



# JOURNAL

OF THE

VOTES AND PROCEEDINGS

OF THE

# H O U S E

O F

# A S S E M B L Y.

OF THE

PROVINCE of NEW-BRUNSWICK:

From Tuesday FEBRUARY the 13th, to Thursday MARCH the 8th, 1787:

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JOURNAL and VOTES  
OF THE  
*HOUSE of ASSEMBLY,*  
OF THE PROVINCE OF  
NEW-BRUNSWICK.

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TUESDAY, February the 13th, 1787.

THE house having been prorogued until this day, met, and there being only twelve Members present, adjourned until one o'clock to-morrow.

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WEDNESDAY, February 14th, 1787.

As there was only the same number of Members present as yesterday, the house adjourned until to-morrow one o'clock.

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THURSDAY, February 15th, 1787.

House met.—Col. *Billogg* and Mr. *Paine*, were directed to wait upon his Excellency the Lieutenant-Governor, and to acquaint him that the house were met and wait his commands. Message to the Lieut. Governor.

Message from his Excellency the Lieutenant-Governor to the house, requesting their attendance in the Council Chamber. Message from his Excellency.

House attended his  
Excellency.

Mr. *Speaker*, with the house attended, and being returned, reported that his Excellency was pleased to make the following speech to both houses, of which he had procured a copy as follows :

“ *Gentlemen of the Council,*

“ *And Gentlemen of the House of Assembly,*

His Excellency's  
speech to the  
Council and As-  
sembly.

“ **T**HE arrival of *Lord Dorchester*, at Quebec, with his Majesty's Commissions of Commander in Chief of the British forces in the North-American colonies, and Governor of each province, having taken place since your recess. It is with the greatest satisfaction I inform you of arrangements which cannot fail to give every encouragement to this rising settlement. The more intimate our union becomes with our sister colonies, and the more closely our interests are connected, the stronger shall we eventually be to encounter any obstacles to our growth and prosperity.

“ As I am persuaded you will cheerfully adopt every measure which shall be conducive to these ends, I must call your attention to the means necessary for our defence, without which we can scarcely hope for permanent security. The first step to be taken in this business is the establishment of a provincial militia, it being of the highest importance that the military experience of the inhabitants should not be lost amidst their peaceful employments. We ought carefully to shun the danger of resting our fate on the quiet temper of foreign states, nor should we ever rely on any but our own arm for immediate protection. A well regulated militia will at all times prove our surest safeguard, and perhaps after what we have experienced, no people would be more inexcusable should we be found in this respect unprovided for emergencies: and I am confident from the zeal you have shewn to forward the increase and welfare of the province, you will not delay to make use of resources within your power, for fixing its stability.

“ The unremitting attention of government to our interests and situation is also strongly manifested by the arrival of Commissioners amongst us to examine into the losses and services of the loyalists. It is now in the power of the Petitioners to establish their claims without leaving the province, and numbers to whom the national bounty could not otherwise have been extended, will in consequence of this measure, be enabled to carry on their improvements with double ardor.

“ The

“ The laws passed in the course of the last sessions leave few other subjects for your present consideration, and it will perhaps be prudent to wait their operation, and to bring forward only such bills, as may be called for from the evident concurrence of circumstances.”

Speech taken into consideration.

Upon a motion made and seconded.—*Ordered*, That a Committee be appointed to prepare an address, in answer to his Excellency's speech. An address ordered.

The *Solicitor General*, Col. *Billogg*, Capt. *Lyman*, Mr. *Hubbard*, and Mr. *Davidson*, are appointed for that purpose. Committee appointed.

*Ordered*,—That his Excellency's speech be printed.

The *Speaker* communicated to the house two letters which he had received during the recess, from Sir *Brook Watson*, Agent of the province, with his answer. Letters from the agent of the province communicated.

Upon a motion made by the *Solicitor General*, and seconded, resolved to consider the speech of his Excellency, in a committee of the whole house. Motion by the *Solicitor-General*.

The *Speaker* left the chair, and the house resolved itself into a committee of the whole.

*Attorney-General* in the chair.

The *Speaker* resumed the chair, and the chairman reported that the committee were of opinion, that a committee should be appointed to bring in a bill for establishing and regulating a provincial militia. House in Committee.

*Ordered*,—That the report be accepted, and that the further consideration of his Excellency's speech be deferred until next Monday. Report accepted.

The *Attorney-General*, Major *Coffin*, Mr. *Dixon*, Col. *Billogg*, Capt. *Lyman*, Capt. *Vandeburgh*, Mr. *Hardy*, and Capt. *Clinch*, are appointed a committee to frame a Militia bill. Committee appointed to frame a Militia bill.

