to hard labour for any term not exceeding forty days.”

At F. in Section VII. expunge the words “convicted prisoners,” and insert the words “prisoners sentenced to imprisonment, with hard labour.”

At G. insert the words “and be kept to hard labour.”

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill relating to the sale and disposition of the real estate of Infants.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into further consideration of the

the said Bill, they had made certain amendments to the same, which they recommend to the adoption of the House.

ORDERED, That the report be received.

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

At A. in Section VII. expunge the words “such order of the Court as aforesaid when,” and insert the words “any such agreement.”

At B. in Section IX. expunge the word “real.”

At C. add the following Section:—

“X. And be it enacted, That every Conveyance made under the provisions of this Act, having been first duly acknowledged or proved according to the provisions of the laws relating to the registry of Deeds, may be registered in the Registry Office of the County where the lands lie, and such Conveyance so registered, or a copy thereof, may be given in evidence in any Court of Law or Equity in this Province, in like manner with, and under the same rules and restrictions as any other registered Deed, and when so given in evidence shall be deemed and taken to be evidence that all the proceedings on which such Conveyance is founded, were rightly had and done.”

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

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

A Message was brought from the Assembly, by Mr. Woodward, with certain Resolutions of Appropriation dated the twenty eighth day of February instant, to which they desire the concurrence of this House:—

The said Resolutions were read the first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to authorize the sale of mortgaged premises by the Court of Chancery, and directing the application of the proceeds thereof.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, they had made an amendment thereto, which they recommended to the adoption of the House.

ORDERED, That the report be received.

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

At A. in Section II. add as follows: “And every such Conveyance, having been first duly acknowledged or proved according to the provisions of the laws relating to the registry of Deeds, may be registered in the Registry Office of the County where the lands lie, and such Conveyance so registered, or a copy thereof, may be given in evidence in any Court of Law or Equity in this Province, in like manner with and under the same rules and restrictions as any other registered Deed, and when so given

in evidence shall be deemed and taken to be evidence that all the proceedings on which such Conveyance is founded were rightly had and done."

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill, intituled "An Act in addition to and in amendment of an Act, intituled 'An Act relating to insolvent confined Debtors.'"

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone into consideration of the said Bill, and recommend that the further consideration of the same be postponed until the next Session of the General Assembly.

ORDERED, That the report be received; and it was, on motion

RESOLVED, That the further consideration of the said Bill be postponed until the next Session of the General Assembly.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill for the incorporation of the Saint John Chamber of Commerce.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to provide for making and maintaining a Canal across Grimross Neck, in Queen's County.

The Honorable Mr. Peters took the Chair.

After some time the House resumed.

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

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

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

The Honorable the President read the same;

And it was again read by the Clerk as follows:—

NEW BRUNSWICK.
Message to the Legislative Council,
28th February, 1839.

J. HARVEY, Lt. GOVERNOR.

The Lieutenant Governor submits to the Council, a Report made by Commissioners appointed at the request of the Corporation of Saint John, to examine and report upon matters relating to the Harbour, and recommends to the Council the passing of a Bill for carrying into effect the proposed plan, limiting the extension of wharves and other erections.

J. H.

[*See Appendix, No. 7.*]

The Honorable Mr. Chandler, by leave, presented a Petition from Michael Harley late a Deputy Surveyor in the County of Gloucester, praying compensation for services performed in that County for a period of three years.

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

The Honorable Mr. Robertson, by leave, presented a Petition from Robert Foulis, praying for a grant to enable him to procure an air pump, and other apparatus, for the School of Arts established by him in the City of Saint John.

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

The Honorable Mr. Hatch, by leave, presented a Petition from Hannah Rogers, of Charlotte County, praying remuneration for teaching a School in the Parish of Saint James.

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

Adjourned until Monday next at 12 o'clock.

MONDAY, 4th March, 1839.

PRESENT.

THE HON.

<i>Mr. Black.</i>	<i>Mr. Chief Justice Chipman, President.</i>
<i>Mr. Peters.</i>	<i>Mr. Shore.</i>
<i>Mr. Robinson.</i>	<i>Mr. Allanshaw.</i>
<i>Mr. Lee.</i>	<i>Mr. Attorney General.</i>
<i>Mr. Robertson.</i>	<i>Mr. Chandler.</i>
	<i>Mr. Kinnear.</i>

PRAYERS.

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

A Bill to provide for the government and regulation of the House of Correction for the City and County of Saint John:

A Bill to authorize the sale of mortgaged premises by the Court of Chancery, and directing the application of the proceeds thereof; and

A Bill relating to the sale and disposition of the real estate of Infants.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that

that House that the Legislative Council have agreed to these Bills, with amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the Bill to provide for making and maintaining a Canal across Grimross Neck, in Queen's County, was read a third time and passed.

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

A Message was brought from the Assembly, by Mr. Woodward, that the Assembly had agreed to the amendments made by this House to the Bill to explain and amend an Act, intituled "An Act to incorporate sundry persons by the name of the Saint John Water Company;" and

With a Bill, intituled "A Bill in amendment of an Act, intituled 'An Act in addition to and in amendment of the several Acts now in force to provide for sick and disabled seamen, not being paupers, belonging to this Province,'" to which they desire the concurrence of this House.

The said Bill was read the first time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to alter and amend an Act, intituled "An Act to provide for the maintenance of Bastard children."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly, by Mr. Palmer, with a Bill, intituled "A Bill to appropriate a part of the public Revenues to the payment of the Ordinary Services of the Province," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill relating to the partition of lands, tenements and hereditaments held in coparcenary, joint tenancy, and tenancy in common.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly, by Mr. Wilson, with certain Resolutions of Appropriation dated the first and second day of March instant, to which they desire the concurrence of this House.

The said Resolutions were read the first time.

ORDERED,

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

On motion—

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the Resolutions of Appropriation dated the twenty seventh day of February last, they had made some progress therein, and asked leave to sit again.

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

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

A Bill in amendment of the Act relating to the appointment of a Master of the Rolls in the Court of Chancery ; and

A Bill for the improvement of the Practice in the Court of Chancery.

The said Bills were severally read the first time.

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

The Honorable Mr. Peters, by leave, presented a Petition from James Gilchrist, praying an allowance for teaching a School at Lake George settlement.

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

The Honorable Mr. Allanshaw, from the Select Committee to whom was referred the Bill to repeal an Act, intituled “ An Act for the more effectual prevention of Fires within the City of Saint John,” presented a report.

ORDERED, That the Report be received.

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

The Select Committee to whom was referred the Bill to repeal an Act for the more effectual prevention of Fires within the City of Saint John, report, that they have examined the Bill, and made a certain amendment thereto, which they recommend to the adoption of the House.

JAMES ALLANSHAW, *Chairman.*

ORDERED, That the report be received, and that the House be put into a Committee of the whole to-morrow, to take the said Bill and the report of the Select Committee thereon into consideration.

The Honorable Mr. Kinnear, by leave, presented a Petition from Hugh Allen, praying an allowance for teaching the Grammar School in the County of Westmorland from the fourth day of August, one thousand eight hundred and thirty six, to the fourth day of November, one thousand eight hundred and thirty seven.

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

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 5th March, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Baillie.

Mr. Allanshaw.

Mr. Robinson.

Mr. Attorney General.

Mr. Chandler.

Mr. Robertson.

Mr. Hatch.

Mr. Kinnear.

PRAYERS.

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

A Bill to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province :

A Bill for the improvement of the Practice in the Court of Chancery :

A Bill in amendment of an Act, intituled “ An Act in addition to and in amendment of the several Acts now in force to provide for sick and disabled seamen, not being paupers, belonging to this Province ;” and

A Bill in amendment of the Act relating to the appointment of a Master of the Rolls in the Court of Chancery.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to alter and amend an Act, intituled “ An Act to provide for the maintenance of Bastard children.”

The Honorable the Attorney General took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly, by Mr. End, that the Assembly had agreed to the amendments made by this House to the Bill for the relief of old Soldiers of the Revolutionary War and their Widows ; and

With a Bill, intituled “ A Bill in addition to an Act, intituled ‘ An Act to prevent desertion from Her Majesty’s Forces, and to punish unlawful dealings with Soldiers or Deserters,’ ” to which they desire the concurrence of this House.

The said Bill was read a first time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill relating to Circuit Courts in the Counties of Gloucester, Restigouche and Charlotte.

The Honorable the Attorney General took the Chair.

After some time the House resumed.

The

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

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

A Message was brought from the Assembly, by Mr. Wyer, with a Bill, intituled "A Bill to incorporate the Grand Manan Steam Power Company," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to repeal an Act for the more effectual prevention of Fires within the City of Saint John, and the report of the Select Committee thereon.

The Honorable the Attorney General took the Chair.

After some time the House resumed.

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

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

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

The Honorable the President read the same ;

And it was again read by the Clerk as follows :—

NEW BRUNSWICK.
Message to the Legislative Council,
4th March, 1839.

J. HARVEY, Lt. GOVERNOR.

The Lieutenant Governor submits to the Legislative Council, a Report of the Commissioners appointed for locating the emigrants from Northumberland upon the Great Road to Saint Andrews, with the amount of expences incurred for this service, an outlay which appears to have been very judiciously made in behalf of persons who bid fair to be a valuable acquisition to the Province, and the Lieutenant Governor recommends that provision be made for its payment.

J. H.

[*See Appendix, No. 8.*]

The Honorable Mr. Hatch presented to the House a Bill, intituled "An Act to authorize and empower the Commissioners of the Marine Hospital in Saint Andrews, in the County of Charlotte, to purchase a lot of land for the purpose therein mentioned."

The said Bill was read the first time.

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

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY,

WEDNESDAY, 6th March, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Baillie.

Mr. Allanshaw.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

Mr. Robertson.

Mr. Hatch.

Mr. Kinneer.

PRAYERS.

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

A Bill to incorporate the Grand Manan Steam Power Company :

A Bill in addition to an Act, intituled “ An Act to prevent desertion from Her Majesty’s Forces, and to punish unlawful dealings with Soldiers or Deserters ;” and

A Bill to authorize and empower the Commissioners of the Marine Hospital in Saint Andrews, in the County of Charlotte, to purchase a lot of land for the purposes therein mentioned.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill in amendment of the Act relating to the appointment of a Master of the Rolls in the Court of Chancery.

The Honorable the Attorney General took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill, they had made an amendment thereto, which they recommend to the adoption of the House.

ORDERED, That the report be received.

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

At A. in Section III. expunge the remainder of the Section, and insert the words “ from and after the first day of October next, the usual place of residence of the Master of the Rolls shall be in the place where the Court of Chancery sits, and not elsewhere.”

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill in amendment of an Act, intituled “ An Act in addition to and in amendment of the several Acts now in force to provide for sick and disabled seamen, not being paupers belonging to this Province.”

The Honorable the Attorney General took the Chair.

After some time the House resumed.

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

ORDERED,

ORDERED, That the report be received, and the Bill be read the third time tomorrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill for the improvement of the Practice in the Court of Chancery.

The Honorable Mr. Attorney General in the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and the Bill be read the third time tomorrow.

A Message was brought from the Assembly, by Mr. Brown, with a Bill, intituled "A Bill to amend the Charter of the University of King's College," to which they desire the concurrence of this House.

The said Bill was read the first time.

ORDERED, That the said Bill be printed.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province.

The Honorable Mr. Chandler took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and the Bill be read the third time.

The said Bill was read the third time and passed.

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

A Message was brought from the Assembly, by Mr. Woodward, that the Assembly had agreed to the amendments made by this House to the following Bills:—

A Bill to authorize the sale of mortgaged premises by the Court of Chancery, and directing the application of the proceeds thereof:

A Bill relating to the sale and disposition of the real estate of Infants; and

A Bill to provide for the government and regulation of the House of Correction for the City and County of Saint John; and

With Resolutions of Appropriation dated the fifth day of March, instant, to which they desire the concurrence of this House.

The said Resolutions were read the first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

A Message was brought from the Assembly, by Mr. End, that the Assembly had agreed to the Bill sent down from this House, intituled "An Act in further amendment of the Criminal Law;" and

With a Bill, intituled "A Bill to authorize Her Majesty's Justices of the Peace for the

the Counties of Gloucester and Restigouche to assess the said Counties," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill relating to the partition of lands, tenements and hereditaments, held in coparcenary, joint tenancy, and tenancy in common.

The Honorable the Attorney General took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received.

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

At A. in Section IV. expunge the remainder of the Section, and insert as follows:—
“ And such copy of such decree with such certificates thereon, shall be evidence in all Courts of Law and Equity in this Province of such decree and of such registering thereof, and a copy from the County Registry of such decree, duly certified by the Register of Deeds, shall be admitted in evidence in such cases, and under such rules and restrictions as a copy of a registered deed taken from such County Register would be so admitted.”

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

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

The Honorable Mr. Allanshaw, from the Select Committee to whom was referred the Bill relating to wrecked property, presented a report.

ORDERED, That the report be received.

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

The Select Committee to whom was referred the Bill relating to wrecked property, report, that they have had the said Bill under consideration, and after a careful examination of its several provisions, are of opinion that it is one of much importance, but at this late period of the Session recommend that the same be postponed till the next meeting of the Legislature.

JAMES ALLANSHAW, *Chairman.*

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

The Honorable Mr. Kinnear presented to the House a Bill, intituled “ An Act to declare the priority of Registered Deeds, and other incumbrances upon land.

The said Bill was read the first time.

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

Adjourned until To-morrow at 12 o'clock.

THURSDAY,

THURSDAY, 7th March, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Allanshaw.

Mr. Robinson.

Mr. Attorney General.

Mr. Lee.

Mr. Chandler.

Mr. Robertson.

Mr. Hatch.

Mr. Kinnear.

PRAYERS.

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

A Bill relating to the partition of lands, tenements and hereditaments held in coparcenary, joint tenancy, and tenancy in common ; and

A Bill in amendment of the Act relating to the appointment of a Master of the Rolls in the Court of Chancery.

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

Pursuant to the Order of the Day, the Bill to alter and amend an Act, intituled “ An Act to provide for the maintenance of Bastard Children,” as amended, was read the third time and passed.

ORDERED, That the title be “ An Act to amend the Law relating to Bastardy.”

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

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

A Bill in amendment of an Act, intituled “ An Act in addition to and in amendment of the several Acts now in force to provide for sick and disabled seamen, not being paupers belonging to this Province” ; and

A Bill for the improvement of the Practice in the Court of Chancery.

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

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

A Bill to declare the priority of Registered Deeds, and other incumbrances upon land ; and

A Bill to authorize Her Majesty’s Justices of the Peace for the Counties of Gloucester and Restigouche to assess the said Counties.

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

Pursuant

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to incorporate the Grand Manan Steam Power Company.

The Honorable Mr. Baillie took the Chair.

After some time the House resumed.

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

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill relating to wrecked property, and the report of the Select Committee thereon.

The Honorable Mr. Baillie took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, and the Report of the Select Committee thereon, and recommended that the further consideration of the said Bill be postponed until the next Session of the General Assembly.

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

RESOLVED, That the further consideration of the said Bill be postponed until the next Session of the General Assembly.

A Message was brought from the Assembly, by Mr. Barberie, with a Bill, intituled " A Bill to provide for the summary punishment of persons committing trespasses to certain personal property therein mentioned," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

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

The Honorable the President read the same ;

And it was again read by the Clerk as follows :—

NEW BRUNSWICK.

Message to the Legislative Council,

1st March, 1839.

J. HARVEY, Lt. GOVERNOR.

The Lieutenant Governor having learned that instances have occurred where Soldiers from Her Majesty's Troops have been induced by Tavernkeepers to desert, suggests to the Council the expediency of passing a Bill to empower the Lieutenant Governor or Commander in Chief, in Council, to withdraw their Licences from any Tavernkeepers who may be summarily convicted of practices tending to seduce, or to encourage the seduction of Soldiers to desert.

J. H.

Pursuant

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill in addition to an Act, intituled "An Act to prevent desertion from His Majesty's Forces, and to punish unlawful dealings with Soldiers or Deserters."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone into consideration of the said Bill, they had made certain amendments thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the report be received.

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

At A. insert the following Section:—

"III. And be it enacted, That this Act shall be publicly read by the Clerk at the opening of every Court of General Sessions of the Peace in the several Counties of this Province, at the time any other Acts relating to Tavernkeepers and retailers may be so read."

At "B." expunge "III." and insert "IV."

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

ORDERED, That they be engrossed, and the Bill as amended, read the third time tomorrow.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to authorize and empower the Commissioners of the Marine Hospital in Saint Andrews, in the County of Charlotte, to purchase a lot of land for the purposes therein mentioned.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into a Committee of the whole, upon Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the twenty second and twenty seventh day of February last, and recommended that the House should concur in the same, with certain exceptions, which the Committee recommend should not be concurred in, and asked leave to sit again.

