

JOURNAL

AND

PROCEEDINGS

OF THE

HOUSE OF ASSEMBLY.

2nd. SESSION 1851.



HALIFAX, N. S.

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JOURNAL
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 OF THE
HOUSE OF ASSEMBLY
 OF THE
PROVINCE OF NOVA-SCOTIA.

2ND. SESSION 1851.

15 = VICTORIÆ.

Begun and holden at Halifax, on Tuesday, the fourth day of November, in the year of our Lord one thousand eight hundred and fifty-one, in the fifteenth year of the reign of our sovereign lady VICTORIA, by the grace of God, of the united kingdom of Great Britain and Ireland, queen, defender of the faith, and of the united church of England and Ireland, on earth the supreme head.

His honor lieutenant-colonel JOHN BAZALGETTE, administrator of the government of the province of Nova-Scotia, having, by his proclamation, dated 26th July, 1851, dissolved the last general assembly, and having called a new one; and his excellency Sir JOHN HARVEY, lieutenant-governor of such province, having afterwards, by his proclamation, dated 8th October, 1851, appointed Tuesday the 4th day of November, then next following, (this day) at Halifax, for the meeting of the general assembly for the despatch of business—the following are the names of the members returned by the sheriffs of the several counties within this province to represent the counties and townships thereof in such general assembly, so summoned to meet, viz :

MEMBERS RETURNED BY THE SHERIFFS.

List of members returned.

- County of Halifax—William Annand, John Esson.
- “ Lunenburg—John Creighton, Benjamin Zwicker.
- “ Queen’s—John Campbell, Snow P. Freeman.
- “ Shelburne—Thomas Coffin.
- “ Yarmouth—Thomas Killam.
- “ Digby—Francis Bourneuf.
- “ Annapolis—Hon. James W. Johnston.
- “ King’s—John C. Hall, Daniel Moore.

County

- County of Cumberland*—Hon. Joseph Howe, provincial secretary, Stephen Fulton.
 “ *Sydney*—John McKinnon, William A. Henry.
 “ *Guysborough*—John J. Marshall, Stewart Campbell.
 “ *Pictou*—John Holmes, Robert Murray.
 “ *Colchester*—Adams G. Archibald, Gloud W. McLelan.
 “ *Hants*—Benjamin Smith, Nicholas Mosher.
 “ *Cape-Breton*—James McLeod.
 “ *Richmond*—Hon. James B. Uniacke, attorney general.
 “ *Inverness*—William Young, Peter Smyth.
 “ *Victoria*—Hugh Munro, John Munro, (*but see special return.*)
Township of Halifax—Benjamin Wier, L. O’C. Doyle.
 “ *Lunenburg*—Henry S. Jost.
 “ *Liverpool*—Andrew Cowie.
 “ *Shelburne*—John Locke.
 “ *Barrington*—Josiah Coffin.
 “ *Yarmouth*—Jesse Shaw.
 “ *Argyle*—John Ryder.
 “ *Digby*—John C. Wade.
 “ *Clare*—Anselm F. Comeau.
 “ *Annapolis*—Alfred Whitman.
 “ *Granville*—Stephen S. Thorne.
 “ *Horton*—Edward L. Brown.
 “ *Cornwallis*—Samuel Chipman.
 “ *Amherst*—William W. Bent.
 “ *Pictou*—Martin I. Wilkins.
 “ *Londonderry*—James Campbell.
 “ *Truro*—Hon. Samuel Creelman, financial secretary.
 “ *Windsor*—James D. Fraser.
 “ *Newport*—Ichabod Dimock.
 “ *Falmouth*—Elkanah Young.
 “ *Sydney*—Donald N. McQueen.
 “ *Arichat*—Henry Martell.

Commission to administer oaths to members.

In virtue of a commission from his excellency the lieutenant-governor to the hono-
 rables Hugh Bell, John Morton and Edward Kenny—a copy of which is as followeth :

PROVINCE OF NOVA-SCOTIA.

BY HIS EXCELLENCY LIEUTENANT GENERAL.

SIR JOHN HARVEY,

(l. s.)

J. HARVEY.

Knight commander of the most honorable military order of the bath, knight commander of the royal Hanoverian guelphic order, lieutenant-governor and commander in chief, in and over her majesty’s province of Nova-Scotia and its dependencies, &c. &c. &c.

TO THE HONORABLE HUGH BELL, THE HONORABLE JOHN MORTON, AND THE HONORABLE EDWARD KENNY.

Know ye that I, the said lieutenant-governor, by virtue of the power and authority in me vested, have appointed and commissioned, and by these presents do appoint and commission you, to tender and administer the oath of allegiance to every person who is or shall be elected a member of the house of assembly in this province, giving to you, the said commissioners, or either of you, full power and authority to perform the matters here-
 inbefore

inbefore mentioned, ratifying and confirming all and whatsoever you, or either of you, shall do in this behalf.

Given under my hand and seal at arms, at Halifax,
this third day of November, in the fifteenth
year of her majesty's reign, A. D. 1851.

By his excellency's command,

(signed)

JOSEPH HOWE.

The three commissioners came between one and two of the clock in the afternoon, into the place where the members of the house of assembly usually sit,—Joseph Whidden, esquire, clerk of the house of representatives in general assembly attending in the house; and the list of the names of the members returned as before set forth for the several counties and townships throughout the province having been called over by the clerk, the following members appeared, and took and subscribed the oath of allegiance, in the presence of such commissioners, viz :

Commissioners attend
and administer oaths.

William Annand, John Esson.
John Creighton, Benjamin Zwicker.
John Campbell, Snow P. Freeman.
Thomas Coffin.
Thomas Killam.
Francis Bourneuf.
Hon. James W. Johnston.
John C. Hall, Daniel Moore.
Hon. Joseph Howe, provincial secretary, Stephen Fulton.
John McKinnon, William A. Henry.
John J. Marshall, Stewart Campbell.
John Holmes, Robert Murray.
Adams G. Archibald, Gloud W. McLelan.
Benjamin Smith, Nicholas Mosher.
Hon. James B. Uniacke, attorney general.
William Young, Peter Smyth.
Benjamin Wier, L. O'C. Doyle.
Henry S. Jost.
Andrew Cowie.
John Locke.
Josiah Coffin.
Jesse Shaw.
John Ryder.
John C. Wade.
Anselm F. Comeau.
Alfred Whitman.
Stephen S. Thorne.
Edward L. Brown.
Samuel Chipman.
William W. Bent.
Martin I. Wilkins.
James Campbell.
Hon. Samuel Creelman, financial secretary.
James D. Fraser.
Ichabod Dimock.
Elkanah Young.
Henry Martell.

List of members sworn
in.

After which, a message was delivered by John James Sawyer, esquire, the gentleman usher of the black rod:

Message from gover-
nor commanding atten-
dance of house.

Gentlemen—

Gentlemen—

His excellency the lieutenant-governor commands the immediate attendance of this honorable house in the council chamber.

House attend.

Accordingly the house went up to attend his excellency in the council chamber, where the president of the legislative council said :

House to choose speaker.

*Honorable gentlemen of the legislative council: and
Gentlemen of the house of assembly.*

I have it in command from his excellency the lieutenant-governor to inform you, that he will defer declaring the causes for which he hath convened the general assembly, until the house of assembly have elected a speaker. It is therefore his excellency's pleasure that the house of assembly do repair to the place where they usually sit, and there elect a speaker, and present him here for his excellency's approbation.

And the house having returned—

Mr. Fraser proposed.

John Holmes, esquire, (addressing himself to the clerk, who, standing up, pointed to him, and then sat down), proposed to the house for their speaker James D. Fraser, esquire, and moved "that James D. Fraser, esquire, do take the chair of this house as speaker:" which motion was seconded by Alfred Whitman, esquire.

Mr. Young proposed.

Then Samuel Chipman, esquire, in like manner, proposed to the house for their speaker William Young, esquire, and moved "that William Young, esquire, do take the chair of this house as speaker:" which motion was seconded by William A. Henry, esquire.

And no debate arising in relation to either of such motions—

Division on Mr. Fraser's nomination.

The question was put by the clerk, "that James D. Fraser, esquire, do take the chair of this house as speaker"—

The house divided :

The yeas on the right, 23.

The noes on the left, 24.

Negatived.

So it passed in the negative.

Division on Mr. Young's nomination.

Then the question was put by the clerk "that William Young, esquire, do take the chair of this house as speaker.

The house again divided :

The yeas on the right, 25.

The noes on the left, 22.

Carried.

So it was resolved in the affirmative.

Whereupon, Mr. W. Young was conducted to the chair by Mr. Chipman and Mr. Henry.

House attend governor with speaker.

Mr. Speaker elect, with the house, then went to attend his excellency in the council chamber, when Mr. Speaker elect was presented to his excellency by the hon. the attorney general, who addressed his excellency as follows :

May it please your excellency :

Speaker presented.

The house of assembly, agreeably to your excellency's command, have proceeded to the choice of a speaker, and have elected William Young, esquire, member for the county of Inverness, to that office ; and, by their direction, I beg leave to present him for the approbation of your excellency.

Approved of.

After which his excellency was pleased to say—"I approve of the speaker whom the house of assembly have chosen."

Approval reported.

The house being returned, and Mr. Speaker having taken the chair—

Mr. Speaker reported that the house had attended his excellency in the council chamber, where his excellency had been pleased to approve of the choice the house had made of him to be their speaker ; and that he had thereupon addressed his excellency to the following effect :—

May it please your excellency:

Your excellency's ready approval of the choice with which I have been honored by the house, having constituted me in due form the speaker of the house of assembly, it has now become my duty, in the name of the representatives of her majesty's loyal subjects the people of this province, respectfully to demand all their accustomed rights and privileges—that they may have freedom of speech in their debates—that they may be free from arrest during their attendance on parliament—and that I, as their speaker, may have free access to your excellency's person.

Demand of usual privileges.

Mr. Speaker also reported that his excellency in reply said—

Privileges granted.

Mr. Speaker—

I most cheerfully grant your request.

Mr. Speaker then stated that he had deferred making his acknowledgments to the house for the honor done him, in his election as speaker, until their return from waiting on his excellency, and begged to address them now as followeth:

Mr. Speaker then said that he had to offer his grateful acknowledgments to the house for the honor they had done him in elevating him, for the fourth time, to the highest office in the gift of the people; and, having assumed the office, he would endeavour to discharge its duties with impartiality and firmness, and to preserve the order and maintain the privileges and dignity of the house, so long as he should continue in the chair.

Mr. Speaker then reported that his excellency had, in the council chamber, been pleased to make a speech to both houses of the provincial parliament—of which, Mr. Speaker said, he had, for greater accuracy, obtained a copy—which he read to the house as followeth:

Speech of governor reported.

Mr. President, and honorable gentlemen of the legislative council;

Mr. Speaker, and gentlemen of the house of assembly:

Public attention has for some time past been directed to the importance of establishing railway communication between the southern sea-board of Nova-Scotia and the St. Lawrence, with a branch line to connect the main trunk with the railway systems of the United States.

The negotiations which I deemed it my duty to open last year with the right honorable the secretary of state for the colonies, resulted in a generous offer from her majesty's government to recommend to parliament to guarantee or advance the funds required to construct both these lines, upon certain conditions—the adjustment of which, during the past summer, rendered communications with the governments of the neighboring provinces indispensable.

The legislature of Canada has made provision for their portion of the line from Halifax to Quebec, and for its extension through the territory of that province to the western frontier.

The government of New Brunswick waits your ratification of the terms proposed at the conference held at Toronto in June last, to assemble the legislature with a view to secure its friendly co-operation.

As the imperial parliament will probably meet early in the new year, and as it is of great consequence that the laws passed by the colonial legislatures should be transmitted without delay, to secure the appropriations contemplated, in time to warrant the commencement of operations in the spring, I have called you together at this unusual period, confident that you would, at whatever personal sacrifice, cheerfully aid me, by a prompt and calm consideration of a question of the greatest magnitude and importance.

The correspondence that has taken place, and the measures which I have directed to be prepared, shall be laid before you as soon as the forms of parliament permit.

I confidently commend the subjects which they embrace to your diligent and enlightened review; and, believing as I do, that the destinies of these noble provinces are to a great extent involved in the result of your consideration of this question, I shall anxiously await

your

your decision, and trust that the author of all wisdom and goodness may guide your deliberations.

Clerk of house re-sworn.

On motion of the hon. the attorney general,
Resolved, That Joseph Whidden, esquire, clerk of the house of representatives in general assembly, be re-sworn in such office.

And he took the oath of office accordingly.

Imprisonment for debt bill.

Mr. Annand, pursuant to leave given, presented a bill to abolish imprisonment for debt upon mesne process, in certain cases; and the same was read a first time, and ordered to be read a second time.

Ballot for clerk asst.

The house then proceeded to the choice of a clerk assistant.
And Alexander James, esquire, and Henry C. D. Twining, esquire, having been severally proposed to fill the office, the house proceeded to ballot therefor;

And Mr. Twining having a majority votes,

Mr. Twining chosen.

Resolved, That Henry C. D. Twining, esquire, be the clerk assistant of this house.

Ballot for serjeant-at-arms.

The house then proceeded to ballot for a serjeant-at-arms—Peter Spearwater and George R. Grassie, esquires, being severally proposed for that office; and thereupon, Mr. Grassie having a majority of votes,

Mr. Grassie chosen.

Resolved, That George R. Grassie, esquire, be the serjeant-at-arms of this house.

Ballot for asst. serjeant-at-arms.

The ballot was then taken for an assistant serjeant-at-arms—Mr. Philip Brown and Mr. Thomas Donivan being severally proposed for that office; and thereupon, Mr. Brown having a majority of votes,

Mr. Brown chosen.

Resolved, That Mr. Philip Brown be the assistant serjeant-at-arms of this house.

Dr. Twining appointed chaplain.

On motion of Mr. Brown,
Resolved, That the rev. Dr. Twining be the chaplain of this house.

Mr. Fitzgerald chosen messenger.

On motion of Mr. Henry,
Resolved, That Mr. John Fitzgerald be the messenger and door keeper of this house.

Address in answer to speech moved.

Mr. Archibald then proposed the following address in answer to the speech of his excellency the lieutenant-governor, and moved that the same do pass, viz :

TO HIS EXCELLENCY LIEUTENANT-GENERAL

SIR JOHN HARVEY,

Knight commander of the most honorable military order of the bath, knight commander of the royal Hanoverian guelphic order, lieutenant-governor and commander in chief, in and over her majesty's province of Nova-Scotia and its dependencies, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY :

We, her majesty's dutiful and loyal subjects the representatives of the people of Nova Scotia, thank your excellency for the confidence expressed in our readiness to aid your excellency in the calm review of a question of great magnitude and importance.

The mode by which railway communication with each other, and with the populous States beyond the frontier, may be best secured, deeply interests the inhabitants of British America.

When the correspondence which illustrates the state of the negotiations hitherto conducted, and the measures promised by your excellency, have been submitted, we shall endeavour to bring to their consideration, a spirit, that we trust, will warrant the hope expressed by your excellency, that the author of all wisdom and goodness may guide our deliberations.

Which

Which motion being seconded,

Ordered, That the further consideration thereof be deferred until to-morrow.

Seconded.
Consideration, &c
deferred.

On motion of Mr. Fulton,

Resolved, That a select committee be appointed to examine and report upon the subject of franking letters by members of this house.

Com. on franking.

Ordered, That Mr. Henry, Mr. B. Smith and Mr. Creighton, be a committee for that purpose.

Then the house adjourned until to-morrow, at twelve of the clock.

WEDNESDAY, 5th NOVEMBER, 1851.

PRAYERS.

Henry C. D. Twining, esquire, clerk assistant of the house, took the usual oath of office.

Clerk asst. sworn in.

Pursuant to order the house proceeded to the consideration of the address proposed and moved yesterday in answer to the speech of his excellency the lieutenant-governor.

Address considered.

And the address having been read, and Mr. Archibald having renewed his motion that the same do pass, such was seconded and propounded from the chair.

Ordered, That the same be again read, and considered clause by clause.

And accordingly the respective clauses thereof being read, were severally agreed to by the house; and thereupon,

Resolved, That the address do pass.

Passed.

Ordered, That the address be engrossed.

To be engrossed and
presented to lieut. govr.

Ordered, That the address be presented to his excellency the lieutenant-governor by the whole house.

Mr. Henry reported from the committee appointed yesterday on the subject of the franking privilege of members; and thereupon,

Report from com. on
franking.

Ordered, That instructions be given to the postmaster general in conformity with such report.

Instructions to postmas-
ter general.

The hon. the attorney general, by command of his excellency the lieutenant-governor, informed the house that his excellency had been pleased to appoint this day, at three of the clock, at government house, to receive the house with their address in answer to the speech at the opening of the session.

Appointment to receive
address.

At three of the clock Mr. Speaker and the house went up to government house to attend his excellency the lieutenant-governor with the address of the house, in answer to the speech of his excellency at the opening of the session:

House wait upon govr.
with address.

And being returned,

Mr. Speaker reported that he had presented such address to his excellency, and that his excellency had been pleased to give this reply thereto:

Governor's answer
reported.

Mr. Speaker, and gentlemen of the house of assembly;

The promptitude and unanimity with which you have responded to my sentiments at the opening of this session, assure me that your future deliberations will be characterized by harmony and wisdom.

On motion of the hon. the provincial secretary,

Resolved, That a standing committee on privileges be appointed.

Com. on privileges ap-
pointed.

Ordered, That the hon. the attorney general, the hon. Mr. Johnston, Mr. Hall, Mr. Doyle, Mr. Freeman, Mr. Henry and Mr. Archibald, be a committee for that purpose.

On motion of Mr. Freeman,

Resolved, That a select committee be appointed on the subject of the revised statutes, and of the private and local acts, and the publication thereof under the contract.

Com. on revised sta-
tutes.

Ordered,

Ordered, That Mr. Fraser, Mr. Fulton, Mr. Freeman, Mr. Archibald and Mr. Chipman, be a committee for that purpose.

Papers presented on different subjects, viz:

The hon. the provincial secretary, by command of his excellency the lieutenant-governor, presented to the house, copies of several despatches and papers—which were read by the clerk, viz :

C. B. division act.

Copy of despatch from Earl Grey to the officer administering the government of Nova Scotia, dated 4th July, 1851, with copy of order of the queen in council, specially confirming the act to divide the county of Cape Breton, &c.

(See appendix No. 1.)

Elective franchise act.

Copy of despatch from Earl Grey to the officer administering the government of Nova Scotia, dated 4th July, 1851, with copy of order of the queen in council, leaving to its operation the act to extend the elective franchise.

(See appendix No. 2.)

School lands act.

Copies of despatches from Earl Grey to the officer administering the government of Nova Scotia, dated respectively 13th August, 1851, with copy of order of the queen in council, disallowing the act of 1850, concerning school lands and the appointment of trustees therefor.

(See appendix No. 3.)

King's college act.

Copy of despatch from Earl Grey to the officer administering the government of Nova Scotia, dated 13th August, 1851, on the subject of the act for discontinuing the grant to King's college, Windsor, with copy of a memorial from the society for promoting christian knowledge, against the allowance of such act.

(See appendix No. 4.)

Various acts.

Copy of despatch from Earl Grey to the officer administering the government of Nova Scotia, dated 14th August, 1851, with order of the queen in council, leaving to their operation thirty-five acts, passed by the legislature during the last session.

(See appendix No. 5.)

Ordered, That the several copies of despatches and other papers do lie on the table.

Railway from Halifax to Quebec.

The hon. the provincial secretary also, by like command, presented to the house, copies of various papers on the subject of the contemplated trunk line of railway from Halifax to Quebec—comprising copies of reports made by the hon. the provincial secretary, and of correspondence between the lieutenant-governor of Nova-Scotia and the governments of Canada and New Brunswick, with other documents connected therewith—from 4th April to 8th October, 1851—which were severally read by the clerk.

(See appendix No. 6.)

Ordered, That such papers do lie on the table.

Leave for railway construction bill.

The hon. the provincial secretary moved for leave of the house to introduce a bill to make provision for the construction of a trunk railway through British North America: which being seconded and put, was agreed to by the house.

Leave for railway loan bill.

The hon. the provincial secretary also moved for leave of the house to introduce a bill for raising, by way of loan, a sum not exceeding one million of pounds sterling, for the construction of a trunk railway through British North America: which being seconded and put, was agreed to by the house.

Bills read.

The two foregoing bills being accordingly introduced, were severally read a first time.

Made order of day.

Ordered, That such bills be read a second time on Friday next.

Then the house adjourned until to-morrow, at two of the clock.

THURSDAY, 6th NOVEMBER, 1851.

PRAYERS.

A petition of Charles J. Campbell, of the county of Victoria, in the island of Cape Breton, esquire, was presented by Mr. Henry and read, setting forth that petitioner was a candidate with Hugh Munro and John Munro, at the late election of representatives to serve in general assembly, for the county of Victoria—that petitioner, on the day for the nomination of candidates, objected to the qualification of the said John Munro, and required him to produce a schedule of his qualification as required by law, which was not done—that petitioner considers himself entitled to take his seat as one of the representatives for such county, inasmuch as many more good and legal votes were polled for him than for the said John Munro—that many unqualified persons were polled for the said John Munro, to some of whom the presiding officer refused to administer the oaths prescribed by law, though requested to do so by petitioner, but nevertheless received their votes—that thirty-three duly qualified voters voted for petitioner at such election, to whom or to whose right to vote no objection was raised by either of the opposing candidates, or by any person, and who were not required to take any oath; and though their votes were received, yet they were not taken into account in summing up the votes to ascertain the number given for each candidate, to find the majority—that a large number of persons amounting to twenty-five or upwards, pretending to be rate-payers, and as such entitled to vote, produced forged receipts of rates, and thus succeeded in getting their names on the poll book—that many persons duly qualified to vote, who offered to vote for petitioner, were rejected by the returning officer—that many voters, duly qualified to vote, tendered their votes to the presiding officer for petitioner, and desired to take the oaths prescribed by law, but the presiding officer refused such voters to take such oaths, and rejected their votes—that the presiding officer refused to swear several persons who voted for the said John Munro, though requested by petitioner to do so, and particularly refused to put the qualification oath to the said John Munro, on his voting for himself, though requested so to do—that the presiding officer repeatedly refused to mark votes given for the said John Munro “objected,” though requested by petitioner—that on the last day of the sheriff’s court for the declaration of the successful candidates, petitioner was publicly proclaimed duly elected, together with the said Hugh Munro, and they were then summoned to attend this honorable house in general assembly; after which a scrutiny was demanded by the said John Munro, which was granted, and afterwards proceeded with; but on such scrutiny petitioner was prevented by the deputy sheriff, before whom the same was taken from going into evidence on many votes marked “objected” on the poll book, and from proving that many of the persons who voted as rate-payers had voted upon forged receipts, while much of the evidence received by such deputy sheriff, on the part of the said John Munro, was illegal, and ought to have been rejected, and praying that he may take his seat as one of the members for the county of Victoria, and be declared duly elected therefor, and that he may have such other relief as the merits of his case may require.

Petition of Chas. J. Campbell claiming seat as member for Victoria.

Ordered, That the petition do lie on the table.

Then the house adjourned until to-morrow, at twelve of the clock.

FRIDAY, 7th NOVEMBER, 1851.

PRAYERS.

The hon. the provincial secretary, by command of his excellency the lieutenant-governor, presented to the house,

Papers presented:

Copy of report of Mr. Peter Crerar of survey to ascertain the most favorable line for the railway around the Cobequid mountains, as portion of the trunk line from Halifax to Quebec.

Mr. Crerar’s report of railway line round Cobequid mountains.

(See appendix No. 6—part 2.)

Reports of surveys for railroads east and west.

Also—copies of reports made respectively by Mr. W. Faulkner and Mr. C. W. Fairbanks, of surveys to ascertain the most suitable point of intersection for railroads intended to connect the eastern and western counties with Halifax.

(See appendix No. 7.)

And such papers were respectively read by the clerk.

Ordered, That the same do lie on the table.

Railway bills read 2d time.

A bill to make provision for the construction of a trunk railway through British North America ; and

A bill for raising, by way of loan, a sum not exceeding one million of pounds sterling for the construction of a trunk railway through British North America ;

Were severally read a second time.

Committed.

Ordered, That the bills be committed to a committee of the whole house.

Committee thereon.

On motion the house resolved itself into a committee on such bills.

Mr. Speaker left the chair.

Mr. Thorne took the chair of the committee.

Mr. Speaker resumed the chair.

Report progress.

The chairman reported from the committee that they had made some progress in the consideration of the bills.

Made further order.

Ordered, That the house do to-morrow again resolve itself into a committee on the further consideration of such bills.

Then the house adjourned until to-morrow, at twelve of the clock.

SATURDAY, 8th NOVEMBER, 1851.

PRAYERS.

Mr. McLeod and Mr. McQueen sworn in as members.