Mr. *W. Pagan*, moved, that a committee be appointed to examine and report such laws as are near expiring. Motion by Mr. *W. Pagan*.

Mr. *W. Pagan*, and Mr. *M'George*, are appointed for that purpose. Committee appointed.

House adjourned until one o'clock to-morrow.

FRIDAY,

FRIDAY, February the 16th, 1787.

Order of the day read.

Report of the  
Committee, &c.

The committee appointed to prepare an address in answer to his Excellency's speech, laid the same before the house, which being read was committed to a committee of the whole house.

The *Speaker* left the chair.

House in Com-  
mittee.

Col. *Bilopp*, appointed chairman—The address being read paragraph by paragraph, the *Speaker* took the chair and received the report, that the committee had agreed to the address, which being read in the house, ordered the same to be engrossed and signed by the *Speaker*, and is as follows :

The address of  
the Assembly.

To His Excellency THOMAS CARLETON, Esq. Lieutenant-Governor and Commander in Chief of the Province of New-Brunswick, &c. &c. &c.

“ May it please your Excellency,

“ **T**HE Assembly of the Province of *New-Brunswick*, request your Excellency to accept their sincere thanks for your interesting and affectionate speech.

“ His Majesty's unremitting attention to the welfare and prosperity of these provinces, manifested in the appointment of *Lord Dorchester* to the command of the British forces in the North-American colonies, and to the government of each province, demands our most grateful acknowledgments, and we participate with your Excellency the satisfaction derived from arrangements which must prove so encouraging to this rising settlement, as every obstacle to our growth and prosperity will be lessened or removed by that union of force as well as interests by which we are now so intimately connected with our sister colonies.

“ We thank your Excellency for the confidence you express in our endeavours to secure these important advantages, which we shall not fail to justify by an immediate attention to those necessary measures for our defence, without which no permanent security can be reasonably expected

“ The importance of the establishment of a provincial militia to insure to us the benefits which may be derived from the military experience of the inhabitants, is too obvious to be overlooked, notwithstanding our present peaceful situation. We  
are

are fully sensible how precarious any dependence would be on the quiet temper of foreign states, and of how much consequence it is to have the means of protection and defence in our power, and after what we have experienced, we shall be careful to avoid the censure we should deservedly incur by being without a well regulated militia in the province. We cannot easily express the grateful sense we entertain of the continued anxiety discovered by your Excellency to promote every object conducive to our stability and welfare; and your Excellency may assuredly rely on our most zealous co-operation in effecting the establishment you now so earnestly recommend. We beg leave to return our warmest thanks for the disinterested satisfaction we observe in your Excellency, and the opportunity you have given us of expressing our gratitude upon the arrival of Commissioners amongst us to examine into the losses and services of the Loyalists, and to establish the claims of the petitioners without their leaving the province. The peculiar attention of government in the objects of this commission, and the choice of the persons entrusted to fulfil it, must too strongly effect the number to whom its benefits are thus extended and enhanced, not to encourage them with double ardor and alacrity to carry on their improvements.

“ We fully agree with your Excellency in the prudence of waiting the operation of the laws passed in the course of the last session, and of bringing forward only such bills as the concurrence of circumstances shall evidently require.

“ A. BOTSFORD, *Speaker.*”

*Ordered.*—That the *Solicitor-General*, and Mr. *W. Pagan*, wait upon his Excellency to know when he will be pleased to receive this house with their address. Message to his Excellency.

On a motion made and seconded. *Ordered.*—That Mr. *M'George*, Mr. *W. Pagan*, and Mr. *Davidson*, be a committee to report whether any and what amendments may be necessary to be made in the act for regulating the exportation of lumber. Committee appointed.

Capt. *Lyman* moved for leave to bring in a bill to regulate the tolls to be taken at grist mills. Motion by Capt. Lyman.

Leave was granted.

Capt. *Lyman* moved for leave to bring in a bill in addition to an act for regulating highways. Motion by Capt. Lyman.

Leave was given.



Motion by Col.  
*Billopp.*

Col. *Billopp* moved for leave to bring in a bill for securing the purchasers of mortgaged estates.

Leave was granted.

House adjourned until one o'clock to-morrow.

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SATURDAY, 17th February, 1787.

House met and adjourned.

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MONDAY, February 19th, 1787.

Order of the day read.

Members sworn in.

*Samuel Gay*, and *Andrew Kinnear*, Esqrs. members for the county of *Westmoreland*, having been duly qualified, before the Commissioner appointed for that purpose—took their seats.

Report of a Committee.