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

Whereupon the Resolutions of Appropriation dated the twenty second and twenty seventh day of February were concurred in by the House, with the exception of the following grants:

To

To Abner Bull, the sum of ninety nine pounds, to pay the Contractors the balance due them for building the Bridge over Bull's Creek in Woodstock, in the County of Carleton; and

To the Managing Committee of the Baptist Seminary, the sum of five hundred pounds towards that object.

Which were not concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the Resolutions of Appropriation dated the twenty second and twenty seventh day of February, with the exceptions before mentioned.

A Message was brought from the Assembly, by Mr. J. M. Wilmot, with the following Resolution:—

House of Assembly, Wednesday, 29th February, 1839.

Whereas it is expedient that a proper, convenient and more extensive public landing place should be laid out and established at Indian Town, so called, in the Parish of Portland, in the County of Saint John, for the accommodation of the great number of persons who are compelled to resort thereto with their boats and vessels; therefore

RESOLVED, That an humble address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to appoint three persons as Commissioners to examine the place in question, and make report as to what space it will be required such public landing should embrace, and how it will affect the property of individuals connected therewith, accompanied with a particular plan describing the bounds and extent of the same, and also if any and what sum of money will be required to render such landing effectual for the public accommodation; and further

RESOLVED, That the Legislative Council be requested to join in the same Address.

CHAS. P. WETMORE, *Clerk.*

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

The Honorable the President read the same.

And it was again read by the Clerk as follows:—

NEW BRUNSWICK.

Message to the Legislative Council,

7th March, 1839.

J. HARVEY, Lt. GOVERNOR.

The Lieutenant Governor communicates with the highest satisfaction to the Legislative Council, copy of a letter which he has received from His Excellency the Lieutenant Governor of Nova Scotia, transmitting Addresses and Resolutions, unanimously adopted by the Legislative Council and House of Assembly of that Province, making provision for calling out a large Draft of the Militia of Nova Scotia, to be employed, if necessary, in aid of the exertions of this Province, in repelling invasion and in maintaining Her Majesty's authority. The Lieutenant Governor is persuaded that this noble conduct on the part of the Legislature of the Sister Province will be fully appreciated by the Legislature and the whole population of New Brunswick.

J. H.

Government

Government House, Halifax, 27th February, 1839.

SIR—Intelligence was received here yesterday of the aggression that has recently been made by the State of Maine on a part of the Province of New Brunswick. The consideration of every other matter was immediately suspended in both Houses of the Provincial Parliament; and I have now the highest gratification in transmitting to Your Excellency the enclosed printed copies of the Addresses and Resolutions, which have been presented to me by the Legislative Council and Assembly, and which will fully apprise Your Excellency of their *patriotic* proceedings and intentions. The same noble feeling which animates the Legislature, animates all in Nova Scotia, and thousands of our Militia would eagerly embrace the opportunity of shewing their devotion to the cause of their Queen and Country, by marching into New Brunswick to assist in repelling this hostile invasion of its Territory, should events unhappily render their services necessary.

I have the honor to be, &c. &c. &c.

(Signed)

C. CAMPBELL.

Major General Sir JOHN HARVEY, K. C. B. &c. &c. &c.

To His Excellency Lieutenant General Sir Colin Campbell, Knight Commander of the Most Honourable Military Order of the Bath, Lieutenant Governor and Commander in Chief in and over Her Majesty's Province of Nova Scotia and its Dependencies, &c. &c. &c.

THE ADDRESS OF THE LEGISLATIVE COUNCIL.

May it please Your Excellency,

The Legislative Council have heard with surprise and regret that an armed force, under the authority of the State of Maine, has forcibly entered into that portion of the Province of New Brunswick, the right to which is in dispute between Great Britain and the United States, but which is in the actual possession and jurisdiction of Great Britain. The Legislative Council therefore hasten humbly to pray that Your Excellency will be pleased to lay before this House any official information thereon which Your Excellency may be enabled to afford, and may deem it not inconsistent with Your Excellency's duty to communicate to this House.

(Signed)

SIMON B. ROBIE, *President.*

Legislative Council Chamber, 26th February, 1839.

Legislative Council Chamber, 26th February, 1839.

Ordered, That Mr. Stewart, Mr. Johnston and Mr. Ratchford, be a Committee to present the said Address to His Excellency.

By order,

JOHN C. HALLIBURTON, C. L. C.

Legislative Council Chamber, 27th February, 1839.

The Committee appointed under the Resolution passed yesterday, reported a series of Resolutions, whereupon, on motion of the Honorable Mr. Stewart the following Resolutions were unanimously passed:

Whereas it appears to this House, that under pretence of removing Trespassers, a forcible inroad has been made by the authority of the State of Maine upon that part of the Province of New Brunswick which is claimed by the United States, but of which the exclusive possession and jurisdiction have ever been in Great Britain; and that the Government of the said State has adopted measures to levy an armed force, and to raise a large sum of money, with the avowed object of committing further outrages upon the Sovereignty and Dominion of Her Majesty. And whereas by agreement between the Imperial Government and that of the United States, Great Britain is to remain in such exclusive possession and jurisdiction, until the right thereto shall be determined, and negotiations are now pending for the amicable adjustment and determination of the said claim;

Resolved unanimously, That this House regards with the deepest indignation, the sudden and unprovoked attempt to wrest, by violence, the said possession and jurisdiction from our Empire, distinguished as much by its justice as by its power and greatness, and this House contemns as utterly unworthy and frivolous the pretence by which the said State attempts to vindicate its extraordinary and most unjustifiable proceedings.

Resolved unanimously, That these measures, if persisted in, may bring on a destructive and unnatural

unnatural War, and its attendant horrors upon the people of two Nations, whose common origin, language and interest, render every well disposed inhabitant of both Countries anxious to preserve uninterrupted the peace and friendly intercourse which have for a long period so happily existed.

Resolved unanimously, With humble reliance upon Divine Providence, and looking for protection and assistance to the Parent State, this Colony will use its utmost endeavours to vindicate the sovereignty and defend the rights of Great Britain, whenever they may be assailed. And our fellow subjects in the Sister Colony may confidently rely that the People of Nova Scotia will, to the utmost of their power and ability, aid them in resisting every attempt to take forcible possession of a Territory, the custody and safe keeping whereof have been entrusted to them by their Sovereign, until she shall have commanded them to surrender it.

Resolved unanimously, That this House will cordially unite with the other branches of the Legislature, in devising such measures as may be requisite to adopt in the present emergency to vindicate the supremacy and integrity of the Empire.

Resolved unanimously, That a humble Address be presented to His Excellency the Lieutenant Governor with these Resolutions, praying that he will take such steps as he may think fit, to make known the sentiments of this House, and of the People of this Province, to the Government and the brave and loyal People of New Brunswick.

At five o'clock this day the President and Members of the Legislative Council waited on His Excellency the Lieutenant Governor with the following Address : —

To His Excellency Lieutenant General Sir Colin Campbell, Knight Commander of the Most Honourable Military Order of the Bath, Lieutenant Governor and Commander in Chief in and over Her Majesty's Province of Nova Scotia and its Dependencies, &c. &c. &c

THE HUMBLE ADDRESS OF THE LEGISLATIVE COUNCIL.

May it please Your Excellency,

The Legislative Council have passed the accompanying Resolutions, upon the subject of the recent outrages which have been committed upon that part of the Province of New Brunswick claimed by the State of Maine, and the Legislative Council humbly pray Your Excellency to transmit them to the Right Honorable the Secretary of State for the Colonies, to be laid at the foot of the Throne, and the Legislative Council further pray Your Excellency to transmit copies thereof to His Excellency the Governor in Chief, and to His Excellency Sir John Harvey, the Lieutenant Governor of New Brunswick.

HIS EXCELLENCY'S REPLY.

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

The sentiments and expressions contained in these firm and spirited Resolutions are most gratifying and acceptable to me.

You designate the unprovoked conduct of the Authorities of Maine in its true colours, as being utterly unworthy and frivolous in endeavouring to vindicate its unjustifiable proceedings, by attempting to arrest from a neighbouring State, during a period of peace, the custody of a Territory with which they had been entrusted by their Sovereign.

It is most gratifying to me to find that a feeling of entire unanimity pervades the Legislature and people of this Province, to assist in resisting, to the utmost, any aggressions that may be attempted upon New Brunswick, and you may be assured that the Parent State will afford you every aid and support.

I shall have great pleasure in transmitting to the Right Honorable the Secretary of State, to be laid at the Foot of the Throne, sentiments so honorable, from so highly respectable a body, and I shall not fail to communicate these Resolutions to His Excellency the Governor General of British North America, and to His Excellency Sir John Harvey.

Government House, 27th February, 1839.

In the House of Assembly, 22d January, 1839.

Ordered, That the Hon. Mr. Dodd, the Hon. Mr. Uniacke, Mr. Chipman, Mr. Morton, Mr. Huntington, Mr. Dickey and Mr. Smith, be a Committee to whom shall be referred, and who shall examine

examine and report upon all matters connected with the defence of the country, and that the said Committee have power to report by Bill or otherwise.

26th February, 1839.

Resolved unanimously, That in consequence of information this day received from New Brunswick, of the proceedings on the part of the State of Maine, involving a proposed invasion of the neighbouring Province, this House deems it necessary to suspend all other business at present, in order to concert such measures as may be necessary to prepare for joining in repelling any such invasion, and in defending the just rights of the neighbouring Province as well as our own.

Resolved, That Mr. Howe, Mr. Young, Mr. Doyle, Mr. DesBarres and Mr. Forrester, be added to the Committee of the defence of the Province, and that such Committee do immediately proceed to consider the above subject, and report thereon forthwith to this House.

Ordered, That the said Committee do wait upon His Excellency the Lieutenant Governor with a copy of the foregoing Resolutions, and request from His Excellency all such information as he is in possession of in relation to the foregoing subject.

J. WHIDDEN, Clerk.

1. *Resolved unanimously*, That one third of the Militia Force of the Province, between the ages of eighteen and forty five, be drafted by direction of His Excellency the Lieutenant Governor, and Officerd for active service, to the extent of Eight Thousand Men.

2. *Resolved unanimously*, That His Excellency the Lieutenant Governor be authorized to require every Regiment or Battalion to select Two hundred Volunteers for every Six Hundred Men, rank and file, between the ages of eighteen and forty-five, or in the like proportion for a greater or less number.

3. *Resolved unanimously*, If a sufficient number of men in each Regiment or Battalion do not volunteer, that His Excellency be authorized to fill up the number from the draft of such Regiment, agreeably to Law.

4. *Resolved unanimously*, That such lists of Men who shall have volunteered, or been drafted as aforesaid, when returned and approved by His Excellency the Commander in Chief, or such person as he shall appoint for the purpose, shall be considered the lists of Men liable to be first called on for actual service.

5. *Resolved unanimously*, That the Lieutenant Governor be authorized to appoint Officers to command such drafts or bodies of Volunteers for the Regiment or Battalion to which such drafts or Volunteers may belong, or make such other arrangements as may secure efficient Officers to command such drafts or Volunteers.

6. *Resolved unanimously*, That His Excellency the Lieutenant Governor be authorized] to call into actual service, so many and such of the said drafts or bodies of Volunteers as he may deem proper, and to make the necessary regulations for consolidating any number of such drafts or bodies into a Regiment or Regiments, as may be requisite and necessary, and to appoint Field Officers, Adjutants, and Staff to each such Regiment, in order to render the same efficient for actual service.

7. *Resolved unanimously*, That His Excellency the Lieutenant Governor be authorized to order any such drafts or Volunteers, when required for actual service, into Barracks, and to march them from one part of the Province to another, as the exigency of the service may require, and beyond the frontier of this Province, when necessary.

8. *Resolved unanimously*, That His Excellency the Lieutenant Governor be authorized to accept the service of any Volunteer Companies now formed, or which may be formed in this Province, and to consolidate them into Regiments or Battalions, and to appoint Officers for the same, and to take such measures generally as may be requisite to render such Battalions, Regiments, or Companies, efficient for actual service : Provided that such Volunteer Companies be willing to volunteer for service either in this Province or in the adjoining Province of New Brunswick.

9. *Resolved unanimously*, That all Non-Commissioned Officers and Private Soldiers, called into actual service, over and above the pay and allowance provided by Her Majesty, shall be entitled to additional pay from the Treasury of the Province.

10. *Resolved unanimously*, That this House will make suitable provision for the Widows and Orphans of such Officers, Non-Commissioned Officers, and Rank and File, who may fall in actual service.

11. *Resolved unanimously*, That His Excellency the Lieutenant Governor be requested to direct an immediate enrolment to be made of the whole Militia force of the Province, between sixteen and sixty years of age, and to have the same divided into classes, agreeably to Law, and to have full and accurate returns made forthwith to the Office of the Adjutant General of Militia, of such enrolment, and of the state, condition and efficiency of the Arms, and of the quantity of Ammunition possessed by each Regiment or Battalion of Militia, or Company of Artillery.

12. *Resolved unanimously*, That provision be made by Law, for the due and proper organization of the Militia, and for promoting its efficiency by Squad, Company and Regimental or Battalion Drills.

13. *Resolved unanimously*, That His Excellency the Lieutenant Governor be authorized to expend a sum of One Hundred Thousand Pounds, if necessary, in the payment of the Militia and other services incidental to the protection of this and the adjoining Province, from invasion, and that this House will provide for the same.

The whole House went up to Government House, and the Speaker having presented the above Resolutions to His Excellency the Lieutenant Governor, His Excellency was pleased to make the following reply :—

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

It is impossible for me to convey to you in language sufficiently energetic, the sentiments of admiration and satisfaction with which I receive the spirited and loyal Resolutions of the House of Assembly. They will show our fellow subjects in New Brunswick that the people of this Province are determined, and ready, to join them heart and hand, in repelling any outrage or aggression that may be attempted by any Foreign State upon our soil, or to occupy any part of that Territory which has, since the Peace of 1783, been acknowledged as under the jurisdiction of Her Majesty.

It is hardly possible that the General Government of the United States can be a party to, or uphold or justify the Governor and Legislature of Maine in the outrageous proceedings they have resorted to, in invading a State with which they were at peace; but, should they unhappily do so, they will find that the inhabitants of British North America are, one and all, prepared and ready to repel from their soil any armed force which may attempt to occupy it. And they may rely upon it, that should it be found necessary, the whole strength of the British Empire will be brought forward, to guard, or to avenge, the faithful subjects of Her Majesty in North America.

For my part, Gentlemen, you may rest assured that my best exertions shall be used in giving full effect to your unanimous Resolutions, by putting the Militia in this Province in an efficient state; and the confidence with which you have placed at my command so large a sum for that purpose, is most gratifying and acceptable, and every proper precaution and economy shall be used in its application.

It will be a most pleasing and satisfactory duty to me, to convey to Her Majesty's Government sentiments so honorable to the Legislature of this Province.

Adjourned until to-morrow at 12 o'clock.

FRIDAY, 8th March, 1839.

PRESENT.

THE HON.

	<i>Mr. Chief Justice Chipman, President.</i>
<i>Mr. Black.</i>	<i>Mr. Baillie.</i>
<i>Mr. Allanshaw.</i>	<i>Mr. Robinson.</i>
<i>Mr. Attorney General.</i>	<i>Mr. Lee.</i>

Mr.

Mr. Chandler.
Mr. Hatch.

Mr. Robertson.
Mr. Kinnear.

PRAYERS.

Pursuant to the Order of the Day, the Bill in addition to an Act, intituled "An Act to prevent desertion from Her Majesty's Forces, and to punish unlawful dealings with Soldiers or Deserters," as amended, was read the third time and passed.

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

Pursuant to the Order of the Day, the Bill to provide for the summary punishment of persons committing trespasses to certain personal property therein mentioned, was read the second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to authorize Her Majesty's Justices of the Peace for the Counties of Gloucester and Restigouche to assess the said Counties.

The Honorable Mr. Baillie took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to declare the priority of Registered Deeds and other incumbrances upon land.

The Honorable Mr. Baillie took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to repeal an Act, intituled "An Act for the more effectual prevention of Fires within the City of Saint John," and the report of the Select Committee thereon.

The Honorable Mr. Baillie took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into further consideration of the said Bill, and the report of the Select Committee thereon, they had made an amendment thereto, and recommended the Bill, as amended to the adoption of the House.

ORDERED, That the report be received.

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

At A. insert the following Section:—

“ II.

“ II. Provided always and be it enacted, That when any person before the passing of this Act shall have been indicted or convicted for any offence deemed a common nuisance under the provisions of the said recited Act, the Court in which such offence may be prosecuted may still proceed to the conviction and punishment of such offender, in like manner as if the said recited Act had not been hereby repealed : Provided always, that no Judgment shall be given to abate any such nuisance, and that in no case shall a greater fine be imposed than fifty pounds, and the costs of prosecution.”

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

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

On motion—

The House was put into a Committee of the whole, upon Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the twenty eighth day of February last, and the first day of March, instant, and recommended that the House should concur in the same, with certain exceptions, which the Committee recommend should not be concurred in, and asked leave to sit again.