James McLeod, esquire, member for the county of Cape Breton, and Donald N. McQueen, esquire, member for the township of Sydney, respectively, took the oath of allegiance before the honorables Hugh Bell, John Morton and Edward Kenny, the commissioners authorized to administer the same, and their seats as such members.

Mr. H. Munro sworn in as member.

Hugh Munro, esquire, one of the members for the county of Victoria, took the oath of allegiance before the honorables John Morton and Edward Kenny, two of the commissioners authorized to administer the same, and his seat as such member.

Petition of Mr. Morse against Mr. Bent's return for Amherst.

A petition of James S. Morse, of the township of Amherst, in the county of Cumberland, was presented by Mr. McLelan, and read, setting forth that petitioner, at the late election for that township, was duly proposed and offered himself as a candidate to represent the township in the general assembly—that the election was contested by petitioner and William W. Bent, esquire, who has been declared and returned by the sheriff member elect for the township by a majority of five votes—that at the instance of petitioner an investigation of votes polled twice or in a wrong district was had before the sheriff, who, after hearing evidence for a few days, declined and refused to proceed any further with such investigation—that on reference to the poll books kept for the several electoral districts in the township, petitioner ascertained that in a large number of cases where votes have been marked "objected" or "objected and sworn" no description of property whatever has been taken down and entered upon such poll books in conformity with law, and petitioner was thereby precluded from prosecuting the usual scrutiny of votes, which petitioner had demanded, with any degree of success, and thereupon at the meeting of the sheriff's court for that purpose petitioner prepared and filed a protest against the election and return of the said William W. Bent upon the ground of there being no such description of property, and also upon the ground that no distinction was made upon the poll book between freehold and

and rate-paying voters—that had petitioner been permitted to proceed with such investigation and to prosecute the scrutiny of votes, he would have shewn, by satisfactory evidence, that the majority of good votes were polled for him, and that he was entitled to be returned as sitting member for the township instead of the said William W. Bent; and praying that a committee may be appointed in the usual way to investigate the facts relating to such election, and to report thereon as the justice of the case may require.

Ordered, That the petition do lie on the table.

On motion, *resolved,* That this house will, on Monday the 17th day of November instant, at one of the clock, take into consideration such petition complaining of an undue election for the township of Amherst.

Time for considering.

MEMORANDUM.—In pursuance of chapter 9 of the revised statutes the notice thereby directed was given to the petitioner and the sitting member.

Notices sent.

A petition of James McKeagney, of Sydney, in the island of Cape Breton, esquire, was presented by Mr. Henry, and read, setting forth that petitioner, Donald N. McQueen and Nicholas H. Martin, esquires, were candidates to represent such township at the last election of representatives to serve in this present general assembly—that a poll being demanded was held in the usual manner, and presiding officers appointed by the sheriff, who subsequently declared the said Donald N. McQueen duly elected, and made his return accordingly—that the majority of the said Donald N. McQueen was but a colorable majority, and was obtained by undue and illegal means—that many persons who were, in every respect, duly and legally qualified to vote at such election, came to the hustings and tendered their votes to the presiding officers, and declared their intention to vote for petitioner, and yet their votes were rejected by such presiding officers contrary to law, and many qualified voters who would have voted for petitioner were prevented by the above mentioned illegal decisions from tendering their votes at the election—that many unqualified persons were received as voters for the said Donald N. McQueen, many as freeholders who were not qualified as such, and many as rate-payers who were not legally qualified as such, and had never been assessed or paid their rates, and whose names were not returned to the sheriff as having paid, nor did they produce receipts from the collectors of rates, as required by law, and many of them were persons who resided out of the township and owned no property there—that petitioner applied to the sheriff at the close of the poll to strike off the names of such of the voters as had polled out of their proper districts, but this the sheriff refused to do, and refused to investigate such objection as regarded the voters at one of the polling places, viz: at *Miré* ferry—that after the said Donald N. McQueen was declared elected petitioner demanded a scrutiny, which was granted; but the sheriff at such scrutiny declined to scrutinize very many of the votes which were recorded for the said Donald N. McQueen, though they were duly marked on the poll book “objected”—that by these and other undue means, and by the improper conduct of the presiding officers at such election, and of the sheriff, the said Donald N. McQueen obtained a colorable majority and was returned for such township in violation of law and to the prejudice of petitioner, who had, at such election, as he submits it will appear upon an investigation before a committee of this honorable house, a great majority of the good and legal votes, and ought therefore to have been returned as member for such township, and submitting that the return of the said Donald N. McQueen is illegal, null and void; and praying that the names of the unqualified voters for the said Donald N. McQueen may be struck off the poll book, and those for petitioner which have been illegally rejected may be added, and that the said Donald N. McQueen may be declared not duly elected, and petitioner declared duly elected in his stead, and may take his seat as member for such township of Sydney, and that such other relief may be granted petitioner as the merits of his case may require.

Petition of Mr. McKeagney against Mr. McQueen's return for Sydney township.

Ordered, That the petition do lie on the table.

On motion, *resolved,* that this house do, on Thursday next, the 13th day of November, instant, at one of the clock, take into consideration such petition, complaining of an undue election for the township of Sydney.

Time for considering.

Memorandum.

Notices sent.

MEMORANDUM.—In pursuance of chapter 9 of the revised statutes, the notice thereby directed was given to the petitioner and the sitting member.

Order of day.

The order of the day being read,

Committee on railway bills.

The house resolved itself into a committee on the further consideration of the railway bills.

Mr. Speaker left the chair.

Mr. Thorne took the chair of the committee.

Mr. Speaker resumed the chair.

Report progress.

The chairman reported from the committee that they had made further progress in the consideration of such bills.

Further order.

Ordered, That the house do, on Monday next, again resolve itself into a committee on the further consideration of the same.

Then the house adjourned until Monday next, at eleven of the clock.

MONDAY, 10th NOVEMBER, 1851.

PRAYERS.

Return to Victoria election writ read.

On motion of Mr. Holmes, the return of the sheriff of the county of Cape Breton to the writ directing him to summon the electors of the county of Victoria, to elect two persons to represent them in general assembly, and to make return thereof, was read by the clerk, and is as follows :

“In pursuance of the instructions I received with the within writ, I appointed Mr. Napoleon Gibbons my deputy, to conduct the election for the new county of Victoria, and in pursuance of that writ he summoned the electors of the county of Victoria to meet at the court house in Baddeck, on the 21st day of August, ultimo. The court was opened according to law, and the names of Hugh Munro, C. J. Campbell, and John Munro, received, according to law, as candidates for the representation of the county of Victoria, who demanded a poll according to law, and the sheriff's court was adjourned over until Saturday, the 30th ultimo, when it again met; but the books not having been returned, the court was again adjourned until September, 1st instant, when on adding up the poll books of votes polled in the different districts of the said county, on the 28th day of August, ultimo; there appeared for Charles J. Campbell, 393, Hugh Munro, 440, and John Munro, 399, An investigation having been demanded, the court was adjourned until September, 3d instant, at 9 o'clock, when on re-examining the books, the deputy sheriff, through some misconstruction of the law, deducted the names of seven persons who voted as rate payers, in consequence of the presiding officer having refused to administer oath number 1, when there appeared for Charles J. Campbell, 393, giving a majority over John Munro of one vote, and proclaimed Hugh Munro and Charles J. Campbell, esquires, duly elected, and summoned them to attend her majesty's service in general assembly, at such time and place as will be duly notified by proclamation.

After receiving the letter of the 13th instant, and having no doubt that the votes were improperly deducted, and not to continue the error, I have conceived it my duty to return John Munro as one of the candidates, and I hereby return Hugh Munro and John Munro as the representatives of the county of Victoria, they having the majority of votes on the poll book.

RICHARD GIBBONS, junior,
Sheriff county C. B.

Sheriff's office, Sydney, September 17th, 1851.”

Motion for (wearin : in Mr. J. Munro for Victoria.

And thereupon, Mr. Holmes moved that the house do come to the following resolution :
Resolved, That it is the opinion of this house that John Munro, esquire, returned as one of the members for the county of Victoria, and who is in attendance, and desirous of taking his seat as such member, be now sworn in : which, being seconded, Mr.

Mr. Henry moved, by way of amendment to the question to leave out all the words of the proposed resolution except the word "resolved," and instead of the words so left out, to insert the following preamble, before such words: "Whereas by the return of the sheriff of the county of Cape Breton, it appears that John Munro, esquire, was not proclaimed at the sheriff's court duly elected, or summoned to attend his place in parliament, according to law, but on the contrary thereof that Charles J. Campbell, esquire, was so proclaimed duly elected, and summoned as aforesaid;" and after such word "resolved," to insert the following words: "that this house adopt the necessary measures for the issuing of a new writ for the election of one member for the county of Victoria."

Amendment to adopt measures for a new election.

Which proposed amendment being seconded and put, and the house dividing thereon, there appeared for the amendment, eleven; against it, thirty-seven:

For the amendment.

Against the amendment.

Division.

Mr. Comeau,	Mr. B. Smith,	Mr. Archibald,	Mr. Holmes,
" Brown,	" Chipman,	" Murray,	" McKinnon,
" P. Smyth,	" John Campbell,	" Thorne,	" Fraser,
" Locke,	" Creighton,	Hon. Prov. Sec.,	" Ryder,
" Thos. Coffin,	" Wilkins,	Mr. Marshall,	" McLelan,
" Henry,	" Zwicker,	Hon. Atty. General,	" Dimock,
" Jas. Campbell,	" Cowie,	Mr. Doyle,	" Shaw,
" Martell,	" Whitman,	" Mosher,	" Annand,
" Bourneuf,	" Josiah Coffin,	" Jost,	" McLeod,
" Wade,	" Moore,	" S. Campbell,	" Fulton,
" McQueen.	" Killam,	" H. Munro,	" Freeman.
	" Bent,	" Hall,	
	" Young,	Hon. Mr. Johnston,	

So it passed in the negative.

Negatived.

The question upon the resolution as originally proposed being then put, and the house dividing thereon, there appeared for the resolution, thirty-six; against it, twelve.

Original motion carried.

So it passed in the affirmative.

And accordingly,

John Munro, esquire, a member for the county of Victoria, took the oath of allegiance, in the presence of the honorable Hugh Bell, one of the Commissioners appointed to administer the same, and took his seat as such member.

Mr. J. Munro sworn in for Victoria.

Then the house adjourned until this day at half-past two of the clock.

At 2½ p. m. the house met pursuant to adjournment.

A petition of Ebenezer F. Munro, of Onslow, in the county of Colchester, was presented by the hon. Mr. Johnston and read, setting forth that at the general election held on the 28th day of August last, petitioner was a candidate for the representation of the township of Londonderry, in the said county, having been duly nominated as such at the sheriff's court, held on the 21st day of the same month, and that votes were given and recorded for petitioner at such election, and also for James Campbell, esquire—that the said James Campbell was incapable of being elected as a representative to serve in this honorable house, he being at the time of such election, a collector of impost and excise in and for the port of Tatamagouche—that several presiding officers, at different polling places, acted upon papers purporting to be copies of assessment rolls or rate bills, which were not received by them from the sheriff, and in one instance were received by the presiding officer at the poll from the hands of the agent of the said James Campbell, and in another instance from a warm partizan of said James Campbell, to whom they had been sent by the sheriff—one at least of which had been altered, and differed from the original, and these various copies were acted upon, and intended to qualify various persons to vote for the said James Campbell, which they did, against the protest and objections of petitioner and his agents—

Petition of Mr. E. F. Munro against return of Mr. Jas. Campbell for Londonderry.

agents—that the clerk of the peace withheld copies of certain rate bills, which it was his duty to have furnished to the sheriff, whereby petitioner lost several votes—that the presiding officer at electoral district number 6, Onslow, gave up the custody of rate bills entrusted to him for conducting the election, while the election was proceeding, to persons who altered them so as to qualify various persons to vote for said James Campbell, rendering them no longer copies—that papers in the hands of the clerk of the peace, which were destitute of the requirements of rate bills, were copied by such clerk of the peace, and given to the sheriff, the same being intended to qualify persons to vote against petitioner, and under the sanction of such papers several votes were given against him—that the presiding officer at number 5, North river, was provided with a copy of a rate bill which belonged to electoral district number 12, and one or more persons voted against petitioner in district number 5, under such copy, who were not entitled to vote—that the said James Campbell holds his seat illegally, for that no poll book for electoral district number 13, was returned by the presiding officer at that district to the sheriff, and that petitioner had a majority of votes upon the poll books properly returned to the sheriff by the various presiding officers—that the presiding officer at electoral district number 13 was not sworn at the close of the poll—that the poll clerk at such district did not enclose the poll book, nor seal the same, nor hand the same to the presiding officer at the close of the poll—and praying the house to direct the return of the writ for such election to be altered and amended, and petitioner be declared elected for the said township of Londonderry, or to take such other course in the premises as to the house shall seem meet.

Ordered, That the petition do lie on the table.

Time for considering.

On motion, *resolved*, That this house do on Saturday next, the 15th day of November instant, take into consideration such petition complaining of an undue election for the township of Londonderry.

Notices sent.

MEMORANDUM.—In pursuance of chapter 9 of the revised statutes, the notice thereby directed was given to the petitioner and the sitting member.

Order of day.

The order of the day being read,

House in committee on railway bills.

The house again resolved itself into a committee on the consideration of the railway bills.

Mr. Speaker left the chair.

Mr. Thorne took the chair of the committee.

Mr. Speaker resumed the chair.

Report progress.

The chairman reported from the committee that they had made further progress in the consideration of such Bills.

Ordered, That the house do, to-morrow, again resolve itself into a committee on such bills.

Then the house adjourned until to-morrow, at eleven of the o'clock.

TUESDAY, 11th NOVEMBER, 1851.

PRAYERS.

Order of day.

The order of the day being read,

Committee on railway bills.

The house resolved itself into a committee on the further consideration of the railway bills.

Mr. Speaker left the chair.

Mr. Thorne took the chair of the committee.

Mr. Speaker resumed the chair.

Report progress.

The chairman reported from the committee that they had made further progress in the consideration of such bills.

Ordered, That the house do this day again resolve itself into a committee on such bills.

Adjourn.

Then the house adjourned until this day at half-past three of the clock.

Again meet.]

At 3½ p. m., the house again met.

Pursuant

Pursuant to order the house again resolved itself into a committee on the railway bills.

Com. on railway bills.

Mr. Speaker left the chair.

Mr. Thorne took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had further considered such bills.

Report progress.

Ordered, That the house do, to-morrow, again resolve itself into a committee on the further consideration thereof.

A petition of Charles J. Campbell, of the county of Victoria, in the island of Cape Breton, esquire, was presented by Mr. Henry and read, setting forth that petitioner was a candidate with Hugh Munro and John Munro, at the late election of representatives to serve in general assembly, for the county of Victoria—that petitioner, on the day for the nomination of candidates, objected to the qualification of the said John Munro, and required the said John Munro to produce a schedule of his qualification as required by law, which was not done—that petitioner considers himself entitled to take his seat as one of the representatives for such county, inasmuch as many more good and legal votes were polled for him than for the said John Munro—that many unqualified persons were polled for the said John Munro, to some of whom the presiding officer refused to administer the oaths required by law, though requested to do so by petitioner, but nevertheless received their votes—that thirty-three duly qualified voters voted for petitioner at such election, to whom or to whose right to vote no objection was raised by either of the opposing candidates, or by any other person, and who were not required to take any oath; and though their votes were received, yet they were not taken into account in summing up the votes to ascertain the number given for each candidate, to find the majority—that a large number of persons amounting to twenty-five or upwards, pretending to be rate-payers, and as such entitled to vote, produced forged receipts of rates, and thus succeeded in getting their names on the poll book—that many persons duly qualified to vote, who offered to vote for petitioner, were rejected by the returning officer—that many persons, duly qualified to vote, tendered their votes to the presiding officer for petitioner, and desired to take the oaths prescribed by law, but the presiding officer refused such voters to take the oaths, and rejected their votes—that the presiding officer refused to swear several persons who voted for the said John Munro, though requested by petitioner to do so, and particularly refused to put the qualification oath to the said John Munro, on his voting for himself, though requested so to do—that the presiding officer repeatedly refused to mark votes given for the said John Munro “objected,” though required by petitioner—that on the last day of the sheriff’s court held for the declaration of the successful candidates, petitioner was publicly proclaimed duly elected, together with the said Hugh Munro, and they were then summoned to attend this honorable house in general assembly; after which a scrutiny was demanded by the said John Munro, which was granted, and afterwards proceeded with; but on such scrutiny petitioner was prevented by the deputy sheriff, before whom the same was taken from going into evidence on many votes marked “objected” on the poll book, and from proving that many of the persons who voted as rate-payers had voted upon forged receipts, while much of the evidence received by the deputy sheriff, on the part of the said John Munro, was illegal, and ought to have been rejected, and praying that it may be referred to an election committee to try the right of petitioner to his seat as member for such county of Victoria, and if he be entitled thereto, that he may be declared duly elected, and take his seat accordingly, and may have such other relief as the merits of his case may require.

Petition of Charles J. Campbell against return of Mr. J. Munro for Victoria.

Ordered, That the petition do lie on the table.

On motion, *resolved*, That this house will, on Friday next, the 14th day of November instant, at one of the clock, take into consideration such petition complaining of an undue election of John Munro, esquire, for the county of Victoria.

Time for considering.

MEMORANDUM.—In pursuance of chapter 9 of the revised statutes the notice thereby directed was given to the petitioner and the sitting member.

Notices sent.

Then the house adjourned until to-morrow, at eleven of the clock.

Wednesday,

 WEDNESDAY, 12th NOVEMBER, 1851.

PRAYERS.

- Order of day. The order of the day being read,
 Com. on railway bills. The house resolved itself into a committee on the further consideration of the railway bills.
- Mr. Speaker left the chair.
 Mr. Thorne took the chair of the committee.
 Mr. Speaker resumed the chair.
- Report. The chairman reported from the committee that they had further considered such bills.
Ordered, That the house do this day again resolve itself into a committee on such bills.
- Adjourn. Then the house adjourned until this day at half-past two of the clock.
- Meet again. At 2½ p. m., the house again met.
- Com. on railway bills. Pursuant to order the house again resolved itself into a committee on the railway bills.
 Mr. Speaker left the chair.
 Mr. Thorne took the chair of the committee.
 Mr. Speaker resumed the chair.
- Report. The chairman reported from the committee that they had made further progress in considering such bills.
Ordered, That this house do, to-morrow, again resolve itself into a committee on the same.
- Then the house adjourned until to-morrow at eleven of the clock.

 THURSDAY, 13th NOVEMBER, 1851.

PRAYERS.

- Com. on railway bills. The order of the day being read for the further consideration in committee of the railway bills.
 The house resolved into such committee.
 Mr. Speaker left the chair.
 Mr. Thorne took the chair of the committee.
 Mr. Speaker resumed the chair.
- Report. The chairman reported from the committee that they had further considered such bills.
Ordered, That the house do this day again resolve itself into a committee on the same.
- Sydney township election com. drawn. At one of the clock, being the time appointed for considering the petition of James McKeagney against the election and return of Mr. McQueen, the sitting member for the township of Sydney, the serjeant-at-arms was directed to go to the places adjacent, and require the immediate attendance of the members on the business of the house, and he having returned and reported that he had so done, the house was counted, and forty-nine members being present, exclusive of Mr. Speaker, and Mr. McQueen, the sitting member; and all other previous measures prescribed by chapter 9 of the revised statutes having been taken, and the petitioner and his counsel, and the counsel for the sitting member being in attendance at the bar of the house, the doors of the house were locked, and the order of the day for taking into consideration the petition complaining of an undue election for the township of Sydney was read—whereupon the house proceeded to ballot for a select committee to try the merits of the election and return of Donald N. McQueen, the sitting member for the township of Sydney, in the manner prescribed by such chapter, when the following names of fifteen members present, and not appearing to be under the disqualifications mentioned in such chapter were drawn, viz :—Mr. Brown, the hon. the attorney general,

general, Mr. Jost, Mr. Comeau, Mr. Wier, Mr. McLelan, Mr. Locke, Mr. Killam, Mr. Wade, Mr. Martell, Mr. Annand, the hon. the financial secretary, Mr. Zwicker, Mr. Esson and Mr. Creighton; and thereupon, the doors of the house were unlocked, and lists of the fifteen members were given to each party, who then retired with the clerk assistant, in order to reduce the same pursuant to law.

Then the house adjourned until this day at two of the clock.

At 2, p. m., the house again met.

The clerk assistant delivered into the house the names of the seven members remaining after the number drawn by ballot this day, in regard to the election for the township of Sydney, had been reduced according to law, by the parties alternately striking off names therefrom; and the names of the seven members so delivered in being read, are as follow, viz:—Mr. Brown, Mr. Comeau, Mr. Wier, Mr. Locke, Mr. Wade, Mr. Annand, and the hon. the financial secretary—who, thereupon, were duly sworn by the clerk at the table of the house, “well and truly to try the matter of the petition referred to them, and a true judgment to give according to the evidence.”

Return of com. struck on Sydney election com.

Ordered, That the committee so formed do meet on Monday next, the 17th day of November, instant, at ten of the clock in the forenoon, in the committee room of this house, usually called the supreme court room, for the purpose of hearing and determining the merits of the election and return of Donald N. McQueen, esquire, for the township of Sydney.

Meeting of committee.

Ordered, That the petition of James McKeagney, complaining of an undue election and return of the said Donald N. McQueen, be referred to such committee.

Petition referred to committee.

Mr. Speaker laid before the house, a return of the sheriff of the county of Cape Breton, of the evidence given and proceedings had before him on an investigation into certain objections raised by James McKeagney, esquire, against votes polled on behalf of Donald N. McQueen, esquire, at the late election for the township of Sydney, on the ground of the voters having polled more than once, or in a wrong district, and returned by such sheriff with his writ, in conformity to law.

Sydney election papers.

Ordered, That the return be referred to the committee this day sworn to determine the matter of the election and return for the township of Sydney.

Ref. to committee.

The order of the day for the house again to resolve itself into a committee on the railway bills being read,

Com. on railway bills.

The house resolved itself into such committee.

Mr. Speaker left the chair.

Mr. Thorne took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had made further progress in the consideration of such bills.

Report progress.

Ordered, That the house do to-morrow again resolve itself into a committee thereon.

Then the house adjourned until to-morrow at eleven of the clock.

FRIDAY, 14th NOVEMBER, 1851.

PRAYERS.

The order of the day for the further consideration in committee of the railway bills being read,

Committee on railway bills.

The house resolved itself into such committee.

Mr. Speaker left the chair.

Mr. Thorne took the chair of the committee.

Mr. Speaker resumed the chair.

Report Progress.

The chairman reported from the committee that they had further considered such bills.
Ordered, That the house do this day again resolve itself into a committee on the same.

Victoria election committee drawn.

At one of the clock, being the time appointed for considering the petition of Charles J. Campbell against the election and return of Mr. John Munro, one of the sitting members for the county of Victoria, the serjeant-at-arms was directed to go to the places adjacent and require the immediate attendance of members on the business of the house; and he having returned and reported that he had so done, the house was counted, and forty-seven members being present, exclusive of Mr. Speaker and Mr. John Munro, the sitting member; and all other previous measures prescribed by chapter 9 of the revised statutes having been taken, and the petitioner and his counsel, and the counsel for the sitting member being in attendance at the bar of the house, the doors of the house were locked, and the order of the day for taking into consideration the petition complaining of an undue election of John Munro, esquire, for the county of Victoria was read—whereupon the house proceeded to ballot for a select committee to try the merits of the election and return of the said John Munro, one of the sitting members for the county of Victoria, in the manner prescribed by such chapter, when the following names of fifteen members present, and not appearing to be under the disqualifications mentioned in such chapter, or not being excused at their own request on account of their being then serving on a previous election committee, were drawn, viz:—Mr. Martell, Mr. Fulton, Mr. Hall, Mr. Murray, Mr. Doyle, Mr. Mosher, Mr. Shaw, Mr. Archibald, Mr. Josiah Coffin, Mr. Thomas Coffin, the hon. the provincial secretary, Mr. Chipman, Mr. Young, the hon. Mr. Johnston, and Mr. Jost; and thereupon, the doors of the house were unlocked, and lists of the fifteen members were given to each party, who then retired with the clerk assistant, in order to reduce the same pursuant to law.

Adjourn.

Then the house adjourned until this day at half-past two of the clock.

Meet again.

At 2½, p. m., the house again met.

Return of committee struck on Victoria election committee.

The clerk assistant delivered into the house the names of the seven members remaining after the number drawn by ballot this day, in regard to the election of John Munro, esquire, for the county of Victoria, had been reduced according to law, by the parties alternately striking off names therefrom; and the names of the seven members so delivered in being read, are as follow, viz: Mr. Fulton, Mr. Murray, Mr. Shaw, Mr. Josiah Coffin, the hon. the provincial secretary, Mr. Young, and Mr. Jost—who, thereupon, were duly sworn by the clerk at the table of the house, “well and truly to try the matter of the petition referred to them, and a true judgment to give according to the evidence.”