The Committee appointed to report what laws are near expiring,—report that the revenue bill expires the first day of April, 1787.

Motion by the *Attorney-General*.

The *Attorney-General* moved that the house resolve itself into a committee next Wednesday, to take into consideration the revenue bill which is near expiring.

Reply of his Excellency to a message.

The committee that were appointed to wait upon his Excellency to know when he would be pleased to receive this house with their address, report that he will receive them this day at two o'clock.

*Ordered*.—That the Treasurer be directed to lay his accounts before the house next Wednesday.

Motion by Mr. *Paine*.

Mr. *Paine* moved for leave to bring in a bill for the relief of confined debtors.

Leave was granted.

House attend the Governor with their address.

The house adjourned to attend the *Speaker* with the address in answer to his Excellency's speech. To which he was pleased to make the following answer :

His Excellency's answer.

“ GENTLEMEN,

“ I RETURN you my hearty thanks for your affectionate address. It is with peculiar satisfaction that I acknowledge

“ ledge.

“ ledge the advantages already derived to this province, from  
 “ your zeal and unanimity in the discharge of your public  
 “ trust, and I am happy in the confidence that nothing on  
 “ your part will be wanting to complete what has been so hap-  
 “ pily begun.”

The *Attorney-General* moved for leave to bring in a bill for regulating marriage and divorce. Motion of the *At-  
torney-General.*

Leave was given.

Read the first time a bill for regulating the purchasers of mortgaged estates. Bill read.

The *Speaker* communicated a letter which he had received during the recess from the *Speaker* of the House of Assembly of the province of *Nova-Scotia*, inclosing the resolve of the House of Assembly of the province of *Nova-Scotia*, which is as follows :- Letter from the *Speaker* of the House of Assembly of the Province of *Nova-Scotia.*

“ *Resolve of the House of Assembly the 29th June, 1786.*

“ A letter from his Excellency Governor Carleton addressed to his Excellency Governor Parr, (and by him recommended to the consideration of the house) with a memorial from the House of Assembly at *New-Brunswick*, to Governor *Carleton*, praying that the bonds and securities which had been given to the Treasurer of *Nova-Scotia*, prior to the division of the province, for the payment of the duties of impost and excise, by persons resident in *New-Brunswick*, being taken into consideration. It was thereupon resolved that a heavy debt being left on the province of *Nova-Scotia*, a considerable part of which had been incurred by services rendered that part of the province now called *New-Brunswick*, the House cannot see the propriety of delivering over to the people of *New-Brunswick* the bonds and securities requested, unless they will undertake to discharge an equitable proportion of such debt.” Resolve of the House of Assembly of *Nova-Scotia.*

Further consideration of his Excellency's speech postponed until next Monday.

House adjourned until 12 o'clock to-morrow.

• T U E S D A Y, February the 20th, 1787.

Order of the day read:

Read a second time a bill for securing the purchasers of mortgaged estates. — Ordered to be committed. Bill read.

The

Report of a Committee.

The Committee appointed to examine into the law for regulating the exportation of Fish and Lumber—reported. Which being accepted—*Ordered*, That a bill be brought in agreeable to said report.

Committee appointed.

The *Solicitor-General*, Mr. *W. Pagan*, and Mr. *M'George*, are appointed a committee for that purpose.

Bill brought in and read.

Capt. *Lyman* agreeable to leave brought in a bill in addition to an act for laying out and repairing high-ways, roads, streets, &c. which was read, and a second reading ordered to-morrow.

Bill brought in and read.

Mr. *Paine* having previously obtained leave, brought in a bill for the relief of confined debtors, which was read, and ordered to be read again to-morrow.

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

WEDNESDAY, February 21st, 1787.

Order of the day read.

Bill read;

Read a second time a bill for laying out and repairing high-ways, roads and streets, and for appointing commissioners and surveyors of highways within the several towns or parishes in this province.—*Ordered* to be committed.

Bill read.

Read a second time, a bill for the relief of confined debtors—*Ordered* to be committed.

House in Committee.

House in committee, *Solicitor-General* in the chair.—Took into consideration a bill for securing the purchasers of mortgaged estates.

Report of the Committee.

The *Speaker* took the chair, and received the report that the committee had gone through the bill, and amended the same—which was agreed to.

*Ordered* to be engrossed.

The province Treasurer in compliance with the orders of the house, attended and delivered in his accompts.

Bill brought in and read.

The *Attorney-General* agreeable to leave brought in a bill for regulating marriage and divorce, and for punishing incest, adultery and fornication, which was read and a second reading ordered to-morrow.

Bill brought in and read.

