





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

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From 9th February to 1st May 1854.

*Being the Fifth Session of the Fifteenth General Assembly.*

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**FREDERICTON, NEW BRUNSWICK.**

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

**1854.**





By His Excellency Sir EDMUND WALKER HEAD, Baronet, Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

EDMUND HEAD, Lt. Governor.

A PROCLAMATION.

**W**HEREAS the General Assembly of this Province stands prorogued to the last Tuesday of this present month of June, I have thought fit further to prorogue the said General Assembly, and the same is hereby further prorogued to the second Tuesday in September next.

Given under my Hand and Seal, at Fredericton, the twenty first day of June, in the year of our Lord one thousand eight hundred and fifty three, and in the seventeenth year of Her Majesty's Reign.

*By His Excellency's Command.*

J. R. PARTELOW.



By His Excellency Sir EDMUND WALKER HEAD, Baronet, Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

EDMUND HEAD, Lt. Governor.

A PROCLAMATION.

**W**HEREAS the General Assembly of this Province stands prorogued to the second Tuesday in September next, I have thought fit further to prorogue the said General Assembly, and the same is hereby further prorogued to the eleventh day of October next ensuing.

Given under my Hand and Seal, at Fredericton, the thirteenth day of August, in the year of our Lord one thousand eight hundred and fifty three, and in the seventeenth year of Her Majesty's Reign.

*By His Excellency's Command.*

J. R. PARTELOW.



By His Excellency Sir EDMUND WALKER HEAD, Baronet, Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

EDMUND HEAD, Lt. Governor.

A PROCLAMATION.

**W**HEREAS the General Assembly of this Province stands prorogued to the eleventh day of October next, I have thought fit further to prorogue the said General Assembly, and the same is hereby further prorogued to the second Tuesday in the month of December next ensuing.

Given under my Hand and Seal, at Fredericton, the twenty-second day of September, in the year of our Lord one thousand eight hundred and fifty three, and in the seventeenth year of Her Majesty's Reign.

*By His Excellency's Command.*

J. R. PARTELOW.



By His Excellency Sir EDMUND WALKER HEAD, Baronet, Lieutenant  
Governor and Commander in Chief of the Province of New Brunswick,  
&c. &c. &c.

*EDMUND HEAD, Lt. Governor.*

**A PROCLAMATION.**

**W**HEREAS the General Assembly of this Province stands prorogued to the thirteenth day of December instant, I have thought fit further to prorogue the said General Assembly, and the same is hereby further prorogued to the second Tuesday in the month of January ensuing.

Given under my Hand and Seal, at Fredericton, the sixth day of December, in the year of our Lord one thousand eight hundred and fifty three, and in the seventeenth year of Her Majesty's Reign.

*By His Excellency's Command.*

**J. R. PARTELOW.**

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By His Excellency Sir EDMUND WALKER HEAD, Baronet, Lieutenant  
Governor and Commander in Chief of the Province of New Brunswick,  
&c. &c. &c.

*EDMUND HEAD, Lt. Governor.*

**A PROCLAMATION.**

**W**HEREAS the General Assembly of this Province stands prorogued to Tuesday the tenth day of January instant, I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued to Thursday the ninth day of February next, then to meet at Fredericton for the dispatch of business.

Given under my Hand and Seal, at Fredericton, the fourth day of January, in the year of our Lord one thousand eight hundred and fifty four, and in the seventeenth year of Her Majesty's Reign.

*By His Excellency's Command.*

**J. R. PARTELOW.**

JOURNAL  
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LEGISLATIVE COUNCIL  
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**Province of New Brunswick.**

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**FIFTH SESSION OF THE FIFTEENTH GENERAL ASSEMBLY.**

ANNO DECIMO SEPTIMO VICTORIÆ REGINÆ.

**His Excellency Sir Edmund Walker Head, Baronet, Lieutenant Governor  
and Commander in Chief.**

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**At Fredericton in the Province of New Brunswick.**

*LEGISLATIVE COUNCIL CHAMBER, Thursday, 9th February, 1854.*

**T**HE General Assembly having been by five several Proclamations prorogued to this day, the House met—

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hazen,*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Odell.*

PRAYERS.

At two o'clock, His Excellency Sir Edmund Walker Head, Baronet, Lieutenant Governor and Commander in Chief of the Province, came to the Council Chamber, and being seated in the Chair on the Throne, commanded the Gentleman Usher of the Black Rod, through the Honorable the President, to let the Assembly know—  
“It is His Excellency’s pleasure that they attend him immediately in this House.”

Who being come,

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

*“Mr. President, and Honorable Gentlemen of the Legislative Council,  
“Mr. Speaker, and Gentlemen of the House of Assembly,*

**“IT** has pleased a Gracious Providence to continue since we last met the prosperity of New Brunswick.

“Our Agriculturists have upon the whole no reason to complain; the price of our Staple export has been maintained; the demand for our Ships is augmented, and their reputation

reputation is increasing throughout the world; our Fisheries have been successful, and the protection afforded to them on behalf of Great Britain by Vice Admiral Sir George Seymour and those under his command, will, I doubt not, be duly acknowledged by you.

“ New Brunswick has been exempt from the visitation of those diseases which have prevailed elsewhere; and we may be thankful that the storm of War which seems impending over Europe does not threaten our peaceful shores. I know well however that if the honor of the Mother Country should involve her in hostilities, your loyalty to our Queen, and your sympathy with our fellow subjects, would stir every bosom and arouse every feeling in favour of the British Flag.

“ With regard to measures of internal interest, I believe that the Railroad from the Gulf of Saint Lawrence to Saint John will advance in accordance with your wishes. I have full confidence in the honor and resources of those who have undertaken its construction.

“ Late in the Autumn an unexpected freshet caused some damage to our Roads and Bridges. Under the advice of my Council I have advanced such funds as were absolutely necessary for maintaining the communications of the Country. I have also taken steps for laying before you trustworthy information with regard to several considerable Bridges which require immediate repair or renewal. I need not on this occasion repeat the deep conviction which I feel of the necessity for some system of efficient inspection and responsible control over this important department of your public administration.

“ I feel it my duty to recommend you to pass some Bill for securing Passengers and Merchandise against wilful carelessness or culpable neglect in the construction and management of Steamers.

“ I have issued the money granted by you in your last Session for the enlargement of the Lunatic Asylum. I have every reason to believe that the management of that Institution is satisfactory.

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

“ It affords me sincere pleasure to congratulate you on the prosperous state of our finances. The Revenue of 1852 was greatly in advance of that received in the previous year, but the increase of our resources, in the twelve months just ended, shows still more evident marks of a flourishing trade, and proves an increased enjoyment of comforts on the part of our labouring population.

“ I trust you will sanction the step taken by the Government in paying off by anticipation the balance of the Debt funded in 1843, and due in London in this and the three following years. After discharging the floating balances due at the end of 1852, an offer on the part of the Government to take up these Debentures was made and accepted, so that the Province may now be considered as virtually free from debt. At the same time the balance now in hand, and the probable amount of the Revenue for 1854, will, I trust, leave at your disposal funds amply sufficient for the ordinary services of the Province.

“ You will have it in your power to deal as you please with the one per cent. Loan Duty. You may think that this impost, though light in itself, is vexatious from its separate collection, both to the importer and the Revenue Officer.

“ It is hardly necessary for me to observe that the increased importance of our finances properly demands increased vigilance and responsibility in their management and control.

*Mr.*

*“ Mr. President, and Honorable Gentlemen of the Legislative Council,  
“ Mr. Speaker, and Gentlemen of the House of Assembly,*

“ There is one topic on which I have not yet touched. The consolidation and amendment of our Provincial Laws is fraught with consequences most important to the future well-being of New Brunswick. The final Reports of the Commissioners appointed by me will be placed in your hands, and I trust you will see cause to acknowledge the industry and energy of the Gentlemen so employed.

“ You will no doubt avoid all needless delay in submitting for Her Majesty’s assent, in the form of Bills, those changes which may demand your immediate approval; but you will not at the same time forget the necessity for mature and anxious deliberation in such momentous questions.

“ I now leave you to the discharge of your public duties, with an earnest hope that God may bless your exertions, and promote thereby the happiness and prosperity of this Province.”

Which being ended, the House of Assembly withdrew, and His Excellency was pleased to retire.

The Honorable the President reported His Excellency’s Speech.

An Address, in answer to His Excellency’s Speech, is moved and seconded; which being read—

ORDERED, That the same be taken into consideration to-morrow.

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

*Adjourned until To-morrow at 12 o’clock.*

FRIDAY, 10th February, 1854.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Gilbert.*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Odell,*

PRAYERS.

*The House adjourned until To-morrow at 12 o’clock.*

SATURDAY, 11th February, 1854.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,*

*Mr. Botsford,  
Mr. Hatch,*

*Mr.*

*Mr. Solicitor General,  
Mr. Hazen,  
Mr. Gilbert.*

*Mr. Minchin,  
Mr. Odell,*

**PRAYERS.**

On motion—

The House went into consideration of the Address in answer to His Excellency's Speech.

The said Address being read, was adopted by the House, and is as follows :—

*To His Excellency Sir Edmund Walker Head, Baronet, Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.*

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

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal Subjects, the Legislative Council in General Assembly, thank Your Excellency for your Speech at the opening of this Session.

We desire cordially to unite with Your Excellency in acknowledging the hand of a kind Providence in continuing to us the prosperity we have so long enjoyed.

The very general interest which has latterly been evinced by all classes of the community in the science and pursuits of Agriculture, together with their successful results, are highly encouraging, believing as we do that this Province only requires knowledge and industry to make it increasingly productive. It is also a source of satisfaction to us to learn that the demand for our Staple Export is so extended, and that our Ships and Fisheries are rising in importance.

Our acknowledgments are due to Vice Admiral Sir George Seymour, and those under his command, for the able manner in which they have afforded protection to the latter branch of our industrial wealth.

Grateful to the Most High for preserving us from disease and impending War, we thank Your Excellency for the confidence you express in our loyalty to the Queen, and our sympathies for the Mother Country, now threatened with War; and while we trust that calamity may yet be averted, we firmly believe this portion of the British Empire will not be found wanting in the hour of peril to uphold the glory of that Flag which has made the name of Briton honored throughout the world.

We are gratified to find there is cause to believe that the first portion of the Railway Scheme from the Gulf of Saint Lawrence to Saint John, will advance in accordance with our wishes. And we trust from the full confidence entertained by Your Excellency in the honor and resources of those who have undertaken these internal improvements, that all the other portions of the contemplated Railways will likewise in due time be completed.

The necessity of keeping up the Bridges throughout the Country cannot admit of a doubt; and we shall receive with satisfaction the information Your Excellency intends to lay before us on a subject of such vital importance to our internal communications, and shall carefully consider any plan which may be devised for a more efficient control in that department.

We

We entirely agree with Your Excellency in the necessity of further legislative powers to avert the effects of carelessness or culpable neglect in the construction and management of Steamers, and promise our best attention to a subject, the consideration of which involves the personal welfare of our population.

We are pleased to hear that measures have been adopted by Your Excellency for the enlargement of the Lunatic Asylum, and to find that the judicious and successful management of that Institution continues unimpaired.

Deeply sensible of the serious consequences involved in a proper consolidation and amendment of the Laws, we look forward with great interest to the final Reports which Your Excellency promises to lay before us. We have every confidence in the ability and industry of the Gentlemen upon whom this duty has mainly devolved, and will devote ourselves, with that patient assiduity the importance of the subject demands, to the consideration of the momentous questions thus to be brought before us.

ORDERED, That the said Address be presented to His Excellency by the whole House.

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

The Honorable the President informed the House that the Honorable Mr. Robertson had obtained leave of absence from His Excellency the Lieutenant Governor for a part of the Session.

*Adjourned until Monday next at 12 o'clock.*

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MONDAY, 13th February, 1854.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Brown,  
Mr. Gilbert.*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Harrison,  
Mr. Odell,*

PRAYERS.

The Honorable Mr. Hatch, by leave, presented a Petition from Robert Watson, for remuneration for services.

*Adjourned until To-morrow at 12 o'clock.*

TUESDAY, 14th February, 1854.

PRESENT :

THE HON.

*Mr. Lack, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Davidson,  
Mr. Odell,*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert.*

PRAYERS.

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

At half-past one o'clock the House proceeded to the Government House with their Address in answer to His Excellency's Speech at the opening of the Session ;— and being returned,

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

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

*“ I have every confidence in the assurances of your loyalty and zeal for the public service, and I desire to thank you for the Address you have just read.”*

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

The Honorable the President read the same ; and it was again read by the Clerk, as follows :—

NEW BRUNSWICK.

*Message to the Legislative Council,  
14th February, 1854.*

EDMUND HEAD.

His Excellency the Lieutenant Governor lays before the Legislative Council the remaining Reports of the Law Commission, and recommends such Reports to the careful consideration of the Legislature.

E. H.

## LAW COMMISSION.

REPORT OF THE COMMISSIONERS FOR REVISING AND CONSOLIDATING THE LAWS.

*To His Excellency Sir Edmund Walker Head, Baronet, Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY,

Having had the honor of receiving from Your Excellency a Commission directing us to carry out the objects of the Act passed at the last Session of the Legislature, relative to the revision of the Provincial Statutes and the amendment of Law proceedings, we beg leave to report, that shortly after receiving the Commission, we entered on its duties by holding our first meeting at Fredericton, to consider the best mode of accomplishing the highly important objects contemplated by the Legislature.

We were required—"As well to consolidate, simplify, revise, and arrange in one uniform Code the Acts of Assembly, incorporating therein all such alterations and amendments as we should deem necessary, as to report on the procedure of the Courts of Law and Equity, and to suggest such alterations as might appear to us, or a majority of us, best adapted to lessen the expense and advance justice; and especially to take into consideration the Law of Evidence as now existing in the Province, and the propriety of altering the same; and to report separately thereon, the revision in one Report, and the alterations in Law proceedings in another."

These two departments presented a wide field of investigation, and although we deemed it quite impracticable to be prepared with both Reports at the present Session, we resolved to spare no pains in the codification of all the Statutes which could safely be touched, and at the same time to collect information on the more difficult subject of the improvement of Common Law and Equity procedure.

All the Acts of Assembly were examined and compared with great care and labour, and every Act repealed, amended, or in any way modified noted in the margin, so that the whole could be more readily referred to, and the Law upon any subject easily distinguished; and an alphabetical list of the unrepealed Laws was made by our Secretary to prevent any omission.

During the Summer we prepared various suggestions for improving the proceedings at Law and in Equity; and in the Autumn procured the Imperial Statutes passed at the preceding Session, which enacted almost all the improvements proposed by the Law Commissioners in England. These, with the novel and very interesting change in the Law of Evidence, permitting parties to give evidence for themselves, first adopted in the English County Courts and afterwards in the superior tribunals, became the subject of careful deliberation at several meetings, and led to the promulgation of the printed questions on all these points, which have been widely circulated throughout the Province, and to which at present a very limited number of answers has been returned.

We deemed this course of proceeding necessary not only as regarded the parties who might be affected by any changes eventually to be made, but that our own conclusions might be based on the most ample information, being convinced that reform in any department of human affairs, calmly and deliberately weighed, will stand the test of experience, whilst hasty legislation will be productive of nothing but disappointment.

Although thus compelled to postpone the consideration of the various questions of Law reform, we think it advisable to add a few words on that head, before passing to the revision of the Statutes.

We are already prepared to assert the necessity of extensive changes in the whole Law procedure of this Province. We think the practice of the Law must for the future be founded more on the principles of common sense than on ancient precedent; that it is time to abolish a system by which fictions seem too often to have been considered unavoidable in order that truth  
and

and justice might be reached ; that the old maxim, "*In fictione juris subsistit equitas*," whence have sprung all the subtleties of the action of ejectment, and many other modes of procedure, can no longer be considered the perfection of wisdom. We do not think the man who seeks justice should be driven from one form of action or Court to another, or that a Judge of any Court should ever be so painfully situated as to declare a party to have the right, but consistently with precedent find it impossible to afford the remedy.

We admit the present practice to be a science in which the rules of logic are applied with great exactness, and to which, after years of toil in mastering it, we are naturally attached ; but we are willing to sacrifice our predilections in favour of special pleading, and all the learning of pleas, demurrers, and new assignments, repleaders, and judgments *non obstante veredicto*, for greater simplicity and certainty in the exposition of facts, and less delay and expense in the attainment of justice.

With this Report we submit to Your Excellency, for the purpose of being laid before the Legislature, the Public Acts we have codified. It will be seen that we have compressed the language of the Acts in such a manner as to present them in one fourth or often in one sixth the bulk of their former size. They have not merely been stripped of the verbiage of endless expletives and repetitions, but the meaning of the Law has been frequently cast into an entirely new form, presenting, as we hope, at the same time, the sense intended to be conveyed. For example, the Marriage Acts, which are of such vast social importance, and the administration of which is in the hands of persons who have not access to the various books through which they are scattered, are very difficult to comprehend. The Chapter on that subject in our codification contains only eighteen sections, and a further improvement is recommended which will reduce it to fifteen. These are gathered from sixteen different Acts, extending from the organization of the Province to the last Session of the Legislature. The first section embraces the provisions of six of these Acts or parts thereof ; the second of four ; and the third of six ; so that the first three sections are culled from fourteen different sections of Acts, and in some cases a whole Act.

The law subjecting real estate to the payment of debts, and directing the Sheriff in his proceedings thereon, is another instance. It was difficult for a Sheriff to know the exact meaning of the old law ; this is now made plain and simple ; several improvements in the proceedings are recommended, and various ambiguities removed. The extent of the lien of judgments on real estate, and the mode of dealing with them, hitherto so ambiguous and difficult to be understood, have been made intelligible.

Much repetition has also been saved by a very enlarged Chapter of explanations of general terms, applying to all the Chapters of the Act. As a familiar illustration of this improvement, whenever anything was directed to be done by the head of the Government, there was a continual recurrence of the terms " His Excellency the Lieutenant Governor and Commander in Chief of the Province, or Administrator of the Government for the time being, by and with the advice and consent of the Executive Council." The words " Governor in Council," wherever they occur, will now, by the Chapter of explanations, signify all that is intended by that more lengthy form of expression.

The whole of the Acts codified make but one Act ; the divisions, framed on the Massachusetts model, will be found simple and perspicuous. The " Parts" shew the division between public and private rights, criminal, and other general heads. We propose to arrange them in the following order.

The Law prescribing the political division of the Province into Counties and Parishes will form a first Chapter by itself, defining the territory over which the jurisdiction of the Province extends, and the area affected by the legislation of the subsequent Chapters. Part the first will, with this Chapter, embrace all matters relating to the Legislature, the Revenue, the Post Office, Highways, and other matters affecting the public. The second, the acquisition and transmission of property. The third, the several Courts of Law and modes of proceeding in special cases, such as absconding, absent, and insolvent debtors. The last part will comprehend

hend the Criminal Law, and the administration of criminal justice. For the reasons already given, the third part, relating to Courts of Law, must necessarily be limited in extent, although whatever we conceived might not probably require revision has been inserted.

The "Titles" take a particular subject of a "Part," and these again, for method and convenience of arrangement, are divided into Chapters, and the Chapters into Sections, with the contents of each Section at the head of the Chapters. There will also be a general Index at the end of the Volume, to be prepared when it is to be printed for publication.

There is nothing in this revision which has not undergone a thorough sifting by at least three of our number, with the able assistance of our Secretary; and if in any instance we have mistaken the spirit of the Laws, or omissions may be discovered, we have laboured too strenuously to shrink from the assertion that the defects can only have arisen from the multitude and variety of the subjects embraced in the mass of Statutes codified.

That portion of them which we have purposely omitted from the first Volume relates principally to private rights and corporations, which will require to be presented in a second Volume, very much as they have already been printed.

The Acts authorizing Justices of the Peace to recover small debts, and the Surrogate Law, although connected with law reform, we thought it advisable to codify at once, since whatever alterations were deemed necessary, or could be made in the present circumstances of the country, have been attended to in this revision. In the Chapter "Of the Jurisdiction of Justices of the Peace in Civil Suits," we recommend that an appeal should no longer be allowed. We are unable to see why the verdict of twelve men in a case amounting to twenty pounds should be final, and yet when the contest is only for five pounds, and the verdict by three, that the latter should not also be conclusive. Should the Legislature, however, entertain a different opinion, the review will be found, as we have framed it, more expeditious and less expensive than the present mode.

We would especially call attention to the action of replevin, some new provisions for which will be found in the law relating to landlord and tenant. It has been a subject of doubt whether that action would lie where goods were merely wrongfully detained. That doubt we have now removed by allowing the writ to issue in such case as well as for a wrongful taking. The settlement of this point will not only enable a party to recover his own goods, however kept from him, but prevent the defendant from obtaining a nonsuit, or a verdict, and recovering costs, merely because the plaintiff has failed in proving a taking, at the very time he has succeeded in establishing the fact of the defendant having wrongfully *withheld his* property. We have also made the first writ issued answer as well for replevying the goods as for requiring the appearance of the party, which at present is only accomplished by a second writ if he does not appear on the first.—To remedy another defect in the present mode of proceeding as to the change of possession which frequently happens on issuing the writ, by which the Sheriff is unable to seize the property, we require the Sheriff to take the goods from the possession of any one who may have them, who thereupon becomes the defendant. We also allow a third party to claim before the Sheriff and defend if necessary, and should a verdict be given on such claim against the plaintiff we think he ought not to be driven, according to the present expensive mode of proceeding, to another action if that verdict be unjust, but should be permitted to continue the action and recover the value of the property restored to the claimant with damages and costs, if on a full trial before a higher tribunal he shall be found entitled.

We have also made several important amendments in the Law relating to Corporations, and introduced the modern principle of enabling them to make contracts without their common Seal.

We have added the greater part of a Chapter to the Law relating to Apprentices. As the Law now stands it appears to assume that certain preliminary conditions are known; we have incorporated these provisions in the Chapter codified.

The Law respecting the limitation of personal actions was very ambiguous and unsatisfactory; the time for enforcing various rights known only to lawyers, and its provisions contained in

several old Acts of the Imperial Parliament passed in the Reigns of King James the First and Queen Anne; we have compressed the whole into a single Chapter, intelligible to any mind of ordinary comprehension, and have introduced several new provisions consistent with the law and the state of the country.

In the Chapter relating to absconding debtors, and various others of a similar nature, we have prepared the necessary forms of proceeding, and included them in our codification. This is a matter of practical utility, and will be fully appreciated by every person called upon to administer these branches of the law.

We apprehend these improvements, with others in different parts of the revised code, will be found of great practical value, both as regards simplicity of proceeding and expense. Whenever any important alteration is made, it will be found marked in the margin with the word "New," or with such remarks as we thought proper to add to direct attention, or explain the object of the amendment. It is also to be noted that it has not been the least of our labours to make the arrangement of the several Sections more in harmony with the order of time when the things required are expected to be performed.

A few Acts partly finished will shortly follow this Report, and will be ready whenever required by the Legislature, to complete our first Volume.

When we suggest to Your Excellency, that the Commissioners appointed by the State of Massachusetts were engaged three years before they completed their Report of the Revised Statutes; that in Maine and Massachusetts the Report was considered by a joint Committee of both Branches of the Legislature for eighty six days in one, and fifty one in the other; and in both an extra Session of the Legislature, called for that purpose, was solely occupied therewith, you can easily believe that it required an extraordinary amount of labour to complete the codification this Session; but no sacrifice of time or labour on our part has been spared to effect an object so beneficial, which the country so ardently desires, and without which it will be impossible for any large class of persons to understand, far less appreciate, the improvement that may be hereafter made in the law proceedings and the administration of justice generally.

The avocations of the Attorney General have been so numerous and pressing that we have often been obliged to proceed without the benefit of his knowledge and experience; and the Surveyor General, when relieved from the duties of his office, has occasionally aided us with his practical knowledge.

We desire to record with great satisfaction, that we have received from our Secretary, W. H. Needham, Esquire, the most able and valuable assistance. His exertions have not been confined to mere writing or copying—although he has accomplished much in this way, and we believe given up most of his time to it—but his assistance in the art of condensing has materially tended to the accomplishment of so much of our labours.

After all our efforts, the indulgence of Your Excellency and the Legislature will have to be extended to defects, to which all human exertions are liable; and with every confidence that a candid consideration will be given wherever such may appear, we have the honor to subscribe ourselves

Your Excellency's most obedient servants,

W. B. KINNEAR, *Solicitor General.*

J. W. CHANDLER,

CHARLES FISHER.

*Fredericton, 22nd March, 1853.*

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**SECOND REPORT OF THE LAW COMMISSIONERS.**

*To His Excellency Sir Edmund Walker Head, Baronet, Licutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.*

**MAY IT PLEASE YOUR EXCELLENCY,**

Since our first Report made in accordance with Your Excellency's Commission and the Act of Assembly, we have given attention to those matters required by the Act which we had not time to investigate on the former occasion, and also to the finishing of the revision; and now submit this second Report, together with the printed revision of the Statutes, and six Chapters on Equity Law Procedure.

Although we anticipated, when the first Report was presented, that we had nearly finished that part of our duty which related to the revision of the Acts of Assembly, we found, on further investigation, a large amount of labour in arrear in that department alone; and while superintending the printing of the Chapters accompanying our first Report, we proceeded to complete the codification of all that remained, with the exception of those Acts which required to be infused into the Common Law and Chancery Reform, and such as we deemed necessary to form a second Volume.

We have prepared also for the revised Volume a Chapter containing a Chronological List of all the Acts repealed by our codification.

We have to observe that we have received a very small number of replies to the printed Queries, which we long since forwarded to the Legislators, the Judges, Officers of the Courts, Barristers, and Magistrates, throughout the Province. The Chief Justice, the Master of the Rolls, Judge Parker, and Judge Street, the Advocate General, the Hon. Thomas Gilbert, the late Hon. Wm. Crane, and Richard Carman, Edward Smith, Wm. N. Buckerfield, John T. Williston, and D. L. Dibblee, Esquires, are the only Gentlemen who have sent in answers.

After the utmost consideration that we have been able to give to the subject, we are constrained to differ from the view taken by the three Judges and Master of the Rolls, who have favoured us with their valuable suggestions on almost every head of our enquiries, relative to a very important and leading feature of reform, namely, the union of the Court of Chancery with the Supreme Court, and have unanimously decided on proposing such a union, according to the plan prepared and now submitted under the Title of "*Supreme Court, Equity Side.*"

From this difference of opinion, and the importance of the change from the existing mode of administering Equity both in this Country and in England, we feel it to be necessary to enter somewhat at large into the consideration which have induced us to adopt this view.

We think there is no one branch of our Jurisprudence in which we are so deficient as in our Courts of Appeal. In the Supreme Court we have four Judges, who, from a sound legal education and long experience in the Common Law Courts, are prepared at any time to settle principles of Law, after the case has undergone a thorough sifting at *Nisi Prius*. Whatever at times may be the doubts entertained of the soundness of a decision thus given, the general feeling among the Profession has always been that of confidence in their finally matured judgment, especially when each Judge has distinctly applied his mind to the particular case, and given his reasons for the opinion expressed. From this Court there is an Appeal to the Court of Error, consisting of the Head of the Government, and his Council, which is open to some grave objections. The matters of error are usually merely technical, and often for that reason, and their extreme nicety, the more abstruse; but they may, by means of a Bill of Exceptions, and in some other cases presented on the Record, become substantial; in which case it is obvious there is an Appeal from the best Court in the country to one singularly formed for the review of matters decided by such a Court. In ordinary cases it is plain that the Judgment of this Court is *liable* to be reversed by the decision of two or more professional gentlemen, at the very time in full practice, whose judgment may be heated by contests with the Judges, and by the violence of political debates; while it is *possible* the professional portion  
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of this Court may one day consist of the Attorney and Solicitor General alone, and either, or even both of whom, may have been Counsel in the cause appealed from, and consequently disqualified from acting. If these two gentlemen, supposing them to be qualified to sit, had the decision of an important case in their hands, or the non-professional members of the Council were to take part in it, and the Governor were unacquainted with the ordinary principles of Law, it must seem evident that such an appeal would be a mere mockery.

In the Court of Chancery we have on the Bench a sound lawyer, and a gentleman thoroughly acquainted with Equity Jurisprudence in all its branches. From any Order or Decree made by him there is an Appeal to the Governor as Chancellor, in which case it becomes necessary to seek the assistance of one or more of the Common Law Judges, upon whom in general, from the peculiar circumstances, the responsibility of affirming or reversing the Decree rests. Now here is perhaps as great an anomaly as in the case of a Review by the Court of Error; for the appeal is from the best judgment on points of Equity Law and practice, often more complicated and abstruse than the Common Law, to the judgment of those which, although the best in their own department, and when at the Bar undoubtedly good in this also, has become by disuse necessarily liable to be strongly influenced by that which weighs strongest on the most learned and the most upright minds, a delicacy in deciding against the views of one they deem more thorough than themselves in the knowledge of the principles they are called upon to review.

We conceive an appeal under such circumstances relieves the Equity Judge from none of his heavy responsibilities, while it throws a portion of them on those who feel themselves in a certain sense not fully adequate to undertake them.

The result is, that in some of the heaviest cases which can be conceived—such as the redress of breaches of trust and of frauds of the most peculiar character, the issue of injunctions to stay the hands of parties and even the Supreme Court from intermeddling with property or proceeding with suits, and requiring the literal performance of contracts—they all come to be decided substantially by a single individual, and that decision given under a peculiar species of Law, which, although in general better defined than is supposed, is yet spoken of as exercised through “the *conscience of the Court*,” and consequently must afford a pretty extensive latitude of interpretation. In cases of fraud especially, Courts of Equity undertake to govern their decisions by a much broader construction of what constitutes fraud than Courts of Law.

In strong contrast with these vast powers wielded by a single individual, we find the Supreme Court performing its branch of jurisprudence by the instrumentality of four Judges, with the aid of Juries and previous *Nisi Prius* trials, and in cases where upon Common Law principles the wrong and the remedy are both of a well defined and comparatively certain description, while the importance of the demand can never exceed that of any litigated in a Court of Equity.

There can be no doubt that strong as the opinion is in favour of the manner of administering Equity Law by the present learned Judge, there is a degree of want of confidence in the Court because of the deficiency experienced in no other of a proper *test* of its soundness; and as our Province advances in population and prosperity, with the occurrence of vacancies which will often be filled by men chosen probably more from regard to their political than their professional standing and character, it can scarcely be expected that the people will submit to be deprived of their property by the decision of a single Judge, or to be obliged to cross the Atlantic for the expensive judgment of the Judicial Committee of the Privy Council.

We propose, therefore, as a remedy for these evils, to transfer the whole jurisdiction of the Court of Chancery to the Supreme Court, giving the Master of the Rolls, on the Bench of the latter Court, a position of precedence in accordance with his present one, and conferring on that Court all the powers of Chancery, *without a fusion* of the principles or mode of administration belonging to the respective Courts. We ask particular attention to this last observation, because we think there is some confusion of ideas on this subject, which have served to create a prejudice against the union of the Courts, when in fact we alter nothing but the instrumentality by which Equity Law is for the future to be administered; and *that chiefly for the purpose of giving power to, and confidence in all that is already so valuable in its principles.*

We propose that any one of these Judges shall decide a case in Equity in the first instance, with an appeal to the whole five Judges in Term; and that, agreeably to the present practice in a suit at Law, there should be no other as we conceive there can be no better appeal than from the first decision in this branch of jurisprudence, to the five Judges in the Supreme Court. For a long time to come we think the country will be satisfied with this one substantial appeal; but if in some singular case there should still be a desire to press the matter further, the Judicial Committee of the Privy Council in England, it seems to us, should be the end of that true scale of ascent by which the best legal judgment can be had.

We do not propose this as the best arrangement under any circumstances, but as the best which this country in its present circumstances can offer; nor are we insensible to the argument that where five Judges of the Supreme Court will have to turn their attention to so many branches of the Law, they cannot be expected to reach the same eminence as when the sole time and attention of one individual has been bestowed on a particular department. Yet it must be remembered that when professional gentlemen of standing now reach the Bench, it is from a scene of laborious practice in every branch of our jurisprudence; and the knowledge thus acquired must necessarily be rendered more complete by constant practice as Judges, and be adequate to any effort put forth from the Bar. In the United States there have been very eminent Judges, and yet almost all of them have acted as Judges in Courts where not only Law and Equity, but Admiralty Law, have been thus unified; and the union of the two former powers extends to a very large majority of the State Courts: In 4 Kent's Coms. 163, Note (C), it is remarked that there are only four States which have Courts of Equity separate from the Supreme or Circuit Courts.

Even in England, where there are not less than seven Equity Judges, and where Courts of Appeal abound, the union of the Court of Chancery with the Courts of Common Law was, at the time of the last Report of the Chancery Commissioners, under deliberation, and only postponed as the subject of further consideration.

Mr. Justice Story in his first Volume on Equity, referring to one of the English Superior Courts, observes that "in some of the States of the Union distinct Courts of Equity are established; in others the powers are exercised concurrently with Common Law Jurisdiction by the same Tribunal, being at once a Court of Law and a Court of Equity, somewhat analagous to the Court of Exchequer in England." And since the passing of a Statute towards the close of the Reign of George III., authorizing the Chief Baron of this Court, or one of the assistant Justices, to sit alone and hear causes in Equity, with an appeal to the House of Lords, our proposed change bears a still closer resemblance to the practice of the Exchequer, a Court having both a Common Law and Equity side, with at the same time a more urgent necessity for the change, and with a greater advantage as respects this country, in having an appeal to the full Bench of Judges.

We have not overlooked the difficulties which have been urged against this amalgamation, as to the sittings of the Judges, and intermingling Jury trials with Equity hearings. But we trust we have been enabled to meet these difficulties by distinctly defining the powers of the single Judge, and those of the Court, which we have endeavoured to effect by always requiring one Judge to act where the Master of the Rolls now acts, and the Court to adjudicate where the Chancellor is now called upon when he sits as Judge in Appeal. Where a Jury is to be summoned for any Common Law interlocutory enquiry, the time and place of its sitting must necessarily be for the discretion of the Judge who requires the aid of a Jury to assist him in giving Equity; and when the case is to be heard by evidence taken at the hearing in open Court, the same may be done as pointed out more at large in our accompanying details, either at one of the monthly sittings at Fredericton, or at any of the Nisi Prius Courts where the greatest number of the witnesses reside, or the Court shall direct. Whether evidence is to be taken as now practised before a Master, or in open Court, will be decided when the points to be proved are settled by the Judge as hereinafter noticed; and if a case is to be heard at a Nisi Prius Court, it is to be after the Jury causes are over, when the Judge after a full hearing may at once decide, or take time to do so in all important cases, as at present. We

We regret the inconvenience this change may occasion to the present Judges of the two Courts, in obliging them to turn their attention more directly to departments of jurisprudence, to which, since reaching the Bench, they have been unaccustomed; but while in this, and in some other respects hereafter adverted to, their duties will be increased, we believe from the various changes we have introduced in the practice of both Law and Equity, greatly simplifying, and in many instances entirely discontinuing the use of many portions of it, those duties will be in those respects diminished. Nor are we without the hope that from the strength and support which will be experienced by a consultation and judgment of five learned men, with the increasing confidence of the profession and the country, they will ere long be satisfied with this alteration.

We have maturely considered the important question which, in England, has of late occupied so much attention, that of abolishing the Office of Master in Chancery, and should have been prepared to imitate the example of that Country; but from the vast difference between their judiciary system and ours, we have been unable to recommend any change for the better without a corresponding change in that department. It is to be remembered that in the Court of Equity alone in the Mother Country there are seven Judges, who under the new system, with each a Chief Clerk having powers corresponding generally to those of a Master, and a second Clerk, are able to accomplish all that was formerly done by the Masters, besides taking the evidence in Causes, in order that they may form a better judgment, as in Common Law Courts, of the value of the testimony.

Although much of this evidence will by our plan be taken before the Judge on the Hearing, with all the advantage of a decision on what he himself hears and sees, it would we think be quite impossible for the five Judges to perform any more duties; and we cannot see that we can be better served in those cases in which Masters will still be required, than by Gentlemen already well accustomed to their business. At the same time it will be seen the Court will have power to order any Barrister, if no Master live convenient, or for other good cause, to report on certain matters, and also scientific persons when necessary; besides it will not be possible with the proposed changes unnecessarily to protract matters; nor has the evil ever existed in this country, although the system is the same, to any thing like the extent prevailing in England.

In referring to the improvements we have proposed in the Equity procedure, a careful perusal of the Code now submitted might perhaps suffice without further observation; but we think it desirable to notice, in addition to the explanations already given, a few leading particulars. In the first place, we have prepared our proposed alterations in such a form that if they meet the approbation of the Legislature, *nothing further will be necessary than to incorporate them* at once with the revision of the Acts of Assembly in their appropriate place.

It will be seen also that we have been indebted to the Imperial Act passed in 1852 for many of the improvements here introduced, while we were at the same time pleased to observe a number of the changes of that Act, and the Rules passed in accordance therewith, to have been long since anticipated by the valuable Rules made during the tenure of office of the present Master of the Rolls.

It may be necessary to mention that without the preparation of an entire code of practice, which would be a work of enormous magnitude, and which we were not called upon to attempt, it was not possible to do more than improve or reform the present system; wherever therefore the rules here presented do not embrace all cases which may occur, the existing practice of the Court of Chancery in this Province must be resorted to.

The whole is however subject to being further modified, for the purpose of extending the proposed provisions, by rules which the Judges are authorized to frame from time to time, as has been extensively done in England since the passing of the late Statute for improving the Practice in Chancery.

In one respect we have altogether departed from the old mode of proceeding, by commencing every suit, unless where an Injunction is sought, with a Summons briefly indicating the object of

of the suit, so as to give the party the opportunity before a heavier expense is incurred of settling with the plaintiff.—This is in conformity with the practice at Common Law, which we think is wisely adapted to prevent a debtor from being plunged at once into an expensive suit before, by notice, he has been warned of the consequences.

The proceedings also against a person out of the limits of the Province is, we think, very tedious and expensive, when it is considered that a Decree made in such cases is subject to being reconsidered within certain periods of time.

In imitation of the late Common Law Procedure Act passed in England, we at once substitute for the Act 3 W. 4, c. 13, (which makes an order of appearance served on *non-residents* necessary to entitle the Plaintiff to a decree,) the service of the summons itself, heretofore held insufficient because out of the jurisdiction of the Court, and instead of proceeding against an *absent person* (under the Act 48 G. 3, c. 2) by Bill filed, subpoena issued, affidavit of party having absconded to avoid service, or being twelve months out of the Province after cause of action accrued, an order for appearance founded on proof of these facts, and this order published in the Royal Gazette and posted up where he last dwelt,—we authorize the Judge to make the order for appearance on affidavit of the absence of any person, non-resident or otherwise, and of prima facie grounds for filing a Bill, and to order the Bill pro confesso if no appearance be entered at the expiration of the time mentioned in the order. We are of opinion that this more simple course, together with preserving, under some modification, the right to the defendant to have the decree reconsidered, will be sufficient to protect any absent party from injustice. At the same time there is nothing in the case of an absent debtor more than that of a non-resident, to prevent a plaintiff from having his summons served wherever the party may be found out of the jurisdiction, and proceed according to the manner we have pointed out. The last Act also affords no remedy, where it could not be shewn that the defendant had absconded to avoid process or had left before the cause of action accrued.

As every defendant may be required to answer the Bill of the plaintiff on oath, we think the latter should be subject to the same practice, especially since, in conformity with the late English Statute, the Bill is no longer to be hypothetical, but a plain narrative of facts. Both these improvements are the more important, as heretofore what a party stated in his Bill could seldom be made evidence against him, from its garbled and often untrue statements, which in fact was a part of the system now happily at an end in England. We have therefore followed the English change in this respect, as well as in giving power to the defendant to exhibit interrogatories to the plaintiff in the same manner and for the same ends as the plaintiff requires an answer from him, and without the great expense and delay of a cross Bill.

It was well known to the practitioners in Chancery, that the plaintiff may on the hearing, and with or without evidence obtained, after issue joined, take such portions of the defendant's answer as may establish any part of his case, and as this was never done till the hearing, it was not possible precisely to know how far proof might be required on the broad grounds stated in the Bill and answer, which obliged the parties often to seek for evidence beyond what might be necessary for fear of a deficiency in a matter so essential. To obviate this difficulty and make it clear to all parties what is required to be proved, we have proposed a practice hitherto unknown in any of our Courts, but long existing, we believe, in Scotland, by which a Judge shall have power after issue joined, in presence of the Counsel on both sides, to settle what facts are admitted and what denied, leaving only those not admitted by either side to be established by evidence.

It may also be properly observed here, that we have abolished what is called a rehearing after a decree, because all that is gained by a rehearing may be had on an appeal; and as a Bill of Review is only used after a decree has been enrolled, and a supplemental Bill in the nature of such Bill before enrolment, for newly discovered facts, we have also abolished those proceedings, an entry of the material facts of a cause in a regular Decree Book having been substituted by us for the enrolment; at the same time giving power to the Court to hear any newly discovered facts on the appeal, which can only be done on such a Bill, or such supplemental

mental Bill, along with any other defect in the proceeding objected to ; and by these changes disposing of a large amount of delay and expense.

We should have been glad to enter somewhat at large into an explanation respecting a great variety of improvements to be found in the Chapters we now present to Your Excellency, but fearing to be wearisome, we shall conclude our remarks on this branch of the Law, merely observing in addition, that in various proceedings in the Master's Office, in the Foreclosure and sale of Mortgages, in cases where Infants are interested, in Partition of Lands, besides sundry Forms, we have endeavoured by a great number of alterations to make the Practice in Equity procedure more plain and simple, and far less expensive.

We have nearly completed the preparation of various improvements in the Practice and Proceedings at Common Law, which we hope shortly to submit to Your Excellency.

We have the honor to be

Your Excellency's obedient servants,

W. B. KINNEAR, *Solicitor General*,  
J. W. CHANDLER,  
CHARLES FISHER.

Fredericton, 4th January, 1854.

### THIRD REPORT OF THE LAW COMMISSIONERS.

*To His Excellency Sir Edmund Walker Head, Baronet, Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY,

In our Second Report which we had the honor to lay before Your Excellency in the early part of the month, we stated the progress we had made since the last Session of the Legislature in the various duties of our Commission; and we also accompanied it with the drafts of the Bills to abolish the Court of Chancery, confer upon the Supreme Court the necessary Equity Jurisdiction, and to simplify Equity Practice.

The six Chapters upon Equity Procedure were all that we could complete in time to be presented to Your Excellency with that Report, though the various subjects which we now submit for the consideration of Your Excellency and the Legislature, had been long and maturely weighed, and the process of reduction to a form fit for Parliamentary action nearly completed.

The codification of the Public Acts is completed, and if there is any omission in that department, we shall be able to supply it before the various Chapters into which it has been divided pass through the Legislature, and while we are arranging the Private and Local Acts, which will form a second Volume.

In our First Report we referred to the principal alterations and amendments we have suggested in the Acts codified, but our object then being more to simplify and render intelligible the Statute Law than to amend it, reform was necessarily a secondary consideration.

During the past year we have been enabled to complete the revision, and carefully consider the different subjects of enquiry prescribed by the Legislature, and in this investigation we have discovered various defects in the Law, the amendments to supply which we propose to engraft upon the different Chapters in their appropriate places. This was the first part of our duty, which in the language of the Act is stated to be, "as well to consolidate, simplify, revise, and arrange in one uniform code, the Acts of Assembly, incorporating therein such alterations and amendments as we should deem necessary."

We were also required "to report on the procedure of the Courts of Law and Equity, and to suggest such alterations as might appear to us, or a majority of us, best adapted to lessen expense and advance justice; and especially to take into consideration the Law of Evidence as now existing in this Province, and the propriety of altering the same."

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This enquiry compelled us to survey the whole condition and machinery of the Courts of Law and Equity; to ascertain their adaptation to the present state and wants of the country, and their capacity to satisfy the legitimate demands of a progressive people; to examine into the present mode of conducting suits, and practice of the Courts in relation thereto; to consider the ingredients of an ordinary trial and its incidents; to examine the Jury system; and especially to consider the state of the Law of Evidence, and the propriety of altering it; and to enquire how far the present practice was likely to secure substantial justice to the litigant parties.

We have endeavoured calmly and deliberately to consider these several important questions, and divesting ourselves of all professional bias, to weigh well the changes and improvements which others have effected in these departments of Jurisprudence. We are of opinion that whilst every thing social, industrial, and political in this Province is rapidly improving according to the requirements of modern civilization, the practice of our Courts and the administration of justice generally, retain too many features of a barbarous age, and too much of its ancient gothic character, and we think nothing but a series of radical reforms will adapt them to our age and country.

The two great ends which the Legislature have aimed at were to lessen expense and advance justice. From the earliest period of the history of the Mother Country, the Founders of our system of Jurisprudence have aimed at the same result.

We have already given the reason which induced us to recommend the union of the Courts of Law and Equity, and we now recommend the abolition of the Inferior Courts of Common Pleas, except in the City and County of Saint John, and the establishment of Assizes twice every year in each County of the Province, and that the General Sessions should be held at the same time. This will relieve the people from one Grand and one Petit Jury in every County except York, Charlotte, and Saint John, and two in York and Charlotte. This plan will require all Criminal and Civil Suits to be tried at the Circuit Courts over which a Judge of the Supreme Court would preside. The Sessions could either at the same time in a different apartment transact their ordinary local, fiscal, and municipal business, or adjourn to a more convenient day. They would, as well as the Grand Jury, receive the advice and instruction of the presiding Judge; and the ordinary Criminal business of a Circuit, with the supervision of the County Accounts, might be disposed of in the time generally occupied by a Grand Jury under the present system, who are often delayed by the local officers. In incorporated Counties the duties of the Grand Jury will be confined to the Criminal business of the Circuit Court, and the business of the Session reduced within a narrow compass. Should the Legislature determine to retain the Inferior Courts, we recommend that either party to a suit should have a right to remove it into the Supreme Court at any time before trial.

We have excepted the City and County of Saint John, because we believe that in a large and commercial community such a local tribunal for the settlement of controversies of small amount advisable.

We propose to transfer the Jurisdiction of the Court of Marriage and Divorce to the Supreme Court. Suits relating to marital rights are not of frequent occurrence, but we think the Supreme Court alone should be the tribunal for litigating every question of importance in this Province.

We believe these alterations will not increase the business of the Supreme Court, as may be at first supposed. The simplicity of legal proceedings, the abolition of so much that is technical, and provision for the disposal by a Judge at Chambers of many trifling questions which were hitherto required to be done before the Court in banc, will greatly lessen the ordinary routine business of the Term. We also propose that a single Judge should sit on the Saturday and Monday before every Term for the hearing of common motions. This is the plan of the Bail Court in England. These improvements in the transaction of the business of the Court will allow ample time for the hearing and decision of all questions which may be of sufficient importance to require the consideration and judgment of five Judges.

The next subject of our enquiry was the improvement of the Jury System. The Grand Jury at the Sessions, whose duties are mostly of a fiscal character, should in our opinion be elected

with the other Parish Officers by the rate payers, if the present Sessions system continue; as we propose to abolish it, we have recommended the best mode of selection that we could discover. Either the Sheriff must continue to exercise his discretion in the choice of Jurors, or they must be selected by ballot. If the choice is to be discretionary, we think that it will be more safely vested in the Sheriff, than in any plan of dividing the responsibility. Some such system has been adopted in Nova Scotia with very doubtful utility, if the recent accounts of occurrences at their Courts are at all to be relied upon.

We propose that the several Juries for every Court shall be drawn before the opening of the Court by the Sheriff at the Office of the Clerk of the Peace, from the different Parishes of every County according to population, making it imperative to select at least one from each Parish. To secure as good a class of men as we could under this system, we prescribe the qualification of a Juror to be the possession of £100 of real or personal property, and require the Sheriff annually in the month of January to make a Jury list of such persons: the present qualification of a Grand Juror being £25 of real, or £100 of personal property, and of a Petit Juror a freehold of the annual value of forty shillings, or personal property to the amount of £50. In incorporated Counties the list is to be prepared by the Secretary Treasurer, who is to perform the duties assigned to the Clerk of the Peace in other Counties.

We provide that every Petit Juror shall be paid five shillings per day for his attendance at Court. We believe this provision will secure the prompt performance of all the duties of a Juror. This is to be a charge on the County funds; but as we direct that all fines imposed in the County for any purpose, and which hitherto formed part of the Casual Revenue, should be paid to the County Treasurer, we think that the compensation of the Jurors will not add much to the local burdens. For the same purpose we also provide for the payment of a Jury fee for the trial of every cause.

By the present practice a Special Jury is only obtainable on application to the Court in Term; as this cannot be done till after issue joined, it frequently leads to delay. When the cause is brought to issue between a Term and a Circuit in any County, it must be tried by a common Jury, or stand over till another Circuit. We authorize either party to apply to the Clerk of the Peace at any time, and on reasonable notice being given to the adversary, to strike a Special Jury.

The most difficult branch of this part of our enquiry was as to the propriety of reducing the number of Jurors in civil trials, and what proportion should be required to agree upon a verdict. The Judges concur in opinion that in civil causes unanimity in Juries is not indispensable; and the Chief Justice and Mr. Justice Parker are favourable to a reduction of the number. Though trial by Jury is an institution as ancient as the Common Law, we believe that in England and the United States, countries retaining that institution and the principles of the Common Law, no change has been made in this department of the administration of justice.

We however recommend that the number of Jurors should be reduced to seven, except for the trial of a capital felony, and in civil cases that five should render a verdict, after deliberating two hours; if after six hours' deliberation five cannot agree, we propose that they should be discharged. In all criminal cases we require unanimity. It appears to us that this will remedy a great defect in our present mode of administering justice, and it is restrained within safe limits, as more than two thirds must always agree to render a verdict.

We also recommend the abolition of the system of depriving Juries of meat, drink, or any other comfort, till they agree upon their verdict. This is a senseless provision and a relic of barbarism which if not abolished by modern legislation, modern ingenuity has always evaded.

The next subject of our enquiry was the state of the Law of Evidence. Our attention was especially directed thereto by the Law authorizing our appointment. The Law of Evidence in force in this Province differs very little from what it was in the first settlement of the country, whilst in Great Britain it has continually undergone great changes. With us the slightest legal interest disqualifies the witness. In England for a long time pecuniary interest, apparent or real, has been no ground of excluding a witness from giving testimony; but the greatest change effected

effected has been to make parties witnesses for and against themselves. This practice has been in operation in the County Courts for a number of years, and has worked well. It has recently been introduced into all the Courts, and with entire success. Though at first it encountered much disfavour and opposition from some of the Judges, its success has been so complete that it has vindicated its title to a permanent position in the Jurisprudence of the Mother Country, and we believe it has been extended to Scotland. In our opinion it is the most beneficial change that can be made. If in a populous community it will work well, the reason is stronger among a limited population, where the character of every man is known. Its adoption appears to us necessary to satisfy an important principle, that in obtaining evidence the best source should always be resorted to, and we believe no measure will so tend to the ascertainment of the real merits of the controversy as the examination of the parties who must know the facts.

In the case of husband and wife, we regard as confidential all that may be said by either when alone to the other, unless personal safety requires the disclosure. We think the true interest of the marriage relation will be better consulted by not permitting the wife to give evidence for or against her husband, and her exclusion from the witness box under such circumstances will be a positive privilege conferred upon her, of which she should not be deprived by the apparent advantage of adopting a different rule.

The next subject of our enquiry was the Practice of the Courts of Common Law. We have not attempted to prepare a new code; had our Commission embraced that object it would have been impossible in the short time allotted to us to have performed a work of the kind.

We were required "to suggest such alterations as might appear to us, or a majority of us, "best adapted to lessen expense and advance justice." We have drawn a number of Chapters accompanying this Report, containing such alterations as in our opinion will best secure that result.

In preparing these Chapters we have availed ourselves of the very important amendments made in the practice of the Law by the English Common Law Procedure Act of 1852. We have also considered the improvements which have been made in several of the United States, having adopted of either what we deemed beneficial, modified some things, and introduced such other improvements as our own experience, or the judgment of others, has induced us to think will work well; and to prevent any difficulty in determining any particular question that may arise, we have provided that the present practice of the Court shall be taken to supply any defect or case omitted.

We propose that hereafter there shall be only four forms of actions; three personal—CONTRACT, TORT, and REPLEVIN; and one mixed—EJECTMENT.

CONTRACT to include *Account, Assumpsit, Covenant, Debt, and for Penalties.*

TORT to include *Trespass, Trespass on the Case, Trover, and Detinue.*

The action of Replevin we have already stated, is greatly improved, and will in all probability hereafter be the remedy generally adopted to recover personal property.

It will be observed that the two first forms of personal actions actually comprise the most ancient divisions known to the Law as *ex contractu* and *ex delicto*, and the various forms into which they have been subdivided are the refinements of more recent times.

Ejectment will in future be in reality a mixed action, for in addition to the recovery of the land, the plaintiff may also recover for *mesne profits*, which are made to include trees or any other thing of value savouring of the realty, taken from the land. The defendant is also permitted to recover compensation for improvements made on the land under certain circumstances. This is a modification of the American system of betterments so called.

We propose to abolish all the fictions in the action of Ejectment, and make it a plain common sense controversy between real persons. Whenever the defendant claims title under a Deed adjudged fraudulent, we authorize a suggestion of that fact on the record, and that after five years from the trial it shall be conclusive evidence of the fraud against all persons claiming under the same title. The Law relating to the operation of conveyances of land, made when

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in the adverse possession of another, is absurd, and the rule should be repealed, and the question for trial in future be, in whom is the legal title, irrespective of any such technical jargon. We have prepared simple forms to enable the parties to the action to state their claim and defence intelligibly.

We authorize the Sheriff after the sale of land in possession of the defendant to put the purchaser into possession without any action therefor. We have also simplified the proceedings in Dower.

We have abolished Bills of York and Common Capiases, and have provided that every action shall be commenced by a Summons, which will plainly indicate to the defendant what is the nature and amount of the plaintiff's claim, and the costs.

In Bailable actions the first process is a Capias, which only differs from the Summons in the provision for arresting the body.

With respect to the Law of Arrest we propose to restrict the right to hold to bail to cases where the plaintiff swears that he believes the defendant designs to leave the jurisdiction of the Court, and that he will thereby lose his debt unless the defendant is held to bail: *as the Law now stands*, in actions upon contracts the plaintiff can arrest his debtor by an affidavit of the debt only.

In our opinion imprisonment for debt must finally be abolished, but we do not think the country prepared for so great a change, and if it were, it could not be safely adopted without a series of important amendments in the whole Law of debtor and creditor. We have therefore gone as far in that direction, as in our opinion the circumstances of the country and the state of the Law would at present warrant. We also propose that no female should be arrested for debt on mesne or final process; her sex should exempt her from the operation of a law which partakes of a penal character.

We have simplified the proceedings and lessened the expense of bailable actions, and abolished special bail. In future the bail bond given to the Sheriff will be the only undertaking required from bail. We have made such provisions with regard to it as will preserve the security to the plaintiff, without exposing unwary or too credulous bail to be entrapped.

As the Law now stands parties to Bills of Exchange and Promissory Notes must all be sued in separate actions, their liability being distinct; this in cases of several indorsers greatly increases the costs; no plan could be devised more likely to defeat the object of the holder of the note than one which so largely adds to the charges upon the promissor. Oftentimes the expenses of insolvent parties have swallowed up the amount realized from the parties able to pay, and in many instances during the last commercial depression, the plaintiff and defendants, after struggling a while in the network of paper securities became bankrupt together. We propose that they may be included in one action, and if any defend, provision is made for trying the issue without inconvenience. When a party to a contract made in the Province resides abroad, we have provided for serving him with a summons, and trying the question here.

We have abolished all the useless statements, averments, and verbiage contained in the declaration, and have prescribed the necessary forms which state the plaintiff's claim as concisely as possible. An examination of the precedents we have given, is necessary to understand and appreciate this great change and improvement in the conduct of a suit. The declaration in slander which heretofore has been so great a stumbling block to the pleader, is stripped of all its absurdities, and now will merely put in issue the speaking of the words and their defamatory meaning.

Having so far innovated upon the old declaration, we have no difficulty in proposing to abolish the whole system of special pleading. An Act passed in 1850 effected a great alteration in that branch of the Law, and it is somewhat strange that the very exceptions in that Act are the class of persons and cases in whose favour the principles of special pleading were first relaxed in Massachusetts, clearly proving that there is no real consistency in the advocates of that theory. Lord Coke condemned the whole system upwards of two hundred years ago in these words—"When I diligently consider the course of our books of years and terms, from the begin-

"ning

“ning of the Reign of Edward the Third, I observe that more jangling and questions grow upon the manner of pleading, and exceptions to form, than upon the matter itself; and infinite causes lost or delayed for want of good pleading.”—*Coke on Litt. page 303.*”

Instead of a variety of special pleas or notices, we propose that there be but one plea—the general issue—in all actions, under which the defendant may give in evidence any defence whatever available in law to defeat the action, which may be met by the plaintiff by evidence on the trial according to the peculiarities of every case. The only notice required is of the set off, which must be given when the defendant intends to avail himself of that defence.

We propose to retain the general demurrer, but its use will be of rare occurrence.

We provide for every description of amendment at any stage of the cause, to enable litigants to obtain a trial on the merits. Parties may in like manner be added or struck out. The Court or a Judge on the trial, or in vacation, permitting such amendment, being authorized to impose such terms as to costs or otherwise as are agreeable to justice.

According to the present practice the law appears to delight in technicalities, and important rights are exposed to be sacrificed to a quibble: we think such a state of things a disgrace to the jurisprudence of an enlightened people. The most efficacious remedy for the evil is to be found in permitting amendments to be liberally made at any time in the progress of the cause. Oftentimes when parties have finally recovered, the delay and expense incident to so refined a system are as ruinous as defeat. Motions, Demurrers, Arguments, and new trials, are too often the creatures of this system, and learned Judges are gravely employed in discussing artificial distinctions and refinements instead of the real merits of the case.

Although we believe new trials will hereafter be less frequent, we propose to place on them the following restrictions;—When the Jury give a unanimous verdict, and the Court are of opinion substantial justice has been done, we think it should not be disturbed. When the verdict is set aside on the sole ground of its being against evidence, a second verdict should not be set aside for the same cause; and after three verdicts for the same party, there should be an end of litigation. If three Juries after full deliberation arrive at the same conclusion, it is only reasonable to infer that substantial justice has been done.

We have also prescribed a course of practice in Term, which will expedite the hearing of motions for new trials, and generally secure their being argued in the first Term after the trial takes place.

We destroy all the legal devices by which a Judgment could be overturned, and take away the right of appeal in this country from the decision of the Supreme Court, leaving the party his appeal to the Judicial Committee of the Privy Council.

In England notes and other securities for money are allowed to be taken in execution; after full consideration we do not recommend the introduction of that course, the state of our country and the relative value of such securities, do not warrant it; but we propose that certain kinds of *choses in action* may be assigned in the same manner as promissory notes.