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

Whereupon the Resolutions of Appropriation dated the twenty eighth day of February last, and first day of March, instant, were concurred in by the House, with the exception of the following grants :—

To James Kerr, a licenced Teacher, the sum of fifteen pounds, to remunerate him for teaching a School for nine months in the Parish of Gagetown, ending the eighth day of May, one thousand eight hundred and thirty eight :

To Margaret Merry, a licenced Schoolmistress in the Parish of Newcastle, County of Northumberland, the sum of twenty pounds, being for one year's services in teaching a School for the year ending the thirty first day of July, one thousand eight hundred and thirty seven :

To James Killen, the sum of twenty pounds, to remunerate him for teaching a School in the Parish of Woodstock, ending the twelfth day of December, one thousand eight hundred and thirty eight :

To Joseph Barwise, of Chatham, in the County of Northumberland, the sum of five pounds sixteen shillings and eight pence, for teaching a School in that Parish for a period of three and one half months, ending the fourteenth day of January, one thousand eight hundred and thirty seven :

To Dennis John Casey, a licenced Teacher, the sum of five pounds, for teaching a School at Westfield, County of King's, for three months, ending the twentieth day of December, one thousand eight hundred and thirty seven :

To Ann E. M'Leod, a licenced teacher, the sum of ten pounds, for teaching a School at Sheffield, in the County of Sunbury, for six months, ending the twenty fourth day January, one thousand eight hundred and thirty nine :

To

To Ellen Smith, alias Wigmore, the sum of ten pounds, for teaching a School at Chatham for six months, ending the twenty eighth day of August, one thousand eight hundred and thirty three :

To John Gault, licenced Teacher, the sum of ten pounds, to remunerate him for teaching a School for six months in the Parish of Woodstock, ending the first day of August, one thousand eight hundred and thirty eight :

To David Kilpatrick, a licenced Teacher, the sum of ten pounds, to remunerate him for teaching a School for six months in the Parish of Woodstock, ending the twentieth day of January, one thousand eight hundred and thirty nine :

To James M'Donald and Alexander M'Beath, the Trustees of Schools for the Parish of Glenelg, in the County of Northumberland, the sum of twenty pounds, to enable them to pay Angus M'Kenzie for teaching in that Parish for one year ending the first day of November, one thousand eight hundred and thirty seven :

To Hannah Rodgers, the sum of twenty pounds, for having taught a School in the Parish of Saint James for one year, ending the first day of November, one thousand eight hundred and thirty eight :

To John B. Walker, the sum of fifteen pounds, being for his services in teaching a School in the Parish of Kingsclear, County of York, for nine months, ending the fourteenth day of February, one thousand eight hundred and thirty seven, it appearing that from the illness of one of the Members of the Board of Education, he has been unable to undergo the necessary examination :

To Andrew Shanklin, the sum of twenty pounds, for teaching a School in the Parish of Springfield, King's County, for twelve months, ending the first day of January, one thousand eight hundred and thirty seven :

To Rachael Martin, a respectable Teacher in the County of King's, for teaching School for six months, ending the first day of February, one thousand eight hundred and thirty nine, the sum of ten pounds :

To Michael Harley, late Deputy Surveyor in the County of Gloucester, the sum of fifty pounds to reimburse him for services in making surveys and laying out berths in that County :

To William Hammond, of Saint John, the sum of thirty six pounds four shillings and six pence, being drawback on Rum, Brandy and Gin, exported to Amherst, Nova Scotia, agreeably to the prayer of his Petition : and

To Samuel Burpe, of Saint John, the sum of two pounds eighteen shillings and six pence, being a return of Provincial duties paid on sundry Household Furniture, brought from the United States.

Which were not concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the Resolutions of Appropriation dated the twenty eighth day of February last, and first of March instant, with the exceptions before mentioned.

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

A Bill to continue an Act, intituled "An Act more effectually to provide for the support

support of a Nightly Watch in, and for lighting the City of Saint John, and for other purposes;" and

A Bill to provide for the prompt payment of all demands upon the Provincial Treasury.

The said Bills were severally read a first time.

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

On motion made and seconded—

RESOLVED, That this House doth concur with the Assembly in the proposed Address to His Excellency the Lieutenant Governor, in relation to the establishment of a more extensive landing place at Indian Town, in the Parish of Portland, and County of Saint John, and that the Honorable the Attorney General be a Committee on the part of this House, to join such Committee as may be appointed by the Assembly to present the same.

ORDERED, That the Master in Chancery do go down to the Assembly, and communicate the said Resolution.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to authorize and empower the Commissioners of the Marine Hospital in Saint Andrews, in the County of Charlotte, to purchase a lot of land for the purpose therein mentioned.

The Honorable Mr. Baillie took the Chair.

After some time the House resumed.

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

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

Adjourned until To-morrow at 11 o'clock.

SATURDAY, 9th March, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Allanshaw.

Mr. Robinson.

Mr. Attorney General.

Mr. Chandler.

Mr. Robertson.

Mr. Hatch.

Mr. Kinnear.

PRAYERS.

Pursuant to the Order of the Day, the Bill to repeal an Act, intituled "An Act for the more effectual prevention of Fires within the City of Saint John," as amended, was read the third time and passed.

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

Pursuant

Pursuant to the Order of the Day, the Bill to authorize Her Majesty's Justices of the Peace for the Counties of Gloucester and Restigouche to assess the said Counties, was read the third time and passed.

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

On motion made and seconded—

RESOLVED, That this House views, with feelings of the most grateful satisfaction, the noble and patriotic Resolutions of the Legislative Council and House of Assembly of Nova Scotia, on the subject of the invasion of this Province by a Foreign force.

RESOLVED, That the spontaneous aid and co-operation thus promptly tendered by our Sister Colony, afford the strongest guarantee that, under the blessing of Divine Providence, the deeply cherished relations of the inhabitants of these Provinces as fellow subjects of the great British Empire, and that the invaluable rights and interests consequent on these relations will be maintained and defended by them with the most united and unyielding vigour and determination.

RESOLVED, That an humble Address be presented to His Excellency the Lieutenant Governor, with these Resolutions, praying that he will be pleased to transmit them to His Excellency the Lieutenant Governor of Nova Scotia.

ORDERED, That the Honorable Messrs. Chandler and Kinnear be a Committee to present the same.

A Message was brought from the Assembly, by Mr. Hanington, with certain Resolutions of Appropriation dated the seventh day of March, instant, to which they desire the concurrence of this House.

The said Resolutions were read the first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

Pursuant to the Order of the Day, the Bill intituled "An Act to empower the Commissioners of the Marine Hospital at Saint Andrews, in the County of Charlotte, to purchase a lot of land for the benefit of the said Hospital," was read a third time and passed.

ORDERED, That the title be "An Act to empower the Commissioners of the Marine Hospital at Saint Andrews, in the County of Charlotte, to purchase a lot of land for the benefit of the said Hospital."

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

Pursuant to the Order of the Day, the Bill intituled "An Act to declare the priority of Registered Deeds, and other incumbrances upon Land," was read the third time and passed.

ORDERED, That the Title be "An Act to declare the priority of Registered Deeds, and other incumbrances upon Land."

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

Pursuant

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

A Bill to continue an Act, intituled “ An Act more effectually to provide for the support of a Nightly Watch in and for lighting the City of Saint John, and for other purposes ;” and

A Bill to provide for the prompt payment of all demands upon the Provincial Treasury.

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

On motion—

The House was put into a Committee of the whole, upon Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated second and fifth of March instant, and recommend that the House should concur therein, with an exception, which they recommend should not be concurred in, and asked leave to sit again.

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

Whereupon the Resolutions of Appropriation, dated the second and fifth of March were concurred in by the House, with the exception of the following grant to wit :—

To James Millar, a licenced teacher, the sum of ninety pounds for teaching a School in the Parish of Chatham, in the County of Northumberland, from the first day of October, one thousand eight hundred and thirty three, to the end of March, one thousand eight hundred and thirty eight, a period of five years and a half.

Which was not concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the Resolutions of Appropriation dated the second and fifth of March, with the exception before mentioned.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to provide for the Summary punishment of persons committing trespasses to certain personal property therein mentioned.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly, by Mr. Street, that the Assembly had agreed to the amendments made by this House to the following Bills :—

A Bill relating to the partition of lands, tenements and hereditaments held in coparcenary, joint tenancy, and tenancy in common ; and

A Bill in amendment of the Act relating to the appointment of a Master of the Rolls in the Court of Chancery.

The Honorable Mr. Chandler from the Committee appointed to wait upon His Excellency

Excellency the Lieutenant Governor with the Address of this House, on the subject of certain Resolutions of the Legislative Council and House of Assembly of the Province of Nova Scotia, relating to the invasion of this Province, reported that they had attended to that duty, and His Excellency was pleased to say, he would have the highest satisfaction in complying with the wishes of the House.

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

A Petition from William Hamilton, praying for drawback on Goods exported into the Province of Lower Canada : and

A Petition from James Wands, praying compensation for teaching a School in the Parish of Addington.

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

Adjourned until Monday next at 12 o'clock.

MONDAY, 11th March, 1839.

PRESENT.

THE HON.

<i>Mr. Chief Justice Chipman, President.</i>	
<i>Mr. Black.</i>	<i>Mr. Baillie.</i>
<i>Mr. Allanshaw.</i>	<i>Mr. Robinson.</i>
<i>Mr. Botsford.</i>	<i>Mr. Attorney General.</i>
<i>Mr. Lee.</i>	<i>Mr. Chandler.</i>
<i>Mr. Robertson.</i>	<i>Mr. Hatch.</i>
<i>Mr. Kinnear.</i>	

PRAYERS.

The Honorable the President acquainted the House, that by a Mandamus under the Royal Sign Manual, dated the thirteenth day of December, one thousand eight hundred and thirty eight, George Frederick Street, Esquire, was appointed a Member of this House, and desired to be admitted.

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

The Honorable the President also acquainted the House, that by several Mandamuses under the Royal Sign Manual, dated the thirteenth day of December last, John Robertson, Harris Hatch, and William Boyd Kinnear, Esquires, were appointed Members of this House.

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

The Honorable the President read the same ;

And it was again read by the Clerk as follows :—

NEW BRUNSWICK.

*Message to the Legislative Council,
9th March, 1839.*

J. HARVEY, Lt. GOVERNOR.

The Lieutenant Governor recommends to the consideration of the Council, the expediency of making some provision to remunerate the persons appointed to appraise Goods at the Port of Saint John, for the purpose of determining the amount of duties; an appointment of great importance as respects the Revenue, but burthensome to individuals who undertake the duty without compensation.

J. H.

A Message was brought from the Assembly, by Mr. J. M. Wilmot, that Mr. J. M. Wilmot and Mr. Woodward are appointed a Committee on the part of the Assembly to join the Committee appointed by this House to wait upon His Excellency the Lieutenant Governor with the joint Address relative to the establishment of a more extensive landing place at Indian Town, in the Parish of Portland.

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

The Honorable Mr. Street was then introduced between Mr. Chandler and Mr. Robertson, and took his seat.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to continue an Act, intituled "An Act more effectually to provide for the support of a Nightly Watch in, and for lighting the City of Saint John, and for other purposes."

The Honorable Mr. Baillie took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and the Bill be read the third time.

The said Bill was read a third time and passed.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill relating to Circuit Courts in the Counties of Gloucester, Restigouche and Charlotte.

The Honorable Mr. Baillie took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received.

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

At

At A. in Section I. insert the words "made and passed in the eighth year of the Reign of His late Majesty King William the Fourth."

At B. expunge the whole fifth Section, and insert as follows :—

"V. And be it enacted, That in the year one thousand eight hundred and forty, and each and every year afterwards, the time for commencing and holding the Circuit Court in King's County, shall be on the second Tuesday in July instead of the time now by law established.

"VI. And be it enacted, That this Act shall continue and be in force during the continuance of the said recited Act, passed in the eighth year of the Reign of His late Majesty King William the Fourth, and no longer."

At C. in the Preamble, expunge the words "Counties of Gloucester and Charlotte," and insert the words "County of Gloucester and King's County."

At D. in the Title, expunge "Charlotte," and insert "King's."

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

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

A Message was brought from the Assembly, by Mr. End, with certain Resolutions of Appropriation dated the ninth day of March instant, to which they desire the concurrence of this House.

The said Resolutions were read the first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to provide for the summary punishment of persons committing trespasses to certain personal property therein mentioned.

The Honorable Mr. Baillie took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to provide for the prompt payment of all demands upon the Provincial Treasury.

The Honorable Mr. Baillie took the Chair.

After some time the House resumed.

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

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

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

House

House of Assembly, March 11, 1839.

RESOLVED unanimously, That a Select Committee be appointed to prepare an humble and dutiful Address to the Throne, on the subject of the Disputed Territory, and and that the Honorable the Legislative Council be requested to join in such Address.

CHAS. P. WETMORE, *Clerk.*

On motion made and seconded—

RESOLVED, unanimously, that this House will join in the proposed Address, with the Assembly, to Her Majesty on the subject of the Disputed Territory.

ORDERED, That the Honorable Messrs. Botsford and Chandler be a Committee on the part of this House, to join such Committee as may be appointed by the Assembly to prepare the same.

ORDERED, That the Master in Chancery do go down to the Assembly, and communicate the foregoing Resolution.

On motion—

The Bill to amend the Charter of the University of King's College, was read the second time.

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

The Honorable the Attorney General, from the joint Committee of this House and the Assembly, appointed to wait upon His Excellency the Lieutenant Governor with the joint Address to His Excellency, in relation to a public Landing place at Indian Town, in the Parish of Portland, reported that they had attended to that duty, and that His Excellency was pleased to say, that he would have much pleasure in giving effect to the matter prayed for in the Address.

A Message was brought from the Assembly, by Mr. End, that the Assembly had agreed to the amendments made by this House to the Bill in addition to an Act, intituled "Act to prevent Desertion from His Majesty's Forces and to punish unlawful dealings with Soldiers or Deserters."

The Honorable the President informed the House, that he had received from the Honorable the Secretary of the Province

An Abstract shewing the state of the Central Bank of New Brunswick on the fourth day of March, one thousand eight hundred and thirty nine.

ORDERED, That the same do lie on the Table.

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 12th March, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Baillie.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr.

Mr. Lee.
Mr. Street.
Mr. Hatch.

Mr. Chandler.
Mr. Robertson.
Mr. Kinnear.

PRAYERS.

Pursuant to the Order of the Day, the Bill relating to Circuit Courts in the Counties of Gloucester, Restigouche and Charlotte, as amended, was read the third time and passed.

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

A Message was brought from the Assembly, by Mr. Barberie, with a Bill, intituled "A Bill imposing duties for raising a Revenue," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to provide for the prompt payment of all demands upon the Provincial Treasury.

The Honorable Mr. Baillie took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly, by Mr. Brown, that the Assembly had agreed to the Bill, intituled "An Act to empower the Commissioners of the Marine Hospital at Saint Andrews, in the County of Charlotte, to purchase a lot of land for the benefit of the said Hospital."

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to amend the Charter of the University of King's College.

The Honorable Mr. Baillie took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone into consideration of the said Bill, and recommend that the further consideration of the said Bill be postponed until the next Session of the General Assembly.

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

RESOLVED, That the further consideration of the said Bill be postponed until the next Session of the General Assembly.

On motion made and seconded—

RESOLVED, That an humble Address be presented to His Excellency the Lieutenant Governor, with a copy of the foregoing Resolution, and also of the Bill therein referred to, praying that he will be pleased to lay the same before the College Council.

cc

ORDERED,

ORDERED, That the Honorable Messrs. Botsford and Lee be a Committee to present the same.

A Message was brought from the Assembly, by Mr. Barberie, with a Bill, intituled "A Bill to provide for a regular supply of Seamen for new Ships, fitted out or loaded in this Province," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

A Message was brought from the Assembly, by Mr. Hill, with a Bill, intituled "A Bill in addition to and in amendment of an Act, intituled 'An Act to provide for the collection of the Revenue of the Province,' " to which they desire the concurrence of this House.

The said Bill was read the first time.

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

A Message was brought from the Assembly, by Mr. Hanington, that the Assembly had agreed to the Bill sent down by this House, intituled "An Act to amend the Law relating to Bastardy."

On motion—

The House was put into a Committee of the whole, upon Resolutions of Appropriation.

The Honorable Mr. Baillie took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the seventh day of March, instant, and recommend that the House should concur therein, with certain exceptions, which they recommend should not be concurred in, and asked leave to sit again.

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

Whereupon the Resolutions of Appropriation dated the seventh day of March, were concurred in by the House, with the exception of the following grants:

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds, to be paid to the Reverend Mr. Egan, in aid of individual subscription, for the purpose of a School House at Newcastle, in the County of Northumberland, in connexion with the Roman Catholic congregation:

To James Wands, a licenced Teacher, the sum of five pounds, for teaching a School in the Parish of Addington, in the County of Gloucester, for three months, ending the first day of May, one thousand eight hundred and thirty eight; and

To the Saint John Mechanics' Institute, the sum of one hundred and fifty pounds, to aid them in the objects of that Institution.