A bill for establishing a militia in the province, and for regulating

gulating the same, was brought in by the committee appointed for that purpose, which was read, and a second reading ordered to-morrow.

Agreeable to the order of the day, the house resolved itself into a committee, to take into consideration the revenue bill.— Col. *Billogg* in the chair. House in Committee.

The *Speaker* reassumed the chair, and received the report, that the committee had gone into the consideration of a bill for raising a revenue. That they had made some progress, and had directed him to ask leave to sit again. Report of the Committee.

House adjourned until 12 o'clock to-morrow.

T H U R S D A Y, February the 22d, 1787.

Order of the day read.

Read a second time, a bill for regulating marriage and divorce, and for punishing incest, adultery and fornication.—Ordered to be committed. Bill read.

Read a bill for the securing the purchasers of mortgaged estates, for the third time, which was agreed to as engrossed—Ordered that it pass, and be sent up for concurrence. A bill sent up for concurrence.

House in committee---*Solicitor-General* in the chair.

Took into consideration a bill in addition to an act for laying-out, amending and repairing highways, roads, streets, &c. House in Committee.

The *Speaker* took the chair and received the report, that the committee had gone through the bill and amended the same, which was agreed to, and ordered to be engrossed. Report of the Committee.

House in committee---Col. *Billogg* in the chair.

Took into consideration the ways and means for raising a revenue in the province. House in Committee.

Upon the *Speaker's* taking the chair, the chairman reported, that it was the opinion of the committee that there should be two bills brought in, one for granting an impost, and another for laying an excise upon certain articles, for raising a revenue. Report of a Committee.

Accepted the report---and the *Attorney-General*, Mr. *W. Pagan*, Mr. *Kinnear*, and Mr. *Hubbard*, are appointed a committee to bring in a bill for laying an impost upon certain articles. Committee appointed.

Committee appointed.

And the *Solicitor-General*, Col. *Billogg*, Mr. *M'George*, Capt. *Lyman*, and Mr. *Gay*, are appointed a committee to bring in a bill for laying an excise upon certain articles.

Motion by Mr. *M'George*.

Mr. *M'George* moved for leave to bring in a bill for the more effectually securing the titles of purchasers of real estates, against the claim for dower.

Leave was granted, the bill brought in and read, and a second reading ordered to-morrow.

Motion by Mr. *W. Pagan*.

Mr. *W. Pagan* moved for leave to bring in a bill to prevent persons being landed in this province, who are likely to become a burthen on the inhabitants thereof.

Leave was given—The bill brought in and read, and a second reading ordered to-morrow.

Bill read.

Read a second time a bill for establishing a Militia in the province of *New-Brunswick*, and for regulating the same.—Ordered to be committed.

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

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FRIDAY, February the 23d, 1787.

Order of the day read.

Bill read.

Read a second time, a bill for the more effectually securing the title of purchasers of real estate, against claim for dower.

Ordered to be committed.

Bill read.

Read a second time a bill to prevent persons being landed in this province, who are likely to become a burthen on the inhabitants thereof.

Ordered to be committed.

House in committee—Col. *Billogg* in the chair.

House in Committee.

Took into consideration, a bill for regulating marriage and divorce, and for punishing incest, adultery and fornication—and a bill for the relief of confined debtors.

Report of the Committee.

The *Speaker* took the chair, and received the report, that the committee had gone through the bill for regulating marriage and divorce, and for punishing incest, adultery and fornication,—and that the committee had directed him to report, that it was their opinion, that the bill for the relief of confined debtors should be referred

referred to a select committee.—Which report was accepted, and the first bill ordered to be engrossed.

Mr. Paine, Solicitor-General, Mr. Dixon, and Capt. Vandenburg, are appointed a select committee to consider of the bill for the relief of confined debtors. Committee appointed.

A bill in addition to an act for laying out and amending high ways, roads, &c. was read a third time, as engrossed.—Ordered that it pass and be sent up for concurrence. Bill passed and sent up for concurrence.

On motion, resolved, that this house will next Monday take into consideration the services of the officers of this province. Motion.

House in committee—Attorney-General in the chair.

Took into consideration a bill for the more effectually securing the purchasers of real estates against the claim of dower. House in Committee.

Upon the Speaker taking the chair, the Attorney-General reported, that the committee had taken the bill into consideration, and had amended the same.—Which was agreed to, and ordered to be engrossed. Report of the Committee.

Mr. Gay moved for leave to bring in a bill in addition to an act for the better ascertaining the boundaries of the several counties. Motion by Mr. Gay.

Leave granted, and the bill read, and a second reading ordered to-morrow.