We have narrated some of the principal improvements proposed in the practice of the Courts, but it will be necessary to examine the Chapters accompanying this Report, to understand or appreciate the nature or extent of these improvements. It has been our principal desire to simplify all the proceedings, that we might attain the two fold requisites of our commission,—diminution of expense, and advancement of justice,—and we believe these amendments will make an important stride in that direction.

We have enlarged the power of the Surrogate, for the purpose of bringing justice as near to every man's door as possible, in the following respects; by authorizing him to appoint guardians to infants, where the estate does not exceed five hundred pounds; to assign dower in certain cases; to enable him to provide for the enforcement of contracts made by deceased persons for the sale of lands to a certain amount, where there are infants; and to enable him to compel Executors to convert the real estate into personal for the payment of debts.

We have made a few improvements in the practice of the Court of Exchequer, which we conceive to be immediately necessary, but we have had no time to consider the whole practice

of that Court with a view to its general improvement ; nor could we give any attention to the present state of the Admiralty Court, or that portion of the practice of the Ecclesiastical Law which extends to this Province.

We cannot close this Report without again expressing our estimation of the very valuable services rendered the Commission by our Secretary, William H. Needham, Esquire; a great part of his time has been devoted to that service; without his assistance we could not have accomplished so much in the ordinary duties of the revision, and he has contributed largely to the materials of many of the important improvements we have made in the practice of the Law.

We submit these amendments and improvements to Your Excellency, for the purpose of being laid before the Legislature, satisfied they will receive the grave consideration their importance demands. We are not insensible to the many inaccuracies a careful examination of the work will disclose, it is incident to the labour and difficulty of weeding from the mass of Statutes and legal proceedings we have been compelled to revise, the verbiage which has accumulated for a series of years; we therefore anticipate a full measure of indulgence may be extended to us, in the earnest hope that our united exertions may inspire increasing respect and confidence in the Judicial Institutions of our country.

We have the honor to subscribe ourselves

Your Excellency's most obedient servants,

W. B. KINNEAR, *Solicitor General*,  
J. W. CHANDLER,  
CHARLES FISHER.

*Fredericton, 24th January, 1854.*

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

From Thomas Moses, for remuneration for services:

From Daniel M'Lauchlan, with like prayer: and

From Charles Anthony Thompson, for Return Duty.

ORDERED, That the same be received and lie on the Table.

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

From William Segee, remuneration for services given to the House of Assembly:

From William Hanson, for legislative aid: and

From Abner Hill and others, for an Act of Incorporation.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Hazen, by leave, presented a Petition from Silvain Babino, for remuneration for services.

ORDERED, That the same be received and lie on the Table.

*Adjourned until To-morrow at 12 o'clock.*

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WEDNESDAY, 15th February, 1854.

PRESENT:

THE HON.

*Mr. Saunders,*  
*Mr. Chandler,*  
*Mr. Solicitor General,*

*Mr. Black, President.*

*Mr. Botsford,*  
*Mr. Hatch,*  
*Mr. Minchin,*

*Mr.*

*Mr. Hazen,  
Mr. Brown,*

*Mr. Harrison,  
Mr. Gilbert.*

**PRAYERS.**

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

The Honorable the President read the same; and they were again read by the Clerk, as follows:—

**NEW BRUNSWICK.**

*Message to the Legislative Council,*

*15th February, 1854.*

**EDMUND HEAD.**

His Excellency the Lieutenant Governor lays before the Legislative Council copies of the following Correspondence with Her Majesty's Secretary of State for the Colonies:—

1st. Relating to Mr. Charles Connell's resignation of his seat as Legislative Councillor.

2nd. Correspondence upon the subject of private and exceptional legislation in this Province.

E. H.

**MR. CONNELL'S RESIGNATION.**

Copy—No. 27.

*Government House, Fredericton, N. B., April 12, 1853.*

MY LORD DUKE,—I have the honour to inform Your Grace that the Honorable Charles Connell has tendered to me the resignation of his seat in the Legislative Council, which I have accepted.

Mr. Connell has, I believe, taken this step in consequence of a requisition to him from his former constituents in the County of Carleton, to become a candidate for the vacancy caused in the representation of that County by the death of Mr. Beardsley.

I have the honour to be, &c.

(Signed)

EDMUND HEAD.

His Grace the Duke of Newcastle, &c. &c. &c.

Copy—No. 26.

*Downing Street, 14th May, 1853.*

SIR,—I have to acknowledge the receipt of your Despatch No. 27 of the 12th April last, and to acquaint you that I have submitted to the Queen the resignation which has been tendered by Mr. Charles Connell of his seat in the Legislative Council, and which has been provisionally accepted by you, and that Her Majesty has been pleased to accept the same.

For your future guidance, I may mention to you that the resignation of the seat of a Legislative Councillor can only be accepted by Her Majesty.

I have, &c.

(Signed)

NEWCASTLE.

Lieut. Governor Sir E. Head, Bart., &c. &c. &c.

**PRIVATE AND EXCEPTIONAL LEGISLATION.**

No. 36.

*Extract from a Despatch of Sir Edmund Head to the Secretary of State for the Colonies, dated Government House, Fredericton, N. B., 6th May, 1853.*

MY LORD DUKE,

1. I have the honor to enclose a copy of a Speech with which on the 3rd instant I closed the Session of the Legislature of New Brunswick.

Your Grace will probably observe the following words towards the end of my Address:—

"I cannot allow this Session to terminate without expressing some fear that inconvenience will  
" arise

“arise hereafter in this Colony from the increasing tendency to private legislation, any such inconvenience will be more felt in proportion as we look forward to the investment within our limits of “foreign capital.”

I feel that it is my duty to offer some sort of explanation of this remark, implying, as it seems to do, a species of censure on the Legislature.

2. It may naturally be said that I, as Lieutenant Governor of the Colony, am myself answerable for any erroneous legislation of this kind, inasmuch as my assent is necessary to every Bill. In the first place however it must be observed, that before assenting to Bills which have no suspending clause, the certificate of the Attorney General to the effect that they contain nothing contrary to the Royal Instructions, is always required.

In the second place, the Instructions in their present form, as I pointed out in my Despatch of April 28th, 1852, cannot in many cases be carried out literally, so as to operate as an efficient check on improper private Bills.

In the third place, the principle that increased powers in Local Government, should be left to the Local Legislature, carries with it necessarily increased responsibility resting on the Council and Assembly, in the case of private as well as public Acts. On this principle it was I conceive that Her Most Gracious Majesty was advised to confirm the Act of 1852, for incorporating the Albert County Mining Company, notwithstanding the Report of Her Majesty's Law Officers in England.

Lastly, I believe that if the present loose system of private and exceptional legislation be an evil, such evil cannot be remedied by any external interference or authoritative disallowance of the Acts, either by Her Majesty in Council or by Her Representative in the Colony. The remedy must be sought for in the good sense of the people themselves, and in a growing conviction of the deep responsibility under which Laws are made by the Provincial Legislature. Such a conviction can only flow from the enjoyment of free action in the matter to which it relates.

3. Your Grace will readily see that I can have no interest in raising any question with regard to the system pursued by the Colonial Legislature in this matter. The Acts referred to are eminently local in their character, and do not generally affect the Crown, or the Lieutenant Governor. The period moreover during which I shall administer the Government of New Brunswick is probably drawing to a close. I cannot however allow it to terminate without placing on record my sense of the danger and difficulty likely to arise from this growth of legislation of a partial and private character. It is difficult to imagine what will be the condition of the Colonial Statute Book, if such a system of exceptional law making continue uninterrupted for ten or twelve years more.

4. Take one such example as the Act already referred to—that for incorporating the Albert Mining Company,—which in reality operated on a single square mile of land. Persons who have seen privileges of this sort granted by a special law to one set of private speculators, naturally hope that they too may be equally fortunate in obtaining rights of the same kind. In fact, in the Session just ended, claims of the very same kind for legislative interference have been made, and recommended by a Select Committee expressly on the ground, that similar rights were given last year. The applicant has in this instance failed in obtaining his object, but in all such cases a natural feeling of injustice, and a latent hope of being more fortunate another time, will exist in the minds of those who are defeated for the moment; one sees no end to a course of special legislation when it is once entered upon.

5. The total number of Acts passed in this Session of our Legislature is 69; of these 13 only are public and general in their character; 29 may be called local, though in two or three cases with public objects, and 27 are in fact of a private nature.

Of the local Acts several are passed for the purpose of excepting particular districts from the operation of general Laws, and there are none perhaps of a character mischievous or hurtful save upon the grounds that they authorize systematic exceptions from the ordinary Law of the Province.

Of the private Acts, many relate to the incorporation of Societies or Companies, and in my opinion Acts of this kind are too readily granted. I am favourable to the principle of a limited liability in partnerships under proper restrictions, and in fact I pressed this subject on the attention of my Council three or four years ago. A Provincial Act already exists affording facilities of this kind, but it is so much easier to obtain a private Act of incorporation, that any general Law imposing conditions on partnerships becomes a dead letter.

There is no fee or charge of any sort on obtaining a private Act, and much legislation of the kind takes

takes place on statements *ex parte*, which are not tested by any judicial authority, and are often not confronted at the moment with any adverse interest. The very recitals of Bills of this character may record on the Statute Book assumptions of facts pregnant with the gravest error.

6. The present population of New Brunswick is about 200,000 persons; let us suppose that at the end of ten years it will consist of 300,000, and that private and local legislation may have gone on at the rate of 50 Acts a year during that time. It will be curious calculation what per centage of persons out of our small population will in 1864 be affected directly or indirectly by Laws of an exceptional character. Such Acts do not easily admit of classification or codifying. The law of the land will be the exception and not the rule, and the whole Province will be governed by a mass of *Privilegia*.

Many of these Acts may have expired, and many may never have been virtually in operation at all; but still it will be a lawyer's business to be sure of the negative, that no private or local Act affects the person or property under consideration at the moment. It does not follow because an Act has expired that all rights created by it have expired also; and the rights of minors, of absentees, and of creditors, may cross and impede one another in every direction. The title to an English estate is difficult enough to unravel, but it appears to me that the unlimited action of private legislation is likely to produce in this Colony a state of things which will be far worse.

7. Many of these local and private Acts are in fact regulations which ought to emanate from a municipal body, if such bodies existed generally in New Brunswick. We have a Law, allowing each County to be incorporated, and one County has taken advantage of this privilege. I wish myself that the introduction of municipalities had commenced with the smaller unit of Townships, as in Canada, rather than with the larger element of a County; but at any rate, much which is now done by the Legislature ought to be done by a municipal body of some kind, collecting and spending the money of the rate payers on local objects within its own jurisdiction.

I do not know that any objections can be urged against the excess of local and private legislation with more strength than that which is founded on the tendency of such a system to degrade the Legislature in the eyes of the people themselves. Men see their representatives sitting day after day, and passing regulations apparently within the competence of a Parish Vestry. That generality which is one of the characteristics of law, as such, has disappeared. They look upon the adoption or rejection of these little measures as a fair matter for private canvass and favour; which they would scruple to use with reference to the really large interests, such as ought to guide a constituency in the choice of their representatives.

8. If Your Grace asks what is the remedy for these evils, I repeat that it must be sought in the good sense of the people themselves. The means are comparatively easy, if the principle that private legislation should be carefully watched and restricted, is once recognized by the inhabitants of New Brunswick.

A heavy fee on the introduction of all private Bills; due provision for testing the facts on which petitions for such Bills are founded; stringent rules as to their introduction and their progress;—Rules, that is, enacted by law, and not capable of being dispensed with by either House. These are among the checks which might easily be imposed. All I can do is to state my views to Your Grace in the form of this Despatch, and if Your Grace should concur in such views, I may perhaps cause portions of this correspondence to be laid before the Legislature, if a proper opportunity for doing so should occur.

9. There is one very grave consideration which suggests itself at the present time in connection with the habit of private and exceptional legislation. I mean the effect such a system must have on the minds of capitalists and persons who may be disposed to invest money in land or other property in New Brunswick.

It is pretty clear that where a constant reference to the Legislature in matters of detail may be anticipated, no very strong confidence in the general law, or the law as a set of rules definite in themselves, and applicable to all men without exception, will prevail. It does not follow that the Legislature would in any case wish to do injustice, but the capitalist or private speculator cannot accurately know beforehand what they are likely to do, or what political or private feeling may prevail. A strong sense of comparative insecurity and instability must, I should think, be the natural result.

His Grace the Duke of Newcastle, &c. &c. &c.

Copy—No. 28.

*Downing Street, 10th June, 1853.*

SIR,—I have to acknowledge your Despatch, No. 36, of the 6th ultimo, enclosing a copy of the Speech with which you closed the recent Session of the Legislature of New Brunswick.

2. I entirely concur in the views which you have there expressed respecting the general course of legislation of late years in New Brunswick, and approve of your taking every legitimate opportunity of pressing on the Legislature the danger of a constantly increasing system of private and exceptional legislation. And I think that in characterizing the evil, you have yourself pointed out with accuracy that the readiest remedy within the power of the Legislature to counteract this tendency, would be the establishment of such local bodies as might naturally undertake the regulation of those private and municipal affairs which are now apt to be provided for in this anomolous and uncertain manner.

I have, &amp;c.

(Signed)

NEWCASTLE.

Lieut. Governor Sir Edmund Head, Bart., &amp;c. &amp;c. &amp;c.

## NEW BRUNSWICK.

*Message to the Legislative Council,**15th February, 1854.*

EDMUND HEAD.

His Excellency the Lieutenant Governor lays before the Legislative Council, copy of His Grace the Duke of Newcastle's Despatch acknowledging the Address of the Council and Assembly upon the subject of the Fisheries.

Also Extracts from the Reports of Her Majesty's Officers employed during the past season in protecting the Fisheries.

E. H.

## FISHERIES.

Copy—No. 24.

*Downing Street, 3rd May, 1853.*

SIR,—I have received your Despatch, No. 26, of the 9th April, transmitting an Address to the Queen from the Legislative Council and Assembly of New Brunswick, on the subject of the Fisheries, and I have to instruct you, to acquaint the Council and House of Assembly, that I have laid their Address before the Queen, and that Her Majesty was pleased to receive it very graciously.

I have, &amp;c.

(Signed)

NEWCASTLE.

Lieut. Governor Sir Edmund Head, Bart., &amp;c. &amp;c. &amp;c.

*Extract from a Report of Commander De Horsay, H. M. S. "Devastation," to Vice Admiral Sir G. F. Seymour, on the subject of the Fisheries in the Gulf of Saint Lawrence, dated Oct. 28, 1853.*

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There is no doubt that since the decisive measures of the last two years have been adopted, the number of English vessels employed in the mackarel fishery has increased, and that they are generally of a better description. Some of the vessels lately built, and particularly those belonging to Lunenburg, Nova Scotia, are as fine if not finer than any of the United States vessels.

I would further beg to suggest that the Custom House authorities should be required to act up to the letter of the law in all that relates to the registering of English vessels, for although the various provisions of the Act, such as the tonnage being on the main beam, name painted legibly on the stern, &c. &c. appear trifling in themselves, when it is considered they put difficulties in the way of fraud, they assume a much greater importance, and I have no doubt if these small matters were strictly attended to, it would deter those who are sufficiently unprincipled from attempting to sail under duplicate colours.

I must say I did not come across any vessel to my knowledge under false colours, which I think owing to Captain Campbell's prompt seizure of the "Speed" having frightened those so inclined into honesty.

Whilst on the subject of English Fishing Vessels, it may be well to remark, that it would simplify the duty of protecting the Fisheries, and greatly assist the Officers so engaged, if they would shew their

their colours more readily. One would suppose their own interests would lead them not to give trouble in that respect to Men of War employed especially for their benefit; but I think the Officers engaged in the protection of the Fisheries will bear me out in saying, that half the distance travelled has been after English vessels who will not adopt that simple mode of shewing their right to the Fishing Grounds.

It has been said that the scarcity of mackarel this past season has been partly owing to the presence of Steamers. Whether they may be the cause of driving the fish off the coast I cannot say, but should think not, from the fact of having had occasion frequently, both in the "Devastation" and the "Rose," to lay close along side, and steam around vessels, whilst they were taking fish as plentifully as before our approach.

*Extract from a Report of Lieut. Jenkins, R. N., to Vice Admiral Sir G. F. Seymour, on the subject of the Protection of the Fisheries in the Bays of Chaleur and Gaspé, dated November 8th, 1853.*

The American vessels did not arrive in such large numbers this season on the North Coast of Prince Edward Island, as they have done in former years.

The protection afforded to the Fisheries last year, has evidently encouraged the British fishermen to build and fit out much finer vessels, a great number of which equal the Americans in every respect.

Having been employed last year on the same service in H. M. Steam Sloop "Devastation," and also a short time in command of the hired Tender "Arron," I have had the opportunity of remarking that the number of American fishing vessels was very much reduced this year.

It has been stated that the paddles of the Steam Vessels in the Gulf have driven off the fish, but having steamed through schules of mackarel without apparently frightening them, I am inclined to think that the report is erroneous.

Up to the end of September, there was nothing but "Tinker Mackarel" on the Coast of Prince Edward Island, the large fish having apparently remained in deep water, which I am of opinion is in consequence of a quantity of bait, a large fleet of American fishermen scattered without the limits, and kept the fish from their usual haunts near the shores.

I was given to understand by many of the American fishermen, that the greatest catches of mackarel had been made off the Magdalen Islands, but I expect most of them were taken by nets.

I cannot close this Report without mentioning the very great inconvenience caused to the Cruizers by the English fishing vessels constantly neglecting to display their national Ensign.

A protecting force having been stationed for their especial benefit, one would naturally suppose they would afford every assistance in their power to the intended object, but which is not the case, and unless they can be approached near enough to be hailed, they will not hoist their colours.

The want of an established regulation on this subject greatly increases the difficulties of this very difficult service, and takes Her Majesty's Ships from the Cruizing Ground in pursuit of suspicious vessels within the limits, which frequently prove to be those of our own country.

The papers of the English vessels are much more according to law this year than last, which I attribute to the detention of the Vessels at Port Hood, last Fall, by Captain C. Y. Campbell, of H. M. Steam Sloop "Devastation."

Copy.

*H. M. Cutter "Netley," Halifax, 25th September. 1853.*

SIR,—In pursuance of your orders, I have the honor to lay before you a general statement of the Fisheries in the Bay of Fundy, together with such remarks collected from personal observation and enquiries during the period Her Majesty's Cutter "Netley," under my command, has been detached on that service.

In the first place it gives me great satisfaction to inform you, that from the commencement of June last up to the present date, there has not been one single instance of the slightest encroachment within the prescribed limits of the fishing grounds by American vessels, which I am led to believe was of frequent occurrence in former years, and can attribute it in a great measure to the precaution taken by leaving a boat at the S. W. Head of Grand Manan, with orders to be constantly in sight of vessels passing to and fro, and to row guard once during the night through the Bays, for the prevention of nets being set during the spawning season.

I repeatedly visited all the Fishing Stations in the Bay of Fundy, and on the whole, this season is generally considered to have been more successful than previously.

With

With regard to the success of the Fisheries, the present season is acknowledged to have been more favourable for the deep sea fishing than formerly, which is chiefly to be accounted for by the continuance of very fine weather, and likewise to the facility of procuring abundance of herring from the weirs which are generally used along the shores of the Bay; this practice is nevertheless deemed very destructive to the herring fishery, in consequence of such vast numbers of small herrings being destroyed at the same time, which as it is the means of depriving cod and other fish of their natural food, the consequence is they are forced from the shore into deep water. This the deep sea fishermen greatly complain of, as they could as easily procure their bait from fishermen using long nets, which let the small fish through.

The injurious practice of throwing the gurry or offal of the fish overboard on the fishing grounds, which gorges the fish, and prevents their taking the bait, has been this season, as well as the previous one, prevented by the energy and exertions of those holding the appointment of Fish Wardens, by having gurry or offal deposits on shore above high water mark, in different parts of the Island of Grand Manan, the result of which has proved most beneficial.

The immense catch of herring has been this season more favourable in the weirs at Grand Manan and those of Quoddy River, than at Digby, Brier Island, and St. Mary's Bay, where it has proved a partial failure, on account of the fish having taken a different course in their annual immigration, but on the other hand, the catch of mackarel at the latter places has been more plentiful than usual, which partially compensates the fisherman for his disappointment, and which probably explains the scarcity of herrings. The pollock has also been exceedingly abundant.

I frequently boarded schooners from Brier Island, laden with "Tinker" Mackarel for the United States Market. The Tinker mackarel are very small in comparison to the usual size, but fetch at the rate of four, and sometimes five dollars per barrel, which is equivalent to a barrel of herring, making up for the loss sustained by the latter.

The greater part of the pollock and codfish from Brier Island and the immediate vicinity, are exported to the West India Markets; but those from Grand Manan are shipped for St. John N. B., and the United States.

The fishermen at the Grand Manan, when they have a heavy haul of fish, generally exchange their badly cured fish for articles of home consumption, as there is no duty enforced on their being landed in American Ports. The inhabitants of Grand Manan are uncommonly active, industrious, and hard working, and those in want of employment readily procure it by engaging themselves in American fishing vessels, for which they are exceedingly well paid; and as they are generally good fishermen, and well acquainted with Pilotage of the Bay, they are invaluable.

At Campo Bello the inhabitants I am told are more diligent than they were formerly, and I have since ascertained that this change for the better is in consequence of the protection they have received from our Cruizers; their boats and gear are apparently in excellent condition, and they are very sanguine of the success of their vessels sent to Chaleur Bay, which are expected to return about the middle of October.

I should imagine that this Island will be much benefited owing to the partial failure of the herring fishery at Digby, from their finding a better market than usual for their fish.

The largest number of herrings taken in one weir to the time of my leaving was 4,000 boxes, averaging 2s. sterling each, which amounts to £400 sterling; but from the statements of some of the respectable inhabitants of the Island, I have been informed that all other fish has been very limited.

During the time that I have been employed in the protection of the fisheries, I have inspected the different Light Houses in the Bay of Fundy and found them in very good order, which reflects much credit on those entrusted with their charge.

The Gannet Rock Light I have observed distinctly at the distance of sixteen miles, and heard the sound of the Fog Horn from six to seven miles, which I consider has been the means of saving many vessels from being stranded on the Murray Ledges.

I beg leave in conclusion to enclose a copy of a letter I addressed to the Lieutenant Governor of New Brunswick, relative to the lodging of my Boat's crew at Grand Manan during my absence, and also to the assistance afforded me by Mr. M'Laughlan, Overseer of the Fisheries residing on that Island, as well as His Excellency's reply. I have, &c.

(Signed)

J. W. NEWPORT, *Lieut. Commanding.*

Vice Admiral Sir George F. Seymour, K. C. B., G. C. H., Commander in Chief, &c. &c. &c.

The Honorable Mr. Hatch, by leave, presented a Petition from Thomas Miller, for compensation for loss in Pail manufacturing.

ORDERED, That the same be received and lie on the Table.

*Adjourned until To-morrow at 12 o'clock.*

THURSDAY, 16th February, 1854.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Brown,  
Mr. Gilbert.*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Harrison,  
Mr. Odell,*

PRAYERS.

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

From John Grimmer, for remuneration for loss:

From William Carson, for Legislative interference and aid: and

From Lola Selmore and other Indians, for remuneration, &c. for Lands at Indian Point, Saint Andrews.

ORDERED, That the same be received and lie on the Table.

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

From Harry Peters and others, for Legislative aid to improve Navigation, &c.:

From James Reid, for grant of Land: and

From William Murray and others, for Act of Legislature.

ORDERED, That the same be received and lie on the Table.

*Adjourned until To-morrow at 12 o'clock.*

FRIDAY, 17th February, 1854.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Brown,  
Mr. Gilbert.*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Harrison,  
Mr. Odell,*

PRAYERS.

On motion made and seconded—

ORDERED, That a Select Committee of three persons be appointed to report upon such

such Bills relating to Corporations as may be referred to them the present Session ; and that the Honorable Messieurs Botsford, Chandler, and Brown, do compose the same.

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

A Bill relating to the Fire Department of the City of Saint John :

A Bill relating to the elections of City Officers in the City of Saint John : and

A Bill relating to the repair of Streets in the City of Saint John.

The said Bills were severally read a first time.

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

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

A Bill to incorporate the North West Boom Company : and

A Bill to relieve the Engine Men of the Chatham Fire Engines in the County of Northumberland, from Parish Offices, and to afford immunities and exemptions to them in certain cases.

The said Bills were severally read a first time.

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

The said Bill was read a second time.

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

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

A Message was brought from the Assembly by Mr. Botsford, with a Bill to incorporate sundry persons by the name of the President, Directors and Company of the Westmorland Bank of New Brunswick, in the County of Westmorland ; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The said Bill was read a second time.

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

A Message was brought from the Assembly by the Honorable the Attorney General, with a Bill to carry into effect an agreement between the Bishop of Fredericton and the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Fredericton, relating to the Parish Church ; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The Honorable Mr. Chandler, by direction of His Excellency the Lieutenant Governor, lays before the House the following Abstract of the Revenue for the year 1853.

ABSTRACT

ABSTRACT OF THE REVENUE OF THE PROVINCE OF NEW BRUNSWICK FOR THE YEAR 1853.

	Loan Fund Duty.	Import Duty.	Export Duty.	Casual Revenue.	Supreme Court Fees.	Auction Duties.	Emigrant Duties.	Light House Duties.	S. & D. Seamen's Duties.	TOTAL.
Saint John	£2,147 4 5	100,512 11 3	12,781 4 2	16,000 0 0	400 15 10	201 16 4	417 2 6	3,752 2 6	1,158 10 6	14,771 9 6
Dalhousie	222 17 11	2,468 12 3	1,021 4 4	..	..	0 4 6	..	75 12 5	72 11 6	3,881 2 12
Bathurst	154 14 6	1,533 17 10	385 11 1	..	..	..	..	40 14 2	81 19 8	2,196 17 8
Carleton	32 17 2	288 17 0	..	..	..	..	..	5 3 8	1 5 5	328 3 10
Shippegas	27 1 1	311 2 10	42 0 8	..	..	..	..	4 16 4	4 6 5	289 9 4
Miramichi	820 10 9	9,025 14 1	1,554 12 3	..	..	12 3 10	3 17 6	153 10 2	256 14 8	11,896 4 2
Richibucto	255 16 5	2,030 19 9	795 1 9	..	..	..	..	77 2 0	70 14 8	3,299 14 2
Bathurst	10 4 10	202 6 7	199 4 11	..	..	..	..	18 14 6	16 3 5	446 14 5
Beaubien	153 7 2	280 19 2	517 12 9	..	..	..	5 13 9	58 9 3	47 7 11	1,173 10 1
Bay Verte	..	..	19 11 0	..	..	..	..	..	..	18 11 0
Sackville	34 13 6	539 10 4	76 13 3	..	..	..	..	19 8 6	3 0 4	673 5 11
Dorchester	6 16 6	75 7 9	70 3 6	..	..	..	..	10 12 3	1 17 5	164 17 5
Moncton	19 3 11	285 7 10	705 11 0	..	..	..	..	15 10 9	3 5 10	1,098 19 4
Hillsborough	18 7 6	194 0 1	67 10 10	..	..	..	..	106 3 6	32 11 10	418 13 9
Harvey	7 2 6	63 18 10	..	..	..	..	..	16 4 0	4 6 8	91 12 0
Fredricton	207 4 16	4,530 12 3	..	..	..	..	..	..	..	4,837 17 1
Woodstock	27 14 11	530 10 1	..	..	..	1 1 7	..	..	..	539 6 8
Grand Falls	3 18 6	54 1 7	..	..	..	..	..	..	..	56 19 7
St. Andrews	236 19 5	2,726 2 5	97 15 1	..	..	7 14 0	31 10 0	96 17 3	60 0 6	3,256 18 8
St. Stephen	176 17 7	2,387 17 5	1,010 2 5	..	..	9 0 0	..	312 14 9	800 14 0	4,093 6 0
St. George	76 9 6	790 14 1	541 5 6	..	..	..	..	144 14 0	95 11 6	1,647 14 1
Camp Belloy	5 8 11	38 9 7	..	..	..	..	..	69 15 3	22 2 4	155 16 1
<b>Total</b>	<b>£11,735 11 6</b>	<b>128,891 13 2</b>	<b>19,884 5 6</b>	<b>16,600 0 0</b>	<b>400 15 10</b>	<b>228 2 4</b>	<b>467 2 9</b>	<b>4,978 5 3</b>	<b>2,133 6 2</b>	<b>184,787 4 4</b>

COMPARATIVE STATEMENT.

	1852.		1853.		Increase.	Decrease.
Loan Duty,	£7,758 15 4	£11,755 11 8	£3,996 16 4	..	..	..
Import Duty,	98,584 18 9	128,891 13 2	30,306 14 5	..	..	..
Export Duty,	18,242 15 4	19,984 5 6	1,641 10 2	..	..	..
Casual Revenue,	5,800 0 0	16,000 0 0	10,200 0 0	..	..	..
Supreme Court Fees,	871 10 0	400 15 10	..	..	..	£470 14 2
Auction Duties,	287 15 3	226 2 4	..	..	..	61 12 11
Emigrant Duties,	583 17 6	457 3 9	755 12 8	..	..	126 18 9
Light House Duties,	4,222 12 7	4,978 5 3	265 10 5	..	..	..
Sick and Disabled Seamen's Duties,	1,867 16 4	2,133 6 2	..	..	..	..
<b>Total</b>	<b>£138,220 1 2</b>	<b>£184,727 4 4</b>	<b>£47,166 4 0</b>	<b>£659 0 10</b>		

Treasurer, Saint John, 1st January, 1854.

B. ROBINSON, P. T.

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

From Eliphaz Coddington, for remuneration :

From Jonathan Taylor, for remuneration for Reporting Debates : and

From Thomas Moses and others, for Free Port at Campo Bello.

ORDERED, That the same be received and lie on the Table.

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

From the Mayor, Aldermen and Commonalty of Saint John, for Act relating to Fire Department :

From the same, for Act relating to Elections : and

From the same, for Act relating to Streets.

ORDERED, That the same be received and lie on the Table.

A Message was brought from the Assembly by Mr. Williston with a Bill to revive the first, second and third Sections of an Act intituled " An Act in addition to an Act intituled ' An Act to enable the Justices of the Peace for the several Counties in this Province for the time being, to receive for public uses Grants of Land lying in their respective Counties, and to regulate the Commons belonging to the several Townships or Parishes within the same.' "

ORDERED, That the same be received and lie on the Table.

*Adjourned until To-morrow at 12 o'clock.*

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SATURDAY, 18th February, 1854.

PRESENT :

THE HON.

*Mr. Black, President.*

*Mr. Saunders,*

*Mr. Botsford,*

*Mr. Chandler,*

*Mr. Hatch,*

*Mr. Solicitor General,*

*Mr. Minchin,*

*Mr. Hazen,*

*Mr. Harrison,*

*Mr. Brown,*

*Mr. Odell,*

*Mr. Gilbert,*

*Mr. Steves.*

PRAYERS.

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

A Bill relating to election of Officers in the City of Saint John :

A Bill relating to the repair of Streets in the City of Saint John :

A Bill relating to the Fire Department of the City of Saint John :

A Bill to relieve the Engine Men of the Chatham Fire Engines in the County of Northumberland, from Parish Offices, and to afford immunities and exemptions to them in certain cases :

A Bill to revive the first, second and third Sections of an Act intituled " An Act in addition to an Act intituled ' An Act to enable the Justices of the Peace for the several Counties in this Province for the time being, to receive for public uses Grants of Land lying

lying in their respective Counties, and to regulate the Commons belonging to the several Townships or Parishes within the same :” and

A Bill to carry into effect an agreement between the Bishop of Fredericton and the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Fredericton, relating to the Parish Church.

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

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

From Inhabitants of Grand Manan, for relief from Duties :

From James W. Street and others, for Salary to Clerks in Post Office :

From John Treadwell, for remuneration for loss by a Bridge :

From John Gillespie, for Bounty on Wolves and a Bear :

From James Attridge, for return of Head Money : and

From Cochran Craig and others, for money to open Dark Harbour.

ORDERED, That the same be received and lie on the Table.

*Adjourned until Monday next at 12 o'clock.*

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MONDAY, 20th February, 1854.

PRESENT :

THE HON.

*Mr. Botsford,*

*Mr. Hatch,*

*Mr. Minchin,*

*Mr. Harrison,*

*Mr. Odell,*

*Mr. Steves.*

*Mr. Black, President.*

*Mr. Chandler,*

*Mr. Solicitor General,*

*Mr. Hazen,*

*Mr. Brown,*

*Mr. Gilbert,*

PRAYERS.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill relating to the Fire Department of the City of Saint John.

The Honorable Mr. Hatch took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill relating to the repair of the Streets in the City of Saint John.

The Honorable Mr. Hazen took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to revive the first, second and third Sections of an Act intituled "An Act to enable the Justices of the Peace for the several Counties in this Province for the time being, to receive for public uses Grants of Land lying in their respective Counties, and to regulate the Commons belonging to the several Townships or Parishes within the same."

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill relating to elections of City Officers in the City of Saint John.

The Honorable Mr. Hazen took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A in Section 4, insert the words "and certain Acts of Assembly relating to the local government of the said City."

At B at the end of the Bill add the following new Sections:—

"5. So much of the sixteenth Section of the said last recited Act as requires the Tax receipt therein mentioned to be delivered to the Commissioners is hereby repealed, and in lieu thereof, every Freeman, before he shall be allowed to deliver his ballot, shall produce and shew to the Commissioners a Tax receipt to the effect described in the first Section, which may be signed by the Collector of Taxes or his Deputy; and so much of the twentieth Section of the said Act as requires the Tax receipts to be posted up, is also repealed.

"6. So much of the eleventh Section of the said Act as requires the names of all the Candidates nominated for each office to be posted up in each Ward, is repealed; and in lieu thereof the names of all Candidates for the office of Mayor at the election for Mayor, and the names of all Candidates in each Ward respectively, for the office of Alderman, Councillor, or Constable, shall be posted up at the polling places in each Ward at the time of the Election for each Ward of the said Officers."

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

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to relieve the Engine Men of the Chatham Fire Engines in the County of Northumberland, from Parish Offices, and to afford immunities and exemptions to them in certain cases. The

The Honorable Mr. Hatch took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made an amendment thereto, and recommended the same, as amended, to the adoption of the House.

ORDERED, That the Report be received.

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

At A in Section 1, expunge the words “and from Training in the Militia.”

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

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

The Honorable Mr. Botsford, from the Committee appointed to examine and report upon all Bills relating to Corporations, presented a Report.

ORDERED, That the Report be received.

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

The Select Committee to whom were referred all Bills relating to Corporations, beg leave to report that they have had under consideration “A Bill to incorporate sundry persons by the name of the President, Directors and Company of the Westmorland Bank, in the County of Westmorland,” and have prepared certain amendments to the same, which they recommend to the favourable consideration of the House.

Respectfully submitted.

*Committee Room, February 20, 1854.*

A. E. BOTSFORD, *Chairman.*

ORDERED, That the twenty third Rule of this House be dispensed with, as regards this Bill, and that the House be put into Committee of the whole presently to take the said Bill and the Report of the Select Committee thereon severally into consideration.

The Honorable Mr. Chandler took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A in Section 4, insert the words “Newspaper published in the Province.”

At B in Section 5, expunge the word “May,” and insert “June.”

At C expunge the word “who,” and insert “each of whom.”

At D insert the words “or Albert.”

At E in Section 15, expunge the word “fifty,” and insert “thirty.”

At F in Section 27, expunge the word “May,” and insert “June.”

At G, after Section 38, insert the following new Sections:—

“39. And in case it should hereafter be found necessary at any time after the payment and certificate of such first mentioned capital, and within seven years from the time of passing this Act, to increase the capital stock of the said Bank, the same may be

be effected by Resolution of the Directors, or the major part of them for the time being, sanctioned and approved of by a majority of the votes of the shareholders present in person, or by proxy, at a general meeting convened after special notice of the same, and its intended object; such additional capital stock may be raised by the issue of additional shares severally of the value before mentioned, provided that the whole of such additional stock shall not exceed fifteen thousand pounds, thereby making the utmost amount of capital stock of the said Bank thirty thousand pounds, and on the whole twelve hundred shares.

"40. Such additional shares shall be sold at public auction in separate lots of four shares each, as follows, that is to say, five thousand pounds, making two hundred shares, at such time as the Directors shall appoint, and the residue of such increased additional capital at such times as the Directors may from time to time determine, but not less than five thousand pounds to be sold at any one time.

"41. The said Directors shall give at least forty days notice of the time of sale of any such increased stock in some Newspaper published in this Province, in which notice shall be specified the time when such additional stock, with the advance or premium thereon, will be required to be paid into the Bank.

"42. The whole of such advance or premium (if any) first deducting the charges of sale, shall be divided in equal proportions among the shares in the stock of such Bank, as well the old as the new stock, and such dividend of the said premium shall be declared and paid by the Directors immediately after the payment into the Bank of the purchase money of the said additional shares; and Banking operations may take place upon each respective amount of such additional stock sold as aforesaid, when the Directors, or a majority of them, together with the Cashier of the said Bank, shall have signed and verified by oath, and filed in the Office of the Secretary of the Province, a certificate that such amount of capital stock at any time called in has actually been paid into the said Bank in current gold and silver coins of the Province, and not before.

"43. The said additional shares shall be subject to all the rules, regulations and provisions to which the original stock is subject, or may hereafter be subject by any Law of this Province."

At H expunge "39," and insert "44."

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

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

A Message was brought from the Assembly by Mr. Earle, with a Bill to repeal in part the provisions of an Act intituled "An Act to consolidate and amend the Laws relating to local government of Counties, Towns and Parishes in this Province;" to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly by the Honorable Attorney General, with a Bill to authorize the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Fredericton, to sell certain Lands, and to invest the proceeds thereof; to which they desire the concurrence of this House. The

The said Bill was read a first time.

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

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

The said Resolutions were read a first time.

ORDERED, That the said Resolutions be referred to a Committee of the whole House on Resolutions of Appropriation.

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

From David Rose, for increase of Salary as Postmaster:

From William Miller, for Act of incorporation for Presbyterian Church:

From John Burns, for remuneration for losses on account of Grant of Land:

From William Todd and others, for aid to Saint Stephen Academy:

From J. H. Hitchings and others, for Act to incorporate Milltown Aqueduct Company: and

From Tristram Moore and others, for Act to build Bridge from Saint Stephen to Calais.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Odell, by leave, presented a Petition from Charles Lee and others, against the Act relating to the Parish Church in Fredericton.

ORDERED, That the same be received and lie on the Table.

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

From John Alexander, for return Duties:

From John Matthews, for losses in building Wharf and Bridge:

From William Bowden, for remuneration for repairing a Bridge:

From John M'Gill, for aid to purchase Machinery to manufacture Cloth:

From Mary Pratt, for Revolutionary War Pension:

From Jane Hawkins, with like prayer:

From Jane Hamilton, with like prayer:

From Mercy M'Nichol, with like prayer:

From Margaret Grierson, with like prayer: and

From Sarah Greenlaw, with like prayer.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Solicitor General, by leave, presented a Petition from Margaret Schureman, for relief as Widow of an Officer.

ORDERED, That the same be received and lie on the Table.

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

From William Davidson, for return of penalties recovered against him: and

From Henry Hennigar, against Act to open Cross Street in the City of Saint John.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Steves, by leave, presented the following Petitions:—  
 From William Gross and others, for Grant for Steam Boat Wharf:  
 From John Edgett and others, with like prayer:  
 From George Stevens and others, with like prayer: and  
 From Overseers of the Poor, Hopewell, for remuneration for removal of Lunatic Pauper to the Asylum.

ORDERED, That the same be received and lie on the Table.

*Adjourned until To-morrow at 12 o'clock.*

TUESDAY, 21st February, 1854.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,*

*Mr. Botsford,*

*Mr. Chandler,*

*Mr. Hatch,*

*Mr. Solicitor General,*

*Mr. Minchin,*

*Mr. Hazen,*

*Mr. Harrison,*

*Mr. Brown,*

*Mr. Odell,*

*Mr. Gilbert,*

*Mr. Steves.*

PRAYERS.

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

A Bill relating to the repair of Streets in the City of Saint John:

A Bill relating to the Fire Department of the City of Saint John:

A Bill to revive the first, second and third Sections of an Act intituled "An Act in addition to an Act intituled 'An Act to enable the Justices of the Peace for the several Counties in this Province for the time being, to receive for public uses Grants of Lands lying in their respective Counties, and to regulate the Commons belonging to the several Townships or Parishes within the same:'"

A Bill to incorporate sundry persons by the name of the President, Directors and Company of the Westmorland Bank of New Brunswick, in the County of Westmorland: and

A Bill relating to elections of City Officers in the City of Saint John.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the three first entered Bills without any amendment; and that they have agreed to the two last entered Bills with certain amendments, to which they desire the concurrence of the Assembly.

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

A Bill to repeal in part the provisions of an Act intituled "An Act to consolidate and amend the Laws relating to the local government of Counties, Towns and Parishes in this Province:" and

A Bill to authorize the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Fredericton, to sell certain Lands, and to reinvest the proceeds ther

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

On motion—

The House was put into Committee of the whole to take into consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

Whereupon the Resolutions of Appropriation dated the eighteenth day of February instant were concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to carry into effect an agreement between the Bishop of Fredericton and the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Fredericton, relating to the Parish Church.

The Honorable Mr. Hatch took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Williston, with a Bill in addition to and amendment of an Act to consolidate the Laws relating to Buoys and Beacons; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

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

From the Lord Bishop and others, in favour of a Bill before the House for the exchange of Church Lands: and

From the Presidents of certain Agricultural Societies.

ORDERED, That the same be received and lie on the Table.

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

From John King and others, for making a Polling place in Charlotte County: and  
From the Reverend Skeffington Thompson and others, for the repeal of part of 13 Vict. cap. 30.

ORDERED, That the same be received and lie on the Table.

The

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

From J. R. M'Pherson, for increase of Salary as Postmaster : and

From Messieurs Hatheway and Small, for return Duties.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Hatch, by leave, presented a Petition from certain Magistrates and others in Saint Andrews, for repeal of Liquor Law, &c.

ORDERED, That the same be received and lie on the Table.

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

From Robert Spillane and others, for Legislative aid :

From William Ferrie, for aid to African School, Saint John :

From Michael White, for remuneration as Clerk of the Clerk of the Pleas :

From President, Directors and Company of the Bank of New Brunswick, for increase of Capital Stock :

From South Bay Boom Company, with like prayer :

From Henry Garbutt, for Draw in Musquash River Bridge : and

From Henry Chubb and others, for Commercial School in Saint John.

ORDERED, That the same be received and lie on the Table.

*Adjourned until To-morrow at 12 o'clock.*

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WEDNESDAY, 22nd February, 1854.

PRESENT :

THE HON.

*Mr. Black, President.*

*Mr. Saunders,*

*Mr. Botsford,*

*Mr. Chandler,*

*Mr. Hatch,*

*Mr. Solicitor General,*

*Mr. Minchin,*

*Mr. Hazen,*

*Mr. Harrison,*

*Mr. Davidson,*

*Mr. Brown,*

*Mr. Odell,*

*Mr. Gilbert,*

*Mr. Steves.*

**PRAYERS.**

Pursuant to the Order of the Day, the Bill in addition to and amendment of an Act to consolidate the Laws relating to Buoys and Beacons, was read a second time.

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into further consideration the Bill to carry into effect an agreement between the Bishop of Fredericton and the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Fredericton, relative to the Parish Church.

The Honorable Mr. Hatch took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

A

A Message was brought from the Assembly by Mr. Botsford, that the Assembly had agreed to the amendments made by this House to the Bill to incorporate sundry persons by the name of the President, Directors and Company of the Westmorland Bank of New Brunswick, in the County of Westmorland.

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

From James Leighton and others, of Charlotte County, for an Act to prevent the importation, manufacture and sale of Intoxicating Liquors : and

From Daniel Sullivan and others, of Charlotte County, against the Liquor Law, so called, and for the revival of the Tavern Licence Law.

ORDERED, That the same be received and lie on the Table.

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

From James Olive and others, for aid to construct a Road to the Saint John Suspension Bridge :

From George F. Everett and others, for protection to the manufacture of Confections :

From the Reverend J. Hudson, for return of Duties :

From James Olive and others, for an Act to incorporate the Saint John Seamen's Friend Society : and

From Phillip Monagher, recommended by sundry inhabitants of Saint John, for aid to keep the Stud Horse " Sheriff."

ORDERED, That the same be received and lie on the Table.

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

From John Marks and others, Administrators of the Estate of the late N. Marks, Esquire, for a return of a penalty paid under the Shipping of Seamen Act :

From James Boyd, Esquire, for the Legislative allowances to Members of Assembly for a certain period :

From Zachariah Chipman and others, for aid to improve Dark Harbour :

From James Sykes and Company, for the return of Duties on Rail Road apparatus : and

From George M. Porter and others, against the incorporation of any Company to build a Bridge across the Saint Croix.

ORDERED, That the same be received and lie on the Table.

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

From Silas M' Mahon, for reimbursement of expenses in defending suits against him as proprietor of Land leased by the Crown for Mining purposes : and

From inhabitants of Parish of Cambridge, for aid to build a Wharf at the Jemseg.

ORDERED, That the same be received and lie on the Table.

*Adjourned until To-morrow at 12 o'clock.*

THURSDAY, 23rd February, 1854.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,*

*Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Davidson,  
Mr. Odell,  
Mr. Steves.*

PRAYERS.

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

From W. D. Estey and others, of Carleton County, for an amendment of the Election Law:

From the Warden and Councillors of the Municipality of Carleton, for an amendment of the Municipal Corporation Act: and

From Joseph Rideout and others, for the establishment of a Great Road on the east side of the River Saint John.

ORDERED, That the same be received and lie on the Table.

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

From Charles Perley and others, for an Act to prohibit the importation and manufacture of Intoxicating Liquors:

From Stephen Estabrooks and others, for the adoption of Voting by Ballot, and extension of the Franchise in General Elections: and

From Edward Allison and others, for aid to the Steam Boat Wharf at Hillsborough.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Hazen, by leave, presented a Petition from the Municipal Corporation of Carleton, for the right to elect the High Sheriff of the County.

ORDERED, That the same be received and lie on the Table.

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

From George R. Bell, for remuneration for ferrying Her Majesty's Mails across the Miramichi:

From John McDougall, and others of Miramichi, for an Act to prevent Saw Dust and Mill Rubbish being thrown into the Harbour:

From Rowland Crocker and others, for an Act incorporating the South West Boom Company: and

From R. Hutchinson, for return of Duty on a Carriage.

ORDERED, That the same be received and lie on the Table.

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

A Bill for the further increase of the Capital Stock of the Bank of New Brunswick: and

A Bill to incorporate the Saint John Seamen's Friend Society.

The

The said Bills were severally read a first time.

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

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

The said Bill was read a second time.

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

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

From G. M. Porter and others, against the repeal of the Act for the election of Parish Officers: and

From A. U. Hill and others, for balance due on Bear Bounty Certificates in Charlotte County.

ORDERED, That the same be received and lie on the Table.

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

From the Trustees of the Wesleyan Academy, for pecuniary aid to enable them to educate Females: and

From the same, for the usual Legislative Grant.

ORDERED, That the same be received and lie on the Table.

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

From J. R. Tupper and others, for aid to the Grand Falls Railway:

From the Mayor, Aldermen and Commonalty of the City of Saint John, for an Act relative to the City Debt:

From the same, for alterations in the Police Act:

From the same, for an Act to open Cross Street: and

From James Watson, for indemnification of losses in defending title to Lands under the Ashburton Treaty.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Harrison, by leave, presented a Petition from Joseph Kingston and others, for aid towards the support of a Power Loom Factory.

ORDERED, That the same be received and lie on the Table.

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

From L. P. Fisher and others, for an alteration in the Election Law, so as to include Vote by Ballot, and extension of the Franchise: and

From J. R. Tupper and others, for aid to the improvements of the River Saint John.

ORDERED, That the same be received and lie on the Table.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill in addition to and amendment of an Act to consolidate the Laws relating to Buoys and Beacons.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

The

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

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into further consideration the Bill to carry into effect an agreement between the Bishop of Fredericton and the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Fredericton, relative to the Parish Church.

The Honorable Mr. Hatch took the Chair.

After some time the House resumed.

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

The Chairman further reported, that in the Committee the following Resolution was moved and seconded :—

“RESOLVED, That the consideration of this Bill be deferred until the next Session of the Legislature, to afford an opportunity for some amicable arrangement to be made either as regards accepting the Chapel of St. Anne in exchange for the Parish Church, or for removing the old Church and rebuilding it on some other site ; and that in the meantime the Rector continue to have the use and control of the Chapel as at present arranged.”

And on the question whether the same should pass, it was decided in the negative.

ORDERED, That the Report be received.

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

At A at the end of Section 4, add “ provided always that a Pew or Seat shall be set apart in the said Church for the occupation of the Queen’s Representative in this Province.”

At B, Section 5, expunge the Section, and insert as follows :—

“5. All persons who by law would have been entitled to vote for, or fill the office of Church Warden or Vestryman for said Parish, before this Act comes into operation, shall be deemed to be qualified to vote for, or fill such offices, at the first election held after this Act comes into operation.”

At C at the end of the Bill insert three new Sections, as follows :—

“9. ‘ And whereas under the provisions of an Act passed in the fifth year of the Reign of King George the Fourth, intituled “ An Act to provide for the permanent interment of the remains of the late Lieutenant Governor Smyth within the walls of the Parish Church of Fredericton,” a Vault has been erected under the said Church, and upon the lot of Land in the sixth section of this Act described, in which Vault the remains of the said Lieutenant Governor Smyth are now deposited ; and it is necessary to make such provision for the disposal of the said remains as the removal of the said Church may require ;’ it is therefore enacted, that no conveyance to be made to the said Bishop and his successors of the said Land and premises described in the sixth section of this Act, shall be valid or effectual at Law or in Equity to pass any estate to the said Bishop or his successors, until the remains of the late Lieutenant Governor Smyth have been suitably disposed of, either by interring such remains under any other Church

or

or Chapel, or by enclosing and securing the said Vault where it now stands, and erecting thereon a monument to the deceased.

“ 10. When such provision has been made for the disposal of the said remains as shall be satisfactory to the Lieutenant Governor in Council, a certificate shall be indorsed on such conveyance under the hand of the Lieutenant Governor, that the requirements of the ninth section of this Act have been complied with, which certificate shall be registered with such conveyance.

“ 11. The owners of Pews in the said Church who shall not have agreed with the Bishop of the Diocese, or with the said Rector, Church Wardens and Vestry, to surrender their rights and interests in such Pews, and who shall have paid all arrears of rent due on their said Pews to the said Rector, Church Wardens and Vestry, shall (if they require the same) receive such compensation therefor as may be agreed upon between such owners respectively and the said Rector, Church Wardens and Vestry; and in case they cannot agree, then the amount of such compensation shall be determined by Arbitrators, one to be chosen by each party, with power to the said Arbitrators to choose a third in case of disagreement as to the amount of compensation.”

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

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

A Message was brought from the Assembly by Mr. Smith, with a Bill to incorporate the Dorchester Agricultural Society, to which they desire the concurrence of this House.

The said Bill was read a first time.

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

*Adjourned until To-morrow at 12 o'clock.*

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FRIDAY, 24th February, 1854.

PRESENT :

THE HON.

*Mr Black, President.*

*Mr. Saunders,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Davidson,  
Mr. Odell,  
Mr. Steves.*

*Mr. Chandler,  
Mr. Solicitor General,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to carry into effect an agreement between the Bishop of Fredericton and the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Fredericton, relative to the Parish Church, as amended, was read a third time and passed.

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

On motion—

The Bill to relieve the Engine Men of the Chatham Fire Engines in the County of Northumberland, from Parish Offices, and to afford immunities and exemptions to them in certain cases, was read a third time.

When the following amendment was moved and seconded :—

At B expunge the whole Section.

And the question of concurrence being put, it was agreed to ; whereupon it was ORDERED, That the Bill do now pass.

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

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

A Bill for the further increase of the Capital Stock of the Bank of New Brunswick : and

A Bill to incorporate the Dorchester Agricultural Society.

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

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

The Honorable Mr. Chandler, a Member of Her Majesty's Executive Council, by direction of His Excellency the Lieutenant Governor, laid before the House—

The Second Report upon Parish Schools.

On motion—

The House was put into Committee of the whole to take into consideration the Bill to repeal in part the provisions of an Act intituled " An Act to consolidate and amend the Laws relating to the local government of Counties, Towns and Parishes in this Province."

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Harding, that the Assembly had agreed to the amendments sent down from this House to the Bill relating to elections of City Officers in the City of Saint John.

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

From the Justices of the Peace of Northumberland, for aid to Ferry Slips, Chatham :

From the same, for Grant to protect Salmon Fishery :

From the same, for losses sustained by operation of the Liquor Law :

From the President, Directors and Company of the North West Bridge Company, praying aid for the Bridge : From

From Reverend Michael Egan, for aid to Ferry Slip at Beaubar Island :  
 From Thomas Sullivan, for aid to Bridge over Barnaby's River : and  
 From John Wilson, for Grant to Ferry Boat at South West Branch Miramichi  
 River.

ORDERED, That the same be received and lie on the Table.

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

From James M'Master, for remuneration for carrying Mails : and  
 From Inhabitants of Saint Andrews, for usual Madras Grant.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Chandler, by leave, presented a Petition from Carleton County  
 Agricultural Society, for return Duty.

ORDERED, That the same be received and lie on the Table.

*Adjourned until To-morrow at 12 o'clock.*

SATURDAY, 25th February, 1854.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
 Mr. Chandler,  
 Mr. Solicitor General,  
 Mr. Davidson,  
 Mr. Odell,  
 Mr. Steves,*

*Mr. Botsford,  
 Mr. Hatch,  
 Mr. Minchin,  
 Mr. Brown,  
 Mr. Gilbert,  
 Mr. Ryan.*

**PRAYERS.**

Pursuant to the Order of the Day, the House was put into Committee of the whole  
 to take into consideration the Bill for the further increase of the Capital Stock of the  
 Bank of New Brunswick.

The Honorable Mr. Hatch took the Chair.

After some time the House resumed.

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

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

The Honorable Mr. Saunders, by leave, presented a Petition from Richard Hayne,  
 Esquire, and others, for aid to repair Bridges.

ORDERED, That the same be received and lie on the Table.

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

From Andrew Thompson, for losses in a purchase of Crown Lands :

From James Steene, with a like prayer :

From Daniel Ferguson and others, for aid to a School : and

From John Wilson, for remuneration for losses in the purchase of Crown Lands.

ORDERED, That the same be received and lie on the Table.

The

The Honorable Mr. Gilbert, by leave, presented a Petition from Joseph Brown and others, against importation of Intoxicating Liquors.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Davidson, by leave, presented a Petition from Immigration Society, Miramichi, for aid to diffuse knowledge.

ORDERED, That the same be received and lie on the Table.

*Adjourned until Monday next at 12 o'clock.*

MONDAY, 27th February, 1854.

PRESENT :

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Steves.*

*Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark,  
Mr. Ryan.*

PRAYERS.

Pursuant to the Order of the Day, the Bill for the further increase of the Capital Stock of the Bank of New Brunswick, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

A Message was brought from the Assembly by the Honorable the Attorney General, with the following Resolutions, to which they desire the concurrence of this House :—

*“ House of Assembly, 24th February, 1854.*

“ Whereas in order to facilitate the passing of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law, it is expedient in this case to depart from the usual practice of passing Bills in toto before sending the same to the Legislative Council for their concurrence ; therefore

“ *Resolved*, That this House is prepared to agree to the following arrangement, if concurred in by the Council :—

“ That the said Bill may be passed by each Branch of the Legislature as Titles or Chapters, instead of by Bill as heretofore accustomed, and may, when so passed, form one or more Act or Acts of Assembly.

“ CHAS. P. WETMORE, *Clerk.*”

On motion made and seconded—

RESOLVED, That this House do concur in the said Resolutions.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

A Message was brought from the Assembly by the Honorable the Attorney General, that the Assembly had agreed to the amendments sent down from this House to the Bill

Bill to carry into effect an agreement between the Bishop of Fredericton and the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Fredericton, relative to the Parish Church : also with

A Bill to authorize the erection of a Marine Hospital at the Port of Bathurst ; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly by Mr. Lewis, with a Bill to incorporate the Albert Manufacturing Company ; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The said Bill was read a second time.

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

A Message was brought from the Assembly by Mr. Johnson, that the Assembly had agreed to the amendments sent down from this House to the Bill to relieve the Engine Men of the Chatham Fire Engines in the County of Northumberland, from Parish Offices, and to afford immunities and exemptions to them in certain cases.

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

From James S. Morse, for Salary as Postmaster :

From same, for services as Fish Warden :

From Alexander Cook, with like prayer :

From Robert Rankin and Company, for aid to Grand Falls Railway :

From James A. Phillips and others, against making Sheriff's office elective : and

From Arthur Ritchie, for money paid on Crown Land purchase.

ORDERED, That the same be received and lie on the Table.

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

From Warden of Carleton County, against Bill to divide Parish of Brighton :

From Joseph Rideout and others, for the said Act :

From R. and H. Davis and others, for aid to Manufacturing Establishment : and

From Joseph Dixon, for teaching a School.

ORDERED, That the same be received and lie on the Table.

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

From Joseph Rideout and others, for Ballot at Elections :

From Warden of Carleton County, for Bye Road Money to be granted to Corporation : and

From George Milbury and others, for services as Adjutant in the Militia.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Wark, by leave, presented a Petition from Jane Stevenson, for teaching a School.

ORDERED, That the same be received and lie on the Table.

*Adjourned until To-morrow at 12 o'clock.*

TUESDAY, 28th February, 1854.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Solicitor General,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Steves,*

*Mr. Chandler,  
Mr. Minchin,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Ryan.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to authorize the erection of a Marine Hospital at the Port of Bathurst, was read a second time.

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

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

A Bill to incorporate the Fredericton Rural Cemetery Company: and

A Bill to provide for the establishment and management of a Boom or Booms in the County of York.

The said Bills were severally read a first time.

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

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

The said Bill was read a second time.

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

A Message was brought from the Assembly by Mr. Godard, with a Bill to amend the Act for establishing and maintaining a Police Force in the Parish of Portland, in the City and County of Saint John; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly by Mr. Boyd, with a Bill to amend an Act intituled "An Act to incorporate the Saint Andrews Benefit Society;" to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The

The Honorable Mr. Chandler, from the Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

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

The Select Committee to whom were referred all Bills relating to Corporations, have had under consideration “ A Bill to incorporate the Dorchester Agricultural Society ;” also “ A Bill to incorporate the Saint John Seamen’s Friend Society ;” and beg to report that they recommend said Bills to the favourable consideration of the House without any amendment.