Order for meeting of committee.

Ordered, That the committee so formed do meet on Tuesday next, the 18th day of November, instant, at ten of the clock in the forenoon, in the committee room of this house, usually called the supreme court room, for the purpose of hearing and determining the merits of the election and return of John Munro, esquire, for the county of Victoria.

Petition referred to committee.

Ordered, That the petition of Charles J. Campbell, complaining of an undue election and return of the said John Munro, be referred to such committee.

Committee on railway bills.

The order of the day for the house again to resolve itself into a committee on the railway bills being read,

The house resolved itself into such committee.

Mr. Speaker left the chair.

Mr. Thorne took the chair of the committee.

Mr. Speaker resumed the chair.

Report Progress.

The chairman reported from the committee that they had made further progress in the consideration of such bills.

Ordered, That the house do to-morrow again resolve itself into a committee thereon.

Then the house adjourned until to-morrow, at eleven of the clock.

SATURDAY, 15th NOVEMBER, 1851.

PRAYERS.

The order of the day for the further consideration in committee of the railway bills being read,

Committee on railway bills.

The house resolved itself into such committee.

Mr. Speaker left the chair.

Mr. Thorne took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had further considered such bills.

Report.

Ordered, That the house do this day again resolve itself into a committee on the same.

At one of the clock, being the time appointed for considering the petition of Ebenezer F. Munro, against the election and return of Mr. James Campbell, the sitting member for the township of Londonderry, the serjeant-at-arms was directed to go to the places adjacent and require the immediate attendance of members on the business of the house; and he having returned and reported that he had so done, the house was counted, and forty-seven members being present, exclusive of Mr. Speaker and Mr. James Campbell, the sitting member; and all other previous measures prescribed by chapter 9 of the revised statutes having been taken, and the petitioner and the counsel for the sitting member being in attendance at the bar of the house, the doors of the house were locked, and the order of the day for taking into consideration the petition complaining of an undue election for the township of Londonderry was read—whereupon the house proceeded to ballot for a select committee to try the merits of the election and return of James Campbell, the sitting member for the township of Londonderry, in the manner prescribed by such chapter, when the following names of fifteen members present, and not appearing to be under the disqualifications mentioned in such chapter were drawn, viz:—Mr. S. Campbell, Mr. Bourneuf, Mr. Wilkins, Mr. Moore, Mr. Whitman, Mr. McLeod, Mr. Jost, Mr. Hall, the hon. Mr. Johnston, Mr. Mosher, Mr. B. Smith, Mr. Chipman, Mr. Doyle, the hon. provincial secretary, and Mr. Killam; and thereupon, the doors of the house were unlocked, and lists of the fifteen members were given to each party, who then retired with the clerk assistant, in order to reduce the same according to law.

Londonderry election committee drawn.

Then the house adjourned until this day at a quarter past two of the clock.

At 2½, p. m., the house again met.

The clerk assistant delivered into the house, the names of the seven members remaining after the number drawn by ballot this day, in regard to the election for the township of Londonderry, had been reduced according to law, by the parties alternately striking off names therefrom; and the names of the seven members so delivered in being read, are as follow, viz: Mr. Jost, Mr. Hall, the hon. Mr. Johnston, Mr. Mosher, Mr. B. Smith, the hon. the provincial secretary, and Mr. Killam—who, thereupon, were duly sworn by the clerk at the table of the house, “well and truly to try the matter of the petition referred to them, and a true judgment to give according to the evidence.”

Londonderry election committee sworn.

Ordered, That the committee so formed do meet on Wednesday next, the 19th day of November, instant, at ten of the clock in the forenoon, in the committee room of this house, usually called the supreme court room, for the purpose of hearing and determining the merits of the election and return of James Campbell, esquire, for the township of Londonderry.

Order for meeting of committee.

Ordered, That the petition of Ebenezer F. Munro, complaining of an undue election and return of the said James Campbell, be referred to such committee.

Petition referred to committee.

The order of the day for the house again to resolve itself into a committee on the railway bills being read,

Committee on railway bills.

The house resolved itself into such committee.

Mr.

Mr. Speaker left the chair.

Mr. Thorne took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had made further progress in the consideration of such bills.

Ordered, That the house do on Monday next again resolve itself into a committee thereon.

Then the house adjourned until Monday next, at eleven of the clock.

MONDAY, 17th NOVEMBER, 1851.

PRAYERS.

Leave for adjournment of Sydney election committee.

Mr. Wade, chairman of the Sydney township election committee, by direction of the committee, moved that they have the leave of the house to adjourn over until Monday next, the 24th instant, at ten of the clock: which, being seconded and put, was agreed to by the house.

Petition against Cumberland county election.

Seven petitions of electors of the county of Cumberland, were presented by Mr. Marshall and read, respectively setting forth that at the sheriff's court held at Amherst, in the said county, for the nomination of candidates for the representation thereof in general assembly, the hon. Joseph Howe and Stephen Fulton, Thomas Logan and Alexander McFarlane, esquires, were respectively proposed and seconded by two freeholders as such candidates—their names entered in the poll book by the sheriff's clerk, and a poll on behalf of the several opposing candidates demanded—that the time limited for nomination of candidates having elapsed, the sheriff granted a poll, and made proclamation of the time and place of holding the same in the several polling districts of the county, for the election of two of the said four candidates, and at or about the hour of four o'clock adjourned his court for the purpose of holding such poll, pursuant to law—that several hours after such adjournment, and after the body of the electors present had returned to their homes, about nine o'clock at night, and without the consent or knowledge of the electors, the sheriff, unconstitutionally and illegally declared the said Joseph Howe and Stephen Fulton returned as representatives for such county—that petitioners feel deeply aggrieved by the return so made, whereby the dearest rights of petitioners are invaded, and the electors of the county prevented exercising their justly prized British right of electing members to represent them in parliament, and praying that the house will order the return so made to be set aside, and direct a new writ for the election of representatives for the said county of Cumberland, to be forthwith issued.

Ordered, That the petition do lie on the table.

Order for consideration of petition.

On motion, *resolved*, that this house do on Monday next, the 24th day of November, instant, take into consideration such petition complaining of an undue election for the county of Cumberland.

Notices sent.

MEMORANDUM.—In pursuance of chapter 9 of the revised statutes, the notice thereby directed was given to the petitioners and the sitting members.

Amherst election committee.

At one of the clock, being the time appointed for considering the petition of James S. Morse against the election and return of Mr. William W. Bent, the sitting member for the township of Amherst, the serjeant-at-arms was directed to go to the places adjacent and require the immediate attendance of members on the business of the house; and he having returned and reported that he had so done, the house was counted, and forty-nine members being present, exclusive of Mr. Speaker and Mr. Bent, the sitting member; and all previous measures prescribed by chapter 9 of the revised statutes having been taken, and the respective counsel for the petitioner and the sitting member being in attendance at the bar of the house, the doors of the house were locked, and the order of the day for taking into

into consideration the petition complaining of an undue election for the township of Londonderry was read—whereupon the house proceeded to ballot for a select committee to try the merits of the election and return of William W. Bent, the sitting member for the township of Amherst, in the manner prescribed by such chapter, when the following names of fifteen members present, and not appearing to be under the disqualifications mentioned in such chapter, or not being excused at their own request on account of their being then serving on a previous election committee, were drawn, viz:—Mr. Creighton, Mr. Esson, Mr. Cowie, Mr. H. Munro, Mr. Martell, Mr. Moore, Mr. Zwicker, Mr. Thomas Coffin, Mr. Wilkins, Mr. McLelan, Mr. Ryder, Mr. S. Campbell, Mr. P. Smyth, Mr. Chipman, and Mr. Thorne; and thereupon the doors of the house were unlocked, and lists of the fifteen members were given to each party, who then retired with the clerk assistant, in order to reduce the same according to law.

Then the house adjourned until this day at a quarter past two of the clock.

At 2¼, p. m., the house again met.

The clerk assistant delivered into the house the names of the seven members remaining after the number drawn by ballot this day, in regard to the election for the township of Amherst, had been reduced according to law, by the parties alternately striking off names therefrom; and the names of the seven members so delivered in being read, are as follow, viz: Mr. H. Munro, Mr. Martell, Mr. Moore, Mr. Zwicker, Mr. Thomas Coffin, Mr. Wilkins and Mr. S. Campbell—who, thereupon, were duly sworn by the clerk at the table of the house, “well and truly to try the matter of the petition referred to them, and a true judgment to give according to the evidence.”

Amherst election committee sworn.

Ordered, That the committee so formed do meet on Thursday next, the 20th day of November instant, at ten of the clock in the forenoon, in the committee room of this house, usually called the supreme court room, for the purpose of hearing and determining the merits of the election and return of William W. Bent, esquire, for the township of Amherst.

Order for meeting of committee.

Ordered, That the petition of James S. Morse complaining of an undue election and return of the said William W. Bent, be referred to such committee.

Petition referred to committee.

A petition of Peter Suther Archibald, of Truro, in the county of Colchester, was presented by Mr. Holmes, and read, setting forth that petitioner was a candidate for the representation of such county at the general election held on the twenty-eighth day of August last past, together with John Ross, Adams George Archibald and Gloud Wilson McLelan, esquires, having been duly nominated at the sheriff's court previously held for that purpose—that petitioner is prepared to prove that the said Gloud Wilson McLelan, by himself and his agents, did bribe and corrupt many voters to vote for him, who would otherwise have voted for petitioner, by gifts of money and other rewards, and by promises of gifts and rewards, contrary to law, and to the prejudice of petitioner—that in several instances the sheriff did not deliver to presiding officers copies of rate bills, and that such presiding officers received from other sources lists of persons, which lists were treated by them as rate bills; and that many persons voted against petitioner under the authority of such lists for the said Gloud Wilson McLelan—that in some instances rate bills were altered after the sheriff had handed them to the presiding officer, and different from the originals in the possession of the clerk of the peace, such practice being prejudicial to petitioner inasmuch as voters were thereby allowed to vote against petitioner—that in several instances voters who offered to vote for petitioner were refused, although they had receipts from collectors of rates, which they tendered to the presiding officer—that in one electoral district the poll was improperly taken, the presiding officer did not take the usual and necessary oath at the close of the poll, and did not receive the poll book until the day following the election; and praying the house to take the matter of his petition into consideration, and to adopt such proceedings in the premises as in their wisdom should be deemed best calculated to afford justice to petitioner, and that the return of the said Gloud Wilson McLelan might be declared null and void.

Petition of P. S. Archibald against Mr. McLelan's return for Colchester.

Ordered, That the petition do lie on the table.

Order for consideration of petition.

On motion, *resolved*, that this house do, on Saturday next, the 22d day of November instant, take into consideration such petition complaining of an undue election and return of Gloud Wilson McLelan, esquire, for the county of Colchester.

Notices sent.

MEMORANDUM.—In pursuance of chapter 9 of the revised statutes, the notice thereby directed was given to the petitioner and the sitting member.

Petition of John Ross against Mr. Archibald's return for Colchester.

A petition of John Ross, of Truro, in the county of Colchester, one of the candidates at the election held on the twenty-eighth day of August, for the representation of such county in general assembly, was presented by Mr. Marshall, and read, setting forth that petitioner at the close of such election protested against the return of Adams G. Archibald, esquire, now one of the members of this house, in consequence of the said Adams G. Archibald, and others on his behalf, having induced many of the electors of such county to vote for him, by promising them gifts and rewards in money, and other inducements, and thus corruptly procured a great many votes to be recorded in his name, which, but for such bribery, would have been given to petitioner—that petitioner is prepared to prove to the house that the said Adams G. Archibald had duly appointed agents in several of the polling districts of the county who procured many votes to be given for him, by promising gifts and rewards; and that the parties so procured and corrupted, were authorized by the said Adams G. Archibald to bargain for the price of their votes so given with such agents—that stipulations were so agreed upon, and the votes thus procured were recorded for the said Adams G. Archibald contrary to the intention of such voters previous to such bribes having been offered and accepted—that the protest handed into the sheriff of the county by petitioner, a copy of which is annexed to the petition, refers particularly to the case of a person therein specifically named; and that petitioner is also prepared to prove that many other cases of bribery have been practised by the said Adams G. Archibald and his agents, if the house will afford him an opportunity of doing so, and praying that the house will adopt proceedings in the premises by expelling from the house the said Adams G. Archibald, he having by such practices forfeited a right to retain his seat therein.

Ordered, That the petition do lie on the table.

Order for considering petition.

On motion, *resolved*, that this house do, on Friday next, the 21st day of November instant, take into consideration such petition complaining of an undue election and return of Adams G. Archibald, esquire, for the county of Colchester.

Notices given.

MEMORANDUM.—In pursuance of chapter 9 of the revised statutes, the notice thereby directed was given to the petitioner and the sitting member.

Com. on railway bills.

The order of the day for the further consideration in committee of the railway bills being read,

The house resolved itself into such committee.

Mr. Speaker left the chair.

Mr. Thorne took the chair of the committee.

Mr. Speaker resumed the chair.

Report.

The chairman reported from the committee that they had further considered such bills.

Ordered, That the house do to-morrow again resolve itself into a committee on the further consideration of the same.

Leave of absence.

Ordered, That Mr. Bourneuf have leave of absence after to day to return home on urgent private business.

Then the house adjourned until to-morrow at eleven of the clock.

TUESDAY, 18th NOVEMBER, 1851.

PRAYERS.

The hon. the provincial secretary, chairman of the Victoria election committee, by direction of the committee moved that they have the leave of the house to adjourn over until Friday next, the 21st instant, at ten of the clock : which being seconded and put, was agreed to by the house. Leave for adjournment of Victoria election committee.

The order of the day being read,

The house resolved itself into a committee on the railway bills. Committee on railway bills.

Mr. Speaker left the chair.

Mr. Thorne took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had further considered such bills. Report progress.

Ordered, That the house do this day again resolve itself into a committee on the further consideration thereof.

Then the house adjourned until this day at three of the clock.

At 3, p. m., the house again met.

Pursuant to order the house again resolved itself into a committee on the railway bills. Committee on railway bills.

Mr. Speaker left the chair.

Mr. Thorne took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had made further progress in considering such bills. Report progress.

Ordered, That this house do to-morrow again resolve itself into a committee thereon.

On motion of Mr. Brown,

Resolved, That a committee be appointed to enquire to what extent and in what form contributions, if any, should be levied on any and which of the counties towards paying the interest on the loan to be raised for constructing a trunk line of railway from Halifax to Quebec ; and also as to the mode of appraising and paying for the lands required for the purposes of such railway, with power to report by bill or otherwise. Committee on county aids to railway.

Ordered, That the hon. Mr. Johnston, Mr. Henry, Mr. Fraser, Mr. Killam, Mr. McLeod, the hon. the provincial secretary, and Mr. Hall, be a committee for that purpose.

Then the house adjourned until to-morrow, at three of the clock.

WEDNESDAY, 19th NOVEMBER, 1851.

PRAYERS.

The hon. Mr. Johnston reported from the committee appointed yesterday on the subject of county contributions for railway purposes, and the mode of appraising and paying for lands required for such purposes ; and he read the report in his place, and then delivered it in at the clerk's table, where it was again read. Report from com. on contributions to railway.

(See appendix No. 8.)

Ordered, That the report be received and referred to the committee on the railway bills. Referred to com. on railway bills.

The order of the day being read,

The house again resolved itself into a committee on the railway bills. Committee on railway bills.

Mr. Speaker left the chair.

Mr. Thorne took the chair of the committee.

Mr. Speaker resumed the chair.

The

- Report. The chairman reported from the committee that they had further considered such bills.
Ordered, That the house do, to-morrow, again resolve itself into a committee thereon.
- Amherst election papers. Mr. Speaker laid before the house a return of the sheriff of the county of Cumberland, of the evidence given and proceedings had before him on an investigation into certain objections raised at the late election for the township of Amherst, on the ground of voters having polled more than once, or in a wrong district, and returned by such sheriff with his writ in conformity to law.
- Ref. to committee. *Ordered*, That the return be referred to the committee sworn to determine the matter of the election and return for the township of Amherst.

Then the house adjourned until to-morrow, at eleven of the o'clock.

THURSDAY, 20th NOVEMBER, 1851.

PRAYERS.

- Leave for adjournment of Amherst election committee. Mr. Wilkins, chairman of the Amherst township election committee, by direction of the committee, moved that they have the leave of the house to adjourn over until Tuesday next, the 25th day of November instant, at ten of the clock: which being seconded and put, was agreed to by the house.
- Courts bill presented, &c. Mr. Creighton, pursuant to leave given, presented a bill relative to the sittings of certain courts and proceedings thereat; and the same was read a first, and *nem. con.*, a second time.
- Committed. *Ordered*, That the bill be committed to a committee of the whole house.
- Committee thereon. On motion the house resolved itself into a committee on such bill.
Mr. Speaker left the chair.
Mr. Thorne took the chair of the committee.
Mr. Speaker resumed the chair.
- Report Bill. The chairman reported from the committee that they had gone through the bill, and had directed him to report the same to the house without any amendment; and he delivered the bill in at the clerk's table.
Ordered, That the same be engrossed.
- Then the house adjourned until this day at half-past two of the clock.
- At 2½, p. m. the house met pursuant to adjournment.
- Objections to Colchester election recognizances for Mr. Ross. The recognizance in the case of the petition of John Ross against the election and return of Adams G. Archibald, esquire, one of the sitting members for the county of Colchester, having been submitted by the petitioner, and the sitting member objecting to the sufficiency thereof,
- Committee thereon. *Ordered*, That Mr. Hall, Mr. Annand, and Mr. John Campbell, be a committee to examine and report upon the sufficiency of such securities.
- Com. on Sydney academy matters. On motion of Mr. Henry,
Resolved, That a committee be appointed to enquire into and report upon the affairs of the academy at Sydney, Cape Breton.
Ordered, That Mr. Fraser, Mr. Henry, and Mr. B. Smith, be a committee for such purpose.

Then the house adjourned until to-morrow at eleven of the clock.

FRIDAY, 21st NOVEMBER, 1851.

PRAYERS.

Mr. Hall, chairman of the committee appointed to consider the sufficiency of the sureties proposed to be given by Mr. Ross in the matter of his petition against the election and return of Adams G. Archibald, esquire, one of the sitting members for the county of Colchester, reported that the sitting member had withdrawn his objections against such sureties, and the committee had therefore directed him to report the same sufficient.

Ordered, That the report be received and adopted by the house.

Report from com. on Mr. Ross' election re-cognizances.

Adopted.

Mr. Hall, chairman of the Londonderry election committee, by direction of the committee, moved that they have the leave of the house to adjourn over until Monday next, the 24th day of November, instant, at twelve o'clock: which being seconded and put, was agreed to by the house.

Adjournment of Londonderry election com.

The hon. the provincial secretary, chairman of the Victoria election committee, by direction of the committee, and with the assent of parties, moved that they have the leave of the house to adjourn over for the remainder of the present session: which being seconded and put, was agreed to by the house.

Adjournment of Victoria election com.

At one of the clock, being the time appointed for considering the petition of John Ross against the election and return of Adams G. Archibald, one of the sitting members for the county of Colchester, the serjeant-at-arms was directed to go to the places adjacent, and require the immediate attendance of members on the business of the house, and he having returned and reported that he had so done, the house was counted, and forty-three members being present, exclusive of Mr. Speaker and Mr. Archibald, the sitting member; and all other previous measures prescribed by chapter 9 of the revised statutes having been taken, and the petitioner being in attendance at the bar of the house, the doors of the house were locked, and the order of the day for taking into consideration the petition complaining of an undue election of Adams G. Archibald, esquire, for the county of Colchester, was read—whereupon the house proceeded to ballot for a select committee to try the merits of the election and return of the said Adams G. Archibald, one of the sitting members for the county of Colchester, in the manner prescribed by such chapter, when the following names of fifteen members present, and not appearing to be under the disqualifications mentioned in such chapter, or not being executed at their own request on account of their being then serving on a previous election committee, were drawn, viz:—Mr. Moore, Mr. Fraser, Mr. Mosher, Mr. Wier, Mr. Annand, Mr. Esson, Mr. Chipman, Mr. Killam, Mr. Thorne, the hon. Mr. Johnston, Mr. Young, Mr. Wilkins, Mr. Dimock, Mr. Thomas Coffin, and Mr. Brown; and thereupon the doors of the house were unlocked, and lists of the fifteen members were given to each party, who retired with the clerk assistant, in order to reduce the same pursuant to law.

Colchester election against Mr. Archibald's return drawn.

Then the house adjourned until this day at three of the clock.

At 3, p. m., the house again met.

The clerk assistant delivered into the house, the names of the seven members remaining after the number drawn by ballot this day, in regard to the election of Adams G. Archibald, esquire, for the county of Colchester, had been reduced according to law, by the parties alternately striking off names therefrom, and the names of the seven members so delivered in being read, are as follow, viz: Mr. Fraser, Mr. Mosher, Mr. Esson, Mr. Killam, Mr. Young, Mr. Dimock, and Mr. Thomas Coffin—who thereupon were duly sworn by the clerk at the table of the house "well and truly to try the matter of the petition referred to them, and a true judgment to give according to the evidence."

Colchester election committee sworn on Mr. Ross' petition.

Ordered, That the committee so formed do meet on Tuesday next, the 25th day of November

Order for meeting of committee.

vember instant, at ten of the clock, in the committee room of this house, usually called the supreme court, for the purpose of hearing and determining the merits of the election and return of Adams G. Archibald, esquire, for the county of Colchester.

Ordered, That the petition of John Ross, complaining of an undue election and return of the said Adams G. Archibald, be referred to such committee.

Petition of Mr. Ross referred to committee.

Courts bill read 3rd time.

An engrossed bill relative to the sittings of certain courts and proceedings thereat, was read a third time.

Passed,

Resolved, That the bill do pass, and that the title be, an act relative to the sittings of certain courts and proceedings thereat.

Sent to council.

Ordered, That the clerk do carry the bill to the council and desire their concurrence.

Bills presented, viz :

The hon. the provincial secretary, pursuant to leave given, presented :

Additional to railway acts,

A bill in addition to acts passed during the present session for the construction of inter-colonial railways ; and also,

Halifax railway assessment act.

A bill for the assessment of the city of Halifax for railway purposes.

And such bills were severally read a first time, and ordered to be read a second time.

Petition from provident institution.

A petition of the executive committee of a society or institution called "the universal provident institution," was presented by the hon. the provincial secretary, and read, setting forth that one of the leading objects of such institution is the encouragement of a systematic plan of colonization and emigration—that petitioners are convinced the formation of the institution will be highly beneficial to the province to which its efforts may be directed, by the introduction of industrious emigrants, guiding their exertions and lessening the difficulties by which settlers have been so often discouraged, and thus turn the stream of useful emigration hitherto almost exclusively confined to the United States and the Australias to this province, and consequently be the means of increasing its population and developing its resources ; and praying for the passage of an act authorizing the passing of grants of lands in favor of petitioners, on such terms as may be deemed right ; and also for the incorporation of such institution.

Ordered, That the petition do lie on the table.

Pet. from Canadian land and railway association.

A petition of members of the provisional committee of the Canadian land and railway association formed in London, on behalf of themselves and other shareholders in the association, was also presented by the hon. the provincial secretary, and read, setting forth that the association was formed in London, on the 12th May, 1848, and that the objects thereof are to carry out a well arranged plan of colonization in connexion with the formation of the proposed trunk line of railway from Halifax, in Nova-Scotia, through the province of New Brunswick to Quebec, in Canada—that petitioners have already expended considerable funds and devoted much of their time in placing their objects before her majesty's government, and the public generally, at home and in the British North American colonies—that petitioners for themselves, and on behalf of the present subscribers, as well as those who may afterwards become shareholders, are very desirous to obtain an act of incorporation from the house, which will give greater security for the investment of the skill, labor and capital of the thousands of industrious workmen and their families, who will emigrate to these colonies under the auspices of the association, and praying for the passage of an act containing all the ordinary corporate powers to petitioners and others, to raise and expend capital, manage their own affairs, limit the liability of shareholders, purchase or receive gifts of land, minerals, or other materials, to contract for and execute railways, or other public or private works, and all such other powers as may appear just and requisite.

Ordered, That the petition do lie on the table.

Bills presented—
Crown land department,
Land companies.

The hon. the provincial secretary, pursuant to leave given, presented :

A bill relative to the crown land department ; and also,

A bill for the incorporation of land companies.

And such bills were severally read a first time, and ordered to be read a second time.

A message from the council by Mr. Halliburton :

Message from council.

Mr. Speaker—

The council have agreed to the bill entitled, an act relative to the sittings of certain courts and proceedings thereat, without any amendment.

Agree to courts bill.

The council have passed a bill entitled, an act to enable Thomas Robson to obtain letters patent for the invention of a horizontal wind-mill—to which bill they desire the concurrence of this honorable house.

Have passed Robson patent bill.

And then the messenger withdrew.