House adjourned until 12 o'clock to-morrow.

SATURDAY, 24th February, 1787.

Order of the day read.

Read a second time a bill in addition to an act for the better ascertaining and confirming the boundaries of the several counties. Ordered to be committed. Bill read.

Col. Billopp moved, that a committee be appointed by this house to examine the accounts of the Treasurer of this province, and see whether they agree with the manifests that have been produced to him since the first day of April last, and whether the manifests that have been produced to the Treasurer since the said time do agree with those that have been produced at his Majesty's Custom-House, from the same date, and if not, to enquire into the cause, and make report to this house as soon as possible. Motion by Col. Billopp.

Mr.

- Committee appointed. Mr. *W. Pagan*, Mr. *M'George*, Mr. *Kinnear*, and Mr. *Lyman*, are appointed a committee for that purpose.
- House in committee. House in committee—Col. *Billopp* in the chair.
- Report of the committee. Took into consideration a bill to prevent persons being landed in this province, who are likely to become a burthen on the inhabitants thereof.
- Report of the road committee. And a bill in addition to an act for the better ascertaining and confirming the boundaries of the several counties.
- Report of the road committee. The *Speaker* took the chair and received the report, that the committee had gone through the bills--which was agreed to, and the bills ordered to be engrossed.
- Received a report from the commissioners appointed by act of Assembly to explore a road from the city of *Saint John* to the county of *Westmoreland*.
- Ordered to lay upon the table.
- Message from the Council. Message from the council, informing the house that they had concurred in passing the act for securing the purchasers of mortgaged estates, with amendments.—The house concurred, and ordered the bill to be returned to the council.
- Message from the Council. A message from the council acquainting the house that they had passed a bill to authorize the respective proprietors of certain islands in the river *St. John*, and other rivers in this province, to make rules and regulations for their better improvement and cultivation, and request the concurrence of the house.
- Read the bill the first time, and a second reading ordered to-morrow.
- House adjourned until Monday next at 12 o'clock.

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MONDAY, February 26th, 1787.

Order of the day read.

- A& read. Read a second time an act to authorize the respective proprietors of certain islands in the river *St. John*, and other rivers in this province to make rules and regulations for their better improvement and cultivation.--Ordered to be committed.
- Bill read. Read a bill to prevent persons being landed in this province who are likely to become a burthen on the inhabitants thereof.

And

And a bill for regulating marriage and divorce, and for preventing and punishing incest, adultery and fornication.

And a bill in addition to an act, for the better ascertaining and confirming the boundaries of the several counties.—Which several bills were read a third time as engrossed, the same agreed to.—Ordered that they pass and be sent up for concurrence.

Bills sent up for concurrence.

The bill for the relief of confined debtors, referred to a select committee, was reported and read,—And ordered to be committed.

Bill read.

House in committee—*Attorney-General* in the chair.

Took into consideration a bill for establishing a militia in this province, and for regulating the same.

House in Committee.

The chairman reported to the *Speaker*, that the committee had gone into the consideration of the bill for establishing a militia in this province, and for regulating the same, and had made several amendments, which were agreed to.—Ordered to be engrossed.

Report of the Committee.

The further consideration of his Excellency's speech is postponed until next Monday.

Postponed the resolution of the 23d of February, respecting the consideration of the services of the officers of government, until next Wednesday.

Read a bill in addition to an act, intitled an act for regulating the exportation of fish and lumber, and for ascertaining the quality of the same.

Bill read.

A second reading ordered to-morrow.

House adjourned until 12 o'clock to-morrow.

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T U E S D A Y, the 27th February, 1787.

Order of the day read.

Read a second time, an act in addition to an act, intitled an act, for regulating the exportation of fish and lumber, and for ascertaining the quality of the same.—Ordered to be committed.

Bill read.

An act for establishing a militia in the province of *New-Brunswick*, and for regulating the same.—Was read a third time as engrossed.

Bill read, and sent up for concurrence.



Ordered that it pass, and be sent up for concurrence.

Bill read. Read a first time, an act to empower the Justices of the General Sessions of the Peace, in the several counties in this province, to grant licences to Tavern-keepers, and retailers of spirituous liquors, and for raising a duty of excise, upon strong liquors retailed in this province.

Bill read.

Ordered to be read again to-morrow.

Read an act to lay an impost.

Ordered a second reading to-morrow.

Motion by the Solicitor-General.

The *Solicitor-General* moved for leave to bring in a bill in addition to an act, intituled an act, for assessing, collecting, and levying county rates.

Leave was given—the bill brought in and read, and a second reading ordered to-morrow.

Motion by Mr. Foster.