Which were not concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the Resolutions of Appropriation dated the seventh day of March, with the exceptions hereinbefore mentioned.

The Honorable Mr. Robertson gave notice that he would, on Thursday next, move certain Resolutions respecting duties imposed by the Imperial Parliament on Flour and Salted Provisions imported into this Province.

Adjourned until To-morrow at 12 o'clock.

WEDNESDAY,

WEDNESDAY, 13th March, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Baillie.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Street.

Mr. Robertson.

Mr. Hatch.

Mr. Kinnear.

PRAYERS.

Pursuant to the Order of the Day, the Bill to provide for the prompt payment of all demands upon the Provincial Treasury, was read the third time and passed.

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

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

A Bill imposing duties for raising a Revenue:

A Bill in addition to and in amendment of an Act, intituled “An Act to provide for the collection of the Revenue of the Province;” and

A Bill to provide for a regular supply of Seamen for new Ships fitted out or loaded in this Province.

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

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill to provide for the summary punishment of persons committing trespasses to certain personal property therein mentioned.

The Honorable Mr. Baillie took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly, by Mr. Brown, that Mr. L. A. Wilmot, Mr. Brown, Mr. Partelow, Mr. Street, and the Honorable Mr. Johnston are appointed a Committee on the part of the Assembly, to join the Committee of this House to prepare an Address to Her Majesty on the subject of the Disputed Territory.

A Message was brought from the Assembly, by Mr. Street, that the Assembly had agreed to the Bill sent down from this House, intituled “An Act to declare the priority of Registered Deeds, and other incumbrances upon Land.”

RESOLVED, That the Honorable the Attorney General be appointed a Member of the

the Committee of this House, to join the Committee from the Assembly, to prepare the Address to Her Majesty on the subject of the Disputed Territory, in place of the Honorable Mr. Chandler, who has obtained leave of absence.

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

It was moved and seconded, that it be resolved—

That the Resolution of this House of the 12th March, 1836, directing the manner in which accounts of the Overseers of the Poor for relief extended to Emigrants should be made out and rendered, and declaring that without such accounts this House would not agree to an appropriation for any such charge, be rescinded.

And on the question being put thereon, it was decided in the negative.

On motion—

The House was put into a Committee of the whole, upon Resolutions of Appropriation.

The Honorable Mr. Baillie took the Chair.

After some time the House resumed.

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

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

Whereupon the Resolutions of Appropriation dated the ninth day of March, were concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the Resolutions of Appropriation dated the ninth day of March, instant.

Adjourned until To-morrow at 12 o'clock.

THURSDAY, 14th March, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Allanshaw.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Street.

Mr. Robertson.

Mr. Hatch.

Mr. Kinnear.

PRAYERS.

The Honorable Mr. Robertson, by leave, presented a Petition from the President and Directors of the Central Bank, praying an Act may pass consolidating the Central and other Banks into one general Bank.

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

Pursuant

Pursuant to the Order of the Day, the House was put into a Committee of the whole to take into further consideration, the Bill to provide for the summary punishment of persons committing trespasses to certain personal property therein mentioned.

The Honorable Mr. Attorney General took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received.

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

At A. in Section I. insert the words “ or shall injure, cut up or destroy any such timber, logs, or lumber, or shall cut away or cast adrift any boom for preserving the same, or any raft of timber, logs or lumber as aforesaid.”

At B. expunge the word “ one,” and insert the word “ two.”

At C. expunge the word “ conviction,” and insert the word “ prosecution.”

At D. expunge the words “ Justice, by warrant under his hand and seal,” and insert the words “ Justices under their hands and seals.”

At E. expunge the words “ Justice shall in his,” and insert the words “ Justices shall in their.”

At F. expunge the Section and insert the following :—

“ II. And be it enacted, That whenever complaint shall be made on oath before such Justices, or either of them, by any person claiming to be owner of any square timber, logs or sawed lumber, or by his lawful agent, that any person hath possessed himself of any such timber, logs or lumber with the intent and design aforesaid, it shall be lawful for the said Justices, or either of them, to issue a warrant directed to any Constable of the Parish where the said property may be, requiring him to seize and take into his possession the said property, and the same safely to keep for the benefit of the owner thereof; and, upon conviction of the said person so offending, or upon his absconding or keeping out of the way so as to avoid being brought to justice, or after trial of the said offender without a conviction, if in any such case the said Justices shall be satisfied the said property shall belong to the said person so claiming as aforesaid, such Justices shall forthwith order the same to be delivered to the said person so claiming to be the owner thereof, or his lawful agent as aforesaid, upon payment of such reasonable charge for keeping the same as the said Justices shall in the said order direct, not exceeding the sum of twenty shillings; and if the said Justices shall not be satisfied that the said property belongs to the said person so claiming to be the owner thereof, they shall order the same to be delivered to any person who may appear to them to be the owner thereof, or his lawful agent, or on refusal of such last mentioned person to take the same, or on failure of satisfactory proof of ownership in any other person, then the said Justices shall order the delivery of the said property to the person from whose possession the same may have been taken by the said Constable by virtue of the said warrant, upon payment of the like charge as in the case of delivery to the person claiming to be the owner thereof and prosecuting as aforesaid: Provided always, that no adjudication or proceeding under this Act shall be evidence in any Court of law or equity of the right of property on any such timber, logs or lumber.”

dd

At

At G. expunge the whole Section.

At H. expunge "V." and insert "IV."

At I. expunge the word "two," and insert the word "one."

At K. in the title, expunge the remainder of the title, and insert the words "upon square timber and other lumber."

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

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

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

A Bill to alter and amend an Act, intituled "An Act to provide for the greater safety of passengers on board steam boats;" and

A Bill to restrain the provisions of the fifth Section of an Act, intituled "An Act for the support of the Civil Government of the Province," and to establish sundry regulations for the future disposal of Crown Lands and Timber in certain cases; and

That the Assembly had agreed to the amendment made by this House to the Bill to repeal an Act, intituled "An Act for the more effectual prevention of Fires within the City of Saint John."

The first mentioned Bills were severally read the first time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to provide for a regular supply of Seamen for new Ships, fitted out or loaded in this Province.

The Honorable the Attorney General took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, and recommended that the further consideration thereof be postponed until the next Session of the General Assembly.

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

RESOLVED, That the further consideration of the said Bill be postponed until the next Session of the General Assembly.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill imposing duties for raising a Revenue.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

The Honorable Mr. Botsford, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of this House, praying that His Excellency would be pleased to lay before the College Council a copy of the Bill to amend the Charter of King's College, report, that they have attended to that duty,

duty, and His Excellency was pleased to say he would comply with much pleasure with the wishes of this House.

Pursuant to notice, the Honorable Mr. Robertson moved the following Resolutions:—

Whereas His Excellency the Lieutenant Governor has been pleased to lay before this House, copies of certain Despatches, whereby it appears that Her Majesty's Government is desirous of extending to this Province the benefit of the exemption made in favor of the Canadas, under Act 3 and 4, William IV. Cap. 59, in so far as relates to the admission of Flour and Salted Provisions into those Provinces duty free;

RESOLVED, That this House is of opinion that the various important interests of this Province connected with its Trade, Navigation, Commerce, and Manufactures are at present much burthened and restrained by the existing Parliamentary duties on Flour and Salted Provisions, and that the removal of the said duty would prove most beneficial and salutary, and greatly tend to stimulate and increase every branch of industry, and materially promote the welfare and prosperity of this Province.

RESOLVED, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to transmit to Her Majesty's Government a copy of the foregoing Resolution.

To which it was moved as an amendment to strike out the words "Flour and," in the body of the first Resolution.

On the question whether the amendment should be made, the House divided:—

CONTENT.
The Chief Justice.
Mr. Black.
Mr. Botsford.
Mr. Street.
Mr. Kinnear.

NON-CONTENT.
Mr. Shore.
Mr. Baillie.
Mr. Allanshaw.
Mr. Attorney General.
Mr. Lee.
Mr. Robertson.
Mr. Hatch.

And it was passed in the negative.

The question was then put on the original Resolutions, and passed in the affirmative.

Adjourned until To-morrow at 12 o'clock.

FRIDAY, 15th March, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.
Mr. Allanshaw.
Mr. Botsford.
Mr. Lee.
Mr. Robertson.

Mr. Shore.
Mr. Robinson.
Mr. Attorney General.
Mr. Street.
Mr. Hatch.

PRAYERS.

ORDERED, That the Honorable Messrs. Robertson and Hatch be appointed a Committee to wait upon His Excellency the Lieutenant Governor with the Address of this

this House, praying His Excellency would be pleased to transmit to Her Majesty's Government the Resolutions of this House on the subject of Parliamentary duties on Flour and Salted Provisions in this Province.

Pursuant to the Order of the Day, the Bill to provide for the summary punishment of persons committing trespasses to certain personal property therein mentioned, as amended, was read the third time and passed.

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

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

A Bill to alter and amend an Act, intituled " An Act to provide for the greater safety of Passengers on board Steamboats ;" and

A Bill to restrain the provisions of the fifth section of an Act, intituled " An Act for the support of the Civil Government of the Province, and to establish sundry regulations for the future disposal of Crown Lands and Timber in certain cases."

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

RESOLVED, That a Select Committee of three Members be appointed to investigate the contingent Accounts of this House for the present Session.

ORDERED, That the Honorable Messrs. Robinson, Botsford and Hatch do compose the Committee.

A Message was brought from the Assembly, by Mr. Fisher, with a Bill, intituled " A Bill in further amendment of the law relating to Tavernkeepers and Retailers," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

A Message was brought from the Assembly, by Mr. Barberie, that the Assembly had agreed to the amendments made by this House to the Bill relating to Circuit Courts in the Counties of Gloucester, Restigouche and Charlotte.

A Message was brought from the Assembly, by Mr. Woodward, with a Bill, intituled " A Bill to incorporate sundry persons by the name of the President, Directors and Company of the Provincial Bank," to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The said Bill was read a second time.

ORDERED, That it be referred to a Select Committee of three Members, to examine and report thereon, and that the Honorable Messrs. Allanshaw, Botsford and Street do compose the same.

On motion—

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

Bill to revive and continue an Act to regulate the driving of timber and saw logs down the River Magaguadavic, and its branches.

The Honorable the Attorney General took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and that the Bill be read a third time.

The said Bill was read the third time and passed.

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

On motion—

The House was put into a Committee of the whole, to take into consideration the Bill in addition to and in amendment of an Act, intituled “ An Act to provide for the collection of the Revenue of the Province.”

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

Adjourned until To-morrow at 12 o'clock.

SATURDAY, 16th March, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Baillie.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Street.

Mr. Robertson.

Mr. Hatch.

PRAYERS.

The Honorable Mr. Street, by leave, presented a Petition from the President and Directors of the Restook Lower Mill Company, praying for an Act to extend the time for filing the certificate of the fifteen per cent. being paid in, to a further term of two years.

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

Pursuant to the Order of the Day, the Bill in further amendment of the Law relating to Tavernkeepers and Retailers, was read a second time.

EE

ORDERED,

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to alter and amend an Act, intituled "An Act to provide for the greater safety of passengers on board Steamboats."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to restrain the provisions of the fifth section of an Act, intituled "An Act for the support of the Civil Government of the Province, and to establish sundry regulations for the future disposal of Crown Lands and Timber in certain cases."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly, by Mr. Brown, with certain Resolutions of Appropriation dated the fifteenth day of March, to which they desire the concurrence of this House.

The said Resolutions were read the first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

Adjourned until Monday next at 11 o'clock.

MONDAY, 18th March, 1839.

PRESENT.

THE HON.

	<i>Mr. Chief Justice Chipman, President.</i>	
<i>Mr. Black.</i>		<i>Mr. Shore.</i>
<i>Mr. Baillie.</i>		<i>Mr. Allanshaw.</i>
<i>Mr. Robinson.</i>		<i>Mr. Botsford.</i>
<i>Mr. Attorney General.</i>		<i>Mr. Lee.</i>
<i>Mr. Street.</i>		<i>Mr. Robertson.</i>
<i>Mr. Hatch.</i>		

PRAYERS.

The Honorable Mr. Robertson, by leave, presented a Petition from the Stockholders of the City Bank, praying for an amendment of their Charter.

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

On

On motion—

The House was put into a Committee of the whole, to take into further consideration the Bill imposing duties for raising a Revenue.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and the Bill be read the third time.

The said Bill was read the third time and passed.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to alter and amend an Act, intituled “ An Act to provide for the greater safety of Passengers on board Steamboats.”

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill in further amendment of the Law relating to Tavernkeepers and Retailers.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

The Honorable Mr. Robertson, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of this House, praying that His Excellency would be pleased to transmit to Her Majesty's Government, a copy of certain Resolutions passed on the fourteenth March, instant, respecting the duties on Flour and Salted Provisions, reported, that they had attended to that duty, and His Excellency was pleased to say he would have much pleasure in complying with the wishes of this House.

The Honorable Mr. Hatch presented to the House a Bill, intituled “ An Act to extend the provisions of the Act, intituled ‘ An Act for granting Patents for useful inventions’ ” to the person herein named.

The said Bill was read the first time.

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

A Message was brought from the Assembly, by Mr. Barberie, that the Assembly had agreed to the amendments made by this House to the Bill to provide for the summary punishment of persons committing trespasses to certain personal property therein mentioned.

A

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

A Bill in amendment of an Act, intituled “ An Act to incorporate the Restook Lower Mill Company ;” and

A Bill in addition to an Act, intituled “ An Act to incorporate sundry persons by the name of the President, Directors and Company of the City Bank.”

The said Bills were severally read a first time.

ORDERED, That the first mentioned Bill be read the second time to-morrow ; and

That the twenty third rule of this House be dispensed with as regards the Bill in addition to an Act, intituled “ An Act to incorporate sundry persons by the name of the President, Directors and Company of the City Bank,” and the same be read the second time.

The said Bill was read the second time.

ORDERED, That it be referred to the Select Committee appointed to examine and report upon the Bill to incorporate sundry persons by the name of the President, Directors and Company of the Provincial Bank.

A Message was brought from the Assembly, by Mr. M'Leod, with certain Resolutions of Appropriation dated the sixteenth day of March, to which they desire the concurrence of this House.

The said Resolutions were read the first time.

ORDERED, That they be referred to the Committee of the whole House upon Resolutions of Appropriation.

A Message was brought from the Assembly, by Mr. End, with the following Resolution :—

House of Assembly, 18th March, 1839.

Whereas on Friday the eighth instant, this House, in Committee of the whole, did pass an unanimous Resolution “ that a sum equal to the whole available means of the Province should be placed at the disposal of the Executive Government, to provide for such emergency as may occur during the current year in defence of the Province;” therefore

RESOLVED unanimously, That an humble Address be presented to His Excellency the Lieutenant Governor, setting forth that in case any emergency should occur during the current year, His Excellency is authorized, by and with the advice and consent of Her Majesty's Executive Council, to raise a sum of money equal to the whole available means of the Province, to provide for the defence of the same in such manner as His Excellency may deem expedient, and that this House will make provision for the same ; and further

RESOLVED, That the Honorable the Legislative Council be requested to join in this Address.

CHAS. P. WETMORE, *Clerk.*

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to restrain the provisions of the fifth Section of an Act, intituled “ An Act for the support of the Civil Government of the Province,” and to establish sundry regulations for the future disposal of Crown Lands and Timber in certain cases.

The

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly, by Mr. Woodward, with a Bill, intituled "A Bill in addition to an Act, intituled 'An Act to incorporate sundry persons by the name of the President, Directors and Company of the Bank of New Brunswick,'" to which they desire the concurrence of this House.

The said Bill was read the first time.

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

The said Bill was read the second time.

ORDERED, That it be referred to the Select Committee appointed to examine and report upon the Bill, in addition to an Act, intituled, "An Act to incorporate sundry persons by the name of the President, Directors and Company of the City Bank."

Adjourned until To-morrow at 12 o'clock.

TUESDAY, 19th March, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Shore.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Street.

Mr. Robertson.

Mr. Hatch.

PRAYERS.

On motion made and seconded—

RESOLVED, unanimously, That this House doth concur with the Assembly in the proposed Address to His Excellency the Lieutenant Governor, in relation to the Resolution placing the whole available means of the Province at the disposal of the Executive Government, to provide for any emergency that may arise during the current year in defence of the Province.

ORDERED, That the Honorable Messrs. Botsford and Street be a Committee on the part of this House, to join such Committee as may be appointed by the Assembly to present the same.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to alter and amend an Act, intituled "An Act to provide for the greater safety of passengers on board Steamboats."

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the Bill to extend the provisions of an Act, intituled "An Act for granting Patents for useful inventions," to the person herein named, was read the second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to continue an Act to restrain the provisions of the fifth Section of an Act, intituled "An Act for the support of the Civil Government of this Province," and to establish sundry regulations for the future disposal of Crown Lands and Timber in certain cases.