The Committee have also had under consideration “ A Bill to incorporate the Albert Manufacturing Company,” and have prepared certain amendments to said Bill, which they recommend to the adoption of the House.

Respectfully submitted.

*Committee Room, February 28, 1854.*

E. B. CHANDLER, *Chairman.*

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

The Honorable Mr. Saunders, by leave, presented a Petition from the Reverend Mr. M’Devitt, for aid to a School.

ORDERED, That the same be received and lie on the Table.

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

From Commissioners of Sick and Disabled Seamen, Richibucto, for remuneration for expense of an Hospital : and

From Port Wardens of Richibucto, for aid to improve the Harbour.

ORDERED, That the same be received and lie on the Table.

*Adjourned until To-morrow at 1 o’clock.*

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WEDNESDAY, 1st March, 1854.

PRESENT :

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Solicitor General,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Gilbert,*

*Mr. Chandler,  
Mr. Minchin,  
Mr. Harrison,  
Mr. Brown,  
Mr. Wark,  
Mr. Ryan.*

PRAYERS.

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

A Bill to provide for the establishment and management of a Boom or Booms in the County of York :

A Bill to amend the Act for establishing and maintaining a Police Force in the Parish of Portland, in the City and County of Saint John : and

A

A Bill to amend an Act intituled "An Act to incorporate the Saint Andrews Benefit Society."

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to incorporate the Albert Manufacturing Company, and the Report of the Select Committee thereon.

The Honorable Mr. Chandler took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A in the Preamble, insert the words "the Township of Hillsborough in."

At B in Section 1, expunge the word "Mills," and insert the words "a Mill."

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

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to incorporate the Dorchester Agricultural Society, together with the Report of the Select Committee thereon.

The Honorable Mr. Chandler took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to incorporate the Saint John Seamen's Friend Society, together with the Report of the Select Committee thereon.

The Honorable Mr. Chandler took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made an amendment thereto, and recommended the same, as amended, to the adoption of the House.

ORDERED, That the Report be received.

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

At A in Section 1, insert the words "for the purpose of carrying out the objects mentioned in the Preamble to this Act."

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

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

A Message was brought from the Assembly by Mr. Taylor, with a Bill to incorporate the York Woolen and Home Factory Company ; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly by Mr. Williston, with a Bill to make further provisions for the support of Buoys and Beacons in the Bay and Harbour of Miramichi ; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The said Bill was read a second time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards this Bill, and that the House be put into Committee of the whole presently, to take the said Bill into consideration.

The House was put into Committee of the whole accordingly.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into Committee of the whole to take into consideration the Bill in addition to and amendment of an Act to consolidate the Laws relating to Buoys and Beacons.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received ; whereupon it was

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

On motion made and seconded—

RESOLVED, That an humble Address be presented to His Excellency the Lieutenant Governor, praying His Excellency will be pleased to cause to be laid before this House, a full and detailed Statement of the state and condition of King's College, from its foundation to the present time, embracing the following particulars :—

1. The original cost of the Buildings, with the annual cost of keeping the same in repair :
2. The cost of the Library, and of the Chemical and other Apparatus belonging to the Institution :
3. The Salaries of the President, Professors, and others attached to the same, annually paid :

4. The amount of Tuition money annually paid by the Students ; the amount of Scholarships annually paid, and from whatever source and to whom paid :

5. The quantity of the Lands belonging to the College, with the annual income derived from the same from the commencement to the present time, specifying the amount received from each source :

6. A full Statement of the number and names of Students now actually attending and residing in the College, with the number and names of all persons who have graduated therein since its foundation.

ORDERED, That the Honorable Messieurs Gilbert, Stevcs, and Ryan, be a Committee to wait upon His Excellency and present the same.

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

From James Kerr, for remuneration under the Labour Commutation Act :

From Samuel Mahood, for aid to explore a Road from Douglas Valley to Saint John : and

From T. R. Wetmore, as a School Trustee, for money to pay a Teacher.

ORDERED, That the same be received and lie on the Table.

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

From Lambert Pond, for Revolutionary War Pension :

From T. R. Estey and others, for an Act granting the right of Mining to the owners of the Soil :

From Benjamin Hanson, for compensation for losses by alteration of a Road :

From George Morehouse, for compensation for damages by abandonment by Government of a Contract :

From William Grieve, for ferrying Her Majesty's Mails :

From W. B. Phair, for increase of Salary as an Assistant Postmaster :

From Joseph Murray, for compensation for Timber cut by the Indians : and

From Israel Atherton, recommended by others, for reimbursement of money paid as a Commissioner of Roads.

ORDERED, That the same be received and lie on the Table.

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

From Enoch Dow and others, of Southampton, York County, for the incorporation of the Grand Lodge and Subordinate Lodges of the Loyal Orange Institution of the Province :

From James Armstrong and others, of Tay Creek, Douglas, York County, with a similar prayer :

From Isaac Kilburn and others, of Kingsclear, York County, with a similar prayer :

From Solomon Parent and others, of Queensbury, York County, with a similar prayer :

From John Yerxa and others, of Keswick and Bird Settlements, in Douglas, York County, with a similar prayer : and

From Benjamin Lochard and others, of Prince William, York County, with a similar prayer.

ORDERED, That the same be received and lie on the Table.

The

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

From Adam R. Strong and others, of Wicklow, Queen's County, for the incorporation of Orange Lodges :

From William Hutchison and others, of Wickham, with the like prayer : and

From the Reverend J. A. Smith and others, of Wickham and Cambridge, with the like prayer.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Hill, by leave, presented a Petition from Zachariah Chipman and others, of Saint Stephen, for aid to improve the Public Wharf.

ORDERED, That the same be received and lie on the Table.

*Adjourned until To-morrow at 12 o'clock.*

THURSDAY, 2nd March, 1854.

PRESENT :

THE HON.

*Mr. Black, President.*

*Mr. Botsford,*

*Mr. Minchin,*

*Mr. Hill,*

*Mr. Davidson,*

*Mr. Odell,*

*Mr. Wark,*

*Mr. Ryan.*

*Mr. Chandler,*

*Mr. Solicitor General,*

*Mr. Harrison,*

*Mr. Brown,*

*Mr. Gilbert,*

*Mr. Steves,*

PRAYERS.

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

A Bill to incorporate the Dorchester Agricultural Society :

A Bill to make further provision for the support of Buoys and Beacons in the Bay and Harbour of Miramichi :

A Bill to incorporate the Saint John Seamen's Friend Society : and

A Bill to incorporate the Albert Manufacturing Company.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the two first entered Bills without any amendment ; and that they have agreed to the two last entered Bills with certain amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the Bill to incorporate the York Woolen and Home Factory Company, was read a second time.

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to amend an Act intituled " An Act to incorporate the Saint Andrews Benefit Society."

The Honorable Mr. Chandler took the Chair.

After some time the House resumed.

The

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

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to amend an Act for establishing and maintaining a Police Force in the Parish of Portland, in the City and County of Saint John.

The Honorable Mr. Chandler took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Chandler, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

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

The Select Committee to whom were referred all Bills relating to Corporations, beg leave to report that they have examined “A Bill to incorporate the Fredericton Rural Cemetery,” and have prepared certain amendments to the same, which they recommend to the adoption of the House.

Respectfully submitted.

*Committee Room, March 2, 1854.*

E. B. CHANDLER, *Chairman.*

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

The Honorable Mr. Steves, by leave, presented a Petition from W. Haynes and others, for a Light House to be established on Grindstone Island.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Gilbert, by leave, presented a Petition from Peters Yeamens and others, for the incorporation of Orange Lodges.

ORDERED, That the same be received and lie on the Table.

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

From John Fraser, for remuneration for his services as Gauger and Weigher at Miramichi :

From B. Beveridge and others, for aid towards the completion of the Railroad at the Grand Falls :

From Michael Kirilin and others, for the repeal of the Act to prevent the sale of Intoxicating Liquors :

From L. R. Coombes and others, for a Grant to explore a Line from the Grand Falls to Restigouche, near Campbelltown :

From A. B. Hammond and others, against the importation of Intoxicating Liquors : and

From C. A. Hammond and others, with the like object.

ORDERED, That the same be received and lie on the Table.

*Adjourned until To-morrow at 12 o'clock.*

FRIDAY, 3rd March, 1854.

PRESENT:

THE HON.

*Mr Black, President.*

*Mr. Saunders,  
Mr. Solicitor General,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Ryan.*

*Mr. Chandler,  
Mr. Minchin,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,*

PRAYERS.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to authorize the erection of a Marine Hospital at the Port of Bathurst.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made an amendment thereto, and recommended the same, as amended, to the adoption of the House.

ORDERED, That the Report be received.

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

At A at the end of the Bill, add the words “until the expense of erecting such Building be defrayed.”

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

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

The Honorable Mr. Gilbert, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of this House for certain Accounts connected with King’s College, reported that the Committee had attended to that duty, and that His Excellency had been pleased to give a written answer, as follows:—

“His Excellency doubts whether he has it in his power to supply full and complete information on the points referred to in this Address. He will, however, at once direct the authorities of King’s College, as well as the Provincial Secretary, to furnish all such particulars as the materials in their possession may respectively enable them to afford.”

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to incorporate the Fredericton Rural Cemetery, together with the Report of the Select Committee thereon.

The Honorable Mr. Chandler took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

The

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

At A in Section I, insert the word “ Company.”

At B insert the words “ for the purpose of procuring and maintaining a Cemetery or Burial Ground in or near the City of Fredericton.”

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

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

The Honorable Mr. Chandler, by leave, presented a Petition from J. K. Leavitt, for increased Salary as a Clerk in the Post Office, Saint John.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Brown gives notice, that on Tuesday the 7th instant he intends to move for leave to bring in a Bill to amend the Law relating to the Election of Members to serve in the General Assembly.

A Message was brought from the Assembly by the Honorable the Attorney General, with portions of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law; to which they desire the concurrence of this House, viz :—

PART 1st.—*Of Public Rights.*

Title I.—Chap. 1.—Division of the Province into Counties and Parishes.

Title II.—Chap. 2.—Grounds and Enclosures around the Province Buildings in Fredericton.

“ Chap. 3.—Land belonging to Government House.

“ Chap. 4.—Lands for Military purposes.

Title III.—Chap. 5.—Territorial and Casual Revenue.

“ Chap. 6.—Recovery of certain Crown Debts.

“ Chap. 7.—Adjustment of certain debts due to and of claims against the Crown.

“ Chap. 8.—Commutation of certain Crown Debts.

“ Chap. 9.—Sale of Crown Lands in certain cases.

“ Chap. 10.—Granting of Mill Reserves in certain cases.

“ Chap. 11.—Escheat of Mining Leases and Mill Reserves.

“ Chap. 12.—Trespasses to Lands and other Property of the Crown.

“ Chap. 13.—Fees of certain Public Offices.

The said portions were severally read a first time.

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

The said portions were severally read a second time.

ORDERED, That the twenty third Rule of this House be again dispensed with, as regards the said portions of the said Bill, and that the House be put into Committee of the whole presently to take the same into consideration.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The

The Chairman reported, that the Committee had gone into consideration of the said portions of the said Bill, and agreed to Title I. Chap. 1, for the division of the Province into Counties and Parishes, without any amendment, and asked leave to sit again.

ORDERED, That the Report be received and leave granted; and that said portion, Title I. Chap. 1, be read a third time to-morrow.

*Adjourned until To-morrow at 11 o'clock.*

SATURDAY, 4th March, 1854.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Solicitor General,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark,  
Mr. Ryan.*

*Mr. Chandler,  
Mr. Minchin,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Steves,*

PRAYERS.

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

The following portion of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law, viz:—

Title I.—Chap. 1.—Division of Province into Counties and Parishes.

A Bill to authorize the erection of a Marine Hospital at the Port of Bathurst: and  
A Bill to incorporate the Fredericton Rural Cemetery.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the said portion of the said Bill to carry into effect the Report of the Law Commission; and also that the Council had agreed to the two last entered Bills with certain amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into further consideration the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law.

The Honorable Mr. Hill took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the following portions of the said Bill, and recommended them to the adoption of the House without any amendment, viz:—

Title II.—Chap. 2.—Grounds around Province Buildings.

“ Chap. 3.—Government House Land.

“ Chap. 4.—Military purposes.

Title

- Title III.—Chap. 5.—Territorial and Casual Revenue.  
 “ Chap. 6.—Recovery of Crown Debts.  
 “ Chap. 7.—Adjustment of certain Debts against the Crown.  
 “ Chap. 8.—Commutation of certain Crown Debts.  
 “ Chap. 9.—Sale of Crown Land in certain cases.  
 “ Chap. 10.—Granting Mill Reserves in certain cases.  
 “ Chap. 11.—Escheat of Mining Leases and Mill Reserves.  
 “ Chap. 12.—Trespasses to Land and other Property of the Crown.  
 “ Chap. 13.—Fees of certain Public Offices.

And that they had made further progress in the said Bill, and asked leave to sit again.

ORDERED, That the Report be received, and the said portions of the said Bill be read a third time on Monday next; and further

ORDERED, That leave be granted.

A Message was brought from the Assembly by Mr. Lewis, that the Assembly had agreed to the amendments sent down from this House to the Bill to incorporate the Albert Manufacturing Company.

*Adjourned until Monday next at 12 o'clock.*

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MONDAY, 6th March, 1854.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Chandler,  
 Mr. Minchin,  
 Mr. Harrison,  
 Mr. Brown,  
 Mr. Gilbert,  
 Mr. Steves,*

*Mr. Solicitor General,  
 Mr. Hill,  
 Mr. Davidson,  
 Mr. Odell,  
 Mr. Wark,  
 Mr. Hamilton.*

PRAYERS.

Pursuant to the Order of the Day, the following portions of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law, were severally read a third time and passed, viz:—

- Title II.—Chap. 2.—Grounds and Enclosures around the Province Buildings in Fredericton.  
 “ Chap. 3.—Land belonging to Government House.  
 “ Chap. 4.—Lands for Military purposes.  
 Title III.—Chap. 5.—Territorial and Casual Revenue.  
 “ Chap. 6.—Recovery of certain Crown Debts.  
 “ Chap. 7.—Adjustment of certain debts due to and of claims against the Crown.  
 “ Chap. 8.—Commutation of certain Crown Debts.  
 “ Chap. 9.—Sale of Crown Lands in certain cases.  
 “ Chap. 10.—Granting of Mill Reserves in certain cases.  
 “ Chap. 11.—Escheat of Mining Leases and Mill Reserves.  
 “ Chap. 12.—Trespasses to Lands and other Property of the Crown.  
 “ Chap. 13.—Fees of certain Public Offices.

ORDERED,

**ORDERED,** That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

A Message was brought from the Assembly by the Honorable the Attorney General, with the following Chapters of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law; to which they desire the concurrence of this House, viz :—

Title III.—Chap. 30.—Certain Salaries.

“ Chap. 31.—Navigation of the River Saint John.

“ Chap. 32.—Salt Mines.

“ Chap. 33.—Insuring the Legislative Library.

“ Chap. 34.—Payment of Interest on Treasury Warrants.

“ Chap. 35.—Quit Rents.

“ Chap. 36.—Desertion from Her Majesty's Forces.

“ Chap. 37.—Old Soldiers of the Revolutionary War.

“ Chap. 38.—Encouragement of Agriculture.

“ Chap. 39.—Granting Lands under special circumstances.

Title IV.—Chap. 40.—Post Office.

Title V.—Chap. 41.—Auditing the Public Accounts.

Title VI.—Chap. 42.—Establishment of Municipal Authorities.

“ Chap. 43.—Election of Councillors.

“ Chap. 44.—Qualification of Voters, and Disqualification for Office.

The said Chapters were severally read a first time.

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

The Honorable Mr. Chandler, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

**ORDERED,** That the Report be received.

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

The Select Committee to whom were referred all Bills relating to Corporations, beg to report that they have had under consideration “A Bill to incorporate the York Woolen and Home Factory Company,” and have prepared certain amendments thereto, which they recommend to the adoption of the House.

Respectfully submitted.

*Committee Room, March 6, 1854.*

E. B. CHANDLER, *Chairman.*

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

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

From the Rector, Church Wardens and Vestry of Parish of Burton, to sell Glebe: and

From David Tapley, for balance due for building Wharf.

**ORDERED,** That the same be received and lie on the Table.

The Honorable Mr. Chandler, by leave, presented a Petition from John Wishart, for return of money paid under Sailor's Act, not made Law.

**ORDERED,** That the same be received and lie on the Table.

The Honorable Mr. Wark, by leave, presented a Petition from James Hannay and others, for repeal of Liquor Law.

ORDERED, That the same be received and lie on the Table.

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

From George Whitney, for aid to make alteration of Road at Little North West Mill Stream : and

From John Haws and Company, for return Duty.

ORDERED, That the same be received and lie on the Table.

*Adjourned until To-morrow at 12 o'clock.*

TUESDAY, 7th March, 1854.

PRESENT :

THE HON.

*Mr. Black, President.*

*Mr. Chandler,  
Mr. Minchin,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Steves,*

*Mr. Solicitor General,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark,  
Mr. Hamilton.*

PRAYERS.

Pursuant to the Order of the Day, the following Chapters of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law, were severally read a second time, viz :—

Title III.—Chap. 30.—Certain Salaries.

“ Chap. 31.—Navigation of the River Saint John.

“ Chap. 32.—Salt Mines.

“ Chap. 33.—Insuring the Legislative Library.

“ Chap. 34.—Payment of Interest on Treasury Warrants.

“ Chap. 35.—Quit Rents.

“ Chap. 36.—Desertion from Her Majesty's Forces.

“ Chap. 37.—Old Soldiers of the Revolutionary War.

“ Chap. 38.—Encouragement of Agriculture.

“ Chap. 39.—Granting Lands under special circumstances.

Title IV.—Chap. 40.—Post Office.

Title V.—Chap. 41.—Auditing the Public Accounts.

Title VI.—Chap. 42.—Establishment of Municipal Authorities.

“ Chap. 43.—Election of Councillors.

“ Chap. 44.—Qualification of Voters, and disqualification for Office.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Chapters of the said Bill, and that the House be put into Committee of the whole presently to take the same into consideration.

The Honorable Mr. Hill took the Chair.

After some time the House resumed.

The

The Chairman reported, that the Committee had gone into consideration of the said Chapters of the said Bill, had made some progress therein, and asked leave to sit again.  
**ORDERED,** That the Report be received and leave granted.

The Honorable Mr. Brown presented to the House a Bill intituled "An Act to amend the Law relating to the Election of Members to serve in General Assembly."  
 The said Bill was read a first time.  
**ORDERED,** That the said Bill be read a second time to-morrow.

A Message was brought from the Assembly by Mr. Gilbert, with a Bill to vest all Mines and Minerals in the owner of the Soil; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly by Mr. Hatheway, that the Assembly had agreed to the amendments sent down from this House to the Bill to incorporate the Fredericton Rural Cemetery.

A Message was brought from the Assembly by the Honorable Mr. Gray, that the Assembly had agreed to the amendments sent down from this House to the Bill to incorporate the Saint John Seamen's Friend Society.

A Message was brought from the Assembly by Mr. Reed, that the Assembly had agreed to the amendments sent down from this House to the Bill to authorize the erection of a Marine Hospital at the Port of Bathurst.

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

From Sprague, Soule and Company, and others, for aid to a Wharf:

From Daniel Carney and another, for remuneration for ferrying Mails:

From John Ferguson and others, for aid to a Wharf:

From William Napier, for remuneration for Weighing and Gauging: and

From Magistrates and others, of Bathurst, for repeal of Liquor Law.

**ORDERED,** That the same be received and lie on the Table.

*Adjourned until To-morrow at 12 o'clock.*

**WEDNESDAY, 8th March, 1854.**

**PRESENT:**

**THE HON.**

*Mr. Saunders,  
 Mr. Minchin,  
 Mr. Harrison,  
 Mr. Brown,  
 Mr. Gilbert,  
 Mr. Steves,  
 Mr. Hamilton.*

*Mr. Black, President.*

*Mr. Solicitor General,  
 Mr. Hill,  
 Mr. Davidson,  
 Mr. Odell,  
 Mr. Wark,  
 Mr. Ryan,*

**PRAYERS.**

**PRAYERS.**

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

A Bill to authorize the Rector, Church Wardens and Vestry of Saint John Church, in the Parish of Burton, in the County of Sunbury, to sell and dispose of certain Glebe Lands in the Parishes of Burton and Blissville, in the said County, and to invest the proceeds arising therefrom in other Lands : and

A Bill to incorporate the Saint John and Westmorland Steam Navigation Company.

The said Bills were severally read a first time.

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

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

The said Bill was read a second time.

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

The Honorable Mr. Steves, by leave, presented a Petition from Spafford Barker and others, for a Home Factory.

ORDERED, That the same be received and lie on the Table.

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

From George B. Cowper, for increase of Salary :

From Charles Lloyd, Locker and Searcher, with like object : and

From the same, as Gauger and Weigher, with like object.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Solicitor General, by leave, presented a Petition from James Travis and others, for an Act to regulate Wharfs and Landings at Indian Town.

ORDERED, That the same be received and lie on the Table.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into further consideration the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law.

The Honorable Mr. Hill took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the following Chapters of the said Bill, and recommended them to the adoption of the House without any amendment, viz :—

Title III.—Chap. 30.—Certain Salaries.

“ Chap. 31.—Navigation of the River Saint John.

“ Chap. 32.—Salt Mines.

“ Chap. 33.—Insuring the Legislative Library.

“ Chap. 34.—Payment of Interest on Treasury Warrants.

“ Chap. 35.—Quit Rents.

“ Chap. 36.—Desertion from Her Majesty's Forces.

“ Chap. 37.—Old Soldiers of the Revolutionary War.

“ Chap. 38.—Encouragement of Agriculture.

“ Chap. 39.—Granting Lands under special circumstances.

Title

Title IV.—Chap. 40.—Post Office.

Title V.—Chap. 41.—Auditing the Public Accounts.

Title VI.—Chap. 42.—Establishment of Municipal Authorities.

“ Chap. 43.—Election of Councillors.

“ Chap. 44.—Qualification of Voters, and Disqualification for Office.

The Chairman further reported, that in the Committee when Chapter 34—Of the payment of Interest on Treasury Warrants—was under consideration, the following amendment was moved and seconded :—

In Section 3 expunge the word “ five,” and insert the word “ nine.”

Whereupon the Committee divided as follows :—

CONTENT.

The Hon. Mr. Saunders,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark.

NON-CONTENT.

The Hon. The President,  
Mr. Solicitor General,  
Mr. Minchin,  
Mr. Hill,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Steves,  
Mr. Hamilton.

And so it passed in the negative.

And also, that when Chapter 38—Of the encouragement of Agriculture—was under consideration, the following amendment was moved and seconded :—

In Section 4 expunge the word “ four,” and insert the word “ nine.”

To which motion it was moved, by way of an amendment—That the further consideration of the Chapter be postponed for three months.

On the question, whether the amendment to the original motion should pass, the Committee divided, and it passed in the negative.

The question was then put on the original motion, and the Committee divided as follows :—

CONTENT.

The Hon. Mr. Saunders,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark,  
Mr. Steves.

NON-CONTENT.

The Hon. The President,  
Mr. Solicitor General,  
Mr. Minchin,  
Mr. Hill,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Hamilton.

And so it passed in the negative.

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

ORDERED, That the Report be received and leave granted ; and that the said Chapters of the said Bill be read a third time to-morrow.

Pursuant to the Order of Day, the Bill intituled "An Act to amend the Law relating to the Election of Members to serve in General Assembly," was read a second time.

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

*Adjourned until To-morrow at 12 o'clock.*

THURSDAY, 9th March, 1854.

PRESENT:

THE HON.	<i>Mr. Black, President.</i>	
	<i>Mr. Saunders,</i>	<i>Mr. Solicitor General,</i>
	<i>Mr. Minchin,</i>	<i>Mr. Hill,</i>
	<i>Mr. Harrison,</i>	<i>Mr. Davidson,</i>
	<i>Mr. Brown,</i>	<i>Mr. Odell,</i>
	<i>Mr. Gilbert,</i>	<i>Mr. Steves,</i>
	<i>Mr. Wark,</i>	<i>Mr. Ryan,</i>
	<i>Mr. Hamilton.</i>	

PRAYERS.

Pursuant to the Order of the Day, the following Chapters of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law, were severally read a third time and passed, viz:—

- Title III.—Chap. 30.—Certain Salaries.  
 “ Chap. 31.—Navigation of the River Saint John.  
 “ Chap. 32.—Salt Mines.  
 “ Chap. 33.—Insuring the Legislative Library.  
 “ Chap. 34.—Payment of Interest on Treasury Warrants.  
 “ Chap. 35.—Quit Rents.  
 “ Chap. 36.—Desertion from Her Majesty's Forces.  
 “ Chap. 37.—Old Soldiers of the Revolutionary War.  
 “ Chap. 38.—Encouragement of Agriculture.  
 “ Chap. 39.—Granting Lands under special circumstances.
- Title IV.—Chap. 40.—Post Office.  
 Title V.—Chap. 41.—Auditing the Public Accounts.  
 Title VI.—Chap. 42.—Establishment of Municipal Authorities.  
 “ Chap. 43.—Election of Councillors.  
 “ Chap. 44.—Qualification of Voters, and Disqualification for Office.

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

On motion made and seconded—

RESOLVED, That an humble Address be presented to His Excellency the Lieutenant Governor, praying His Excellency will be pleased to cause to be laid before this House, Returns shewing the number of Mining Leases that have been escheated, the Counties in which such Leases were situated, the number of square miles embraced in such Leases, together with the names of the parties who held them.

ORDERED,

ORDERED, That the Honorable Messieurs Steves, Davidson, and Gilbert, be a Committee to wait upon His Excellency and present the same.

The Honorable Mr. Solicitor General, by leave, presented a Petition from the European and North American Railway Company, praying that the Bill now before the Legislature to amend the Acts relating to the European and North American Railway Company, may pass into a Law.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Wark, by leave, presented a Petition from J. J. Griffith, Postmaster, Richibucto, praying an increase of Salary.

ORDERED, That the same be received and lie on the Table.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into into consideration the Bill intituled "An Act to amend the Law relating to the Election of Members to serve in General Assembly."

The Honorable Mr. Hill took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

On motion made and seconded—

ORDERED, That the Bill intituled "An Act to amend the Law relating to the election of Members to serve in General Assembly," be printed.

A Message was brought from the Assembly by Mr. Boyd, with a Bill to incorporate the Middle Landing Mills Company, in Saint Stephen ; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

Pursuant to the Order of the Day, the Bill to authorize the Rector, Church Wardens and Vestry of Saint John Church, in the Parish of Burton, in the County of Sunbury, to sell and dispose of certain Glebe Lands in the Parishes of Burton and Blissville, in the said County, and to invest the proceeds arising therefrom in other Lands, was read a second time.

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

*Adjourned until To-morrow at 12 o'clock.*

FRIDAY, 10th March, 1854.

PRESENT :

THE HON.

*Mr. Saunders,  
Mr. Solicitor General,  
Mr. Hill,*

*Mr Black, President.*

*Mr. Hatch,  
Mr. Minchin,  
Mr. Harrison,*

*Mr.*

*Mr. Davidson,*  
*Mr. Odell,*  
*Mr. Steves,*

*Mr. Brown,*  
*Mr. Gilbert,*  
*Mr. Hamilton.*

**PRAYERS.**

A Message was brought from the Assembly by the Honorable the Attorney General, with the following Chapters of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law; to which they desire the concurrence of this House, viz :—

- Title III.—Chap. 16.—Sales by Auction.  
 “ Chap. 17.—Pawn Brokers.  
 “ Chap. 18.—Buoys and Beacons.  
 “ Chap. 19.—Duties on Distilled Spirits.  
 “ Chap. 21.—Passengers and Head Money.  
 “ Chap. 22.—Sick and disabled Seamen.  
 “ Chap. 23.—Charlotte County exemptions from Duties.  
 “ Chap. 24.—Wrecked Property.  
 “ Chap. 25.—Importation of Books and protection of the British Author.  
 “ Chap. 26.—Management of Treasury Department, and duties of Officers.  
 “ Chap. 27.—Dutiable Goods, Payment of Duties, and Entries.  
 “ Chap. 28.—Warehousing Goods.  
 “ Chap. 29.—Seizures, Forfeitures, and modes of proceeding.  
 Title VI.—Chap. 45.—The Council and its Officers.  
 “ Chap. 46.—Firewards.  
 “ Chap. 47.—Penalties and Forfeitures.  
 Title VII.—Chap. 48.—Board of Education and Officers.  
 “ Chap. 49.—Duties and powers of the Board, the Superintendent and other Officers.  
 “ Chap. 50.—Training and Model Schools.  
 “ Chap. 51.—Teachers.  
 Title VIII.—Chap. 52.—Parish and County Officers.  
 “ Chap. 53.—Rates and Taxes.  
 “ Chap. 54.—Buildings, Offices, and School Reserves.  
 “ Chap. 55.—Contingencies and Accounts.

The said Chapters were severally read a first time.

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

The said Chapters were severally read a second time.

**On motion—**

The House was put into Committee of the whole to take into further consideration the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law.

The Honorable Mr. Hill took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the following Chapters of the said Bill, and recommended them to the adoption of the House without any amendment, viz :—

Title

- 
- Title III.—Chap. 16.—Sales by Auction.  
 “ Chap. 17.—Pawn Brokers.  
 “ Chap. 18.—Buoys and Beacons.  
 Title III.—Chap. 19.—Duties on Distilled Spirits.  
 “ Chap. 21.—Passengers and Head Money.  
 “ Chap. 22.—Sick and Disabled Seamen.  
 “ Chap. 23.—Charlotte County exemptions from Duty.  
 “ Chap. 24.—Wrecked Property.  
 “ Chap. 25.—Importation of Books, and protection of the British Author.  
 “ Chap. 26.—Management of Treasury Department and duties of Officers.  
 “ Chap. 27.—Dutiable Goods, Payment of Duties, and Entries.  
 “ Chap. 28.—Warehousing Goods.  
 “ Chap. 29.—Seizures, Forfeitures, and modes of proceeding.

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

ORDERED, That the Report be received and leave granted; and that the said Chapters be read a third time to-morrow.

Pursuant to the Order of the Day, the Bill to incorporate the Middle Landing Mills Company in Saint Stephen, was read a second time.

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to authorize the Rector, Church Wardens and Vestry of Saint John's Church, in the Parish of Burton, in the County of Sunbury, to sell and dispose of certain Glebe Lands in the Parishes of Burton and Blissville, in the said County, and to invest the proceeds arising therefrom in other Lands.

The Honorable Mr. Brown took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Hatch, in his place, pleaded urgent business which could not admit of delay, and apologized to the House for having absented himself without leave.

On motion—

The House was put into Committee of the whole, to take into further consideration the Bill to amend an Act intituled “ An Act to incorporate the Saint Andrews Benefit Society.”

The Honorable Mr. Hatch took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Botsford, with a Bill to incorporate

porate sundry persons by the name of the Petitcodiac Water Company; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly by Mr. Godard, with a Bill in addition to and amendment of an Act to incorporate the New Brunswick Electric Telegraph Company; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The Honorable Mr. Davidson, by leave, presented a Petition from Jean M'Rea, for Revolutionary War Pension.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Hill, by leave, presented a Petition from Robert Watson, for remuneration as a Controller of Navigation at Saint Stephen.

ORDERED, That the same be received and lie on the Table.

*Adjourned until To-morrow at 12 o'clock.*

*SATURDAY, 11th March, 1854.*

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Solicitor General,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark,  
Mr. Ryan,*

*Mr. Hatch,  
Mr. Minchin,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Steves,  
Mr. Hamilton.*

PRAYERS.

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

A Bill to incorporate sundry persons by the name of the Petitcodiac Water Company: and

A Bill in addition to and in amendment of an Act to incorporate the New Brunswick Electric Telegraph Company.

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

A Message was brought from the Assembly by Mr. Robinson, with a Bill to incorporate the Saint Andrews Gas Company; to which they desire the concurrence of this House.

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

A Message was brought from the Assembly by Mr. Godard, with a Bill relating to the

the Roman Catholic Burial Ground in the Parish of Portland, City and County of Saint John; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly by Mr. Botsford, with a Bill in further amendment of an Act intituled "An Act to incorporate the Northumberland Straits Fishing Company;" to which they desire the concurrence of this House.

The said Bill was read a first time.

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

ORDERED, That the Honorable Mr. Hamilton have leave of absence.

On motion—

The House was put into Committee of the whole, to take into further consideration the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law.

The Honorable Mr. Hatch took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

*Adjourned until Monday next at 12 o'clock.*

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MONDAY, 13th March, 1854.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Steves,*

*Mr. Hatch,  
Mr. Minchin,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark,  
Mr. Ryan.*

PRAYERS.

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

A Bill to incorporate the Saint Andrews Gas Company:

A Bill relating to the Roman Catholic Burial Ground in the Parish of Portland, City and County of Saint John: and

A Bill in further amendment of an Act intituled "An Act to incorporate the Northumberland Straits Fishing Company."

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

ORDERED, That the House be put into Committee of the whole to-morrow, to take the two last entered Bills severally into consideration. Pursuant

Pursuant to the Order of the Day, the House was put into Committee of the whole, to take into further consideration the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law.

The Honorable Mr. Hill took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the following Chapters of the said Bill, and recommended them to the consideration of the House without any amendment, viz :—

Title VI.—Chap. 45.—The Council and its Officers.

“ Chap. 46.—Firewards.

“ Chap. 47.—Penalties and Forfeitures.

Title VII.—Chap. 48.—Board of Education, and Officers.

“ Chap. 49.—Duties and powers of the Board, the Superintendent, and other Officers.

“ Chap. 50.—Training and Model Schools.

“ Chap. 51.—Teachers.

Title VIII.—Chap. 53.—Rates and Taxes.

“ Chap. 54.—Buildings, Offices, and School Reserves.

“ Chap. 55.—Contingencies and Accounts.

The Chairman further reported, that the Committee had gone through Chap. 52, Title VIII. of the said Bill, had made an amendment thereto, and recommended the same, as amended, to the adoption of the House; and that he was directed to ask leave to sit again.

The Chairman further reported, that on the question whether the words “except Queen’s,” be added to the Chap. 52, Sec. 1, the House divided as follows :—

CONTENT.

The Hon. The President,  
Mr. Hatch,  
Mr. Harrison,  
Mr. Gilbert,  
Mr. Ryan.

NON-CONTENT.

The Hon. Mr. Saunders,  
Mr. Solicitor General,  
Mr. Minchin,  
Mr. Davidson,  
Mr. Brown,  
Mr. Odell,  
Mr. Wark,  
Mr. Steves,  
Mr. Hamilton.

So it passed in the negative.

ORDERED, That the Report be received and leave granted.

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

At A, Sec. 2, Chap. 52, insert the words “to be first proved by the Collector’s receipt or list.”

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That the same be engrossed, and the said Chapter, as amended, read a third time to-morrow.

ORDERED, That the first entered Chapters be read a third time to-morrow.

On

On motion—

The House was put into Committee of the whole to take into consideration the Bill to repeal in part the provisions of an Act intituled “An Act to consolidate and amend the Laws relating to the local government of Counties, Towns and Parishes in this Province.”

The Honorable Mr. Gilbert took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, and had not concurred in the same.

ORDERED, That the Report be received.

On motion—

The House was put into Committee of the whole, to take into consideration a Bill to amend an Act intituled “An Act to incorporate the Saint Andrews Benefit Society.”

The Honorable Mr. Hatch took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly by Mr. Porter, with a Bill to incorporate the Milltown Aqueduct Company, in the Parish of Saint Stephen; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The said Bill was read a second time.

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

The Honorable Mr. Brown, by leave, presented a Petition from John O'Donahue, for aid for teaching a School.

ORDERED, That the same be received and lie on the Table.

*Adjourned until To-morrow at 12 o'clock.*

**TUESDAY, 14th March, 1854.**

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Ryan.*

*Mr. Hatch,  
Mr. Minchin,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark,*

**PRAYERS.**

Pursuant to the Order of the Day, the Bill to amend an Act intituled "An Act to incorporate the Saint Andrews Benefit Society," was read a third time and passed.

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

Pursuant to the Order of the Day, the following Chapters of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law, were severally read a third time and passed, viz :—

- Title VI.—Chap. 45.—The Council and its Officers.
- “ Chap. 46.—Firewards.
- “ Chap. 47.—Penalties and Forfeitures.
- Title VII.—Chap. 48.—Board of Education, and Officers.
- “ Chap. 49.—Duties and powers of the Board, the Superintendent, and other Officers.
- “ Chap. 50.—Training and Model Schools.
- “ Chap. 51.—Teachers.
- Title VIII.—Chap. 52.—Parish and County Officers.
- “ Chap. 53.—Rates and Taxes.
- “ Chap. 54.—Buildings, Offices, and School Reserves.
- “ Chap. 55.—Contingencies and Accounts.

**ORDERED,** That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to all the said Chapters without any amendment, except Chap. 52, to which they have made an amendment, and desire the concurrence of the Assembly thereto.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill in further amendment of an Act intituled "An Act to incorporate the Northumberland Straits Fishing Company."

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made an amendment thereto, and recommended the same, as amended, to the adoption of the House.

**ORDERED,** That the Report be received.

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

At A expunge the third Section.

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill relating to the Roman Catholic Burial Ground in the Parish of Portland, City and County of Saint John.

The Honorable Mr. Hazen took the Chair.

After some time the House resumed.

The

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

**ORDERED,** That the Report be received, and the Bill read a third time to-morrow.

On motion—

The House was put into Committee of the whole, to take into further consideration the Bill to authorize the Rector, Church Wardens and Vestry of Saint John's Church, in the Parish of Burton, in the County of Sunbury, to sell and dispose of certain Glebe Lands in the Parishes of Burton and Blissville, in the said County, and to invest the proceeds arising therefrom in other Lands.

The Honorable Mr. Hatch took the Chair.

After some time the House resumed.

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

**ORDERED,** That the Report be received and the Bill read a third time to-morrow.

On motion—

The House was put into Committee of the whole, to take into consideration the Bill to provide for the establishment and management of a Boom or Booms in the County of York.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

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

**ORDERED,** That the Report be received and leave granted.

On motion—

The House was put into Committee of the whole, to take into consideration the Bill to amend the Act for establishing and maintaining a Police Force in the Parish of Portland, in the City and County of Saint John.

The Honorable Mr. Hazen took the Chair.

After some time the House resumed.

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

**ORDERED,** That the Report be received and leave granted.

On motion—

The House was put into Committee of the whole, to take into consideration the Bill to incorporate the York Woollen and Home Factory Company, together with the Report of the Select Committee thereon.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

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

**ORDERED,** That the Report be received.

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

At A in the Preamble, expunge the following words:—“ Woollen cloths are extensively

sively needed and used, but are chiefly manufactured abroad, and the wool of the country purchased by foreigners.”

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

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

A Message was brought from the Assembly by Mr. Hatheway, with a Bill to increase the Capital Stock of the Nashwaak Boom Company ; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly by Mr. Porter, with a Bill to provide for the more effectually repairing the Highways, Streets and Sidewalks in the Milltown Highway District, in the Parish of Saint Stephen ; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The Honorable the Solicitor General, a Member of Her Majesty's Executive Council, by direction of His Excellency the Lieutenant Governor, laid before the House—

A copy of the Queries put forth by the Law Commissioners, and the Answers thereto.

On motion made and seconded—

ORDERED, That the House be put into Committee of the whole on Monday next to take into consideration the Bill intituled “ An Act to amend the Law relating to the Election of Members to serve in General Assembly.”

A Message was brought from the Assembly by the Honorable the Attorney General, with the following Chapters of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law ; to which they desire the concurrence of this House, viz :—

Title III.—Chap. 20.—Regulation of Light Houses.

Title VIII.—Chap. 56.—Actions against Officers, and recovery of Penalties.

“ Chap. 57.—Bastardy.

“ Chap. 58.—Infectious Distempers.

“ Chap. 59.—Preventing of Fires.

“ Chap. 60.—Harbours.

“ Chap. 61.—Fences, Trespasses and Pounds.

“ Chap. 62.—Protection of Sheep and Moose.

“ Chap. 63.—Dams, Sluiceways and Fishways.

“ Chap. 64.—Rules and Regulations.

“ Forms.

Title IX.—Chap. 65.—Great Roads.

“ Chap. 66.—Highways.

Title

- Title X.—Chap. 67.—Commissioners.  
 “ Chap. 68.—Division of Marsh Lands, and the election of Commissioners for Westmorland and Albert, excepting the Parish of Sackville.  
 “ Chap. 69.—Commissioners for the Parish of Sackville.  
 “ Chap. 70.—Undivided Districts in Sackville.  
 “ Chap. 71.—Penalties.  
 “ Chap. 72.—Common Sewers in the City of Saint John.  
 “ Schedule.

The said Chapters were severally read a first time.

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

The said Chapters were severally read a second time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Chapters, and that the House be put into Committee of the whole presently to take the same into consideration.

The Honorable Mr. Hazen took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Hill, by leave, presented a Petition from N. S. Nevers and others, in favour of Ballot.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Hazen, by leave, presented a Petition from John M'Alister and others, against the Bill to prevent election of Parish Officers in Queen's County.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Saunders, by leave, presented a Petition from Richard Hayne, Esquire, against taxing Wild Lands.

ORDERED, That the same be received and lie on the Table.

*Adjourned until To-morrow at 12 o'clock.*

WEDNESDAY, 15th March, 1854.

PRESENT :

THE HON.

*Mr. Saunders,  
 Mr. Solicitor General,  
 Mr. Hazen,  
 Mr. Harrison,  
 Mr. Brown,  
 Mr. Gilbert,  
 Mr. Ryan.*

*Mr. Black, President.*

*Mr. Hatch,  
 Mr. Minchin,  
 Mr. Hill,  
 Mr. Davidson,  
 Mr. Odell,  
 Mr. Wark,*

**PRAYERS.**

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

A Bill relating to the Roman Catholic Burial Ground in the Parish of Portland, City and County of Saint John :

A Bill to authorize the Rector, Church Wardens and Vestry of Saint John's Church, in the Parish of Burton, in the County of Sunbury, to sell and dispose of certain Glebe Lands in the Parishes of Burton and Elissville, in the said County, and to invest the proceeds arising therefrom in other Lands :

A Bill in further amendment of an Act to incorporate the Northumberland Straits Fishing Company : and

A Bill to incorporate the York Woollen and Home Factory Company.

**ORDERED**, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the two first entered Bills without any amendment ; and that they have agreed to the two last entered Bills with certain amendments, to which they desire the concurrence of the Assembly.

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

A Bill to provide for the more effectually repairing the Highways, Streets and Sidewalks in the Milltown Highway District, in the Parish of Saint Stephen : and

A Bill to increase the Capital Stock of the Nashwaak Boom Company.

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to amend the Act for establishing and maintaining a Police Force in the Parish of Portland, in the City and County of Saint John.

The Honorable Mr. Hazen took the Chair.

After some time the House resumed.

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

**ORDERED**, That the Report be received ; whereupon it was

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into further consideration the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law.

The Honorable Mr. Hazen took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the following Chapters of the said Bill, and recommended them to the adoption of the House without any amendment, viz :—

Title

- Title III.—Chap. 20.—Regulation of Light Houses.  
 Title VIII.—Chap. 56.—Actions against Officers, and recovery of Penalties.  
 “ Chap. 57.—Bastardy.  
 “ Chap. 58.—Infectious Distempers.  
 “ Chap. 59.—Preventing Fires.  
 “ Chap. 60.—Harbours.  
 “ Chap. 61.—Fences, Trespasses and Pounds.  
 “ Chap. 62.—Protection of Sheep and Moose.  
 “ Chap. 63.—Dams, Sluiceways and Fishways.  
 “ Forms.  
 Title IX.—Chap. 65.—Great Roads.  
 Title X.—Chap. 67.—Commissioners.  
 “ Chap. 68.—Division of Marsh Lands, and the election of Commissioners for Westmorland and Albert, excepting the Parish of Sackville.  
 “ Chap. 69.—Commissioners for the Parish of Sackville.  
 “ Chap. 70.—Undivided Districts in Sackville.  
 “ Chap. 71.—Penalties.  
 “ Chap. 72.—Common Sewers in the City of Saint John.  
 “ Schedule.

The Chairman further reported, that the Committee had gone through the following Chapters of the said Bill, had made certain amendments thereto, and recommended the same, as amended, to the adoption of the House; and that he was directed to ask leave to sit again:—

Title VIII.—Chap. 64.—Rules and Regulations.

Title IX.—Chap. 66.—Highways.

ORDERED, That the Report be received and leave granted.

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

At A at the end of Section 1 of Chapter 64, add as follows:—

“Thirty second—For the inspection of dry and pickled Fish, so that the barrel shall contain not less than twenty eight gallons, the half barrel not less than fourteen gallons, and the tierce not less than forty two gallons; and that there shall be three qualities of dry Fish, nameiy ‘Merchantable,’ ‘Madeira,’ and ‘West India.’”

At-A in Section 19 of Chapter 66, expunge the word “Commissioner,” and insert the words “District Commissioner.”

At B, between Sections 30 and 31, insert two new Sections as follows, and alter the numbers of the remaining Sections:—

“31. The Road Commissioners in the Parishes of Mougerville and Sheffield, in Sunbury, and of Canning, Cambridge, and Gagetown, in Queen’s, may apply such parts of the Statute Labour of the inhabitants, or proprietors of Land in such Parishes respectively, as they may deem necessary, to secure and defend the Banks of the River Saint John therein, and to procure materials necessary for that purpose.

“32. That part of the said Statute Labour so employed where the public highway runs, may be performed at the times in each year when most practicable, under the direction

direction of the Commissioners. The Commissioners and Surveyors shall make returns thereof in time to be submitted to the June Sessions of the Counties respectively."

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

ORDERED, That the same be engrossed, and the said Chapters, as amended, read a third time to-morrow; and further

ORDERED, That the other first entered Chapters also be read a third time to-morrow.

A Message was brought from the Assembly by the Honorable the Attorney General, with the following Chapters of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law; to which they desire the concurrence of this House, viz:—

Title XI.—Chap. 73.—Battalions, Regiments and Companies, and the Commander in Chief.

“ Chap. 74.—Commanding Officers, Battalions and Regiments.

“ Chap. 75.—Captains and Subalterns.

“ Chap. 76.—Aliens.

“ Chap. 77.—Courts Martial.

“ Chap. 78.—Exempts.

“ Chap. 79.—Militia Men.

“ Chap. 80.—Fines, mode of recovery and application.

“ Chap. 81.—Militia of Saint John.

“ Chap. 82.—Artillery and Sea Fencible Companies.

“ Chap. 83.—Suspension of certain Sections of this Title.

Title XII.—Chap. 84.—Naturalization of Aliens.

Title XIII.—Chap. 85.—Indian Reserves.

Title XVI.—Chap. 89.—Management of the Estates of Lunatics.

“ Chap. 90.—Dangerous Lunatics.

Title XVII.—Chap. 92.—Provincial Penitentiary.

Title XVIII.—Chap. 93.—Regulation of Sales of Lime.

“ Chap. 94.—Measurement of Fire Wood and Bark.

“ Chap. 95.—Inspection of Flour and Meal.

“ Chap. 96.—Weights and Measures.

Title XVI.—Chap. 91.—Management of the Provincial Lunatic Asylum.

The said Chapters were severally read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Chapters, and that they be read a second time presently.

The said Chapters were severally read a second time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the same, and that the House be put into Committee of the whole presently to take the same into consideration.

The Honorable Mr. Hazen took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the twenty first-  
entered

entered Chapters, and recommended the same to the adoption of the House without any amendment; and that they had gone through the last entered Chapter, had made a certain amendment thereto, and recommended the same, as amended, to the adoption of the House.

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

ORDERED, That the Report be received and leave granted.

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

At A expunge the first part of first Section down to “be known,” &c. and insert—  
“When the Governor shall have paid the sum of two thousand pounds to the Mayor, Aldermen and Commonalty of the City of Saint John, and the Trustees of the said Corporation, and a certificate of such payment shall have been executed under the Seal of the said Corporation and the hand of the Chairman of such Trustees, acknowledged, proved and registered as in the case of Deeds, a certain Tract of Land, for which the said sum of two thousand pounds was the purchase money, shall be vested in the Queen for the purposes of this Chapter; and the same, with the buildings thereon, shall continue to.”

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That the same be engrossed, and the Chapter, as amended, read a third time to-morrow, together with the first entered Chapters.

*Adjourned until To-morrow at 12 o'clock.*

THURSDAY, 16th March, 1854.

PRESENT :

THE HON.

*Mr. Saunders,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark,*

*Mr. Black, President.*

*Mr. Botsford,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Ryan.*

PRAYERS.

Pursuant to the Order of the Day, the following Chapters of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law, were severally read a third time and passed, viz :—

Title III.—Chap. 16.—Sales by Auction.  
“ Chap. 17.—Pawn Brokers.  
“ Chap. 18.—Buoys and Beacons.  
“ Chap. 19.—Duties on Distilled Spirits.  
“ Chap. 21.—Passengers and Head Money.  
“ Chap. 22.—Sick and Disabled Seamen.  
“ Chap. 23.—Charlotte County exemptions from Duty.

- Title III.—Chap. 24.—Wrecked Property.**  
 “ Chap. 25.—Importation of Books, and protection of the British Author.  
 “ Chap. 26.—Management of Treasury Department and duties of Officers.  
 “ Chap. 27.—Dutiable Goods, Payment of Duties, and Entries.  
 “ Chap. 28.—Warehousing Goods.  
 “ Chap. 29.—Seizures, Forfeitures, and modes of proceeding.  
 “ Chap. 20.—Regulation of Light Houses.
- Title VIII.—Chap. 56.—Actions against Officers, and recovery of Penalties.**  
 “ Chap. 57.—Bastardy.  
 “ Chap. 58.—Infectious Distempers.  
 “ Chap. 59.—Preventing Fires.  
 “ Chap. 60.—Harbours.  
 “ Chap. 61.—Fences, Trespasses and Pounds.  
 “ Chap. 62.—Protection of Sheep and Moose.  
 “ Chap. 63.—Dams, Sluiceways and Fishways.  
 “ Forms.
- Title IX.—Chap. 65.—Great Roads.**
- Title X.—Chap. 67.—Commissioners.**  
 “ Chap. 68.—Division of Marsh Lands, and the election of Commissioners for Westmorland and Albert, excepting the Parish of Sackville.  
 “ Chap. 69.—Commissioners for the Parish of Sackville.  
 “ Chap. 70.—Undivided Districts in Sackville.  
 “ Chap. 71.—Penalties.  
 “ Chap. 72.—Common Sewers in the City of Saint John.  
 “ Schedule.
- Title XI.—Chap. 73.—Battalions, Regiments and Companies, and the Commander in Chief.**  
 “ Chap. 74.—Commanding Officers, Battalions and Regiments.  
 “ Chap. 75.—Captains and Subalterns.  
 “ Chap. 76.—Aliens.  
 “ Chap. 77.—Courts Martial.  
 “ Chap. 78.—Exempts.  
 “ Chap. 79.—Militia Men.  
 “ Chap. 80.—Fines, mode of recovery and application.  
 “ Chap. 81.—Militia of Saint John.  
 “ Chap. 82.—Artillery and Sea Fencible Companies.  
 “ Chap. 83.—Suspension of certain Sections of this Title.
- Title XII.—Chap. 84.—Naturalization of Aliens.**
- Title XIII.—Chap. 85.—Indian Reserves.**
- Title XVI.—Chap. 89.—Management of the Estates of Lunatics.**  
 “ Chap. 90.—Dangerous Lunatics.
- Title XVII.—Chap. 92.—Provincial Penitentiary.**
- Title XVIII.—Chap. 93.—Regulation of Sales of Lime.**  
 “ Chap. 94.—Measurement of Fire Wood and Bark.  
 “ Chap. 95.—Inspection of Flour and Meal.  
 “ Chap. 96.—Weights and Measures.

Title

Title VIII.—Chap. 64.—Rules and Regulations.

Title IX.—Chap. 66.—Highways.

Title XVI.—Chap. 91.—Management of the Provincial Lunatic Asylum.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the fifty one first entered Chapters without any amendment; and had also agreed to the three last entered Chapters with certain amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to increase the Capital Stock of the Nashwaak Boom Company.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to provide for the more effectually repairing the Highways, Streets and Sidewalks in the Milltown Highway District, in the Parish of Saint Stephen.

The Honorable Mr. Brown took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

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

The Select Committee to whom were referred all Bills relating to Corporations, beg to report that they have examined “A Bill to incorporate the South West Boom Company;” also “A Bill to incorporate the Middle Landing Mill Company, in Saint Stephen;” also “A Bill to incorporate the Milltown Aqueduct Company, in the Parish of Saint Stephen;” and recommend the said Bills to the adoption of the House without amendment.

Respectfully submitted.

*Committee Room, March 16, 1854.*

A. E. BOTSFORD, *Chairman.*

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Bills, and that the House be put into Committee of the whole presently, to take the said Bills, together with the Report of the Select Committee thereon, severally into consideration.

The Honorable Mr. Hill took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill to incorporate

rate

rate the South West Boom Company, and recommended the same to the adoption of the House without any amendment.

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

On motion—

The House was put into Committee of the whole, to take into consideration the Bill to incorporate the Milltown Aqueduct Company, in the Parish of Saint Stephen.

The Honorable Mr. Hill took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into Committee of the whole, to take into consideration the Bill to incorporate the Middle Landing Mills Company in Saint Stephen.

The Honorable Mr. Hill took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly by Mr. Earle, with a Bill relating to the qualification of Freeholders in certain cases; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

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

From Samuel Strange and others, for aid to Breakwater at Sand Point:

From Fleming and Humbert, for return Duty:

From John Hooper, against Act to open Cross Street:

From John Sears, for compensation for loss on Copper Coin Contract:

From Philps Brothers, for release from Duty on certain articles:

From Matthew O'Brien, for aid to Buoys and Beacons at Musquash: and

From Rector, Church Wardens and Vestry of Trinity Church, Saint John, against change of the Corporation.

ORDERED, That the same be received and lie on the Table.

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

From Silas M'Mahon, for relief from Crown Actions:

From Richard C. Akerley and others, for incorporation of Orange Lodges: and

From W. F. Bonnell, Postmaster, for increase of Salary.

ORDERED, That the same be received and lie on the Table.

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

From Stephen H. Hitchings and others, for Act to increase Road Tax: and

From Philps Brothers, for return Duty on Machinery.

ORDERED, That the same be received and lie on the Table.

The

The Honorable Mr. Hatch, by leave, presented a Petition from Patrick Clinch and others, against Liquor Law.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Solicitor General, by leave, presented a Petition from W. and J. Lawton, for amendment of Act of Assembly 3 Vic. relating to Streets in Saint John.

ORDERED, That the same be received and lie on the Table.

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

From Isaac Dodge and others, for incorporation of Orange Lodges : and

From John Wightman, with similar prayer.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Botsford, by leave, presented a Petition from the President, Directors, and Company of Northumberland Straits Fishing Company, to amend the Act of Incorporation.

ORDERED, That the same be received and lie on the Table.

On motion made and seconded—

ORDERED, That the Papers submitted by command of His Excellency the Lieutenant Governor, referring to the Law Commission, be printed for the use of this House, and that one hundred copies be struck off.

*Adjourned until To-morrow at 12 o'clock.*

FRIDAY, 17th March, 1854.

PRESENT :

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark,*

*Mr. Botsford,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Ryan.*

PRAYERS.

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

A Bill to incorporate the South West Boom Company :

A Bill to incorporate the Middle Landing Mills Company in Saint Stephen :

A Bill to incorporate the Milltown Aqueduct Company in the Parish of Saint Stephen : and

A Bill to increase the Capital Stock of the Nashwaak Boom Company.

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

Pursuant to the Order of the Day, the Bill relating to the qualification of Freeholders in certain cases, was read a second time.

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

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

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

The Select Committee to whom were referred all Bills relating to Corporations, beg leave to report that they have examined “A Bill in addition to and amendment of an Act to incorporate the New Brunswick Electric Telegraph Company,” and recommend the same to the adoption of the House without amendment. They have also had under consideration “A Bill to incorporate the Saint John and Westmorland Steam Navigation Company;” and “A Bill to incorporate the Saint Andrews Gas Company;” and have prepared certain amendments to the said Bills, which they recommend to the favourable consideration of the House.

Respectfully submitted.

*Committee Room, March 17, 1854.*

A. E. BOTSFORD, *Chairman.*

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Bills, and that the House be put into Committee of the whole presently, to take the said Bills, together with the Report of the Select Committee thereon, severally into consideration.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill to incorporate the Saint John and Westmorland Steam Navigation Company, had made certain amendments thereto, and recommended the same, as amended, to the adoption of the House.

ORDERED, That the Report be received.

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

At A at the end of the Bill, add the following new Sections :—

“9. That the joint property and stock of the said Company shall alone be responsible for the engagements and debts of the said Company.

“10. That unless fifteen per cent. of the said capital stock shall be actually paid in for the purposes of the said Corporation, and a certificate of such payment, signed and verified on oath by the said Directors, or a majority of them, which oath any Justice of the Peace is hereby authorized to administer, shall be filed in the Office of the Secretary of the Province, before the expiration of three years after the passing of this Act, the operation of this Act shall cease, and the existence of the said Corporation be terminated at the expiration of the said three years.”

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

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

On

On motion—

The House was put into Committee of the whole, to take into consideration the Bill in addition to and amendment of an Act to incorporate the New Brunswick Electric Telegraph Company, together with the Report of the Select Committee thereon.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into Committee of the whole, to take into consideration the Bill to incorporate the Saint Andrews Gas Company, together with the Report of the Select Committee thereon.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A, Section 3, expunge the words “and such other officers as may be necessary for the management of the affairs of the said Corporation.”

At B, Section 4, expunge the words “and such other officers as may be necessary for the management of the affairs of the said Corporation.”

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

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

A Message was brought from the Assembly by Mr. Taylor, that the Assembly had agreed to the amendments sent down from this House to the Bill to incorporate the York Woollen and Home Factory Company.

A Message was brought from the Assembly by Mr. Gordon, that the Assembly had agreed to the amendments sent down from this House to Chap. 52, Title VIII, Of Parish and County Officers.

A Message was brought from the Assembly by the Honorable Mr. Gray, with a Bill in amendment of and in addition to an Act to incorporate the South Bay Boom Company; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The Honorable Mr. Saunders, by leave, presented a Petition from James Taylor, Esquire, for remuneration for support of Emigrants.

ORDERED, That the same be received and lie on the Table.