Mr. *Foster* moved for leave to bring in a bill to rectify a mistake in the sixth section of an act, intituled an act, for the public registering all deeds, wills and other incumbrances whatsoever, to be made of, or that may effect any lands, tenements or hereditaments, within this province.

Leave was given—the bill read, and a second reading ordered to-morrow.

House in Committee.

House in committee---*Solicitor-General* in the chair.

Took into consideration a bill for the relief of confined debtors.

And a bill sent down from the council, to authorize the respective proprietors of certain islands in the river *St. John*, and other rivers in this province, to make rules and regulations for their better improvement and cultivation.

Report of the Committee.

The chairman reported to the *Speaker* that the committee had gone into the consideration of the above bills.—Which were agreed to, and the former ordered to be engrossed, and the latter concurred with, and returned to the council.

Message from the Council.

Message from the council, that they have concurred in passing the bill in addition to an act, for laying-out, repairing and amending highways, roads, streets, and for appointing commissioners and surveyors of highways within the several towns and parishes in this province.

Petition read.

Read a petition from *Richard Buffington, Esq.* upon which  
Mr.

Mr. *Paine* moved for leave to bring in a bill for suspending an act, for securing the navigation of the river *Magguaguadavick*, until the end of the next sessions.—Leave was given, the bill brought in and read, and a second reading ordered again to-morrow.

Motion by Mr. *Paine*.

Bill read.

House in committee—*Attorney-General* in the chair.

Took into consideration an act, in addition to an act, for regulating the exportation of fish and lumber, and for ascertaining the quality of the same.

House in committee.

The *Speaker* reassumed the chair, and received the report, that the committee had gone through the bill, and made amendments—which were agreed to.—Ordered to be engrossed.

Report of a Committee.

House adjourned until 12 o'clock to-morrow.

WEDNESDAY, February 28th, 1787.

Order of the day read.

Read a second time, a bill to empower the Justices of the General Sessions of the peace in the several counties in this province, to grant licences to tavern-keepers, and retailers of spirituous liquors, and for raising a duty of excise upon strong liquors, retailed in this province—Ordered to be committed.

Bill read.

A bill in addition to an act, intituled an act, for assessing, collecting, and levying county rates, was read a second time.

Bill read.

Ordered to be committed.

Read a second time, a bill for suspending the penalties of an act for securing the navigation of the river *Magguaguadavick*.

Bill read.

Ordered to be committed.

Read a second time, a bill to lay an impost.

Ordered to be committed.

An act, in addition to an act, for regulating the exportation of fish and lumber, and for ascertaining the quality of the same.

Bill read and sent up for concurrence.

And an act for the relief of confined debtors, which were read a third time as engrossed.

Ordered that they pass, and be sent up for concurrence.

An act to rectify a mistake in the sixth section of an act, intituled

Bill read.

titled an act, for the public registering all deeds, wills, and other incumbrances which shall be of, or that may affect any lands, tenements or hereditaments within this province. Was read a second time---and ordered to be committed.

House in committee---Mr. *W. Pagan* in the chair.

House in Committee.

Took into consideration an act, in addition to an act, intituled an act, for assessing, collecting, and levying county rates.

Report of the Committee.

The *Speaker* took the chair, and received the report, that the committee had gone into the consideration of the act, and that he was directed to report progress, and request leave to sit again.

Postponed the resolution of the house respecting the services of the officers of government until Friday.

House adjourned until 12 o'clock to-morrow.

### THURSDAY, March the 1st, 1787.

Order of the day read.

Message from the Council.

Message from the council, acquainting the house, that they had concurred in passing the following bills.

“ A bill for regulating marriage and divorce, and for preventing and punishing incest, adultery and fornication, with a suspending clause.

“ A bill in addition to an act, intituled an act, for the better ascertaining and confirming the boundaries of the several counties within this province, and for subdividing them into towns and parishes, with an amendment.—House concurred, and returned the bill to the council.”

The committee appointed to examine the Treasurer's accounts, made the following report :

Report of the committee that examined the accounts of the Treasurer.

“ We the committee appointed to examine the accounts of *Richard Seaman, Esq.* Treasurer, beg leave to report, that we have gone into a full investigation of the same, comparing them with the manifests given in at his office; and also with the entries at his Majesty's Custom-House. In the first instance they exactly correspond, excepting some flour imported by certain persons for the use of their families, and the duty refused to be paid on that ground, which we have hereunto annexed. In the second, we find the variation between the Custom-House, and Treasury entries so inconsiderable, as not to be an objection to

to take up the attention of the house.——For the more complete information of the house, we subjoin a short general sketch of the different dutiable goods, and amount of tax thereon, as they refer to the several counties within the province.