The Honorable the Attorney General took the Chair.

After some time the House resumed.

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

The Chairman further reported, that in the Committee it was moved and seconded, that the words "for pine and spruce logs two shillings and six pence per thousand" be expunged, and the words "for pine and spruce logs three shillings and six pence per thousand," be inserted.

Upon which the Committee divided :—

CONTENT.
The Chief Justice.
Mr. Shore.
Mr. Robinson.
Mr. Botsford.
Mr. Attorney General.

NON-CONTENT.
Mr. Black.
Mr. Baillie.
Mr. Allanshaw.
Mr. Lee.
Mr. Robertson.
Mr. Street.
Mr. Hatch.

And it was carried in the negative.

ORDERED, That the report be received.

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

At A. in Section I. expunge the words "passing of this Act be," and insert the words "twenty second day of July, in the year one thousand eight hundred and thirty seven have been."

At B. in Section II. insert the words "and six pence per ton."

At C. expunge the words "one shilling and six pence," and insert the words "two shillings per ton."

At D. expunge the words "three pence," and insert the words "six pence per ton."

At E. insert the words "superficial feet."

At

At F. in Section III. expunge the words "fifteenth day of April," and insert the words "first day of May."

At G. expunge the words "on or before the first day of July following."

At H. in Section V. expunge the remainder of the Section.

At I. expunge the ninth Section.

The said amendments being read a second time, and the question of concurrence put on each, they were severally concurred in by the House.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill in further amendment of the Law relating to Tavernkeepers and Retailers.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received.

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

At A. in Section I. insert the words "or one of the Justices of the Peace before whom the cause is to be tried."

At B. insert the words "and the Subpœnas issuing out of the General Sessions of the Peace shall be."

At C. insert the words "and the Subpœna to be issued by any such Justice, shall be according to the form in the Schedule to this Act annexed."

At D. in Section II. expunge the words "Special Sessions," and insert the words "the said two Justices."

At E. expunge the words "Special Sessions," and insert the words "the said Justices."

At F. expunge the words "or Special Sessions," and insert the words "Sessions or the said two Justices."

At G. add as follows:—

" SCHEDULE.

" Subpœna to be issued by the Justice before whom the cause is depending.

" To A. B. C. You and every of you are required to appear before me, at my in the Parish of on the day of at the hour of in the noon, to give evidence on the part of our Sovereign Lady the Queen, against for the alleged breach of and then and there to be tried; and take notice, that in case you or either of you neglect to appear and testify, you will be liable to a penalty of not exceeding forty shillings, according to the form of the Act of the Assembly lately made and provided. Dated the day of 18 . N. M., J. P."

The said amendments being read a second time, and the question of concurrence put on each, they were severally concurred in by the House.

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

On

On motion—

The House was put into a Committee of the whole, upon Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the fifteenth day of March, instant, and recommended that the House should concur in the same, with certain exceptions, which the Committee recommend should not be concurred in, and asked leave to sit again.

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

Whereupon the Resolutions of Appropriation dated the fifteenth day of March, instant, were concurred in by the House, with the exception of the following grants:—

To James Millar, a licenced Teacher, the sum of thirty pounds, for teaching a School in the Parish of Chatham from the first day of October, one thousand eight hundred and thirty three, to the end of March, one thousand eight hundred and thirty five, a period of one and a half years:

To James Millar, a licenced Teacher, the sum of twenty pounds, for teaching a School in the Parish of Chatham from the first day of April, one thousand eight hundred and thirty five, to the end of March, one thousand eight hundred and thirty six, a period of one year:

To James Millar, a licenced Teacher, the sum of twenty pounds, for teaching a School in the Parish of Chatham from the first day of April, one thousand eight hundred and thirty six, to the end of March, one thousand eight hundred and thirty seven, a period of one year:

To James Millar, a licenced Teacher, the sum of twenty pounds, for teaching a School in the Parish of Chatham from the first day of April, one thousand eight hundred and thirty seven, to the end of March, one thousand eight hundred and thirty eight, a period of one year.

Which were not concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the Resolutions of Appropriation dated the fifteenth day of March, with the exceptions hereinbefore mentioned.

Adjourned until to-morrow at 12 o'clock.

WEDNESDAY, 20th March, 1839.

PRESENT.

THE HON.

	<i>Mr. Chief Justice Chipman, President.</i>	
<i>Mr. Black.</i>		<i>Mr. Shore.</i>
<i>Mr. Allanshaw.</i>		<i>Mr. Robinson.</i>
<i>Mr. Botsford.</i>		<i>Mr. Attorney General.</i>
<i>Mr. Lee.</i>		<i>Mr. Street.</i>
<i>Mr. Robertson.</i>		

PRAYERS.

Pursuant

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

A Bill to restrain the provisions of the fifth Section of an Act, intituled “ An Act for the support of the Civil Government of the Province,” and to establish sundry regulations for the future disposal of Crown Lands and Timber in certain cases ; and

A Bill in further amendment of the Law relating to Tavern Keepers and Retailers.

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

On motion—

The Bill in amendment of an Act, intituled “ An Act to incorporate the Restook Lower Mill Company,” was read the second time.

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into further consideration the Bill to alter and amend an Act, intituled “ An Act to provide for the greater safety of passengers on board Steamboats.”

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received.

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

At A. in Section II. insert the words “ at least three.”

At B. expunge the words “ of sufficient capacity to carry all the passengers and crew at one time, from such vessel to land in ordinary weather: Provided always, that no such vessel shall be required to have more than three good and efficient boats, properly equipped with oars and other tackle as aforesaid.”

At C. insert the words “ and no such vessel shall be permitted by the captain or owner to navigate in any of the Rivers or inland waters of this Province with passengers on board, without having on board, or attached in a convenient manner as aforesaid, at least two good and efficient boats, properly equipped with oars and other tackle as aforesaid, of sufficient capacity to convey in the whole at least thirty adult passengers, exclusive of the crew.”

At D. in Section III. insert the words “ or to navigate in any of the Rivers or inland waters of this Province.”

At E. expunge the word “ she,” and insert the words “ such vessel.”

At F. insert the words “ or navigate.”

At G. expunge the words “ or more Commissioners, residing respectively,” and insert the words “ Commissioner, residing at each of the following places ; that is to say.”

At H. insert the word “ respectively.”

At I. in Section IV. expunge the word “ every,” and insert the word “ any.”

At K. expunge the words “ departing from the said places respectively.”

gg

At

At L. insert the words "or navigating."

At M. expunge the word "amended."

At N. insert the word "respectively."

At O. insert a new section as follows:—

"V. And be it further enacted, That in all cases when any damage or injury shall be sustained by any person being a passenger on board any vessel propelled by steam, by the exploding, collapsing, blowing up, or giving way of any part of the machinery of such Vessel, the fact of such exploding, collapsing, blowing up or giving way shall in all actions to be prosecuted against the master or owner of such vessel, by the person so sustaining injury, be taken to be, and be *prima facie* evidence of carelessness and negligence in such master or owner."

At P. expunge "V." and insert "VI."

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

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

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill to extend the provisions of an Act, intituled "An Act for granting Patents for useful inventions" to the person herein named.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

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

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

On motion—

The House was put into a Committee of the whole, upon Resolutions of Appropriation.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the sixteenth day of March instant, and recommended that the House should concur therein, with certain exceptions, which they recommended should not be concurred in.

ORDERED, That the report be received.

Whereupon the Resolutions of Appropriation dated the sixteenth day of March, were concurred in by the House, with the exception of the following grants:—

To L. A. Wilmot, Esquire, the sum of five hundred pounds, as a remuneration for his services as a Delegate from the House of Assembly; and

To the Honorable William Crane, one of the late Deputation to England on the affairs of this Province, such sum as will procure a Bill of Exchange on London for two hundred and forty three pounds sixteen shillings, sterling, a balance of expences incurred by him, and advanced for such service.

Which were not concurred in by the House.

ORDERED,

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have agreed to the Resolutions of Appropriation dated the sixteenth day of March, with the exceptions hereinbefore mentioned.

Pursuant to the Order of the Day, the Bill to alter and amend an Act, intituled "An Act to provide for the greater safety of passengers on board Steamboats," as amended, was read the third time and passed.

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

Adjourned until To-morrow at 11 o'clock.

THURSDAY, 21st March, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Black.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Street.

Mr. Robertson.

PRAYERS.

A Message was brought from the Assembly, by Mr. Woodward, that the Assembly had agreed to the amendments made by this House, to the Bill to alter and amend an Act, intituled "An Act to provide for the greater safety of passengers on board Steamboats."

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Bill in amendment of an Act, intituled "An Act to incorporate the Restook Lower Mill Company."

The Honorable the Attorney General took the Chair.

After some time the House resumed.

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

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

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

A Message was brought from the Assembly, by Mr. End, that Mr. End, Mr. Wyer, Mr. M'Leod and Mr. Henry T. Partelow are appointed a Committee on the part of the Assembly, to join the Committee appointed by this House, to present the Address to His Excellency the Lieutenant Governor, in relation to the placing of the whole available means of the Province at the disposal of the Executive Government, to provide for any emergency that may arise during the current year in defence of the Province.

The

The Honorable Mr. Allanshaw, from the Select Committee to whom were referred certain Bills relating to Banks, presented a Report.

ORDERED, That the report be received.

And it was again read by the Clerk as follows:—

The Select Committee to whom was referred a Bill to incorporate sundry persons by the name of the President, Directors and Company of the Provincial Bank ; and also a Bill in addition to An Act, intituled “ An Act to incorporate sundry persons by the name of the President, Directors and Company of the Bank of New Brunswick ;” and also a Bill in addition to an Act, intituled “ An Act to incorporate sundry persons by the name of the President, Directors and Company of the City Bank ;” beg leave to report, that they have gone into consideration of the said Bills, and made some amendments thereto, which they recommend to the adoption of the House.

J. ALLANSHAW, *Chairman.*

ORDERED, That the twenty third Rule of this House be dispensed with, as regards these Bills, and that the House be put into a Committee of the whole presently, to take the same into consideration.

The House was then put into a Committee of the whole, to take into consideration the Bill in addition to an Act, intituled “ An Act to incorporate sundry persons by the name of the President, Directors and Company of the Bank of New Brunswick,” and the report of the Select Committee thereon.

The Honorable the Attorney General took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill and the report of the Select Committee thereon, they had made certain amendments thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the report be received.

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

At A. in Section I. insert the words “ the President, Directors and Company of.”

At B. insert the words “ and also to the provisions of an Act made and passed in the sixth year of the reign of His late Majesty King William the Fourth, intituled ‘ An Act to provide for the further increase of the Capital Stock of the Bank of New Brunswick, and to amend and continue the Act for incorporating the said Bank.’ ”

At C. insert the words “ and to the said Act made in the sixth year of the reign of King William the Fourth, for increasing the Capital Stock of the same Bank: Provided always, that the whole amount of the Capital Stock of the same Bank, when increased under the provisions of this Act, shall not exceed the amount to which the Stockholders of the same Bank are authorized to increase the Capital Stock thereof by the provisions of the said last mentioned Act, passed in the sixth year of the reign of King William the Fourth, that is to say, the sum of one hundred thousand pounds: And provided also, that the increase of the Capital Stock of the same Bank, made under the provisions of this Act shall be deemed and taken *pro rata* to be in lieu of any increase of such Capital Stock under the provisions of the said last mentioned Act of the sixth year of the reign of King William the Fourth.”

At D. add a new Section, as follows:—

“ III. And be it further enacted, That all the bonds, bills, notes or other securities held

held by the said City Bank at the time of such union of the said two Banks, shall and may be transferred to, and recovered by and in the name of the President, Directors and Company of the said Bank of New Brunswick; and the said President, Directors and Company of the said Bank of New Brunswick shall be liable to, and shall pay and discharge all bonds, bills, notes or other securities given by the said City Bank, and outstanding at the time of such union; and the Stockholders of the said Bank of New Brunswick, after the said union, shall be liable for the said last mentioned bonds, bills, notes and other securities in like manner as for any other debts due from the said Bank of New Brunswick."

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

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

The House was then put into a Committee of the whole, to take into consideration the Bill in addition to an Act, intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the City Bank," and the report of the Select Committee thereon.

The Honorable the Attorney General took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and the Bill be read the third time.

The said Bill was read the third time and passed.

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

On motion—

The House was then put into a Committee of the whole, to take into consideration the Bill to incorporate sundry persons by the name of the President, Directors and Company of the Provincial Bank, and the report of the Select Committee thereon.

The Honorable the Attorney General took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and the report of the Select Committee thereon, they had made certain amendments thereto, and recommended the Bill, as amended, to the adoption of the House.

ORDERED, That the report be received.

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

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

At B. in Section III. expunge the word "eight," and insert "three."

At C. expunge the words "one million of," and insert "five hundred thousand."

At D. in Section IV. expunge the words "sum or sums of money advanced by or of," and insert the words "debt or."

nh

At

At E. insert the words "beyond the amount in value aforesaid."

At F. in Sec. VI. expunge the words "any number of the Banks at present in operation in this Province, whose capitals actually paid up shall in the whole amount to the sum of one hundred and thirty five thousand pounds, shall have signified their intention to relinquish their several Charters or Acts of incorporation, and to transfer their said Capitals to the said Corporation, and shall have been approved of by a Committee of the incorporators hereinbefore named, the President of the parent or principal Bank of the said Corporation shall give notice thereof to," and insert as follows:

"The Stockholders of any number of the incorporated Banks now in operation in this Province who shall hereafter surrender and relinquish their Charters or Acts of incorporation, and whose Stock in such incorporated Banks shall amount collectively to the said sum of one hundred and thirty five thousand pounds, actually paid in, shall come in and signify their assent to transfer such their said Stock to the said Provincial Bank, by subscribing their names to a list to be made for that purpose as Stockholders in the said Provincial Bank, to the amount of their respective shares in such said Banks, whose Charters or Acts of incorporation shall be intended to be so surrendered and relinquished, a General Meeting of such Stockholders, or the major part of them, shall take place by notice thereof being given in two or more of the public newspapers at Saint John and Fredericton, at least thirty days previous to the time of such Meeting, for the purpose of making, ordaining and establishing such Bye Laws, Ordinances and Regulations for the good management of the affairs of the said Corporation as such Stockholders shall deem necessary, and also for the purpose of choosing nine Directors for the parent Institution, under and in pursuance of the provisions of this Act, which Directors so chosen shall serve until the first annual Meeting for the choice of Directors, and shall have full power and authority to manage the concerns of the said Corporation, subject nevertheless to the provisions of this Act, and such Bye Laws, Ordinances and Regulations as may be then made, and at which General Meeting the said Stockholders shall determine the mode of transferring and disposing of the stock and profits of such Stockholders so to be transferred, subject to the provisions of this Act, which being entered on the Books of the said Corporation, shall be binding on the said Stockholders, their successors and assigns: Provided nevertheless that such Directors shall immediately after such General Meeting give notice of the proceedings thereof."

At G. in Sec. VI. insert the words "of the Provincial Bank."

At H. insert the words "Provided nevertheless, that the said surrenders and relinquishments by such Banks of their respective Charters, shall not take effect except by the authority of a majority of the Stockholders of the said Banks respectively, representing at least three fourths of the shares of the Stock in each of such said Banks."

At I. expunge the word "Corporation," and insert the words "Provincial Bank."

At K. in Section VII. insert the word "branch."

At L. in Section XX. expunge the words "first Section," and insert the words "provisions of this Act."

At M. in Section XXVI. insert the words "not being the Cashiers."

At N. in Section XXIX. expunge the word "twenty," and insert the words "ten."

At

At O. expunge the word "ten," and insert the words "five."

At P. in Section XXXVII. expunge the words "three times," and insert the word "twice."

At Q. in Section XXXVIII. expunge the words "seventy five," and insert the word "fifty."

At R. in Section XLVIII. expunge the word "to," and insert the word "from."

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

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

A Message was brought from the Assembly, by Mr. Hanington, with a Bill, intituled "A Bill to provide for opening and repairing Roads and erecting Bridges throughout the Province," to which they desire the concurrence of this House.

The said Bill was read the first time.

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

A Message was brought from the Assembly, by Mr. Fisher, that the Assembly had agreed to the amendments made by this House to the Bill in further amendment of the Law relating to Tavernkeepers and Retailers.

Pursuant to the Order of the Day, the Bill in addition to an Act, intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the Bank of New Brunswick," as amended, was read a third time and passed.

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

The Honorable Mr. Robinson, from the Select Committee appointed to examine and report upon the Contingent Accounts of this House, presented their report.

ORDERED, That the report be received.

And the same was then read by the Clerk, as follows:—

The Select Committee appointed to examine and report upon the Contingencies of this Honorable House, beg leave to report, that they have had under their consideration the accounts of the Clerk for the last year, which are correctly stated, and accompanied by the requisite vouchers, and are satisfactory; that there remains in his hands a balance of fifty two pounds nine shillings and nine pence, to be applied in liquidating Contingencies, the amount of which cannot now be ascertained, the said sum to be accounted for at the next sitting of the Legislature.