The engrossed bill from the council entitled, an act to enable Thomas Robson to obtain letters patent for the invention of a horizontal wind-mill, was read a first time, and ordered to be read a second time.

Council's patent bill read.

On motion of Mr. Henry,

Resolved, That a committee be appointed to consider and report upon the subject of post office affairs in this province.

Post office committee.

Ordered, That Mr. Henry, Mr. S. Campbell, Mr. Fulton, Mr. McLeod, Mr. H. Munro, Mr. Chipman, Mr. Holmes, the hon. the financial secretary, and Mr. Wier, be a committee for that purpose.

The order of the day for the further consideration in committee of the railway bills being read,

Committee on railway bills.

The house resolved itself into such committee.

Mr. Speaker left the chair.

Mr. Thorne took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had gone through both the bills referred to the committee, viz : the bill to make provision for the construction of a trunk railway through British North America, and the bill for raising by way of loan a sum not exceeding one million of pounds sterling for the construction of a trunk railway through British North America, and had made amendments thereto respectively—which they had directed him to report to the house with the bills ; and he delivered the bills and amendments in at the clerk's table, where the amendments were read.

Bills reported.

Upon the usual question being propounded from the chair, that such bills be fairly engrossed—

Usual question for engrossing.

Mr. Killam moved, by way of amendment, that the house do come to the following resolution :

Amendment to recommend for reasons negatived.

Whereas it is the duty and the privilege of the people, by their representatives, from year to year to impose the taxes and grant the supplies necessary to conduct the civil government, and the continued exercise of this right is essential to the preservation of liberty and a just influence over the administration of affairs.

And whereas it has hitherto been the just and wise policy of the legislature of this province to apply, by a fair and equitable distribution, the remaining revenue, after defraying the ordinary expenses of government, in constructing and improving the roads and bridges, in the advancement of education, and in forwarding other objects of general utility:

And whereas the bills before the house, by placing in the hands of the executive, and disposing of the principal part of the available revenues of the province, diminishing the salutary power of the people and their representatives, afford no security against a lavish expenditure, and by confining the application of that revenue to a single work of vast magnitude, the benefits of which cannot be equally participated in by the different sections of the province, which involves an expenditure disproportioned to our limited resources, and extends far beyond the boundary of the province—propose entirely to change and subvert the existing policy of this legislature :

Resolved therefore, That a measure involving changes of such vital importance, and pregnant with results which, if not successful, must prove highly detrimental to the best interests of the country, is not the best and safest course of obtaining railway communication through

through this province, and that for these reasons the bills be re-committed, with a view to the adoption of a measure more consonant with sound British principles and practice, and less hazardous to the highest interests of Nova Scotia.

Which proposed amendment being seconded and put, and the house dividing thereon, there appeared for the amendment, fourteen ; against it, thirty-six.

For the amendment :

Against the amendment :

Mr. Wade,	Mr. McKinnon,	Mr. Murray,	Mr. Locke,
“ Comeau,	“ Henry,	“ Jas. Campbell,	“ S. Campbell,
“ Brown,	“ Martell,	“ J. Munro,	“ McLelan,
“ Marshall,	Hon. Fin. Sec.,	“ Freeman,	“ Dimock,
“ Thorne,	Mr. Zwicker,	“ Doyle,	“ Wier,
Hon. Mr. Johnston,	“ Fraser,	“ B. Smith,	“ Holmes,
Mr. Whitman,	“ Esson,	“ John Campbell,	Hon. Atty. General,
“ Shaw,	“ Hall,	“ Mosher,	“ Prov. Sec.,
“ Killam,	“ H. Munro,	“ Thos. Coffin,	Mr. Fulton,
“ Ryder,	“ Young,	“ Cowie,	“ Archibald,
“ Josiah Coffin,	“ McQueen.	“ Bent,	“ Wilkins,
“ Moore,	“ P. Smyth,	“ McLeod,	“ Chipman.
“ Jost,			
“ Creighton.			

So it passed in the negative.

Second amendment
negatived.

The hon. Mr. Johnston then moved, by way of amendment, that the house do come to the following resolution :

Resolved, That a railroad through Nova Scotia connecting this province by a line of railroad through New Brunswick with the frontier of the state of Maine, and thence with Portland, whereby a general railway communication would be opened with the United States, and also with Montreal, Quebec, and other parts of Canada, promises more remunerative returns and more general advantages to this province than can be expected from a railway route from the frontier of Nova Scotia through New Brunswick directly into Canada ; and that the formation of both lines would lead to an expense greater than any benefit to be expected from the concurrent existence of the two : *And therefore resolved*, that the bills be recommitted for the purpose of amending the same in such manner that the railroad through Nova Scotia may be kept distinct from, and independent of the formation of a railroad through New Brunswick directly into Canada.

Which proposed amendment being seconded and put, and the house dividing thereon, there appeared for the amendment, fourteen ; against it, thirty-six.

For the amendment :

Against the amendment :

Mr. Wade,	Mr. McKinnon,	Mr. Murray,	Mr. Locke,
“ Comeau,	“ Henry,	“ Jas. Campbell,	“ S. Campbell,
“ Brown,	“ Martell,	“ J. Munro,	“ McLelan,
“ Marshall,	Hon. Fin. Sec.,	“ Freeman,	“ Dimock,
“ Thorne,	Mr. Zwicker,	“ Doyle,	“ Wier,
Hon. Mr. Johnston,	“ Fraser,	“ B. Smith,	“ Holmes,
Mr. Whitman,	“ Esson,	“ John Campbell,	Hon. Atty. General,
“ Shaw,	“ Hall,	“ Mosher,	“ Prov. Sec.,
“ Killam,	“ H. Munro,	“ Thos. Coffin,	Mr. Fulton,
“ Ryder,	“ Young,	“ Cowie,	“ Archibald,
“ Josiah Coffin,	“ McQueen,	“ Bent,	“ Wilkins,
“ Moore,	“ P. Smyth,	“ McLeod,	“ Chipman.
“ Jost,			
“ Creighton.			

So it passed in the negative.

The

The hon. Mr. Johnston then moved, by way of amendment, that the house do come to the following resolution : Third amendment
negatived.

Resolved, That an agreement for the formation of a railroad from Halifax to Quebec, through New Brunswick, at the equal expense of the three provinces of Canada, New Brunswick and Nova Scotia, not only entails upon this province the expense of contributing to keep up an unproductive line of road, whereby any profit that may be expected from the more productive line through our own territory will be absorbed and lost, but will in effect impose upon Nova Scotia the expense of constructing and operating upwards of sixty-five miles which Canada, and of twenty-two miles which New Brunswick would respectively have to bear were the several provinces to construct and operate the portion within their own limits, and that a share in the ungranted lands on the line would be a very inadequate consideration for the unequal burden thus imposed on Nova Scotia ; *and therefore resolved*, that the bills be re-committed for the purpose of being so amended that the agreement among the three provinces of Canada, New Brunswick and Nova Scotia, may be so restricted that this province shall not be required to assume a greater responsibility than the construction and operation of that part of the line within its own territory.

Which proposed amendment being seconded and put, and the house dividing thereon, there appeared for the amendment, fourteen ; against it, thirty-six.

For the amendment :

Against the amendment :

Mr. Wade,	Mr. McKinnon,	Mr. Murray,	Mr. Locke,
“ Comeau,	“ Henry,	“ Jas. Campbell,	“ S. Campbell,
“ Brown,	“ Martell,	“ J. Munro,	“ McLelan,
“ Marshall,	Hon. Fin. Sec.,	“ Freeman,	“ Dimock,
“ Thorne,	Mr. Zwicker,	“ Doyle,	“ Wier,
Hon. Mr. Johnston,	“ Fraser,	“ B. Smith,	“ Holmes,
Mr. Whitman,	“ Esson,	“ John Campbell,	Hon. Atty. General,
“ Shaw,	“ Hall,	“ Mosher,	“ Prov. Sec.,
“ Killam,	“ H. Munro,	“ Thos. Coffin,	Mr. Fulton,
“ Ryder,	“ Young,	“ Cowie,	“ Archibald,
“ Josiah Coffin,	“ McQueen,	“ Bent,	“ Wilkins,
“ Moore,	“ P. Smyth,	“ McLeod,	“ Chipman.
“ Jost,			
“ Creighton.			

So it passed in the negative.

The hon. Mr. Johnston then moved that the house do come to the following resolution : Fourth amendment
negatived.
Resolved, That the bills be re-committed for the purpose of adding a clause providing that when the railroad shall be paid for, this province shall retain the ownership and benefit of one-third thereof, or such a proportion thereof as this Province may have contributed to make.

Which proposed amendment being seconded and put, and the house dividing thereon, there appeared for the amendment, nineteen ; against it, thirty-one.

<i>For the amendment:</i>		<i>Against the amendment:</i>	
Mr. Wade,	Mr. Josiah Coffin,	Mr. McKinnon,	Mr. Mosher,
“ Comeau,	“ Moore,	“ Henry,	“ Thos. Coffin,
“ Brown,	“ Jost,	“ Martell,	“ Bent,
“ Marshall,	“ Creighton,	Hon. Fin. Sec.,	Mr. Locke,
“ Thorne,	“ John Campbell,	Mr. Zwicker,	“ S. Campbell,
Hon. Mr. Johnston,	“ Freeman,	“ Fraser,	“ McLelan,
Mr. Whitman,	“ Cowie,	“ Esson,	“ Dimock,
“ Shaw,	“ McLeod,	“ Hall,	“ Wier,
“ Killam,	“ H. Munro.	“ Young,	“ Holmes,
“ Ryder,		“ McQueen,	Hon. Atty. General,
		“ P. Smyth,	“ Prov. Sec.,
		“ Murray,	Mr. Fulton,
		“ Jas. Campbell,	“ Archibald,
		“ J. Munro,	“ Wilkins,
		“ Doyle,	“ Chipman.
		“ B. Smyth,	

So it passed in the negative.

Fifth amendment
negatived.

Mr. Brown then moved, by way of amendment, that this house to come to the following resolution:

Whereas the trade and consumption of the whole province will be equally taxed for the production of a revenue to discharge the interest of the debt incurred by the construction of the Quebec railroad, amounting at $3\frac{1}{2}$ per cent. to the annual sum of £43,750. *And whereas* the inhabitants of the counties through which the said railroad will pass are chiefly interested in, and will be principally benefitted thereby, while the distant counties will receive no immediate corresponding benefit:

Resolved therefore, in order to obviate the partial operation of the measure before the house, that the lands and real estate within 20 miles of the railroad shall contribute one-fifth part of the whole interest accruing on the said debt, to be levied on the owners thereof, in a fair and equitable proportion, by assessors or commissioners, or otherwise—due regard being had to the relative advantage to be derived from the greater or less proximity of the several owners, and other circumstances incidental thereto; and that the bills be re-committed for the purpose of amending the same accordingly.

Which proposed amendment being seconded and put, and the house dividing thereon, there appeared for the amendment, seventeen; against it, thirty-three.

<i>For the amendment:</i>		<i>Against the amendment:</i>	
Mr. Comeau,	Mr. Josiah Coffin,	Mr. McKinnon,	Mr. Thos. Coffin,
“ Brown,	“ Moore,	“ Henry,	“ Bent,
“ Marshall,	“ Jost,	“ Martell,	“ Locke,
“ Thorne,	“ Creighton,	Hon. Fin. Sec.,	“ S. Campbell,
Hon. Mr. Johnston,	“ John Campbell,	Mr. Zwicker,	“ McLelan,
Mr. Whitman,	“ Freeman,	“ Fraser,	“ Dimock,
“ Shaw,	“ Cowie,	“ Esson,	“ Wier,
“ Killam,	“ McLeod.	“ Hall,	“ Holmes,
“ Ryder,		“ Young,	Hon. Atty. General,
		“ McQueen,	“ Prov. Sec.,
		“ P. Smyth,	Mr. Fulton,
		“ Murray,	“ Archibald,
		“ Jas. Campbell,	“ Wilkins,
		“ J. Munro,	“ Chipman,
		“ Doyle,	“ H. Munro,
		“ B. Smith,	“ Wade.
		“ Mosher,	

So it passed in the negative.

Mr.

Mr. Whitman then moved, by way of amendment, that the second of such bills, viz: the bill for raising by way of loan a sum not exceeding one million of pounds sterling, &c., be re-committed to a committee of the whole house, for the purpose of inserting the following clause therein:

Amendment to recommit loan bill carried.

“*And be it enacted*, That in order the more fully to provide for the annual payment of the interest that may become due and payable under this act, the city of Halifax shall be assessed annually for the amount of interest on one hundred thousand pounds, at the same rate of interest at which the loan is obtained—such annual sum to be assessed and levied by the same authority and in the same manner that county or city rates are now assessed and levied, and to be paid into the hands of the receiver general, to form a part of the general revenues of this province, and to continue so to be annually assessed, levied, and paid in, until the loan obtained under this act shall become extinguished under the provisions thereof.”

Which last proposed amendment being seconded and put, was agreed to by the house; and thereupon,

Ordered, That such railway loan bill be re-committed to a committee of the whole house, for the purpose of inserting such clause.

Loan bill recommitted.

Ordered, That the bill to provide for the construction of a trunk railway, &c., be engrossed.

Construction bill to be engrossed.

Then the house adjourned until to-morrow, at twelve of the o'clock.

SATURDAY, 22nd NOVEMBER, 1851.

PRAYERS.

The engrossed bill from the council, entitled, an act to enable Thomas Robson to obtain letters patent for the invention of a horizontal wind-mill, was read a second time.

Robson patent bill read 2nd time, and committed.

Ordered, That the bill be committed to a committee of the whole house.

At one of the clock, being the time appointed for considering the petition of Peter Suther Archibald, against the election and return of Gloud Wilson McLelan, one of the sitting members for the county of Colchester, the serjeant-at arms was directed to go to the places adjacent and require the immediate attendance of members on the business of the house; and he having returned and reported that he had so done, the house was counted, and forty-eight members being present, exclusive of Mr. Speaker and Mr. McLelan, the sitting member; and all other previous measures prescribed by chapter 9 of the revised statutes having been taken, and the counsel for the petitioner being in attendance at the bar of the house, the doors of the house were locked, and the order of the day for taking into consideration the petition complaining of an undue election of Gloud Wilson McLelan, esquire, for the county of Colchester was read—whereupon the house proceeded to ballot for a select committee to try the merits of the election and return of the said Gloud Wilson McLelan, one of the sitting members for the county of Colchester, in the manner prescribed by such chapter, when the following names of fifteen members present, and not appearing to be under the disqualifications mentioned in such chapter, or not being excused at their own request on account of their being then serving on a previous election committee, were drawn, viz:—Mr. Moore, Mr. Murray, Mr. P. Smyth, Mr. Wier, Mr. Hall, Mr. Thomas Coffin, Mr. Josiah Coffin, Mr. Jost, Mr. Henry, Mr. Young, Mr. Creighton, Mr. Wilkins, Mr. Marshall, Mr. Freeman, and Mr. McKinnon; and thereupon the doors of the house were unlocked, and lists of the fifteen members were given to each party, who then retired with the clerk assistant, in order to reduce the same according to law.

Colchester election com. on Mr. Archibald's petition against Mr. McLelan drawn.

Then the house adjourned until this day at three of the clock.

At 3, p. m., the house again met.

Colchester election com. on Mr. Archibald's petition sworn.

The clerk assistant delivered into the house the names of the seven members remaining after the number drawn by ballot this day, in regard to the election of Gloud Wilson McLelan, esquire, for the county of Colchester, had been reduced according to law, by the parties alternately striking off names therefrom; and the names of the seven members so delivered in being read, are as follow, viz: Mr. Moore, Mr. Murray, Mr. Hall, Mr. Josiah Coffin, Mr. Jost, Mr. Henry, and Mr. Young—who thereupon were duly sworn by the clerk at the table of the house, "well and truly to try the matter of the petition referred to them, and a true judgment to give according to the evidence."

Order for meeting of committee.

Ordered, That the committee so formed do meet on Thursday next, the 27th day of November instant, at ten of the clock in the forenoon, in the committee room of this house, usually called the supreme court room, for the purpose of hearing and determining the merits of the election and return of Gloud Wilson McLelan, esquire, for the county of Colchester.

Petition referred to committee.

Ordered, That the petition of Peter Suther Archibald, complaining of an undue election and return of the said Gloud Wilson McLelan, be referred to such committee

Crown land department and land companies bills read 2d time and committed.

A bill relative to the crown land department; and
A bill for the incorporation of land companies,
Were severally read a second time.

Committee thereon.

Ordered, That the bills be committed to a committee of the whole house.
On motion the house resolved itself into a committee on such bills.

Mr. Speaker left the chair.

Mr. Thorne took the chair of the committee.

Mr. Speaker resumed the chair.

Recommend reference to select com.

The chairman reported from the committee that they had considered the bills, and had directed him to recommend to the house to refer the same to a select committee, to examine and report upon.

Report adopted.

Ordered, That the report be received, and that in conformity therewith such bills be referred to a select committee, to examine and report upon with amendments or otherwise.

Com. thereon.

Ordered, That Mr. Hall, Mr. Holmes, the hon. Mr. Johnston, Mr. Killam, Mr. McLeod, Mr. Creighton, and the hon. the provincial secretary, be a committee for that purpose.

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

MONDAY, 24th NOVEMBER, 1851.

PRAYERS.

Adjournment of Sydney election com.

Mr. Wade, chairman of the Sydney election committee, by direction of the committee, moved that they have leave of the house to adjourn over for the remainder of the present session: which being seconded and put, was agreed to by the house.

Petition of C. H. Belcher.

A petition of Clement H. Belcher, was presented by the hon. Mr. Johnston, and read, setting forth that petitioner unsuccessfully tendered for the carriage of the mails from Halifax to Annapolis, in July, 1849—that having since that time become the proprietor of the western line of stage coaches, by which the mails from the year 1828 up to September, 1849, had been conveyed, he became better prepared for carrying on the service than at the time of such tender; and made in October, 1850, a communication to the deputy post-master general, stating that he was then ready to enter into an engagement for the carriage of these mails, as they were then conveyed for three hundred and fifty pounds per annum, which would have been a saving to the post-office department of one hundred and fifty pounds annually—that in answer to that offer the deputy post-master general informed petitioner that he deemed it expedient to refer the matter for the consideration of the post-master

master general, and subsequently informed petitioner that having so referred the offer made, the post-master general did not think it expedient to disturb the existing contract—that the subject of the transfer of the post office department in this province to the colonial government being about to be completed during the last session of the late house, and being under the impression, very generally entertained, that upon the transfer being completed, the service for the carriage of all the mails would be put up to public competition, petitioner addressed a letter to the chairman of the post office committee upon the subject, submitting an arrangement for the carriage of the mails from Halifax to Annapolis, and also offering to undertake the conveyance of the mails from Annapolis to Digby; and if it was decided to send the mails from Halifax to St. John, New Brunswick, *via* Annapolis, to undertake to have a steamer to run between these two places for that service, of which communication no notice was taken by such committee in their report to the house, but another scheme submitted, by whom does not appear from the journals, was recommended and adopted, and a considerable alteration made in the conveyance of these mails, without having the same put up to public competition, as recommended by the committee and adopted by the house, and praying that the house will take the subject into consideration, and direct the service, with such improvements and alterations as may now be deemed necessary, to be put up to public competition, by which a considerable saving, yearly, will be made in the post office department.

Ordered, That the petition be referred to the committee on post office affairs.

Referred to post office committee.

At one of the clock, being the time appointed for taking into consideration the petitions from electors of the county of Cumberland, against the election and return of the hon. Joseph Howe and Stephen Fulton, esquire, the sitting members for that county, the serjeant-at-arms was directed to go to the places adjacent, and require the immediate attendance of members on the business of the house, and he having returned and reported that he had so done, the house was counted, and forty-four members being present, exclusive of Mr. Speaker, and Mr. Howe and Mr. Fulton, the sitting members; and all other previous measures prescribed by chapter 9 of the revised statutes having been taken, and the counsel for the petitioners being in attendance at the bar of the house, the doors of the house were locked, and the order of the day for taking into consideration the several petitions complaining of an undue election for the county of Cumberland, was read—whereupon the house proceeded to ballot for a select committee to try the merits of the election and return of Joseph Howe and Stephen Fulton, sitting members for the county of Cumberland, in manner prescribed by such chapter, when the following names of fifteen members present, and not appearing to be under the disqualifications mentioned in such chapter, or not being excused at their own request on account of their being then serving on a previous election committee, were drawn, *viz* :—Mr. Henry, Mr. Hall, Mr. Wilkins, Mr. H. Munro, Mr. Cowie, the hon. the financial secretary, Mr. Brown, Mr. Marshall, Mr. Creighton, Mr. Moore, Mr. Thorne, the hon. the attorney general, Mr. Wade, Mr. Freeman, and Mr. Thomas Coffin; and thereupon the doors of the house were unlocked, and lists of the fifteen members were given to each party, who retired with the clerk assistant, in order to reduce the same pursuant to law.

Cumberland county election com. drawn.

On motion, the house resolved itself into a committee on the further consideration of the railway loan bill.

Com. on railway loan bill.

Mr. Speaker left the chair.

Mr. Thorne took the chair of the committee.

Mr. Speaker resumed the chair.

The Chairman reported from the committee that they had again considered the bill, and had made further amendments thereto—which they had directed him to report to the house with the bill; and he delivered the bill with the amendments in at the clerk's table, where the amendments were read.

Report bill further amended.

Ordered, That the bill with the amendments be engrossed.

To be engrossed.

- Railway construction bill read 3rd time, An engrossed bill to provide for the construction of a trunk railway through British North America, was read a third time.
- Passed, *Resolved*, That the bill do pass, and that the title be, an act to provide for the construction of a trunk railway through British North America.
- Sent to council. *Ordered*, That the clerk do carry the bill to the council and desire their concurrence.
- Message from governor. A message from his excellency the lieutenant-governor, by the gentleman usher of the black rod :
- Commands house to attend. Mr. Speaker,
His excellency the lieutenant-governor commands this honorable house to attend his excellency immediately in the council chamber.
- House attend. Accordingly Mr. Speaker, with the house, attended his excellency in the council chamber, where his excellency was pleased to give his assent to the bill, entitled, an act relative to the sittings of certain courts and proceedings thereat.
- Govr. assents to courts bill.
- Cumberland election committee sworn. The clerk assistant delivered into the house, the names of the seven members remaining after the number drawn by ballot this day, in regard to the election for the county of Cumberland, had been reduced according to law, by the parties alternately striking off names therefrom, and the names of the seven members so delivered in being read, are as follow, viz : Mr. Hall, Mr. Wilkins, Mr. H. Munro, Mr. Cowie, Mr. Brown, Mr. Moore, and Mr. Wade,—who thereupon were duly sworn by the clerk at the table of the house “ well and truly to try the matter of the petitions referred to them, and a true judgment to give according to the evidence.”
- Order for meeting of committee. *Ordered*, That the committee so formed do meet on Friday next, the 28th day of November instant, at eleven of the clock, in the forenoon, for the purpose of hearing and determining the merits of the election and return of the hon. Joseph Howe and Stephen Fulton, esquire, for the county of Cumberland.
- Petition referred to committee. *Ordered*, That the several petitions complaining of an undue election of the said Joseph Howe and Stephen Fulton, be referred to such committee.
- Railway construction bill read 3rd time, An engrossed bill for raising, by way of loan, a sum not exceeding one million of pounds sterling for the construction of a trunk railway through British North America, was read a third time.
- Passed, *Resolved*, That the bill do pass, and that the title be, an act for raising, by way of loan, a sum not exceeding one million of pounds sterling, for the construction of a trunk railway through British North America.
- Sent to council. *Ordered*, That the clerk do carry the bills to the council, and desire their concurrence.
- Then the house adjourned until this day at five of the clock.
- At 5, p. m., the house again met.
- Report from com. on crown land department and land companies incorporation bills. The hon. the provincial secretary, from the committee to whom was referred the crown lands department bill and land companies incorporation bill, reported that the committee had considered such bills, and had made amendments thereto respectively, which they had directed him to report to the house with the bills ; and he delivered the bills and amendments in at the clerk's table, where the amendments were read.
- Amendments. *Ordered*, That the bills, with the amendments, be recommitted to a committee of the whole house.
- Bills, &c., recommitted. On motion, the house again resolved itself into a committee thereon.
- Committee thereon. Mr. Speaker left the chair.
Mr. Thorne took the chair of the committee.
Mr. Speaker resumed the chair.
- Report progress. The chairman reported from the committee that they had further considered such bills.
- Then the house adjourned until to-morrow, at two of the clock.

TUESDAY, 25th NOVEMBER, 1851.

PRAYERS.

Mr. Wilkins, chairman of the Amherst election committee, by direction of the committee, moved that they have the leave of the house to adjourn over until Thursday next, the 27th day of November instant, at ten of the clock: which being seconded and put, was agreed to by the house.

Adjournment of Amherst election com.