City and County of *Saint John*.

Imported.—784 Puncheons,	}	OF RUM.	£. 409	1	3
39 Casks of 60 gallons,					
37 Casks of 40 gallons,					
3 Casks of 30 gallons,					
12 Hogsheds of Porter.					

WHEAT, RYE, AND BUCK-WHEAT FLOUR.

Viz.—Wheat Flour,	3013 Barrels.	}	221	2	1	½
Rye, do.	405					
Buck, do.	139					
Ship Bread,	552 Casks.					
Crackers,	400 Kegs.					
Carnel,	28 Barrels.					
Amounting to £. 4422 2 7 ½ at 5 per Ct.						

Do. unpaid.—Wheat Flour,	174 Barrels.	}	Value	13	0	2
Rye, do.	81					
Ship Bread	5					
Amounting to £. 260 3 6 ½ at 5 per Ct.						

Excise.—For Liquors,	32	5	3
Transient Tax,	2	13	2
Vendue,	21	9	1

*Westmorland* County.

Impost and Excise——Sum received, 16 0 0

*Charlotte* County.

Impost and Excise——Sum received, 25 0 0

*Northumberland* County.

Impost and Excise.

*York* County.

Impost and Excise.

*Sunbury* County.

Impost and Excise.

*Queen's* County.

Impost and Excise.

*King's* County.

Impost and Excise.

£. 742 1 0 ½

Which sum of 742 1 0 ½ is the total of taxes accounted

for, from the 1st of April 1786, to the 14th of February, 1787, including the sum of £. 13 0 2 disputed, and not yet received into the Treasury.

After proceeding this far with our statement, we cannot avoid approving much of the diligence and attention given by the Treasurer, to the duties of his office, as exhibited to us by the face of his accompts, and more especially when considered as the first effort of the kind ever attempted in the province.

We must likewise add, that some inconvenience has arisen from Masters of vessels, not knowing at the Custom-House that they were obliged to make their first entry at the Treasurer's office. And in future, we submit it to the wisdom of the House, how far it might be expedient to oblige masters of vessels in future, importing dutiable goods, to make entry at the Treasurer's office, previous to the naval office, which is the first branch of the customs.—We beg leave further to observe, that the act of last year for raising a revenue, has not invested the Treasurer with sufficient powers to make seizures of any vessel or vessels who may refuse or neglect to enter all their dutiable goods at his office.

(Signed) JOHN M'GEORGE,  
WILLIAM PAGAN,  
DANIEL LYMAN,  
ANDREW KINNEAR."

March the 1st, 1787.

House in committee—Col. *Billopp* in the chair.

House in committee.

Took into consideration, a bill for suspending the penalties of an act, for securing the navigation of the river *Magguaguadavick*.

And a bill in addition to an act, intitled an act, for assessing, collecting, and levying county rates.

And a bill to lay an impost.

Report of the Committee.

The *Speaker* took the chair and received the report—that the committee had gone through the several Bills. But upon the bill to lay an impost, they had directed him to report progress, and ask leave to sit again.—Which report was agreed to, and the two former bills—Ordered to be engrossed.

Message from the Council.

Message from the council, that they had concurred in passing the bill for establishing a militia in the province of *New-Brunswick*, and for regulating the same.

House adjourned until 11 o'clock to-morrow.

F R I D A Y.

F R I D A Y, March the 2d, 1787.

Order of the day read.

The bill for suspending the penalties of an act, for securing the navigation of the river *Magguaguadavick*, was read a third time as engrossed. Bills sent up for concurrence.

And a bill in addition to an act, intituled an act, for assessing, collecting, and levying county rates—Was read a third time as engrossed—Ordered that they pass, and be sent up for concurrence.

The House took into consideration, an act sent down from the Council, for the more effectually securing the title of purchasers of real estates, against the claim for dower. Resolved, that this house will request a conference with the council upon the subject matter of this bill. Bill returned from the Council, and a conference requested.

And Col. *Billopp*, *Solicitor-General*, and Mr. *W. Pagan*, are appointed a committee for that purpose.—Ordered that Mr. *M'George*, and Mr. *Hubbard*, wait upon the council, and acquaint them therewith. Committee appointed.  
Message to the council.

House in committee---Mr. *Kinnear* in the chair.

Took into consideration an act to empower the Justices of the General Sessions of the peace, in the several counties in this province, to grant licences to tavern-keepers and retailers of spirituous liquors, and for raising a duty of excise upon strong liquors, retailed in the province. House in committee.