The Committee recommend that the sum of one hundred pounds be appropriated for the purchase of Books.

They have also carefully examined the Contingencies of the present Session, consisting of the following charges, which they recommend to be allowed, viz. :

No. 1. Robert Rankin & Co., Stationery, fuel, &c.,	£175 14 9
2. Justin Spahnn, sundries,	41 8 7
3. Richard Dunn, repairs,	2 13 7

Carried forward

£219 16 11

<i>Brought forward,</i>	£219 16 11
4. Thomas Carey & Co. Quebec Mercury,	1 10 0
5. Robert Wier, Montreal Herald,	1 5 0
6. Gossip & Coade, Times,	1 2 6
7. George Gurnett, Palladium,	1 5 0
8. Thomas Dalton, Toronto Patriot,	1 5 0
9. James Biggs, sleigh hire,	90 0 0
10. Francis Beverly, Book binding,	8 17 9
11. Postages,	84 17 11
12. Watts and Brannen, services during recess,	2 10 0
13. William Watts, sundries,	3 2 6
14. Gales and Seaton, National Intelligencer,	3 1 9
15. Edmund Ward, Sentinel,	1 10 0
16. James F. Gale, sundries,	2 5 3
17. Spafford Barker, sundries,	0 15 4
18. Jonathan G. Harding, sundries,	2 9 0
19. Henry S. Beek, sundries,	1 7 5
Superintending Index, Journal, &c.	40 0 0
	£467 1 4

All which is respectfully submitted.

W. H. ROBINSON, *Chairman.*

Council Chamber, 21st March, 1839.

A Message was brought from the Assembly, by Mr. Woodward, that the Assembly had agreed to the amendments made by this House to the Bill in addition to an Act, intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the Bank of New Brunswick."

Adjourned until To-morrow at 11 o'clock.

FRIDAY, 22d March, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Street.

Mr. Robertson.

PRAYERS.

Pursuant to the Order of the Day, the Bill to incorporate sundry persons by the name of the President, Directors and Company of the Provincial Bank, as amended, was read the third time and passed.

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

Pursuant

Pursuant to the Order of the Day, the Bill to provide for opening and repairing Roads and erecting Bridges throughout this Province, was read the second time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards this Bill, and that the House be put into a Committee of the whole presently, to take the said Bill into consideration.

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the report be received, and the Bill be read the third time.

The said Bill was read the third time and passed.

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

A Message was brought from the Assembly, by Mr. Fisher, that the Assembly had agreed to the amendments made by this House to the Bill to incorporate sundry persons by the name of the President, Directors and Company of the Provincial Bank; and

With the following Resolution of Appropriation dated the sixteenth day of March instant, to which they desire the concurrence of this House.

RESOLVED, That there be granted to the Clerk of this House the sum of two thousand two hundred and seventy six pounds four shillings and twopence, for the Contingencies of the present Session.

The said Resolution being read, was concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly, and acquaint that House thereof.

On motion made and seconded—

RESOLVED, That a Committee of three Members be appointed to arrange and furnish the Council Chamber and Committee Rooms during the recess.

ORDERED, That the Honorable Messrs. Shore, Botsford and Attorney General do compose the said Committee.

The Honorable Mr. Botsford, from the joint Committee of the Legislative Council and Assembly, appointed to prepare an Address to Her Majesty on the subject of the Disputed Territory, reported a draft, which he read in his place.

And it was again read by the Clerk as follows:—

“ To the Queen’s Most Excellent Majesty.

“ THE HUMBLE ADDRESS OF THE LEGISLATIVE COUNCIL AND HOUSE OF ASSEMBLY OF THE PROVINCE OF NEW BRUNSWICK IN GENERAL ASSEMBLY.

“ MAY IT PLEASE YOUR MAJESTY,

“ We, Your Majesty’s faithful and devoted subjects, the Legislative Council and Assembly of New Brunswick, beg leave to approach Your Majesty with feelings of the most profound and ardent attachment to Your Majesty’s Person and Government.

“ We respectfully invite Your Majesty’s especial attention to the long disputed and important question of the North Eastern Boundary of the United States of America, involving as it does, the future union, welfare and prosperity of Your Majesty’s North American Possessions.

“ We respectfully call Your Majesty’s notice to the recent intelligence communicated by Your Majesty’s Representative in this Province, relative to the actual invasion of this Colony by an armed force from the adjoining State of Maine; and while we most earnestly impress upon Your Majesty the value of the Territory in question to the North American Colonies in general, and to this Province in particular, we at the same time have the most entire confidence in the determination of Your Majesty’s Government to preserve the integrity of these Your Majesty’s North American Dominions, in the settlement of this most agitating controversy.

“ Entertaining this confidence in the wisdom of Your Majesty’s Government, and feeling well assured that nothing will be done by Your Majesty which may have the effect of compromising the rights of the Crown, we purposely refrain from expressing an opinion on any of the points in dispute.

“ For ourselves, and on behalf of Your Majesty’s faithful subjects, the Inhabitants of this Province, we cordially tender our lives and our property in aid of the maintenance of Your Majesty’s rights, and for repelling the invader from our soil.”

A Message was brought from the Assembly, by Mr. Fisher, that the Assembly had agreed to the joint Address to Her Majesty upon the subject of the North Eastern Boundary.

RESOLVED, That this House doth agree to the said Address, as prepared by the joint Committee of this House and the Assembly, and that the Honorable Messrs. Botsford and Street be a Committee, with such Committee as the House of Assembly shall appoint, to wait upon His Excellency the Lieutenant Governor and request that he will be pleased to transmit the same to be laid at the foot of the Throne.

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

A Message was brought from the Assembly by Mr. Woodward, with a Bill, intitled “ A Bill to appropriate a part of the public Revenue for the purposes therein mentioned,” to which they desire the concurrence of this House.

The said Bill was read the first time.

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

The said Bill was read the second time.

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

The Honorable Mr. Shore took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received, and the Bill be read the third time.

The said Bill was read the third time, and passed.

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

A Message was brought from the Assembly by Mr. Taylor, that Mr. L. A. Wilmot, Mr. H. T. Partelow, Mr. Hayward, and Mr. Taylor, are appointed a Committee on the part of the Assembly, to join the Committee appointed by this House, to wait upon His Excellency the Lieutenant Governor with the joint Address of this House and the Assembly to Her Majesty, on the subject of the North Eastern Boundary, with a request that His Excellency will be pleased to transmit the same to be laid at the foot of the Throne.

Adjourned until To-morrow at 11 o'clock.

SATURDAY, 23d March, 1839.

PRESENT.

THE HON.

Mr. Chief Justice Chipman, President.

Mr. Shore.

Mr. Allanshaw.

Mr. Robinson.

Mr. Botsford.

Mr. Attorney General.

Mr. Lee.

Mr. Street.

Mr. Robertson.

PRAYERS.

The Honorable Mr. Botsford, from the joint Committee of this House and the Assembly, appointed to present the joint Address of this House and the Assembly, to His Excellency the Lieutenant Governor, placing the whole available means of the Province at the disposal of the Executive Government, to provide for any emergency that may arise during the current year in defence of the Province, reports, that they have attended to that duty, and His Excellency was pleased to say, he was duly sensible of the loyal and patriotic feelings from which this noble appropriation had sprung, and would endeavour to express his sense of it in the Speech with which he was about to close the Session of the Legislature.

The Honorable Mr. Botsford, from the Committee appointed to join a Committee of the House of Assembly, to wait upon His Excellency the Lieutenant Governor with an humble Address praying that he would be pleased to transmit to Her most Gracious Majesty, the joint Address upon the subject of the North Eastern Boundary, reports, that they have attended to that duty, and His Excellency was pleased to say no time should be lost by him in transmitting this loyal and patriotic Address, to be laid at the foot of the Throne.

The House was adjourned during pleasure.

After some time the House resumed.

His Excellency the Lieutenant Governor came to the Council Chamber, and by Message commanded the attendance of the House of Assembly.

The House of Assembly attended accordingly.

His Excellency gave his assent to the following Bills, intituled:—

An Act to appropriate a part of the public Revenue to the payment of the ordinary services of the Province :
An

An Act to appropriate a part of the Public Revenue for the services therein mentioned :

An Act to provide for the opening and repairing Roads and erecting Bridges throughout the Province :

An Act imposing duties for raising a Revenue :

An Act to continue an Act, intituled " An Act to prevent Pedlars travelling and selling within this Province without Licence:"

An Act to continue an Act to provide for the erection of Fences with Gates across Highways leading through intervale lands in Queen's County and the County of Sunbury, where the same may be found necessary, and to extend the provisions of the same to King's County :

An Act to continue an Act for the regulation of Booms for securing Masts, Logs and Lumber in certain parts of the County of Northumberland :

An Act to continue an Act, intituled " An Act to authorize the extension of the Gaol Limits in the City and County of Saint John:"

An Act to continue the Act relating to Parish Schools :

An Act to repeal the Act establishing the times of holding the Courts of General Sessions of the Peace and Inferior Courts of Common Pleas in the County of Northumberland, and for enlarging the times of the sittings of the said Courts, and for making other and better regulations concerning the same :

An Act to continue an Act, intituled " An Act to provide for reporting and publishing the decisions of the Supreme Court:"

An Act to authorize the Justices of the Peace for the County of Restigouche to assess the said County for erecting a Court House and Gaol therein :

An Act to amend an Act, intituled " An Act to incorporate sundry persons by the name of the New Brunswick Marine Assurance Company:"

An Act to erect the eastern part of the Parish of Portland, in the County of Saint John, into a separate and distinct Town or Parish :

An Act to authorize the President and Directors of the Public Grammar School in the City of Saint John to grant Leases with covenants for renewal :

An Act to authorize the Justices of the Peace for the City and County of Saint John to make compensation to the Assessors of Taxes for the City of Saint John, for the year one thousand eight hundred and thirty eight :

An Act to incorporate the Saint John Mechanics' Institute :

An Act to divide the County of Restigouche into five Towns or Parishes, and to define the boundaries thereof :

An Act to lay a tax on Dogs in a certain part of the Parish of Chatham, in the County of Northumberland :

An Act to erect a part of the Parish of Wickham, in Queen's County, into a separate and distinct Town or Parish :

An Act to authorize the Justices of the Peace for the County of Charlotte to levy an assessment for the building a new Court House in the said County :

An Act to alter and amend an Act, intituled " An Act to incorporate sundry persons by the name of the President, Directors and Company of the Bank of New Brunswick:"

An Act to amend an Act, intituled " An Act to incorporate sundry persons by the name of the President, Directors and Company of the City Bank:" An

An Act to explain and amend an Act, intituled "An Act to incorporate sundry persons by the name of the Saint John Water Company:"

An Act to provide for making and maintaining a Canal across Grimross Neck in Queen's County :

An Act for the relief of old Soldiers of the Revolutionary War, and their Widows :

An Act to authorize the sale of Mortgaged premises by the Court of Chancery, and directing the application of the proceeds thereof :

An Act relating to the sale and disposition of the Real Estate of Infants :

An Act to provide for the government and regulation of the House of Correction for the City and County of Saint John :

An Act in further amendment of the Criminal Law :

An Act in amendment of an Act, intituled "An Act in addition to and in amendment of the several Acts now in force to provide for sick and disabled Seamen, not being paupers belonging to this Province:"

An Act for the improvement of the Practice in the Court of Chancery :

An Act relating to the partition of Lands, Tenements and Hereditaments, held in co-parcenary, joint tenancy, and tenancy in common :

An Act in amendment of the Act relating to the appointment of a Master of the Rolls in the Court of Chancery :

An Act to authorize Her Majesty's Justices of the Peace for the Counties of Gloucester and Restigouche to assess the said Counties :

An Act in addition to an Act, intituled "An Act to prevent desertion from His Majesty's Forces, and to punish unlawful dealings with Soldiers or Deserters:"

An Act to empower the Commissioners of the Marine Hospital at Saint Andrews, in the County of Charlotte, to purchase a lot of Land for the benefit of the said Hospital :

An Act to continue an Act, intituled "An Act more effectually to provide for the support of a Nightly Watch in and for lighting the City of Saint John, and for other purposes:"

An Act to amend the Law relating to Bastardy :

An Act to declare the priority of Registered Deeds and other incumbrances upon Land :

An Act to provide for the prompt payment of all demands upon the Provincial Treasury :

An Act to repeal an Act, intituled "An Act for the more effectual prevention of Fires within the City of Saint John:"

An Act to revive and continue an Act to regulate the driving of Timber and Saw Logs down the River Magaguadavic and its Branches :

An Act relating to Circuit Courts in the Counties of Gloucester, Restigouche and King's :

An Act to provide for the summary punishment of persons committing trespasses upon square Timber and other Lumber :

An Act to alter and amend an Act, intituled "An Act to provide for the greater safety of Passengers on board Steamboats:"

An Act in addition to an Act intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the City Bank:"

An Act in addition to an Act, intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the Bank of New Brunswick:"

An Act in further amendment of the Law relating to Tavernkeepers and Retailers :

An Act to incorporate sundry persons by the name of the President, Directors and Company of the Provincial Bank: (*With a suspending clause.*) and

An Act to make perpetual an Act for the support of the Civil Government in this Province: (*With a suspending clause.*)

His Excellency was pleased to deliver the following Speech:—

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

"I cannot relieve you from further attendance upon your Legislative duties, without expressing to you the high degree of satisfaction with which I have witnessed your proceedings. In all that relates to the internal improvements and interests of the Province they have been characterized by close attention and liberal appropriations. The various recommendations which I felt it my duty to make to you, and the objects to which I had directed your attention, have received from you a degree of consideration, which is to me the most gratifying proof that my motives have been duly appreciated by you; and the manner in which you have placed at the disposal of the Executive Government all the available Revenues of the Province, to be applied, if necessary, in its defence against foreign invasion, and for the preservation of British connexion, while it exhibits your undiminished confidence in that Government, also nobly upholds the high character which the people of this Province have so justly acquired, for their ardent loyalty to their Sovereign, and unshaken attachment to the Parent State.

"In close connexion with this subject let me here record the tribute of my highest admiration of the conduct of the Legislature of the Sister Province of Nova Scotia, in the patriotic offer made by them, on behalf of the loyal and gallant population of that Province, to aid us with their blood and treasure in maintaining our rights and repelling foreign aggression.

"We have also to acknowledge the most prompt and effectual assistance from His Excellency the Governor in Chief.

"I feel that I cannot close this deeply important subject in a manner more accordant to your wishes, as well as to my own, than by the expression of my confident hope that my endeavours to prevent border collision, and thereby to preserve the existing relations of peace with the United States may, through the blessing of Providence, prove effectual.

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

"Your liberality in providing for the pay and equipment of the Militia and Volunteer Force, which I have deemed it necessary to call out—for the contingent expenses of the Government—and in the advance of a large sum of money, applicable to the immediate improvement of the Great Line of our communication with Lower Canada, by the Valley of the Saint John and the Timasquata Lake, are most highly appreciated by me, as I am well assured they will be by His Excellency the Governor in Chief, and by our Most Gracious Queen.

"Mr.

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

“ In now closing this Session, and permitting your return to your homes, I feel assured that should circumstances require me to call upon you for your Militia services in the field, I may rely with the most entire confidence upon your promptly responding to such a call.”

After which the President of the Council, the Honorable Mr. Chief Justice Chipman, by His Excellency's command, declared the General Assembly to be prorogued until the first Tuesday in June next.

WM. TYNG PETERS, CLERK.

APPENDIX.

No. 1.

[See Journal 23d January, 1839.]

Secretary's Office, 9th January, 1839.

SIR,

I BEG leave to bring under the notice of Your Excellency the state of the Building appropriated for the Secretary's Office, which, beside requiring considerable repair, is so limited in room as not to afford sufficient space for the safekeeping of the Public Papers.

The fire proof Room is now so crowded that many of the Papers are of necessity kept in the outer Room; and in the fire proof Room better arrangement for the heavy Books, containing the Records of Grants is much wanted.

The floors of the Building with the chimney and parts of the plastering require repair, and all the windows and casings require painting to preserve them from the weather.

The roof also, which is of shingles, is beginning to fail, and ought to be made more secure from fire.

The great increase of business of late years has rendered necessary some further accommodation for the Clerks who being now all in one public room are often exposed to considerable interruption for want of private apartments.

If an addition were made to the Building similar to that made to the Crown Land Office it would afford all the requisite accommodation, and the whole being put under a good slate roof, the Public Records, the safe custody of which is of such great importance, would be rendered much more secure.

I therefore beg leave to submit the subject to Your Excellency's consideration, in the hope that arrangements may be made for doing the work at the opening of the Season.

I have the honor to be, &c. &c. &c.

WM. F. ODELL.

His Excellency Major General Sir JOHN HARVEY, K. C. B. & K. C. H.
Lieutenant Governor, &c. &c. &c.

No. 2.

[See Journal 23d January, 1839.]