Mr. Hall, chairman of the Londonderry election committee, by direction of the committee, and with the assent of parties, moved that they have the leave of the house to adjourn over for the remainder of the present session: which being seconded and put, was agreed to by the house.

Adjournment of Londonderry election com. for session.

On motion, the house again resolved itself into a committee on the crown lands department and land companies incorporation bills.

Com. on crown lands bills.

Mr. Speaker left the chair.

Mr. Thorne took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had gone through the bills, and had directed him to report the same to the house respectively, with amendments made thereto in addition to those reported by the select committee to whom such bills had been referred; and he delivered the bills and amendments in at the clerk's table, where the amendments were read.

Report bills with amendments.

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

To be engrossed.

Then the house adjourned until to-morrow at three of the clock.

WEDNESDAY, 26th NOVEMBER, 1851.

PRAYERS.

An engrossed bill for the incorporation of land companies, was read a third time.

Land companies bill read 3rd time.

Resolved, That the bill do pass, and that the title be, an act for the incorporation of land companies.

Passed.

Ordered, That the clerk do carry the bill to the council and desire their concurrence.

Sent to council.

Mr. Fraser, chairman of the Colchester election committee, on the petition of Mr. Ross against Mr. Archibald's return, by direction of the committee, and with the assent of parties, moved that they have the leave of the house to adjourn over for the remainder of the present session: which being seconded and put, was agreed to by the house.

Adjournment of Colchester election com. for session.

An engrossed bill relative to the crown land department, was read a third time.

Crown land department bill read 3rd time.

And thereupon—

Motion to defer three months negatived.

The hon. Mr. Johnston moved that the further consideration of the bill be deferred until this day three months: which being seconded and put, and the house dividing thereon, there appeared for the motion, twenty-three; against it, twenty-seven.

For the motion :

Mr. Shaw,	Mr. Zwicker,
“ Comeau,	“ Jost,
“ Killam,	“ Marshall,
“ Freeman,	“ Thorne,
“ Hall,	“ Murray,
“ Cowie,	“ Young,
Hon. Mr. Johnston,	“ Ryder,
Mr. Moore,	“ Bent,
“ John Campbell,	“ Wilkins,
“ Holmes,	“ Creighton,
“ Whitman,	“ Mosher.
“ Josiah Coffin,	

Against the motion :

Mr. Fulton,	Mr. Henry,
“ H. Munro,	“ Fraser,
“ Annand,	Hon. Atty. General,
“ Martell,	Mr. Dimock,
“ J. Munro,	“ B. Smith,
“ Esson,	“ Chipman,
“ Wier,	“ McQueen,
“ Jas. Campbell,	“ P. Smyth,
“ Archibald,	“ Wade,
Hon. Prov. Sec.,	“ McLeod,
Mr. Thos. Coffin,	Hon. Fin. Sec.,
“ Locke,	Mr. McKinnon,
“ McLelan,	“ Brown.
“ S. Campbell,	

So it passed in the negative.

The usual question that the bill do pass, being then propounded from the chair :

Bill passed.

Resolved, That the bill do pass, and that the title be, an act relative to the crown land department.

Sent to council.

Ordered, That the clerk do carry the bill to the council, and desire their concurrence.

Estimate presented.

The hon. the financial secretary, by command of his excellency the lieutenant-governor, presented to the house,

An estimate of expenses to be provided for in the present session of the legislature ; and the same was read.

Ordered, That the estimate do lie on the table.

Supply granted.

On motion of the hon. the financial secretary, *resolved*, that a supply be granted to her majesty.

Estimate referred.

Ordered, That the estimate this day presented be referred to the committee of supply.

Order of day for consideration of supply.

Ordered, That this house do, on Friday next, the 28th day of November instant, resolve itself into a committee to consider of the supply granted to her majesty.

Then the house adjourned until to-morrow, at half-past two of the clock.

THURSDAY, 27th NOVEMBER, 1851.

PRAYERS.

Adjournment of Amherst election com.

Mr. Wilkins, chairman of the Amherst election committee, by direction of the committee, moved that they have the leave of the house to adjourn over until Saturday next, the 29th instant, at ten of the clock : which being seconded and put, was agreed to by the house.

Bill in addition to railway acts, &c.

Mr. Wilkins, pursuant to leave given, presented a bill in addition to an act passed in the present session, entitled, “ an act to make provision for the construction of a trunk railway through British North America,” and to secure the independence of the house of assembly, and to maintain responsible government in this province ; and the same was read a first time, and ordered to be read a second time.

Report from post office committee.

Mr. Henry reported from the committee on post office affairs ; and he read the report in his place, and then delivered it in at the clerk’s table, where it was again read.

(See appendix No. 9.)

Received.

Ordered, That the Report be received, and do lie on the table.

Then the house adjourned until to-morrow, at half-past two of the clock.

Friday,

FRIDAY, 28th NOVEMBER, 1851.

PRAYERS.

Mr. Hall, chairman of the Cumberland election committee, by direction of the committee, and with the assent of parties, moved that they have the leave of the house to adjourn over for the remainder of the present session : which being seconded and put, was agreed to by the house.

Adjournment of Cumberland election com for session.

Mr. Hall also, as chairman of the Colchester election committee on the petition of Mr. Archibald against Mr. McLelan, by direction of the committee, and with the assent of parties, moved that they have the leave of the house to adjourn over for the remainder of the present session : which being seconded and put, was agreed to by the house.

Adjournment of Colchester election com. on petition against Mr. McLelan, for session.

Mr. Speaker laid before the house certain poll books and papers received by him from the sheriff of the county of Cumberland, in conformity with the order of the Amherst election committee, in connection with the late election for that township.

Amherst election papers.

Ordered, That such poll books and papers be referred to the Amherst election committee and also to the Cumberland election committee.

Referred to committees.

A message from the council by Mr. Halliburton :

Message from council

Mr. Speaker—

The council have agreed to the bill entitled, an act to make provision for the construction of a trunk railway through British North America ; and also to the bill entitled, an act for raising by way of a loan a sum not exceeding one million of pounds sterling, for the construction of a trunk railway through British North America ; severally without any amendment.

Agree to railroad bill

And then the messenger withdrew.

On motion of Mr. Henry,

Resolved, That the report of the committee on post office affairs be adopted by the house.

Report of post office com. adopted.

A message from the council, by Mr. Halliburton :

Message from council

Mr. Speaker—

The council have agreed to the bill entitled, an act relative to the crown land department ; and also to the bill entitled, an act for the incorporation of land companies ; severally without any amendment.

Agree to crown land bills.

The council desire a conference by committee with a committee of this honorable house, on the general state of the province.

Request conference

And then the messenger withdrew.

On motion of the hon. the attorney general,

Resolved, That the conference desired by the council be agreed to.

Conference agreed to

Ordered, That the hon. the attorney general, the hon. Mr. Johnston, and Mr. Archibald, be a committee to manage such conference.

Com. of conference,

So they went to the conference ;

Held.

And being returned,

The hon. the attorney general reported that the managers had been at the conference, and that the committee of conference, on the part of the council, had handed to them a paper suggesting a money grant, which the committee of this house do not conceive themselves at liberty to report to the house, as being inconsistent with their privileges.

Report.

On motion of the hon. the financial secretary,

Resolved, That a committee be appointed on the subject of the reporting of the debates of the house during the present session, and the publication thereof.

Com. on reporting.

Ordered, That the hon. the financial secretary, Mr. Wier, and Mr. Esson, be a committee for that purpose.

- Order of day—
Com. of supply. The order of the day being read,
The house pursuant to such order resolved itself into a committee of supply.
Mr. Speaker left the chair.
Mr. Dimock took the chair of the committee.
Mr. Speaker resumed the chair.
- Report finally. The chairman reported from the committee that they had gone through the business referred to them, and had come to four resolutions, which they had directed him to report to the house; and he delivered the same in at the clerk's table.
- Resolutions: The resolutions reported from the committee were then read a first and second time, and are as follow:
- Members' pay. 1°. *Resolved*, That the sum of one pound per day be granted to every member of the house of assembly for his attendance in general assembly during the present session—to be paid on the certificate of the speaker; also the travelling charges as heretofore.
- £506 17 3 assembly expenses. 2°. *Resolved*, That the sum of five hundred and six pounds seventeen shillings and three pence be granted and placed at the disposal of the clerk of the house of assembly, to defray the contingent expenses of that branch of the legislature during the present session.
- £258 legislative council expenses. 3°. *Resolved*, That the sum of two hundred and fifty-eight pounds be granted and paid to the clerk of the legislative council, to defray the contingent expenses of that branch of the legislature during the present session.
- £150 reporting debates. 4°. *Resolved*, That the sum of one hundred and fifty pounds be granted and placed at the disposal of the governor, to be applied under the direction of the committee on reporting, in paying for the expenses incident to the reporting of the debates during the present session.
- Resolutions agreed to. The several resolutions were then upon the question respectively put thereon, agreed to by the house.

Then the house adjourned until to-morrow, at twelve of the clock.

SATURDAY, 29th NOVEMBER, 1851.

PRAYERS.

Adjournment of Amherst election com. for session. Mr. Wilkins, chairman of the Amherst election committee, by direction of the committee, and with the assent of parties, moved that they have the leave of the house to adjourn over for the remainder of the present session: which being seconded and put, was agreed to by the house.

Message from council. A message from the council by Mr. Halliburton:

Mr. Speaker,

Agree to money votes. The council have agreed to four resolutions of this honorable house, for granting the following sums of money, viz:

Members pay.
£258 0 0 legislative council expenses.
506 17 3 house of assembly.
150 0 0 reporting debates.

Have passed naturalization bill.

The council have passed a bill, entitled an act to naturalize Hans Peter Burke, and Lewis F. Anderson—to which bill they desire the concurrence of this honorable house.

And then the messenger withdrew.

Council's naturalization bill passed.

The engrossed bill from the council entitled, an act to naturalize Hans Peter Burke, and Lewis F. Anderson, was read a first, and, *nem. con.*, a second time.

Resolved, That the bill do finally pass.

Ordered,

Ordered, That the clerk do carry the bill back to the council, and acquaint them that this house have agreed thereto.

Ordered, That the clerk do prepare and present to the house an engrossed bill for appropriating the supplies granted in the present session.

Appropriation bill ordered.

And accordingly,

Presented,

The clerk presented an engrossed bill for applying certain monies for the services therein specified, and the same was read a first, and, *nem. con.*, a second time.

Resolved, That the bill do pass, and that the title be, an act for applying certain monies for the services therein specified.

Passed,

Ordered, That the clerk do carry the bill to the council, and desire their concurrence.

Sent to council.

On motion of Mr. Chipman,

Resolution for postal returns.

Resolved, That his excellency the lieutenant-governor be respectfully requested to direct the proper officer to cause a correct return to be made by the several deputy post masters in each of the counties in the province, to be submitted to this house at the commencement of the next session, of their respective duties performed in that service, viz: the number of mails weekly received at the office for distribution—the number made up for forwarding—the hour of receiving and forwarding—the number of way offices to which the letters and newspapers are sent—the names of persons who keep such offices—the yearly amount of remuneration that each receives—the name of the township or district wherein they reside—the number of letters and newspapers received into the office and forwarded during the three months previous to the date of return—the amount of salary received for the past year or months they have been in office, whether derived from per centage or by a specific sum—the amount paid or value of office rent, fuel, and other necessary expenses attendant thereon—the time necessarily required and performed during the week in the fulfilment of the various duties of the office.

On motion of the hon. the provincial secretary,

1°. *Resolved*, That a conference be desired with the legislative council, by committee, on the general state of the province.

Resolution for conf. of council to join in railway address.

2°. *Resolved*, That at such conference the committee of this house do request the legislative council will join this house in an address to her majesty, upon the subject of the construction of the trunk railway from Halifax to Quebec.

Ordered, That the clerk do request such conference.

A message from the council by Mr. Halliburton:

Message from council.

Mr. Speaker,

The council have agreed to the bill entitled, an act for applying certain monies for the services therein specified, without any amendment.

Agree to appropriation bill, and to conference.

The council agree to the conference desired by this honorable house on the general state of the province, and the committee of the council are now ready to meet the committee of this house.

And then the messenger withdrew.

Ordered, That the hon. the provincial secretary, Mr. Wilkins, and Mr. S. Campbell, be a committee to manage the conference on the general state of the province.

Com. of conference.

So they went to the conference;

And being returned,

The hon. the provincial secretary reported that the managers had been at the conference, and had complied with the instructions of the house.

Report.

A message from the council by Mr. Halliburton:

Mr. Speaker,

The council desire a further conference with the house of assembly, by committee, on the general state of the province.

Further conference asked by council.

And then the messenger withdrew.

On

- Agreed to.** On motion of the hon. the provincial secretary, *resolved*, That this house do agree to the further conference desired by the council.
- Com. of management.** *Ordered*, That the committee who managed the last conference do manage this conference.
- To be reported to council.** *Ordered*, That the clerk do acquaint the council that this house agree to the further conference desired by the council, and that the committee of this house are ready to meet the committee of the council upon such conference.
- Held.** So the managers went to the conference ;
And being returned,
- Report resolutions of council.** The hon. the provincial secretary reported that the managers had been at the conference, and that the committee of the council had communicated to the committee of this house, copies in writing, of two resolutions of the council, which he read in his place and then delivered in at the clerk's table, where they were again read, as follow :

“ Legislative council chamber, 29th November, 1851.

Resolved, That a further conference be desired with the house of assembly, by committee, on the general state of the province.

Council agree to join in address.

Resolved, That at such conference, the committee of this house do inform the committee of the house of assembly, that this house will join the house of assembly in an address to her majesty, upon the subject of the construction of the trunk railway from Halifax to Quebec.

JOHN C. HALLIBURTON, C. L. C.”

Ordered, That the copies of resolutions do lie on the table.

Com. to prepare address.

Ordered, That the committee who managed the conferences be a committee to join a committee of the council in preparing such address, and that the clerk do acquaint the council therewith.

Message from council.

A message from the council by Mr. Halliburton :

Mr. Speaker,

Com. of Council on address.

The council have appointed Mr. Bell, Mr. Almon, and Mr. McCully, a committee to join the committee of this honorable house, in preparing the railway address.
And then the messenger withdrew.

Joint address to queen on railway reported.

The hon. the provincial secretary, from the joint committee appointed to prepare an address to her majesty on the subject of the railway, reported the address agreed upon by such committee ; and he read the same in his place, and then delivered it in at the clerk's table, where it was again read, and is as follows :

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

THE HUMBLE ADDRESS OF THE LEGISLATIVE COUNCIL AND HOUSE OF ASSEMBLY
OF NOVA SCOTIA.

May it please your majesty.

We, your majesty's dutiful and loyal subjects the legislative council and house of assembly of Nova Scotia, in provincial parliament assembled, beg leave to thank your majesty for the gracious offer made to the North American provinces, in the letter addressed by the under secretary of state to the delegate from Nova Scotia, on the 10th March last.

The construction of trunk lines of railway through these provinces must advance their material prosperity—multiply their commercial and social advantages in tranquil times, and greatly strengthen them should the peace of this continent be broken.

Strongly

Strongly impressed with the high political and industrial interests, involved in the completion of these great highways, the legislature of Nova Scotia have not only cheerfully made provision for that part of the main trunk line which crosses this province, but with a view to relieve a sister colony, have also pledged the public revenues for the extension of that line far into the bosom of New Brunswick.

While we have done this, and while we have felt deeply sensible of the substantial service to be rendered to the colonies by the interposition of imperial credit, we will not disguise from your majesty, that a very strong feeling prevails, that the great interests at stake upon this continent, would warrant some direct aid from the imperial treasury.

The same policy which secured the highlands of Scotland from disquiet, which has bridged the ocean with noble steamships, would seem to justify direct aid to a great national work that, however desirable, the provinces are scarcely able to accomplish.

This railway will, we trust, before many years, be extended across this continent, securing to the mother country upon British soil, and under the protection of the national flag and of the queen's own subjects, easy and rapid communication, not only with the rising communities upon the Pacific, but with the rich and populous provinces and nations which lie beyond.

With entire confidence in the wisdom of our sovereign, and the liberality of the imperial parliament, we commend this great subject to their care, having given to it all the aid which can be justified by the limited resources of our country.

And thereupon,

The usual question being propounded from the chair that the address be agreed to; the house divided thereon, when there appeared, for agreeing to the address, thirty-four; against it, nine.

Address agreed to on division.

For the address :

Mr. Henry,	Mr. Hall,
“ P. Smyth,	“ Chipman,
Hon. Prov. Sec.,	“ Zwicker,
“ Fin. Sec.,	“ Wilkins,
Mr. Freeman,	“ Bent,
Hon. Atty. General,	“ Fulton,
Mr. Doyle,	“ Fraser,
“ Dimock,	“ Locke,
“ McLelan,	“ S. Campbell,
“ McQueen,	“ Cowie,
“ McKinnon,	“ Wier,
“ Annand,	“ Young,

Against the address :

Mr. Thos. Coffin,	Mr. Josiah Coffin,
“ Moore,	“ Thorne,
“ Murray,	“ Jost,
“ Jas. Campbell,	“ Brown,
“ John Campbell,	“ Killam,
“ H. Munro,	“ Comeau,
“ Esson,	Hon. Mr. Johnston,
“ McLeod,	Mr. Whitman,
“ Holmes,	“ Wade.
“ Archibald.	

So it passed in the affirmative.

The hon. the provincial secretary also, from the same committee, reported a joint address to his excellency the lieutenant-governor, requesting him to transmit the foregoing address to be laid at the foot of the throne; and he read such last mentioned address in his place, and then delivered it in at the clerk's table, where it was again read, and is as follows :

Joint address to gov. also reported.

TO HIS EXCELLENCY LIEUTENANT-GENERAL

SIR JOHN HARVEY,

Knight commander of the most honorable military order of the bath, knight commander of the royal Hanoverian guelphic order, 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 AND HOUSE OF ASSEMBLY
OF NOVA SCOTIA.

May it please your excellency.

The legislative council and house of assembly have passed the accompanying address to her most gracious majesty, on the subject of the magnificent project of connecting her majesty's possessions bordering on the Atlantic with the fertile countries of Canada and the far west, and they respectfully request your excellency to forward their address to her majesty, with your excellency's most favorable recommendation.

Agreed to.

Resolved, That such address be agreed to by the house.

Resolution for Huntington testimonial.

On motion of the hon. the provincial secretary,

Resolved unanimously, That his excellency the lieutenant-governor be authorized and respectfully requested to cause some appropriate testimonial to be erected over the remains of the late Herbert Huntington, whose loss to his country and his family, this house sincerely deplore.

Sent to council.

Ordered, That the clerk do carry the resolution to the council, and desire their concurrence.

Council agree to resolution.

A message from the council by Mr. Halliburton :

Mr. Speaker,

The council have *unanimously* agreed to the resolution requesting the erection of a testimonial over the remains of the late Herbert Huntington.

And then the messenger withdrew.

Message from govt.

A message from his excellency the lieutenant-governor, by the gentleman usher of the black rod :

Mr. Speaker,

His excellency the lieutenant-governor commands this honorable house to attend his excellency immediately in the council chamber.

Commands attendance.

House attend.

Accordingly Mr. Speaker, with the house, attended his excellency in the council chamber, where his excellency was pleased to give his assent to five bills, severally entitled as follows :

Govt. assents to bills:

Railway construction.

An act to make provision for the construction of a trunk railway through British North America.

Railway loan.

An act for raising by way of loan a sum not exceeding one million of pounds sterling, for the construction of a trunk railway through British North America.

Land department.

An act relative to the crown land department.

Land companies' incorporation, Naturalization.

An act for the incorporation of land companies.

An act to naturalize Hans Peter Burke, and Lewis F. Anderson.

Speaker presents supply bill.

After which Mr. Speaker spake as follows :

May it please your excellency.

Your excellency having been graciously pleased to give your assent to the various bills which have distinguished this memorable session of the provincial legislature, it becomes

comes my agreeable duty, on behalf of her majesty's dutiful and loyal subjects her faithful commons of Nova Scotia, to present to your excellency a bill for appropriating the supplies granted in the present session for the support of her majesty's government, and to request your excellency's assent to the same.

His excellency was then pleased to give his assent to the bill following, viz :

Govr. assents to bill.

An act for applying certain monies for the services therein specified.

His excellency was then pleased to make the following speech :—

Speech of governor.

Mr. President, and honorable gentlemen of the legislative council :

Mr. Speaker, and gentlemen of the house of assembly :

Never during my long administration of colonial governments, did I close a legislative session with more pride, and more entire satisfaction, than I feel at this moment.

Having served in all the provinces which you have labored to unite by bands of peace and mutual co-operation, I know their value, and highly estimate their vast resources.

At the close of a long life, nearly thirty years of which have been passed in the North American colonies, in peace and war, the great measure in which you have been engaged, assures me that, more firmly set, and beaming with higher lustre, they are yet to remain the brightest jewels in the British crown.

The moderation and elevated spirit which have pervaded the deliberations of both branches, will ever honorably distinguish the present session.

In returning to your homes I beg you to be assured that the high powers which you have conferred, and the grave responsibilities that you have imposed upon my government, will but increase my vigilance and care to carry out the measures you have perfected in the spirit in which they have been conceived.

After which, the hon. the president of the legislative council, by his excellency's command, said :

Prorogation of assembly.

Gentlemen—

It is the pleasure of his excellency the lieutenant-governor that this general assembly be prorogued to Tuesday, the thirtieth day of December next; and this general assembly is accordingly prorogued until Tuesday, the thirtieth day of December next, to be then there held.

JOSEPH WHIDDEN, }
Clerk of the house of assembly. }

APPENDIX

TO THE

JOURNAL

OF THE

HOUSE OF ASSEMBLY

OF THE

PROVINCE OF NOVA-SCOTIA.



FOR THE SESSION

COMMENCING THE 4TH, AND ENDING THE 29TH NOVEMBER, 1851.



APPENDIX.

No. 1.

(See page .)

No. 274.

Downing Street, July 4, 1851.

SIR—

An Act passed by the Legislature of Nova Scotia in April last, entitled, “No. 3031, an Act to divide the County of Cape Breton, and to regulate the Representation thereof,” having been referred by the Queen in Council to the Lords of the Committee of Privy Council for Trade, that committee have reported to Her Majesty in Council their opinion that the said Act ought to be specially confirmed and finally enacted.

I transmitted herewith an Order of Her Majesty in Council approving that Report.

I am, sir,

Your most obedient Servant,

GREY.

The Officer administering the Government of Nova-Scotia.

At the Court at, Buckingham Palace, the 25th day of June, 1851.

PRESENT :

THE QUEEN'S MOST EXCELLENT MAJESTY,

&c. &c. &c.

Whereas the Lieutenant-Governor of Her Majesty's Province of Nova-Scotia, with the Council and Assembly of the said Province, did in the month of April, 1851, pass an Act which has been transmitted, entitled as follows, viz :

No. 3031. An Act to divide the County of Cape Breton, and to regulate the Representation thereof.

And Whereas the said Act has been referred to the Committee of the Lords of Her Majesty's Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations, and the said committee have reported, as their opinion to Her Majesty, that the said Act should receive Her Majesty's special confirmation, Her Majesty was thereupon this day pleased, by and with the advice of Her Privy Council, to declare her special confirmation of the said Act, and the same is hereby specially confirmed, ratified, and finally enacted accordingly—whereof the Governor, Lieutenant Governor or Commander-in-Chief for the time being, of Her Majesty's Province of Nova-Scotia, and all other persons whom it may concern, are to take notice, and govern themselves accordingly.

W. L. BATHURST.

No.

No. 2.

(See page .)

No. 275.

Downing Street, July 4, 1851.

SIR—

An Act passed by the Legislature of Nova Scotia in the month of April last, entitled, “No. 3032, An Act to extend the Elective Franchise.” having been referred by the Queen in Council to the Lords of the Committee of Privy Council for Trade, that Committee have reported to Her Majesty their opinion that the said Act should be left to its operation.

I transmit herewith an Order of Her Majesty in Council approving that Report.

I am, Sir,

Your most obedient servant,

GREY.

The Officer administering the Government of Nova Scotia.

At the Court at Buckingham Palace, the 25th day of June, 1851.

PRESENT :

THE QUEEN'S MOST EXCELLENT MAJESTY,

&c.

&c.

&c.

Whereas the Lieutenant Governor of Her Majesty's Province of Nova Scotia, with the Council and Assembly of the said Province, did, in the month of April, 1851, pass an Act which has been transmitted, entitled as follows, viz: No. 3032, An Act to extend the Elective Franchise, and whereas the said Act has been referred to the Committee of the Lords of Her Majesty's Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations, and the said Committee have reported as their opinion to Her Majesty that the said Act should be left to its operation, Her Majesty was thereupon this day pleased, by and with the advice of Her Privy Council, to approve the said Report—whereof the Governor, Lieutenant Governor, or Commander in Chief for the time being of Her Majesty's Province of Nova Scotia, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

W. L. BATHURST.

No. 3.