The

The Honorable Mr. Hazen, by leave, presented the following Petitions :—  
 From Inhabitants of Carleton, Saint John, for Act to incorporate Orange Lodges :  
 From Alexander Thompson and others, with the like prayer :  
 From James Olive and others, with the like prayer :  
 From Z. B. Brown, for return Duty :  
 From Messieurs Short and Estey, with the like prayer :  
 From the Rector, Church Wardens and Vestry of Trinity Church, Saint John, for  
 Act relating to Presentations and Inductions :  
 From Milby and Thomas, for return of penalties : and  
 From Thomas M'Avity, for allowance for superintending landing of Emigrants.  
**ORDERED**, That the same be received and lie on the Table.

*Adjourned until To-morrow at 12 o'clock.*

**SATURDAY, 18th March, 1854.**

**PRESENT :**

**THE HON.**

*Mr. Saunders,  
 Mr. Hatch,  
 Mr. Minchin,  
 Mr. Hill,  
 Mr. Davidson,  
 Mr. Gilbert,  
 Mr. Ryan.*

*Mr. Black, President.*

*Mr. Botsford,  
 Mr. Solicitor General,  
 Mr. Hazen,  
 Mr. Harrison,  
 Mr. Brown,  
 Mr. Wark,*

**PRAYERS.**

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

A Bill in addition to and amendment of an Act to incorporate the New Brunswick Electric Telegraph Company : and

A Bill to incorporate the Saint Andrews Gas Company.

**ORDERED**, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the first entered Bill without any amendment ; and that they have agreed to the last entered Bill with certain amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the Bill in amendment of and in addition to an Act to incorporate the South Bay Boom Company, was read a second time.

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

A Message was brought from the Assembly by Mr. Barberie, with the following Chapters of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law ; to which they desire the concurrence of this House, viz :—

Title

- Title XVIII.—Chap. 97.—Survey and Exportation of Lumber.  
 Title XIX.—Chap. 98.—Establishment of a Board of Health for the City and County of Saint John.  
 Title XX.—Chap. 99.—Controverted Elections.  
 Title XXI.—Chap. 100.—Free Navigation of the Internal Waters.  
 Title XXII.—Chap. 101.—Treaty of Washington.  
 Title XXIII.—Chap. 102.—Sea and River Fisheries.  
 Title XXIV.—Chap. 103.—Interest and Usury.  
 Title XXV.—Chap. 104.—Gambling transactions.  
 Title XXVI.—Chap. 105.—Regulations among Proprietors of Islands.  
 Title XXVII.—Chap. 106.—Injuries to Lands in the vicinity of the River Saint John.  
 Title XXX.—Chap. 109.—Relief of Roman Catholics.  
 Title XXXI.—Chap. 110.—Nova Scotia Grants.  
 “ Chap. 111.—Wills.  
 “ Chap. 112.—Intestate Estates.  
 “ Chap. 113.—Registry of Deeds and other Instruments.

The said Chapters were severally read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Chapters, and that they be read a second time presently.

The said Chapters were severally read a second time.

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

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

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

The Select Committee to whom were referred all Bills relating to Corporations, beg leave to report that they have examined “A Bill to incorporate sundry persons by the name of the Petitcodiac Water Company,” and have prepared certain amendments to the said Bill, which they recommend to the favourable consideration of the House.

Respectfully submitted.

*Committee Room, March 18, 1854.*

A. E. BOTSFORD, *Chairman.*

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Bill, and that the House be put into Committee of the whole presently to take the said Bill, together with the Report of the Select Committee thereon, severally into consideration.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A, Section 1, expunge the remainder of the Section, and insert as follows—“and shall have all the powers and privileges made incident to a Corporation by Act of Assembly of this Province, for the purpose of supplying the inhabitants of the Bend and its vicinity with water, and for carrying on and managing the necessary works connected therewith.”

At B at the end of the Bill, add a new Section, as follows :—

“23. That unless fifteen per cent. of the said capital stock shall be paid in for the purpose of this Corporation, and a certificate of such payment, signed and verified on oath by the Directors, or a majority of them, before any Justice of the Peace, shall be filed in the Office of the Secretary of the Province before the expiration of three years next after the passing of this Act, the operation of this Act shall cease, and the existence of this Corporation be terminated.”

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

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill relating to the qualification of Freeholders in certain cases.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into Committee of the whole, to take into consideration the Bill to provide for the more effectually repairing the Highways, Streets and Sidewalks in the Milltown Highway District, in the Parish of Saint Stephen.

The Honorable Mr. Brown took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly by Mr. Macpherson, that the Assembly had agreed to the amendments sent down from this House to the Bill in further amendment of an Act intituled “An Act to incorporate the Northumberland Straits Fishing Company.”

*Adjourned until Monday next at 12 o'clock.*

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MONDAY, 20th March, 1854.

PRESENT :

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark,  
Mr. Ryan.*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Steves,*

PRAYERS.

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

A Bill to provide for the more effectually repairing the Highways, Streets and Sidewalks in the Milltown Highway District, in the Parish of Saint Stephen : and

A Bill to incorporate sundry persons by the name of the Petitcodiac Water Company.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the first entered Bill without any amendment ; and that they have agreed to the last entered Bill with certain amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill intituled “ An Act to amend the Law relating to the Election of Members to serve in General Assembly.”

The Honorable Mr. Steves took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into Committee of the whole, to take into further consideration the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law.

The Honorable Mr. Chandler took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the following Chapters of the said Bill, and recommended them to the adoption of the House without any amendment, viz :—

Title XIX.—Chap. 98.—Establishment of a Board of Health for Saint John.

Title XX.—Chap. 99.—Controverted Elections.

Title XXI.—Chap. 100.—Free Navigation of Internal Waters.

Title XXII.—Chap. 101.—Treaty of Washington.

Title

- Title XXIII.—Chap. 102.—Sea and River Fisheries.  
 Title XXIV.—Chap. 103.—Interest and Usury.  
 Title XXV.—Chap. 104.—Gambling Transactions.  
 Title XXVI.—Chap. 105.—Regulations among Proprietors of Islands.  
 Title XXVII.—Chap. 106.—Injuries to Lands in the vicinity of River Saint John.  
 Title XXX.—Chap. 109.—Relief of Roman Catholics.  
 Title XXXI.—Chap. 110.—Nova Scotia Grants.  
     “    Chap. 111.—Wills.  
     “    Chap. 112.—Intestate Estates.

Also that the Committee had gone through the two following Chapters of the said Bill, had made certain amendments thereto, and recommended the same, as amended, to the adoption of the House; and that he was directed to ask leave to sit again:—

- Title XVIII.—Chap. 97.—Survey and Exportation of Lumber.  
 Title XXXI.—Chap. 113.—Registry of Deeds and other Instruments.

ORDERED, That the Report be received and leave granted.

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

At A in Sec. 2, Chap. 113, expunge the words “and Wills,” and insert the words “for each County.”

At A in Sec. 3, Chap. 94, add the following:—“And in case of any such dispute, if the buyer or seller or the Surveyor shall neglect or refuse, when called upon so to do, to name a Surveyor as above required, it shall be lawful for the other party to name two disinterested Surveyors, who shall choose a third, and proceed as above directed, and their decision, or the decision of any two of them, shall be final.”

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

ORDERED, That the same be engrossed, and the said Chapters, as amended, together with the first entered Chapters, be read a third time to-morrow.

A Message was brought from the Assembly by the Honorable the Attorney General, that the Assembly had agreed to the amendment sent down from this House to Chap. 64 of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law.

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

A Bill relating to the Public Debt of the City of Saint John: and

A Bill to amend the Act relating to Highways, so far as relates to the Parish of Portland, in the County of Saint John.

The said Bills were severally read a first time.

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

A Message was brought from the Assembly by Mr. Taylor, with a Bill to incorporate the Fredericton Mill and Manufacturing Company; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A

The House adjourned during pleasure.

After some time the House resumed.

At two o'clock His Excellency the Lieutenant Governor came to the Council Chamber, and being seated on the Throne, commanded the Gentleman Usher of the Black Rod, through the Honorable the President, to let the Assembly know—"It is His Excellency's pleasure that they attend him immediately in this House."

The House attended accordingly.

His Excellency then gave his assent to the following Bills, intituled—

An Act to make further provision for the support of Buoys and Beacons in the Bay and Harbour of Miramichi :

An Act to revive the first, second and third Sections of an Act intituled "An Act in addition to an Act intituled 'An Act to enable the Justices of the Peace for the several Counties in this Province for the time being, to receive for public uses Grants of Lands lying in their respective Counties, and to regulate the Commons belonging to the several Townships or Parishes within the same :'"

An Act relating to the repair of Streets in the City of Saint John :

An Act relating to the Fire Department of the City of Saint John :

An Act relating to elections of City Officers in the City of Saint John :

An Act to relieve the Engine Men of the Chatham Fire Engines in the County of Northumberland, from Parish Offices, and to afford immunities and exemptions to them in certain cases :

An Act to authorize the erection of a Marine Hospital at the Port of Bathurst :

An Act to incorporate the South West Boom Company :

An Act to carry into effect an agreement between the Bishop of Fredericton and the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Fredericton, relative to the Parish Church :

An Act to incorporate the Albert Manufacturing Company :

An Act for the further increase of the Capital Stock of the Bank of New Brunswick :

An Act to incorporate sundry persons by the name of the President, Directors and Company of the Westmorland Bank of New Brunswick, in the County of Westmorland : and

An Act to incorporate the Dorchester Agricultural Society.

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

A Message was brought from the Assembly by Mr. Williston, with a Bill to authorize the election of certain Town or Parish Officers; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The Honorable Mr. Davidson, by leave, presented a Petition from Thomas Dunphy and others, for Revolutionary War Pension.

ORDERED, That the same be received and lie on the Table.

*Adjourned until To-morrow at 12 o'clock.*

TUESDAY, 21st March, 1854.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark,  
Mr. Ryan.*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Steves,*

**PRAYERS.**

Pursuant to the Order of the Day, the following Chapters of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law, were severally read a third time and passed, viz:—

Title XIX.—Chap. 98.—Establishment of Board of Health for City and County of Saint John.

Title XX.—Chap. 99.—Controverted Elections.

Title XXI.—Chap. 100.—Free Navigation of Internal Waters.

Title XXII.—Chap. 101.—Treaty of Washington.

Title XXIII.—Chap. 102.—Sea and River Fisheries.

Title XXIV.—Chap. 103.—Interest and Usury.

Title XXV.—Chap. 104.—Gambling Transactions.

Title XXVI.—Chap. 105.—Regulations among Proprietors of Islands.

Title XXVII.—Chap. 106.—Injuries to Lands in the vicinity of River Saint John.

Title XXX.—Chap. 109.—Relief of Roman Catholics.

Title XXXI.—Chap. 110.—Nova Scotia Grants.

“ Chap. 111.—Wills.

“ Chap. 112.—Intestate Estates.

Title XVIII.—Chap. 97.—Survey and Exportation of Lumber.

Title XXXI.—Chap. 113.—Registry of Deeds and other Instruments.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the thirteen first entered Chapters without any amendment; and also to the two last entered Chapters with certain amendments, to which they desire the concurrence of the Assembly.

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

A Bill relating to the Public Debt of the City of Saint John:

A Bill to amend the Act relating to Highways, so far as relates to the Parish of Portland, in the County of Saint John:

A Bill to authorize the election of certain Town or Parish Officers: and

A Bill to incorporate the Fredericton Mill and Manufacturing Company.

ORDERED, That the House be put into Committee of the whole to-morrow, to take the three first entered Bills severally into consideration.

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

On motion—

The House was put into Committee of the whole, to take into further consideration the Bill to provide for the establishment and management of a Boom or Booms in the County of York.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Porter, with a Bill relating to the establishment of Polling Places in the Counties of Charlotte, Gloucester, York, Queen's, Saint John, Victoria, Northumberland, and Sunbury; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into further consideration the Bill intituled "An Act to amend the Law relating to the Election of Members to serve in General Assembly."

The Honorable Mr. Steves took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into Committee of the whole, to take into consideration the Bill in amendment of and in addition to an Act to incorporate the South Bay Boom Company.

The Honorable Mr. Odell took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into Committee of the whole, to take into consideration the Bill to authorize the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Fredericton, to sell certain Lands and to reinvest the proceeds thereof.

The Honorable Mr. Gilbert took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Robinson, that the Assembly had agreed to the amendments sent down from this House to the Bill to incorporate the Saint Andrews Gas Company.

*Adjourned until To-morrow at 12 o'clock.*

WEDNESDAY

WEDNESDAY, 22nd March, 1854.

PRESENT :

THE HON.

*Mr. Black, President.*

*Mr. Saunders,*

*Mr. Chandler,*

*Mr. Solicitor General,*

*Mr. Hill,*

*Mr. Davidson,*

*Mr. Odell,*

*Mr. Wark,*

*Mr. Ryan.*

*Mr. Botsford,*

*Mr. Hatch,*

*Mr. Minchin,*

*Mr. Harrison,*

*Mr. Brown,*

*Mr. Gilbert,*

*Mr. Steves,*

**PRAYERS.**

On motion—

The Bill to incorporate the Saint John and Westmorland Steam Navigation Company, as amended, was read a third time and passed.

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

The Honorable Mr. Hill, by leave, presented a Petition from Richard Dibblee and others, for an alteration in the mode of appointing Sheriffs.

ORDERED, That the same be received and lie on the Table.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to provide for the establishment and management of a Boom or Booms in the County of York.

The Honorable Mr. Hill took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made an amendment thereto, and recommended the same, as amended, to the adoption of the House.

ORDERED, That the Report be received.

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

Expunge the first Section and substitute the following :—

“ 1. The General Sessions of the Peace in and for the County of York may, upon application from a majority of the persons interested in the timber and other lumber coming to market through any Creek or small Stream within the said County, grant a Licence to one or more persons to erect a Boom across such Creek or Stream, at or near its mouth, for the purpose of receiving timber, logs and other lumber, not however to interfere with the navigation thereof; and in all cases where necessary the said Boom to be so constructed as to admit the passage of rafts and boats at all suitable or reasonable times; provided however that no such Licence shall authorize or empower any person to enter in and upon the lands or tenements of any person whomsoever, without the consent of the owners or lessees thereof first obtained in writing.”

The

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to authorize the election of certain Town or Parish Officers.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

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

**ORDERED**, That the Report be received, and the Bill read a third time to-morrow.

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

A Bill to appropriate a part of the Public Revenue for payment of the Ordinary Services of the Province: and

A Bill to revive and amend the Act to incorporate the Grand Falls Railway Company: and also

That the Assembly had agreed to the amendments sent down from this House to the Bill to incorporate sundry persons by the name of the Petitcodiac Water Company.

The two first entered Bills were severally read a first time.

**ORDERED**, That the said Bills be severally read a second time to-morrow.

Pursuant to the Order of the Day, the Bill relating to the establishing of Polling Places in the Counties of Charlotte, Gloucester, York, Queen's, Saint John, Victoria, Northumberland, and Sunbury, was read a second time.

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into further consideration the Bill intituled "An Act to amend the Law relating to the Election of Members to serve in General Assembly."

The Honorable Mr. Steves took the Chair.

After some time the House resumed.

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

The Chairman further reported, that in the Committee it was moved that the further consideration of the said Bill should be postponed for three months, whereupon the Committee divided as follows:—

## CONTENT.

The Hon. The President,  
Mr. Saunders,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Harrison,  
Mr. Davidson,  
Mr. Odell,  
Mr. Gilbert.

## NON-CONTENT.

The Hon. Mr. Botsford,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hill,  
Mr. Brown,  
Mr. Wark,  
Mr. Steves,  
Mr. Ryan.

And so it passed in the negative.

ORDERED, That the Report be received and leave granted.

*Adjourned until To-morrow at 12 o'clock.*

THURSDAY, 23rd March, 1854.

PRESENT :

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark,  
Mr. Ryan.*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Steves,*

PRAYERS.

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

A Bill to authorize the election of certain Town or Parish Officers : and

A Bill to provide for the establishment and management of a Boom or Booms in the County of York.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the first entered Bill without any amendment; and that they have agreed to the last entered Bill with certain amendments, to which they desire the concurrence of the Assembly.

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

A Bill to revive and amend the Act to incorporate the Grand Falls Railway Company : and

A Bill to appropriate a part of the Public Revenue for payment of the Ordinary Services of the Province.

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

ORDERED,

**ORDERED**, That the first entered Bill be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill relating to the establishing of Polling Places in the Counties of Charlotte, Gloucester, York, Queen's, Saint John, Victoria, Northumberland, and Sunbury.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

**ORDERED**, That the Report be received and leave granted.

On motion—

The House was put into Committee of the whole, to take into consideration the Bill relating to the qualification of Freeholders in certain cases.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

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

**ORDERED**, That the Report be received and leave granted.

On motion—

The House was put into Committee of the whole, to take into consideration the Bill to authorize the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Fredericton, to sell certain Lands, and to reinvest the proceeds thereof.

The Honorable Mr. Hatch took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, had made an amendment thereto, and recommended the same, as amended, to the adoption of the House.

**ORDERED**, That the Report be received.

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

At A add—" Provided nevertheless, that no such Church Warden or Vestryman having an interest in any of the said lands, as Lessee or otherwise, shall be qualified to act in that capacity in any matter connected with the sale or disposal of such lands."

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

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

On motion—

**ORDERED**, That the Order to put the House into Committee of the whole to take into consideration the Bill in amendment of and in addition to an Act to incorporate the South Bay Boom Company, be rescinded, and that the same be referred to the Select Committee appointed to examine and report upon all Bills relating to Corporations.

A Message was brought from the Assembly by the Honorable the Attorney General, that the Assembly had agreed to the amendments sent down from this House to the following Chapters of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law, viz :—

- Title XXXI.—Chap. 113.—Registry of Deeds and other Instruments.  
 Title IX.—Chap. 66.—Highways.  
 Title XVI.—Chap. 91.—Management of the Provincial Lunatic Asylum.  
 Title XVIII.—Chap. 97.—Survey and Exportation of Lumber.

Also with the following Chapters of the said Bill, to which they desire the concurrence of this House, viz :—

- Title XXXI.—Chap. 114.—Judgments, Executions, and proceedings thereon.  
 “ Chap. 115.—Real and Personal Property of Married Women.  
 “ Chap. 116.—Estates Tail.  
 “ Chap. 117.—Bills, Notes, and Choses in Action.  
 “ Chap. 118.—Joint Tenancy and Tenancy in Common.  
 “ Chap. 119.—Letters Patent for useful Inventions.  
 Title XXXII.—Chap. 120.—Corporations.  
 “ Chap. 121.—Banking.  
 “ Chap. 122.—Limited Partnerships.  
 Title XXXIII.—Chap. 123.—Damaged Goods.  
 Title XXXIV.—Chap. 124.—Frauds and Perjuries.  
 Title XXXV.—Chap. 125.—Insolvent Confined Debtors.  
 “ Chap. 126.—Absconding, Concealed or Absent Debtors.  
 “ Chap. 127.—Landlord and Tenant, and Replevin.

The said Chapters were severally read a first time.

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

The said Chapters were severally read a second time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Chapters, and that the House be put into Committee of the whole presently to take the same into consideration.

The Honorable Mr. Chandler took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Chapters, and recommended them to the adoption of the House without any amendment, with the exception of Chapters 114 and 119, which they have amended, and recommend the same as amended to the adoption of the House ; and that he was directed to ask leave to sit again.

ORDERED, That the Report be received and leave granted.

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

In Title XXXI, Chap. 114.—At A, Section 3, expunge the words “ endorse thereon the day and hour he received it,” and insert the words “ register the same.”

At B in same Section, expunge the words “ and Wills.”

At C, Section 6, expunge the Section, and alter the numbers of the remaining Sections.

At

At D, Section 9, expunge the word "two," and insert the word "five."

In Title XXXI, Chap. 119.—At A, Section 4, insert the words "for the benefit of the Estate."

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

ORDERED, That the same be engrossed, and the said Chapters, as amended, together with the said other Chapters, be read a third time to-morrow.

A Message was brought from the Assembly by the Honorable the Attorney General, with the following Chapters of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law; to which they desire the concurrence of this House, viz:—

Title III.—Chap. 15.—Export Duty on Lumber.  
 Title XXXV.—Chap. 128.—Habeas Corpus.  
 " Chap. 129.—Adverse claims.  
 " Chap. 130.—Protection of Justices.  
 " Chap. 131.—Protection of Constables.  
 " Chap. 132.—Office of Sheriff.  
 " Chap. 133.—Coroners' Inquests.  
 " Chap. 134.—Trespasses on Lands, Private Property, and Lumber.  
 " Chap. 135.—Minors and Apprentices.  
 Title XXXVI.—Chap. 136.—Physicians and Surgeons.

The said Chapters were severally read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Chapters, and that they be read a second time presently.

The said Chapters were severally read a second time.

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

On motion—

ORDERED, That the following Return of Mining Leases, laid before the House by command of His Excellency the Lieutenant Governor on the 11th March 1852, be printed in the Daily Journals:—

*Return to an Address of the Honorable the Legislative Council, (11th March, 1852,) shewing the parties to whom Mining Leases have been made, the Counties in which such Leases are situated, the number of square miles contained in such Leases, and the sums paid by each Lessee to the Crown.*

Name.	Date.	County.	Square Miles.	Amount paid.		
				Purchase.	Duty.	Total.
Hiram Pond, .. .. .	May 1, 1848,	Queen's,	9	£50 0 0	..	£50 0 0
Do. .. .. .	May 1, 1848,	Sunbury,	9	50 0 0	..	50 0 0
John Maynard, .. .. .	May 1, 1848,	Queen's,	9	50 0 0	£5 0 0	55 0 0
Hon. L. A. Wilmot and others,	Feb. 25, 1847,	Carleton,	9	50 0 0	..	50 0 0
William Stevens, Junior, .. Lease	not issued.	Northumberland,	9	5 0 0	..	5 0 0
John Steadman, .. .. .	Sept. 10, 1849,	Westmorland,	9	5 0 0	..	5 0 0
Hon. George S. Hill, .. .. .	Sept. 6, 1849,	Carlotte,	9	5 0 0	..	5 0 0
Do. .. .. .	Sept. 10, 1849,	Do.	9	5 0 0	..	5 0 0
York and Carleton Mining Company,	Jan. 11, 1850,	Carleton,	9	5 0 0	..	5 0 0
Hon. L. A. Wilmot, .. .. Lease	not issued,	York,	9	5 0 0	..	5 0 0

## Return of Mining Leases.—Continued.

Name.	Date.	County.	Square Miles.	Purchase.	Duty.	Total.
Hon. George S. Hill, .. .. Lease	not issued,	Do.	9	£5 0 0	..	£5 0 0
William Stevens, Junior, .. ..	Nov. 3, 1848,	Kent,	18	10 0 0	..	10 0 0
William J. Berton, .. ..	Sept. 6, 1849,	Queen's,	9	30 0 0	..	30 0 0
Do. .. ..	Jan. 11, 1850,	Do.	9	10 0 0	..	10 0 0
Do. .. ..	May 16, 1848,	Do.	9	15 5 0	..	15 5 0
Hon. George S. Hill, .. ..	Jan. 11, 1850,	Do.	9	5 0 0	..	5 0 0
John Steadman, .. ..	Feb. 7, 1849,	Albert,	9	5 0 0	..	5 0 0
York and Carleton Mining Company,	Jan. 11, 1850,	Carleton,	9	5 0 0	..	5 0 0
Do. do. do.	Jan. 11, 1850,	Do.	9	5 5 0	..	5 5 0
Henry E. Sypher, .. ..	May 4, 1849,	Sunbury,	9	5 0 0	..	5 0 0
James M'Kenzie, .. .. Lease	not issued,	Saint John,	9	35 0 0	..	35 0 0
John Steadman and others, .. ..	Jan. 11, 1850,	King's,	1	5 0 0	..	5 0 0
Benjamin Wolhaupter, .. ..	Jan. 11, 1850,	Carleton,	1	5 0 0	..	5 0 0
Peter and John Duffy, .. ..	Jan. 11, 1850,	Albert,	1	5 0 0	194 16 0	199 16 0
James Steadman, .. ..	Nov. 2, 1850,	Westmorland,	1	5 0 0	..	5 0 0
Do. .. ..	Nov. 2, 1850,	Do.	1	5 0 0	..	5 0 0
Elias Hasket Derby, .. ..	Nov. 4, 1850,	Albert,	1	5 0 0	..	5 0 0
Henry Wells Fuller, .. ..	Nov. 4, 1850,	Do.	1	5 0 0	..	5 0 0
Cornelius Harbell and others, .. ..	Nov. 5, 1850,	Saint John,	1	5 10 0	17 16 6	23 6 6
Do. do. .. ..	Nov. 5, 1850,	Do.	1	5 10 0	..	5 10 0
Do. do. .. ..	Nov. 5, 1850,	Do.	1	5 10 0	..	5 10 0
Euphemia Foulis, .. ..	June 12, 1851,	Westmorland,	1	15 5 0	..	15 5 0
Edward Allison, .. ..	Nov. 25, 1850,	Albert,	1	180 0 0	..	180 0 0
Robert Foulis, .. ..	Nov. 25, 1850,	Do.	1	5 0 0	..	5 0 0
Edward Allison, .. ..	Nov. 25, 1850,	Do.	1	5 0 0	..	5 0 0
Henry Wells Fuller, .. ..	Nov. 25, 1852,	Do.	1	5 0 0	..	5 0 0
Edward Allison, .. ..	Nov. 25, 1850,	Do.	1	5 0 0	..	5 0 0
William J. Gilbert, .. ..	Jan. 29, 1851,	Westmorland,	1	5 0 0	..	5 0 0
Edward Allison, .. ..	Jan. 29, 1851,	Albert,	1	5 0 0	..	5 0 0
William Cairns, .. ..	Jan. 30, 1851,	Do.	1	5 0 0	..	5 0 0
Peter and John Duffy, .. ..	Jan. 30, 1851,	Do.	1	5 0 0	..	5 0 0
James Barber, .. ..	Jan. 31, 1851,	Do.	1	5 0 0	..	5 0 0
William Cairns, .. ..	Jan. 31, 1851,	Do.	1	5 0 0	..	5 0 0
E. H. Derby and others, .. ..	Feb. 1, 1851,	Do.	1	5 0 0	..	5 0 0
Charles Brown and others, .. ..	Feb. 1, 1851,	Saint John,	1	5 0 0	..	5 0 0
Thomas O'Keleher and others, .. ..	Feb. 1, 1851,	Do.	1	5 15 0	..	5 15 0
John Frost and others, .. ..	Feb. 1, 1851,	Do.	1	5 0 0	..	5 0 0
Do. do. .. ..	Feb. 1, 1851,	Do.	1	5 0 0	..	5 0 0
George Ball and others, .. ..	Feb. 3, 1851,	Do.	1	5 0 0	..	5 0 0
John Frost, .. ..	Feb. 3, 1851,	Do.	1	5 2 6	..	5 2 6
Charles Brown and others, .. ..	Feb. 3, 1851,	Do.	1	5 0 0	..	5 0 0
Do. do. .. ..	Feb. 3, 1851,	Do.	1	5 0 0	..	5 0 0
Thomas O'Keleher and Charles Brown,	Feb. 4, 1851,	Do.	1	5 0 0	..	5 0 0
William J. Starr, .. ..	Jan. 27, 1851,	Westmorland,	1	5 0 0	..	5 0 0
Do. .. ..	Jan. 27, 1851,	Do.	1	5 0 0	..	5 0 0
Do. .. ..	Jan. 28, 1851,	Do.	1	5 0 0	..	5 0 0
Do. .. ..	Jan. 28, 1851,	Do.	1	5 0 0	..	5 0 0
Do. .. ..	Jan. 28, 1851,	Do.	1	5 0 0	..	5 0 0
Stephen Binney, .. ..	June 12, 1851,	Do.	1	5 0 0	..	5 0 0
Edward Allison, .. ..	Feb. 4, 1851,	Albert,	1	5 0 0	..	5 0 0
Do. .. ..	Feb. 4, 1851,	Do.	1	5 0 0	..	5 0 0
Stephen Binney, .. .. Lease	not issued,	Do.	1	5 0 0	..	5 0 0
Thomas E. Carter, .. ..	Feb. 4, 1851,	Saint John,	1	5 0 0	..	5 0 0
William Wilson, .. ..	June 14, 1851,	Westmorland,	1	5 0 0	..	5 0 0
William J. Starr, .. ..	June 14, 1851,	Do.	1	5 0 0	..	5 0 0
Do. .. ..	June 17, 1851,	Do.	1	5 0 0	..	5 0 0
Edward Allison, .. ..	June 17, 1851,	Albert,	1	5 0 0	..	5 0 0
William Stevens, .. ..	June 19, 1851,	Carleton,	1	5 0 0	..	5 0 0
Totals, .. ..	.. ..	.. ..	245	£783 2 6	217 12 6	£1,000 15 0

Crown Land Office, 15th March, 1852.

ROB. D. WILMOT, Sur. Gen.

The Honorable Mr. Chandler, a Member of Her Majesty's Executive Council, by direction of His Excellency the Lieutenant Governor, laid before the House—The following Return of Mining Leases escheated :—

*Return in answer to Address of the Legislative Council of 9th March 1854, relative to Mining Leases which have been escheated.*

	Names.	County.	No. of square miles.
1	William Stevens, ... ..	Gloucester.	Whole County.
2	James Steadman, ... ..	Westmorland,	1
3	Do. ... ..	Do.	1
4	Cornelius Harbell, Joseph Maher, Edwin Ketchum, Thos. M. Smith, Wm. H. Adams, and Thos. Allan,	Saint John,	1
5	Do. do. do. do. do. do.	Do.	1
6	Edward Allison, ... ..	Albert,	1
7	Do. ... ..	Do.	1
8	Do. ... ..	Do.	1
9	Do. ... ..	Do.	1
10	William Cairns, ... ..	Do.	1
11	John Duffy and Peter Duffy, ... ..	Do.	1
12	James Barber, ... ..	Do.	1
13	William Cairns, ... ..	Do.	1
14	Charles Brown, ... ..	Saint John,	1
15	John Frost, Thos. Allan, and W. R. M. Burtis, ...	Do.	1
16	John Frost, George Ball, Joseph Ball, Augustus Quick, and Chas. Brown, ... ..	Do.	1
17	John Frost, ... ..	Do.	1
18	Thos. O'Kelleher and Chas. Brown, ... ..	Do.	1
19	Edward Allison, ... ..	Albert,	1
20	Do. ... ..	Do.	1
21	Thomas E. Carter, ... ..	Saint John,	1
22	William Wilson, ... ..	Westmorland,	1
23	William J. Starr, ... ..	Do.	1
24	Edward Allison, ... ..	Albert,	1
25	Euphemia Foulis, ... ..	Westmorland,	1
26	William J. Gilbert, ... ..	Do.	1
27	William J. Starr, ... ..	Do.	1
28	Do. ... ..	Do.	1
29	Do. ... ..	Do.	1
30	Do. ... ..	Do.	1
31	Do. ... ..	Do.	1
32	Do. ... ..	Do.	1

In all thirty two Leases which have been escheated.

J. R. PARTELOW, *Provincial Secretary.*

March 23rd, 1854.

*Adjourned until To-morrow at 12 o'clock.*

FRIDAY

FRIDAY, 24th March, 1854.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark,  
Mr. Ryan.*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Steves,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to authorize the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Fredericton, to sell certain Lands, and to reinvest the proceeds thereof, as amended, was read a third time and passed.

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

Pursuant to the Order of the Day, the following Chapters of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law, were severally read a third time and passed, viz:—

Title XXXI.—Chap. 115.—Real and Personal Property of Married Women.

“ Chap. 116.—Estates Tail.

“ Chap. 117.—Bills, Notes, and Choses in Action.

“ Chap. 118.—Joint Tenancy and Tenancy in Common.

Title XXXII.—Chap. 120.—Corporations.

“ Chap. 121.—Banking.

“ Chap. 122.—Limited Partnerships.

Title XXXIII.—Chap. 123.—Damaged Goods.

Title XXXIV.—Chap. 124.—Frauds and Perjuries.

Title XXXV.—Chap. 125.—Insolvent Confined Debtors.

“ Chap. 126.—Absconding, Concealed or Absent Debtors.

“ Chap. 127.—Landlord and Tenant, and Replevin.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

The following Chapters of the said Bill, as amended, were read a third time and passed:—

Title XXXI.—Chap. 119.—Letters Patent for useful Inventions.

“ Chap. 114.—Judgments, Executions, and proceedings thereon.

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

Pursuant

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to appropriate a part of the Public Revenue for the payment of the Ordinary Services of the Province.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill relating to the qualifications of Freeholders in certain cases.

The Honorable Mr. Odell took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A in Section 1, expunge the words “ or devoted to,” and insert the words “ in trust for.”

At B expunge the words “ in any premises used as,” and insert the word “ for.”

At C expunge the words “ in any part of the Province,” and insert the words “ or for any other purpose whatever.”

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

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

On motion—

The House was put into Committee of the whole, to take into consideration the Bill, intituled “ An Act to amend the Law relating to the Election of Members to serve in General Assembly.”

The Honorable Mr. Steves took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, and recommended that the further consideration thereof be postponed until the next Session of the Legislature.

The Chairman further reported, that on the question whether the further consideration of the said Bill be postponed for three months, the Committee divided as follows :—

CONTENT.

The Hon. The President,  
Mr. Saunders,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Davidson,  
Mr. Gilbert,  
Mr. Wark.

NON-CONTENT.

The Hon. Mr. Botsford,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hill,  
Mr. Brown,  
Mr. Odell,  
Mr. Steves,  
Mr. Ryan.

So it passed in the negative.

ORDERED, That the Report be received ; whereupon it was  
RESOLVED, That the further consideration of the said Bill be postponed until the next Session of the Legislature.

A Message was brought from the Assembly by the Honorable Mr. Gray, with a Bill to amend the Acts relating to the European and North American Railway Company ; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The said Bill was read a second time.

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

A Message was brought from the Assembly by Mr. M'Leod, with Resolutions of Appropriation dated the twenty third day of March instant ; to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That the same be referred to a Committee of the whole House on Resolutions of Appropriation.

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

From Peter M'Sweeney and others, to repeal Liquor Law : and

From Grand Falls Railway Company, to amend Charter of incorporation.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Solicitor General, by leave, presented a Petition from the South Bay Boom Company, to increase their Stock, &c.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Davidson presented a Petition from Reverend M. Power and others, for aid to a School.

ORDERED, That the same be received and lie on the Table.

On motion—

ORDERED, That the Honorable Mr. Ryan have leave of absence.

*Adjourned until To-morrow at 11 o'clock.*

SATURDAY, 25th March, 1854.

PRESENT :

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark,*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Steves.*

PRAYERS.

**PRAYERS.**

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

A Bill to appropriate a part of the Public Revenue for the payment of the Ordinary Services of the Province : and

A Bill relating to the qualification of Freeholders in certain cases.

**ORDERED,** That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the first entered Bill without any amendment ; and that they have agreed to the last entered Bill with certain amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the House was put into Committee of the whole, to take into consideration the Bill to amend the Acts relating to the European and North American Railway Company.

The Honorable Mr. Hatch took the Chair.

After some time the House resumed.

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

**ORDERED,** That the Report be received and the Bill read a third time on Monday next.

On motion—

The House was put into Committee of the whole to take into consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Brown took the Chair.

After some time the House resumed.

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

**ORDERED,** That the Report be received and leave granted.

Whereupon the Resolutions of Appropriation dated the twenty third day of March instant, were concurred in by the House.

**ORDERED,** That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

A Message was brought from the Assembly by Mr. M'Leod, with a Bill to incorporate certain Bodies connected with the Free Baptist Church in New Brunswick ; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The said Bill was read a second time.

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

The Honorable Mr. Botsford presented to the House a Bill, intituled " An Act to incorporate the Albert Freestone Association."

The said Bill was read a first time.

**ORDERED,**

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

The said Bill was read a second time.

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

A Message was brought from the Assembly by Mr. Hatheway, that the Assembly had agreed to the amendments sent down from this House to the Bill to provide for the establishment and management of a Boom or Booms in the County of York.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into further consideration the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law.

The Honorable Mr. Steves took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the following Chapters of the said Bill, and recommended the same without amendment, to the adoption of the House, viz:—

Title III.—Chap. 15.—Export Duty on Lumber.

Title XXXV.—Chap. 128.—Habeas Corpus.

“ Chap. 129.—Adverse claims.

“ Chap. 130.—Protection of Justices.

“ Chap. 131.—Protection of Constables.

“ Chap. 132.—Office of Sheriff.

“ Chap. 133.—Coroners' Inquests.

“ Chap. 134.—Trespasses on Lands, Private Property, and Lumber.

“ Chap. 135.—Minors and Apprentices.

Title XXXVI.—Chap. 136.—Physicians and Surgeons.

**ORDERED**, That the Report be received, and the said Chapters read a third time on Monday next.

A Message was brought from the Assembly by Mr. Botsford, that the Assembly had agreed to the amendments sent down from this House to the Bill to incorporate the Saint John and Westmorland Steam Navigation Company.

A Message was brought from the Assembly by Mr. Smith, with the following Chapters of the Bill to carry into effect the Report of the Commissioners for the consolidation and amendment of the Law, to which they desire the concurrence of this House, viz:—

Title XXVIII.—Chap. 107.—Marriage.

Title XXIX.—Chap. 108.—Church of England.

Title XXXIX.—Chap. 140.—Limitation of Actions in Real Property.

“ Chap. 141.—Limitation of Personal Actions.

Title XLI.—Chap. 155.—Proceedings in Estates of Deceased Persons.

The said Chapters were severally read a first time.

**ORDERED**, That the twenty third Rule of this House be dispensed with, as regards the said Chapters, and that they be read a second time presently.

The said Chapters were severally read a second time.

**ORDERED**,

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

The Honorable Mr. Botsford, by leave, presented a Petition from A. Heald, for Act of Incorporation.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Saunders, by leave, presented a Petition from the President, Directors and Company of the Central Bank, for increase of Capital, &c.

ORDERED, That the same be received and lie on the Table.

*Adjourned until Monday next at 11 o'clock.*

MONDAY, 27th March, 1854.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark,*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Steves.*

PRAYERS.

Pursuant to the Order of the Day, the following Chapters of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law, were severally read a third time and passed, without any amendment, viz:—

Title III.—Chap. 15.—Export Duty on Lumber.

Title XXXV.—Chap. 128.—Habeas Corpus.

“ Chap. 129.—Adverse claims.

“ Chap. 130.—Protection of Justices.

“ Chap. 131.—Protection of Constables.

“ Chap. 132.—Office of Sheriff.

“ Chap. 133.—Coroners' Inquests.

“ Chap. 134.—Trespases on Lands, Private Property, and Lumber.

“ Chap. 135.—Minors and Apprentices.

Title XXXVI.—Chap. 136.—Physicians and Surgeons.

Also, the Bill to amend the Acts relating to the European and North American Railway Company, without any amendment.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into further consideration the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law.

The Honorable Mr. Hill took the Chair.

After some time the House resumed.

The

The Chairman reported, that the Committee had gone through the following Chapters of the said Bill, had made certain amendments thereto, and recommended the whole, as amended, to the adoption of the House, and that he was directed to ask leave to sit again, viz :—

Title XXVIII.—Chap. 107.—Marriage.

Title XXIX.—Chap. 108.—Church of England.

Title XXXIX.—Chap. 140.—Limitation of Actions in Real Property.

“ Chap. 141.—Limitation of Personal Actions.

Title XLI.—Chap. 155.—Proceedings in Estates of Deceased Persons.

ORDERED, That the Report be received and leave granted.

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

In Title XXIX, Chap. 108.—Church of England.

At A, Section 4, expunge the word “Bishop,” and insert the words “Church Wardens and Vestry.”

At B, Section 6, expunge the words “and being a Communicant of such Church or.”

At C, Section 6, expunge the word “of,” and insert the word “in.”

At D, Section 6, expunge the words “have paid,” and insert the words “at the time of the election produce a receipt from the Church Wardens and Vestry of the said Church for the payment.”

At F, Section 7, expunge the words “and to improve the same according to the intention of the donors,” and insert the words “given leases for any period not exceeding twenty one years under the Seal of the Corporation, with covenants for renewal.”

At F, Section 9, add the following words, “but he shall have no power to fell, cut down, or take away the timber or wood growing on any part thereof, without express licence in writing from the Church Wardens and Vestry of the said Church.”

At G, Section 13, insert the following words, “or any lessees or other persons claiming under them.”

In Title XXVIII, Chap. 107.—Marriage.

At A, Section 1, insert the following words, “having charge of a Congregation in this Province, or connected therewith.”

In Title XLI, Chap. 155.—Proceedings in Estates of Deceased Persons.

At A, end of Section 23, add as follows—“or the Administrator may be superseded by the appointment of another person, and may make such order respecting the Estate unadministered as the Judge may deem just.”

At B, end of Section 31, add as follows—“If the only living witness to any Will be out of the jurisdiction, proof of that fact, of the death of the other witness, and of the handwriting of such witnesses, together with that of the testator, shall be sufficient evidence to authorize granting Probate of the Will, unless proof be required in solemn form, in which case a Commission may issue, and evidence may be taken under the same in such manner as the Judge may direct.”

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

ORDERED, That the same be engrossed, and the several Chapters, as amended, together with the others, be read a third time to-morrow.

*Adjourned until To-morrow at 11 o'clock.*

TUESDAY

**TUESDAY, 28th March, 1854.**

**PRESENT :**

**THE HON.**

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hill,  
Mr. Davidson,  
Mr. Wark,  
Mr. Steves.*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,*

**PRAYERS.**

Pursuant to the Order of the Day, the following Chapters of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law, were severally read a third time and passed :—

Title XXXIX.—Chap. 140.—Limitation of Actions in Real Property.

“ Chap. 141.—Limitation of Personal Actions.

Title XXVIII.—Chap. 107.—Marriage.

Title XXIX.—Chap. 108.—Church of England.

Title XLI.—Chap. 155.—Proceedings in Estates of deceased persons.

**ORDERED,** That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the three last entered Chapters with certain amendments, to which they desire the concurrence of the Assembly ; and that they had agreed to the two first entered Chapters without any amendment.

On motion—

The Bill to vest all Mines and Minerals in the owner of the soil, was read a second time.

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

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

**ORDERED,** That the Report be received.

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

The Select Committee to whom were referred all Bills relating to Corporations, beg to report that they have examined “ A Bill to incorporate the Fredericton Mill and Manufacturing Company ;” also “ A Bill in amendment of and in addition to an Act to incorporate the South Bay Boom Company ;” and recommend the said Bills to the adoption of the House without any amendment.

Respectfully submitted.

*Committee Room, March 28, 1854.*

**A. E. BOTSFORD, Chairman.**

**ORDERED,** That the twenty third Rule of this House be dispensed with, as regards the said Bills, and that the House be put into Committee of the whole presently to take the said Bills, together with the Report of the Select Committee thereon, severally into consideration. The

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Bill to incorporate the Fredericton Mill and Manufacturing Company, and recommended the same to the adoption of the House without any amendment.

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

On motion—

The House was put into Committee of the whole, to take into consideration the Bill in amendment of and in addition to an Act to incorporate the South Bay Boom Company, together with the Report of the Select Committee thereon.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly by the Honorable the Attorney General, that the Assembly had agreed to the amendments sent down from this House to the Bill to authorize the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Fredericton, to sell certain Lands, and to reinvest the proceeds thereof;— Also, that the Assembly had agreed to the amendments sent down from this House to the following Chapters of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law, viz:—

Title XXXI.—Chap. 114.—Judgments, Executions, and proceedings thereon.

“ Chap. 119.—Letters Patent for useful Inventions.

Also with the following Chapters of the said Bill, to which they desire the concurrence of this House:—

Title XXXIX.—Chap. 142.—Joint Debtors.

“ Chap. 143.—Set-off.

Title XL.—Chap. 144.—Offences relating to the Army.

“ Chap. 145.—Offences against Religion.

“ Chap. 146.—Offences against Public Morals and Decency.

“ Chap. 147.—Offences against the Law of Marriage.

“ Chap. 148.—Offences against the Public Peace.

The said Chapters were severally read a first time.

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

The said Chapters were severally read a second time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Chapters, and that the House be put into Committee of the whole presently to take the same into consideration.

The Honorable Mr. Hill took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Chapters, and recommended them to the adoption of the House without any amendment; and that he was directed to ask leave to sit again.

ORDERED,

**ORDERED,** That the Report be received and leave granted; and that the said Chapters be read a third time to-morrow.

On motion—

The House was put into Committee of the whole, to take into consideration the Bill relating to the establishing of Polling Places in the Counties of Charlotte, Gloucester, York, Queen's, Saint John, Victoria, Northumberland, and Sunbury.

The Honorable Mr. Steves took the Chair.

After some time the House resumed.

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

**ORDERED,** That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Williston, with Resolutions of Appropriation dated the twenty seventh day of March instant; to which they desire the concurrence of this House.

The said Resolutions were read a first time.

**ORDERED,** That the same be referred to a Committee of the whole House on Resolutions of Appropriation.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the twenty seventh day of March instant, and recommended that the House should concur in the same, and asked leave to sit again.

**ORDERED,** That the Report be received and leave granted.

Whereupon the Resolutions of Appropriation dated the twenty seventh day of March instant, were concurred in by the House.

**ORDERED,** That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

A Message was brought from the Assembly by Mr. Stiles, with a Bill to authorize the turning of the West River in the County of Albert, into Roshea Bay; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

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

From Abraham N. Tupper and others, for aid for School:

From Mary H. Black, for grant for services as School Teacher: and

From Alexander Campbell, against Liquor Law.

**ORDERED,** That the same be received and lie on the Table.

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

From Inhabitants of Burton, for Act to incorporate Orange Lodges:

From James Miles and others, with like prayer: and

From Inhabitants of New Maryland, with like prayer.

**ORDERED,** That the same be received and lie on the Table.

*Adjourned until To-morrow at 12 o'clock.*

WEDNESDAY, 29th March, 1854.

PRESENT :

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark,*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Steves.*

**PRAYERS.**

Pursuant to the Order of the Day, the following Bills, and Chapters of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law, were severally read a third time and passed, viz :—

A Bill in amendment of and in addition to an Act to incorporate the South Bay Boom Company.

A Bill to incorporate the Fredericton Mill and Manufacturing Company.

Title XXXIX.—Chap. 142.—Joint Debtors.

“ Chap. 143.—Set-off.

Title XL.—Chap. 144.—Offences relating to the Army.

“ Chap. 145.—Offences against Religion.

“ Chap. 146.—Offences against Public Morals and Decency.

“ Chap. 147.—Offences against the Law of Marriage.

“ Chap. 148.—Offences against the Public Peace.

**ORDERED,** That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

Pursuant to the Order of the Day, the Bill to authorize the turning of the West River in the County of Albert, into Roshea Bay, was read a second time.

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to vest all Mines and Minerals in the owner of the Soil.

The Honorable Mr. Brown took the Chair.

After some time the House resumed.

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

**ORDERED,** That the Report be received and leave granted.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

**ORDERED,** That the Report be received.

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

The

The Select Committee to whom were referred all Bills relating to Corporations, beg to report that they have examined "A Bill to incorporate the Albert Freestone Association," and recommend the said Bill to the adoption of the House.

Respectfully submitted.

*Committee Room, March 29, 1854.*

A. E. BOTSFORD, *Chairman.*

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Bill, and that the House be put into Committee of the whole presently to take the said Bill, together with the Report of the Select Committee thereon, into consideration.

The Honorable Mr. Odell took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House.

ORDERED, That the Report be received, the Bill engrossed, and read a third time to-morrow.

The Honorable Mr. Odell presented to the House a Bill, intituled "An Act in further amendment of and in addition to the Act to incorporate sundry persons by the name of the President, Directors and Company of the Central Bank of New Brunswick."

The said Bill was read a first time.

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

A Message was brought from the Assembly by Mr. Rice, with a Bill to alter and amend the Act providing for the establishment of Municipal Authorities in this Province; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly by the Honorable the Attorney General, with the following Chapters of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law, to which they desire the concurrence of this House, viz:—

Title XXXVIII.—Chap. 138.—Jurisdiction of Justices of the Peace in Civil Suits.

“ Chap. 139.—Summary Convictions.

Title XLI.—Chap. 157.—Proceedings before Indictment.

“ Chap. 159.—Proceedings on Indictment.

The said Chapters were severally read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Chapters, and that they be read a second time presently.

The said Chapters were severally read a second time.

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

*Adjourned until To-morrow at 11 o'clock.*

THURSDAY,

THURSDAY, 30th March, 1854.

PRESENT :

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark,*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Steves.*

**PRAYERS.**

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

A Bill intituled “ An Act in further amendment of and in addition to the Act to incorporate sundry persons by the name of the President, Directors and Company of the Central Bank of New Brunswick :” and

A Bill to alter and amend the Act providing for the establishment of Municipal Authorities in this Province.

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

The Honorable the Solicitor General presented to the House a Bill, intituled “ An Act relating to Ferries.”

The said Bill was read a first time.

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into further consideration the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law.

The Honorable Mr. Odell took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into Committee of the whole, to take into consideration the Bill to authorize the turning of the West River in the County of Albert, into Roshea Bay.

The Honorable Mr. Steves took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Harding, with a Bill to incorporate the Saint John Fire Insurance Company; to which they desire the concurrence of this House.

The said Bill was read a first time.

ORDERED,

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

The said Bill was read a second time.

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

*Adjourned until To-morrow at 11 o'clock.*

FRIDAY, 31st March, 1854.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark,*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Steves.*

PRAYERS.

Pursuant to the Order of the Day, the Bill intituled "An Act to incorporate the Albert Freestone Association," was read a third time and passed.

ORDERED, That the Title be—

An Act to incorporate the Albert Freestone Association.

ORDERED, That the Master in Chancery do carry the said Bill down to the Assembly, and acquaint that House that the Legislative Council have passed the same, and desire the concurrence of the Assembly thereto.

Pursuant to the Order of the Day, the Bill intituled "An Act relating to Ferries," was read a second time.

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration a Bill intituled "An Act in further amendment of and in addition to the Act to incorporate sundry persons by the name of the President, Directors and Company of the Central Bank."

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House.

ORDERED, That the Report be received, the Bill engrossed, and read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the following Chapters of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law, viz :

Title XXXVIII.—Chap. 139.—Summary Convictions.

“ Chap. 138.—Jurisdiction of Justices of the Peace in Civil Suits.

Title XLI.—Chap. 159.—Proceedings on Indictment.

“ Chap. 157.—Proceedings before Indictment.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Chapters, and recommended them to the adoption of the House without any amendment, with the exception of the first entered Chapter, which they had amended, and recommended the same, as amended, to the adoption of the House.

ORDERED, That the Report be received.

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

At A in Section 4, insert the words “twelve, thirteen and fourteen.”

At B insert the words “one hundred and fifty ninth.”

At C insert the words “forty one.”

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

ORDERED, That the same be engrossed, and the Chapter, as amended, together with the other said Chapters, be read a third time to-morrow.

On motion—

The House was put into Committee of the whole, to take into consideration the Bill relating to the establishing of Polling Places in the Counties of Charlotte, Gloucester, York, Queen’s, Saint John, Victoria, Northumberland, and Sunbury.

The Honorable Mr. Wark took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A in Section 1, insert the following words—“the District commencing at the end of the Bridge at Moore’s Mills, thence passing along the Road to the corner near the English Church, thence along the Road through Oak Hill to the Canoose Stream, to include all that part of the said Parish lying to the north and east of the said Road.”

At B in same Section, add the following words—“the District to be called the Eastern District east of Popelogan River.”

At C in Section 7, expunge the word “Aunce,” and insert “Down.”

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

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

A Message was brought from the Assembly by the Honorable the Attorney General, that the Assembly had agreed to the amendments sent down from this House to the following

following Chapters of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law, viz :—

Title XXVIII.—Chap. 107.—Marriage.

Title XXIX.—Chap. 108.—Church of England.

Title XLI.—Chap. 155.—Proceedings in Estates of deceased persons.

Also, with the following Chapters of the said Bill, to which they desire the concurrence of this House, viz :—

Title XL.—Chap. 149.—Offences against the administration of Justice.

“ Chap. 150.—Homicide and other offences against the Person.

“ Chap. 151.—Offences against the Habitation.

“ Chap. 152.—Fraudulent appropriations.

“ Chap. 153.—Forgery, and offences relating to the Coin.

“ Chap. 154.—Malicious injuries to Property.

“ Chap. 155.—Other Felonies.

“ Chap. 156.—Definition of terms, and explanations.

Title XLI.—Chap. 158.—Recognizance in Criminal Cases.

“ Chap. 160.—Trial.

“ Chap. 161.—Error, Punishments, and Expenses.

Title XV.—Chap. 87.—Regulations for Seamen.

“ Chap. 88.—Regulations for Shipping Seamen at the Port of Saint John.

The said Chapters were severally read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Chapters, and that they be read a second time presently.

The said Chapters were severally read a second time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Chapters, and that the House be put into Committee of the whole presently to take the same into consideration.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Earle, that the Assembly had agreed to the amendments sent down from this House to the Bill relating to the qualification of Freeholders in certain cases.

A Message was brought from the Assembly by Mr. Smith, with Resolutions of Appropriation dated the thirtieth day of March instant ; to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That the same be referred to a Committee of the whole House on Resolutions of Appropriation.

The Honorable Mr. Chandler, a Member of Her Majesty's Executive Council, by direction of His Excellency the Lieutenant Governor, laid before the House the following Returns, viz :—

Central

Central Fire Insurance Company, 7th March 1854 :

Globe Assurance Company, 31st December 1853 :

Marine Assurance Company, January 1854.

The Honorable Mr. Hatch, by leave, presented a Petition from the Rector, Church Wardens and Vestry of Saint Davids, for an Act of Assembly.

ORDERED, That the same be received and lie on the Table.

*Adjourned until To-morrow at 11 o'clock.*

*SATURDAY, 1st April, 1854.*

PRESENT :

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark,*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Steves.*

PRAYERS.

Pursuant to the Order of the Day, the Bill intituled "An Act in further amendment of and in addition to the Act to incorporate sundry persons by the name of the President, Directors and Company of the Central Bank of New Brunswick," was read a third time and passed.

ORDERED, That the Title be—

An Act in further amendment of and in addition to the Act to incorporate sundry persons by the name of the President, Directors and Company of the Central Bank of New Brunswick.

ORDERED, That the Master in Chancery do carry the said Bill down to the Assembly, and acquaint that House that the Legislative Council have passed the same, and desire the concurrence of the Assembly thereto.

Pursuant to the Order of the Day, the following Bill, as amended, was read a third time and passed :—

A Bill relating to the establishing of Polling Places in the Counties of Charlotte, Gloucester, York, Queen's, Saint John, Victoria, Northumberland, and Sunbury.

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

Pursuant to the Order of the Day, the following Chapters of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law, were severally read a third time and passed, viz :—

Title XXXVII.—Chap. 139.—Summary Convictions.

" Chap. 138.—Jurisdiction of Justices of the Peace in Civil Suits.

Title XLI.—Chap. 157.—Proceedings before Indictment.

" Chap. 159.—Proceedings on Indictment.

ORDERED,

**ORDERED**, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the said Chapters without any amendment, with the exception of the first entered Chapter, to which they had made certain amendments, and desire the concurrence of the Assembly thereto.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into further consideration the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the following Chapters of the said Bill, and recommended the same to the adoption of the House without any amendment, with the exception of the three last entered, which they had amended, and recommended as amended, viz :—

Title XV.—Chap. 87.—Regulations for Seamen.

Title XL.—Chap. 149.—Offences against the administration of Justice.

“ Chap. 151.—Offences against the Habitation.

“ Chap. 152.—Fraudulent appropriations.

“ Chap. 153.—Forgery, and offences relating to the Coin.

“ Chap. 154.—Malicious injuries to Property.

“ Chap. 155.—Other Felonies.

Title XLI.—Chap. 158.—Recognizance in Criminal Cases.

“ Chap. 160.—Trial.

“ Chap. 161.—Error, Punishments, and Expenses.

Title XV.—Chap. 88.—Regulations for Shipping Seamen at the Port of Saint John.

Title XL.—Chap. 150.—Homicide and other offences against the Person.

“ Chap. 156.—Definition of terms, and explanations.

**ORDERED**, That the Report be received.

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

At A in Section 1, Chap. 88, Title XV, expunge the words “ this Chapter,” and insert the words “ Chapter 88, Title XV.”

At A in Chapter 156, Title XL, expunge the whole of the first Form.

At A in Section 12, Chapter 150, Title XL, insert the words “ whether consenting or otherwise.”

At B in same Section, expunge the words “ whether consenting or otherwise.”

At C in Section 17, insert the words “ any term not exceeding.”

At D in Section 18, insert the word “ grievous.”

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

**ORDERED**, That the same be engrossed, and the said Chapters, as amended, together with the other Chapters of the said Bill, be read a third time on Monday next.

On motion—

The House was put into Committee of the whole, to take into further consideration the Bill to vest all Mines and Minerals in the owner of the Soil.

The Honorable Mr. Brown took the Chair.

After some time the House resumed.

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

The Chairman further reported, that upon the question to expunge the remainder of Section 1, from A, the Committee divided as follows :—

CONTENT.	NON-CONTENT.
<p>The Hon. Mr. Saunders, Mr. Botsford, Mr. Harrison, Mr. Brown, Mr. Odell, Mr. Gilbert, Mr. Wark, Mr. Steves.</p>	<p>The Hon. The President, Mr. Hatch, Mr. Solicitor General, Mr. Minchin, Mr. Hill, Mr. Davidson.</p>

And so it passed in the affirmative.

ORDERED, That the Report be received.

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

At A in Section 1, expunge the remainder of the Section.

At B in Section 2, expunge the remainder of the Section added by way of Ryder.

At C expunge the number "5," and insert "2."

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

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

A Message was brought from the Assembly by Mr. Godard, with Resolutions of Appropriation dated the thirty first day of March last, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

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

The Honorable Mr. Chandler, a Member of Her Majesty's Executive Council, by direction of His Excellency the Lieutenant Governor, laid before the House the following Returns and Reports :—

#### CENTRAL BANK OF NEW BRUNSWICK.

*State of the Central Bank of New Brunswick at 3 o'clock, P. M. on Monday 6th June, 1853.*

LIABILITIES OF THE BANK.					
Capital Stock paid in,	-	-	-	-	£35,000 0 0
Bills in circulation,	-	-	-	-	94,574 0 0
Balance due to other Banks,	-	-	-	-	0 0 0
Cash deposited, including all sums whatever due from the Bank not bearing interest, its Bills in circulation, Profits and Balances due to other Banks excepted,	-	-	-	-	28,309 18 6

Amount due from the Bank, bearing interest,	-	-	-	4,995	11	3
Profits on hand,	-	-	-	13,825	12	7
				<u>£176,705</u>	<u>2</u>	<u>4</u>

## RESOURCES OF THE BANK.

Gold, Silver, and other coined Metals in its Banking House,	-	-	-	£5,845	10	0
Bills of other Banks incorporated in this Province,	-	-	-	1,803	15	0
Balance due from other Banks,	-	-	-	14,382	9	11
Amount of all debts due, including Notes, Bills of Exchange, and all Stock and Funded Debts of every description, except Balances due from other Banks,	-	-	-	153,207	15	11
Real Estate,	-	-	-	1,465	11	6
				<u>£176,705</u>	<u>2</u>	<u>4</u>

Date and amount of the last Dividend, 6th December 1852, Four per centum, One thousand four hundred pounds.