To His Excellency Major General Sir John Harvey, K. C. B. and K. C. H. Lieutenant Governor, &c. &c. &c.

We, the undersigned Commissioners appointed by Your Excellency, upon an Address of the House of Assembly of last year, to explore a new line of Road over the

L1

Sackville

Sackville Great Marsh, beg leave to report, that in the performance of that duty we have caused a Survey to be made of the same, by which it appears that the alteration, as contemplated will shorten the Great Road of Communication between Halifax and Fredericton, and consequently between the former place and Saint John seven miles and nine tenths in a distance of fourteen miles and six tenths.

The proposed line commences at the residence of the Honorable William Crane, and follows a Bye Road running at right angles with the present Great Road, through the Parish of Sackville until it intersects the Tantamar River, a distance of one mile and one tenth over a dry upland soil, well calculated for a Road; the River is one hundred and eighty yards wide with alluvial banks, affording every facility for constructing a Bridge upon piles, the cheapest, most durable and in all respects the best mode (whenever the soil will permit) of building wooden Bridges; thence in a Southeast direction over a firm Marsh soil, touching in its course the South end of Cole's Island, a ridge of upland upon which a number of persons are settled, two miles and one quarter to the Au Lac River, which is one hundred and forty yards wide, and similar in every other particular to the Tantamar River; thence to the upland by Amos Fowle's one half of a mile. It is to be observed that there are two small Creeks running into the Au Lac River about thirty yards wide, each, which will require Bridges; thence following nearly in a right line a Ravine or Creek in the Point de Bute Bridge, which forms the slope of the rising ground upon which Fort Cumberland is built, one mile and one quarter, until it strikes the Missiguash Marsh. By taking advantage of this Ravine though a trifling deviation from the most direct course is thereby made, the ascent over the Ridge dividing the two Marshes will be very gradual and forms no obstacle to the formation of a good line of Road. The land consists principally of sand and is easily worked; thence across the said Marsh fifty six chains to the Missiguash River, which forms the boundary line of the Province, and is sixty five yards wide; thence one half mile in a direct line with the Great Road passing over the Amherst Marsh to M. Gordon's, Esquire, where it meets the present Road—the whole distance of the new line being six miles and seven tenths. We have to remark that the expense of making the last half mile of Road and one half of the expense of building a Bridge or Aboideau, which-ever should be determined upon, will be borne by the Province of Nova Scotia.

Three miles and one half of the proposed alteration will pass over Marsh land, but it is as well calculated as such soil can possibly be for making a road, being in general firm and of the first quality.

Independent of the advantages that the public will derive by thus so materially shortening the Post Road, and by being relieved from the inconvenience of travelling a great extent of Marsh necessarily uninhabited, a distance of upwards of four miles by the present Road, which by the alteration, will be reduced to less than two miles. All the proprietors of the lands adjoining will be greatly benefited and ought to be disposed, should the alteration be approved of and adopted, to contribute liberally, and as there are a great number of wealthy individuals thus interested in the undertaking, it would aid in no small degree towards its accomplishment.

In corroboration of this view of the subject the proprietors of the Marsh adjoining the River Au Lac, proposed last year to build an Aboideau over that River in such place as to accommodate the new Road, provided it had received the approbation and encouragement of the Legislature.

A sketch shewing the proposed line; as surveyed in connexion with the present Road is herewith attached.

All which is respectfully submitted to the consideration of Your Excellency.

(Signed)

RUFUS SMITH.
GEORGE OULTON,
E. BOTSFORD.

No. 3.

[See Journal 29th January, 1839.]

Secretary's Office, 22d November, 1838.

SIR,

I have at length obtained a conference with the Crown Lawyers upon the subject of the Commissions to be renewed, and after a due examination of the Minister's Despatch, and the several Acts of Parliament, they are of opinion that all the Provincial appointments which are under the Great Seal, and held during the Royal pleasure, must be renewed. Of these, the only ones that appear to be provisional, are the Receiver General and the Auditors, which of course must be reported Home. Although Judge Parker had no Warrant from Home, his appointment was approved by Mr. Secretary Rice, and his re-appointment being reported, I suppose he will receive a Warrant upon payment of the Fees.

The Provincial appointments, that is, those which are made by the Governor without Warrants from Home, exceed in number one hundred, and it would probably be thought hard by the parties to pay fees upon their re-appointment; but the labour of making so many Commissions would require extra Clerkship in my Office, and other expenses to be incurred which it cannot reasonably be expected should be borne by me, I therefore beg to submit the subject for Your Excellency's consideration, with the assurance that if Your Excellency will order these expenses to be paid. I shall willingly relinquish any claim for fees to which otherwise I should, by the Ordinance, be entitled to look for remuneration.

It is proper that I should add that by the Ordinance establishing a Table of Fees, there is a fee of three guineas for the Great Seal to every Commission, which was formerly payable to the Governor, but now is transferred to the Provincial Revenue.

I have the honor, &c.

(Signed)

WM. F. ODELL.

His Excellency Major General Sir JOHN HARVEY, &c. &c. &c.

No. 4.

[See Journal 8th February, 1839.]

To His Excellency Sir John Harvey, K. C. B. and K. C. H. Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

We beg leave to lay before your Excellency the accompanying Plan of the Bay and Harbour of Shediac, in hopes that it may prove sufficient to elucidate the capabilities of the Port, which are at present, virtually speaking, in a state of nature, and susceptible

susceptible of vast improvements, which will likely be made should this Isthmus ever become the link for connecting the waters of the St. Lawrence with those of the Bay of Fundy. The Harbour is easy of access for vessels of a considerable draught of water, where they can lay very commodiously and sheltered from all winds. The soundings are laid down in feet, and as the soundings are the result of eighteen years practical experience, they may be relied on as pretty accurate, and no pains hath been spared to make them so. The track of the Steamer Medea was considered as a necessary appendage thereto, in order to shew the fallacy of Justus' statement. She approached the Harbour in the direction of the dotted line, as exhibited on the Plan, and stood to the southward until she had crossed the channel, and got the Bank, which now bears her name, between her and the barque Sophia, (Transport, who was turning into the Harbour at the time, the wind being out.) She then hauled up for the barque, whereupon the Pilot caused the barque's ensign to be hoisted at the gaff end, that being the only signal he could then make to warn her of danger; but her Officers, either misunderstanding or unmindful of its intention, stood on until the vessel struck and forced herself, being at half speed, on the reef so far that she rested about the fore part of her engine. She now hoisted a signal for a Pilot, which signal had she shewn while she was afloat, would have saved twenty four hours in time, together with all the trouble which afterwards ensued in getting her afloat, and also the inserting in the 'Acadian' an erroneous statement, in order to gloss over an error which emanated entirely from themselves.

Should any further information be required which we can furnish with respect to this Port, we shall endeavour at all times to communicate it to the best of our knowledge.

We are Your Excellency's
Most obedient humble servants,
(Signed) JAMES MILNE, *Harbour Master.*
N. MILNE, *Port Warden and Pilot.*

Shediac, 24th January, 1839.

No. 5.

[See Journal 12th February, 1839.]

Custom House, Saint John, N. B. 6th February, 1839.

SIR,

We have the honor to lay before Your Excellency copies of a correspondence between ourselves and the Sub-Collector of this Revenue at Bathurst, (one of the Out Bays attached to this Port,) with reference to sundry wrecked Goods which were found within his district.

We beg leave to state to Your Excellency that it appears to us essential that some authority should exist to guide the efforts of well disposed persons to protect the interest of the owners of and underwriters upon goods cast ashore within this Province.

We therefore are induced to call Your Excellency's attention to the present case, and to remark that upon the receipt of the letter from the Sub-Collector, dated 6th November last, No. 13, we gave the subject our most serious attention, and in our
reply

reply to him dated the 13th following, (copies of which are enclosed,) we were influenced by a desire of carrying into effect the spirit of the Honorable Board's Order, (General) No. 32, dated 20th June, 1805, a copy of which is also enclosed, and we beg to refer thereto.

Having since received from Mr. Deblois, the Sub-Collector at Bathurst, a more detailed statement, together with vouchers for payments made by him, we view greater difficulties than we at first anticipated, as to the authority for these payments and the final settlement and disposal of the net proceeds. These voluminous papers will be transmitted to the Honorable the Commissioners of Customs, and copies of them can be furnished Your Excellency if required.

We feel particularly desirous to bring the subject under Your Excellency's notice, and should it be deemed advisable by Your Excellency to refer it to the Legislature at present in Session, we feel persuaded that the Members of the House of Assembly for the Counties bordering upon Bay Chaleur will be able to afford Your Excellency full information with respect to the wrecked Goods herein referred to.

We have the honor to be, &c.

(Signed)

H. BOWYER SMITH, *Collector.*

G. H. SMITH, *Acting Comptroller.*

His Excellency Major General Sir JOHN HARVEY, K. C. B. &c. &c.

Custom House, Bathurst, 6th November, 1838.

GENTLEMEN,

I have the honor to transmit for your information a report made by the High Sheriff of this County, whose assistance I deemed necessary to request for the protection of this Revenue, and for the interest of all concerned in a large quantity of derelict goods recently found in the flow of the sea along the shores of Caraqueet and Grand Aunee.

A number of casks of wine and spirits, together with many other articles, have been, in a most wanton manner plundered and secreted by the inhabitants. I am not of course authorized to search (if opposed) the houses and buildings suspected to contain the goods; I would beg leave to suggest that such an authority should be granted, which may be productive of benefit to the Revenue, and for the interest of the owners of such property.

We suspect the above articles may have drifted from the Canada side of the Bay of Chaleur, where the 'Colborne,' from London for Quebec with a valuable cargo was recently capsized.

I beg to be favoured with your instructions as to the management and disposal of the property, and upon the following points:

Am I, in the absence of Cockets, reported to have been lost, to levy foreign duty upon the whole as in part enumerated in Mr. Baldwin's statement?

Can any deductions be made by me on account of the Goods being damaged?

No claimant appearing, can articles of a perishable nature be sold, and by whom, at an early day?

Do you consider the authority of the second Mate (the only Officer saved) sufficient to justify my restoring the goods to him or agent?

mm

What

What remuneration are the salvors entitled to, and by whom given?—Many of the articles are without marks or means of being identified; and as another large vessel (the 'Stirling,') from Liverpool to Quebec, was at the same time wrecked near Gaspe, with a general cargo, some of the articles may possibly have come from the latter vessel.

I have the honor, &c.

(Signed)

THOS. M. DEBLOIS, *Sub-Collector.*

Collector and Comptroller H. M. Customs Saint John.

Bathurst, 5th November, 1838.

SIR,

I received your letter of 31st ultimo, acquainting me that a large quantity of wrecked or derelict goods were being washed ashore in the Parishes of New Bandon and Caraquet, and that the Officers of Customs had experienced much opposition from the inhabitants in attempting to secure them, with the suggestion that I may afford such assistance within my power as would enable the Officers of that department to fulfil their duty with regard to them.

Anxious at all times to co-operate with the Officers of the Crown in every department to maintain the laws and protect the Revenue, I acted immediately in furtherance of your views, and beg to furnish you with the following report for your information:—

On proceeding down the coast I found that the goods coming on shore, consisting principally of casks of wine, spirits and tallow, seemed to be thrown on shore by an east wind, but that no wrecked vessel was in sight from the coast. Having put the Magistrates through the district on the alert, and sent a deputy to the acting Sub-Collector at Caraquet, I proceeded in a small vessel to ascertain from whence the property came. I found the brig 'Colborne' within a mile of Port Daniel on the Gaspe shore, a wreck. This vessel had upset in a gale of wind on or about the 16th ultimo, close to that shore, and was towed in by some of the inhabitants. She was loaded with a general cargo of merchandize, bound from London to Quebec, and seemed the most likely source for these derelict goods. I was satisfied however that the wreck was not on the New Brunswick side.

Since then I have traversed the coast to the south west as far as Pocksoodie, and done all in my power to search out plundered property, and collect the saved goods into the most secure places available at the moment; a schedule of the property preserved and the places of deposit you have annexed.

In the performance of this service, I witnessed a daring disposition to plunder on the part of the inhabitants of New Bandon, and the interference of the civil authorities was met by violence and abuse. I can trace three casks of wine, one cask of brandy, and other goods, into the possession of parties who refuse to account for them. I know not to what extent I would be justified in proceeding with these persons, and therefore for the present content myself with an unsuccessful search of their premises. I would strongly recommend however that measures be taken, if you are acquainted with the legal course, to punish these offenders at once, otherwise this spirit of recklessness and opposition to restraint will be strengthened, that I feel certain must yet
be

be the cause of infinite mischief in the community. If some of the transgressors in this matter are not punished, wrecking will become a trade yet on this coast.

A large quantity of the goods saved must depreciate considerably in value by long keeping; the liquors from leaky casks, the dry goods from being saturated with salt water, and unless they are disposed of within a reasonable period, they cannot realize sufficient to satisfy the claims of the salvors and the expenses of collection.

I have made arrangements to have all the goods together at Caraquet in two or three days, and deposited in the charge of Mr. Blackhall, the acting Sub-Collector; but notwithstanding that the best stores in the settlement are obtained for their safe keeping, I am apprehensive they will not be secure from plunder without a guard, the expense of which for any length of time, the proceeds of the goods I fear would not defray.

I am, &c.

(Signed)

HENRY W. BALDWIN,
Sheriff of Gloucester.

Thos. M. Deblois, Esq. Sub-Collector H. M. Customs, &c. &c. &c.

Account of the Derelict Goods saved on the shores of the County of Gloucester, in the Parishes of New Bandon and Caraquet, in October and November, 1838, viz:—

Placed in charge of Mr. Blackhall, at Caraquet: 9 pieces silk, containing about 350 yards; one package of ribbons, silk aprons, &c.; several remnants of broad cloths, cassimeres, &c.; 8 puncheons tallow; about 5 puncheons ditto, in bulk; 5 puncheons palm oil; about 20 boxes wax, sperm, mould and dipt candles; 12 ullage hogsheads and pipes wine, gin and brandy; 8 cases castor oil; a piece of Plate, intended by the inscription it bears, to be a present from the inhabitants of Montreal to Colonel Wetherall.

Placed at the store of Francis LeGreely, Grand Aunce: one feather bed and bolster; 3 casks tallow; 42 soldiers' caps; 2 cases castor oil; one ullage cask wine; some surgical instruments.

Placed in the store of John Young, Esquire, Pockshaw: 5 ullage casks wine; 2 casks whiskey; one jar varnish; a part of a cask alcohol; one box mustard; some surgical instruments; 2 casks tallow.

At different places of safe keeping to the westward: 4 casks tallow; 3 puncheons palm oil.

At Missinett Point, hauled above the tideway to be removed as soon as the weather permits: 16 puncheons palm oil.

Custom House, Saint John, N. B. 13th November, 1838.

SIR,

We have received your letter dated 6th instant, No. 13, enclosing a report made to you by the High Sheriff of your County, respecting a quantity of goods found in the flow of the sea along the shores of Caraquet and Grand Aunce.

Under the circumstances therein stated, we consider it our duty to call upon you to take charge and dispose of the goods to the best advantage, transmitting to us an account

account of your proceedings. The Honorable Board's General Order, No. 32, dated 20th June, 1805, (Vol. 1, General Orders,) enjoins the several Officers of this Revenue in all cases of wreck, within the accustomed limits of their Ports, to use their utmost exertions and vigilance for the benefit of the Revenue, and the interest of the owners of the vessels and goods meeting with such accidents. Although the Honorable Board's Order herein referred to, states—"And it appearing that the Salvage Laws of this Country (England) do not extend to the Plantations,"—yet for your information, we have in this special instance, until further information can be obtained from the Honorable Board, to refer you to the Statute of 12 Ann. cap. 18, which will be found in "Abbott's Shipping," a book which you no doubt will be able to obtain either in your neighbourhood or at Miramichi, from some person of the legal profession.

In making any sales, they should of course be public, and we rely upon you and Mr. Blackhall, under your directions, to use your best endeavours to sell the goods in question for the highest prices that can be obtained. In the event of the goods not being claimed they become a Droit of Admiralty after one year.

As to the remuneration to the salvors, we consider that it is not advisable for you to make any payments except such as are unavoidable to secure the goods, and you will be pleased to procure correct vouchers in duplicate (at least) for such payments, which we think it will be necessary for you to certify that they are just and reasonable charges.

The piece of Plate intended for Colonel Wetherall, you will take charge of until you receive further instructions.

We have, &c.

(Signed)

H. BOWYER SMITH, *Collector*.
G. H. SMITH, *Comptroller*.

The Sub-Collector H. M. Customs, Bathurst.

Custom House, London, 20th June, 1805.

GENTLEMEN,

Application having been made to us from one of the Ports in the Plantations relative to the remuneration of the Officers of this Revenue for their care and trouble in the custody and sale of some wrecked goods put under their charge: And it appearing that the Salvage Laws of this Country do not extend to the Plantations,

We direct you to report to us whether there is in your Island any Colonial Law or regulation, or any general usage, and if so, by what authority, regarding the remuneration of Officers of this Revenue, or others, for services rendered in the salvage and preservation of vessels and goods wrecked on your coasts.