(See page .)

No. 278.

Downing Street, 13th August, 1851.

SIR—

I have had under my consideration the Act of Nova Scotia, 13 Victoria, Cap. 19, “Concerning School Lands, and the appointment of Trustees therefor.”

2. It appeared to me on first perusing this Act, that it was open to the same objection which induced Lord John Russell to advise the disallowance of the former Act of 1838 on the

the same subject. In his despatch to Sir Colin Campbell of the 23d September, 1839, His Lordship stated that the Society for the Propagation of the Gospel had, in the opinion of Her Majesty's Government, established an equitable claim "to that portion of the School Lands which was already occupied and improved. On this ground chiefly the Act was disallowed, and His Lordship recommended the appointment of a Commission to distinguish those lands upon which the care and the funds of the Society has been bestowed from those which were simply unimproved, with a view to future legislation. No such enquiry, however, appears to have taken place, unless I am to understand that the Report of the Commissioner of Crown Lands of the 16th March, 1849, was intended to answer the purpose.

3. The Act now before me, though different in many of its details, was apparently open to the same objection, that it made no discrimination between these classes of lands. I therefore, by my despatch of the 5th October, 1850, required a further report on the subject. This was received from the Attorney General of Nova Scotia, with Sir J. Harvey's despatch No. 207, of the 8th November 1850.

4. The Attorney General, however, fails to obviate the difficulty. He states that the Act merely confirms the power of appointing Trustees, already vested in the Governor by the Act 1766; but it appears to me that under the latter Act, Trustees of these lands attached to the principles of the Society had been established for a series of years, and that part of the lands had been improved by the Society on the faith of the continuance of the trusts then established; that a power to appoint at once new Trustees, with the ulterior directions given by the present act to such Trustees, to render to the Executive a full report of the condition of the lands in their possession, "in order that the Legislature might adopt measures for their future appropriation," did in fact empower and apparently point to the alienation of all such lands without distinction between improved and unimproved, to purposes different from those hitherto pursued by the Society, and that the latter body could not be expected to acquiesce in the general assurance of the Attorney General, not confirmed by any words in the Act that, "where the Church had acquired rights, they were to be respected."

5. For these reasons, and feeling the force of the representations which have been made to me on behalf of the Society, I have felt it my duty to advise Her Majesty to disallow this Act.

6. Provided only the enjoyment of the lands improved at the expense of the Society or its lessees is secured to Schools in connection with that body, I have no objection to the Legislature making such arrangements as it may think fit with regard to the lands still unimproved. You will therefor distinctly understand, that I have no intention whatever to throw any difficulties in the way of the adoption of such measures for the promotion of education, as the Provincial Legislature may consider to be the best adapted to the state of society in the Colony, or to object to their making such arrangements as may seem best to them for the disposal of the unimproved lands for this purpose, by altering the provisions of the existing laws respecting them. It is only from consideration for the principle that vested interests in lands actually occupied and improved, (the whole amount of which I find stated at only 2350 acres, and it is at all events very moderate,) should be respected, that I find it necessary to require that a more carefully drawn Act should be passed before Her Majesty can be advised to assent to it.

I am, Sir,

Your most obedient servant,

GREY.

The Officer administering the Government of Nova Scotia.

No. 280.

Downing Street, 13th August, 1851.

SIR—

Referring to my despatch No. —, of this date, I have the honor to transmit herewith an order of Her Majesty in Council, dated the 9th instant, disallowing the Act passed by the Legislature of Nova-Scotia in the month of March last, concerning School Lands, and the appointment of Trustees therefor.

I am, &c.

GREY.

The Officer administering the Government of Nova-Scotia.

At the Court at Buckingham Palace, the 7th day of August, 1851.

PRESENT :

THE QUEEN'S MOST EXCELLENT MAJESTY.

&c.

&c.

&c.

Whereas the Lieutenant-Governor of Her Majesty's Province of Nova-Scotia, with the Council and Assembly of the said Province, did, in the month of March, 1850, pass an Act, which has been transmitted, entitled as follows, viz :

No. 2987. An Act concerning School Lands, and the appointment of Trustees therefor.

And whereas the said Act has been referred to the Committee of the Lords of Her Majesty's Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations, and the said Committee have reported, as their opinion to Her Majesty, that the said Act should not receive Her Majesty's Royal confirmation; Her Majesty was thereupon this day pleased, by and with the advice of Her Privy Council, to declare her disallowance of the said Act, and the same is hereby disallowed accordingly,—whereof the Governor, Lieutenant-Governor, or Commander-in-Chief for the time being, of Her Majesty's Province of Nova-Scotia, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

C. GREVILLE.

No. 4.

(See page .)

No. 279.

Downing Street, 13th August, 1851.

SIR—

With reference to the Act passed in the last Session of the Legislature of Nova-Scotia for withdrawing the annual grant from King's College, Windsor, I transmit to you the copy of a memorial which I have received against it from the Society for Promoting Christian Knowledge.

2. While I regret the decision of the Legislature to withdraw the grant hitherto made for the support of the College, I cannot but recognize the full right of that body to object to the continuance of such a grant from the Revenue of the Province, if the Institution is not regarded as producing advantages to the public equivalent to the cost incurred for it.

3. I am therefore not prepared to advise Her Majesty to withhold Her assent from the measure in question, provided it can be shewn that due regard has been paid to vested interests.

4. But I have to call your attention to a statement in the memorial from the College, transmitted to me in Sir John Harvey's despatch of 14th May last, to the effect that the President and one at least of the Professors have been induced to leave other situations on the faith of the continuance of that permanent provision which the Act of 1789 appeared to have guaranteed.

5. If this statement is well founded, it would be my duty to advise Her Majesty to disallow the Act, unless it were amended by making some provision for the President and existing Professors during their lives, or while they continue to discharge the duties of their office.

I am, Sir,

Your most obedient servant,

GREY.

The Officer administering the Government of Nova-Scotia.

[COPY.]

To the Right Honorable Earl Grey, Her Majesty's Principal Secretary of State for the Colonies.

THE MEMORIAL OF THE SOCIETY FOR PROMOTING CHRISTIAN KNOWLEDGE.

Respectfully sheweth :—

That when His late Majesty King George the Third was pleased, in the year 1787, to found the first Colonial Bishopric in the British Dominions, by erecting the Province of Nova-Scotia into an Episcopal See, it was thought essential to the object of that foundation that provision should be made towards procuring the blessings of a sound Religious and general Education within the Province, and accordingly the attention of the Lieutenant Governor was immediately called to the subject by special instructions from the Crown. That in compliance with these instructions, measures were adopted for the establishment of King's College, Windsor, Nova-Scotia, aid was generously afforded by the Provincial Legislature, and in the year 1789 an Act was passed by the Local Government securing by law an annual payment of Four Hundred Pounds sterling to be made yearly and every year for the permanent endowment and effectual support of the College, as expressly declared by the said Act. This annual sum has been regularly paid since the year 1790, but in the present year this grant has been repealed by the Local Legislature, and the existence of the College thereby endangered.

That in reliance on the permanence of the said grant, as guaranteed by the State, large pecuniary assistance has from time to time been rendered to the College by Societies and individuals; and that the Society for Promoting Christian Knowledge has made considerable grants in proportion to its means for that object.

That all efforts which have thus been made for the promotion of the designs for which the College was instituted will be in vain, unless the Act now passed by the Local Legislature be disallowed by Her Majesty.

That the institution has continued during successive years to answer the purposes of its foundation. Religious education according to the principles and discipline of the established Church having always been afforded within the walls of King's College, where most of the Episcopal Clergy of the Province, and many now faithfully labouring in other places, have been diligently instructed, and that there can be no reasonable hope of providing a supply of men equally prepared for their important work to succeed them in the ministry if the present means of support be withheld from the College.

Considering therefore the importance of this object to the best interests of the Colony, your memorialists earnestly and humbly pray that Her Majesty will be graciously pleased to disallow the said Act.

(Signed)

J. B. CANTOUR,

President of the Society for Promoting Christian Knowledge.

No. 5.

(See page .)

No. 282.

Downing Street, 14th August, 1851.

SIR—

Thirty-five Acts passed by the Legislature of Nova Scotia in the months of March and April last, having been referred by the Queen in Council to the Lords of the Committee of Privy Council for Trade and Foreign Plantations, that Committee have reported to Her Majesty in Council their opinion that the said Acts should be left to their operation.

I have the honor to transmit to you herewith, an Order of Her Majesty in Council, dated the 9th instant, approving that Report.

I am, Sir,

Your most obedient servant,

GREY.

The Officer administering the Government of Nova Scotia.

At the Court at Buckingham Palace, the 7th day of August, 1851.

PRESENT :

THE QUEEN'S MOST EXCELLENT MAJESTY,

&c. &c. &c.

Whereas the Lieutenant Governor of Her Majesty's Province of Nova Scotia, with the Council and Assembly of the said Province, did in the months of March and April, 1851, pass thirty-five Acts, which have been transmitted, entitled as follows, viz :

No. 3033. An Act for applying certain Monies therein mentioned for the service of the year one thousand eight hundred and fifty-one, and for other purposes.

No. 3034. An Act to provide for the erection of a Court House in Halifax.

No. 3035. An Act for the regulation of the Town Marsh at Annapolis.

No. 3036. An Act in amendment of an Act to enable the Halifax Water Company to construct a Reservoir on the Common of Halifax.

No. 3037. An Act to continue and further amend the Act to Incorporate the Dartmouth Water Company.

No. 3038. An Act to amend the Act to Incorporate the Kerosene Gas Light Company.

No. 3039. An Act to Incorporate the Lequille Mills and Manufacturing Company.

No. 3040. An Act to amend the Act to Incorporate the Pictou Gas Light Company.

No. 3041. An Act to authorise a Provincial Loan.

No. 3042. An Act to postpone the next Easter Term and Sittings for Trial of the Supreme Court at Halifax.

No. 3043. An Act to provide for extending the Eastern Shore Road in the County of Halifax.

No. 3044. An Act to regulate the publication of the Revised Statutes and of the Private and Local Acts.

No. 3045. An Act to amend the Act for the encouragement of Education.

No. 3046. An Act to alter certain Electoral Districts in the County of Colchester.

No. 3047. An Act to Incorporate the Nova Scotia Electric Telegraph Company.

No. 3048. An Act to authorise the Assessment of the City of Halifax for the Relief of Thomas Shea, and Charles S. Wallis.

No. 3049. An Act to Incorporate the Halifax and Annapolis Steam Navigation Company.

No.

- No. 3050. An Act to incorporate the Diocesan Church Society of Nova-Scotia.
 No. 3051. An Act to provide for the removal of obstructions from Jordan River.
 No. 3052. An Act to legalize proceedings taken in the Lock's Island Poor District.
 No. 3053. An Act to Incorporate the Sydney Steam Boat Company.
 No. 3054. An Act to Incorporate the Pictou Fishing and Trading Company.
 No. 3055. An Act to authorise the granting of Letters Patent to Moore R. Fletcher for
 a Marine Alarm Bell.
 No. 3056. An Act to Incorporate the Avon Marine Insurance Company.
 No. 3057. An Act to naturalize Mahlon Vail, Ferdinand Traunweiser, and Joel Thompson.
 No. 3058. An Act respecting Fire Engines at Dartmouth.
 No. 3059. An Act in further amendment of the Acts incorporating the Bank of Nova Scotia.
 No. 3060. An Act to extend the provisions of the Act to Incorporate the Roman Catholic Bishop of Halifax.
 No. 3062. An Act to amend the Act to Incorporate the St. Peter's Canal Company.
 No. 3063. An Act for the Incorporation of certain bodies connected with the Wesleyan Methodist Church.
 No. 3064. An Act to continue certain Acts of the General Assembly.
 No. 3065. An Act to Incorporate the Lunenburg Temperance Hall Company.
 No. 3066. An Act to provide for the removal of obstructions from Salter's and Wentworth's Brooks on Port Medway River.
 No. 3067. An Act to alter the government of Acadia College.
 No. 3068. An Act to Incorporate the Grand Division and Subordinate Divisions of the Order of the Sons of Temperance of Nova-Scotia.

And whereas the said Acts have been referred to the Committee of the Lords of Her Majesty's Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations, and the said Committee have reported as their opinion to Her Majesty, that the said Acts should be left to their operation, Her Majesty was thereupon this day pleased, by and with the advice of Her Privy Council, to approve the said Report—whereof the Governor, Lieutenant-Governor, or Commander in Chief for the time being of Her Majesty's Province of Nova Scotia, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

C. GREVILLE.

No. 6.

(See page .)

5, Sloane Street, London, 4th April, 1851.

SIR,—

I have now the honor to make to you my final report, for the information of the Lieutenant-Governor.

Mr. Hawes' letter to me bears date the 10th of March. I could have left in the steamer of the 15th had I believed that no further steps were prudent or necessary. But, being quite aware of the obstructions which might be presented, and the delays which jarring elements on the other side of the water might occasion, I thought it best not to leave England without placing Nova Scotia in a position to show to her sister Provinces the practicability and wisdom of the policy to which I had given my sanction, but to act independently of them should that policy not be approved.

Looking to the sparse population of New Brunswick, and to the absolute impossibility of that Province executing, unaided, and within a reasonable time, either or both of the two important lines projected across her territory, I deemed it to be my first duty to satisfy my
 own

own mind that a systematic plan of Colonization could be superinduced upon the gradual construction of the Railways, so that, by the time that serious liability was incurred, her population and revenues should be correspondingly increased. The way having been previously cleared for conducting the enquiries and forming the connexions which I deemed desirable, I trust I shall be prepared to shew to His Excellency that while, by accepting the generous and advantageous proposition of the British Government, New Brunswick would obtain two Railroads, for a trifle more than one made with her own resources would cost, she would, by falling into the general scheme, run but little risk, and throw into her wilderness lands, in a very short time, at least half a million of people.

Into the details of the measures which I have prepared myself to propose, or the extent of the resources which can be brought to bear upon the waste territory which it is wise policy to people, I do not think it necessary here to enter.

Two or three simple facts will shew that I did not attach too much importance to this branch of the subject. The terms upon which the British Government is content to aid the Provinces, are not less favorable than those given to the proprietors of the incumbered estates in the mother country. These parties pay for £100 sterling 6½ per cent. for 22 years, which extinguishes the debt, paying in full principal and interest. Those who wish to make our Railroads with American capital and contractors, propose that we should give our Debentures, redeemable in 25 years, and bearing interest at 6 per cent. If we did this it is quite clear that we should make a ruinous and unnecessary sacrifice, paying in interest alone a sum nearly equal to the whole amount borrowed by either mode, and then having to repay the principal besides. However profitable such an operation might prove to the attorneys and contractors who appear to have been pressing this policy upon the province ever since the convention at Portland, it would, in my judgment, now that we have the credit of the British Government at our back, and the treasures of London at our disposal, be one that would forever stamp us as inferior in practical sagacity and shrewdness to the astute neighbors who tempted us to make, for their advantage, such a ridiculous bargain.

But I do not believe that 6 per cent. is all that Provincial companies, without the guarantee of the colonial and imperial Governments, will have to pay when once public works are commenced with insecure and insufficient resources. Our own experience of one such experiment ought to be sufficient for Nova-Scotia. A modern illustration should convey a significant warning to all the Provinces.

The city of Montreal, naturally desirous to aid a work in which it had a deep interest, gave to the contractors upon the Montreal and Portland Railroad a large amount of Debentures to enable them to go on. These were sold here recently. A gentleman of the highest mercantile character thus describes the value, in the London money market, of the credit of the first city in British America, unsupported by the Provincial or Imperial Government: "I understand that the agents of Blackwood & Co. (American contractors) who accepted as part payment of their work on the St. Lawrence and Atlantic Railroad, £125,000, 6 per cent. city of Montreal Bonds at par, sold them lately in London at the price of £75 per £100. They mature at various dates, averaging, I believe, from 10 to 15 years."

In this case, (and so it will be in all others where haste makes waste, or cupidity outruns resources,) it is clear that the Canadians will pay not only high interest upon their Debentures, but will have to redeem them at short periods, at an enormous sacrifice. If, then, the Provinces can, by mutual co-operation, secure funds to complete their great lines at about one-half what money has cost in all the adjoining States, and what it must cost them without the aid of the British Government,—and if, while the money is being expended, their population and resources can be increased so as to make the risks they run merely nominal, I am well assured, however timid statesmen may shrink from the responsibility, or interested speculators may advocate a different policy—that sound views will ultimately prevail, and that the sacrifices which precipitancy may occasion to either Province, will ultimately afford instruction to them all.

Nova-Scotia having led the way to the adoption of an enlarged and enlightened policy,
and

and having discharged towards her sister Provinces, in a fair and generous spirit the obligations which her prompt adoption of that policy imposed, it did not appear to me that I should leave her dependant upon their appreciation of her exertions, for the easy and successful completion of her internal improvements, in the event of no common action being attainable in respect to national or inter-colonial lines.

Looking to the developement of her internal resources alone, Nova-Scotia must have a common trunk line of Railroad, extending in a northerly direction from her capital, and branching east to the Pictou Coal Mines, and west to her most populous rural districts, a large portion of the trade of which now flows across the Bay of Fundy. Her clear interest is to make these lines without delay, should any thing retard an inter-colonial enterprize. She may make fifteen, perhaps thirty miles, and then turn east or west as circumstances may determine; or she may complete the trunk and continue the branches, for the accommodation of her own trade and people, by regular and safe gradations.

Entertaining these opinions, I could not leave England without providing for the independent execution of our own internal improvements, under any and every possible contingency. I shall be prepared, therefor, to submit to His Excellency, propositions by which any amount of funds which we may require can be obtained, on our Provincial credit alone, at 5 and 6 per cent. from Banks, and individuals of the highest respectability, who will dispose of our Debentures on the most favorable terms; and I shall be prepared to submit the offers of capitalists and contractors, who have made one-third of all the Railroads in the United Kingdom, and who will complete working plans at their own expense, lodge Thirty Thousand Pounds in the Provincial Treasury as a pledge of their good faith, and construct either Nova-Scotia's own lines, (should the Provinces not agree), or all the lines contemplated by Mr. Hawes' letter of the 10th of March, on terms much more favorable than any Railroads have been or can be completed with Colonial or American funds.

I have, &c.,

(Signed)

JOSEPH HOWE.

WM. H. KEATING, Esq., Deputy Secretary.

[COPY.]

Government House, Toronto, 1st May, 1851.

SIR—

I have the honor to enclose herewith the copy of a Minute of the Executive Council of this Province which has reference to a Despatch from Earl Grey to me, the number and date of which is given in the margin, on the subject of the proposed Railway between Halifax and Quebec, the copy of which has, I understand, been furnished by his Lordship to your Excellency. Earl Grey has suggested that deputations from the Executive Councils of the two Lower Provinces should proceed to the seat of Government in Canada, in order to confer with me and my Council on the proposition which he has submitted; and if you should see fit, after communicating with Sir E. Head, to act on this suggestion, I shall be glad to hear from you at what time I may expect the deputation from your Council to reach Toronto.

24th April.

Earl Grey to the Earl of Elgin, No. 569, 14th March, 1851.

(See Assembly Jour., 1851, Appendix p. 169.)

I have the honor to be, Sir,

Your Excellency's

Most obedient

Humble servant,

(Signed)

ELGIN & KINCARDINE.

Lieutenant-Governor Sir JOHN HARVEY, &c. &c. &c.

Extract from a Report of a Committee of the Honorable the Executive Council on Matters of State, dated 24th April, 1851, approved by His Excellency the Governor General in Council, on the same day.

On the Despatch of Earl Grey to your Excellency dated 14th March ultimo, No 69, stating that Her Majesty's Government are prepared, on certain conditions, to recommend to Parliament that Imperial credit should be employed to enable the Provinces of Canada, New Brunswick and Nova Scotia, to raise upon advantageous terms the funds necessary for the construction of the Halifax and Quebec Railway, the Committee of Council are respectfully of opinion that the suggestion of Earl Grey that a deputation from the Executive Councils of the two Lower Provinces should proceed to the Seat of Government in Canada, in order to confer with your Lordship, and with your Council, for the purpose of coming to some agreement on this subject, which, after being approved by the Legislature of the several Provinces, might be submitted, for the sanction of Parliament, should be adopted. The great work, in the construction of which the Imperial Government is disposed to lend its powerful aid, has already been sanctioned to a certain extent by the Canadian Parliament. Any new proposition from the Imperial Government is entitled to the fullest and most respectful consideration; and the Committee of Council entertain no doubt that the respective Governments of Nova-Scotia and New-Brunswick will be prepared on the invitation of your Excellency to send deputations to consult with your Excellency, in this City, without unnecessary delay.

[Certified.]

(Signed)

J. JOSEPH, C. E. C.

[COPY.]

Government House, Halifax, May 17th, 1851.

SIR—

1st May, 1851.

I have the honor to enclose copies of a Despatch and Minute of Council, which were received from His Excellency the Governor General yesterday. I shall be prepared to despatch a member of my Council to represent this Province at the Conference proposed, whenever I shall be apprized by your Excellency of the concurrence of your Government, and of the time which may be most convenient.

I have, &c.

(Signed)

J. HARVEY.

His Excellency Sir EDMUND H. HEAD, Bart. &c. &c. &c. }
Fredericton. }

At a Council held at the Government House, at Halifax, on the 19th day of May, A. D. 1851.

PRESENT :

HIS EXCELLENCY THE LIEUTENANT-GOVERNOR,

&c.

&c.

&c.

His Excellency calls the attention of the Council to a Despatch from the Right Honorable the Governor General, dated Toronto, May 1st, 1851, inclosing an extract from a Report made by a Committee of Council on the 24th of April.

Whereupon the Lieutenant-Governor is advised to depute the Honorable Joseph Howe to proceed

proceed to Canada to confer with the Governor-General on Matters of State, and with full powers to accept, on the part of Nova Scotia, the terms proposed by the Imperial Government for the construction of Inter-Colonial Railways.

[COPY.]

Government House, Fredericton, May 20, 1851.

SIR—

I have the honor to acknowledge your Excellency's Letter of the 17th inst.

At a meeting of my Executive Council held yesterday, it was resolved that a member of that body should be deputed to proceed to Toronto; and it is thought that some day between the 10th and 15th of June would be a convenient time for his arrival there.

On receiving a reply from your Excellency stating this time would meet the convenience of the Delegate from Nova Scotia, I will immediately communicate with Lord Elgin on the subject.

I have, &c.

(Signed)

EDMUND HEAD.

His Excellency Sir JOHN HARVEY, K. C. B. K. C. H.

[COPY.]

Government House, Halifax, May 21st, 1851.

MY LORD—

I had the honor to receive your Lordship's Despatch, dated the 1st instant, together with the Minute of Council which accompanied it, and immediately transmitted copies of both to His Excellency Sir Edmund Head. That no time might be lost, I also directed a communication to be sent by Telegraph to the Secretary of New Brunswick. A message was received through that officer, by which I learnt that the Honorable Edward Chandler has been selected to represent the Government of New-Brunswick, and that he will be prepared to leave for Toronto on the 1st of June. I have therefore instructed Mr. Howe to meet him on that day, and both gentlemen will probably reach Toronto on the 7th.

I have the honor to enclose copies of the Minutes of Council which refer to Mr. Howe's appointment.

Railway-
Currency.

I have, &c.

(Signed)

J. HARVEY.

The Right Honorable The Earl of ELGIN & KINCARDINE, }
Governor General, Toronto. }

[COPY.]

Government House, Halifax, 24th May, 1851.

SIR—

I have had the honor to receive your Lordship's Despatch of the 20th instant, and beg to enclose copies of Minutes of Council passed here on the 19th May. Mr. Howe has been instructed to meet Mr. Chandler at Dorchester on the first of June.

Railway-
Currency.

I have, &c.

(Signed)

J. HARVEY.

His Excellency Sir EDMUND HEAD, Bart. }
Lieutenant-Governor, Fredericton, N. B. }

Copy

[COPY.]

PROVINCE OF NOVA-SCOTIA.

BY HIS EXCELLENCY LIEUTENANT GENERAL

SIR JOHN HARVEY,

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

L. S.

J. HARVEY.

TO ALL TO WHOM THESE PRESENTS SHALL COME.

GREETING :

I do by these Presents certify and make known that by and with the advice and consent of Her Majesty's Executive Council, I have thought fit to depute and commission, and do by these Presents depute and commission the Honorable Joseph Howe, a member of the said Council, and a Representative for the county of Halifax, in the General Assembly of this Province, to proceed to Canada, and confer with the Right Honorable the Governor General and Council of that Province, for the purpose of settling the terms of an agreement between the Provinces of Canada, New-Brunswick and Nova-Scotia, to be approved by the Legislatures of those Provinces, on the subject of the proposed Railway, for connecting the Maritime Provinces with Canada and the United States.

And I do by these Presents give and grant to the said Joseph Howe, all powers and authorities requisite in this behalf, and authorize him on the part of the Government of Nova-Scotia, to accept the terms proposed by the Imperial Government for the construction of Inter-Colonial Railways.