Amount of reserved profits at the time of declaring the last Dividend, Eleven thousand seven hundred and forty five pounds seven shillings and nine pence.

Debts due, and not paid, and considered doubtful, Seven thousand pounds.

*I, Samuel W. Babbit, Cashier of the Central Bank of New Brunswick, do make oath and say, that the foregoing Return is correct and true to the best of my knowledge and belief.*

SAM. W. BABBIT.

Sworn before me this 8th day of July 1853,  
JOSEPH GAYNOR, *J. Peace.*

*We, George Botsford, John Simpson, Charles Lee, Charles Macpherson, Joseph Fleming, and George J. Dibblee, being a majority of the Directors of the Central Bank of New Brunswick, do certify and make oath that the Books of the said Bank indicate the state of facts stated in the foregoing Return, and that we have full confidence in the truth of the said Return, so made by the Cashier of the said Bank.*

G. BOTSFORD,  
J. SIMPSON,  
CHARLES LEE,  
C. MACPHERSON,  
JOSEPH FLEMING,  
GEO. J. DIBBLEE.

Sworn before me this 8th day of July 1853,  
JOSEPH GAYNOR, *J. Peace.*

*State of the Central Bank of New Brunswick at 3 o'clock, P. M. on Monday 5th Dec. 1853.*

## LIABILITIES OF THE BANK.

Capital Stock paid in,	-	-	-	-	-	£35,000	0	0
Bills in circulation,	-	-	-	-	-	108,980	15	0
Balance due to other Banks,	-	-	-	-	-	0	0	0
Cash deposited, including all sums whatever due from the Bank not bearing interest, its Bills in circulation, Profits and Balances due to other Banks excepted,	-	-	-	-	-	32,368	4	5
Amount due from the Bank, bearing interest,	-	-	-	-	-	1,396	0	0
Profits on hand,	-	-	-	-	-	14,864	7	4
						<u>£192,609</u>	<u>6</u>	<u>9</u>

## RESOURCES OF THE BANK.

Gold, Silver, and other coined Metals in its Banking House, -	-	-	£6,924	9	6
Bills of other Banks incorporated in this Province, -	-	-	2,296	0	0
Balance due from other Banks, -	-	-	36,604	13	1
Amount of all debts due, including Notes, Bills of Exchange, and all Stock and Funded Debts of every description, except Balances due from other Banks, -	-	-	145,284	4	2
Real Estate, -	-	-	1,500	0	0
			<u>£192,609</u>	<u>6</u>	<u>9</u>

Date and amount of the last Dividend, 6th June 1853, Four per centum, One thousand four hundred pounds.

Amount of reserved Profits at the time of declaring the last Dividend, Twelve thousand four hundred and twenty five pounds twelve shillings and seven pence.

Debts due and not paid, and considered doubtful, Seven thousand pounds.

*I, Samuel W. Babbit, Cashier of the Central Bank of New Brunswick, do make oath and say, that the foregoing Return is correct and true to the best of my knowledge and belief.*

SAM. W. BABBIT.

Sworn before me this 20th day of December, 1853.  
JAMES TAYLOR, *J. Peace.*

*We, George Botsford, Charles Macpherson, John S. Saunders, John Simpson, and George J. Dibblee, being a majority of the Directors of the Central Bank of New Brunswick, do certify and make oath that the Books of the said Bank indicate the state of facts stated in the foregoing Return, and that we have full confidence in the truth of the said Return, so made by the Cashier of the said Bank.*

G. BOTSFORD,  
JOHN S. SAUNDERS,  
C. MACPHERSON,  
J. SIMPSON,  
GEORGE J. DIBBLEE.

Sworn before me this 20th day of December, 1853.  
JAMES TAYLOR, *J. Peace.*

*State of the Central Bank of New Brunswick on Monday the 6th March, 1854.*

## LIABILITIES OF THE BANK.

Capital Stock paid in, -	-	-	-	-	£35,000	0	0
Bills in circulation, -	-	-	-	-	109,542	5	0
Balance due to other Banks, -	-	-	-	-	0	0	0
Cash deposited, including all sums whatever due from the Bank not bearing interest, its Bills in Circulation, Profits and Balances due to other Banks excepted, -	-	-	-	-	31,645	14	2
Amount due from the Bank, bearing interest, -	-	-	-	-	1,601	3	10
Profits on hand, -	-	-	-	-	14,422	13	11
					<u>£192,211</u>	<u>16</u>	<u>11</u>

## RESOURCES OF THE BANK.

Gold, Silver, and other coined Metals in its Banking House,	-	£7,466	1	8
Bills of other Banks incorporated in this Province,	-	2,406	0	0
Balance due from other Banks,	-	28,422	13	11
Amount of all debts due, including Notes, Bills of Exchange, and all Stock and Funded Debts of every description, except Balances due from other Banks,	-	152,417	1	4
Real Estate,	-	1,500	0	0
		<hr/>		
		£192,211	16	11
		<hr/>		

Date and amount of the last Dividend, 5th December 1853, Four per centum, One thousand four hundred pounds.

Amount of reserved Profits at the time of declaring the last Dividend, Thirteen thousand four hundred and sixty four pounds seven shillings and four pence.

Debts due and not paid, and considered doubtful, Seven thousand pounds.

*I, Samuel W. Babbit, Cashier of the Central Bank of New Brunswick, do make oath and say, that the foregoing Return is correct and true to the best of my knowledge and belief.*

SAM. W. BARBIT.

Sworn before me this 7th day of March 1854,  
JOSEPH GAYNOR, J. P., Magistrate for York County, N. B.

*We, George Botsford, John Simpson, Charles Lee, Charles Macpherson, George J. Dibblee, Joseph Fleming, and John Harding, being a majority of the Directors of the Central Bank of New Brunswick, do certify and make oath that the Books of the said Bank indicate the state of facts stated in the foregoing Return, and that we have full confidence in the truth of the said Return, so made by the Cashier of the said Bank.*

G. BOTSFORD,  
J. SIMPSON,  
CHARLES LEE,  
C. MACPHERSON,  
GEO. J. DIBBLEE,  
JOSEPH FLEMING,  
JOHN HARDING.

Sworn before me this 7th day of March 1854,  
JOSEPH GAYNOR, J. P., Magistrate for York County, N. B.

## NEW BRUNSWICK MARINE ASSURANCE COMPANY.

*Return of the Transactions of the New Brunswick Marine Assurance Company, made up to 30th June 1853, according to the Act of Incorporation.*

Amount underwritten from 1st July 1852, till 30th June 1853, and the premium thereon,	RISK.	PREMIUM.
-	£476,566 0 0	£11,073 13 11
Written off during the year,	-	£7,527 0 0
Outstanding risk,	-	3,546 13 11
	<hr/>	<hr/>
	£476,566 0 0	£11,073 13 11
	<hr/>	<hr/>

Saint John, N. B., 6th July, 1853.

A. JACK, Secretary.

*Return of the Assets of the New Brunswick Marine Assurance Company on the 30th of June 1853.*

Stockholders' Bonds,	-	-	-	-	-	£25,000	0	0	
Mortgages,	-	-	-	-	-	12,100	0	0	
Bank Stocks,	-	-	-	-	-	5,000	0	0	
Bank Deposit, Current Account,	-	-	-	-	-	6,648	0	0	
Provincial Debentures,	-	-	-	-	-	2,100	0	0	
Bills recoverable and Cash,	-	-	-	-	-	2,840	0	0	
Globe Insurance Company Stock,	-	-	-	-	-	100	0	0	
							<u>£53,788</u>	<u>0</u>	<u>0</u>

*Saint John, 6th July, 1853.*

**A. JACK, Secretary.**

*Return of Loss, &c. sustained and paid by the New Brunswick Marine Assurance Company on Policies issued during the year ending 30th June 1853.*

Loss sustained and paid, including return of premium,	-	-	-	-	-	£6,081	7	1	
Contingencies, including £1,250 of Dividend, being five per cent. on the paid up Capital,	-	-	-	-	-	1,672	1	8	
Probable claims,	-	-	-	-	-	3,760	0	0	
							<u>£11,513</u>	<u>8</u>	<u>9</u>

*Saint John, 6th July, 1853.*

**A. JACK, Secretary.**

*Adam Jack, Secretary to the New Brunswick Marine Assurance Company, maketh oath that the annexed Returns, being the Annual Statement of the transactions of the Company for the year ending 30th June 1853, the Assets of the Company, the Loss sustained, are just and true statements of the affairs of the Company as they stood on the thirtieth day of June aforesaid, at three o'clock.*

**A. JACK.**

Sworn before me at Saint John, N. B., the 20th day of July 1853.  
HENRY CHUBB, J. P.

*The undersigned Directors of the New Brunswick Marine Assurance Company, do hereby certify that the Annual Returns hereto annexed, exhibiting the state of the affairs of the Company for the year ending the 30th day of June last past, as made up and attested by the Secretary, contain a just and true account of the whole affairs of the Company,—that the Books of the Company indicate the state of facts there set forth, and that every confidence may be placed in the fidelity of the said Returns.*

*Dated at Saint John, N. B., this 20th day of July 1853.*

**JOHN WARD, President.**  
**F. A. WIGGINS,**  
**JOHN WISHART,**  
**EDWARD SEARS,**  
**D. J. M'LAUGHLIN,** } *Directors.*

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**SAINT STEPHEN'S BANK.**

*State of Saint Stephen Bank on the first Monday of January, 1854, at 3 o'clock, P. M.*

**DUE FROM THE BANK.**

Capital Stock paid in,	-	-	-	-	-	£37,500	0	0
Bills in circulation,	-	-	-	-	-	56,265	0	0
Net Profits on hand,	-	-	-	-	-	2,617	7	5
Balance due to other Banks,	-	-	-	-	-	820	6	7
Cash deposited including all sums whatever due from the Bank not bearing interest, its Bills in circulation, profits and balances due to other Banks excepted,	-	-	-	-	-	12,977	6	0
Cash deposited bearing interest,	-	-	-	-	-	0	0	0
<b>Total amount due from the Bank,</b>						<b>£110,180</b>	<b>0</b>	<b>0</b>

**RESOURCES OF THE BANK.**

Gold and Silver in its Banking House,	-	-	-	-	-	£17,235	14	1
Real Estate,	-	-	-	-	-	1,135	11	10
Bills of other Banks incorporated in this Province,	-	-	-	-	-	998	15	0
Bills of other Banks without the Province,	-	-	-	-	-	1,326	5	0
Balances due from other Banks,	-	-	-	-	-	17,757	4	1
Amount of all debts due the Bank, including Notes, Bills of Exchange, and all Stock and Funded Debts of every description, excepting Balances due from other Banks,	-	-	-	-	-	71,726	10	0
<b>Total amount of Resources of the Bank,</b>						<b>£110,180</b>	<b>0</b>	<b>0</b>

Date and time of declaring the last Dividend, September 1st, 1853.

Amount of last Dividend, Twenty five per cent.	-	-	-	-	-	£6,500	0	0
Amount of reserved profits at the time of declaring the same,	-	-	-	-	-	1,000	0	0
Amount of all debts due not paid and considered doubtful,	-	-	-	-	-	0	0	0

D. UPTON, *Cashier.*

*CHARLOTTE, ss.—On this eighteenth day of January, in the year of our Lord one thousand eight hundred and fifty four, personally appeared David Upton, Cashier of the Saint Stephen's Bank, and made oath to the truth of the statements contained in the preceding Return by him signed, according to the best of his knowledge and belief.*

R. WATSON, *J. P.*

*The undersigned, a majority of the Directors of the Saint Stephen's Bank, hereby certify that the Books of said Bank exhibit the facts presented in the foregoing Statement or Return signed by their Cashier, and that they have full confidence in the truth of said Return so by him made.*

WILLIAM TODD,  
 GEORGE S. HILL,  
 G. M. PORTER,  
 S. H. HITCHINGS,  
 ROBERT WATSON.

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**SAINT STEPHEN'S BANK.**

*State of Saint Stephen's Bank on the first Monday of July, 1853, at 3 o'clock P. M.*

DUE FROM THE BANK.				
Capital Stock paid in,	-	-	-	£25,000 0 0
Bills in circulation,	-	-	-	47,271 10 0
Net Profits on hand,	-	-	-	6,526 13 1
Balance due to other Banks,	-	-	-	897 3 2
Cash deposited, including all sums whatever due from the Bank, not bearing interest, its Bills in circulation, Profits and Balances due to other Banks excepted,	-	-	-	15,050 12 7
Cash deposited bearing interest,	-	-	-	0 0 0
				£94,745 18 10
				£94,745 18 10

RESOURCES OF THE BANK.				
Gold and Silver in its Banking House,	-	-	-	£11,438 13 4
Real Estate,	-	-	-	1,135 11 10
Bills of other Banks incorporated in this Province,	-	-	-	482 10 0
Bills of other Banks without the Province,	-	-	-	321 15 0
Balances due from other Banks,	-	-	-	8,002 6 2
Amount of all debts due the Bank, including Notes, Bills of Exchange, and all Stock and Funded Debts of every description, excepting Balances due from other Banks,	-	-	-	73,365 2 6
				£94,745 18 10
				£94,745 18 10

Date and time of declaring the last Dividend, 28th February, 1853.

Amount of last Dividend, Five per cent.	-	-	-	£1,250 0 0
Amount of reserved profits at the time of declaring the same,	-	-	-	5,250 0 0
Amount of all debts due not paid and considered doubtful,	-	-	-	0 0 0
				£1,250 0 0
				£1,250 0 0

**J. UPTON, Cashier.**

*CHARLOTTE, ss.—On this eighteenth day of January, in the year of our Lord one thousand eight hundred and fifty four, personally appeared David Upton, Cashier of the Saint Stephen's Bank, and made oath to the truth of the statements contained in the preceding Return by him signed, according to the best of his knowledge and belief.*

**R. WATSON, J. P.**

*The undersigned, a majority of the Directors of the Saint Stephen's Bank, hereby certify that the Books of said Bank exhibit the facts presented in the foregoing Statement or Return signed by their Cashier, and that they have full confidence in the truth of said Return so by him made.*

**WM. TODD,  
GEORGE S. HILL,  
G. M. PORTER,  
S. H. HITCHINGS,  
ROBERT WATSON.**

## BANK OF NEW BRUNSWICK.

*State of the Bank of New Brunswick, Monday morning, 2nd January 1854, at 10 o'clock.*

LIABILITIES OF THE BANK.											
Capital Stock paid,	-	-	-	-	-	£100,000	0	0			
Bills in circulation,	-	-	-	-	-	92,734	17	6			
Net Profits on hand,	-	-	-	-	-	16,473	12	1			
Balance due to other Banks,	-	-	-	-	-	21,444	17	3			
Cash deposited, including all sums due from the Bank not bearing interest, (its Bills in circulation, Profits and Balances due to other Banks excepted,)	-	-	-	-	-	48,382	0	5			
Cash deposited, bearing interest,	-	-	-	-	-	6,000	0	0			
Total Liabilities of the Bank,						-	-	-	£285,035	7	3

RESOURCES OF THE BANK.											
Gold, Silver, and other Coined Metals in its Banking House,	-	-	-	-	-	£30,434	5	10			
Real Estate,	-	-	-	-	-	5,273	0	3			
Bills of other Banks incorporated in this Province,	-	-	-	-	-	11,846	16	7			
Balance due from other Banks,	-	-	-	-	-	0	0	0			
Debts due to the Bank, including Notes, Bills of Exchange, and all Stock and Funded Debts of every description, (Balances due from other Banks excepted,)	-	-	-	-	-	237,481	4	7			
Total Resources of the Bank,						-	-	-	£285,035	7	3

Amount of the last Dividend, (declared 1st October, 1853,)	-	-	-	-	-	£4,000	0	0
Reserved Profits at the time of declaring the last Dividend,	-	-	-	-	-	12,122	9	3
Doubtful Debts,	-	-	-	-	-	0	0	0

R. WHITESIDE, *Cashier*.

*I, Richard Whiteside, Cashier of the above named Bank, do solemnly swear that the above is true, according to the best of my knowledge and belief.*

R. WHITESIDE.

Sworn at the City of Saint John, this twenty fifth day of January 1854.  
ROBERT W. CROOKSHANK, J. P.

*Adjourned until Monday next at 11 o'clock.*

MONDAY, 3rd April, 1854.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hill,*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Harrison,*

*Mr. Davidson,*  
*Mr. Odell,*  
*Mr. Wark,*  
*Mr. Ryan.*

*Mr. Brown,*  
*Mr. Gilbert,*  
*Mr. Steves,*

**PRAYERS.**

Pursuant to the Order of the Day, the following Bill, as amended, was read a third time and passed :—

A Bill to vest all Mines and Minerals in the owner of the Soil.

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

Pursuant to the Order of the Day, the following Chapters of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law, were severally read a third time and passed, viz :—

Title XV.—Chap. 87.—Regulations for Seamen.

Title XL.—Chap. 149.—Offences against the administration of Justice.

“ Chap. 151.—Offences against the Habitation.

“ Chap. 152.—Fraudulent appropriations.

“ Chap. 153.—Forgery, and offences relating to the Coin.

“ Chap. 154.—Malicious injuries to Property.

“ Chap. 155.—Other Felonies.

Title XLI.—Chap. 158.—Recognizance in Criminal Cases.

“ Chap. 160.—Trial.

“ Chap. 161.—Error, Punishments, and Expenses.

Title XV.—Chap. 88.—Regulations for Shipping Seamen at the Port of Saint John.

Title XL.—Chap. 156.—Definition of terms, and explanations.

“ Chap. 150.—Homicide and other offences against the Person.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the said Chapters without any amendment, except the three last entered, to which they have made certain amendments, and desire the concurrence of the Assembly thereto.

On motion—

The House was put into Committee of the whole, to take into consideration the Bill to authorize the turning of the West River in the County of Albert, into Roshea Bay.

The Honorable Mr. Steves took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into Committee of the whole to take into consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Wark took the Chair.

After some time the House resumed.

The

The Chairman reported, that the Committee had gone into consideration of the Resolutions sent up from the Assembly dated the thirtieth day of March last, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Needham, with the following Chapters of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law, to which they desire the concurrence of this House, viz:—

Title III.—Chap. 14.—Ordinary Revenue.

Title XLII.—Chap. 162.—Terms, Explauations, and General Provisions.

“ Chap. 163.—Promulgation and Repeal of Statutes.

Title XLIII.—Chap. 164.—Fees.

The said Chapters were severally read a first time.

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Chapters, and that they be read a second time presently.

The said Chapters were severally read a second time.

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

A Message was brought from the Assembly by the Honorable Mr. Gray, with a Bill to incorporate the British American Timber Bending Company; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The said Bill was read a second time.

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

The Honorable Mr. Chandler, by leave, presented a Petition from M. H. Perley, for Act of Incorporation for Timber Bending Company.

ORDERED, That the same be received and lie on the Table.

*Adjourned until To-morrow at 11 o'clock.*

TUESDAY, 4th April, 1854.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Harrison,  
Mr. Brown,  
Mr. Wark,  
Mr. Ryan.*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Hill,  
Mr. Davidson,  
Mr. Gilbert,  
Mr. Steves,*

PRAYERS.

**PRAYERS.**

On motion—

The House was put into Committee of the whole, to take into consideration the Bill to amend the Acts relating to Highways, so far as relates to the Parish of Portland, in the County of Saint John.

The Honorable Mr. Hatch took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into Committee of the whole, to take into consideration the Bill relating to the Public Debt of the City of Saint John.

The Honorable Mr. Hazen took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into Committee of the whole, to take into consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Wark took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the Resolutions dated the thirtieth and thirty first days of March last, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into further consideration the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the following Chapters of the said Bill, and recommended the same to the adoption of the House without any amendment, viz:—

Title III.—Chap. 14.—Ordinary Revenue.

Title XLII.—Chap. 162.—Terms, Explanations, and General Provisions.

Title XLIII.—Chap. 164.—Fees.

Title XLII.—Chap. 153.—Promulgation and Repeal of Statutes.

The Chairman further reported, that the Committee had gone into consideration of Resolution of the Assembly altering the Title to the said Bill, and recommended that it should be concurred in by the House.

ORDERED, That the Report be received.

The

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

*Resolved*, That the Title be—“ A Bill to revise and consolidate the Public Statutes of New Brunswick.”

The same being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

ORDERED, That the said Chapters be read a third time to-morrow.

A Message was brought from the Assembly by the Honorable the Attorney General, that the Assembly had agreed to the amendments sent down from this House to the following Chapters of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law, viz :—

Title XV.—Chap. 88.—Regulations for Shipping Seamen at the Port of Saint John.

Title XXXVIII.—Chap. 139.—Summary Convictions.

Title XL.—Chap. 150.—Homicide, and other Offences against the Person.

“ Chap. 156.—Definition of Terms, and Explanations.

A Message was brought from the Assembly by Mr. Porter, that the Assembly had agreed to the amendments sent down from this House to the Bill relating to the establishing of Polling Places in the Counties of Charlotte, Gloucester, York, Queen's, Saint John, Victoria, Northumberland, and Sunbury.

A Message was brought from the Assembly by the Honorable Mr. Gray, with a Bill to legalize the Funded Debt of New Brunswick; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The Honorable Mr. Hazen, by leave, presented a Petition from the Rector, Church Wardens and Vestry of Saint George Church, Saint John, for Act to divest the Crown of Presentation to Benefices in this Province.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Hatch, by leave, presented a Petition from W. C. M'Stay, for aid to a Wharf.

ORDERED, That the same be received and lie on the Table.

*Adjourned until To-morrow at 11 o'clock.*

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WEDNESDAY, 5th April, 1854.

PRESENT :

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Harrison,*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Hill,  
Mr. Davidson,*

*Mr. Brown,*  
*Mr. Gilbert,*  
*Mr. Steves,*

*Mr. Odell,*  
*Mr. Wark,*  
*Mr. Ryan.*

**PRAYERS.**

Pursuant to the Order of the Day, the following Bills, and Chapters of the Bill to carry into effect the Report of the Commissioners for the consolidation and improvement of the Law, were severally read a third time and passed, without any amendment, viz :—

A Bill to amend the Act relating to Highways, so far as relates to the Parish of Portland, in the City and County of Saint John.

A Bill relating to the Public Debt of the City of Saint John.

Title III.—Chap. 14.—Ordinary Revenue.

Title XLII.—Chap. 162.—Terms, Explanations, and General Provisions.

“ Chap. 163.—Promulgation and Repeal of Statutes.

Title XLIII.—Chap. 164.—Fees.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

Pursuant to the Order of the Day, the Bill to legalize the payment of the Funded Debt of New Brunswick, was read a second time.

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

On motion—

The House was put into Committee of the whole, to take into consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Wark took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into further consideration of the Resolutions dated the thirtieth and thirty first days of March last, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Reed, with Resolutions of Appropriation dated the fourth day of April instant, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

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

*Adjourned until To-morrow at 11 o'clock.*

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THURSDAY, 6th April, 1854.

PRESENT :

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Steves,*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark,  
Mr. Ryan.*

## PRAYERS.

On motion—

The House was put into Committee of the whole to take into consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Wark took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation respectively dated the thirtieth and thirty first days of March last and fourth day of April instant, and recommended that the House should concur in the same, with the following exceptions, viz :—

To His Excellency the Lieutenant Governor a sum not exceeding one thousand nine hundred pounds, to be expended by him in Council in buying up, on what shall appear to His Excellency fair terms, such Mining Leases as it may not appear equitable to escheat under the Act of Assembly of last Session ; provided always, that no fresh Licence be granted by the Government over the Lands covered by Leases so bought up, except to the owner of the Soil, and then only subject to a Royalty or per centage, which shall be applied to replace the sum now granted :

To the Trustees of Schools for the Parish of Addington, in the County of Restigouche, the sum of fifty pounds to enable them to keep a superior School in the Town of Campbellton, in said County ; the same not to be drawn until it is certified to His Excellency in Council that such School has been taught :

To the President of the Sunbury Agricultural Society the sum of one hundred and three pounds fourteen shillings and four pence, to reimburse the Society balance due on the cost of importing an Entire Horse from the United States :

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding two hundred and fifty pounds to reimburse the President of the Queen's County Agricultural Society amount expended by that Society for an Entire Horse imported from the United States.

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

ORDERED, That the Report be received and leave granted.

Whereupon the said Resolutions of Appropriation were concurred in by the House, with the exceptions above entered.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

A

A Message was brought from the Assembly by Mr. Williston, with Resolutions of Appropriation dated the fifth day of April instant; to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That the same be referred to a Committee of the whole House on Resolutions of Appropriation.

*Adjourned until To-morrow at 12 o'clock.*

FRIDAY, 7th April, 1854.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Huzen,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Steves,*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark,  
Mr. Ryan.*

PRAYERS.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to legalize the payment of the Funded Debt of New Brunswick.

The Honorable Mr. Gilbert took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into Committee of the whole, to take into consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Wark took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the fifth day of April instant, and recommended that the House should concur in the same, and that he was directed to ask leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the said Resolutions of Appropriation were concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

*Adjourned until To-morrow at 12 o'clock!*

SATURDAY

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SATURDAY, 8th April, 1854.

PRESENT :

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Steves,*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark,  
Mr. Ryan.*

**PRAYERS.**

Pursuant to the Order of the Day, the Bill to legalize the payment of the Funded Debt of New Brunswick, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

On motion—

The House was put into Committee of the whole, to take into consideration the Bill to authorize the turning of the West River, in the County of Albert, into Roshea Bay. The Honorable Mr. Steves took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into Committee of the whole, to take into consideration the Bill to alter and amend the Act providing for the establishment of Municipal Authorities in this Province.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

*Adjourned until Monday next at 12 o'clock.*

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MONDAY, 10th April, 1854.

PRESENT :

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hazen,*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Hill,*

*Mr. Harrison,*  
*Mr. Brown,*  
*Mr. Gilbert,*  
*Mr. Steves,*

*Mr. Davidson,*  
*Mr. Odell,*  
*Mr. Wark,*  
*Mr. Ryan.*

**PRAYERS.**

Pursuant to the Order of the Day, the Bill to authorize the turning of the West River, in the County of Albert, into Roshea Bay, was read a third time and passed.

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to alter and amend the Act providing for the establishment of Municipal Authorities in this Province.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A in Section 2, insert the words “ some one of.”

At B in Section 11, expunge the words “ or Special.”

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

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

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

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

The Select Committee to whom were referred all Bills relating to Corporations, beg to report that they have examined “ A Bill to incorporate certain Bodies connected with the Free Baptist Church in New Brunswick ;” also “ A Bill to incorporate the British American Timber Bending Company ;” and recommend the said Bills to the adoption of the House without amendment. They have had under consideration “ A Bill to revive and amend the Act to incorporate the Grand Falls Railway Company,” and have prepared certain amendments to the same, which they recommend to the favourable consideration of the House.

Respectfully submitted.

*Committee Room, April 10, 1854.*

A. E. BOTSFORD, *Chairman.*

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

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

The

The Honorable the President read the same ; and it was again read by the Clerk, as follows :—

### NEW BRUNSWICK.

*Message to the Legislative Council,*

*8th April, 1854.*

EDMUND HEAD.

His Excellency the Lieutenant Governor lays before the Legislative Council copies of a Correspondence relating to the Packet Postage with Great Britain ; on which subject it may be expedient that some opinion should be expressed by the Legislature of the Province.

E. H.

### COLONIAL POSTAGE.

Copy—Circular.

*Downing Street, 5th April, 1853.*

SIR,—With reference to Earl Grey's Circular Despatch of the 27th December 1850, recommending the establishment of a Book Postal Communication between this Country and the British Colonies, I have to acquaint you, that it is the desire of Her Majesty's Government to carry out a suggestion made by my predecessor Sir John Pakington, for extending the benefit of a cheap and uniform postage to Colonial correspondence.

Her Majesty's Government will be prepared to adopt an uniform sixpenny rate for all Colonial letters within a specified weight, so soon as the circumstances which the Lords Commissioners of the Treasury may think it their duty to take into consideration will permit, upon its being ascertained that those Colonies whose postal arrangements are independent of this country, are willing to acquiesce in the proposed arrangements.

I transmit for your information and guidance, a copy of the correspondence which has passed on this subject between this Office and the General Post Office ; and I shall be happy to receive your report in favour of including the Colony under your government in the proposed scheme. But you must bear in mind, that it is essential to the effectual working of the scheme, that it be adopted in its integrity by the Colonies.

I have, &c.

(Signed)

NEWCASTLE.

Lieutenant Governor Sir Edmund Head, Bart. &c. &c., New Brunswick.

*General Post Office, 19th March, 1853.*

SIR,—On the 21st September last, you informed the Postmaster General that Her Majesty's Secretary of State for the Colonies had received numerous applications both from the Colonies and from this Country, praying that the benefit of a cheap and uniform postage might be extended to Colonial Correspondence, and you stated that Sir J. Pakington, concurring with the Petitioners as to the advantages which would result from the concession, was favourably disposed to it, provided the arrangement could be effected without serious difficulty. You accordingly requested to be favoured with the opinion of the Postmaster General on this subject.

In reply I forwarded to you on the 8th October, the copy of a letter which the Earl of Hardwicke had addressed to the Lords of the Treasury on the 27th April previous, advocating the substitution of a combined uniform charge of six pence the single letter, not exceeding half an ounce in weight, in place of the present varying rates on Colonial Correspondence, together with certain changes in the arrangements for the transmission of Parliamentary proceedings and newspapers between the United Kingdom and the Colonies ; and the Postmaster General had the satisfaction of learning, by your letter of the 8th November, that, in the opinion of Sir John Pakington, the establishment of a uniform sixpenny rate for all Colonial letters, within the weight specified, although accompanied by an increase of the rate at present levied on the transmission of Parliamentary proceedings and newspapers (as had been suggested in Lord Hardwicke's letter) would be a most valuable boon to Her Majesty's Colonial subjects, as well as to all those persons in this Country having private or commercial relations with the Colonies.

No

No further steps were at that time taken for again bringing the question under the consideration of the Treasury. But Lord Canning, on accession to office, took an early opportunity of addressing the Treasury on the subject, expressing not only his own concurrence in the proposal of his predecessor, subject to some slight modification, but also the view entertained of it by Sir John Pakington, and requesting therefore for the measure the favourable consideration of Her Majesty's Government.

The details of the arrangement are, that the present postal charges on letters between the United Kingdom and all the British Colonial Possessions shall be reduced to an uniform rate of six pence the half ounce, according to the following scale, which is that in operation in the United Kingdom, viz.—

Not exceeding half an ounce—one rate.

Exceeding half an ounce and not exceeding one ounce—two rates.

Exceeding one ounce and not exceeding two ounces—four rates.

And so on, increasing two rates for each ounce, or fraction of an ounce.

This postage to free the letter to its place of destination, and to be prepaid or not at the option of the sender. That this postage shall be divided, as regards these Colonies, the Posts of which are not under the control of Her Majesty's Postmaster General in the following proportions, viz:—

When the letter is conveyed by Packet, 5d. to the Mother Country (viz. 1d. for inland rate, and 4d. for sea rate) and 1d. to the Colony.

When conveyed by private ship, the postage to be equally divided, 3d. being the share of the Mother Country, and 3d. the share of the Colony.

Of course to this uniform rate of six pence, addition must be made, as at present, when the letter is subject to a Foreign transit postage, as in the case of letters to Canada, via the United States.

That Parliamentary proceedings shall be placed on the same footing as other Books; and that an uniform rate of one penny (to be paid in advance) shall be established on Newspapers, the same freeing them to their destination either way, and the postage to be retained by whichever party collects it.

The rates of postage and the regulations for the transmission of Books it is unnecessary to recapitulate here, as they are fully detailed in my Letter to you of the 14th December 1850; but I may observe that, under the combined arrangement proposed, the scale for letters will be the same (substituting ounces for pounds) as that adopted for Books.

Lord Canning is glad to announce to the Duke of Newcastle that the Lords of Her Majesty's Treasury have informed him, that they are deeply impressed with, and entirely concur in, the reasons given by His Lordship and his predecessor for the proposed change, and that they will be prepared to adopt it, so soon as the circumstances which they may think it their duty to take into consideration will permit, if upon communication with the different Colonies, whose postal arrangements are independent of this country, it shall be found that they are willing to acquiesce in the arrangement proposed.

But as it is obviously necessary that the concurrence of such Colonies shall be first ascertained, the Postmaster General, under the directions of the Treasury, has to request that the Duke of Newcastle will be good enough to communicate with those Colonies, the Posts of which are independent of the control of this Department, and to ascertain whether, in the event of Her Majesty's Government adopting the general system recommended, they will concur therein, so far as the proposition affects their postal charges and arrangements; at the same time adding that Her Majesty's Government will be prepared to reverse the proportion of the charges in all cases where the Packet service shall be furnished by the Colonies.

It is desirable that it should be explained to the Colonial Governments, that the measure must either be accepted in its integrity, or declined, as one of the principal objects of Her Majesty's Government is to establish an uniform measure; and this it would be impossible to accomplish if the various Colonies were to suggest modifications suited perhaps to their own peculiar state or requirements, but inconsistent with a general arrangement such as that proposed.

The following is a list of the Colonies in which the Posts are under the control of Her Majesty's Postmaster General, viz:—

British West Indies, (with the exception of Barbadoes and Trinidad), British Guiana, Honduras, Malta, Gibraltar, Hong Kong, Heligoland.

In all other British Colonies and Possessions, the Posts are under Local management.

In order to avoid any misconception, I beg to repeat that the object of the Postmaster General, in the first instance, is to inquire whether the Governments of the several Colonies will consent to the measure

measure contemplated. Should their consent be obtained, it will then remain to fix a period for bringing the arrangements into effect, simultaneously in the United Kingdom and in the Colonies.

I have, &c.

(Signed)

W. L. MABERLY.

H. Merivale, Esquire, &c. &c. &c., Colonial Office.

Return to an Address of the Honorable the House of Commons, dated 15th February 1853, for Copies of Correspondence between Sir John Pakington and the Postmaster General, in the year 1852, in reference to a reduction in the Rates of Colonial Postage.

FREDERICK PEEL.

*Colonial Office, Downing Street, 8th March, 1853.*

No. 1.

Copy of a Letter from H. Merivale, Esquire, to Lieutenant Colonel Maberly.

*Downing Street, 21st September, 1852.*

SIR,—I am directed by Secretary Sir John Pakington to acquaint you, for the information of the Postmaster General, that he has received numerous applications, both from the Colonies and from this country, praying that the benefits of a cheap and uniform Postage may be extended to Colonial communication.

I am desired to inform you, that Sir John Pakington concurs with the Petitioners as to the advantages which would result from the concession, and that he is favourably disposed to it, if the arrangement can be effected without serious difficulty; and I am to request that you will move the Earl of Hardwicke to favour Sir John Pakington with his opinion on the subject.

I am also directed to acquaint you, that owing to the large and increasing amount of emigration to the British Colonies, and to the desire of persons who prosper there to send home money in order to assist their relations to follow them from this country, the want has grown up of an opportunity for numerous small remittances from the Colonies. From North America they are made to a very large amount indeed, which was estimated at more than £1,000,000 sterling in the past year, through the intervention of private firms; but those firms complain much of the trouble and responsibility which they involve, and in some cases where Houses of inferior respectability may be employed, the poor are liable to be defrauded of the benefit intended for them. There can be no doubt that the practice on the part of persons who have improved their condition by emigration, of sending home money to enable their friends to follow them, is highly laudable, and that it is deserving of encouragement both in a moral and social point of view. In Australia, however, the habit has not yet become nearly so general as in North America, and it is not improbable that, to some considerable extent, it is checked by the want of convenient and readily intelligible means of sending home the requisite funds.

Under these circumstances, the question has been proposed, whether it might not be possible to extend to Colonial correspondence the system of making payments by Post Office orders, which has been so successful in this country; and I am to request that you will bring the subject, with the foregoing statement, under the notice of the Earl of Hardwicke, and will inform me whether the suggestion appears to His Lordship one which could be entertained, and rendered fit for practical adoption. If this result could be secured, Sir John Pakington believes it would be a great boon to the Colonies and to the humbler classes in this country.

I have, &c.

(Signed)

H. MERIVALE.

No. 2.

Copy of a Letter from J. Tilley, Esquire, to H. Merivale, Esquire.

*General Post Office, 8th October, 1852.*

SIR,—The Postmaster General has had under consideration your Letter of the 21st ultimo, and with reference to that portion of it which relates to the proposed extension of a cheap and uniform postage

postage to letters transmitted between the United Kingdom and the several British Colonies, I am directed by His Lordship to transmit to you, for the information of Sir John Packington, the enclosed copy of a letter which he addressed to the Lords of Her Majesty's Treasury on this subject in April last, with a copy of the reply of their Lordships; and I have to state, that the Postmaster General will be glad to know whether the measure proposed in this correspondence is such as Sir John Packington has in view. If so, the Postmaster General will be prepared to renew his application to the Treasury on this subject.

I have, &c.

(Signed)

J. TILLEY, *Assistant Secretary.*

H. Merivale, Esquire, &c. &c. &c.

Enclosure in No. 2.

To the Right Honorable the Lords Commissioners of Her Majesty's Treasury.

MY LORDS.— My predecessor in a Letter dated the 9th September 1850, brought under the consideration of Your Lordships' Board, the importance of establishing uniform rates of postage upon letters, newspapers, books, and Parliamentary proceedings, transmitted either by Packet or private Ship between the United Kingdom and all British Colonies, and of combining in such uniform rates the total charge, Imperial and Colonial, to destination, by which means it was proposed to afford to the public the option of paying the whole of the postage (as regards letters,) in advance, either in this country or in the Colony, or of forwarding the letters unpaid.

As a preliminary measure, letters were addressed by the Treasury to the Secretary of State for the Colonies, and to the Secretary of the India Board, acquainting them with the proposition which had been made by the Postmaster General, and requesting that the necessary information relative to the rates charged in the several Colonies and in the East Indies, on letters, &c., might be furnished.

The required information has, up to the present time, been received from Heligoland, the Cape of Good Hope, Ceylon, Labuan, South Australia, Van Diemen's Land, New South Wales, Saint Helena, and Sierra Leone, and although there remain several Colonies from which no reports have yet been received, there nevertheless appears sufficient information to serve as the basis of a general measure for the Crown Colonies, leaving the East Indies to be dealt with when the requisite particulars are supplied.

The information gathered from the reports made by the several Colonies, confirms the impression of my predecessor, that, in no other instance than that of Heligoland, which was proposed to be exempted from the arrangement in respect to the amount of its rate, the establishment of a shilling rate would raise the present total charge, while there are comparatively but few cases in which such arrangement would materially lower the charge.

The most striking of these cases, is that of Ceylon, where it appears that, even upon the letters conveyed direct from this country by British Contract Packets, and consequently without any expense to the Colonial Government, a sea rate of 1s. is nevertheless added at the Colonial Post Office, which just doubles the cost to the public, thus raising a great obstacle to correspondence, and injuring the home revenue; a state of things showing the necessity for some such arrangement as that proposed by my predecessor.

There appears every reason, therefore, for carrying out the measure recommended by the Marquis of Clanricarde's letter of the 9th September 1850, at least so far as relates to the Crown Colonies; immediate effect being given to the measure in all Colonies whose postal arrangements are under my control, and negotiations being forthwith commenced as regards the others.

The original proposition consisted in fixing the uniform rate of postage at the amount already charged in most cases, viz. 1s. the half ounce, with the present scale of advance, the same to free the letter to its place of destination, and to be pre-paid or not, at the option of the sender. Of this shilling it was proposed, that, as in the case of Canada, 2d. should be assigned to the Colonial Post Office as its inland rate, the remaining 10d. being assigned to the British Office as its inland rate and sea postage combined.

Of course to this uniform rate, addition will have to be made, as at present, when the letter should be subjected to a foreign transit portage, as in the case of letters to the East Indies *via* Marseilles, and to Canada *via* the United States.

It

It would remain to deal with the division of the rates on letters conveyed by Ship, as also with newspapers and Parliamentary proceedings.

Where letters are conveyed by Ship, the Colony is of course entitled to a larger share of the postage, and I should recommend that the 1s. rate be equally divided between the Home Government and the Colony, an arrangement somewhat more favourable to the Colonies than that which now exists.

Newspapers are conveyed at rates which vary considerably. In many cases they pass entirely free of charge; in others, a charge (generally of 1d. each) is made either in this Country or in the Colony; but I am not aware of any case in which a newspaper is charged in both. In this Country the rule is to charge nothing if the newspaper be carried by Packet, and 1d. if by private Ship. In the Colonies the practice is exceedingly variable.

The adoption of a uniform rule, therefore implies either the imposing of a rate in those cases where newspapers go free, or the extension of free conveyance to those newspapers which are now charged, an alternative which would not only cause some loss to the revenue, but would augment an inconvenience already seriously felt by this Department.

Parliamentary proceedings, it is very desirable for the sake of simplicity, to place on the same footing as other books; as, however, this would, in many cases, involve an increase in the present rates, (generally from 1d. though in a few cases from 2d. per quarter pound to 6d. per half pound,) this change, as well as the establishment of a rate on all newspapers, would tend to produce dissatisfaction, which, I fear, would scarcely be allayed by the very moderate and exceptional reduction implied in the establishment of a uniform letter rate of 1s.

If, however, the interests of the Revenue should be found to admit of a decided reduction in the general rate, all minor dissatisfaction would probably disappear amidst the gratification arising from so popular a measure.

Considering the vast importance of strengthening the ties between the Colonies and the Mother Country, I am of opinion that some Revenue may wisely be sacrificed, or at least risked, for the purpose of multiplying correspondence, and giving to the Colonies a valuable and acceptable privilege.

Impressed with the importance of these views, I submit, for the consideration of your Lordships, without at present suggesting any change in the inter-colonial postage, the propriety of lowering the present postal charges between the Mother Country and the Crown Colonies to a uniform rate of 6d. to be divided, as regards Colonies the posts of which are not under my control, in the same proportions as originally proposed in regard to the 1s. rate; thus giving 5d. or 3d. to the Mother Country, and 1d. or 3d. to the Colony, according as the letter is conveyed by packet or private ship, and the course of proceeding being in all other respects the same as recommended above.

With so large a reduction on letters, I should have no hesitation in recommending that Parliamentary proceedings should be placed on the same footing as other books, and that a uniform rate of 1d. (also to be paid in advance) should be established on newspapers, the same freeing them to their destination either way, and the postage being retained by whichever party collected it.

Under this combined arrangement, Heligoland would of course be no longer, (as formerly proposed) an exception to the general rule; and, what is more important, the scale for letters would be the same (substituting ounces for pounds) as that recently adopted for books.

Supposing the rates to be thus reduced, I think a corresponding reduction should take place in the gratuities payable to the masters of private ships; and I propose that the present payment of 2d. per letter and 1d. per newspaper be reduced by one-half. I would suggest also a proportionate reduction in the allowance to the Custom House Officers for letters landed at Gravesend, viz. from 1½ to ¾d. per letter, as also in the allowance to boatmen for bringing ship-letters ashore in the Channel, and in any other allowances now made in respect of ship-letters.

There are no exact data for ascertaining the amount of Revenue which would be risked by either of the uniform rates proposed, but so far as can be judged from a rough estimate founded on the state of things in 1848, it would be about £10,000 per annum in case of the 1s. rate being fixed, and about £50,000 per annum in case of the 6d. rate being determined on, omitting the Government postage in both cases. Judging, however, by past experience, there can be little doubt that the greater part of any deficit that might arise would, in a few years, be made up by increase in the number of letters. Considering this, and bearing in mind that the obligation to consult certain of the Colonial Legislatures necessitates a gradual introduction of the measure, I think it probable that the loss of Revenue in any one year will not exceed £20,000.

Having

Having thus fully stated to your Lordships my views on this subject, I beg to leave it to your favourable consideration.

I have, &c.

(Signed)

HARDWICKE.

*General Post Office, 27th April 1852.*

*Treasury Chambers, 29th May, 1852.*

MY LORD,—I have laid before the Lords Commissioners of Her Majesty's Treasury your Lordship's letter of the 27th ultimo, recommending a reduced uniform rate of postage to the British Colonies, and am directed by their Lordships to acquaint you, that my Lords do not feel warranted at present in sanctioning an arrangement for a uniform reduced rate of postage to the British Colonies, which, however desirable, would involve a considerable loss of revenue.

I have, &c.

(Signed)

GEO. A. HAMILTON.

The Postmaster General, &c. &c. &c.

No. 3.

Copy of a Letter from H. Merivale, Esquire, to J. Tilley, Esquire.

*Downing Street, 8th November, 1852.*

SIR,—I am directed by Secretary Sir John Pakington to acknowledge the receipt of your letter of the 8th ultimo, in which, with reference to Mr. Merivale's letter of the 21st of September, you transmit the copies of a correspondence which had already passed with the Lords Commissioners of the Treasury on the subject to which the Postmaster General's attention has since been drawn by Sir John Pakington, of a cheap and uniform postage to the Colonies.

I am desired to acquaint you, for the information of the Postmaster General, that Sir John Pakington is satisfied that the scheme proposed in the Earl of Hardwicke's letter to the Treasury, dated the 27th of April last, by which a general six penny rate would be established for all letters under half an ounce sent to the British Colonies, with the requisite dependent arrangements as to the transmission of Parliamentary proceedings and newspapers, would be a most valuable boon to Her Majesty's Colonial subjects, and to all in this country who have private or commercial relations with the Colonies, and that Sir John Pakington would be very glad if the Postmaster General should be able again to bring the proposal before the Lords Commissioners of the Treasury, in such a manner as may lead to its favourable reconsideration.

I have, &c.

(Signed)

H. MERIVALE.

It was moved and seconded, that the following Resolution should pass:—

RESOLVED, As the opinion of this House, that the expenditure of a large sum of money for the Road service, or otherwise, in addition to what is required to meet existing Railway and other engagements, and at a time of general prosperity, and unprecedented demand for labour, would be injudicious and unwise, as it must withdraw from agriculture and other pursuits too great a proportion of the labour required to carry them on, and at the same time increase the expense, and be attended by a great waste of the public money; and further

RESOLVED, That it is inexpedient to apply a greater sum than thirty thousand pounds to this service: this sum, at the rate of five shillings a day, would require one hundred and twenty thousand days, or the labour of four thousand six hundred and fifteen men for one month, and this at the busiest season of the year.

On the question whether the said Resolution should pass, it was decided in the negative.

*Adjourned until To-morrow at 12 o'clock.*

TUESDAY, 11th April, 1854.

PRESENT :

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Steves,*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark,  
Mr. Ryan.*

**PRAYERS.**

Pursuant to the Order of the Day, the Bill to alter and amend the Act providing for the establishing of Municipal Authorities in this Province, as amended, was read a third time and passed.

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to revive and amend the Act to incorporate the Grand Falls Railway Company, together with the Report of the Select Committee thereon.

The Honorable Mr. Hill took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A in Section 1, insert the words “intituled an Act to incorporate the Grand Falls Railway Company.”

At B insert the words “revive and.”

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

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to incorporate certain Bodies connected with the Free Baptist Church in New Brunswick, together with the Report of the Select Committee thereon.

The Honorable Mr. Hazen took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

Pursuant

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to incorporate the British American Timber Bending Company, together with the Report of the Select Committee thereon.

The Honorable Mr. Steves took the Chair.

After some time the House resumed.

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

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

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

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

The Select Committee to whom were referred all Bills relating to Corporations, beg leave to report that they have examined “ A Bill to incorporate the Saint John Fire Insurance Company,” and have prepared an amendment to the same, which they recommend to the favourable consideration of the House.

Respectfully submitted.

*Committee Room, April 11, 1854.*

A. E. BOTSFORD, *Chairman.*

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Bill, and that the House be put into Committee of the whole presently to take the said Bill, together with the Report of the Select Committee thereon, into consideration.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A at the end of Section 4, add as follows :—“ Provided always, that the actual amount of capital subscribed and secured shall appear at the head of every Policy issued by said Company in words to this effect :—

*Amount of Capital already subscribed and secured, £37,000, (or as the case may be.)”*

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

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

A Message was brought from the Assembly by Mr. M'Leod, with Resolutions of Appropriation dated the tenth day of April instant, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

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

The

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by the Honorable the Attorney General, with a Bill relating to King's College at Fredericton; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The said Bill was read a second time.

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

*Adjourned until To-morrow at 11 o'clock.*

WEDNESDAY, 12th April, 1854.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Steves,*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark,  
Mr. Ryan.*

PRAYERS.

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

A Bill to incorporate the British American Timber Bending Company:

A Bill to incorporate the Saint John Fire Insurance Company: and

A Bill to revive and amend the Act to incorporate the Grand Falls Railway Company.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the first entered Bill without any amendment; and that they have agreed to the two last entered Bills with certain amendments, to which they desire the concurrence of the Assembly.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill relating to King's College, Fredericton.

The Honorable Mr. Hatch took the Chair.

After some time the House resumed.

The

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

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

A Message was brought from the Assembly by Mr. Godard, with Resolutions of Appropriation dated the eleventh day of April instant ; to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That the same be referred to a Committee of the whole House on Resolutions of Appropriation.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Gilbert, with a Bill to incorporate the Asphalte Mining and Kerosene Gas Company ; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The said Bill was read a second time.

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

The Honorable Mr. Hatch, by leave, presented a Petition from M. R. Fletcher, Esquire, for aid to an invention of a Fog Bell.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Davidson, by leave, presented a Petition from John Robicheau, for compensation for carrying Mails.

ORDERED, That the same be received and lie on the Table.

*Adjourned until To-morrow at 12 o'clock.*

THURSDAY, 13th April, 1854.

PRESENT :

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,  
Mr. Ryan.*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark,*

PRAYERS.

**PRAYERS.**

Pursuant to the Order of the Day, the Bill relating to King's College, Fredericton, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

On motion—

The House was put into Committee of the whole, to take into consideration the Bill to incorporate certain Bodies connected with the Free Baptist Church in New Brunswick, together with the Report of the Select Committee thereon.

The Honorable Mr. Solicitor General took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A in Section 7, insert the words “and a conveyance of the same shall be executed by the then existing Trustees.”

At B expunge the word “if.”

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

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

A Message was brought from the Assembly by Mr. Rice, that the Assembly had agreed to the amendments sent down from this House to the Bill to alter and amend the Act providing for the establishment of Municipal Authorities in this Province.

A Message was brought from the Assembly by Mr. Botsford, with Resolutions of Appropriation dated the twelfth day of April instant, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

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

A Message was brought from the Assembly by Mr. Harding, that the Assembly had agreed to the amendments sent down from this House to the Bill to incorporate the Saint John Fire Insurance Company.

*Adjourned until Saturday next at 12 o'clock.*

**SATURDAY, 15th April, 1854.**

PRESENT :

THE HON.

*Mr. Saunders,  
Mr. Chandler,*

*Mr. Black, President.*

*Mr. Botsford,  
Mr. Hatch,*

*Mr. Solicitor General,*  
*Mr. Hazen,*  
*Mr. Harrison,*  
*Mr. Brown,*  
*Mr. Gilbert,*

*Mr. Minchin,*  
*Mr. Hill,*  
*Mr. Davidson,*  
*Mr. Odell,*  
*Mr. Wark.*

**PRAYERS.**

Pursuant to the Order of the Day, the Bill to incorporate certain Bodies connected with the Free Baptist Church in New Brunswick, as amended, was read a third time and passed.

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

**On motion—**

The House was put into Committee of the whole, to take into consideration the Bill intituled "An Act relating to Ferries."

The Honorable Mr. Solicitor General took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House.

**ORDERED,** That the Report be received, the Bill engrossed, and read a third time on Monday next.

A Message was brought from the Assembly by Mr. Scoullar, with a Bill to incorporate the Sunbury Steam Factory Company, for the manufacture of Agricultural and other Implements; to which they desire the concurrence of this House:

Also, that the Assembly had agreed to the amendments sent down from this House to the Bill to revive and amend the Act to incorporate the Grand Falls Railway Company.

The first entered Bill was read a first time.

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

The said Bill was read a second time.

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

**On motion—**

The House was put into Committee of the whole to take into consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

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

**ORDERED,** That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Godard, with Resolutions of Appropriation dated the thirteenth day of April instant, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

**ORDERED,**

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

A Message was brought from the Assembly by Mr. Kerr, with a Bill for the encouragement of Agriculture; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The Honorable Mr. Solicitor General, one of Her Majesty's Executive Council, by direction of His Excellency the Lieutenant Governor, laid before the House—

Copies of the Commission of the Governor General of Canada, and the Royal Instructions: also

Certain Papers in answer to the Address of the House of the first March last.

[ *Vide Appendix No. 1.* ]

The Honorable Mr. Hazen presented to the House a Bill intituled "An Act to incorporate the British and American General Railway Land Company."

The said Bill was read a first time.

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

The said Bill was read a second time.

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

The Honorable Mr. Hazen, by leave, presented a Petition from Jane Gallagher, for aid in consideration of services of her late Husband.

ORDERED, That the same be received and lie on the Table.

*Adjourned until Monday next at 11 o'clock.*

MONDAY, 17th April, 1854.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Harrison,  
Mr. Brown,  
Mr. Gilbert,*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Hill,  
Mr. Davidson,  
Mr. Odell,  
Mr. Wark.*

PRAYERS.

Pursuant to the Order of the Day, the Bill intituled "An Act relating to Ferries," was read a third time and passed.

ORDERED, That the Title be—  
An Act relating to Ferries.

ORDERED,

ORDERED, That the Master in Chancery do carry the said Bill down to the Assembly, and acquaint that House that the Legislative Council have passed the same, and desire the concurrence of the Assembly thereto.

Pursuant to the Order of the Day, the Bill for the encouragement of Agriculture, was read a second time.

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

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

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

The Select Committee to whom were referred all Bills relating to Corporations, beg leave to report that they have examined “ A Bill intituled ‘ An Act to incorporate the British and American General Railway Land Company, ’ ” and recommend the said Bill to the favourable consideration of the House.

Respectfully submitted.

*Committee Room, April 15, 1854.*

A. E. BOTSFORD, *Chairman.*

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the said Bill, and that the House be put into Committee of the whole presently to take the said Bill, together with the Report of the Select Committee thereon, into consideration.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

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

The Select Committee to whom were referred all Bills relating to Corporations, beg to report that they have examined “ A Bill to incorporate the Asphalte Mining and Kerosene Gas Company, ” and recommend the same to the favourable consideration of the House.”

Respectfully submitted.

*Committee Room, April 17, 1854.*

A. E. BOTSFORD, *Chairman.*

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

The Honorable Mr. Botsford, from the Committee appointed to revise and report upon the Standing Orders of this House, presented a Report.

ORDERED, That the same be received.

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

The

The Select Committee appointed to revise the Standing Orders of the House, beg leave to report that they have attended to that duty, and submit a Draft set of Standing Orders for the consideration of the House.

Respectfully submitted.

A. E. BOTSFORD,  
JAMES BROWN,  
W. H. ODELL.

*Committee Room, April 15, 1854.*

ORDERED, That the same be received, and that the House be put into Committee of the whole on Wednesday next to take the said Report into consideration.

A Message was brought from the Assembly by Mr. Smith, that the Assembly had agreed to the Bill sent down from this House to incorporate the Albert Freestone Association, without any amendment.

A Message was brought from the Assembly by Mr. M'Leod, that the Assembly had agreed to the amendments sent down from this House to the Bill to incorporate certain Bodies connected with the Free Baptist Church in New Brunswick.

On motion—

The House was put into Committee of the whole, to take into consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of certain Resolutions of Appropriation, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Williston, with Resolutions of Appropriation dated the fifteenth day of April instant; to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That the same be referred to a Committee of the whole House on Resolutions of Appropriation.

A Message was brought from the Assembly by Mr. Kerr, that the Assembly had agreed to the Bill sent down from this House, intituled "An Act in further amendment of and in addition to an Act intituled 'An Act to incorporate sundry persons by the name of the President, Directors and Company of the Central Bank of New Brunswick.'"

*Adjourned until To-morrow at 11 o'clock.*

TUESDAY, 18th April, 1854.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,*

*Mr. Hazen,  
Mr. Harrison,  
Mr. Brown,  
Mr. Wark.*

*Mr. Hill,  
Mr. Davidson,  
Mr. Odell,*

**PRAYERS.**

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill intituled "An Act to incorporate the British and American Great Railway Land Company."

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House.

**ORDERED,** That the Report be received, the Bill engrossed, and read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill for the encouragement of Agriculture.

The Honorable Mr. Brown took the Chair.

After some time the House resumed.

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

**ORDERED,** That the Report be received and leave granted.

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

A Bill relating to Steam Navigation in this Province: and

A Bill relating to the administration of Justice in Equity.

The said Bills were severally read a first time.

**ORDERED,** That the said Bills be severally read a second time to-morrow.

A Message was brought from the Assembly by Mr. Gilbert, with Resolutions of Appropriation dated the seventeenth day of April instant, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

**ORDERED,** That they be referred to the Committee of the whole House on Resolutions of Appropriation sent up from the Assembly.

A Message was brought from the Assembly by Mr. Needham, with a Bill to authorize the Justices of the Peace for the City and County of Saint John to levy an assessment for the erection of a Dead House for the said City and County; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

*Adjourned until To-morrow at 11 o'clock.*

WEDNESDAY, 19th April, 1854.

PRESENT :

THE HON.

*Mr. Bluck, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Davidson,  
Mr. Wark.*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Hill,  
Mr. Odell,*

**PRAYERS.**

Pursuant to the Order of the Day, the Bill intituled "An Act to incorporate the British and American Great Railway Land Company," was read a third time and passed.

ORDERED, That the Title be—

An Act to incorporate the British and American Great Railway Land Company.

ORDERED, That the Master in Chancery do carry the said Bill down to the Assembly, and acquaint that House that the Legislative Council have passed the same, and desire the concurrence of the Assembly thereto.

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

A Bill relating to Steam Navigation in this Province :

A Bill relating to the administration of Justice in Equity : and

A Bill to authorize the Justices of the Peace for the City and County of Saint John to levy an assessment for the erection of a Dead House for the said City and County.

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

On motion—

The House was put into Committee of the whole, to take into consideration the Bill to incorporate the Asphalte Mining and Kerosene Gas Company, together with the Report of the Select Committee thereon.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill for the encouragement of Agriculture.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

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

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

On

On motion—

ORDERED, That the twenty third Rule of this House be dispensed with, as regards the Bill relating to Steam Navigation in this Province, and that the House be put into Committee of the whole presently to take the said Bill into consideration.

The Honorable Mr. Hazen took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received.