And we at the same time enjoin you and the Officers under your survey, in all cases of wreck within the accustomed limits of your Port, to use your utmost exertions and vigilance for the benefit of the Revenue and the interest of the owners of the vessels and goods meeting with such accident, acquainting us in each case with your proceedings.

Collector and Comptroller.

No.

No. 6.

[See Journal 21st February, 1839.]

Fredericton, February 9, 1839.

SIR,

In obedience to Your Excellency's commands, we have examined the collection of English Publications, thirty eight in number, proposed to be introduced, under Your Excellency's auspices, into the Parochial Schools of the Province; on which we beg leave to submit the following Report:—

The elementary publications of the "Sunday School Union," consisting of Spelling Books, Class Books, and Outlines of English Grammar and Arithmetic, appear to be simple abstracts, unobjectionable to any denomination of Christians; they have also the recommendation of remarkable cheapness.

Of four other Spelling Books, viz. Vyse's, Fenning's, Blair's, and Mavor's, we consider the last decidedly the best. The first two contain each a History of England; but that in Vyse's Spelling Book is, to say the least, meagre and vapid; while the History published under the name of Fenning may be pronounced a bold and well written epitome, indulging however too freely in observations which we consider ill calculated to cherish a due respect for the Throne.

The collection furnishes four Catechisms of Religion. Of these it may be sufficient to remark, that the "Church Catechism" is a well printed and cheap edition of the ancient form of instruction of the Church of England; the "Assembly's Shorter Catechism" is a well known exposition of Calvinistic Theology, adopted by the Church of Scotland; and the "Baptist Catechism" is an abridgment of the preceding, with a peculiar adaptation; while the series of Dr. Watt's Catechisms is a most excellent statement of Christian doctrine, free from dogmatical peculiarities, and therefore admirably adapted for general use.

Of the works in this collection, published under the superintendence of the Society for the diffusion of Useful Knowledge, the "New Zealanders" and the "Menagerie" are instructive and interesting, well adapted for prizes. The "Distinguished Men of Modern Times" is unquestionably on the whole a valuable compilation; but the religious and political tendency of some of the characters appears to us not entirely unexceptionable. The "Pictures and Descriptions of Remarkable Events in the History of England," although comprehensive and graphic, and at first view highly attractive, appear on a closer inspection open to more decided objection than the work last named; some portions of it in our judgment being calculated to cherish a democratic and disaffected spirit.

The "Results of Machinery," the "Rights of Industry," and "Cottage Evenings," are masterly treatises on the science of Political Economy, more especially adapted to the circumstances of the labouring classes of the Mother Country. The "Maid of all Work," although chiefly addressed to persons of that class in large cities, contains much excellent advice for female servants in every situation.

The "Exercises of the Senses," and "Arithmetic for Young Children," are collections of hints which may be very useful in the Nursery and Infant Schools, but could hardly be recommended as adapted for the general use of Parochial Schoolmasters.

We have the honor to be, &c. &c. &c.

(Signed)

EDWIN JACOB,
GEORGE ROBERTS.

To His Excellency Major General Sir JOHN HARVEY, K. C. B. & K. C. H. Lieutenant Governor, &c. &c. &c.

ND

King's

King's College, Fredericton, February 11, 1839.

SIR,

In addition to the Report made by Mr. Roberts and myself on the the 9th instant, I beg leave to state that among the Books sent to me was a "Catechism upon the Lesson System of Religious Instruction, by William Darling," with a "Key" to the same, which Mr. Roberts did not appear to have received. This Catechism seems to have been formed on the general plan of the "Assembly's Catechism," omitting those expressions and statements which are usually regarded as distinguishing the Calvinistic system. I cannot learn that it represents the doctrines of any separate denomination.

I am not certain that Your Excellency required more than an examination of the works actually placed before us, otherwise it would have been proper to remark that the collection does not furnish Catechisms for the Roman Catholics or Wesleyan Methodists, who must (I presume) be quite as numerous in the Province as the Presbyterians and Baptists. I should also feel myself bound to add, that I see not any work calculated to instruct the rising generation in the true principles of the British Constitution.

I have the honor to be, &c. &c. &c.

(Signed)

EDWIN JACOB.

To His Excellency Major General Sir JOHN HARVEY, K. C. B. & K. C. H. &c.

No. 7.

[See Journal 3d March, 1839.]

To His Excellency Major General Sir John Harvey, K. C. H. and K. C. B. Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

The undersigned having been appointed, in October, eighteen hundred and thirty seven, to examine and report upon matters relating to the Harbour of Saint John, respectfully beg leave to state, that they found it impossible to make any report prior to, or during the last meeting of the Legislature, owing to the state of health of the City Surveyor. The requisite measurements have only of late been furnished, and the sketch of the wharves completed.

The Report and Plan which the undersigned have the honor of presenting to Your Excellency, they confidently hope will be approved of. Without going into a variety of particulars, which will be found enlarged on by parties to whom we applied for their opinion, this Report and Plan will point out the present low water mark, in the points of the Harbour mentioned, and also the range within which we would recommend all future erections to be confined westwardly. The remaining parts of the Harbour, with plans and report, we will furnish to Your Excellency during the present year: but as the space between Portland Long Wharf and Saint James' Street is the main, or we may say entire business range, we considered it desirable that that portion should at once be regarded and provided for by some enactment of the Legislature.

In order that a full view of the subject may be had, we have put the various documents and evidence into the form of a Pamphlet, together with a copy of this Report.

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The line of low water mark in ordinary tides is indicated on the plan by the dotted black line shaded by blue, commencing at letter A near the south western angle of Portland Long Wharf; thence following the marked line to where it disappears at Mr. Kirk's wharf, and commencing again at the eastern side thereof, thence along the said line to the south range of Crookshank's present wharf, at the distance of forty feet from its south west angle at letter B; thence following the line of such water mark as shewn on the plan, or intimated as passing through the various wharves till it reaches the letter I, being the prolongation of the north line of Saint James' Street, carried westwardly to low water range.

We also consider that the spaces between low water mark and the following described line may be occupied by wharves, on the condition hereinafter stated; and that the line to which such erections may extend, should not exceed the red line noted on the plan, commencing at letter B, being at forty feet from the west end of Mr. Crookshank's wharf, (but allowing Mr. Crookshank to build out his wharf square, and as far west as the south west angle of the North Slip, marked *), thence in a direct line to the south west angle of Mr. Donaldson's wharf, at C, (no erections between C and D to extend beyond their present ranges, as these wharves are already too far out); thence again to commence at letter D, being at eighty feet east from the south west angle of Mr. Hatfield's wharf, and running to the south west angle of Mr. Peters' wharf, at letter E; thence to the south west angle of Mr. Merritt's wharf, at letter F; thence to the south west angle of the late Doctor Paddock's wharf, at letter G; thence to the prolongation of the wharf marked "Bonsall," at the distance of sixty feet west from its present south west angle, at letter H; thence to the letter I at the prolongation of the north line of Saint James' Street, being one hundred and eighty five feet from the west side of Prince William Street.

Parties building within the spaces above described, between low water mark and the red line stated on the plan, should be bound—

First, to erect nothing on the same except wharves, which should in all cases be of squared timber and close built, for the purpose of preventing stone, rubbish or gravel from falling into the Harbour; that only stone ballast should in any case be allowed; and that the tops of such wharves should be planked or timbered like the North and South Market wharves: also that such wharves, to the extent of forty feet in an east and west line, at the west end thereof, be for ever kept free and open for vessels to repair to, and load and discharge at: that no houses or stores should at any time be erected, and no lumber or goods of any sort be permitted to remain on such spaces longer than they can conveniently be removed, and not in any case exceeding twenty four hours.

Secondly. No wharves should be allowed to be built between Union and Saint James' Street, on any spaces from the low water line to the red line, unless the water property owners in each of the blocks where any party or parties may wish to build, should first arrange with the Mayor and Corporation of the City, that at least two slips of not less than thirty five feet in width each, and one hundred and twenty feet, or more, in length, shall for ever be kept open as landing slips, with cart ways leading thence to the public streets, for each block or space contained between the east and west Streets, viz. Union and King Streets, King and Prince Streets, Prince and Duke Streets, Duke and Queen Streets, Queen and Saint James' Streets.

Thirdly.

Thirdly, As the water property owners between Duke Street and Saint James' Street would, were these views carried into effect, acquire much and valuable property, it would therefore be but proper that they should in the first place convey to the City a gift of fifty feet in width across their properties, in continuation of the present Street called Water Street, and extending from the south side of Duke Street to the north line of Saint James' Street; their erecting Wharves westwardly to the red line being based on their opening such a Street for the public, and which would not only advantage the City but vastly increase their own property in value.

The subscribers, had they been requested to prepare a Bill, for the purpose of carrying out their views, would have done so; but should Your Excellency conclude to bring the matter before the Legislature, this deficiency can at once be remedied, and a Bill prepared by one of the Law Officers.

All of which is respectfully submitted.

(Signed)

ROBERT F. HAZEN, *Mayor*,
JOHN WARD, Junior,
DANIEL LEAVITT,
L. DONALDSON, *Secretary*.

} *Commissioners.*

Saint John, New Brunswick, January 18, 1839.

*At a Common Council holden at the Council Chamber
on the 21st day of January, A. D. 1839.*

His Worship the Mayor submits a copy of the Report of the Commissioners appointed by His Excellency the Lieutenant Governor, to inquire into and report on the subject of the Harbour of Saint John, together with the Plan therein referred to, and the same having been read and considered—

Resolved, That this Board do approve of the several suggestions of the Commissioners therein set forth, with the exception of the limit beyond which no Wharf should be extended westwardly into the said Harbour, as exhibited on the said Plan by the red line; which limit, in the opinion of this Board, should be altered and fixed so as to extend in a direct line from the point on the said Plan marked B, at Mr. Crookshank's wharf, to the south west corner of Mr. Hatfield's wharf; thence in a direct line to the south west corner of Mr. Nehemiah Merritt's south wharf, and thence on a direct line to the point on the said Plan, marked H, which is at low water mark on the western prolongation of the south line of the Wharf of the late Mr. Bonsall; and that His Worship the Mayor be requested to mention the same to the Commissioners, and also to communicate the purport of this Resolution to His Excellency the Lieutenant Governor.

Extract from the Minutes.

(Signed)

JAMES PETERS, Junior.

No. 8.

[See Journal, 5th March, 1839.]

MAY IT PLEASE YOUR EXCELLENCY,

We, the undersigned, appointed by Your Excellency as Commissioners for locating the

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the Northumberland Emigrants on the Great Road leading from Fredericton to Saint Andrews, beg leave to submit a Report of our proceedings for the past year, accompanied by some observations on the progress of the Settlement.

The settlers having severally made clearances on their lots in the summer and autumn of 1837, and being desirous of removing their families from Fredericton to the Settlement before the winter roads were broken up, we deemed it most prudent, under all the circumstances, to effect their transportation in April last, in order that they might be on the ground to attend to getting in their crops, as also to procure employment on the Great Road leading through the Settlement.

This step was not taken by us without a great deal of deliberation, as it became absolutely necessary to incur considerable expense in sending out provisions to support them during the spring season, and while the roads were almost impassable.

From the difficulty of procuring employment for them here, and the consequent probability of their becoming entirely unproductive of earnings—from the extreme anxiety of them all to work on their lots, and from the certainty that they would find a great deal of employment on the roads during the summer season, we concluded that their removal to the Settlement in April was the very best course we could adopt, and in the execution of this purpose we incurred the responsibilities of employing teams and purchasing provisions.

The gross amount advanced by us up to the first day of February, is £696 8s. 7*d.* Of this amount, we have received from the Supervisors of the Saint Andrews Road the sum of £196 13s. 3*d.*, being the amount of earnings of the Settlers for labour done on that Road during the past summer, leaving a balance due us of £499 15s. 4*d.* yet unpaid.

The amount would not have been near so great had it not been for the unpropitious spring of the past year, for so complete was the failure of the crops, notwithstanding the most unexampled industry and perseverance of the Settlers, that they were almost entirely thrown upon the public for subsistence.

Situated as we were, we had either to furnish them with the necessaries of life ourselves, or commit them to the Overseers of the Poor, and as in either case the Legislature would be called upon to reimburse the expenses of their support, we preferred looking after them ourselves.

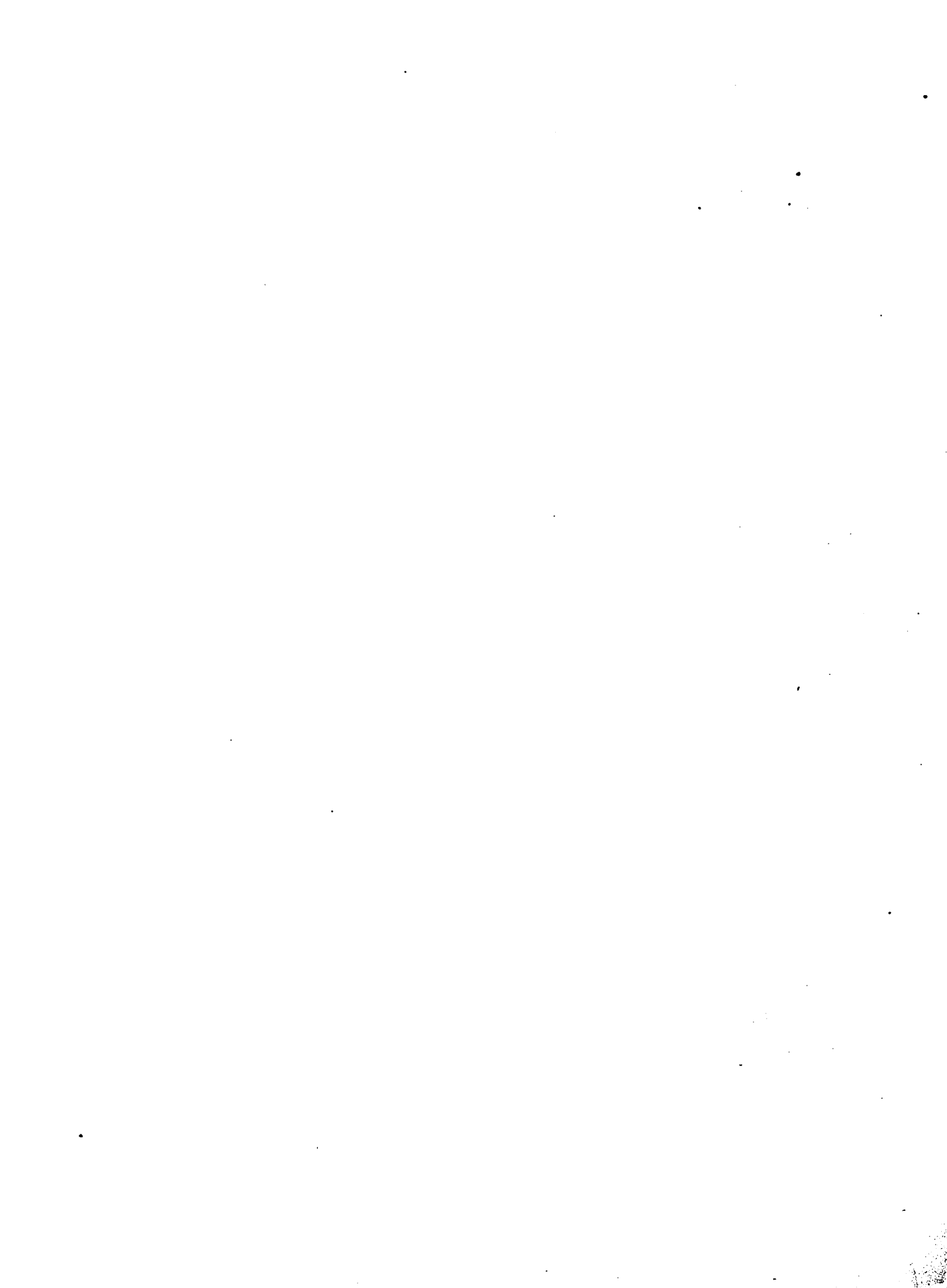
There are twenty three families settled on the Road, making in all one hundred and thirteen souls. They have cut down about 200 acres, and have at least 160 acres fit for crop the ensuing spring; and we have much pleasure in reporting most favorably of their conduct, and deem them a most valuable acquisition to the Country, and especially to the Road on which they are located.

All which is respectfully submitted.

(Signed)

L. A. WILMOT, }
JAMES TAYLOR, } *Commissioners.*

2*d* March, 1839.



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2^o Victoria, Second Session of the Twelfth General Assembly.

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 £20 to Margaret Merry, ditto;
 £20 to James Killen, ditto;
 £5 16s. 8d. to Joseph Barwise, ditto;
 £5 to Dennis John Casey, ditto;
 £10 to Anne E. M'Leod, ditto;
 £10 to Ellen Smith, alias Wigmore, ditto;
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