In testimony whereof I have caused the Great Seal of the said Province to be hereunto affixed. Witness my Hand, at Halifax, this twenty-ninth day of May, in the fourteenth year of Her Majesty's Reign, A. D., 1851.

By His Excellency's Command,

WILLIAM H. KEATING, Deputy Secretary.

[COPY.]

MEMORANDUM.—The Honorables Joseph Howe, of Nova-Scotia, and E. B. Chandler, of New Brunswick, having, in accordance with the invitation of the Governor General, proceeded to Canada, in order to confer with His Excellency and with his Executive Council on the subject of the projected Railroad between Quebec and Halifax, and having had opportunities in the presence of His Excellency of explaining their views most fully, and of hearing those entertained by the Canadian Government, it is proposed to reduce to writing the conclusion which have been arrived at. It is admitted by all the parties that the work is one of great national importance, and that the three provinces would be much benefitted by its construction. It seems scarcely probable that money can be obtained on more favorable terms than those on which the Imperial Government has offered to aid in procuring it; and it is therefore the anxious desire of all parties to this Conference that the obstacles which present themselves to the success of the enterprise may not prove

prove insurmountable. The most important of these seems to be the determination of the two Houses of the New Brunswick Legislature not to assume any greater liability than that already agreed to, and which amounts to a concession of the right of way and stations of ten miles of vacant land on either side, and a grant of £20,000 Currency per annum for twenty years.

It seems then desirable to offer as many distinct propositions as possible for the consideration of New Brunswick, and to urge upon the Government of that Province to take the responsibility of submitting some one of them to the Legislature for its sanction. The following propositions might, it is conceived, be sanctioned by Canada and Nova-Scotia :

FIRST—That each province should be responsible for the cost of the portion of the road passing through its own territory.

SECOND—That New-Brunswick should make a distinct and separate agreement for the construction of its portion of the line with private contractors, who might possibly be induced to undertake the work on liberal terms.

THIRD—That the line between Halifax and Quebec should be undertaken on the joint account of the three Provinces, and that the Crown Lands lying five miles on each side of the line should be conceded by each Province for the benefit of the road, and that, until the payment of the cost of construction and interest, the receipts should be common property, after which each province to own that portion of the road which passes over its own territory.

Should the Lower Provinces determine to aid in constructing the Railway from Halifax to Quebec upon either of the plans suggested, it is more than probable that, with as little delay as possible, the line will be extended from Quebec to Hamilton, from whence a Railway is being constructed through British territory to Windsor, opposite Detroit, at which place it will connect with a line projected across Michigan to Chicago, and through the State of Wisconsin to the head waters of the Mississippi, at Galena, the continuous line through the British Provinces stretching for 1340 miles, and through British and American territory for 1700.

(Signed)

JOS. BOUDRET, P. C.
JOSEPH HOWE.

Toronto, 21st June, 1851.

Amherst, July 20th, 1851.

SIR—

The negotiations, which I was charged to conduct with the Governments of Canada and New Brunswick, having been brought to a close, in a final conference held with the Delegate from the latter Province this afternoon, I lose no time in submitting, for the information of His Honor the Administrator of the Government, a Report of my proceedings under the Commission and Instructions with which I was honored by His Excellency Sir John Harvey.

You are aware that His Excellency Sir Edmund Head had selected the Hon. Edward B. Chandler to represent the Government of New Brunswick at Toronto, and that it had been arranged that I was to meet him at Dorchester on the 1st of June.

As I had to pass through the county of Cumberland, where the Bill pressed so earnestly on the Legislature at its last Session originated; and as it was more than probable that public opinion in New Brunswick would be largely influenced by the decision of that county against the measure, and in favor of the proposition made by Her Majesty's Government,

I deemed it to consist with my duty to invite in the Shire Town, the most ample discussion of the whole subject. I therefore addressed a letter to the Custos Rotulorum of Cumberland, acquainting him with my intention to attend any meeting that might be called for that purpose.

On reaching Amherst I found that a meeting had been convened, and that a very numerous and respectable body of the leading men of Cumberland crowded the Court House. The result of an animated discussion, which extended over several hours was an almost unanimous decision to sustain the views and policy of the Government.

At Amherst I received invitations to attend two meetings in the county of Westmorland, New Brunswick, and another in the county of Kent: the former I accepted, as the places named lay upon my route—the latter I was compelled to decline. The unanimity of feeling displayed at Dorchester, and at the Bend of Peticodiac, convinced me that the rural population of New Brunswick only required information; and that, when the subject came to be fully discussed, their support would be given to any fair modification of the terms which the Legislature had rejected.

An experiment on the city of St. John appeared to offer less assurance of success. The Office Bearers and Agents of the Portland Company resided there, and formed with their friends, clients, and stockholders, an organised combination. A large portion of the press had taken its tone from these gentlemen; and for many weeks, the propositions contained in Mr. Hawes' letter, and the general policy of this Government, had been discussed in a spirit, which was certainly not calculated to ensure me a very cordial reception. When I entered the city I was assured that there would not be three exceptions to the unanimity with which the offers of Her Majesty's Government would be rejected and condemned. The result of the discussion which ensued, at a public meeting to which I was invited by the citizens, may be gathered from the altered tone of a very influential portion of the press, and from the fact that the promoters of the Portland Company have postponed further proceedings until the 20th of August. "It is evident," says the Editor of the Freeman, (a journal originally hostile—still doubtful, but faithfully interpreting the prevailing sentiment of the community,) "that the public mind is excited by the magnificent proposal of Earl Grey, as interpreted by Mr. Howe and others."

Having attended three meetings within His Excellency's Government, I deemed it but respectful to proceed to Fredericton and to explain to Sir Edmund Head the reasons by which I had been influenced, and the general views which I entertained. These explanations were regarded as satisfactory, and I received from His Excellency very gratifying marks of confidence and consideration.

On reaching St. Andrews, on my way to the United States, I was met by a Deputation, with a request that I would address a public meeting at that place on the following day. Though apprehensive that the interest which the people of St. Andrews naturally felt in the success of their own Railroad, might place them in hostility to the inter-colonial lines, I consented to attend the meeting, and received, at its close, the most satisfactory assurances from a very large assemblage of all ranks and classes, that no mere local interests, or predilections would induce St. Andrews to place herself in opposition to a great scheme of inter-colonial policy and improvement.

The charge having been frequently made, that the Government of Nova-Scotia had broken faith with the Portland convention, and much pains having been taken to persuade the people of that city that the North American and European line had been abandoned, it appeared very desirable that the conduct of this Government should be vindicated, and its policy clearly explained to the leading men of this friendly and very interesting community. Mr. Chandler and myself spent nearly a day at Portland, on our way to Canada. John A. Poor, Esquire, one of the most active members of the convention, rejoined us at Toronto, and we exchanged frank explanations with, and received much courtesy from that gentleman and his friends, on our return. Misconceptions, previously entertained, were dispelled by these friendly conferences. Mr. Hawes' letter of the 10th March—Earl Grey's despatch of the 14th, addressed to the Governor General, with copious extracts from the correspondence between the Imperial and Colonial Governments, have been published and extensively

extensively circulated in the State of Maine. Assuming that the policy explained to them will be acted upon in good faith, and "that the Provinces of New-Brunswick and Nova-Scotia will, in some mode or other, most agreeable to themselves, carry out the plan of a continuous line of Railway from the boundary of Maine to the eastern shores of Nova-Scotia," all opposition to our policy has been wisely withdrawn by the people of Portland, who are now appealing to the legislature and citizens of Maine to come promptly forward and supply the means to complete that portion of the line which is to extend from Bangor to the boundary of New-Brunswick.

Mr. Chandler and myself reached Toronto on the 15th June, and, during our stay at the seat of government, received from His Excellency the Governor General—from the Speakers of the two Houses of Parliament—from the members of Administration, and from the Mayor and citizens of Toronto generally, such marks of distinction and courtesy as assured us of the very high estimation in which the Provinces we represented were held.

Invited to take seats in Council on the 16th, we were at once assured of the cordial co-operation of the Government of Canada—of the readiness of the Administration to accept the terms offered by the Imperial Government, and to unite with Nova-Scotia in meeting the difficulties presented in New-Brunswick, by such fair modification of those terms as would enable Mr. Chandler to secure the co-operation of that Province. It is due to that gentleman to state, that he made no importunate demands—explained the position of his government, and the prevailing sentiment of the country, frankly, and then left it to the discretion and good feeling of the conference to determine to what extent the peculiar aspects of New-Brunswick should be considered, and aid given to that Province, in the construction of one of her great lines, to enable her to complete them both.

If New-Brunswick maintained an antagonistic position, it was clear that neither the line to the St. Lawrence nor that to Portland could be accomplished, the proposition of the British Government would in that case have to be rejected, and the three Provinces be driven, in bad temper, and at ruinous rates of interest, to carry on their internal improvements without mutual sympathy or co-operation.

To obviate this state of things appeared to all parties most desirable; and, at length Mr. Chandler was empowered to invite the co-operation of his Government upon these terms, it being understood that the Governments of Canada and Nova-Scotia were to be bound by them if New-Brunswick acquiesced:

That the line from Halifax to Quebec should be made, on the joint account and at the mutual risk of the three Provinces, ten miles of crown land along the line being vested in a joint commission, and the proceeds appropriated towards the payment of the principal and interest of the sum required.

That New-Brunswick should construct the Portland line, with the funds advanced by the British Government, at her own risk.

That Canada should, at her own risk, complete the line from Quebec to Montreal, it being understood that any saving which could be effected within the limits of the sum which the British Government are prepared to advance, should be appropriated to an extension of the line above Montreal.

That, on the debt contracted, on the joint account of the three Provinces, being repaid, each should own the line within its own territory.

It was also understood that Canada would withdraw the general guarantee, offered for the construction of Railways in any direction, and that her resources should be concentrated upon the main trunk line, with a view to an early completion of a great inter-colonial highway, on British territory, from Halifax to Hamilton; from whence to Windsor, opposite to Detroit, the Great Western Company of Canada have a line already in course of construction.

This policy having been arranged, it became very desirable that Mr. Chandler should return promptly to New Brunswick; to submit it to his colleagues, and to assure himself that, in the event of the Administration assuming the responsibility which it involved, they would be sustained by a majority of the Legislature. Allowing a sufficient time for a deliberate review of the whole ground, and for a final decision, a meeting was arranged with

Mr.

Mr. Chandler at Dorchester, on my return. I rejoined him this afternoon, and was happy to receive from him the assurance that the Government of New Brunswick will be prepared to submit the policy agreed upon to the Legislature of that Province, with the whole weight of its influence, so soon as the Government of Nova Scotia intimates that it is prepared to co-operate on the terms proposed.

The final adoption of this great scheme of inter-Colonial policy now rests with the people of Nova Scotia, to whom, it is probable, that it will be submitted by a dissolution of the Assembly at an early day. I have pledged the Government to it beyond recall. I have staked, upon the generous and enlightened appreciation of their true interests by my countrymen, all that a public man holds dear. Having done my best to elevate Nova Scotia in the eyes of Europe, and of the surrounding Colonies, I have no apprehension that she will repudiate the pledges which I have given.

Her clear interest demands the prompt acceptance of the proposition,

1st. Because it secures to her, within very few years, a railway communication of 1400 miles, extending through the noble territory of which she forms the frontage, and with which her commercial, social, and political relations, must be very important in all time to come.

2nd. Because it gives to her, almost at once, connection with 8000 miles of railway lines, already formed, in the United States—makes her chief seaport the terminus for ocean steam navigation, and her territory the great highway of communication between America and Europe.

3rd. Because, on the extinction of the debt, she will possess a road with which there can be no competition within the Province—a road towards which two great streams of traffic must perpetually converge, and the tolls upon which must become a source of revenue, increasing with each succeeding year.

4th. Because the completion of these great lines of communication will give to all the North American Provinces a degree of internal strength and security, and consideration abroad, which will far transcend any pecuniary hazards which may be incurred.

5th. Because the completion of these lines will draw into the Province much of the surplus labor and capital of Europe.

6th. Because, the line from the seaboard once completed to Canada, there cannot be a doubt that it will soon be extended into the fertile and almost boundless country beyond; being followed, at every advance, by a stream of emigration, and ultimately, and in our own time, reaching the shores of the Pacific.

It may be argued that we ought not to risk any thing beyond the limits of our own frontier. But I regard the risk as involving a very slight liability beyond what we have already cheerfully assumed.

All our calculations have been based upon the presumption that our roads will cost £7000 currency per mile. From the best information which we could obtain in Canada and in the United States—and we gathered the opinions of the chief promoters of the Vermont, Great Western, Portland, and St. Andrew's roads—there is every reason to believe, if the Provinces avail themselves of the most modern experience, and of the present low price of iron, that, with the money in hand, and large contracts to offer, the work need not cost much more than £5000 currency per mile. Should this be the case, the sum which was originally contemplated will probably cover the whole expenditure for which Nova Scotia will be liable; and, if it does not, with her present low tariff, and annually increasing consumption, the deficiency may soon be supplied.

But, after a careful examination of the country traversed by American and Canadian railroads, and of the general testimony borne by their promoters and officers, that in all cases the money with which they have been constructed has cost from 7 to 12 per cent., I have brought my mind to the conclusion that a railway built with money at 3½ per cent. will pay almost immediately, even if made through a wilderness, provided the land be good, water power and wood abundant; and provided that there are formed settlements at either side, to furnish pioneers, and local traffic with them, when they are scattered along the line. We have other resources, beyond our own limits, in associations of the

the industrious and enterprising, who are prepared to come into the Provinces the instant these great works are commenced, and who, within the limits at least of the lands dedicated to this enterprize, will soon form a continuous street, through that portion of the territory between our frontier and the St. Lawrence, which appears to present any really serious hazard.

In estimating relative risks and advantages which this scheme involves, it should also be borne in mind, that while Nova-Scotia has but little crown land left along her portion of the line (and this has been frankly explained) the lands which Canada and New-Brunswick are prepared to grant are extensive and valuable. They will probably amount to 3,000,000 of acres, which, if sold at 5s. an acre, (and with a Railroad running through them they will soon command a much higher price,) would form a fund out of which to pay the interest on the whole capital expended for the first three or four years.

I cannot close this report without some notice of the very enthusiastic and honorable treatment that I received during short visits to Quebec and Montreal. In both cities, men the most distinguished for social positions, commercial and intellectual activity, and commanding influence, vied with each other in recognizing the importance and value of the maritime Provinces. Among all ranks and classes the Railroads seemed to be regarded as indispensable agencies by which North Americans would be drawn into a common brotherhood—inspired with higher hopes—and ultimately elevated, by some form of political association, to that position, which, when these great works have prepared the way for union, our half of this continent may fairly claim in the estimation of the world.

I have the honor to be,

Sir,

Your very obedient servant,

JOSEPH HOWE.

WM. H. KEATING, Esq., Dep'y. Sec'y., &c.

[Approved by the Administrator of the Government, in Council, at Halifax, this 26th July, 1851.]

WM. H. KEATING, D. C. E. C.

At a Council held at the Government House, Halifax, on the 26th day of July, 1851.

PRESENT :

HIS HONOR LIEUTENANT-COLONEL JOHN BAZALGETTE, ADMINISTRATOR OF THE GOVERNMENT,

&c. &c. &c.

With reference to the Minute of the 19th May, relating to the Provincial Secretary's Mission to Canada, the following documents are read and considered—

(Mr. Howe's Report, dated 20th July, 1851.)

(Memorandum dated at Toronto 21st June, 1851.)

Whereupon the said Report being approved, and it being deemed highly important that the question of the construction of the Railroad on the terms proposed should be presented for the decision of the Country and the Legislature at the earliest convenient period, His Honor, agreeably to the advice of the Board, is pleased to order the publication of the said Report in a Gazette Extraordinary this day, and further, that Proclamation be forthwith issued in the usual form dissolving the present General Assembly, and that writs to bear teste the 29th inst. and be returnable on Saturday the 20th day of September do issue for calling a new General Assembly.

[COPY.]

Government House, Halifax, July 26th, 1851.

MY LORD—

I have the honor to enclose, for your Lordship's information, a copy of a Report just made to me by the Honorable Joseph Howe, and I beg to acquaint your Lordship that I have, with a view to an early decision upon the policy agreed upon at Toronto, this day dissolved the House of Assembly of this Province.

I have &c.,

(Signed) JOHN BAZALGETTE,
Administrator.

The Honorable the Earl of ELGIN & KINCARDINE, }
Governor General, &c. &c. &c. }

[COPY.]

Government House, Halifax, July 26th, 1851.

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I have, &c.

(Signed) JOHN BAZALGETTE,
Administrator.

His Excellency Sir EDMUND HEAD, Fredericton.

[COPY.]

NEW BRUNSWICK.

Memorandum in regard to the Railway policy of the Provincial Government.

That the proposals made by the Secretary of State for the Colonies, as expressed in Mr. Hawes' letter, under date of 10th of March, 1851, upon the subject of Railways, in this Province, shall be accepted in full, so far as the amount necessary is concerned, and upon the propositions specified in Mr. Howe's Report to his Government on his return from the Deputation to Canada, or on terms not less favorable; and upon such better modification of the terms specified in Mr. Hawes' letter respecting the securities to be offered by the Province as can be obtained, it being distinctly understood that the Government will not accept any proposals for building the Great Trunk Line which shall not embrace in an equally favorable and explicit manner the European and North American Railway—the liability for the latter line being solely confined to the Province.

It is also understood that the Government will urge upon the Imperial Government the propriety of obtaining Imperial aid, in addition to the guarantee, in consideration of the valuable lands which will be conceded by New Brunswick along both lines for Emigration purposes, and of the great national importance of the undertaking.

Fredericton, Aug. 1, 1851.

Copy.

[COPY.]

No. 8.

Government House, Halifax, August 4th, 1851.

MY LORD—

Referring to your Lordship's despatch of the 14th March, (No. 569) addressed to the Governor General, I have now the honor to enclose a copy of the Report made to this Government by Mr. Howe, the Delegate selected to attend the Conference at Toronto, held under your Lordship's instructions.

The important measure matured at that Conference seeming to depend on the Legislative action of the Provinces interested, and the spirit if not the letter of the Law rendering an appeal to the constituencies of Nova Scotia indispensable before the Session could be held, I deemed it to consist with my duty to dissolve Parliament by Proclamation on the 26th day of July.

In taking this step I have been sustained by the unanimous opinion of the Executive Council, and I trust that it will meet with your Lordship's approval.

The Elections will be held on the 28th of August, and the Writs are returnable on the 20th September.

I have, &c.

(Signed)

JOHN BAZALGETTE,

Administrator.

The Right Hon. EARL GREY, &c. &c. &c.

Provincial Secretary's Office, Halifax, September 13th, 1851.

SIR—

I have it in command from His Honor the Administrator of this Government to acquaint you, for the information of His Excellency Sir Edmund Head, that His Honor will be prepared to call an extra Session of the Legislature, of this Province to consider the subject of Inter-colonial Railways, whenever the Legislature of New Brunswick has decided to accept the terms described in my report of the 20th of July, for the construction, in three equal portions, of the Trunk Line from Halifax to Quebec.

His Honor commands me to say that his Government will be prepared to submit such a measure, and to carry it through the Legislature, whenever His Honor is assured, that the Government of New Brunswick adhere to the Minute of Council, dated at Fredericton, on the 1st of August, and is prepared to confirm, or has confirmed by Legislation, the policy embodied in that Minute.

I have, &c.

(Signed)

JOSEPH HOWE.

The Hon. J. R. PARTELOW, Fredericton.

[COPY.]

Secretary's Office, Fredericton, 22nd September, 1851.

SIR—

I had the honor, on the 20th instant, to lay before His Excellency the Lieutenant-Governor in Council, your communication of the 13th instant, on the subject of Railways, together with the report of the Committee of Council thereon, and I herewith transmit to you a copy of their report, as approved by his Excellency, for the information of your Government.

I have, &c.

(Signed)

J. R. PARTELOW.

The Hon. JOSEPH HOWE, Provincial Secretary, Halifax.

Copy.

[COPY.]

In Committee of Council, 19th September, 1851.

The Committee of Council having had under consideration the letter of the Provincial Secretary of Nova Scotia of the 13th Sept. inst., unanimously concur in the opinion that they cannot advise His Excellency to convene the Legislature at a special Session, to take into consideration the subject of Colonial Railways, until the decision of the Legislature of Nova Scotia shall have been first obtained on the propositions made at the Conference at Toronto.

The Committee have less hesitation in arriving at this conclusion, as they conceive it to be in strict accordance with the understanding hitherto subsisting with the Government of Nova Scotia.

The Committee regret that a private Memorandum of August 1st, (a paper drawn up solely for the guidance of individual members of this Government,) should have been inadvertently treated by the Government of Nova Scotia, as a document officially in their possession.

At the same time the Committee of Council see no reason to doubt that the proposition referred to in the Memorandum, as existing in Mr. Howe's Report of the 20th July, 1851, would be acquiesced in by the Provincial Legislature, and such proposition will be supported by the Executive Council.

[Approved by His Excellency the Lieutenant Governor in Council, this 20th day of September, 1851.]

[Extract from the Minutes.]

(Signed)

R. FULTON.

Acting Clerk, E. C.

Provincial Secretary's Office, Halifax, 8th October, 1851.

SIR—

I am commanded by the Lieutenant-Governor to acquaint you, for the information of the Right Honorable the Governor General, that the Legislature of this Province will be convened on the 4th day of November next, and that a Railway measure based upon the propositions made at the Conference at Toronto, will be submitted to both Houses, with every prospect of a favorable result.

I have, &c.

(Signed)

JOSEPH HOWE.

The Honorable J. LESLIE, &c. &c. &c., Quebec.

Provincial Secretary's Office, Halifax, 8th October, 1851.

SIR—

I am commanded by the Lieutenant-Governor, to acquaint you for the information of His Excellency Sir Edmund W. Head, that the Legislature of this Province will be convened on the 4th day of November next, and that a Railway measure, based upon the propositions made at the Conference at Toronto, will be submitted to both Houses with every prospect of a favorable result.

His Excellency commands me to express his regret that the character of the Memorandum to which reference is made in the Minute of Council, which accompanied your Letter of the 22nd September, should have been misconceived.

I have, &c.

(Signed)

JOSEPH HOWE.

The Honorable J. R. PARTELOW, Fredericton.

No.

No. 6.—PART 2.

(See page 15.)

Pictou, October 27, 1851.

SIR—

I have the honor to submit the result of an exploratory survey, in which I have been engaged, under your instruction, with a view to the discovery of a line favorable for a railway around the base of that range commonly called the Cobequid mountains.

From the Bay of Verte in the direction of the southern shore of the Straits of Northumberland to French River of Tatamagouche, in the county of Colchester, the line is uniformly level, from thence to west branch of River John, in the county of Pictou, skirting the base of the Earltown mountains, there is a gradient of one in three hundred and fifty or fifteen feet in the mile; thence to the summit level along said river, there is a gradient of one in two hundred and forty or twenty-two feet to the mile; thence along the east side of Salmon River, passing Truro to the southward about one half mile, at a gradient of about one in four hundred and twenty-five, or about twelve feet in the mile, and joining major Robinson's line five miles to the southward of Truro. This line will be about fourteen miles longer than that of major Robinson's over the Cobequid mountains by the Folly Pass.

Adopting the line thus described, a branch of about twenty-five miles, would connect the Albion mines with the trunk line, and the town of Pictou will be within twenty miles of it.

The line I have described is the red line on the accompanying map.

The dotted line marked on the map would pass within three miles of the mines, and over a lower elevation (between the Middle River of Pictou and the Stewiacke River) than the summit level between River John and Salmon River, but will increase the distance or length of the railroad about fifteen miles additional. The land on the whole course of both the lines I have marked on the plan or map, is fit for cultivation, not rocky, and easily worked, and the curves may be made easy, invariably not less than three quarter miles radias.

I would observe that to encounter a gradient of from sixty to seventy feet in the mile, requires the power of three engines to do the same work that one would overcome, on the highest gradient, on the lines I have pointed out. It will therefore be a question whether the expense of the additional power always required to overcome major Robinson's gradient, make it preferable at once to incur the additional expense of constructing the fourteen miles of road I have referred to, particularly when it is considered how much more cheaply the road can be cut on the line proposed by me than at the Folly Pass.

There is a railroad from South Pictou to the Albion mines, and if the trunk line be connected with a branch of the mines, it would not only be a great benefit to Pictou, but would add very materially to the profit of the road, as coals in immense quantities would pass over it to Halifax for shipment during the winter, when the navigation of the gulf is closed, and would afford most advantageous employment to the railroad. I submit this as a very cogent reason, in addition to the other advantages, for the preference of the line above recommended.

I have the honor to remain,

Your obedient servant,

PETER CRERAR.

Hon. JOSEPH HOWE, &c. &c. &c.