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

At A at the end of Section 5, add the words “to be paid by the owner or master of such boat or vessel.”

At B in Section 6, insert the words “to be paid by the owner or master of such boat or vessel and.”

At C in Section 11, insert the words “here insert number of pounds.”

At D in Section 13, expunge the word “and,” and insert “or.”

At E in Section 15, expunge the word “and,” and insert “if.”

At F expunge the words “unless by consent of the passengers.”

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

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Report of the Select Committee appointed to revise and report upon the Standing Orders of this House.

The Honorable Mr. Botsford took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Report, and recommended certain Orders for the adoption of this House.

ORDERED, That the Report be received.

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

- |                                |   |
|--------------------------------|---|
| Prayers.                       | 1. That Prayers shall be read every day, by the Chaplain of this House, at the opening thereof.   |
| Courtesy.                      | 2. That every Member of this House who shall enter when it is sitting, is to give and receive salutations from the rest, and previous to taking his place, make his obeisance to the Chair of State.                                |
| Order in sitting.              | 3. The Members of this House are to keep their dignity and order in sitting as much as may be, and not to remove out of their places without just cause, to the hinderance of others that sit near them, and disorder of the House. |
| Black Rod to keep House clear. | 4. That the Black Rod do not permit any person to come within the House while it is sitting, except the Members and Officers attending.   |
| Admission to hear Debates.     | 5. That the Members of the Assembly be admitted as auditors of the Debates of the House, or any other person introduced by a Member of this House.  |

6. That any Member may at any time desire the House to be cleared of strangers, and the President shall immediately give directions to execute the order without debate. Clearing the House.

7. That immediately after Prayers the Minutes of the preceding day be always read. Minutes to be read.

8. That when this House is called, notice shall be taken of such Members as are absent, unless excused by the Sovereign, or the Governor in Chief, Lieutenant Governor, or Officer administering the Government in this Province. Call of House.

9. That for absence every Member is to make his excuse by a Member of this House, and if allowed, he is to be excused; if not, he is to be censured by the House as the fault requires. Excuse for absence.

10. To prevent misunderstandings, and for avoiding offensive speeches, when matters are debating either in the House or at Committees, all personal, sharp, or taxing speeches be forborne; and whosoever answereth another man's speech, shall apply his answer to the matter, without wrong to the person; and as nothing offensive is to be spoken, so nothing is to be ill taken, if the party that speaks it shall presently make a fair exposition or clear denial of the words that might bear any ill construction; and if any offence of that kind be given, as the House itself will be very sensible thereof, so it will sharply censure the offenders, and give the party offended a fit reparation and full satisfaction. Prevention of misunderstandings.

11. That for avoiding all mistakes, unkindnesses, and other difference which may grow to quarrels tending to the breach of the peace, if any Member shall conceive himself to have received any affront or injury from any other Member of the House, either in the Council Chamber or at any Committee, or in any of the Rooms belonging thereto, he shall appeal to the House for his reparation, which if he shall not do, but occasion or entertain quarrels, declining the justice of the House, then the Member who shall be found therein offending shall undergo the severe censure of this House. Prevention of misunderstandings.

12. That if any Member have occasion to speak with another Member in this House whilst the House is sitting, they are to go together below the Bar, or else the Speaker is to stop the business in agitation. Conversation.

13. The privilege of this House is, that no Member of the said House, during the sitting thereof, or within the usual times of privilege of Parliament, is to be imprisoned or restrained without sentence or order of this House, unless it be for treason or felony, or for refusing to give security for the peace. Privileges.

14. As it might deeply entrench on the privileges of this House for any Member to answer an accusation in the House of Assembly, either in person or by sending his answer in writing, or by his Counsel there: It is ordered, that no Member of this House shall either go down to the House of Assembly, or send his answer in writing, or appear by Counsel to answer any accusation there, upon penalty of being committed to the Black Rod, or to Prison, during the pleasure of this House. Privileges.

Reception of Messages.

15. Upon the occasion of receiving Messages from the Lower House, notice is to be given to the House by the Usher of the Black Rod, that a Message or Deputation is sent to us by the House of Assembly, they attend until the House is prepared to receive them; then we, being seated, send for them; on their coming up to the middle of the Bar with three courtesies, the President rises and goes down to the Bar and receives their Message uncovered; the Message is then read and delivered to the President by one of the Members of the Deputation; on their retiring, with three courtesies as before, the President resumes the Chair, and, standing uncovered, reports the Message for the information of the Members; the House then resumes the business it had before it.

Messages.

16. That in all Messages from the Assembly to this House with a Bill, or otherwise, the same cannot be received unless the object of it be expressed verbally, as hath hitherto been the practice.

Orders of the Day.

17. That all Orders of the Day which, by reason of any adjournment, shall not have been proceeded upon, shall be considered only as postponed to the next day on which the House shall sit.

Mode of addressing House.

18. That every Member, previous to his speaking to any question or other matter before the House, shall rise from his seat uncovered, and address himself to the House.

Questions and Motions to be read for information.

19. That each Member of this House has a right to require that the question or motion in discussion be read for his information at any time of the debate.

Improper Motions.

20. That when a question is under debate, no motion shall be received in the House, unless for the purpose of amending, committing, or postponing it to a certain day, or for the Order of the Day, or to adjourn.

Notice of Special Motions.

21. That in all motions which may be deemed special, two days' notice thereof shall be given to this House; and that any motion, with leave of the House, may be withdrawn any time before amendment or decision.

Standing Orders, making and dispensing with.

22. That for the future, no motion shall be granted for making an Order of this House a Standing Order, or dispensing with a Standing Order, the same day it is made, nor before the Members of this House, in Town, shall be summoned to consider of the same motion.

Speaking after question put.

23. That after the question hath been entirely put by the President, no Member is to speak upon the question before voting.

Departing after question put.

24. That after a question is put, and the House hath voted thereon, no Member shall depart out of his place until the House hath entered upon some other business.

On divisions. Contents to rise.

25. That in voting, the Contents shall rise in their places, and the Non-Contents continue to sit.

Journal entries, when questions decided by votes.

26. When a question is decided by vote, the number of both the affirmatives and negatives shall be inserted in the Minutes; and also the Members' names, if desired.

Protests.

27. That such Members of this House as shall make protestation or enter their dissents from any votes of this House, as they have a right to do without asking leave of the House, either with or without their reasons, shall  
cause

cause their protestation or dissents to be entered in the Clerk's Book the next sitting day of this House, before the rising of the House, and shall then sign the same on such day before the rising of this House.

28. Bills are seldom opposed at the first reading, but are generally committed upon motion at the second reading, at which time the principle is usually debated.

Practice in debating Bills.

29. That no Bill shall be read twice on the same day: That no Committee of the whole House shall proceed on any Bill on the same day in which the Bill is committed, unless the House upon motion shall see special cause for the common utility to change the same course in any particular instances.

No Bill to be read twice on same day, &c.

30. No Member is to speak twice to any Bill at one time of reading it, or any other proposition, unless it be to explain himself in some material point of his speech, but no new matter, and that not without leave of the House first obtained. Every Member speaks standing uncovered, and names not Members of the House commonly by their names, but "the Member that spoke last—last but one—last but two," &c., or some other note of distinction.

Limit to speaking.

31. That to annex any clause or clauses to a Bill of Aid or Supply, the matter of which is foreign to, and different from the matter of the said Bill of Aid or Supply, is unparliamentary.

Annexing clauses to Bills of Supply.

32. That when a Bill originating in this House has once passed through its final stage in this House, no new Bill for the same object can afterwards be originated in this House during the same Session.

No second Bill to be originated after passing of a first one.

33. That Bills brought up from the House of Assembly when reported by the President, and handed to the Clerk, shall be carefully read over by him, and all verbal mistakes (if any) noticed by him to the Speaker in writing.

Clerk to report mistakes in Bills.

34. That no Bill of a private or local nature shall be received by the House unless such Bill has been previously read at the Assizes or Court of Nisi Prius, or at some General Sessions of the Peace for the County or City and County interested in such Bill, in the presence of the Grand Jury, and a certificate be endorsed thereon by the Clerk of such Court that the same was so read; or unless such Bill has been previously published four times successively in some one of the Newspapers published in the County interested in such Bill; and when no Newspaper is published in such County, in some Newspaper published in the nearest adjoining County, or in the Royal Gazette.

Private Bills to be read at Sessions, &c.

35. The President when he speaks to the House, is always to speak uncovered; and is not to adjourn the House or do anything else as mouth of the House, without consent of the Members first had, except such things as are of course, wherein the Members may likewise overrule; and in case of difference amongst the Members, it is to be put to the question.

President to speak uncovered, and to be otherwise subject to the consent of the Members.

36. That any Member who brings up a Petition shall, in his place, acquaint the House of the general purport of such Petition, and ask leave for it to be read, which must be seconded before it is read.

Presentation of Petitions.

## Committees.

37. To have more freedom of debate and to facilitate business, Committees are appointed either of the whole House or of individuals. Committees of the whole House sit in the House, but then the President sits not in the Chair as President.

## Chairman of Committee to be named by the President.

38. That when the House is put into Committee of the whole, the President may name any Member to be Chairman of such Committee.

## Members to keep their places.

39. Every Member is to sit in his due place when the House is put into a Committee.

## Members of Special Committees.

40. That every Member who shall introduce a Bill, Petition, or Motion upon any subject, which may be referred to a Committee, shall be one of the Committee, without being named by the House.

## Rules of House to be observed in Committee.

41. That in a Committee of the whole House, the Rules of the House shall be observed in so far as they may be applicable, excepting the Rule limiting the times of speaking; and that no motion for the previous question, or for adjournment, can be received. but a Member may at any time move that the Chairman do leave the Chair, or report some progress made, and ask for leave to sit again.

## Committee to ascertain if Standing Orders have been complied with.

42. That when any Bill shall be sent by this House to a Committee, such Committee shall examine in the first place whether the Standing Orders of this House have or have not been complied with, and shall report the same to the House.

## The same information to be communicated to this House as to the House of Assembly.

43. That no Bill, Resolution, or other proceedings founded upon any application addressed to the House of Assembly, be sustained by the Council, unless an application to the same effect, with such documents as may accompany the same, be also presented to the Council in General Assembly.

## Certificate of performance of Statute Labour to be filed before grant of money be concurred in.

44. That it has been for many years the invariable practice, and that it be a Standing Rule of this House, that no grant of money for Roads and Bridges in any Parish in this Province in any year, be concurred in by this House, unless it shall appear by the Certificate of the Clerk of the Peace for the County in which such Parish is situated, to be filed with the Clerk of this House, that due return of the account of the Statute Labour has been made in the same year in conformity with the provisions of the Act or Acts of Assembly that may from time to time be in force regulating the Highways and Roads in the several and respective parts of this Province, and unless it shall also appear by such Certificate, that the Statute Labour has been faithfully performed by the inhabitants of the Parish for which any money is intended to be granted, or that the delinquents have been prosecuted.

## Amendments of Acts of Incorporation to be sanctioned by the stockholders.

45. That this House will not entertain any application from any Joint Stock Company incorporated by Act of Assembly in this Province, for any alteration in the Act of Incorporation of such Joint Stock Company, unless such application proceed from or be sanctioned by the Stockholders at a general meeting legally convened.

## Plans and estimates for Roads to be laid before this House before such Roads be made Great Roads.

46. That the House will not concur in any Bill for the purpose of putting any Road within this Province upon the Great Road establishment, without having first laid before it plans and surveys of such Roads by competent Surveyors,

Surveyors, duly appointed by His Excellency the Lieutenant Governor or Administrator of the Government for the time being, shewing the necessity for such Road being made one of the Great Roads; and also that the line of such Road is the best line that can be obtained between the points of termination of such Road; such plan also shewing any alteration that may be requisite to obtain the best line, with an estimate of the expense of such alteration.

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

ORDERED, That fifty copies of the same be published in Pamphlet form for the use of the House.

ORDERED, That the forty third Rule of the same be published in the Royal Gazette and two other of the Newspapers of the Province for two months next preceding each Session of the Legislature.

The Honorable Mr. Chandler, a Member of Her Majesty's Executive Council, by direction of His Excellency the Lieutenant Governor, laid before the House the following Letter of the Justices of the Supreme Court and Master of the Rolls to His Excellency :—

*Fredericton, 18th April, 1854.*

MAY IT PLEASE YOUR EXCELLENCY,

In the laborious investigations which have so usefully occupied the minds of the Law Commissioners, and the great extent of ground over which they have had to pass, it may not be impossible that some considerations may have escaped their notice, or may not perhaps have received all the attention to which they are entitled.

We quite agree with them in desiring to make the Law cheap, simple, and satisfactory, and with this view to abridge all cumbrous forms, and to discard useless proceedings.

On one important point however, we all differ from the recommendation of the Report, namely, with regard to the expediency of the amalgamation of the separate functions of the Judges of Law and Equity, by abolishing the Court of Chancery as a separate Court, while retaining not only its principles but its practice under another name, as an Equity side of the Supreme Court.

The change proposed is manifestly inoperative in reducing either the delay or expense of legal proceedings, and we think will be productive of the contrary effect in the administration of Equity.

The leading and indeed the single idea put forth in the Report for the new plan, is the anticipated improvement of the appellate jurisdiction.

From the Supreme Court the appeal at present is to the Lieutenant Governor and Executive Council.

In the Court of Chancery, from the Master of the Rolls to the Lieutenant Governor as Chancellor, assisted by the Judges of the Supreme Court, or such of them as His Excellency may think proper to summon to his aid.

From these appellate jurisdictions there is a further appeal to the Judicial Committee of the Privy Council, or the appeal from the Supreme Court may be, under a recent regulation, direct to the Judicial Committee in the first instance.

The Commissioners appear to consider the appeal from the Supreme Court to the Lieutenant Governor and Council as useless or worse than useless, and we are not prepared to deny the justice of their objections. If, as they state, confidence is now generally felt in the decisions of the Supreme Court, and the constitution of the Court of Governor and Council is such as to render its judgment of little intrinsic weight, it is certainly a good reason for abolishing appeals to the latter tribunal altogether. That the addition of a fifth Judge to the Bench of the Supreme Court would add materially to the weight of its decisions, we much doubt.

When the four Judges concur in opinion, the unanimous judgment will probably continue to give satisfaction. In case of disagreement in the full Court, the majority to decide must always be three to one. There are cases undoubtedly where advantage might be derived from an additional Judge, yet this would be counterbalanced by the weakness which would necessarily attach to the judgment in the event of the cause being decided by three Judges against the opinion of two. It has not been thought advisable in England, notwithstanding that a fifth Judge has been recently added to each of the Common Law Courts, to increase the number of Judges when sitting in Banc, which still remains as heretofore limited to four.

On the whole therefore we see little advantage to be gained so far as the Supreme Court is concerned.

With regard to the Court of Chancery, it is supposed that the Judges of the Supreme Court from their inexperience in Chancery details in the Court below, are incompetent to act as Judges of appeal, and that the remedy for this evil is that all the Judges of both Courts shall discharge indifferently the functions now exercised by the Master of the Rolls, and that he as well as they should also discharge the duty of a Common Law Judge.

We are not aware to what extent the opinion prevails generally of the incompetence of the Court as at present constituted, nor on what it is founded.

The Law Commissioners (perhaps from delicacy) expressed no opinion that the decisions on appeal from the Master of the Rolls have been in the judgment of the profession, generally, or even in any individual case, wrong.

In all the cases appealed from, the Master of the Rolls has delivered at length in writing the reasons of his judgments.

Those reasons have been fully discussed at the Bar, in arguments frequently extending over a period of several days, and the Chancellor has given his decision under the advice of the Judges who have sat with him, who have delivered written opinions formed upon mature deliberation.

The judgments both of the Master of the Rolls and of the Court of Appeal, do not generally appear in print, and are probably but little known except to the parties concerned in the causes; no provision being made for the expense of publishing them.

We think that an examination of these judgments is quite necessary in order to form a just opinion of their respective merits. It will probably be found, as a general rule, that the successful party is satisfied that the decision of the Court of Appeal is right, and that the losing party may most probably be convinced it is wrong, and that these conflicting opinions will in many cases be shared by the Counsel engaged, while the rest of the profession know little or nothing of the matter, except what they may have learned from one or other of the parties, or those engaged for them. It is not to be expected that any Court that can be framed, will generally satisfy the losing party. The adverse decision will commonly be attributed by him to any other cause than a want of merits on his part.

We venture to think that the opinions thus judicially delivered on appeal, if examined, would show that the cases have been carefully considered, and not decided without an appreciation of the points discussed. And it would moreover be seen that the decisions of the Master of the Rolls have been subjected to a much severer ordeal than may be generally supposed.

It is readily admitted that the Judges are not so intimately acquainted with the details of Chancery practice, as they might be. To master these thoroughly requires much attention and enquiry, and no doubt a greater facility would be attained in considering matters of this kind by men more thoroughly conversant with these details, but it is to be remembered that in discharging the duties of the appellate jurisdiction, the Judges have the benefit of having the case already shaped and moulded in the Court below.

The appeals from Scotland, where the system of proceeding is entirely different from that of the Courts in England, are decided in the House of Lords, by English Lawyers, who in general have had no practice whatever in the Scottish Courts: so also, from the various Colonial possessions differing in their systems of laws, and modes of proceeding, which probably have been brought to the notice of the Judges of the Court of Appeal for the first time when exercising the appellate jurisdiction. The appeal from these Colonial Courts is to the Judicial Committee of the Privy Council, consisting principally of English Judges taken from the various Courts of Common Law, Equity, and Civil Law, no one of whom but would probably feel himself much embarrassed in attempting the discharge of the judicial duties of the Court from which the appeal is preferred.

In the celebrated case of Daniel O'Connell, in which the judgment of the Irish Court of Queen's Bench was appealed from, one of the ablest judgments delivered in the House of Lords was that of Lord Cottenham, who had never practised in the Common Law Courts at all. It is obvious from these instances, that the duties of the appellate Court in England are constantly and satisfactorily exercised in cases of the utmost importance, by Judges having no practical familiarity with the proceedings of the Court below.

The circumstance, therefore, of appeals from the Master of the Rolls in this Country being decided upon the opinion of the Common Law Judges, cannot in the presence of these facts be considered "an anomaly," however imperfectly the duty may have been discharged. Neither can we assent to the justice of the inference deduced, that all causes, whether there be an appeal or not, are virtually decided by a "single individual."

When the Court of Appeal has before it, by means of a written judgment, the principles of Law or Equity on which the judgment has been formed, together with the legal deductions made therefrom and applied to the facts of the case, with the aid of discussion at the Bar—all which it has possessed in the appeals that have been heard here, it possesses the means of detecting error, and of forming a sound opinion on the whole matter, and it would be a dereliction of duty to shrink from declaring its convictions from any feeling of delicacy of the nature supposed.

We have thought it necessary to make these remarks in order to correct an erroneous impression, which, from the language of the report, seems to have gone abroad, and by which the minds of the Law Commissioners seem to have been strongly influenced, which would place the Judges sitting in the Court of Appeal in the not very distinguished position of servilely affirming the opinions of the Master of the Rolls on *his* authority, and not as deciding the cases brought before it on the independent convictions of their own minds.

The Commissioners refer to the English Court of Exchequer as an instance of a tribunal similar to that which they recommend, namely as possessing both a Common Law and an Equity jurisdiction, but we think the precedent is not such as to recommend the alteration they propose in our Courts, for these reasons—first, because the Court of Exchequer in the exercise of its double functions, never enjoyed a very high reputation in either; secondly, because, after full experience of its working, the Legislature deemed it advisable to deprive it altogether of its jurisdiction as a Court of Equity, which by an Act 5 Vic. Cap. 5, was transferred to the Court of Chancery; and thirdly, because, since that period it has rapidly risen into public confidence as a Court of Law, and possesses now a reputation no way inferior to that of either the Queen's Bench or Common Pleas.

Had the precedent of a two-fold jurisdiction been found to work beneficially, it would have been easy, instead of creating, as was done by the Act referred to, two additional Vice Chancellors, to have added an Equity side to each of the Courts of Queen's Bench and Common Pleas; but by abolishing the arrangement in that Court in which its operation has been tested, the Legislature affirmed the principle that Law and Equity are best administered by Judges limited to either department singly.

We have no security that the attempt to discharge the two-fold functions here will not produce a similar effect to that experienced in the Exchequer, and we find the Commissioners themselves admit, that when both departments are to be mastered and administered alike by the same Judges, "they cannot be expected to reach the same eminence, as when the sole time and attention of one individual has been bestowed on a particular department." But the Commissioners suggest that the knowledge obtained by the Judges in both may yet keep pace with that of the Bar. We cannot but think that circumstance, even though the anticipation should be verified, would prove an inadequate compensation for a positive loss of judicial efficiency.

The Commissioners advert to the views of Law Reformers in England. It is true that a union of the Courts has been proposed and discussed there, though not decided on. But what has been there proposed is not at all what is here contemplated, namely, preserving the separate jurisdictions in one Court under a different name, but on the contrary that which the Commissioners here repudiate, viz. the *fusion* of the two systems into one.

We think then the objections are very grave to the change proposed, and that without disturbing the present arrangements of the two Courts, all the advantage without the evil may be derived, by a brief enactment requiring the attendance of all the Common Law Judges as well as of the Master of the Rolls, instead of such only as may be selected by the Chancellor, unless in any case the attendance

of

of any of them should, for sufficient cause, be specially dispensed with, to assist in the hearing of appeals. This would give the same judicial force for the hearing of the appeal as the Commissioners now propose.

It is to be remembered that where Judges are ordinarily efficient, the cases of appeal are few, when compared with the whole number decided, and of the appeals, the cases in which the judgment is reversed, bear but a small proportion to those in which it is affirmed. But in *all*, there is necessarily an addition to the costs of suit, and the period of litigation is greatly protracted. Any change then is to be deprecated which, with a view to improve the more rarely exercised jurisdiction of appeal, should proceed by rendering the primary and ordinary tribunal less efficient, and thereby, as a natural consequence, render more frequent the resort to an appeal, with its increased delay and expense.

This we think would be the inevitable consequence of the alteration recommended, and therefore we are convinced it would fail to give satisfaction.

We have deemed it proper to submit these our views to Your Excellency on this important measure, affecting so materially the judicial duties with the execution of which we are to be charged, in order not only that our silence may not be construed into an acquiescence in the views of the Commissioners, but also that the subject may receive the deliberate consideration of Your Excellency as well as of the Legislature, before a change is adopted, which is in our opinion calculated greatly to increase the evils to suitors, and to lower the character of the tribunals from which they seek redress.

We have the honor to be, Your Excellency's most obedient humble servants,

J. CARTER,  
N. PARKER,  
R. PARKER,  
G. F. STREET,  
L. A. WILMOT.

His Excellency Sir E. W. Head, Bart., Lieutenant Governor, &c. &c. &c.

A Message was brought from the Assembly by Mr. Lewis, with Resolutions of Appropriation dated the eighteenth day of April instant, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That they be referred to the Committee of the whole House on Resolutions of Appropriation sent up from the Assembly.

A Message was brought from the Assembly by Mr. Needham, with a Bill to regulate the Publication of the Revised Statutes, and other Acts of Assembly; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly by Mr. Boyd, with a Bill to amend the Law to regulate the proceedings before Justices of the Peace in Civil Suits, as relates to Corporations; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

*Adjourned until To-morrow at 11 o'clock.*

THURSDAY,

THURSDAY, 20th April, 1854.

PRESENT :

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Davidson,*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Hill,  
Mr. Wark.*

**PRAYERS.**

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

A Bill relating to Steam Navigation in this Province :

A Bill for the encouragement of Agriculture : and

A Bill to incorporate the Asphalte Mining and Kerozene Gas Company.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the two last entered Bills without any amendment ; and that they have agreed to the first entered Bill with certain amendments, to which they desire the concurrence of the Assembly.

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

A Bill to regulate the publication of the Revised Statutes, and other Acts of Assembly : and

A Bill to amend the Law to regulate the proceedings before Justices of the Peace in Civil Suits, as relates to Corporations.

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to authorize the Justices of the Peace for the City and County of Saint John to levy an assessment for the erection of a Dead House for the said City and County.

The Honorable Mr. Hazen took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill relating to the administration of Justice in Equity.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

A Message was brought from the Assembly by Mr. Williston, with a Bill to regulate the sale of Spirituous Liquors; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

*Adjourned until To-morrow at 11 o'clock.*

FRIDAY, 21st April, 1854.

PRESENT :

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Davidson,  
Mr. Wark.*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Hill,  
Mr. Odell,*

PRAYERS.

Pursuant to the Order of the Day, the Bill to authorize the Justices of the Peace for the City and County of Saint John to levy an assessment for the erection of a Dead House for the said City and County, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

Pursuant to the Order of the Day, the Bill to regulate the sale of Spirituous Liquors, was read a second time.

ORDERED, That the twenty ninth Rule of this House be dispensed with, as regards the said Bill, and that the House be put into Committee of the whole presently to take the same into consideration.

The Honorable Mr. Chandler took the Chair.

After some time the House resumed.

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

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

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into further consideration the Bill relating to the administration of Justice in Equity.

The Honorable Mr. Hazen took the Chair.

After some time the House resumed.

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

The Chairman further reported, that the following amendments were moved and seconded, viz :—

Substitute

Substitute for Chapter 1, Section 7, as follows :—

“ The Supreme Court of Judicature of this Province will hereafter consist of a Chief Justice and four Puisne Judges ; and the persons now holding therein the offices of Chief Justice, Judges, and the Master of the Rolls in the Court of Chancery, respectively, and their successors, shall constitute such Chief Justice and Judges ; and the said present Master of the Rolls, as such Judge, shall have and take place and precedence on the Bench of the said Supreme Court according to the date of his appointment as Master of the Rolls, and shall hold such office of Judge on the same tenure, and with the like Salary as he now holds and enjoys as such Master of the Rolls, such Salary to be payable in the same manner as at present ; and no further or other Commission shall be deemed necessary to constitute him a Judge of the Supreme Court, than the Commission he now holds as Master of the Rolls under the Great Seal of the Province, which said Commission shall by virtue of this Act enure and be considered to all intents and purposes to have constituted him a Judge of the Supreme Court ; provided always, that the said Master of the Rolls shall not, as such Judge, be entitled to any fees or emoluments of office, other than his said Salary, together with the allowance by law granted to the Judges for travelling charges on Circuit, but that all fees of office which would be payable to him as such Judge, either at Chambers or on Circuit, shall be paid to and received by the Clerk of the Pleas in the Supreme Court, and by him accounted for and paid into the Treasury of the Province, in like manner as the Clerk’s fees are now directed to be accounted for and paid ; the successor to the said Judge hereby constituted, shall receive the same Salary, and shall hold office on the same tenure as any other Puisne Judge of the Supreme Court hereafter to be appointed, would hold or enjoy the same, and not otherwise ; and the present office of the Master of the Rolls is hereby abolished.”

Add at the end of Section 6, Chapter 1 :—

“ And the distribution and arrangement of the judicial duties in Law and Equity, both in regard to the Circuits, and the Sittings in Equity at Fredericton, shall be made in such manner among the several Judges as to them may seem best.”

On the question whether the same should pass, it was decided in the negative.

**ORDERED,** That the Report be received and the Bill read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to regulate the publication of the Revised Statutes, and other Acts of Assembly.

The Honorable Mr. Solicitor General took the Chair.

After some time the House resumed.

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

**ORDERED,** That the Report be received and leave granted.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill to amend the Law to regulate the proceedings before Justices of the Peace in Civil Suits, as relates to Corporations.

The Honorable Mr. Hatch took the Chair.

After some time the House resumed.

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

**ORDERED,**

ORDERED, That the Report be received ; whereupon it was  
RESOLVED, That the further consideration of the said Bill be postponed for three months.

On motion—

The House was put into Committee of the whole, to take into consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation respectively dated the tenth, eleventh, twelfth, thirteenth, fifteenth and seventeenth days of April instant, and recommended that the House should concur in the same, with the following exceptions, viz :—

To John Haws and Company, of Miramichi, Merchants, the sum of forty pounds seventeen shillings and six pence, amount of Export Duty paid at that Port by them on a Cargo of Timber and Lumber shipped in Ship “ Golden Light,” which vessel was subsequently stranded in Miramichi Bay :

To His Excellency the Lieutenant Governor the sum of one hundred pounds, to be applied in aid of individual subscription, towards building a Public Wharf at William Vanwart’s, on the River Saint John :

To His Excellency the Lieutenant Governor the sum of sixty pounds, in aid of individual subscription, towards building a Public Wharf at the head of Boat navigation on the Washademoak River, at or near Jacob Corey’s, in Queen’s County ; the same not to be drawn from the Treasury until it shall be satisfactorily certified to His Excellency in Council that a similar sum has been subscribed, paid and expended towards the same object :

To His Excellency the Lieutenant Governor the sum of seventy five pounds, in aid of individual subscription, towards the erection of a Public Wharf at Birdsill Carpenter’s, Parish of Canning, Queen’s County ; the same not to be drawn from the Treasury until it shall be satisfactorily certified to His Excellency in Council that a similar sum has been subscribed, paid and expended towards the same object :

To His Excellency the Lieutenant Governor the sum of twenty five pounds, to aid in the erection of a Block or Abutment at the Ferry Landing, Cole’s Point, in Dorchester, in the County of Westmorland :

To William W. Anderson, of Richibucto, the sum of twenty five pounds towards defraying in part the cost of certain Mathematical Instruments for the use of a Superior School taught by him in that place :

To the Trustees of Schools of the Parish of Addington, in the County of Restigouche, the sum of fifty pounds towards the support and maintenance of a Superior School in that Parish :

To His Excellency the Lieutenant Governor a sum not exceeding seventy five pounds, to enable His Excellency to pay to each School Teacher in this Province the full allowance payable to Teachers of his Class, when any deficiency may occur in consequence of a greater number of Teachers being employed in any one Parish than by Law allowed ; agreeably to the Report of the Committee :

To His Excellency the Lieutenant Governor the sum of fifty pounds towards the establishment and maintenance of a Superior School in the County of Albert ; the same

same to be in addition to the Grant for the Grammar School, and not to be drawn from the Treasury until it shall be satisfactorily certified to His Excellency in Council that a suitable School House has been provided, a competent Teacher employed, and that the School is in good and efficient operation :

To Walter Patterson, of Blissville, in the County of Sunbury, the sum of ten pounds in consideration of his long and faithful services as a Teacher of Youth in said County :

To Robert Foulis, of the City of Saint John, the sum of twenty pounds towards procuring Philosophical Apparatus for the use of a Superior School taught by his Daughter in the said City.

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

ORDERED, That the Report be received and leave granted.

Whereupon the said Resolutions of Appropriation, with the above exceptions, were concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

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

The Select Committee to whom were referred all Bills relating to Corporations, beg to report that they have examined “ A Bill to incorporate the Sunbury Steam Factory Company, for the manufacture of Agricultural and other Implements,” and have prepared certain amendments to the same, which they recommend to the favourable consideration of the House.

Respectfully submitted.

*Committee Room, April 20, 1854.*

A. E. BOTSFORD, *Chairman.*

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

A Message was brought from the Assembly by Mr. M'Leod, with a Bill to authorize the Bishop of Fredericton to transfer certain Lands in the Parish of Dundas, in the County of Kent, and to receive other Lands in lieu thereof; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

A Message was brought from the Assembly by Mr. Needham, that the Assembly had agreed to the amendments sent down from this House to the Bill relating to Steam Navigation in this Province.

A Message was brought from the Assembly by Mr. Botsford, with a Bill relating to the Ordinary Revenue; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The Honorable Mr. Hazen presented to the House a Bill, intituled “ An Act to incorporate the Saint John Chamber of Commerce.”

The

The said Bill was read a first time.

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

The Honorable Mr. Botsford, by leave, presented a Petition from His Honor the Master of the Rolls, against the Bill relating to the administration of Justice in Equity.

ORDERED, That the same be received and lie on the Table.

The Honorable Mr. Hazen, by leave, presented a Petition from the Honorable John Robertson and others, for Act to incorporate Chamber of Commerce.

ORDERED, That the same be received and lie on the Table.

On motion made and seconded, it was

RESOLVED, unanimously, That from and after the close of the present Session, no Grant of Money to any Parish School Teacher will be assented to by this House, unless the same be recommended by the Board of Education, whether the service be performed before or since the passing of the Act 15 Victoria, Chapter 40.

ORDERED, That a copy of the above Resolution be published in the Royal Gazette for two months next preceding every Session of the Assembly.

*Adjourned until To-morrow at 11 o'clock.*

SATURDAY, 22nd April, 1854.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Chandler,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Davidson,  
Mr. Wark.*

*Mr. Botsford,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Hill,  
Mr. Odell,*

PRAYERS.

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

A Bill to regulate the sale of Spirituous Liquors: and

A Bill relating to the administration of Justice in Equity.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

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

A Bill to authorize the Bishop of Fredericton to transfer certain Lands in Dundas, in the County of Kent, and to receive other Lands in lieu thereof: and

A Bill relating to the Ordinary Revenue.

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

The

The Honorable Mr. Botsford, from the Select Committee appointed to examine and report upon all Bills relating to Corporations, presented a further Report.

ORDERED, That the Report be received.

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

The Select Committee to whom were referred all Bills relating to Corporations, beg leave to report that they have examined “A Bill to incorporate the Saint John Chamber of Commerce,” and recommend the said Bill to the favourable consideration of the House.

Respectfully submitted.

*Committee Room, April 22, 1854.*

A. E. BOTSFORD, *Chairman.*

ORDERED, That the twenty ninth Rule of this House be dispensed with, as regards the said Bill, and that the House be put into Committee of the whole presently to take the said Bill, together with the Report of the Select Committee thereon, into consideration.

The Honorable Mr. Hazen took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said Bill, and recommended the same to the adoption of the House.

ORDERED, That the Report be received, the Bill engrossed, and read a third time on Monday next.

A Message was brought from the Assembly by Mr. Stiles, with Resolutions of Appropriation dated the twentieth day of April instant, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That they be referred to the Committee of the whole House on Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation respectively dated the eighteenth and twentieth days of April instant, and recommended that the House should concur in the same.

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

ORDERED, That the Report be received and leave granted.

Whereupon the said Resolutions of Appropriation were concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

*Adjourned until Monday next at 11 o'clock.*

MONDAY, 24th April, 1854.

PRESENT:

THE HON.

*Mr. Saunders,  
Mr. Chandler,*

*Mr. Black, President.*

*Mr. Botsford,  
Mr. Hatch,*

*Mr.*

*Mr. Solicitor General,*  
*Mr. Hazen,*  
*Mr. Davidson,*  
*Mr. Wark.*

*Mr. Minchin,*  
*Mr. Hill,*  
*Mr. Odell,*

**PRAYERS.**

Pursuant to the Order of the Day, the Bill intituled "An Act to incorporate the Saint John Chamber of Commerce," was read a third time and passed.

ORDERED, That the Title be—

An Act to incorporate the Saint John Chamber of Commerce.

ORDERED, That the Master in Chancery do carry the said Bill down to the Assembly, and acquaint that House that the Legislative Council have passed the same, and desire the concurrence of the Assembly thereto.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill relating to the Ordinary Revenue.

The Honorable Mr. Hill took the Chair.

After some time the House resumed.

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

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

On motion—

The House was put into Committee of the whole, to take into consideration the Bill to incorporate the Sunbury Steam Factory Company for the manufacture of Agricultural and other Implements, together with the Report of the Select Committee thereon.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

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

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

At A in Section 3, expunge the words "Court House," and insert "Hall in the Parish of Sheffield."

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House.

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

On motion—

The House was put into Committee of the whole, to take into consideration the Bill to regulate the publication of the Revised Statutes, and other Acts of Assembly.

The Honorable Mr. Wark took the Chair.

After some time the House resumed.

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

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

On

On motion—

The House was put into Committee of the whole, to take into consideration the Bill to authorize the Bishop of Fredericton to transfer certain Lands in the Parish of Dundas, in the County of Kent, and to receive other Lands in lieu thereof.

The Honorable Mr. Hazen took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

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

A Bill in addition to an Act intituled “ An Act to provide for the erection and making of certain Wharves and improvements in the Harbour of Saint John :” and

A Bill to regulate the Circuit Courts and Courts of Oyer and Terminer and Sittings after Term.

The said Bills were severally read a first time.

ORDERED, That the twenty ninth Rule of this House be dispensed with, as regards the said Bills, and that they be severally read a second time presently.

The said Bills were severally read a second time.

ORDERED, That the twenty ninth Rule of this House be dispensed with, as regards the said Bills, and that the House be put into Committee of the whole presently to take the first entered Bill into consideration.

The Honorable Mr. Hazen took the Chair.

After some time the House resumed.

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

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

ORDERED, That the twenty ninth Rule of this House be dispensed with, as regards the last entered Bill, and that the House be put into Committee of the whole presently to take the said Bill into consideration.

The Honorable Mr. Hazen took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly by Mr. Robinson, with a Bill relating to the Saint Andrews and Quebec Railroad Company's Contract for execution of works ; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The said Bill was read a second time.

ORDERED, That the twenty ninth Rule of this House be dispensed with, as regards the said Bill, and that the House be put into Committee of the whole presently to take the same into consideration.

The Honorable Mr. Hatch took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly by Mr. Needham, with Resolutions of Appropriation dated the twenty second day of April instant, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That they be referred to the Committee of the whole House on Resolutions of Appropriation sent up from the Assembly.

On motion—

The House was put into Committee of the whole to take into consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Odell took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of certain Resolutions of Appropriation, had made some progress therein, and asked leave to sit again.

ORDERED, That the Report be received and leave granted.

The Honorable Mr. Davidson, by leave, presented a Petition from W. S. Smith, for Return Duty.

ORDERED, That the same be received and lie on the Table.

*Adjourned until To-morrow at 11 o'clock.*

TUESDAY, 25th April, 1854.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Hill,  
Mr. Odell,*

*Mr. Botsford,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Davidson,  
Mr. Wark.*

PRAYERS.

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

A Bill to incorporate the Sunbury Steam Factory Company for the manufacture of Agricultural and other Implements:

A Bill relating to the Ordinary Revenue:

A Bill to regulate the Circuit Courts and Courts of Oyer and Terminer and Sittings after Term:

A Bill to regulate the publication of the Revised Statutes, and other Acts of Assembly:

A

A Bill in addition to an Act intituled "An Act to provide for the erection and making of certain Wharves and improvements in the Harbour of Saint John : and

A Bill relating to the Saint Andrews and Quebec Railroad Company's Contract for execution of works.

**ORDERED**, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the five last entered Bills without any amendment ; and that they have agreed to the first entered Bill with an amendment, to which they desire the concurrence of the Assembly.

On motion made and seconded—

**ORDERED**, That the further consideration of the Bill to authorize the Bishop of Fredericton to transfer certain Lands in the Parish of Dundas, in the County of Kent, and to receive other Lands in lieu thereof, be postponed for three months.

A Message was brought from the Assembly by Mr. Gordon, with Resolutions of Appropriation dated the twenty fourth day of April instant, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

**ORDERED**, That they be referred to the Committee of the whole House on Resolutions of Appropriation sent up from the Assembly.

On motion—

The House was put into Committee of the whole, to take into consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the twenty second day of April instant, and recommended that the House should concur in the same, with the following exceptions, viz:—

To Flewelling and Reading, of Saint John, the sum of eleven pounds six shillings and eight pence, to reimburse Duties on a cask of Brandy warehoused by them, and which was accidentally stove in and entirely lost by the falling of a cask of Molasses from a loft in the Warehouse :

To His Excellency the Lieutenant Governor the sum of fifty pounds, to be applied in aid of individual subscription in building a Wharf at Greenwich Hill, (so called) on the River Saint John.

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

**ORDERED**, That the Report be received and leave granted.

Whereupon the said Resolutions of Appropriation, with the above exceptions, were concurred in by the House.

**ORDERED**, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

On motion made and seconded—

**ORDERED**, That the Clerk of this House do make such arrangements as will enable him at the next Session to lay upon the Table of this House a Manuscript Copy of the daily Journal of the House of Assembly as soon as possible after such daily Journal is read.

*Adjourned until To-morrow at 12 o'clock.*

WEDNESDAY, 26th April, 1854.

PRESENT:

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Davidson,*

*Mr. Botsford,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Wark.*

PRAYERS.

A Message was brought from the Assembly by Mr. Harding, with a Bill to continue the Act relating to Dry and Pickled Fish; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The said Bill was read a second time.

ORDERED, That the twenty ninth Rule of this House be dispensed with, as regards the said Bill, and that the House be put into Committee of the whole presently to take the same into consideration.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

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

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

A Message was brought from the Assembly by Mr. Taylor, with a Bill in amendment of the Act to incorporate the City of Fredericton; also

With Resolutions of Appropriation dated the twenty fifth day of April instant, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That the same be referred to a Committee of the whole House on Resolutions of Appropriation sent up from the Assembly.

The said Bill was read a first time.

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

The said Bill was read a second time.

ORDERED, That the twenty ninth Rule of this House be dispensed with, as regards the said Bill, and that the House be put into Committee of the whole presently to take the same into consideration.

The Honorable Mr. Odell took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received and leave granted.

On motion—

The House was put into Committee of the whole, to take into consideration Resolutions of Appropriation sent up from the Assembly. The

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation respectively dated the twenty fourth and twenty fifth days of April instant, and recommended that the House should concur in the same, with the following exceptions, viz:—

To William S. Smith, of Dalhousie, the sum of thirty two pounds seven shillings and nine pence, being the amount of Export Duty paid by him on a Cargo of Timber and Deals shipped per Barque "Mountaineer," which Vessel was subsequently stranded at New Bandon, and her Cargo landed for re-shipment:

To His Excellency the Lieutenant Governor a sum not exceeding five thousand pounds to be appropriated in procuring a good and efficient Dredging Machine or other Machinery, to be employed in removing obstructions in the Harbours and Rivers in and emptying into the Bay of Fundy.

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

ORDERED, That the Report be received and leave granted.

Whereupon the said Resolutions of Appropriation were concurred in by the House, with the above exceptions.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

A Message was brought from the Assembly by the Honorable Mr. Gray, with the following Resolution:—

*"House of Assembly, 26th April, 1854.*

*"Resolved,* That an humble and dutiful Address be presented to Her Most Gracious Majesty, expressive of the warm attachment of the People of New Brunswick to Her Majesty's Person and Throne, and of their cordial sympathy with Her Majesty's Government in the present national conflict with the Emperor of all the Russias; and further

*"Resolved,* That the Honorable the Legislative Council be requested to join in such Address.

CHAS. P. WETMORE, *Clerk.*"

On motion made and seconded—

RESOLVED, That this House do agree to join the House of Assembly in the said proposed Joint Address.

ORDERED, That the Master in Chancery do go down to the Assembly and communicate this Resolution.

A Message was brought from the Assembly by Mr. Kerr, with the following Resolution:—

*"House of Assembly, 26th April, 1854.*

*"Ordered,* That the Honorable Mr. Gray, Mr. Robinson, Mr. Kerr, and Mr. M'Phelim, be a Committee on the part of this House, to join such Committee as may be appointed by the Legislative Council, to prepare the Address to Her Majesty on the subject of the national conflict with the Emperor of all the Russias.

CHAS. P. WETMORE, *Clerk.*"

RESOLVED, That the Honorable Messieurs Botsford and Kinnear be a Committee on the part of this House, to join the Committee of the Assembly in preparing the Joint Address to Her Majesty on the subject of the national conflict with the Emperor of all the Russias.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

A Message was brought from the Assembly by Mr. Harding, that the Assembly had agreed to the amendments sent down from this House to the Bill to incorporate the Sunbury Steam Factory Company for the manufacture of Agricultural and other Implements.

*Adjourned until To-morrow at 12 o'clock.*

THURSDAY, 27th April, 1854.

PRESENT:

THE HON.

*Mr. Saunders,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Davidson,*

*Mr. Black, President.*

*Mr. Botsford,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Wark.*

PRAYERS.

Pursuant to the Order of the Day, the Bill to continue the Act relating to Dry and Pickled Fish, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

A Message was brought from the Assembly by Mr. Harding, that the Assembly had agreed to the Bill sent down from this House, intituled "An Act to incorporate the Saint John Chamber of Commerce."

A Message was brought from the Assembly by Mr. Hatheway, with Resolutions of Appropriation dated the twenty sixth day of April instant, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

ORDERED, That they be referred to the Committee of the whole House on Resolutions of Appropriation sent up from the Assembly.

On motion—

The House was put into Committee of the whole, to take into consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the twenty sixth day of April instant, and recommended that the House should concur in the same.

The Chairman further reported, that on the question, whether the Grant to Joseph Kingston should pass, the Committee divided as follows:—

CONTENT.

## CONTENT.

The Hon. Mr. Hatch,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Davidson,  
Mr. Wark.

## NON-CONTENT.

The Hon. The President,  
Mr. Botsford,  
Mr. Minchin.

So it passed in the affirmative.

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

ORDERED, That the Report be received and leave granted.

Whereupon the said Resolutions of Appropriation were concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

*Adjourned until To-morrow at 12 o'clock.*

FRIDAY, 28th April, 1854.

PRESENT :

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Davidson,  
Mr. Wark.*

*Mr. Botsford,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Odell,*

## PRAYERS.

On motion made and seconded—

RESOLVED, That the following portion of the Journal of the twenty sixth day of April instant, viz :—

“ ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have agreed to the Resolutions of Appropriation dated the twenty fourth and twenty fifth days of April instant, with the following exceptions, viz :—

“ To His Excellency the Lieutenant Governor a sum not exceeding five thousand pounds, to be appropriated in procuring a good and efficient Dredging Machine or other Machinery, to be employed in removing obstructions in the Harbours and Rivers on and emptying into the Bay of Fundy :

“ To William S. Smith, of Dalhousie, the sum of thirty two pounds seven shillings and nine pence, being the amount of Export Duty paid by him on a Cargo of Timber and Deals shipped per Barque “Mountaineer,” which Vessel was subsequently stranded at New Bandon, and the Cargo landed for re-shipment ;”

Having been made up under a misunderstanding of this House, be expunged, and so much of the said Journal as states that the Grant—“ To His Excellency the Lieutenant Governor a sum not exceeding five thousand pounds, to be appropriated in procuring a good and efficient Dredging Machine or other Machinery, to be employed in removing obstructions in the Harbours and Rivers on and emptying into the Bay of

of

of Fundy,"—was not concurred in, be expunged; and that the Resolutions of Appropriation dated the twenty fourth and twenty fifth days of April be re-committed.

On the question whether the said Resolution should pass, the House divided as follows:—

CONTENT.	NON-CONTENT.
<p>The Hon. The President, Mr. Saunders, Mr. Hatch, Mr. Solicitor General, Mr. Minchin, Mr. Hazen.</p>	<p>The Hon. Mr. Botsford, Mr. Davidson, Mr. Odell, Mr. Wark.</p>

So it passed in the affirmative.

On motion—

The House was put into Committee of the whole, to take into consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation severally dated the twenty fourth and twenty fifth days of April instant, and recommended that the House should concur in the same, with the following exception, which they recommend the House should not concur in, viz:—

To William S. Smith, of Dalhousie, the sum of thirty two pounds seven shillings and nine pence, being the amount of Export Duty paid by him on a Cargo of Timber and Deals shipped per Barque "Mountaineer," which Vessel was subsequently stranded at New Bandon, and the Cargo landed for re-shipment.

The Chairman further reported, that he had been directed to ask leave to sit again.

ORDERED, That the Report be received and leave granted.

Whereupon the said Resolutions of Appropriation were concurred in with the said exception, which was not concurred in.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House that the Legislative Council have concurred in the said Resolutions of Appropriation, with the above exception, which they have not concurred in.

ORDERED, That a Committee of three Members be appointed to investigate and report upon the Contingencies of this House for the present Session; and that the Honorable Messieurs Botsford, Hatch, and Odell, do compose the said Committee.

On motion—

The House was put into Committee of the whole to take into consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the twenty seventh day of April instant, and recommended that the House should concur in the same.

The

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

ORDERED, That the Report be received and leave granted.

Whereupon the said Resolutions of Appropriation were concurred in by the House.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

The Honorable Mr. Hazen presented to the House a Bill, intituled "An Act in addition to the Laws relating to the Militia."

The said Bill was read a first time.

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

The said Bill was read a second time.

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

*Adjourned until To-morrow at 12 o'clock.*

SATURDAY, 29th April, 1854.

PRESENT :

THE HON.

*Mr. Black, President.*

*Mr. Saunders,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Davidson,  
Mr. Wark.*

*Mr. Botsford,  
Mr. Solicitor General,  
Mr. Hazen,  
Mr. Odell,*

PRAYERS.

Pursuant to the Order of the Day, the House was put into Committee of the whole to take into consideration the Bill in amendment of the Act to incorporate the City of Fredericton.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone into consideration of the said Bill, and recommended that the further consideration thereof be postponed until the next Session of the Legislature.

ORDERED, That the Report be received ; whereupon it was

RESOLVED, That the further consideration of the said Bill be postponed until the next Session of the Legislature.

The Honorable Mr. Botsford, from the Committee on the part of this House to prepare a Joint Address to Her Majesty on the subject of the national conflict with the Emperor of all the Russias, presented an Address, which he read.

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

**"To the Queen's Most Excellent Majesty.**

*"The Humble Address of Your Majesty's Legislative Council and House of Assembly of the Province of New Brunswick.*

"MAY IT PLEASE YOUR MAJESTY,

"We, Your Majesty's faithful and loyal Subjects, the Legislative Council and Assembly of New Brunswick, in Provincial Parliament convened, having received from Your Majesty's Representative in this Province official information of the War in which Your Majesty is engaged with the Emperor of all the Russias, crave leave to approach Your Majesty with the assurance of our continued attachment to Your Person and Throne.

"Though in a distant portion of Your Empire, we feel a most anxious interest in the result of Your Majesty's efforts to maintain the National honor unimpaired, and to preserve inviolate the Treaties to which the Nation's faith is pledged; and we cannot doubt that the Naval and Military Forces of the Empire, acting in cordial concert with Your Majesty's Allies, will be successful in preserving the National Flag untarnished, and in securing at an early period the blessing of a happy and lasting peace.

"With pride and confidence we assure Your Majesty that the loyalty and devotion of the People, and of the Militia of this Province, may be again implicitly relied on for the defence of New Brunswick, and to meet any emergency resulting from the War in which Your Majesty and Your Allies are most justly engaged."

Whereupon the same was agreed to by the House.

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

A Message was brought from the Assembly by the Honorable Mr. Gray, with the following Resolution:—

*"House of Assembly, 29th April, 1854.*

*"Resolved, That this House do agree to the Joint Address to Her Majesty, expressive of the sympathy of the People of New Brunswick with Her Majesty's Government in the present national conflict with the Emperor of all the Russias.*

CHAS. P. WETMORE, *Clerk.*"

A Message was brought from the Assembly by the Honorable Mr. Gray, with the following Resolution:—

*"House of Assembly, 29th April, 1854.*

*"Resolved, That a Committee be appointed on the part of this House, to join the Committee of the Legislative Council, to wait upon His Excellency the Lieutenant Governor with the Joint Address in reference to the national conflict with the Emperor of all the Russias, and request that His Excellency will be pleased to transmit the same, to be laid at the Foot of the Throne.*

*"Ordered, That the Honorable Mr. Gray, Mr. Kerr, Mr. Boyd, and Mr. Robinson, be the Committee on the part of this House.*

CHAS. P. WETMORE, *Clerk.*"

ORDERED,

**ORDERED,** That the Honorable Messieurs Boisford and Kinnear be a Committee on the part of this House to wait on His Excellency the Lieutenant Governor with the Joint Address to Her Majesty on the subject of the national conflict with the Emperor of all the Russias.

A Message was brought from the Assembly by Mr. Stiles, with Resolutions of Appropriation dated the twenty eighth day of April instant, to which they desire the concurrence of this House.

The said Resolutions were read a first time.

**ORDERED,** That they be referred to the Committee of the whole House on Resolutions of Appropriation sent up from the Assembly.

On motion—

The House was put into Committee of the whole, to take into consideration Resolutions of Appropriation sent up from the Assembly.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the Resolutions of Appropriation dated the twenty eighth day of April instant, and recommended that the House should concur in the same, with the following exceptions, which they recommend should not be concurred in, viz:—

To His Excellency the Lieutenant Governor the sum of fifty pounds, in aid of individual subscription, towards the erection of a Public Wharf near William Robinson's Coal House, in the Parish of Canning, Queen's County; such sum not to be drawn from the Treasury until it shall be satisfactorily certified to the Government that a like sum has been subscribed, paid and expended for that purpose :

To Thomas Bean, Junior, of Simonds, County of Saint John, the sum of fifty pounds to refund half of a fine imposed upon and paid by him, in consequence of the non-appearance of one Arthur Rowe for sentence, convicted of a misdemeanor, for whose appearance the Petitioner was answerable :

To Thomas Miller, of the City of Saint John, the sum of seventy four pounds thirteen shillings and ten pence to reimburse him in part for loss sustained in consequence of the Commissioners of the Provincial Penitentiary having erected a Pail Manufactory which is worked by Convict labour, whereby he was unable to compete in the manufacture of Wooden Pails, which he was prepared to manufacture to the extent of the demand in this Province, having at a great expense imported Steam Machinery and established an extensive manufacture in those articles previous to the erection of that by the Commissioners of the Penitentiary; the same to be in full for the purchase of the Machinery.

**ORDERED,** That the Report be received.

Whereupon the said Resolutions of Appropriation were concurred in by the House, with the above exceptions.

**ORDERED,** That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

## DISSENTIENT

To the Resolution passed on the twenty eighth instant for expunging certain parts of the Journal of the twenty sixth April.

1st.—Because the Resolution assumes that there was a misunderstanding in making up the Journal, which is not warranted by the facts, the said Journal of the twenty sixth instant having been made up in the usual manner, and was an accurate record of the proceedings of that day, the Resolution of Appropriation referred to having received a deliberate consideration, and a division of the House called for, when it was rejected by the majority.

2nd.—Because the attempt thus made to bring again under the consideration of the House, by expunging from the Journals matters which had been deliberately and finally disposed of two days previously, must inevitably tend to bring it into contempt and ridicule, and if acted upon as a precedent, will lead to the greatest confusion and ultimate disorganization.

3rd.—Because such a procedure is a violation of long established Parliamentary usage, found by experience to be necessary, in order to preserve the dignity and consistency of Legislative proceedings.

A. E. BOTSFORD,  
JAS. DAVIDSON,  
DAVID WARK.

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

The Honorable the President read the same; and it was again read by the Clerk, as follows:—

## NEW BRUNSWICK.

*Message to the Legislative Council,*

EDMUND HEAD.

*29th April, 1854.*

His Excellency the Lieutenant Governor lays before the Legislative Council copies of Circular Despatches dated 31st March and 11th April 1854, received to-day from the Secretary of State for the Colonies, containing respectively certain Declarations and Orders of Her Majesty the Queen in Council relating to the War with Russia.

E. H.

## WAR WITH RUSSIA.

(Circular.)

*Downing Street, 31st March 1854.*

SIR,—I transmit to you herewith, copies of the following instruments,—

1. The Queen's Declaration of the 28th ultimo, of Her Majesty's intention to take up arms in conjunction with the Emperor of the French for the defence of the Sultan against Russia.

2. The Queen's Declaration of the same date, announcing that it is Her Majesty's intention so far to waive the belligerent rights appertaining to Her by the law of Nations, as to forego the exercise of Her right of seizing Enemy's property laden on board a neutral Vessel, unless it be contraband of War; and further announcing that Her Majesty will not claim the confiscation of neutral Property, not being contraband of War, found on board Enemy's Ships; and that it is not Her Majesty's intention to issue Letters of Marque for the Commissioning of Privateers.

But you will perceive that Her Majesty has declared it to be impossible to forego the exercise of Her right of seizing articles contraband of War, and of preventing Neutrals from bearing the Enemy's Despatches, and of preventing Neutrals from breaking an effective Blockade.

You

You will receive, by the earliest opportunity, formal instructions for the performance of the duties which devolve on you at the present crisis.

I have the honor to be, Sir, your most obedient humble servant,

NEWCASTLE.

Lieut. Governor Sir Edmund Head, New Brunswick.

#### DECLARATION.

It is with deep regret that Her Majesty announces the failure of Her anxious and protracted endeavours to preserve for Her People and for Europe the blessings of peace.

The unprovoked aggression of the Emperor of Russia against the Sublime Porte has been persisted in with such disregard of consequences, that after the rejection by the Emperor of Russia of terms which the Emperor of Austria, the Emperor of the French, and the King of Prussia, as well as Her Majesty, considered just and equitable, Her Majesty is compelled by a sense of what is due to the honor of Her Crown, to the interests of Her People, and to the independence of the States of Europe, to come forward in defence of an Ally whose territory is invaded, and whose dignity and independence are assailed.

Her Majesty, in justification of the course she is about to pursue, refers to the transactions in which Her Majesty has been engaged.

The Emperor of Russia had some cause of complaint against the Sultan with reference to the settlement, which His Highness had sanctioned, of the conflicting claims of the Greek and Latin Churches to a portion of the Holy Places of Jerusalem and its neighbourhood. To the complaint of the Emperor of Russia on this head, justice was done; and Her Majesty's Ambassador at Constantinople had the satisfaction of promoting an arrangement to which no exception was taken by the Russian Government.

But while the Russian Government repeatedly assured the Government of Her Majesty that the Mission of Prince Menchikoff to Constantinople was exclusively directed to the settlement of the question of the Holy Places at Jerusalem, Prince Menchikoff himself pressed upon the Port other demands of a far more serious and important character, the nature of which he in the first instance endeavoured, as far as possible, to conceal from Her Majesty's Ambassador. And these demands, thus studiously concealed, affected not the privileges of the Greek Church at Jerusalem, but the position of many millions of Turkish subjects in their relations to their Sovereign the Sultan.

These demands were rejected by the spontaneous decision of the Sublime Porte.

Two assurances had been given to Her Majesty: one, that the Mission of Prince Menchikoff only regarded the Holy Places; the other, that his Mission would be of a conciliatory character.

In both respects Her Majesty's just expectations were disappointed.

Demands were made which, in the opinion of the Sultan, extended to the substitution of the Emperor of Russia's authority for his own, over a large portion of his subjects; and those demands were enforced by a threat: and when Her Majesty learnt that, on announcing the termination of his Mission, Prince Menchikoff declared that the refusal of his demands would impose upon the Imperial Government the necessity of seeking a guarantee by its own power, Her Majesty thought proper that Her Fleet should leave Malta, and, in co-operation with that of His Majesty the Emperor of the French, take up its station in the neighbourhood of the Dardanelles.

So long as the negotiation bore an amicable character Her Majesty refrained from any demonstration of force. But when, in addition to the assemblage of large military forces on the frontier of Turkey, the Ambassador of Russia intimated that serious consequences would ensue from the refusal of the Sultan to comply with unwarrantable demands, Her Majesty deemed it right, in conjunction with the Emperor of the French, to give an unquestionable proof of Her determination to support the Sovereign rights of the Sultan.

The Russian Government has maintained that the determination of the Emperor to occupy the Principalities was taken in consequence of the advance of the Fleets of England and France. But the menace of invasion of the Turkish territory was conveyed in Count Nesselrode's Note to Rechid Pacha, of the 19th [31st] May, and re-stated in his Despatch to Baron Brunnow, of the 20th May, [1st June,] which announced the determination of the Emperor of Russia to order his troops to occupy the Principalities, if the Porte did not within a week comply with the demands of Russia.

The Despatch to Her Majesty's Ambassador, at Constantinople, authorizing him in certain specified contingencies to send for the British Fleet, was dated the 31st May, and the order sent direct from England to Her Majesty's Admiral to proceed to the neighbourhood of the Dardanelles, was dated the 2nd of June.

The determination to occupy the Principalities was therefore taken before the orders for the advance of the combined squadrons were given.

The Sultan's Minister was informed that unless he signed within a week, and without the change of a word, the Note proposed to the Porte by Prince Menchikoff, on the eve of his departure from Constantinople, the Principalities of Moldavia and Wallachia would be occupied by Russian Troops. The Sultan could not accede to so insulting a demand; but when the actual occupation of the Principalities took place, the Sultan did not, as he might have done in the exercise of his undoubted right, declare war, but addressed a Protest to his Allies.

Her Majesty, in conjunction with the Sovereigns of Austria, France, and Prussia, has made various attempts to meet any just demands of the Emperor of Russia without affecting the dignity and independence of the Sultan; and had it been the sole object of Russia to obtain security for the enjoyment by the Christian subjects of the Porte of their privileges and immunities, she would have found it in the offers that have been made by the Sultan. But as that security was not offered in the shape of a special and separate stipulation with Russia, it was rejected. Twice has this offer been made by the Sultan, and recommended by the Four Powers, once by a note originally prepared at Vienna, and subsequently modified by the Porte, once by the proposal of bases of negotiation agreed upon at Constantinople on the 31st of December, and approved at Vienna on the 13th of January, as offering to the two parties the means of arriving at an understanding in a becoming and honorable manner.

It is thus manifest that a right for Russia to interfere in the ordinary relations of Turkish subjects to their Sovereign, and not the happiness of Christian communities in Turkey, was the object sought for by the Russian Government; to such a demand the Sultan would not submit, and His Highness, in self-defence, declared war upon Russia, but Her Majesty nevertheless, in conjunction with Her Allies, has not ceased her endeavours to restore peace between the contending parties.

The time has however now arrived when the advice and remonstrances of the Four Powers having proved wholly ineffectual, and the military preparations of Russia becoming daily more extended, it is but too obvious that the Emperor of Russia has entered upon a course of policy which, if unchecked, must lead to the destruction of the Ottoman Empire.

In this conjuncture, Her Majesty feels called upon by regard for an Ally, the integrity and independence of whose Empire have been recognized as essential to the peace of Europe, by the sympathies of Her people with right against wrong, by a desire to avert from Her dominions most injurious consequences, and to save Europe from the preponderance of a Power which has violated the faith of Treaties, and defies the opinion of the civilized world, to take up arms in conjunction with the Emperor of the French, for the defence of the Sultan.

Her Majesty is persuaded that in so acting she will have the cordial support of Her people; and that the pretext of zeal for the Christian religion will be used in vain to cover an aggression undertaken in disregard of its holy precepts, and of its pure and beneficent spirit.

Her Majesty humbly trusts that her efforts may be successful, and that, by the blessing of Providence, peace may be re-established on safe and solid foundations.

*Westminster, March 28, 1854.*

#### DECLARATION.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, having been compelled to take up arms in support of an Ally, is desirous of rendering the war as little onerous as possible to the Powers with whom she remains at peace.

To preserve the commerce of neutrals from all unnecessary obstruction, Her Majesty is willing, for the present, to waive a part of the belligerent rights appertaining to Her by the law of nations.

It is impossible for Her Majesty to forego the exercise of Her right of seizing articles contraband of war, and of preventing neutrals from bearing the enemy's despatches, and she must maintain the right of a belligerent to prevent neutrals from breaking any effective blockade which may be established with an adequate force against the enemy's forts, harbours, or coasts. But

But Her Majesty will waive the right of seizing enemy's property laden on board a neutral vessel, unless it be contraband of war.

It is not Her Majesty's intention to claim the confiscation of neutral property, not being contraband of war, found on board enemy's ships, and Her Majesty further declares, that being anxious to lessen as much as possible the evils of war, and to restrict its operations to the regularly organized forces of the country, it is not her present intention to issue letters of marque for the commissioning of privateers.

*Westminster, March 28, 1854.*

(Circular )

*Downing Street, 11th April 1854.*

SIR,— I transmit to you, herewith, a copy of the Queen's Order in Council of the 29th ultimo, directing that a general embargo be made of all Russian Ships and Vessels in any of the Ports, Harbours or Roads, in Her Majesty's Dominions, together with all persons and effects on board such Ships and Vessels; and I have to desire that you will carry Her Majesty's injunctions into effect.

I further transmit to you a Copy of another and second Order of the Queen in Council, dated the 29th ultimo, ordering that Russian Merchant Vessels in any Ports or Places within Her Majesty's Dominions, shall be allowed until the 10th of May next, (six weeks from the date of such order) for loading their Cargoes, and departing from such Ports or Places.

And, finally, I transmit to you a third Order of the Queen in Council, dated the 7th instant, directing that Russian Merchant Vessels which, at the time of the publication of the said Order, shall be in any Ports or Places within any of Her Majesty's Foreign or Colonial Possessions, shall be allowed thirty days from the time of the publication of that Order in such Foreign or Colonial Possessions, for loading their Cargoes and departing from such Ports or Places.

You will take care to publish this last Order immediately upon the receipt of it, and set forth distinctly the date of such publication by Proclamation, or otherwise, so that no doubt may exist on this point.

I have the honor to be, Sir, your most obedient, humble servant,

NEWCASTLE.

Lieutenant Governor Sir Edmund Head, &c. &c. &c. New Brunswick.

At the Court at Buckingham Palace, the 29th day of March 1854.

PRESENT,

The QUEEN'S Most Excellent Majesty in Council.

Her Majesty having determined to afford active assistance to Her Ally, His Highness the Sultan of the Ottoman Empire, for the protection of his dominions against the encroachments and unprovoked aggression of His Imperial Majesty, the Emperor of all the Russias, Her Majesty, therefore, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, that general reprisals be granted against the ships, vessels, and goods of the Emperor of all the Russias, and of his subjects or others inhabiting within any of his countries, territories, or dominions, so that Her Majesty's fleets and ships shall and may lawfully seize all ships, vessels, and goods belonging to the Emperor of all the Russias, or his subjects, or others inhabiting within any of his countries, territories, or dominions, and bring the same to judgment in such Courts of Admiralty within Her Majesty's dominions, possessions, or colonies, as shall be duly commissioned to take cognizance thereof. And to that end Her Majesty's Advocate General, with the Advocate of Her Majesty in Her Office of Admiralty, are forthwith to prepare the Draft of a Commission, and present the same to Her Majesty at this Board, authorizing the Commissioners for executing the Office of Lord High Admiral to will and require the High Court of Admiralty of England, and the Lieutenant and Judge of the said Court, his Surrogate or Surrogates, as also the several Courts of Admiralty within Her Majesty's dominions, which shall be duly commissioned to take cognizance of, and judicially proceed upon, all and all manner of captures, seizures, prizes, and reprisals of all ships, vessels, and goods, that are or shall be taken, and to hear and determine the same; and, according to the course of Admiralty and the Law of Nations, to adjudge and condemn all such ships, vessels, and goods, as shall belong to the Emperor of all the Russias or his subjects, or to any others inhabiting within any of his countries, territories, or dominions:

and

and they are likewise to prepare and lay before Her Majesty, at this Board, a Draft of such Instructions as may be proper to be sent to the said several Courts of Admiralty in Her Majesty's dominions, possessions, and colonies, for their guidance herein.

From the Court at Buckingham Palace, this twenty ninth day of March, one thousand eight hundred and fifty four.

Cranworth, C.	Drumlanrig.
Granville, P.	Mulgrave.
Argyll, C. P. S.	J. Russell.
Newcastle.	Ernest Bruce.
Breadalbane.	Sydney Herbert.
Lansdowne.	J. R. G. Graham.
Abercorn.	Stephen Lushington.
Aberdeen.	W. E. Gladstone.
Clarendon.	William Molesworth.

At the Court at Buckingham Palace, the 29th day of March 1854.

PRESENT,

The QUEEN'S Most Excellent Majesty in Council.

It is this day ordered by Her Majesty, by and with the advice of Her Privy Council, that no ships or vessels belonging to any of Her Majesty's subjects, be permitted to enter and clear out for any of the ports of Russia, until further order; and Her Majesty is further pleased to order, that a general embargo or stop be made of all Russian ships and vessels whatsoever, now within, or which shall hereafter come into any of the ports, harbours or roads, within any of Her Majesty's dominions, together with all persons and effects on board the said ships or vessels; provided always, that nothing herein contained shall extend to any ships or vessels specified or comprised in a certain Order of Her Majesty in Council, dated this twenty ninth day of March, for exempting from capture or detention Russian vessels under special circumstances; and Her Majesty is pleased further to order, and it is hereby ordered, that the utmost care be taken for the preservation of all and every part of the cargoes on board any of the said ships or vessels, so that no damage or embezzlement whatever be sustained; and the Right Honorable the Lords Commissioners of Her Majesty's Treasury, the Lords Commissioners of the Admiralty, and the Lord Warden of the Cinque Ports, are to give the necessary directions herein as to them may respectively appertain.

C. C. GREVILLE.

At the Court at Buckingham Palace, the 29th day of March 1854.

PRESENT,

The QUEEN'S Most Excellent Majesty in Council.

Her Majesty being compelled to declare War against His Imperial Majesty, the Emperor of all the Russias, and being desirous to lessen as much as possible the evils thereof, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, that Russian merchant vessels, in any ports or places within Her Majesty's dominions, shall be allowed until the tenth day of May next, six weeks from the date hereof, for loading their cargoes and departing from such ports or places; and that such Russian merchant vessels, if met at sea by any of Her Majesty's ships, shall be permitted to continue their voyage, if on examination of their papers it shall appear that their cargoes were taken on board before the expiration of the above term. Provided, that nothing herein contained shall extend, or be taken to extend, to Russian vessels having on board any officer in the Military or Naval Service of the enemy, or any article prohibited or contraband of war, or any Despatch of or to the Russian Government.

And it is hereby further ordered by Her Majesty, by and with the advice of Her Privy Council as aforesaid, that any Russian merchant vessel which, prior to the date of this order, shall have sailed from any foreign port bound for any port or place in Her Majesty's dominions, shall be permitted to enter

enter such port or place and to discharge her cargo, and afterwards forthwith to depart without molestation, and that any such vessel, if met at sea by any of Her Majesty's ships, shall be permitted to continue her voyage to any port not blockaded.

And the Right Honorable the Lords Commissioners of Her Majesty's Treasury, the Lords Commissioners of the Admiralty, and the Lord Warden of the Cinque Ports, are to give the necessary directions herein as to them may respectively appertain.

C. C. GREVILLE.

By the QUEEN.

A PROCLAMATION.

*VICTORIA R.*

Whereas by Our Order in Council, bearing date the twenty ninth day of March, one thousand eight hundred and fifty four, We have ordered that general reprisals be granted against the ships, goods, and subjects of the Emperor of all the Russias, his subjects, or others inhabiting within any of his countries, territories, or dominions, (save and except any vessels to which Our licence has been, or may be granted, or which have been directed to be released from the embargo, and have not since arrived at any foreign port), so that Our fleets and ships shall and may lawfully seize all ships, vessels, and goods belonging to the Emperor of all the Russias or his subjects, or others inhabiting within any of his countries, territories, or dominions, and bring the same to judgment in any of the Courts of Admiralty within Our dominions, duly authorized and required to take cognizance thereof, We do hereby order and direct that the net produce of all such prizes taken by any of Our ships or vessels of war (save and except when they shall be acting on any conjunct expedition with Our Army, in which case We reserve to Ourselves the division and distribution of all prize and booty taken, and also, save and except as hereinafter mentioned), shall be for the entire benefit and encouragement of Our flag officers, captains, commanders, and other commissioned officers in Our pay; and of all subordinate warrant, petty, and non-commissioned officers, and of the seamen, marines, and soldiers on board Our said ships and vessels at the time of the capture, after the same shall have been to Us finally adjudged lawful prize.

Whenever any prize shall be taken by any of Our fleets, squadrons, ships, or vessels of war, whilst acting in conjunction with any fleet, squadron, ships, or vessels of war belonging to any other Power or Powers in alliance with Us, Our High Court of Admiralty, or the Vice-Admiralty Court within Our dominions adjudicating thereon, shall apportion to such Ally or Allies a share or shares of the proceeds of such prize or prizes, proportionate to the number of officers and men, &c., present and employed on the part of such Ally or Allies, as compared with the number of officers and men, &c., present and employed on Our behalf in such capture or captures, without reference to their respective ranks; and the share or shares so set apart for such Ally or Allies, shall be transmitted to such persons as may be duly authorized on behalf of such Ally or Allies to receive the same.

Ships or vessels being in sight of the prize, as also of the captor, under circumstances to cause intimidation to the enemy, and encouragement to the captor, shall be alone entitled to share as joint captors.

After having deducted the portion set apart as aforesaid for Our Allies, a distribution, so far as regards Her Majesty's Forces, shall be as follows:—

The flag officer or officers shall have one-twentieth part of the whole net proceeds arising from prizes captured from the enemy, by any of the ships or vessels under his or their command, and of the rewards conferred for the same, according to the following conditions and modifications, save and except as hereinafter provided and directed, that is to say:—

When there is but one flag officer, he shall have the entire *one-twentieth part*; when two flag officers shall be sharing together, the chief shall have two-thirds, and the other flag officer shall have the remaining one-third of the *one-twentieth part*; and when there shall be more than two flag officers, the chief shall have one half of the said *one-twentieth part*, and the remaining half shall be equally divided among the junior flag officers; commodores of the first class, and captains of the fleet to share as flag officers; provided always, that no flag officer, unless actually on board any of Our ships or vessels of War, and at the actual taking, sinking, burning, or otherwise destroying any ship or ships

ships of war, privateer or privateers, belonging to the enemy, shall share in the distribution of any head money or bounty money granted as a reward for taking, sinking, burning, or otherwise destroying any such ship or vessel of the enemy.

That no flag officer commanding in any port in the United Kingdom shall share in the proceeds of any prize captured from the enemy, by any ship or vessel which shall sail from or leave such port by order of the Lord High Admiral, or of Our Commissioners for executing the Office of Lord High Admiral.

That when ships or vessels under the command of several flag officers belonging to separate stations shall be joint captors, each flag officer shall receive a proportion of the one-twentieth part, according to the number of officers and men present under the command of each such flag officer; and when any ship or vessel under orders from the Lord High Admiral, or from Our Commissioners for executing the Office of Lord High Admiral, are joint captors with other ships or vessels, under a flag or flags, the like regulation as to the apportionment of the flag share to the flag officer or officers is to be observed.

With reference to the flag officers, it is to be noted: that when an inferior flag officer is sent to reinforce a superior officer on any station, the superior flag officer shall not share in any prize taken by the inferior flag officer before he has arrived within the limits of that station, unless the inferior officer shall have received some order directly from, and shall be acting in execution of some order issued by, such superior flag officer.

No chief flag officer quitting any station, except upon some definite urgent service, and with the intention of returning to the station as soon as such service is performed, shall share in any prize taken by Our ships or vessels left behind, after he has passed the limits of the station, or after he has surrendered the command to another flag officer appointed by the Admiralty to command in chief upon such station.

An inferior flag officer quitting any station (except when detached by orders from his commander-in-chief upon a special service, accompanied with orders to return to such station as soon as the service has been performed), shall have no share in prizes taken by the ships and vessels remaining on the station, after he has passed the limits thereof. In like manner, flag officers remaining on such station shall not share in the prizes taken by such inferior officer, or by ships or vessels under his immediate command, after he has quitted the limits of the station, except he has been detached as aforesaid.

A commander-in-chief or other flag officer belonging to any station shall not share in any prize or prizes taken out of the limits of that station by any ship or vessel under the command of a flag officer of any other station, or under orders from Our Commissioners of the Admiralty, unless such commander-in-chief or flag officer is expressly authorized by Our said Commissioners to take the command of that station in which the prize or prizes is or are taken, and shall actually have taken upon him such command.

Every commodore having a captain under him shall be esteemed a flag officer with respect to the twentieth part of prizes taken, whether he be commanding in chief or serving under command.

The first captain to the admiral and commander-in-chief of Our fleet, and also the first captain to any flag officer appointed to command a fleet of ten ships of the line or upwards, shall be deemed to be a flag officer for the purpose of sharing in prize, and shall be entitled to share therein as the junior flag officer of such fleet.

Any officer on board any of Our ships of war at the time of capturing any prize or prizes, who shall have more commissions than one, shall be entitled only to share in such prize or prizes according to the share allotted to him by the above-mentioned distribution in respect to his superior commission or office.

And with reference to other officers it is to be noted: that a captain, commander, or other commanding officer of a ship or vessel, shall be deemed to be under the command of a flag, when he shall have received some order from, or be acting in the execution of some order issued by, a flag officer, whether he be or be not within the limits of the station of such flag officer; and in the event of his being directed to join a flag officer on any station he shall be deemed to be under the command of such flag officer from the time when he arrives within the limits of the station, which circumstance is always to be carefully noted in the log book; and it shall be considered that he continues under the flag officer of such station, until he shall have received some order directly from or be acting in the

the execution of some order issued by some other flag officer, duly authorized, or by the Lord High Admiral, or Our Commissioners for executing the Office of Lord High Admiral.

And We hereby direct, that the captain, commander, lieutenant commanding, master commanding, or any other officer, duly commanding any ship, sloop or vessel of war, singly taking any prize from the enemy, that is to say, the officer actually in command at the time, shall have one-eighth of the remainder, or if there is no flag, one-eighth of the entire net proceeds, except that if the single capturing ship be a rated ship, having a commander under the captain, the commander shall take a portion of the one-eighth part, as if he were commander of a sloop, according to the proportion hereinafter set forth; and if more than one commanding officer of the same rank of command shall be entitled to share as joint captors, the one-eighth shall be equally divided between them; but when captains, commanders, lieutenants commanding, and masters commanding respectively Our ships and vessels of war, and commanders under captains in rated ships shall share together in whatever variety of combination, the one-eighth shall be so divided into parts for a graduated apportionment as to provide for each captain receiving six parts; each commander of a sloop, or commander under a captain in a rated ship, three parts; and each lieutenant commanding, or master commanding, or other officer actually commanding a small vessel of war, two parts; which We hereby direct shall be the proportion in which they shall respectively share; commodores of the second class and field officer of marines, or of land forces serving as marines, doing duty as field officers, above the rank of major, to share as captains; and field officers of marines, or of land forces serving as marines, and doing duty in the rank of major, to share as commander of sloops.

And we further direct, that after provision shall thus have been made for the flag share (if any) and for the portion of the commanding officer or officers, and others, as above specified, the remainder of the net proceeds shall be distributed in ten classes, so that each officer, man, and boy, composing the rest of the complements of Our ships, sloops, and vessels of war, and actually on board at the time of any such capture, and every person present and assisting, shall receive shares or a share according to his class, as set forth in the following scale:—

First Class.—Master of the fleet, inspector of steam machinery afloat, when embarked with a fleet, medical inspector, or deputy medical inspector, when embarked with a fleet:—Forty-five shares each.

Second Class.—Senior lieutenants of a rated ship, not bearing a commander, under the captain, secretary to the admiral of the fleet or admiral commanding in chief:—Thirty-five shares each.

Third Class.—Sea lieutenant, master, captain of marines, or marine artillery, or of land forces doing duty as marines, whether having higher brevet rank or not, secretary to an admiral, or to a commodore of the first class, not commanding in chief, chief engineer:—Twenty-eight shares each.

Fourth Class.—Lieutenant or quartermaster of marines, lieutenant of marine artillery, lieutenant, quartermaster, or ensign, of land forces doing duty as marines, secretary to a commodore of the second class, chaplain, surgeon, paymaster, naval instructor, mate, assistant surgeon, second master, clerk in charge, passed clerk, assistant engineer, gunner, boatswain, carpenter:—Eighteen shares each.

Fifth Class.—Midshipman, master's assistant pilot, clerk (not passed), master-at-arms, chief gunner's mate, chief boatswain's mate, chief carpenter's mate, chief captain of the forecastle, admiral's coxswain, chief quartermaster, seaman's schoolmaster, ship's steward, ship's cook:—Ten shares each.

Sixth Class.—Naval cadets, clerk's assistant, captain's coxswain, ship's corporal, quartermaster, gunner's mate, boatswain's mate, captain of the forecastle, captain of the afterguard, captain of the hold, captain of the maintop, captain of the foretop, coxswain of the launch, sailmaker, ropemaker, caulker, leading stoker, blacksmith, serjeant of marines, of marine artillery, or of land forces doing duty as marines:—Nine shares each.

Seventh Class.—Captain of the mast, captain of the mizentop, yeoman of the signals, coxswain of the barge, coxswain of the pinnace, coxswain of the cutter, second captain of the forecastle, second captain of the maintop, second captain of the foretop, second captain of the afterguard, sailmaker's mate, caulker's mate, musician, cooper, armourer, corporal of marines, or of land forces doing duty as marines, bombardier of marine artillery, head krooman:—Six shares each.

Eighth Class.—Leading seamen, shipwright, second captain of the hold, able seamen, carpenter's crew, sailmaker's crew, cooper's crew, armourer's crew, yeoman of the store-rooms, steward's assistant, ordinary seamen, blacksmith's mate, private and fifer of marines, or of land forces doing duty as marines,

marines, gunner of marine artillery, painter, stoker, coal trimmer, second head krooman, sick berth attendant, bandsman, tailor, butcher :—Three shares each.

Ninth Class.—Cook's mate, ship's steward's boy, admiral's domestic, superintendent's domestic, admiral's steward and cook, captain's steward and cook, ward-room and gun-room steward and cook, subordinate officers' steward and cook, commander's servant, secretary's servant, second class ordinary seaman, assistant stoker, barber, boy of the first class, first and second class krooman, supernumeraries, except as hereinafter provided, persons borne merely as passengers, and not declining to render assistance on occasion of capture :—Two shares each.

Tenth class.—Boy below first class :—One share.

All supernumeraries holding ranks in the service above the ranks or ratings specified in the fifth class of this Our Proclamation, who have been ordered to do duty in any of Our ships or vessels by the Lord High Admiral, or by our Commissioners for executing the Office of Lord High Admiral, by the senior officer of the fleet or squadron, or if none senior, then by the captain or commanding officer of the capturing ship or vessel, if not by special authority employed in higher capacities, shall share according to the rank which they respectively hold in the service ; but in all cases to qualify them for so sharing, and not merely as supernumeraries in the ninth class, due notation of their being thus respectively ordered to do duty must have been made on the muster books.

And with respect to supernumeraries of ratings in the service, below the denominations of those specified in the fourth class of this Our Proclamation, and who at full victuals are engaged in the ordinary duties of the ship, it is Our will and pleasure that they shall always share according to the ratings which they bear in the service.

And, in order that Our Royal intentions herein may be duly carried into effect, We further direct that when any capture is made from the enemy, the captains or commanding officers of Our ships or vessels of war making the same shall transmit, or cause to be transmitted, as soon as may be, to the Secretary to the Admiralty, a true and perfect list of all the officers, seamen, and marines, soldiers and others, who were actually on board on the occasion, accompanied by a separate list, containing the names of those belonging to the crew who were absent on duty or otherwise at the time, specifying the cause of such absence ; each list to contain the quality of the service of each person, together with the respective descriptions of men, taken from the description book of the ship or vessel, and their several ratings, to be subscribed by the captain or commanding officer, and three or four more of the chief officers on board.

And when the list of those actually on board, and the separate list of persons absent, though belonging to the ship or vessel, shall have been verified, on examination with the muster books lodged as official records, the Accountant General of Our Navy shall, upon request, grant to the agent or agents, nominated or appointed by the captors, a certificate that such lists are correct, or have been corrected, as occasion may require, in order that distribution of the prize or other proceeds may be duly made.

And in the event of difficulty arising with respect to any of the regulations hereby ordered, or if any case should occur not herein provided for, or not sufficiently provided for, We are pleased hereby to authorize the Lord High Admiral, or Our Commissioners for executing the Office of Lord High Admiral, for the time being, to issue such directions thereupon as may appear just and expedient, which directions shall have the same force and effect as if specially provided for in this Our Royal Proclamation.

Given at Our Court at Buckingham Palace, this twenty ninth day of March, in the year of our Lord one thousand eight hundred and fifty four, and in the seventeenth year of Our Reign.

GOD save the QUEEN.

At the Court at Buckingham Palace, the 7th day of April 1854.

PRESENT,

The QUEEN'S Most Excellent Majesty in Council.

Her Majesty being compelled to declare war against His Imperial Majesty the Emperor of all the Russias, and being desirous to lessen as much as possible the evils thereof, is pleased, by and with the advice

advice of Her Privy Council, to order, and it is hereby ordered, that Russian merchant vessels which, at the time of the publication of this Order, shall be in any ports or places in Her Majesty's Indian territories, under the Government of the East India Company, or within any of Her Majesty's foreign or colonial possessions, shall be allowed thirty days from the time of the publication of this Order in such Indian territories, or foreign or colonial possession, for loading their cargoes and departing from such ports or places; and that such Russian merchant vessels, if met at sea by any of Her Majesty's ships, shall be permitted to continue their voyage if, on examination of their papers, it shall appear that their cargoes were taken on board before the expiration of the above term. Provided that nothing herein contained shall extend, or be taken to extend, to Russian vessels having on board any officer in the military or naval service of the enemy, or any article prohibited or contraband of war, or any Despatch of or to the Russian Government.

And it is hereby further ordered by Her Majesty, by and with the advice of Her Privy Council as aforesaid, that any Russian merchant vessel which, prior to the twenty ninth day of March now last past, shall have sailed from any foreign port, bound for any port or place in any of Her Majesty's Indian territories, or foreign or colonial possessions, shall be permitted to enter such port or place, and to discharge her cargo, and afterwards forthwith to depart without molestation: and that any such vessel, if met at sea by any of Her Majesty's ships, shall be permitted to continue her voyage to any port not blockaded.

And the Right Honorable the Lords Commissioners of Her Majesty's Treasury, the Lords Commissioners of the Admiralty, and Her Majesty's Principal Secretary of State for War and the Colonies, the Right Honorable the Commissioners for the Affairs of India, and all governors, officers, and authorities, whom it may concern, in Her Majesty's East Indian, foreign, and colonial possessions, are to give the necessary directions herein as to them may respectively appertain.

C. C. GREVILLE.

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

The said Bill was read a first time.

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

The said Bill was read a second time.

ORDERED, That the twenty ninth Rule of this House be again dispensed with, as regards the said Bill, and that the House be put into Committee of the whole presently to take the same into consideration.

The Honorable Mr. Hatch took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received, and the twenty ninth Rule of this House be dispensed with, and the said Bill read a third time presently.

The said Bill was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

A Message was brought from the Assembly by Mr. Johnson, with a Bill in addition to and in amendment of an Act for the better establishment and maintenance of Parish Schools; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The said Bill was read a second time.

ORDERED, That the twenty ninth Rule of this House be again dispensed with, as regards the said Bill, and that the House be put into Committee of the whole presently to take the same into consideration.

The Honorable Mr. Saunders took the Chair.

After some time the House resumed.

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

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

*Adjourned until Monday next at 10 o'clock.*

MONDAY, 1st May, 1854.

PRESENT :

THE HON.

*Mr. Saunders,  
Mr. Hatch,  
Mr. Minchin,  
Mr. Odell,*

*Mr. Black, President.*

*Mr. Botsford,  
Mr. Solicitor General,  
Mr. Davidson,  
Mr. Wark.*

PRAYERS.

Pursuant to the Order of the Day, the Bill in addition to and amendment of the Act for the better establishment and maintenance of Parish Schools, was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

A Message was brought from the Assembly by Mr. Macpherson, with a Bill for opening and repairing Roads and erecting Bridges throughout the Province ; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The said Bill was read a second time.

ORDERED, That the twenty ninth Rule of this House be again dispensed with, as regards the said Bill, and that the House be put into Committee of the whole presently to take the same into consideration.

The Honorable Mr. Wark took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received, and the twenty ninth Rule of this House be dispensed with, and the said Bill read a third time presently.

The said Bill was read a third time and passed.

ORDERED,

**ORDERED,** That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

The Honorable Mr. Botsford, from the Committee appointed on the part of this House to wait upon His Excellency the Lieutenant Governor with the Address to Her Majesty on the subject of the national conflict with the Emperor of all the Russias, reported that they had attended to that duty, and that His Excellency was pleased to make the following reply:—

His Excellency the Lieutenant Governor desires to assure the Legislative Council and House of Assembly that he will have much satisfaction in causing a copy of their Loyal Address to be laid at the Foot of the Throne.

As the Representative of Her Most Gracious Majesty he desires to thank the Legislature for the manner in which they have spoken on behalf of the People of New Brunswick.

E. H.

The Honorable Mr. Botsford, from the Committee appointed to examine and report upon the Contingencies of this House for the present Session, presented a Report.

**ORDERED,** That the Report be received.

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

The Committee appointed to investigate and report upon the Contingencies of the present Session, beg to report that they have attended to that duty, and find that they amount to the sum of one thousand and thirty eight pounds five shillings and four pence half penny, which includes the sum of ninety six pounds paid for engrossing the consolidated Laws.

The Committee are of the opinion that many of the items composing the contingent expenses should be made in Supply; but as they have been incurred, and not thus provided for, the Committee are reluctantly compelled to include them in the Contingencies.

The Accounts are accompanied by the usual Vouchers.

A. E. BOTSFORD,  
H. HATCH,  
W. H. ODELL.

**RESOLVED,** That the Contingent Expenses of this House for the present Session amount to the sum of one thousand and thirty eight pounds five shillings and four pence half penny.

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

To the Postmaster at Fredericton the sum of three hundred and seventy pounds fourteen shillings and six pence, for the Postages of the Legislature for the present Session:

To the Clerk of the House of Assembly the sum of two thousand five hundred and fifty seven pounds eleven shillings and two pence, for the Contingent Expenses of the present Session.

The said Resolutions being read were concurred in by the House.

**ORDERED,** That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

A

A Message was brought from the Assembly by Mr. Purdy, with a Bill to appropriate a part of the Public Revenue for the services therein-mentioned; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The said Bill was read a second time.

ORDERED, That the twenty ninth Rule of this House be again dispensed with, as regards the said Bill, and that the House be put into Committee of the whole presently to take the same into consideration.

The Honorable Mr. Davidson took the Chair.

After some time the House resumed.

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

ORDERED, That the Report be received, and the twenty ninth Rule of this House be dispensed with, and the said Bill read a third time presently.

The said Bill was read a third time and passed.

ORDERED, That the Master in Chancery do go down to the Assembly and acquaint that House thereof.

A Message was brought from the Assembly by Mr. Taylor, with a Bill to authorize the Rector, Church Wardens and Vestry of Saint David's Church, in the Parish of Saint David, in the County of Charlotte, to sell and dispose of certain Lands in the said Parish, and invest the proceeds in other Lands; to which they desire the concurrence of this House.

The said Bill was read a first time.

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

The House adjourned during pleasure.

After some time the House resumed.

At two o'clock His Excellency the Lieutenant Governor came to the Council Chamber, and being seated on the Throne, commanded the Gentleman Usher of the Black Rod, through the Honorable the President, to let the Assembly know—"It is His Excellency's pleasure that they attend him immediately in this House."

The House attended accordingly.

His Excellency then gave his assent to the following Bills, intituled—

An Act to appropriate a part of the Public Revenue for the payment of the Ordinary Services of the Province:

An Act to appropriate a part of the Public Revenue for the Services therein mentioned:

An Act to provide for opening and repairing Roads and erecting Bridges throughout the Province:

An Act relating to the Ordinary Revenue:

An Act to legalize the payment of the Funded Debt of New Brunswick:

An Act in addition to and in amendment of an Act for the better establishment and maintenance of Parish Schools:

An:

- An Act to revise and consolidate the Public Statutes of New Brunswick :
- An Act to regulate the publication of the Revised Statutes, and other Acts of Assembly :
- An Act to regulate the Circuit Courts and Courts of Oyer and Terminer and Sittings after Term :
- An Act relating to the administration of Justice in Equity :
- An Act to regulate the sale of Spirituous Liquors :
- An Act relating to Steam Navigation in this Province :
- An Act for the encouragement of Agriculture :
- An Act to alter and amend the Act providing for the establishment of Municipal Authorities in this Province :
- An Act relating to the qualification of Freeholders in certain cases :
- An Act relating to the establishment of Polling places in the Counties of Charlotte, Gloucester, York, Queen's, Saint John, Victoria, Northumberland, and Sunbury :
- An Act to authorize the election of certain Town or Parish Officers :
- An Act to amend the Law to regulate the proceedings before Justices of the Peace in Civil Suits, as relates to Corporations :
- An Act to continue the Act relating to Dry and Pickled Fish :
- An Act relating to King's College at Fredericton :
- An Act in amendment of an Act to provide for making and maintaining a Canal across Grimross Neck, in Queen's County :
- An Act to provide for the more effectually repairing the Highways, Streets and Sidewalks in the Milltown Highway District, in the Parish of Saint Stephen :
- An Act relating to the Public Debt of the City of Saint John :
- An Act to authorize the Justices of the Peace for the City and County of Saint John to levy an assessment for the erection of a Dead House for the said City and County :
- An Act to amend the Act relating to Highways, so far as relates to the Parish of Portland, in the City and County of Saint John :
- An Act in addition to an Act intituled "An Act to provide for the erection and making of certain Wharfs and improvements in the Harbour of Saint John :"
- An Act to authorize the turning of West River, in the County of Albert, into Roshea Bay :
- An Act to provide for the establishment and management of a Boom or Booms in the County of York :
- An Act to amend the Acts relating to the European and North American Railway Company :
- An Act relating to the Saint Andrews and Quebec Rail Road Company's Contract for execution of Works :
- An Act to authorize the Rector, Church Wardens and Vestry of Saint John's Church, in the Parish of Burton, in the County of Sunbury, to sell and dispose of certain Glebe Lands in the Parishes of Burton and Blissville, in the said County, and to invest the proceeds arising therefrom in other Lands :
- An Act relating to the Roman Catholic Burial Ground in the Parish of Portland, City and County of Saint John :
- An Act to authorize the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Fredericton, to sell certain Lands, and to reinvest the proceeds thereof :

An Act to amend an Act intituled “An Act to incorporate the Saint Andrews Benefit Society :”

An Act in addition to and amendment of an Act to incorporate the New Brunswick Electric Telegraph Company :

An Act in further amendment of an Act intituled “An Act to incorporate the Northumberland Straits Fishing Company :”

An Act in amendment of and in addition to an Act to incorporate the South Bay Boom Company :

An Act to revive and amend the Act to incorporate the Grand Falls Railway Company :

An Act in further amendment of and addition to an Act intituled “An Act to incorporate sundry persons by the name of the President, Directors and Company of the Central Bank of New Brunswick :”

An Act to incorporate the Saint John Seamen’s Friend Society :

An Act to incorporate the Fredericton Rural Cemetery :

An Act to incorporate the York Woollen and Home Factory Company :

An Act to incorporate the Fredericton Mill and Manufacturing Company :

An Act to incorporate the Middle Landing Mills Company in Saint Stephen :

An Act to incorporate the Milltown Aqueduct Company, in the Parish of Saint Stephen :

An Act to incorporate sundry persons by the name of the Petitcodiac Water Company :

An Act to incorporate the Saint Andrews Gas Company :

An Act to incorporate the Saint John and Westmorland Steam Navigation Company :

An Act to increase the Capital Stock of the Nashwaak Boom Company :

An Act to incorporate the Saint John Fire Insurance Company :

An Act to incorporate the British American Timber Bending Company :

An Act to incorporate the Albert Freestone Association :

An Act to incorporate certain Bodies connected with the Free Baptist Church in New Brunswick :

An Act to incorporate the Asphalte Mining and Kerosene Gas Company :

An Act to incorporate the Saint John Chamber of Commerce : and

An Act to incorporate the Sunbury Steam Factory Company for the manufacture of Agricultural and other Implements.

His Excellency was then pleased to deliver the following Speech :—

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

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

“ You have brought to a close the business of this Session, and I thank you for your exertions.

“ I trust that the consolidation and revisal of the Provincial Statutes may prove advantageous to the Country, and that the changes in the administration of the Law, sanctioned in the present Session, may afford satisfaction.

“ The subjects of King’s College and the Audit Office will not fail to receive the consideration of myself and my Council during the Recess.

“ *Mr.*

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

“ I acknowledge with thanks the Supplies which you have granted for the Public Service.

“ Some portion of these Supplies, relating to Bridges, has been voted in a form which implies much confidence in me and my advisers. I can assure you that every precaution shall be taken to insure a proper outlay of the public funds.

“ I feel confident that Her Most Gracious Majesty will highly value the loyal feeling which dictated your Resolution, placing at my disposal the resources of the Province for the defence of the Country and the honor of the British Flag.

“ As Representatives of the People, you will have the satisfaction of restoring to your constituents, at a time of general prosperity, the public trust reposed in you at a time of depression.

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

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

“ You have all heard with deep regret that Great Britain has been reluctantly forced into a War. In the name of the Queen I thank you very heartily for the expression of your loyalty and attachment to the Throne, which I shall not fail to lay before our Gracious Sovereign.”

After which, the Honorable Mr. Black, the President of the Council, by His Excellency's command, declared the General Assembly prorogued until the twenty second day of May instant.

G. BOTSFORD, *Clerk.*

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# APPENDIX.

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## No. 1.

[See Journal 15th April 1854.]

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VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to our right trusty and right well beloved Cousin, James, Earl of Elgin and Kincardine, Greeting: Whereas We did by certain Letters Patent under the Great Seal of our United Kingdom of Great Britain and Ireland, bearing date at Westminster the sixteenth day of March one thousand eight hundred and forty six, in the ninth year of our Reign, constitute and appoint our right trusty and right well beloved Charles Murry, Earl Cathcart, to be our Captain General and Governor in Chief in and over our Province of New Brunswick, during our Royal pleasure, as by the said recited Letters Patent, relation being thereunto had, may more fully and large appear: Now Know You, that We have revoked and determined, and by these Presents do revoke and determine the said recited Letters Patent, and every clause, article and thing therein contained; And further know you, that We, reposing especial trust and confidence in the prudence, courage and loyalty of you, the said Earl of Elgin and Kincardine, of our especial grace, certain knowledge, and mere motion, have thought fit to constitute, and appoint, and do by these Presents constitute and appoint you the said Earl of Elgin and Kincardine, to be our Captain General and Governor in Chief in and over our said Province of New Brunswick, in America, bounded on the westward by the mouth of the River Saint Croix, by the said River to its source, and by a line drawn due north from thence to the southern boundary of our Province of Quebec; to the northward by the said boundary, as far as the western extremity of the Bay de Chaleurs; to the eastward by the said Bay and the Gulph of Saint Lawrence, to the Bay called Bay Verte; to the south by a line in the centre of the Bay of Fundy from the River Saint Croix aforesaid to the mouth of Musquat River, by the said River to its source, and from thence by a due east line across the Isthmus into the Bay Verte, to join the eastern line above described, including all Islands within six leagues of the coast, with all the rights, members and appurtenances whatsoever: And We do by these Presents grant, provide and declare that there shall be within our said Province of New Brunswick two distinct and separate Councils, to be respectively called the Legislative Council of our said Province of New Brunswick, and the Executive Council of our said Province of New Brunswick: And We do further direct and declare our pleasure to be, that all and every the powers and authorities heretofore exercised by the Legislative Council of our said Province of New Brunswick shall continue to be exercised by our said Legislative Council hereby re-established, and that all the powers and authorities heretofore vested in or exercised by the Executive Council of our said Province of New Brunswick shall continue to be exercised by our said Executive Council of our said Province hereby re-established:

re-established : And We do hereby declare and appoint that the said Executive Council and the said Legislative Council respectively shall consist of such and so many Members as have been or shall hereafter be from time to time for that purpose nominated and appointed by Us, under our Sign Manual and Signet, or as shall be provisionally appointed by you the said Earl of Elgin and Kincardine, until our pleasure therein shall be known ; provided nevertheless, and we do hereby declare our pleasure to be, that the total number of the Members for the time being of our said Executive Council resident within our said Province, shall not at any time, by any such provisional appointments, be raised to a greater number in the whole than nine, and that the total number of the Members of the said Legislative Council resident within our said Province shall not at any time, by any such provisional appointments, be raised to a greater number in the whole than twenty one ; And We do hereby further direct and appoint that five Members of our said Executive Council shall be a quorum for the dispatch of the business thereof, and that eight Members of our said Legislative Council shall be a quorum for the dispatch of the business thereof : And We do further direct and appoint that the Members of the said respective Councils shall hold their respective places therein during our pleasure, and not otherwise ; and that the senior Members respectively for the time being of each of the said respective Councils shall preside at all deliberations thereof respectively, save only when you the said Earl of Elgin and Kincardine shall be present and presiding at the deliberations of the said Executive Council ; the seniority of the Members of the said Council respectively between themselves being determined by such rules and regulations as are for that purpose provided by such Instructions as are hereinafter mentioned : And We do hereby require and command you to do and execute all things in due manner that shall belong unto your said command, and the trust we have reposed in you, according to the several powers and authorities granted and appointed you by the present Commission and the Instructions herewith given to you, or by such further powers, instructions, and authorities, as shall at any time hereafter be granted to or appointed you under our Signet and Sign Manual, or by our Order in our Privy Council, or by us through one of our Principal Secretaries of State, and according to such reasonable Laws and Statutes as are now in force, or shall hereafter be made and agreed upon by you with the advice and consent of the Legislative Council and Assembly of our said Province under your government, in such manner and form as is hereinafter expressed ; and our will and pleasure is, that you, the said Earl of Elgin and Kincardine, as soon as may be after the publication of these our Letters Patent, do take the Oaths appointed to be taken by an Act passed in the first year of the Reign of King George the First, intituled "An Act for the further security of His Majesty's Person and Government, and the succession of the Crown in the Heirs of the late Princess Sophia, being Protestants, and for extinguishing the hopes of the pretended Prince of Wales, and his open and secret abettors," as altered and explained by an Act passed in the sixth year of the Reign of His late Majesty King George the Third, intituled An Act for altering the Oath of Abjuration, and the Assurance, and for amending so much of an Act of the seventh year of Her late Majesty Queen Anne, intituled An Act for the improvement of the Union of the two Kingdoms, as after the time therein limited requires the delivery of certain lists and copies therein mentioned to persons indicted of High Treason or misprision of Treason, or in lieu thereof, the Oath required to be taken

taken by an Act passed in the tenth year of the Reign of His late Majesty King George the Fourth, intituled An Act for the relief of His Majesty's Roman Catholic Subjects, according as the said former Acts or the said last mentioned Act shall be applicable to your case ; and likewise that you take the usual Oaths for the due execution and performance of the office and trust of our Captain General and Governor in Chief of our said Province, and for the due and impartial administration of justice ; all which said Oaths our Executive Council in our said Province, or any three or more of the Members thereof, have hereby full power and authority, and are required to tender and administer unto you ; all which being duly performed, you shall administer unto each of the Members of the said Executive Council and of the said Legislative Council respectively, the Oath commonly called the Oath of Allegiance : And We do hereby further give and grant unto you, the said Earl of Elgin and Kincardine, full power and authority from time to time and at any time hereafter, by yourself or by any other to be authorized by you in that behalf, to administer and give the said Oath of Allegiance to all persons who shall hereafter be appointed to be Members of the said Councils respectively, as well as to all and every such person and persons as you shall think fit, who shall hold any office, or place of trust, or profit, or who shall at any time or times pass into our said Province, or be resident or abiding therein : And We do hereby authorize and empower you to constitute and appoint Judges, and in cases requisite Commissioners of Oyer and Terminer, Justices of the Peace, and other necessary Officers and Ministers in our said Province, for the better administration of Justice and putting the Laws into execution, and to administer or cause to be administered unto them such Oath or Oaths as are usually given for the due execution and performance of offices and places, and for the clearing of truth in Judicial causes : And We do hereby give and grant unto you the said Earl of Elgin and Kincardine, full power and authority in case any person or persons commissioned or appointed by us to any office or offices within our said Province of New Brunswick, shall in your opinion be unfit to continue in our service, to suspend such person or persons from his or their several employments until our pleasure shall be known : And we do hereby give and grant unto you full power and authority to suspend any of the Members of our said Executive or Legislative Councils respectively, from sitting, voting and assisting therein, if you shall find just cause for so doing ; and if it shall at any time happen that by the death, departure out of our said Province, suspension or resignation of any of our said Councillors or otherwise, there shall be a vacancy in either of our said Councils, our will and pleasure is that you signify the same unto us by the first opportunity, that we may under our Sign Manual and Signet, constitute and appoint others in their stead. But that our affairs at that distance may not suffer for want of a due number of Councillors, we do hereby give and grant unto you the said Earl of Elgin and Kincardine, full power and authority to choose as many persons out of the principal Freeholders inhabitants of our said Province of New Brunswick, as shall be necessary to supply any vacancy or vacancies which may from time to time occur in the said Councils, or either of them ; which persons so chosen and appointed by you shall be to all intents and purposes Executive or Legislative Councillors, as the case may be, in our said Province, until their appointments shall either be confirmed or disallowed by us : And We do hereby give and grant unto you the said Earl of Elgin and Kincardine, full power and authority, with the advice and consent of our said Executive Council, from time

time to time as need shall require, to summon and call General Assemblies of the Freeholders and Settlers within the said Province under your Government in such manner and form as has been already appointed and used, or according to such further powers, instructions and authorities as shall at any time hereafter be granted or appointed you under our Sign Manual and Signet, or by our order in our Privy Council ; And our will and pleasure is, that the persons thereupon duly elected by the major part of the Freeholders of the respective Counties and places, and so returned, shall before their sitting, take the Oath of Allegiance ; which Oath you shall commission fit persons under our Seal of our Province of New Brunswick to tender and administer unto them ; and until the same shall have been so taken no person shall be capable of sitting, though elected : And We do hereby declare that the persons so elected and qualified shall be called and deemed the General Assembly of our Province of New Brunswick ; and that you the said Earl of Elgin and Kincardine, with the advice and consent of our said Legislative Council and Assembly, or the major part of them respectively, shall have full power and authority to make, constitute and ordain Laws, Statutes and Ordinances for the public peace, welfare, and good government of our said Province, and the people and inhabitants thereof, and such others as shall resort thereto, and for the benefit of us, our Heirs and Successors : which said Laws, Statutes and Ordinances, are not to be repugnant, but as near as local circumstances will admit, agreeable to the Laws and Statutes of this our United Kingdom of Great Britain and Ireland ; Provided that all such Laws, Statutes, and Ordinances, of what nature or duration soever, be within three months or sooner after the making thereof transmitted to us under the Public Seal of our said Province for our approbation or disallowance of the same, as also Duplicates thereof by the next conveyance. And in case any or all of the said Laws, Statutes, and Ordinances not before confirmed by us shall at any time be disallowed and not approved, and so signified by us, our Heirs and Successors, under our or their Sign Manual and Signet, or by order of our or their Privy Council unto you the said Earl of Elgin and Kincardine, then such and so many of the said Laws, Statutes and Ordinances as shall be so disallowed and not approved, shall from thenceforth cease, determine and become utterly void and of none effect, any thing to the contrary thereof notwithstanding. And to the end that nothing may be passed or done by our said Legislative Council or Assembly to the prejudice of us, our Heirs and Successors, we will and ordain that you the said Earl of Elgin and Kincardine, shall have and enjoy a negative voice in making and passing all Laws, Statutes and Ordinances aforesaid ; and you shall and may likewise from time to time as you shall judge it necessary, adjourn, prorogue or dissolve all General Assemblies as aforesaid : And We do hereby authorize and empower you to keep and use the Public Seal of our said Province of New Brunswick for Sealing all things whatsoever that shall pass the Public Seal of our said Province : And We do hereby give and grant unto you full power and authority when you shall see cause, or shall judge any offender or offenders in Criminal matters, or for any fines or forfeitures due unto us, fit objects of our mercy, to pardon all such offenders, and to remit all such offences, fines and forfeitures : And We do by these Presents give and grant unto you the said Earl of Elgin and Kincardine, full power and authority, without expecting any further Special Warrant from us, from time to time to give Order and Warrant for the preparing of Grants of Custodies of Idiots and Lunatics and their Estates, as are or shall be found  
by

by Inquisition thereof taken or to be taken and returnable into our Courts of Chancery, and thereupon to make and pass Grants and Commitments under our Public Seal of our Province of New Brunswick, of the Custodies of all and every such Idiots and Lunatics and their Estates to such person or persons Suitors in that behalf, as according to the Rules of Law and the use and practice in those and the like cases, you shall judge meet for that trust: And We do by these Presents authorize and empower you the said Earl of Elgin and Kincardine, to collate any person or persons to any Churches, Chapels, or other Ecclesiastical Benefices within our said Province of New Brunswick, as often as any of them shall happen to be void. And it is our will and pleasure, that all Public Monies raised by any Act made or hereafter to be made as aforesaid within our said Province, be issued out by Warrant from you by and with the advice and consent of our said Executive Council, and disposed of by you for the support of the Government of our said Province, or for such other purposes as shall be particularly directed in and by such Act, and not otherwise: And We do likewise give and grant unto you full power and authority, by and with the advice and consent of our said Executive Council, in our name and on our behalf, to grant and dispose of, under the Public Seal of our said Province, such Lands, Tenements and Hereditaments within the said Province as are now or hereafter shall be in our power to grant or dispose of; provided nevertheless, and we do hereby require, that in granting and disposing of all such Lands, Tenements and Hereditaments, you do conform to and observe the provisions in that behalf contained in any Act or Acts made or to be made by the Governor, Legislative Council and Assembly of our said Province, for regulating the sale and settlement thereof: And We do hereby declare our pleasure to be, that all such Grants shall be entered upon Record by such officer or officers as shall be appointed thereunto, and shall be good and effectual in Law against us, our Heirs and Successors: And We do hereby declare, ordain and appoint, that you the said Earl of Elgin and Kincardine, shall and may hold, execute and enjoy the office and place of our Captain General and Governor in Chief in and over our said Province of New Brunswick, together with all and singular the powers and authorities hereby granted unto you, for and during our will and pleasure; And in case of your death or absence out of our said Province of New Brunswick, we do by these Presents give and grant all and singular the powers and authorities herein to you granted, to our Lieutenant Governor for the time being of our said Province, or in the absence of any such Lieutenant Governor, to such person as we may by Warrant under our Sign Manual and Signet authorize and appoint to be the Administrator of the Government of our said Province, such powers and authorities to be by him executed and enjoyed during our pleasure: But if upon your death or absence out of our said Province of New Brunswick, there be no person upon the place commissioned and appointed by us to be our Lieutenant Governor, or specially appointed by us to administer the government within our said Province of New Brunswick, our will and pleasure is, that until your return from any such absence, or until our further pleasure shall be known, the senior Military Officer for the time being in command of our Forces within our said Province of New Brunswick, shall take upon him the administration of the government thereof, and shall execute in our said Province this our Commission, and the aforesaid Instructions, and the several powers and authorities therein contained, in the same manner and to all intents and purposes as other our Captain General and

Governor in Chief should or ought to do ; And we do hereby require and command all our Officers and Ministers, Civil and Military, and all other the inhabitants of our said Province, to be obedient, aiding and assisting unto you the said Earl of Elgin and Kincardine, in the execution of this our Commission, and of the powers and authorities herein contained. In Witness whereof we have caused these our Letters to be made Patent.

Witness ourself at Westminster, the first day of October, in the tenth year of our Reign.

By Writ of Privy Seal.

EDMUNDS.

[L.S.]

VICTORIA R.

INSTRUCTIONS to Our Right Trusty and Right Well-beloved Cousin James, Earl of Elgin and Kincardine, Knight of Our Most Ancient and Most Noble Order of the Thistle, Our Captain General and Governor in Chief in and over Our Province of New Brunswick, or in his absence to Our Lieutenant Governor, or the Officer Administering the Government of the said Province for the time being.—Given at Our Court at Osborne House, Isle of Wight, this twenty fifth day of August, 1848, in the twelfth year of Our Reign.

WHEREAS by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing date the sixteenth day of March, one thousand eight hundred and forty six, in the ninth year of Our Reign, We did constitute and appoint Our Right Trusty and Right Well-beloved Cousin Charles Murray, Earl Cathcart, to be during Our pleasure Captain General and Governor in Chief in and over Our Province of New Brunswick ; And whereas We did thereby authorize, empower, and command him, the said Earl Cathcart, in due manner to do and execute all things that should belong to his said Command, and the Trust We thereby reposed in him, according to the several powers, provisions, and directions granted or appointed him by Our said Commission, and the Instructions therewith given to him, or by such further powers, instructions, and authorities as should at any time thereafter be granted or appointed him in respect to the said Province of New Brunswick, under Our Signet and Sign Manual, or by Our Order in Our Privy Council, or by Us through one of our Principal Secretaries of State, and according to such reasonable Laws and Statutes as were then in force, or should thereafter be made and agreed upon by him with the advice and consent of the Legislative Council and Assembly of Our said Province of New Brunswick ; And whereas in pursuance of Our said Commission We did on the sixteenth day of March, one thousand eight hundred and forty six, in the ninth year of Our Reign, issue to the said Earl Cathcart, Instructions under Our Sign Manual and Signet, being the Instructions accompanying and referred to in the said recited Commission ; And whereas by a Commission under Our Great Seal aforesaid, bearing date the first day of October, one thousand eight hundred and forty six, in the tenth year of Our Reign, We did constitute and appoint you the said Earl of Elgin and Kincardine, to be during Our pleasure, Our Captain General and Governor in Chief in and over Our Province of New Brunswick, and did thereby authorize, require, and command

command you to do and execute all things that should belong to your said Command, and the Trust We thereby reposed in you, according to the several powers and authorities granted or appointed you by Our said Commission, and the Instructions therewith given you, or by such further powers, instructions, and authorities as should at any time thereafter be granted or appointed you in respect to the said Province of New Brunswick, under Our Signet and Sign Manual, or by Our Order in Our Privy Council, or by Us through one of Our Principal Secretaries of State, and according to such reasonable Laws and Statutes as in the said Commission are mentioned or referred to: Now We did, in pursuance of the said last recited Commission, bearing date the first day of October, one thousand eight hundred and forty six, by certain Instructions under Our Sign Manual and Signet, bearing even date with the said Commission, require and enjoin that until We should signify to you Our further pleasure therein, you should in the execution of Our said Commission conform to Our said recited Instructions, bearing date the sixteenth day of March, one thousand eight hundred and forty six, and so addressed as aforesaid to the said Earl Cathcart, save only so far as the said Instructions to the said Earl Cathcart should in any respect be repugnant or opposed to or inconsistent with our said recited Commission to you, to which extent it was Our pleasure that Our said recited Instructions should be thereby revoked; And we did thereby expressly declare Our pleasure to be that instead of the Oaths mentioned in Our Instructions aforesaid to the Earl Cathcart, you should administer or cause to be administered the Oath commonly called the Oath of Allegiance, to the Members and Officers of the Executive and Legislative Councils and Assembly, and to all Judges, Justices, and other persons who hold any office or place of trust or profit in Our said Province.

And whereas We have deemed it expedient to revoke and determine our said last recited Instructions: Now know you that We have revoked and determined the said Instructions, and that the same are hereby revoked and determined accordingly; And We do hereby authorize, require, and enjoin, that in the execution of the Trust which We have reposed in you as aforesaid, you do conform to these Our Instructions under Our Sign Manual and Signet.

*First.*—Whereas We did by certain Letters Patent under the Great Seal of our United Kingdom of Great Britain and Ireland, bearing date at Westminster, the first day of October, one thousand eight hundred and forty six, in the tenth year of our Reign, constitute and appoint you to be our Captain General and Governor in Chief in and over our Province of New Brunswick in America: And whereas We have by our said Commission as aforesaid, declared our pleasure to be that there should be within our said Province of New Brunswick, two distinct and separate Councils, to be respectively called the Legislative Council and the Executive Council of our said Province, with certain powers and authorities therein mentioned, and have further declared our pleasure to be that the Legislative Council and the Executive Council respectively, should thereafter consist of such and so many Members as should for that purpose be nominated and appointed by Us under our Royal Sign Manual and Signet, or as should be provisionally appointed by you until our pleasure therein should be known; provided always, that the total number of the Members for the time being of such Executive Council, resident within our said Province, should not at any time by any such provisional appointment by you be raised to a greater number

number in the whole than nine, and that the total number of the Members of the said Legislative Council resident within our said Province, should not at any time by any such provisional appointment be raised to a greater number in the whole than twenty one: Now know you, that We, reposing especial trust and confidence in the wisdom, prudence, and ability of our trusty and well-beloved Edward B. Chandler, Robert L. Hazen, Alexander Rankin, George S. Hill, Lemuel A. Wilmot, John R. Partelow, Charles Fisher, and William B. Kinnear, Esquires, do by these our Instructions constitute and appoint them, the said Edward B. Chandler, Robert L. Hazen, Alexander Rankin, George S. Hill, Lemuel A. Wilmot, John R. Partelow, Charles Fisher, and William B. Kinnear, Esquires, to be during our pleasure our Executive Councillors of our said Province of New Brunswick; And further know you, that We, reposing especial trust and confidence in the wisdom, prudence, and ability of our trusty and well-beloved the Right Reverend Father in God, the Bishop of Fredericton, and William Black, George Shore, Joseph Cunard, John S. Saunders, A. E. Botsford, Edward B. Chandler, John Robertson, Harris Hatch, William B. Kinnear, Thomas Wyer, Hugh Johnston, William F. W. Owen, William Crane, George Minchin, Thomas H. Peters, and Charles Simonds, Esquires, do by these our Instructions re-constitute and re-appoint the said Bishop of Fredericton, and William Black, George Shore, Joseph Cunard, John S. Saunders, A. E. Botsford, Edward B. Chandler, John Robertson, Harris Hatch, William B. Kinnear, Thomas Wyer, Hugh Johnston, William F. W. Owen, William Crane, George Minchin, Thomas H. Peters, and Charles Simonds, to be during our pleasure Legislative Councillors of our said Province of New Brunswick: And we do especially require and enjoin that whenever you shall think fit, in the exercise of the authority vested in you by our said Commission, to appoint persons provisionally as aforesaid to be Members of our said Executive and Legislative Councils, you do in every such case forthwith transmit to Us, through one of our Principal Secretaries of State, the names and the qualifications of the several Members so provisionally appointed by you to be Members of our said Councils, to the intent that the said appointments may be either confirmed or disallowed, as we shall see occasion.