Provincial secretary's office, Halifax, 29th April, 1851.

SIR—

Having understood from you that you entertain the opinion that the point of intersection for railroads intended to connect the eastern and western counties with the capital of this province, lies somewhere in the vale of the Shubenacadie, I have in command from the

the lieutenant-governor to request that you will report, with as little delay as possible, for excellency's information, the grounds of that opinion.

I have, &c.

(signed)

JOSEPH HOWE.

CHARLES W. FAIRBANKS, esquire.

No. 7.

(See page 16.)

Provincial secretary's office, Halifax, May 7, 1851.

SIR—

I am commanded by the lieutenant governor to request that you will, with as little delay as possible, report to me for his excellency's information, your opinion of the most suitable point of intersection for railroads intended to connect the eastern and western counties with the capital of the province.

I have, &c.

(signed)

JOSEPH HOWE.

WILLIAM FAULKNER, esquire, &c. &c.

Lower Stewiacke, June 2, 1851.

SIR—

In obedience to his excellency the lieutenant governor's commands, contained in your letter of 7th ult., requesting me to report on the most suitable point of intersection for railroads intended to connect the eastern and western counties with the capital of the province, I beg leave to submit, for the information of his excellency, the following report, accompanied by a plan :

The limited period of time allotted for this service, and my previous engagements with government, precluded the possibility of a more than hasty run over the extended surface of country necessary to form an accurate judgment on this important matter.

It appears, however, that *three points* of intersection present themselves, any one of which might be adopted without great sacrifice of time in travelling.

1st.—The line as surveyed by Mr. Wightman in 1849, direct from Halifax to Windsor, and fully described in that gentleman's report. The point of intersection with the great trunk line as laid down by captain Henderson, R. E., is near Fultz's inn, or about 12 miles from Halifax and 38 miles from Windsor.

2nd.—The point F on the plan, and westwardly of the grand lake, about 23 miles from Halifax, and say 36 miles from Windsor, is the next intersection. The line from F towards Windsor will pass over a broken rocky barren for 6 miles to E, at the head waters of the river Hebert, thence following the valley of this river until it intersects the Halifax and Windsor line at A, near Chambers', Newport. From E to about a mile below Barron's mills, the country is rocky and barren, and the course of the valley of the river is circuitous, and the banks in places high and steep, composed of rock and clay, and will probably be very expensive. From the latter point the vally is more open. This line is marked No. 2 on the plan.

3rd.—The next point of departure from the trunk line is laid down at the Horn settlement, on the Shubenacadie river, and about two miles from the outlet of the grand lake by this river, and is marked T. This point is distant thirty miles from Halifax, and about thirty-seven miles from Windsor. The line from T will pass through a broad valley for three miles to the summit level at U. From the summit at U, three miles will carry to the crossing

crossing the nine mile river at sandy point, near John Grant's; thence following up the valley of the nine mile river to its source near the lake which forms Withrow's mill pond, near L; thence by the mill stream (Glen brook) to the back road, so called; thence along the north side of Mehan's hill into a broad and open valley to B on the river Hebert, seven miles from Chambers', near A.

The line is marked No. 3, and is designated by a green line.

The distances respectively from Halifax to Windsor by these routes will be as follows:

No. 1.—By Sackville and Meander rivers, per Mr. W's survey, 50 miles.

No. 2.—By the valley of the river Hebert, 59 miles.

No. 3.—By Horn's settlement and the Nine Mile river, 67 miles.

The distances to make of railroad between the trunk line and Windsor will be about—

No. 1.—By Wightman's line, 38 miles.

No. 2.—By line from F by river Hebert, 36 miles.

No. 3.—By Horn's and Nine Mile river, 37 miles.

The summit levels on these three lines appear to be as follows, viz:

No. 1.—Near Cockscomb lake, 464 feet above the sea.

No. 2.—At E by the valley of river Hebert, or 120 feet lower than No. 1, 344 feet ditto.

No. 3.—At L about $\frac{1}{2}$ mile eastwardly of Withrow's mills, 500 feet ditto.

Assuming the heights at E and L to be correct, as taken from Mr. Wightman's barometrical readings in connection with the Windsor railroad survey, and the heights at the grand lake and Horn's, to be also correct by the canal surveys, and which there is no means of proving except by a very extended survey, which time will not at present admit of, the annexed results will follow:

From T at Horn's on the Shubenacadie, to the summit at U, a distance of 3 miles, the rise is 96 feet, or 32 feet per mile; from thence to sandy point at the crossing of the nine mile river, near John Grant's, is $2\frac{3}{4}$ miles, with a descent of 35 feet, or 15 feet per mile; from thence to within a short distance of the beaver bank road is 7 miles, with an average rise of 37 feet per mile, and then to the summit near L will be 3 miles, at about 60 feet per mile, with a cut of 15 to 20 feet for no great distance to Withrow's mill pond. From this point the line descends the mill stream (Glen brook) for 2 miles to the bridge at Carter's on the back road; thence skirting the north side of Mehan's hill to near Mrs. Knowles' farm, at which point it enters a broad and open valley, running to K, near Tanner's, a distance in all of six miles, with a fall of 300 feet, or an average of 50 feet per mile. From thence to B on the river Hebert, and along said river to A, (near Chambers') a distance of 10 miles, the grades need not exceed 20 to 30 feet per mile, and would probably be rather under this.

The advantages to be derived from the adoption of this line will be, that of passing for the whole distance through a country capable of cultivation, a large proportion on the nine mile river being alluvial soil, and in a progressive state of improvement.

From the most careful inquiry it has been ascertained that there are at present over 600 families residing within 5 miles on each side of the proposed line between Chambers', in Newport, and the Horn settlement on Shubenacadie river.

This line passes through the middle of Newport, Rawdon, and the Nine Mile river settlement, and will open up to the line a large tract of excellent land, now being settled, towards the valley of the Shubenacadie river, and without the limits above named.

A line of five miles in width on each side of the proposed line will give 198,400 acres of land, and deducting therefrom one-fifth for barren, unfit for culture, we have 158,720 acres of land suited for agricultural purposes, and allowing fifty acres for the support of a family, this tract of land is capable of taking 3,174 families. Assuming that each of these families should use the line for two trips to the capital per annum, for the purpose of marketing, &c., at 10s. per trip it will give £3,174; and further that each family transport by rail one ton of produce annually, at 10s. per ton, £1,587—making in way traffic the sum of £4,761 per annum. These calculations are, however, far below what the way traffic

traffic would probably come up to, and are actually much under what every family expends annually for travel and transport to and from the capital by the present mode of travelling.

This line will also possess the advantage of passing almost directly through the slate quarries of Rawdon, which might, at a future day, add materially to the business of the road.

There is no doubt that coal exists, in great abundance, on what is called the Gore mountain, at a distance not exceeding five miles from the proposed line, and not more than forty-two miles by this line to Halifax.

Limestone and gypsum or plaister, are to be found in places along the line, both of good quality and in great abundance, particularly the latter, which is plenty at sandy point, a distance of not more than 36 miles from the capital.

As railroads must depend in a great measure on the local traffic for support and maintenance, consequently a line run through an agricultural country, susceptible of a high state of cultivation, and having in its immediate proximity the materials to constitute hereafter an immense trade with the capital in those highly necessary articles, such as slate, coal, lime and gypsum, the advantages of such a line over one laid down through a barren, rocky country, are immediately apparent, and the extra distance to be run would be more than over balanced by the benefits to be derived in the first case.

I am, however, decidedly of opinion, that the line No. 3 by Horn's is the more preferable one, for the reasons given, although perhaps the grades may not be as favorable as those of No. 2, yet the surface material of the country is of a much more favorable character for grading, being very free from rocks, and will probably turn out a less expensive line to construct.

I much regret that more time was not at my disposal, in order that a more accurate survey might have been made, and more full information afforded, by which a decision might be arrived at on the subject.

I have the honor to be, sir,

Your most obedient servant,

WILLIAM FAULKNER.

The hon. the PROVINCIAL SECRETARY, Halifax.

Halifax, 5th November, 1851.

SIR—

Having carefully submitted the Rawdon ridge to the rigid test of the spirit level, I have the honor to report for your information the result of my trial surveys, to ascertain the proper point of junction in the valley of the Shubenacadie River, for the lines of railways to connect the eastern and western counties with the capital of this province. Supposing the eastern line or main trunk to be located as shewn on the plan made by major Robinson, it was necessary to determine the position of the western line, or the west route through the county of Hants towards Windsor. To decide the proper or most suitable line, I instructed my assistant, Mr. Wm. McKay, to commence a trial survey at McPhee's bridge on the nine mile river. The height at this point above the level of medium high tides, Halifax harbor, having been taken in 1835 by George Baldwin, esquire, by order of my father, and to run a line of levels on the road leading northward to the road called the Indian road, near Robert Roulston's, from thence eastward to the summit height in Temple's valley, and westward to W. Withrow's mills. The result of these surveys and levels proved the summit heights in Temple's valley to be 310 feet—in Scott's valley 387 feet, and at a point on the road east of Wm. Withrow's mills 546 feet above tide level. The distance by Temple's valley is about two miles longer than by Scott's, and there are some curves in this route which may be overcome by a detailed survey. I am of opinion that the

the western line should join the main trunk line below Hall's bridge, at a height of 60 feet above tide, and run in nearly a straight line through Scott's or Temple's valley, thence on the north side of the Rawdon hills to, at or near the low ground near Thomas Tanner's house, from thence to the river Hebert, near Stephens', and from thence keep the valley of the Hebert river on the north or south side of the river, as may hereafter be considered best, to, at or near the outlet of the Meander river; from thence it can go via the route laid down by Mr. George Wightman, in his printed plan, or it may keep near the line of the new road into Windsor. I object to the line shewn on Mr. Wightman's plan, from the foot of the grand lake, on the south side of the nine mile river, via Withrow's mills, for these reasons: 1st.—It passes over the highest land in the county over which a railroad may be made. 2d.—It is too near the whinstone rocks. 3d.—It is in every respect inferior to to any of the other routes in every point in which it can be viewed. The routes proposed by me are coloured red on the plan. The survey and levels taken by me began at W. Withrow's mills, and terminated at the tide level in the Kennetcook river, near the west line of land of Benjamin Smith, esquire My levels checked, and proved to be correct those taken by Mr. McKay, and shew the height of the land on part of the north side of the Rawdon hills. From the sections it may be seen that the grades on the route proposed by me may be less than 40 feet to a mile. The land on this line is all granted—is well settled, and is of the best quality—scarcely an acre being unfit for cultivation.

The plan annexed to this report is not very correct, as it is a compilation from various plans—many new roads are not laid down, and the courses of the rivers are very imperfect. It is, however, as good a plan as can be made, without a survey, from the materials I have at my disposal. The sections and profiles of the roads and streams are correct and valuable. A moderate expenditure would have made a fair survey of the townships of Windsor, Newport, Rawdon, and Douglas, from which information of the most useful kind might be obtained. An examination, by a geologist, of the coal formation on the north side of the Rawdon ridge, the salt springs, slate quarries, and freestone rocks, might be expedient. Facts enough have been gathered to demonstrate that a railway may be constructed from the main trunk line westward to Annapolis, of the best and most approved kind—the cost per mile should not exceed £6000 currency, not including the cost of a bridge over the Avon at Windsor;—light trains are supposed to be used. Iron sleepers are being used in England, and iron bridges in the United States. The cost would be greatly increased if iron structures are extensively used in the formation of railways in this province, unless we can manufacture iron for our own use at a cheap rate. I can see no reason why we should not do so. The western line will require but few bridges of importance, but many farm bridges will be required. The charge for land and fences will be a large item of the cost. Materials to form the road bed, bridges, culverts, &c., are to be had on all sides of the best kind. Slate is the hardest kind of rock to be found on the route, and this is not expensive to excavate; and should a good strata of this rock be cut into, the transport of it alone on the railway would produce a very great revenue. The reason the quarries are not worked at the present time in Rawdon is the great cost of truckage to the tide water. It must be remembered that the summit grade may be greatly reduced by a deep cut or tunnel. The cost of a tunnel in a slate rock is not expensive, and should the experiment to cut a tunnel by steam power through the Housac mountains succeed, it may be advisable to tunnel the Rawdon ridge, and thus reduce the grades and shorten the distance.

My estimate is for a single track with turnouts, narrow cuttings and embankments; but I would build all the bridges for a double track, including also some few locomotives and cars. The road bed would be raised to get rid of the snow whenever this could be effected. The cost of iron rails at the present time landed at Halifax would be £7 10 currency. For my estimate I can form one from the main trunk to Victoria beach on the best principles now known to engineers—using light trains and engines. Speed for passenger trains 30 to 40 miles per hour—goods trains 10 to 15 miles per hour, and with grades not to exceed 35 or 40 feet per mile. This line would pay interest and expenses as soon as its traffic is fully developed. Other routes to the westward of the one now proposed may be found over the Rawdon ridge. I did not explore with a line of levels the four valleys to the

west of the little river or Scott's valley. The best information I could obtain, joined with my own judgment, induced me to try Scott's and Temple's valleys. It would have cost a larger sum of money to cut through the woods in the other valleys than I felt justified or authorized to expend. The chances are against a good line being found except a very deep cut or tunnel be used at the summit height. I do not include in this estimate any part of the main trunk line. The distance to Windsor from Halifax is 63 miles.

From the rapid, singular, and regular slope of the Rawdon ridge, it is extremely easy to grade and curve the line of railway which may be constructed over, under or around it. Temple's valley permits the best grades through it, as shewn by the section to be 25 or 30 feet per mile. It has very high land on each side. The rock on the west mountain is all slate. I believe the rocks on the east side to belong to the coal formation. Both of the routes proposed are good as regards grades. It would require much consideration and an exact survey to decide which should be used. Taking the same height near McPhee's bridge, one hundred feet for both routes, to begin the ascent over the summits, we have, say $6\frac{1}{2}$ miles, with grades of not more than 30 feet per mile for Temple's valley, and grades of not over 40 feet per mile for $7\frac{1}{2}$ miles for Scott's valley, the summit heights being cut to 290 and 330 feet above medium high tides in Halifax harbor.

The profile of the road from Taggart's brook to Wm. Withrow's mills, plainly shows that the lines of railway may be carried with good grades up the four other valleys to the westward of those I have explored, as far as this road. It is plain that the line will be shorter via any of the other valleys than by those chosen for a trial survey. The most direct line would be that explained by Mr. Wightman, but it would have grades of 36 feet per mile for thirteen miles, to ascend to the summit at Withrow's mills. The other routes only have grades of 30 to 35 feet for six or seven miles. It must be remembered that I could not examine every route. Any of these routes are to be preferred to the line from the head of the Basin to Windsor, as surveyed by Mr. Wightman. They would have grades superior, cost less per mile, in a more fertile part of the province. The stream which flows from Wm. Withrow's mill pond is one of the best water powers I have seen in this country—the fall being about 350 feet in five miles, and equal to 500 horse power. Owing to the shape of the Rawdon hills, the streams which flow from them are subject to heavy and rapid freshets, which must be guarded against in all railway operations.

Now to sum up the advantages of the route proposed, we have a better and more fertile soil, more population, a better position as regards the railway wants of the whole country, more traffic, descending grades in a mineral producing part of the country, expected to cost less per mile than any other route, greater speed, and many other minor benefits too numerous to mention. Now the only objection that can be named by those not seeing the matter in its true light is, that the distance to Windsor is about fifteen miles longer than by the proposed line. Many facts are wanted, but enough has been gathered to enable a correct and decided opinion to be given that this railway west to Windsor and Annapolis must join the main trunk east to Amherst, in the valley of the Shubenacadie river, at a point distant 25 miles from Halifax, in preference to a junction near the head of Bedford basin.

I have the honor to be,

Your obedient servant,

CHARLES W. FAIRBANKS,
Civil engineer.

The hon. JOSEPH HOWE, provincial secretary.

No. 8.

(See page 29.)

Halifax, 19th November, 1851.

The committee to whom was referred the enquiry touching the contribution by counties through which the proposed railway may run, and the mode of appraising and paying for lands required in carrying out the project, report on the first question, by a majority, as follows :

That although the committee think it just in principle that land owners in the vicinity of the railroad should contribute for the benefits they may be expected specially to receive, yet the committee is not prepared to report any scheme by which that result may be practically attained.

On the second question the committee reports :—That the price of lands required for the railway, whether for the track or for stations, or other necessary uses ; and also all damages to which the land proprietors may be entitled, shall be paid by the counties in which the land shall lie, to be raised by assessment ; in the apportionment of which assessment respect should be had to the relative benefits derived from the railway by the several portions of the country. The committee is also of opinion that the railway commissioners should have power, by their own authority, to take such lands as they may think necessary for the railway—(for the track, for stations, and other necessary uses) ; and may immediately enter upon the use of such lands without waiting for agreement as to price or compensation with the land owners ; but land taken for the track should in no case exceed the breadth of ——— feet, and land taken for stations or other necessary uses should in no case exceed the quantity of ———, unless by the consent of the proprietor. The commissioners should have power to agree with the land owner, mortgagee, lessee, and other party interested, for the amount of the respective damages and the value of land, &c.,—the agreement to be submitted to the sessions for approval. In case of no agreement, or the agreement being dissented from by the sessions, a committee of appraisal shall be named, consisting of one appointed by the sessions and another by the land proprietor,—these land appraisers having power to add a third, should they see fit. In the agreement between the commissioners and the land owners, and in the appraisal by the committee, the advantages to the land owner from the railway shall be taken into the consideration, and the price of land and amount of damages may be reduced or extinguished by such consideration.

The railway commissioners, within ——— months after assessing any lands for the use of the railway, should return an exact plan of the boundaries of the lands so assessed, to the clerk of the peace of the county in which the lands lie, and also to the provincial secretary's office ; and the title to the lands so assessed and described, shall thereupon be held to be vested in the [queen for the use of the railway] commissioners, who shall be a corporation for that purpose, for the use of the railway ; and each proprietor shall be entitled to receive gratuitously from the commissioners, upon request, a copy of the plan of the lands so transferred from him.

J. W. JOHNSTON, chairman.

No. 9.

(See page 42.)

The committee on post office affairs beg leave to report as follows :

Your committee have had under consideration a scheme for the transmission of the mails between Halifax and Sydney, and Guysborough, submitted by Mr. Hyde, and also the arrangements by which that service is now performed. Numerous complaints have been made as to the irregularity of the arrival of the mails at several places on the line, and also
in

in Halifax. The grievances complained of have, in the opinion of your committee, arisen partly from the insufficiency of the arrangements, and partly owing to the time not having been kept by the couriers. Your committee are unanimously of opinion that the service from the west river of Pictou to Sydney and Guysboryugh, has been contracted for at sums quite too small to enable the contractors to carry the mails either with regularity or despatch, independent of any provision for the conveyance of passengers or the convenience of the travelling community. Your committee, fully sensible of the importance of having established between the capital and Sydney, and the intermediate places, including Guysborough, suitable accommodation for the transport of passengers, have adopted a scheme by which both public services will be combined.

Your committee, after mature deliberation, have adopted the scheme before mentioned, in all its particulars—not the least important of which is the hours of departure and arrival at the several places referred to in it. These have been decided upon with all the necessary consideration of controuling circumstances, which the importance of the service demanded; and your committee believe they will be found to give general satisfaction.

Your committee have considered the subject of the mail contracts east of Halifax, as arranged by the committee of last year with Mr. Hyde, as appears by their report, and have adopted an offer of Mr. Hyde, now made, and hereunto annexed, to convey the mails between Halifax and Pictou—the contract to take effect from the 6th of last month, and to end on the 5th of July, 1856, being the same time at which other mail contracts will expire—the change of hours to take place on the 5th January next, subject to the limitations and conditions hereinafter in a subsequent clause contained, for the same sum per annum (£470) he received under his last contract, and subject to the terms as respects the railroad referred to and expressed in his scheme hereunto annexed;—this course has been decided upon by the committee in reference to the retrospective operation of the contract, for the reason, amongst others, that the mails upon that route, owing to particular circumstances, have been carried at a nominal amount since 6th of October.

Your committee recommend that the service of carrying the mails between the west river of Pictou and Sydney, and Guysborough, be offered to be taken by tender and contract, from the 6th of January next until the 5th July, 1856, to be let in one contract, under the following terms, in addition to those usually required by the post-master general and those hereinafter mentioned, that is to say: the mails between the west river of Pictou and Guysborough to be conveyed in covered carriages, drawn by not less than two horses, to run on an average of not over fifteen mile stages. The mails from Antigonishe to Sydney to be conveyed in waggons drawn by not less than two horses, to run on an average of not more than fifteen mile stages.

The post-master general to have the power of determining contracts by giving three months' notice to the contractor or his securities,—to have also the right to change the hours of departure or arrival; but the contractor to be allowed thereupon to determine the contract by three month's notice—provided such notice be given within a month after the change in the hours is carried into effect.

Your committee have also had under consideration the petition of C. H. Belcher, esquire, praying that the mail service between Halifax and Annapolis, be put up for “tender and contract.” Your committee have examined into the circumstances connected with the present contract for that service, entered into in pursuance of a report of the post office committee of last year adopted by this house, and being of opinion that the spirit of the report and the terms of the contract are opposed to the prayer of the petition, your committee cannot recommend that it should be granted.

Your committee have also considered an extract of a letter from the postmaster general in Canada to the postmaster general in Halifax, suggesting and requesting the deduction of the rate of a half-penny each on letters passing in a sealed mail between Halifax and Canada, via the United States, by the steamers. It appears the change has been suggested in consequence of the difference of currency between the two provinces. The postmaster general in England requires that fourpence sterling on each letter should be paid for the postage by the steamers. In order to cover that amount and the uniform provincial rate of 3d. currency, 8d. currency is charged upon letters sent from Halifax to Canada. Owing

to the difference of currency in Canada, the fourpence sterling and threepence currency is secured by an imposition in Canada of sevenpence half-penny. Thus a difference of charge as between unpaid letters received and sent at the post offices in Canada and Halifax, to the extent of one half-penny, exists; and the same disparity exists as respects paid letters at the different post offices. Considering the difference of currency, the disparity will amount to nearly a penny; the sixpence sterling is in Canada but sevenpence, whilst in Nova Scotia it is sevenpence half-penny. Thus a letter posted in Halifax, and charged eightpence, to be paid for in Canada, costs within a fraction of sevenpence sterling, whilst a letter posted in Canada and charged sevenpence half-penny, to be paid in Halifax, costs but sixpence sterling, Halifax. Your committee believe, independent of these and other considerations, that the difference to the revenue in the Halifax office by the change suggested would be hardly appreciable, and they therefore recommend that the view of the postmaster general in Canada be carried out.

In the scheme for the conveyance of the mails eastward of Halifax, there is a change of the days of the departure of the Canada and New Brunswick mails from Halifax, which your committee believe will suggest itself to favorable consideration from the fact that it abolishes the practice of opening and despatching mails at Amherst on the Lord's day—all which is respectfully submitted.

W. A. HENRY, chairman.
JAMES McLEOD,
HUGH MUNRO,
JOHN HOLMES,

BENJAMIN WIER,
STEWART CAMPBELL,
STEPHEN FULTON,*
SAMUEL CHIPMAN.

Committee room, November 27, 1851.

* Except as regards any change which would prevent the inhabitants of Amherst from answering their letters by return mail.

Halifax, 25th November, 1851.

Sir—

I will convey four mails per week each way between Halifax and Pictou, leaving Pictou at three o'clock on the mornings of Tuesdays, Wednesdays, Fridays and Saturdays, and Halifax at six o'clock on the mornings of Mondays, Tuesdays, Thursdays and Fridays, for the sum of four hundred and seventy pounds currency per annum. The contract to date back, and to be paid me from the 6th of October, 1851, and to terminate five years from 5th July, 1851.

Time for travel between Halifax and Truro, *nine hours*, and an allowance of one hour for changing mails and detention of ferry. Time between Truro and Pictou, *six hours*, and half an hour for changing mails. On this plan mails would be despatched from Halifax, Mondays and Thursdays, at 6, a. m., and arrive at Sydney, Wednesdays and Saturdays, 7, a. m. Leave Sydney, Wednesdays and Saturdays, at 5, p. m., and arrive at Halifax, Tuesdays and Fridays, at 7 30, p. m.

Despatch from Halifax for New Brunswick, Tuesdays and Fridays, at 6 o'clock, a. m. Return from New Brunswick, to arrive at Truro at 8 o'clock, Wednesday and Saturday mornings, and at Halifax, 7 30, same day.

So soon as the railroad is ready to carry any portion of these mails, I will throw up that portion of the contract over which the road may be running, deducting from the amount to be paid me the sum of four pounds and ten shillings for each mile my route to Pictou is shortened.

The mails to be conveyed in covered carriages, (when roads will permit) drawn by not less than two horses for every 15 miles.

Terms of payment, quarterly, as usual.

I am, sir,

Your obedient servant,

H. HYDE.

W. A. HENRY, esquire, chairman post office committee.