*Second.*—You are not to suspend any of the Members of either of the said Councils without good and sufficient cause, nor without the consent of a majority of the Members of our said respective Councils, signified in Council, after due examination of the charge against such Councillor, and his answer thereunto; and in case of the suspension of any of them, you are to cause your reasons for so doing, together with the charges and proofs against such Councillor, and his answer thereunto, to be duly entered upon the Council Books, and forthwith to transmit copies thereof to Us, through one of our Principal Secretaries of State: Nevertheless if it should happen that you should have reasons for suspending any Legislative or Executive Councillors not fit to be communicated to the said respective Councils, you may in that case suspend such person without their consent, but you are thereupon immediately to send to Us, through one of our Principal Secretaries of State, an account of your proceedings therein, with your reasons at large for such suspension.

*Third.*—And whereas effectual care ought to be taken to oblige the Members of our said Councils to a due attendance therein, in order to prevent the many inconveniences that may happen for want of a Quorum of the said respective Councils to transact  
business

business as occasion may require; It is our will and pleasure that if any of the Members of our said respective Councils residing in our said Province, shall hereafter wilfully absent themselves from the said Province, and continue absent above the space of six months together, without leave from you first obtained under your hand and seal, or shall remain absent for the space of one year without leave given them under our Royal Signature, his or their place or places in the said respective Councils shall immediately thereupon become void; and if any of the Members of our said respective Councils, residing in our said Province, shall willingly absent themselves hereafter from the said respective Councils, when duly summoned by you, without good and sufficient cause, and shall persist in such absence, after being thereof admonished by you, you are to suspend such Councillors so absenting themselves, till our further pleasure be known therein, giving immediate notice thereof to us, through one of our Principal Secretaries of State: And we do hereby will and require you that this our Royal pleasure be signified to the several Members of our said respective Councils, and that it be entered in the respective Council Books as a Standing Rule.

*Fourth.*—You are to communicate to our said Councils such and so many of these our instructions, wherein their advice and consent are mentioned to be requisite, and likewise all such others from time to time as you shall find convenient for our service to be imparted to them.

*Fifth.*—You are to permit the Members of our said respective Councils to have and enjoy freedom of debate and vote in all affairs of public concern which may be debated in the said respective Councils.

*Sixth.*—And whereas by our Commission to you under the Great Seal of our United Kingdom of Great Britain and Ireland, you are authorized and empowered with the advice and consent of our said Executive Council, to summon and call General Assemblies of the Freeholders, Inhabitants of the Province under your Government, and with the advice and consent of the Legislative Council and Assembly of our said Province, or the major part of them, to make, constitute, and ordain Laws, Statutes, and Ordinances for the public peace, welfare, and good government of our said Province; It is our will and pleasure that the following regulations be carefully observed in the framing and passing all such Laws, Statutes, and Ordinances as may be passed by you with the advice and consent of our said Legislative Council and Assembly, videlicet,—That the style of enacting the said Laws, Statutes, and Ordinances, be by the Governor, Lieutenant Governor, or Officer administering the Government, as the case may be, Council and Assembly, and no other: That each different matter be provided for by a different Law, without including in one and the same Act, such things as have no proper relation to each other: That no clause be inserted in any Act or Ordinance which shall be foreign to what the Title imports; and that no perpetual clause be part of any temporary Law: That no Law or Ordinance respecting private property be passed without a clause suspending its execution until our Royal pleasure be known, nor without a saving of the right of us, our Heirs and Successors, and of all bodies politic and corporate, and of all persons except such as are mentioned in the said Law or Ordinance, and those claiming from, by, or under them. And before such Law or Ordinance is passed, proof must be made before you in Council, and entered in the Council Books, that public notification was made of the parties intention

to apply for such Act in the several Parish Churches where the lands in question lie, three Sundays at least successively before any such Law or Ordinance shall be proposed; and you are to transmit annexed to the said Law or Ordinance, a certificate under your hand that the same has passed through all the forms above mentioned. That in all Laws or Ordinances for levying money or imposing fines and forfeitures, express mention be made that the same are granted and reserved to us, our Heirs and Successors, for the public uses of the said Province and the support of the Government thereof, as by the said Law or Ordinance shall be directed. That all such Laws, Statutes, and Ordinances be transmitted by you within three months or sooner after the passing thereof, to us, through one of our Principal Secretaries of State; and that all such Laws, Statutes, or Ordinances be fairly abstracted in the margins and accompanied with full and particular observations upon each of them, that is to say, whether the same is introductory to a new Law, declaratory of a former Law, or does repeal a Law then before in being; and you are also to transmit in the fullest manner the reasons and occasion for enacting such Laws or Ordinances, together with fair copies of the Journals and Minutes of the proceedings of the said Legislative Council and Assembly.

*Seventh.*—It is our will and pleasure that you do not give your assent to any Act or Acts for raising money by the institution of any public or private Lotteries.

*Eighth.*—It is our will and pleasure that you do not give your assent to any Bill for ascertaining the duration of Assemblies, the fixing or altering the qualification of the electors or elected, or establishing any regulations with respect thereto, until you shall have transmitted the Draft of such Bill or Bills unto us through one of our Principal Secretaries of State, and shall have received our Royal pleasure thereupon, or that a suspending clause as aforesaid shall be inserted therein.

*Ninth.*—It is our will and pleasure that you do not upon any pretence whatever give your assent to any Bill or Bills that hereafter may be passed by the Legislative Council and Assembly of the Province under your government, for the naturalization of Aliens, or for the divorce of persons joined together in holy matrimony, nor for establishing a title in any person to lands, tenements, and real estates in our said Province, originally granted to or purchased by aliens antecedent to naturalization.

*Tenth.*—And whereas great mischiefs may arise from passing Bills of an unusual and extraordinary nature and importance in our Plantations, which Bills remain in force there from the time of enacting until our pleasure be signified to the contrary; We do will and require you not to pass or give your assent to any Bill or Bills of an unusual and extraordinary nature and importance, wherein our prerogative or the property of our subjects may be prejudiced, or the trade and shipping of this Kingdom in any way affected, until you shall have first transmitted unto us, through one of our Principal Secretaries of State, the draft of such Bill or Bills, and shall have received our Royal pleasure thereupon, unless you take care that there be a clause inserted therein suspending and deferring the execution thereof until our pleasure shall be known concerning the same.

*Eleventh.*—And it is our further will and pleasure that you do not re-enact any Law to which the assent of us or our Royal Predecessors has been once refused without express leave for that purpose first obtained from us, upon a full representation by you to be made to us, through one of our Principal Secretaries of State, of the reasons and necessity of passing such Law.

*Twelfth.*

*Twelfth.*—And it is our express will and pleasure that no Law be made to continue for less than one whole year except only in cases where it may be necessary upon some unforeseen emergency to make provision by Law for a service in its nature temporary and contingent.

*Thirteenth.*—It is our will and pleasure that you do not on any pretence whatsoever give your assent to or pass any Bill or Bills in our Province under your Government, by which the lands, tenements, goods, chattels, rights, and credits of persons who have never resided within our said Province and its Dependencies shall be liable to be attached for the recovery of debts due from such persons, in any manner inconsistent with the usages and practice within this our United Kingdom of Great Britain and Ireland, until you have first transmitted unto us, through one of our Principal Secretaries of State, the Draft of such Bill or Bills, and shall have received our Royal pleasure thereupon, unless you take care in passing such Bill or Bills, that a clause or clauses be inserted therein suspending and deferring the execution thereof until our Royal pleasure shall be known thereupon.

*Fourteenth.*—It is our will and pleasure that you do in all things conform yourself to the provisions contained in an Act of Parliament passed in the fourth year of the Reign of His late Majesty King George the Third, intituled “An Act to prevent “Paper Bills of Credit hereafter to be issued in any of His Majesty’s Colonies or “Plantations in America from being declared to be a legal tender in payment of “money, and to prevent the legal tender of such Bills as are now subsisting from “being prolonged beyond the period limited for calling in and sinking the same;” and also of an Act passed in the thirtieth year of His said late Majesty King George the Third, to explain and amend the above recited Act passed in the fourth year of His said late Majesty’s Reign as aforesaid; and you are not to give your assent to or pass any Act whereby Bills of Credit may be struck or issued in lieu of money to you our Governor or to any other person whatsoever, unless a clause shall be inserted in such Act declaring the same shall not take effect until the said Act shall have been approved and confirmed by us, our Heirs, or Successors; provided always, that this prohibition is not to be considered applicable to Bonds or Warrants issued by you for sums granted in Supply, on which Bonds or Warrants interest is due and payable at the Treasury by Law at regular periods, and which may be transferable and negotiable in the general market.

*Fifteenth.*—You are not to suffer any public money whatsoever to be issued or disposed otherwise than by Warrant under your hand, but the Assembly may nevertheless be permitted from time to time to view and examine the Accounts of Money disposed of by virtue of Laws made by them, as there shall be occasion.

*Sixteenth.*—And we do hereby particularly require you to take care that fair Books of Accounts of all Receipts and Payments of all Public Moneys be duly kept, in which Books shall be specified every particular sum raised or disposed of, together with the names of the persons to whom any payment shall be made, to the end that we may be satisfied of the right and due application of the Revenue of our said Province, with the probability of the increase or diminution of the same under every head and article thereof.

*Seventeenth.*—Our will and pleasure is that you do in all Civil Causes, on application being made to you for that purpose, permit and allow appeals from any of the Courts  
of

of Common Law or other Courts in our said Province, in the manner and form which have been usually accustomed; provided nevertheless, that in all such appeals the sum or value appealed for do exceed the sum of three hundred pounds sterling, and that security be first given by the Appellant to answer such charges as shall be awarded in case the first sentence be affirmed; and if either party shall not rest satisfied with the Judgment of you and our Executive Council aforesaid, our will and pleasure is, that the Appellant may then appeal unto us in our Privy Council, provided that the sum or value so appealed for unto us do exceed five hundred pounds sterling, and that such appeal shall be made within fourteen days after sentence, and good security be given by the Appellant that he will effectually prosecute the same, and answer the condemnation, and also pay such costs and damages as shall be awarded by us in case the sentence of you and the said Executive Council shall be affirmed; provided nevertheless, when the matter in question relates to the taking or demanding any duty payable to us, or to any Fee of Office, or other such like matter or thing where our rights in future may be bound, in all such cases you are to admit an appeal to us in our Privy Council although the immediate sum or value appealed for be of a less amount or value: And it is our further will and pleasure, that in all cases where by your Instructions you are to admit appeals to us in our Privy Council, execution be suspended until our final determination of such appeals, unless good and sufficient security be given by the Appellee to make ample restitution of all that the Appellant shall have lost by means of such Decree or Judgment, in case, upon the determination of such appeal, such Decree or Judgment should be reversed and restitution awarded to the Appellant.

*Eighteenth.*—You are also to admit appeals unto us in our Privy Council in all cases of Fines imposed for misdemeanors, provided the Fines so imposed amount to or exceed the sum of one hundred pounds sterling, the Appellee first giving good security that he will effectually prosecute the same and answer the condemnation if the sentence by which such Fine was imposed shall be confirmed.

*Nineteenth.*—You shall not remit any Fines or Forfeitures whatsoever above the sum of fifty pounds, nor dispose on any Forfeitures whatsoever until you signify the same to us through one of our Principal Secretaries of State, and shall have received our directions thereupon, but you may in the mean time suspend the payment of the said Fines and Forfeitures.

*Twentieth.*—You are, with the advice and consent of the said Executive Council, to take special care to regulate all Salaries and Fees belonging to places or paid upon emergencies, that they be within the bounds of moderation, and that no exaction be made on any occasion whatsoever, as also that Tables of Fees be publicly hung up in all places where such Fees are to be paid.

*Twenty first.*—And you are to transmit to us, through one of our Principal Secretaries of State, with all convenient speed, a particular account of all Establishments of Jurisdictions, Courts, Offices and Officers, Powers, Authorities, Fees, and Privileges, granted and settled within our said Province, as likewise the account of all the expenses, if any, attending the establishment of the said Courts and Offices.

*Twenty second.*—And it is our will and pleasure that all Commissions be granted by you to any person or persons, to be Judge, Justices of the Peace, or other necessary Officer, be granted during pleasure only, save only in cases wherein it may be otherwise

wise

wise provided by any Statute or Statutes in that behalf made, in which case it is our will and pleasure that the Commissions to be granted by you be conformable to such Statute or Statutes.

*Twenty third.*—You shall not displace or suspend any of the Judges, Justices, or other Officers or Ministers, within our said Province, without good and sufficient cause, to be signified in the most full and distinct manner to us through one of our Principal Secretaries of State.

*Twenty fourth.*—It being of the greatest importance to our service, and to the welfare of our Plantations, that justice be everywhere speedily and duly administered, and that all disorders, delays, and other undue practices in the administration thereof be effectually prevented, We do particularly require you to take especial care that in all Courts where you are authorized to preside justice be impartially administered, and that in all other Courts established within our said Province, all Judges and other persons therein concerned do likewise perform their several duties without delay or partiality.

*Twenty fifth.*—You shall not by colour of any power or authority hereby or otherwise granted or mentioned to be granted unto you, take upon you to give, grant, or dispose of any place or office within our said Province which now is or shall be granted under the Great Seal of this our United Kingdom, or to which any person shall be appointed by Warrant under our Signet or Sign Manual, any further than that you may upon the vacancy of any such office or place, or upon the suspension of any such Officer by you as aforesaid, put in any fit person to officiate in the interim until you shall represent the matter to us through one of our Principal Secretaries of State.

*Twenty sixth.*—And whereas complaints have been made by the Officers of our Customs in our Plantations in America, that they have been frequently obliged to serve upon Juries, or personally to appear in arms whenever the Militia is drawn out, and thereby much hindered in the execution of their employments, our will and pleasure is that you take effectual care and give the necessary directions that the several Officers of our Customs be excused and exempted from serving on any Juries, or personally appearing in arms in the Militia unless in cases of absolute necessity, or serving any Parochial Offices which may hinder them in the execution of their duties.

*Twenty seventh.*—And whereas you will receive from our Commissioners for executing the office of our High Admiral of our United Kingdom of Great Britain and Ireland and of the Plantations, a Commission constituting you Vice Admiral of our said Province, you are required and directed carefully to put in execution the several powers thereby granted to you.

*Twenty eighth.*—And there having been great irregularities in the manner of granting Commissions in the Plantations to private Ships of War, you are to govern yourself whenever there shall be occasion according to the Commission and Instructions granted in this Kingdom, but you are not to grant Commissions of Marque or Reprisal against any Prince or State in amity with us to any person whatsoever without our special Command.

*Twenty ninth.*—Whereas Commissions have been granted in our Colonies and Plantations for trying Pirates in those parts pursuant to the several Acts for the more effectual suppression of Piracy, and a Commission will be prepared empowering you as our Captain General and our Governor in Chief of our Province of New Bruns-

wick, with other persons therein mentioned, to proceed accordingly in reference to the said Province, our will and pleasure is, that in all matters relating to Pirates you govern yourself according to the intent of the said Acts.

*Thirtieth.*—You are to permit all persons inhabiting our said Province under your Government to have full liberty of conscience and the free exercise of all such modes of Religious Worship as are not prohibited by Law, provided they be content with a quiet and peaceable enjoyment of the same, not giving offence or scandal to the Government.

*Thirty first.*—You shall take especial care that God Almighty be devoutly and duly served throughout your Government, that the Book of Common Prayer, as by Law established, shall be read each Sunday and Holiday, and the Blessed Sacrament administered according to the Rites of the Church of England.

*Thirty second.*—It is our will and pleasure to reserve to you the power of granting Licences for Marriages, Letters of Administration and Probates of Wills, as heretofore exercised by your Predecessors, and also to reserve to you, and all others to whom it may lawfully belong, the right of Patronage and Presentation to Benefices; you are not, however, to present any Protestant Minister to any Ecclesiastical Benefice without a Certificate from the Bishop of Fredericton or his Commissary of his being conformable to the Doctrine and Discipline of the Church of England: And it is our will and pleasure that the person so presented shall be instituted by the Bishop or his Commissary duly authorized by him.

*Thirty third.*—And whereas you will receive through one of our Principal Secretaries of State a Book of Tables in blank, commonly called the Blue Book, to be annually filled up with certain Returns relative to the Revenue and Expenditure, Militia, Public Works, Legislative Civil Establishment, Pensions, Population, Course of Exchange, Imports and Exports, Agricultural Produce, Manufactures, and other matters, in the said Blue Book more particularly specified with reference to the state and condition of our said Province of New Brunswick; Now we do hereby signify our pleasure that all such Returns be accurately prepared and punctually transmitted to us from year to year through one of our Principal Secretaries of State, and that no Officer within our said Province within whose Department it may be to contribute any Return or Returns for the purposes aforesaid, or to prepare the same when so contributed, shall be entitled to receive or shall receive from you any Warrant for the payment of his official Salary which may become due and payable to him so long as such duty as aforesaid shall be in arrear or remain unperformed.

*Thirty fourth.*—And in case of distress of any other of our Plantations, you shall upon application of the respective Governors to you assist them with such aid as the condition and safety of our said Province under your Government can spare.

*Thirty fifth.*—And if any thing shall happen which may be of advantage or security to our Province under your Government which is not herein or by your Commission provided for, We do hereby allow unto you, with the advice and consent of our said Executive Council, to take order for the present therein, giving unto us, through one of our Principal Secretaries of State, speedy notice thereof, that you may receive our ratification if we shall approve the same; provided always, that you do not by colour of any power or authority hereby given, commence or declare War without our knowledge and particular commands therein.

*Thirty*

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*Thirty sixth.*—And whereas by our several Commissions under the Great Seal of our United Kingdom of Great Britain and Ireland, We have appointed you to be our Captain General and Governor in Chief of our said Provinces of Upper Canada, Lower Canada, New Brunswick, and Nova Scotia, and of our Island of Prince Edward, and it is our intention that the Lieutenant Governors commanding in the said Provinces of Upper Canada, New Brunswick and Nova Scotia, and in our Island of Prince Edward, shall have and enjoy the full Salaries, Perquisites, and Emoluments granted to them and arising from the respective Governments, in as full and ample a manner as if the said Governments were under distinct Governors in Chief, it is therefore our will and pleasure that you shall not any time or times when you shall be resident and Commanding in Chief in either of our said Provinces of Upper Canada, New Brunswick, Nova Scotia, or in our Island of Prince Edward, have or receive any part of the said Salaries, Perquisites, or Emoluments, but that the same shall continue to be paid and satisfied to the respective Lieutenant Governors of the said several Provinces and Island, in like manner as they usually are during your absence therefrom.

*Thirty seventh.*—And you are upon all occasions to send to us, through one of our Principal Secretaries of State, a particular account of all your proceedings, and of the condition of affairs within your Government.

(Signed)

V. R.

Earl of Elgin and Kincardine,  
Instructions,  
New Brunswick.

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RETURNS FROM KING'S COLLEGE, AT FREDERICTON,  
AND THE COLLEGIATE SCHOOL CONNECTED THEREWITH.

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**KING'S COLLEGE.**

NAMES, &c. OF PROFESSORS FOR THE YEAR 1853.

The Reverend Edwin Jacob, D.D., Professor of Classical Literature, - History, Moral Philosophy, Metaphysics, and Divinity, and Principal of the College.

James Robb, Esquire, M.D., Professor of Chemistry and Natural History.

William B. Jack, Esquire, A.M., Professor of Mathematics and Natural Philosophy.

Marshall D'Avray, Esquire, Professor of Modern Languages and Literature.

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NAMES OF STUDENTS DURING THE YEAR.

*Resident.*

W. G. Disbrow,  
E. S. Woodman,  
B. R. Stevenson,  
G. S. Smith,  
B. Peters,  
J. Wright,  
Hurd Peters,  
A. Street.

*Non-Resident.*

R. Falconer,  
J. Kirby,  
H. J. M'Lardy,  
S. W. Dibblee,  
G. F. Gregory,  
F. E. Barker,  
E. Roberts,  
F. L. Dibblee,  
F. Parker,  
G. F. Taylor.

CHARLES FISHER, *Registrar.*

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**COLLEGIATE SCHOOL.**

George Roberts, Esquire, Head Master.

Rev. Charles G. Coster, A.M., Second Master.

Mr. George Goodridge Roberts, A.B., Assistant Teacher.

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*Number of Scholars during the Year.*

In the Classical Department,	-	-	-	-	-	44
In the English Department,	-	-	-	-	-	33

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About one sixth of whom were Free Scholars.

CHARLES FISHER, *Registrar.*

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**Income and Expenditure of King's College for the Year 1853.**


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*The Chancellor, President and Scholars of King's College, at Fredericton, in the Province of New Brunswick, in Account Current with Charles Fisher, Registrar and Treasurer.*

DR.

1853. To paid Salaries, viz:—

Reverend Dr. Jacob,					
Quarter's Salary as Principal to	31st March,		£125	0	0
Do.	do.	30th June,	125	0	0
Do.	do.	30th September,	125	0	0
Do.	do.	31st December,	125	0	0
					<u>£500</u> 0 0
Do. as Professor of					
	Divinity to	31st March,	£12	10	0
Do.	do.	30th June,	12	10	0
Do.	do.	30th September,	12	10	0
Do.	do.	31st December,	12	10	0
					<u>50</u> 0 0
Doctor Robb,					
Quarter's Salary to	31st March,		£75	0	0
Do.	30th June,		75	0	0
Do.	30th September,		75	0	0
Do.	31st December,		75	0	0
					<u>300</u> 0 0
William B. Jack,					
Quarter's Salary to	31st March,		£75	0	0
Do.	30th June,		75	0	0
Do.	30th September,		75	0	0
Do.	31st December,		75	0	0
					<u>300</u> 0 0
Marshall D'Avray,					
Quarter's Salary to	31st March,		£30	0	0
Do.	30th June,		30	0	0
Do.	30th September,		30	0	0
Do.	31st December,		30	0	0
					<u>120</u> 0 0
John Fleming,					
Quarter's Salary to	1st March,		£15	0	0
Do.	1st June,		15	0	0
Do.	1st September,		15	0	0
Do.	1st December,		15	0	0
					<u>60</u> 0 0
Charles Fisher,					
One year's Salary to	31st December,				100 0 0
Henry Wandless,					
Quarter's Salary to	31st March,		£10	0	0
Do.	30th June,		10	0	0
Do.	30th September,		10	0	0
Do.	31st December,		10	0	0
					<u>40</u> 0 0
<i>Carried forward,</i>					<u>£1,470</u> 0 0

	<i>Brought forward,</i>	£14,70 0 0
Lawrence Neville,		
Quarter's Salary to 31st March,	£2 10 0	
Do. 30th June,	2 10 0	
Do. 30th September,	2 10 0	
Do. 31st December,	2 10 0	
	<hr/>	10 0 0
George Turner,		
One year's Salary to 31st December,		10 0 0
Rev. Charles G. Coster,		
One year's Salary as Examiner, to 30th June,		5 0 0
Rev. William Q. Ketchum,		
One year's Salary as Examiner, to 30th June,		5 0 0
	<i>Scholarship Account.</i>	
Paid Edward S. Woodman, one year to 18th December,	£15 0 0	
Robert Falconer, three quarters to 5th September,	11 5 0	
H. J. M'Lardy, one year to 10th October,	15 0 0	
B. R. Stevenson, one year to 24th October,	15 0 0	
J. A. Wright, one year to 3rd November,	15 0 0	
F. L. Dibblee, one year to 12th October,	15 0 0	
F. E. Barker, two quarters to 1st November,	7 10 0	
G. S. Smith, one year to 2nd December,	25 0 0	
	<hr/>	118 15 0
	<i>Library and Philosophical Apparatus.</i>	
April 25. Paid John M'Causland for repairs of Telescope,	£3 0 0	
June. Thomas Rutter for Cases for Museum,	8 2 6	
October. Benjamin Pike & Sons for Apparatus,	32 1 5	
Little & Brown for Books, Bill for \$139.80,	35 6 0	
Robert Caldwell, cartage of Books,	0 2 6	
James Annett for ditto,	0 1 3	
F. & J. Rivington. (Bill for £67 7s. Sterling,)	82 6 7	
Asa Coy & Son, Chemicals,	2 19 11	
Robinson & Ormsby, freight of Books,	0 10 0	
Garrison & Marsters, Duties, and forwarding Books,	2 14 7	
Henry S. Beek, Binding and other work,	2 15 0	
Little & Brown for Books, Bill for \$139.33,	35 2 6	
	<hr/>	205 2 3
	<i>Incidental Expenses.</i>	
Paid John Fleming, allowance for Fuel for the year,	£40 0 0	
Merrill & Johnston for Pump,	6 0 0	
W. C. Tredwell for Boards,	7 12 6	
John Thomas for Blinds,	1 3 10	
William Cadwallader, Porter's clothes,	6 17 7	
John Fleming, work on Drains, and materials,	2 14 9	
W. R. Witham, work at College,	7 4 10	
Ditto, materials,	2 1 10	
John Barrett, work and materials,	32 10 6	
Robert Chestnut for Paint, Oil, and materials,	9 4 6	
John Simpson, Printing and Advertising,	11 12 10	
James Hogg, Printing Notices, &c.	5 13 7	
	<hr/>	
	<i>Carried forward,</i>	£132 16 0 £1,823 17 3

APPENDIX.

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	<i>Brought forward,</i>	£132 16 0	£1,823 17 3
Frederick W. Hatheway for Coals and freight,		5 6 0	
Dennis O'Leary for Cedars,		5 12 6	
Postages,		0 5 6	
		<hr/>	144 0 9
	<i>Expenses of the Collegiate School.</i>		
Paid Salaries,			
George Roberts,			
Quarter's Salary to 7th April,		£50 0 0	
Do. 7th July,		50 0 0	
Do. 7th October,		50 0 0	
Do. 7th January 1854,		50 0 0	
		<hr/>	200 0 0
Rev. Charles George Coster,			
Quarter's Salary to 31st March,		£25 0 0	
Do. 30th June,		25 0 0	
Do. 30th September,		25 0 0	
Do. 31st December,		25 0 0	
		<hr/>	100 0 0
George Goodridge Roberts,			
Quarter's Salary to 31st March,		£12 10 0	
Do. 30th June,		12 10 0	
Do. 30th September,		12 10 0	
Do. 31st December,		12 10 0	
		<hr/>	50 0 0
	<i>Incidental Expenses.</i>		
June 27. Paid Ann O'Brien, work at School,		£0 5 0	
Merrill & Johnston for Pump,		2 17 0	
Robert Chestnut for two kegs Paint,		1 7 6	
Joseph Westle for work,		1 10 0	
Johanna Leary, ditto,		0 6 3	
John Grant for Ladder,		0 12 6	
Joseph Westle for work,		4 0 0	
James Amos, hauling,		0 17 10	
John Russell, hauling,		1 0 0	
Alexander Block, work,		2 14 0	
Johanna Leary, work,		3 2 9	
W. R. Witham, work,		7 8 6	
Ditto, materials,		6 0 0	
John Barrett, work at School House,		37 4 10	
Ditto, School premises,		56 3 11	
Thomas Stewart, materials for School premises,		4 6 8	
Henry S. Beek for Prize Books,		15 7 3	
		<hr/>	145 4 0
Balance carried down,			299 17 2
			<hr/> <hr/>
			£2,762 19 2

		CR.	
By amount on hand per last Account,			£210 0 0
Amounts received—			
April 1.	From Receiver General to 31st March,	£277 15 6	
	Ditto 30th June,	277 15 6	
	Ditto 30th September,	277 15 6	
	Ditto 31st December,	277 15 6	
			1,111 2 0
April 7.	From Province Treasurer on Warrant,	£100 0 0	
June 13.	Ditto do.	250 0 0	
July 30.	Ditto do.	250 0 0	
October.	Ditto do.	250 0 0	
December 20.	Ditto do.	250 0 0	
			1,100 0 0
<i>Rent Roll, &amp;c.</i>			
Jan. 3.	Rec'd from Thomas Doran, Town Lot, to 24th Sept. 1852,	£2 10 0	
	Ditto, Pasture Lot,	2 10 0	
	Mrs. M'Gowan, on Account,	15 0 0	
	Walter Broderick, Town Lot, to 24th Sept. 1852,	6 1 3	
	Martin Goff, Ferry,	10 0 0	
5.	Margery Johnston,	3 6 3	
16.	Christopher Broderick, to 24th Sept. 1852,	3 10 8	
	W. R. Witham, to ditto,	8 8 6	
26.	Patrick M'Grath, on Account,	9 11 3	
	Thomas Doran, omitted last year,	3 0 0	
April 23.	John Moore, to 24th March,	2 10 0	
26.	Francis Flannagan,	0 5 0	
May 6.	Francis M'Manus,	7 12 6	
11.	Martin Goff, Pasture Lot,	5 0 0	
	Walter Broderick, Pasture Lot to 24th March,	2 0 0	
	Arthur Jennings,	3 16 3	
July.	Nathaniel Cameron, Pasture Lot to 24th March,	2 0 0	
	Ditto, on Account,	4 0 0	
Oct. 6.	Mrs. Jennings, to 24th September,	3 16 3	
	Lawrence Neville, to 24th March,	5 0 0	
15.	John Moore, to 24th September,	2 10 0	
31.	Margery Johnston,	6 12 6	
	Thomas Doran, Rent of half of 104 to 24th Sept.	5 0 0	
	Ditto, Pasture Lot,	5 0 0	
Nov. 1.	Walter Broderick, to 24th March,	3 0 7	
26.	Daniel Donnehue, Lot 60, to 24th Dec. 1852,	2 5 6	
	Charles Fisher, 1 year Bliss lot, to 24th March 1853,	1 4 8	
	Ditto, Lot purchased from James Taylor,	2 10 0	
	Ditto, Lewis Fisher lot, to do.	3 7 0	
	Ditto, Lot in rear of Alms House, to do.	1 9 0	
	Ditto, Pasture Lot, to do.	2 0 0	
April 7.	Martin Goff, Stumpage of 83 M. Logs @ 9s.	32 17 0	
26.	Francis Flannagan for Stumpage,	2 0 0	
	Dennis O'Leary for do.	2 5 0	
May 11.	Martin Goff for do.	1 0 0	
			177 14 2
<i>Carried forward,</i>			£2,598 16 2

APPENDIX.

725

		<i>Brought forward,</i>	£2,598 16 2
<i>Interest.</i>			
Jan. 5.	Received from L. B. Rainsford, on Bond and Mortgage,	£12 0 0	
10.	W. B. Phair, Esquire, ditto,	12 0 0	
26.	H. B. Rainsford, ditto,	28 16 0	
April.	Hon. G. F. Street, ditto, to 24th March,	24 0 0	
	W. F. F. Jones, ditto,	50 0 0	
October.	J. & T. Murray, ditto,	30 0 0	
		<hr/>	156 16 0
<i>Library Fund.</i>			
	Received from Students for Books,	£5 14 6	
	Ditto ditto Subscriptions,	0 15 0	
		<hr/>	6 9 6
<i>Plate Fund.</i>			
	Received from Students for Subscriptions,		0 17 6
			<hr/>
			<u>£2,762 19 2</u>
			<hr/>
1854. Jan. 1.	By amount brought down, on hand,		£299 17 2

*I attest and declare that the within is a correct Account of the Income and Expenditure of King's College for the past year, as therein is detailed.*

CHARLES FISHER, Registrar.

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## KING'S COLLEGE.

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*Registrar's Letter, with Returns in answer to Address.*

*Fredericton, 29th March, 1854.*

SIR,—I enclose Returns containing all the information it is in my power to furnish upon the several matters specified in the Address of the Honorable House, relative to King's College.

I have, &c.

(Signed)

CHARLES FISHER, *Registrar.*

The Hon. J. R. PARTELOW, }  
Provincial Secretary.

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*Schedule of Papers in answer to Address of Legislative Council, dated 12th March 1854.*

1. Catalogue of Apparatus.
2. Statement of Expenses of Repairs, &c., from January 1829 to July 1846, including cost of Library Apparatus, and original cost of College Building.
3. Statement of Expenses of Repairs from July 1846 to 31st December 1853, including cost of Apparatus.
4. Salaries of Professors, &c.
5. Fees of Students.
6. College Land.
7. Graduates.
8. Students.

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*Catalogue of Apparatus &c., in Chemical Class Room of King's College.*

Adapters for Distilling Apparatus.  
Asbestos for Acid Filters.  
Balance, Chemical.  
    Medical.  
    Mercantile.  
Baloon for Hydrogen.  
Barometer.  
Barometer Tube.  
Bladders.  
Berzelius' Washing Bottle.  
Blowpipe, Pneumatic.  
    Hydrostatic.  
    Mouth.  
    Spirit.

Bottles, Plain.  
    Stoppered.  
    Laden.  
    Iron.  
    Copper.  
    Porcelain.  
Caoutchouc in Sheet-  
    Bladders.  
Condensers.  
Chemical Labels.  
Cork Borers.  
    Squeezer.  
Covers for Jars, Stoneware.

*Catalogue of Apparatus, &c. in Chemical Class Room.—Continued.*

- Crucibles, Platinum.  
 Porcelain.  
 Earthen.  
 Iron.  
 Black Lead.
- Chrystal, Models of.  
 Compos.  
 Davy's Lamp.  
 Deflagrating Spoons.  
 Dropping Tubes.  
 Electrotome.  
 Electrometer.  
 Electrical Machine and appendages.  
 Electro Magnets.  
 Electro Magnetic Helices.  
 Ring.  
 Engines.  
 Disc.  
 Spiral.  
 Powder-cup.  
 Break-piece.  
 Rectangle.
- Electrical Battery.  
 Discharger.  
 Eudiometer, (Ure's).  
 (Volta's).  
 Evaporating Basins.  
 Capsules.
- Files and Rasps.  
 Fire Clay.  
 Flasks, Plain.  
 Stopped.  
 Long-necked.
- Funnels, Glass.  
 Porcelain.  
 Wedgewood.
- Filters in sets and sheets.  
 Furnace, Black's.  
 Luhme's.  
 Lamp.  
 Table.
- Fire Syringe.  
 Gas Bottles, Glass.  
 Iron.  
 Gas Holders and Tubes.  
 Receivers.  
 Jars.
- Gas Measures.  
 Burners.  
 Stop-cocks.  
 Glass Tubes, assorted.  
 Rods.  
 Glass Blower's Tools.  
 Graduated Measures.  
 Galvanic Cells, Daniel's.  
 Groves'.  
 Galvanometer.  
 Goniometer.  
 Hydrometer, (Scheefer's).  
 (Nicholson's).  
 (Common).  
 Jars for Liquids.  
 Gases.  
 Jet, Safety.  
 Lamps, Oil.  
 Spirit.  
 Argand.  
 Jackson's.  
 Blowpipe.
- Mortars, Iron.  
 Wedgewood.  
 Porcelain.  
 Glass.  
 Serpentine.  
 Agate.
- Magnetical Apparatus, case of.  
 Pipettes.  
 Platinum Foil, Wire, Forceps, Block, &c.  
 Plates, Glass, Porcelain.  
 Pneumatic Troughs, Copper.  
 Tin.  
 Porcelain.  
 Iron.
- Pyrometer, (index).  
 (bars).
- Retorts, Glass, plain.  
 Stopped.  
 Porcelain.  
 Earthen.  
 Iron.
- Retort Stands, Iron.  
 Brass.  
 Wooden.

*Catalogue of Apparatus, &c. in Chemical Class Room.—Continued.*

Reflectors, Parabolic.	Steam Cup, Wollaston's.
Rain Gauges.	Test Glasses.
Rings for Retorts, &c.	Tubes.
Sandbath of Iron.	Papers.
Specific Gravity Bottles.	Spoons.
Screen for Lamps.	Thermometers.
Spatulas, Steel, Platinum.	Tongs, Trays, &c.
Spoon, Platinum.	Washing Bottles.
Still, Model of.	Water Jars.
Water.	Jug and Basin,
Syphons.	Baths.
Syringe.	Woulfe's Bottles.
Steam Boiler.	Wire, Wire Gauze, &c.

(Signed)

J. ROBB.

1853.—The Compound Achromatic Microscope, Microscopic objects, mounted, Glass Tubes,—value about £30 currency.

J. R.

*Museum.*

1. Collection of European Rocks.	12. Human Skeletons.
2. " " useful Minerals.	13. Selection of Skulls and Bones.
3. " " Fossils.	14. Geological Models.
4. " " Shells.	15. " Sections.
5. " " Plants.	16. " Plates.
6. " " Corals.	17. Plates of Animal Kingdom.
7. " American Plants,	18. Model of Smelting Furnace.
8. " " Rocks,	19. Cupola Furnace.
9. " " Minerals.	20. Model of Pottery Works.
10. " " Shells.	21. " " Tools, Moulds, &c.
11. " " Fossils.	22. " " Iron Rollers.

*Catalogue of Chemicals in the College.*

Acid, Acetic.	Alcohol, Absolute.
Arsenious.	Commercial.
Benzoic.	Alum and Alum Ore.
Boracic.	Alumina.
Citric.	Amalgam.
Gallic.	Amber.
Hydrochloric.	Ammonia.
Nitric.	Hydrosulphuret.
Oxalic.	Oxalate.
Silicic.	Carbonate.
Sulphuric.	Nitrate.
Tartaric.	Muriate.
	Benzoate.

*Catalogue of Chemicals in the College.—Continued.*

Antimony, Oxide.	Fulminate of Mercury.
Chloride.	Galena.
Sulphuret.	Gallnuts and Tincture,
Tartrate cu K. O.	Gelatine.
Arsenic.	Gum.
Barium Chloride.	Glucinum.
Baryta Carbonate.	Gold Chloride.
Nitrate.	Gun Cotton.
Sulphate.	Gutta Percha.
Bees Wax.	Gypsum.
Benzoate.	Indigo.
Bismuth, Oxide.	Iodine.
Nitrate.	Tincture.
Alloy, (fusible).	Iron.
Bleaching Powders.	Ores.
Bitumen.	Oxides.
Borax.	Sulphate.
British Gum.	Chloride.
Bromine.	Kreosote.
Brucine.	Lead.
Cadmium.	Oxides.
Calcium, Oxide.	Acetate.
Fluoride.	Carbonate.
Chloride.	Nitrate.
Calomel.	Lithia Mica.
Camphene.	Litmus.
Camphor.	Magnesia.
Caoutchouc.	Carbonate.
Carbon or Charcoal.	Sulphate.
Chloroform.	Manganese, Oxide.
Cobalt.	Chloride.
Oxide.	Sulphate.
Arsenite.	Marble.
Nitro Muriate.	Mercury.
Columbite.	Chloride.
Concine.	Oxide.
Copper.	Cyanid.
Oxides.	Nitrate.
Nitrate.	Sulphuret.
Sulphate.	Microcosmic Salt.
Arsenite.	Molybdenum Sulphuret.
Ammonia-sulphate.	Morphine.
Ether, Sulphuric.	Naptha, Mineral.
Nitric.	Distilled.
Feldspar.	Nickel.
Fibrin from blood.	Sulphate.

*Catalogue of Chemicals in the College.—Continued.*

Oil	Soap.
of Peppermint.	Sodium.
Anise.	Chloride.
Turpentine.	Bromide.
Opium.	Soda, Biborate.
Palladium.	Benzoate.
Petroleum.	Carbonate.
Phosphorus.	Bicarbonate.
Platinum.	Phosphate.
Chloride.	Sulphate.
Potassium.	Hyposulphite.
Potash.	Spermaceti.
Carbonate.	Starch.
Chlorate.	Sugar.
Chromate.	Steel.
Nichromate.	Strontia.
Nitrate.	Nitrate.
Sulphate.	Sulphur.
Arseniate.	Ore.
Hydriodate.	Sulphuretted Hydrogen Water.
Superoxalate.	Tin.
Supertartrate.	Ore.
Red Precipiate.	Oxide.
Yellow Precipiate.	Chloride.
Silicate.	Titanium.
Bromate.	Tolubalsam.
Sulphocyanate.	Veratrine.
Prussian Blue.	Verdigris.
Quinine.	Zaffre.
Resin.	Zinc.
Selenium.	Ore.
Sulphuret.	Oxide.
Silica.	Acetate.
Silver, Nitrate.	Sulphate.

*List of Apparatus in the Departments of Mathematics and Natural Philosophy.*

1. A set of Geometrical Solids.
2. Jointed Parallelograms to explain and illustrate the composition and resolution of forces.
3. Apparatus to illustrate the composition of Velocities—one set by means of springs, and another by dropping two ivory balls upon a third of equal size.
4. Composition of Force-Table, consisting of Mahogany stand, several circular boards, with white polygons painted on them to prove experimentally the proposition respecting the polygon of Forces.

5. Apparatus to shew the composition of Machines, illustrating the principle of action of the wheel and pinion, the crown wheel, bevil wheels, worm wheel, and endless screw, eccentrics, ratchet wheel, universal joint, tilt hammer, &c. The Machinery is of mahogany, and may be set in motion in whole or in part at pleasure.
6. Apparatus to illustrate experimentally various mechanical arrangements for producing direct and alternate motions of variable and uniform velocities, such as Mandesley's parallel motion, Cartwright's parallel motion, the Sun and Planet motion, &c.
7. Atwood's apparatus for demonstrating the laws of accelerated and retarded motions and other interesting laws in Mechanics—a superior machine with friction wheels, pendulum, &c.
8. A whirling table for explaining and demonstrating the laws of planetary motions, the doctrine of the tides, the figure of the earth and other revolving planets, and the laws of central and centrifugal forces in general.
9. The mechanical powers for illustrating and demonstrating the laws of motion and gravity, and the action and composition of machinery. A fine set, in brass.
10. Apparatus to illustrate centre of gravity.
11. Apparatus to illustrate the properties of collision of elastic balls.
12. Apparatus to illustrate the principle of the Brachystochrone, or line of swiftest descent.
13. Apparatus to illustrate experimentally the convertible pendulum of Captain Kater, and to prove the properties of the centre of oscillation.
14. Painted wooden model to illustrate the construction and properties of the grid-iron pendulum.
15. The same of the mercurial pendulum.
16. Cohesion plate.
17. Clockwork Machinery.
18. Double inclined Plane, in wood, with an application of composition and resolution of forces.
19. Taylor and Walton's instruments for teaching Geometry—controvertible into a Theodolite.
20. Minasi's Mechanical Diagrams.

*Hydrostatic and Hydraulic Apparatus.*

1. Apparatus to illustrate the Hydrostatic Paradox, with balances.
2. Hydrostatic bellows, to illustrate the two principles that fluids press equally in all directions, and in proportion to the perpendicular depths, and showing that any quantity of water, or other fluid, however small in bulk, may be made to balance and support any weight, however great.
3. Apparatus to illustrate the spouting or flowing of water through jets or adjutages.
4. Working models of the forcing and lifting pumps, upon a mahogany stand.
5. Working model of Archimedes' screw, or water snail.
6. Painted wooden sectional model to illustrate the common suction and forcing pump.
7. Painted wooden models to illustrate Bramah's Hydrostatic Press.
8. Syphons of various kinds for the transference of liquids.
9. Apparatus for determining specific gravities.

10. Working models of overshot water wheel in gun metal, with stand.
11. Do. do. undershot Fish or stream wheel, do. do.
12. Breast wheel, do. do.
13. Hydrostatic Funnel.

*Pneumatic Apparatus.*

1. Copper Globe and Balance to shew that air possesses weight.
2. Apparatus of various kinds to shew that air presses equally in all directions.
3. Double Barrel Air Pump, with mahogany stand, to illustrate the properties of air.
4. Small condensing and exhausting Syringe Pump Plate, and other apparatus.
5. Condensing Chamber and Apparatus to illustrate the various properties of compressed air.
6. Artificial Fountain set in action by compressed air.
7. Vane and Mill in vacuo.
8. Apparatus to illustrate the oblique impact of air, illustrating Smeaton's experiment.
9. Apparatus to explain the construction and action of the Barometer.
10. Hand and Bladder Glasses.
11. Marcel's High Pressure Steam Apparatus with Thermometer, &c.
12. Working Model of Boulton and Watt's Steam Engine, with Boiler and Apparatus.
13. Sectional wooden model of simplest form of Steam Engine, with iron fly wheel.

*Optical, Geodetical, and Astronomical Instruments.*

1. Concave and Convex Mirrors to illustrate the laws of reflection and formation of images.
2. Pair of brass Parabolic Reflectors.
3. Set of mounted Lenses to illustrate the laws of refraction and formation of images.
4. Set of mounted Lenses to illustrate the laws of Chromatic Aberration.
5. Model of the Human Eye and illustration of the phenomena of vision.
6. Stereoscope, showing how two representations of an object on a plane may cause the object to appear solid.
7. Camera Obscura for sketching a drawing from nature.
8. Magic Lantern with a set of Astronomical Sliders.
9. A Surveyor's Chain.
10. A small Theodolite. } These Instruments are both very imperfect, having been
11. A small Sextant. } purchased upwards of 15 years ago at second hand.
12. A common Orrery on a wooden stand.
13. A common Planetarium.
15. A small portable Transit instrument in conjunction with a Clock or Chronometer.  
This instrument is used for observing the passage of celestial bodies across the meridian, either for determining their difference of right ascension, or for the purpose of obtaining correct time.
16. Russell's Selenographic 12 inch Globe, being a globular representation of the Moon's disc.
17. Large Equatorial Telescope, with mountings, Clock work, and Micrometers.
18. Artificial Horizons to use in conjunction with the Sextant.

*Expenses,*

*Expenses, &c.*

So far as I can ascertain from the Accounts and Papers of the College, the contract for erecting the College was .... £10,300 0 0

A further sum appears to have been allowed for extra work, about 2,010 0 0

Expenses from Accounts commencing in January 1829 to 1st July 1846:—

There appears to have been expended in the erection of out-buildings and repairs to the College, including the sum required to repair the injury done by a fire, and in erecting a School House, out-buildings, and repairs of the Collegiate School, .... 2,685 5 3

Expended in the Library, and Philosophical Apparatus, during the same time, .... 2,369 12 4

From the 1st July A. D. 1846 to 31st December 1853:—

Expended in repairs to the College, Collegiate School premises, improvement in College grounds, in erecting fences, out-buildings, including expenses in the Museum, and the erection of the Observatory, .... 1,493 12 9

Expended during the same period in increasing the Library and Philosophical Apparatus, .... 2,113 11 3

The last sum includes £504 11 9 paid for the Telescope.

There are in the Library 3000 Volumes, distributed as follows:—

Say, General Literature, ....	1,300 Volumes.
Science, ....	1,100 “
Theology, ....	700 “

(Signed)

CHARLES FISHER, *Registrar.*

*Salaries of Professors, &c.*

The Reverend Dr. Jacob, Principal, and Professor of Classical Literature, History, Moral Philosophy, and Metaphysics, £500 0 0	
Professor of Divinity, .... 50 0 0	
	£550 0 0
Doctor Robb, Professor of Chemistry and Natural History, ....	300 0 0
W. B. Jack, A. M., Professor of Mathematics and Natural Philosophy,	300 0 0
Marshall d'Avray, Professor of Modern Languages, ....	120 0 0
Charles Fisher, Registrar, ....	100 0 0
John Fleming, Steward, ...	60 0 0

Henry Wandless, Porter, ....	£40	0	0
Lawrence Neville, Gate Keeper, ....	10	0	0
George Turner, Forester, ....	10	0	0
The Reverend Charles Coster, A. M., Examiner, ....	5	0	0
The Reverend W. Q. Ketchum, do. ....	5	0	0

*Collegiate School.*

George Roberts, Head Master, ...	£200	0	0
Reverend Charles G. Coster, A. M., Second Master, ...	100	0	0
George G. Roberts, A. B., Assistant Teacher, ...	50	0	0

*Fees paid by Students.*

The Students of the College pay 5s. per Term to each Professor whose Lectures they attend. They also pay an annual subscription towards the Library and Plate of 7s. 6d.

*College Lands.*

On the 18th of July, 1800, a grant issued to the College of 5,950 acres of Land in the rear of Fredericton.

About 2,000 acres of the most valuable land in this tract were leased upon perpetual leases, the whole of which, with the exception of a very small quantity, has already been redeemed, and the proceeds, including 75 acres subsequently sold, are invested on real securities producing an annual interest.

The lands still held by the College comprises a tract of about 3,700 acres, a small part of which is under lease but does not produce much.

There is also a Block in the Town Plat of Fredericton partly under lease.

*List of Degrees conferred in King's College, Fredericton, New Brunswick.*

Time.	No.	Names of the Applicants.	Degree.	Place of Birth.
1828	1	Timothy Robert Wetmore,	A. B.	
"	2	David Hailes Smith,	"	Fredericton.
"	3	Samuel H. Lee Street,	"	Burton, Sunbury County.
1830	4	Wm. Black, Esquire,	D. C. L.	
"	5	Fredk. B. Dibblee,	A. B.	Woodstock.
"	6	Charles Fisher,	"	Fredericton.
"	7	Timothy Robert Wetmore,	B. C. L.	
"	8	Fredk. Wm. Gray, (Clerk,)	A. M.	
"	9	John Black, Esquire,	"	
"	10	John James Millidge,	A. B.	
"	11	John Saunders, Esquire,	D. C. L.	
"	12	Benjn. G. Gray, (Clerk,)	D. D.	

*List of Degrees conferred in King's College.—Continued.*

Time.	No.	Names of the Applicants.	Degree.	Place of Birth.
1830	13	Abraham Wiggins, (Clerk,)	A. B.	
1832	14	Jerome Alley, (Clerk,)	D. D.	
"	15	Stephen Miller,	A. B.	Fredericton.
"	16	David Lewis Dibblee,	"	Woodstock.
"	17	Thomas Saunders Wetmore,	"	Kingsclear.
"	18	Henry James Jarvis,	"	Saint John.
"	19	James White Peters,	"	Gagetown.
"	20	Henry Simpson Peters,	"	Saint John.
"	21	Wm. Hunter Odell,	"	Fredericton.
1833	22	Samuel Denny Street,	"	Calcutta, East Indies.
"	23	Wm. Thomas Wilmot,	"	Fredericton.
1835	24	Henry James Jarvis, A. B.,	A. M.	Saint John.
1836	25	James W. Disbrow,	A. B.	Do.
"	26	James F. Berton,	"	Fredericton.
"	27	John Saunders Shore,	"	Do.
1837	28	Samuel Scovil,	"	Kingsclear.
"	29	George Lee,	"	Do.
1838	30	William Scovil,	"	Saint John.
"	31	Edward Peters,	"	Do.
"	32	Gustavus Jarvis,	"	Do.
"	33	George M. Odell,	"	Fredericton.
1839	34	Edward H. Wilmot,	"	Do.
"	35	Wm. Henry Shore,	"	Do.
"	36	Colin Irvine Allan,	"	Do.
"	37	John M. Stirling, A. B.,	A. M.	Newfoundland.
"	38	Jas. W. Disbrow, A. B.,	"	Saint John.
1840	39	George S. Jarvis,	D. C. L.	Do.
"	40	Henry Smith,	A. B.	Fredericton.
1841	41	Wm. M. Maclauchlan,	"	Do.
"	42	Thos. Frank G. Street,	"	Do.
"	43	Gabriel DeVeber,	"	Gagetown.
"	44	Nelson DeVeber,	"	Saint John.
"	45	Wm. Botsford Chandler,	"	Dorchester.
"	46	George Lee,	A. M.	Fredericton.
"	47	Colin J. Allan,	B. C. L.	Aberdeen.
"	48	S. Jones Hanford,	A. B.	Saint John.
1843	49	Edwia J. Jacob,	"	Sussex, England.
"	50	Henry B. Robinson,	"	Douglas, York County.
"	51	Wm. Henry Shore,	A. M.	Fredericton.
"	52	Edward H. Wilmot,	"	Do.
"	53	John Rice Jacob,	A. B.	Sussex, England.
"	54	Charles G. Coster,	"	St. Johns, Newfoundland.

*List of Degrees conferred in King's College.—Continued.*

Time.	No.	Names of the Applicants.	Degree.	Place of Birth.
1843	55	Wm. H. DeVeber,	A. B.	Saint John, N. B.
"	56	Thos. George Street,	"	Newcastle, Miramichi.
"	57	Ward Chipman Drury,	"	Saint John.
1844	58	George G. Gilbert,	"	Do.
"	59	Robert M. Merritt,	"	Do.
"	60	Charles Lee,	"	Kingsclear.
"	61	Edward B. Chandler,	"	Dorchester.
1845	62	Charles P. Bliss,	"	Fredericton.
"	63	Charles H. Connell,	A. B.	Woodstock.
"	64	Charles Odell,	"	Fredericton,
1844	65	Henry F. Russell,	"	Quebec.
1846	66	Rodney D. Palmer,	"	"
"	67	Edwin J. Jacob,	A. M.	Sussex, England.
"	68	William W. Street,	A. B.	Newcastle, Miramichi.
"	69	Thomas Barker Smith,	"	Fredericton.
"	70	William Q. Ketchum,	"	Woodstock.
1847	71	John M'Givern,	"	Duncannon, Ireland.
"	72	John Forbes Peters,	"	Saint John.
"	73	Robert Bruce Street,	"	Do.
"	74	Edward B. Fisher,	"	Fredericton.
"	75	James D. M. Keator,	"	Saint John.
1848	76	Hudson C. Peters,	"	Do.
"	77	George C. Deveber,	"	Do.
1849	78	Charles G. Coster.	A. M.	St. Johns, Newfoundland.
"	79	Charles P. Bliss,	"	Fredericton.
"	80	William Q. Ketchum,	"	Woodstock.
"	81	William P. Dole,	A. B.	Saint John.
"	82	Hurd Peters,	"	Fredericton.
"	83	Beverly Robinson,	"	Douglas.
"	84	Edward Duvernet,	"	Ceylon.
"	85	Joseph R. Hea,	"	Cork, Ireland.
"	86	Donald M'Q. Bliss,	"	Fredericton.
"	87	James M'G. Allan,	"	Bristol, England.
"	89	Jacob Ellegood,	"	Dumfries, N. B.
1850	90	James Peters Street,	"	Newcastle.
"	91	William Doak,	"	Miramichi.
1851	92	Edward B. Fisher,	B. C. L.	Fredericton.
"	93	Joseph R. Hea,	A. M.	Cork, Ireland.
"	94	Hugh B. Johnston,	A. B.	Gagetown.
"	95	Henry B. Nichols,	"	Saint John.
"	96	Thomas W. Street,	"	Woodstock.
1852	97	George S. Milligan,	"	Maugerville.

*List of Degrees conferred in King's College.—Continued.*

Time.	No.	Names of the Applicants.	Degree.	Place of Birth.
1852	98	John Lothrop Marsh,	A. B.	Wakefield.
"	99	Neville G. D. Parker,	"	Saint John.
"	100	George Goodrich Roberts,	"	Do.
"	101	Thomas A. Gregory,	"	Fredericton.
"	102	Charles F. Street,	"	
"	103	William H. Murray,	"	Spring Hill.
"	104	John Davidson,	"	Dumfries.
"	105	George E. S. Keator,	"	Saint John.
"	106	N. Beckwith Hart,	"	Fredericton.
"	107	Rev. John Herbert Read,	B. L.	St. Elanus Priory.
1853	108	Robert Falkener,	A. B.	Stoneham, Scotland.
1854	109	George Seaton Milligan,	A. M.	Maugerville.
"	110	Hurd Peters,	"	Fredericton.

*Names of Students at present attending King's College.**Residents.*

Mr. Benjamin Stevenson,  
George Sydney Smith,  
Brunswick Peters,  
John A. Wright,  
Hurd Peters,  
Henry Street,  
George Jacob.

*Non-Residents.*

Mr. John Kirby,  
Henry J. M'Lardy,  
J. W. Dibblee,  
George F. Gregory,  
F. E. Barker,  
Edward Roberts,

F. L. Dibblee,  
Frederick Parker,  
Morris Robinson,  
Alexr. Wood.

*Attending Lectures.*

Mr. Geo. P. Wolhaupter,  
Alfred Whitehead,  
Samuel Fleming,  
Henry Ketchum,  
Adolphus Beckwith,  
G. Hansard,  
Charles Gregory,  
Charles Elligood,  
James Hazen.

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*List of Scholars who have attended the Collegiate School, during the past year.*

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|------------------------|--------------------------|
| 1. E. Roberts.         | 39. Anthony M'Coy.       |
| 2. Thomas Hogg.        | 40. J. Coldwell.         |
| 3. B. Robinson.        | 41. G. Bowden.           |
| 4. Henry Ketchum.      | 42. C. Scully.           |
| 5. G. Fraser.          | 43. J. Divers.           |
| 6. W. Clarke.          | 44. Francis Beverly.     |
| 7. R. Hazen.           | 45. L. Estey.            |
| 8. P. Ranney.          | 46. J. M. O'Brien.       |
| 9. H. Chandler.        | 47. J. Driscoll.         |
| 10. H. Rainsford.      | 48. H. Belanger.         |
| 11. R. Bedell.         | 49. A. M'Caffery.        |
| 12. Joseph Beek.       | 50. James O'Brien.       |
| 13. Adolphus Beckwith. | 51. William Wallace.     |
| 14. A. Ranney.         | 52. J. M'Manus.          |
| 15. C. Gregory.        | 53. R. Woods.            |
| 16. E. Medley.         | 54. J. Welch.            |
| 17. D. Robinson.       | 55. R. Dowe.             |
| 18. William Lee.       | 56. Charles Segee.       |
| 19. J. Carter.         | 57. S. Barker.           |
| 20. C. Parker.         | 58. H. Needham.          |
| 21. L. Johnston.       | 59. C. Kerr.             |
| 22. G. Carman.         | 60. J. Linihen.          |
| 23. C. Perkes.         | 61. Henry Beckwith.      |
| 24. E. Beek.           | 62. Richard Payne.       |
| 25. C. A. B. Fisher.   | 63. W. MyshraU.          |
| 26. J. Straton.        | 64. Patrick Sweeney.     |
| 27. J. Cadwallader.    | 65. Thomas Swaide.       |
| 28. William Black.     | 66. E. L. Street,        |
| 29. H. Davis.          | 67. John Robinson.       |
| 30. G. Harrison.       | 68. James Porter.        |
| 31. F. Harrison.       | 69. John Reilly.         |
| 32. T. Terrides.       | 70. Henry Thorne.        |
| 33. C. A. Estey.       | 71. William Rossborough. |
| 34. R. Clarke.         | 72. C. Sutherland.       |
| 35. S. Carman.         | 73. J. E. Gregg.         |
| 36. A. Lipsett.        | 74. F. Robb.             |
| 37. M. M'Guire.        | 75. William Gardiner.    |
| 38. G. Robertson.      | 76. E. Carter.           |
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