The *Speaker* took the chair, and received the report, that the Bill had been read in the committee, and upon the question being put whether the same should be now read paragraph by paragraph, it appeared that Report of the Committee.

Col. Billopp,	Mr. Gay,
Judge Foster,	Mr. Dickinson,
Mr. W. Pagan,	Mr. Davidson,
Mr. Yeoman,	

Were for reading the Bill.

And Mr. Speaker,	Solicitor General,
Mr. Lyman,	Mr. Hubbard,
Mr. M'George,	Mr. Vandeburgh,
Mr. Dickson,	Mr. Paine,

Were against it.

Which report was agreed to in the House.

House

- House in Committee. House in committee—*Solicitor-General* in the chair.  
Took into consideration the impost bill.
- Report of the Committee. The *Speaker* took the chair and received the report, that the committee had taken into consideration the bill for laying an impost, that they had made progress, and had directed him to ask leave to sit again.
- Message from the Council. Message from the Council, acquainting the House that they had concurred in passing the bill in addition to an act, intitled an act, for regulating the exportation of fish and lumber, and for ascertaining the quality of the same.
- Petition read. Read a petition from the Justices of the General Sessions of the peace, for the city and county of *St. John*, and of the Mayor, Aldermen, and commonalty of the city of *Saint John*.  
Ordered to lay upon the table.
- Bill read. Agreeable to order a bill for appropriating and disposing of the public monies, was brought in and read for the first time.  
Ordered to be read again to-morrow.  
Postponed the consideration of the services of the Servants of government until to-morrow.  
House adjourned until 11 o'clock to-morrow.

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SATURDAY, March the 3d, 1787.

- Order of the day read.
- Motion by Mr. *Foster*. Mr. *Foster* moved for leave to bring in a bill to enable the Justices of the peace in the several counties in this province, wherein no goals are erected, to send persons charged with grand larceny, and other offences of a higher nature, to the goal of the city and County of *Saint John*.
- Bill brought in. Leave was given, and the bill brought in and read twice.  
Ordered to be committed.
- House in Committee. House in committee—*Solicitor-General* in the chair.  
Took into consideration a bill for laying an impost.
- Report of the Committee. The *Speaker* took the chair, and received the report, that the committee had gone through the bill, and made several amendments.

ments—which were agreed to in the House, and the bill ordered to be engrossed.—And that the committee had directed him to recommend it to the house, to have a bill brought in to empower the Justices of the peace, in the several counties in this province, to grant licences to tavern-keepers and retailers of spirituous liquors.—Which was agreed to.

Upon the report of the committee appointed to confer with a committee of the council, respecting the act for more effectually securing the title of purchasers of real estates against claim for dower.

Report of a Committee.

Voted, that the house concur with the amendments.

A bill for appropriating and disposing of the public monies—was read a second time.

Bill read.

Ordered to be committed.

The *Solicitor-General* moved for leave to bring in a bill to empower the Justices of the General Sessions of the peace in the several counties in this province, to grant licences to tavern-keepers and retailers.

Motion by the Solicitor-General.

Leave was granted, the bill brought in and read twice—and ordered to be committed.

Bill read.

House in committee—*Solicitor-General* in the chair.

House in Committee.

Took into consideration a bill to empower the Justices of the General Sessions of the peace in the several counties in this province, to grant licences to tavern-keepers and retailers.

The *Speaker* took the chair, and the *Solicitor-General* reported, that the committee had gone through the bill, and made several amendments. To which the house agreed—and ordered the bill to be engrossed.

Report of the Committee.

House adjourned until 11 o'clock on Monday.

MONDAY, March the 5th, 1787-

Order of the day read.

Read an act to lay an impost, and an act to empower the justices of the General Sessions of the peace, in the several counties in this province, to grant licences to tavern-keepers and retailers of spirituous liquors.—Which two acts were read a third

Acts read and sent up for concurrence.



time in the house as engrossed.---Ordered that they pass and be sent up for concurrence.

House in committee.

House in committee---Mr. *M'George* in the chair.

Report of the Committee.

Took into consideration a bill for appropriating and disposing of the public monies.---The *Speaker* took the chair and received the report, that the committee had gone into the consideration of the bill, and had made progress, and they had directed him to ask leave to sit again.

House adjourned until to-morrow at 11 o'clock.

T U E S D A Y, March the 6th, 1787.

Order of the day read.

House in committee.

House in committee---Mr. *M'George*, in the chair.

Took into consideration, a bill for appropriating and disposing of the public monies.

And a bill to enable the Justices of the peace in the several counties in this province, wherein no goals are erected, to send persons charged with grand larceny, and other offences of a higher nature, to the goal of the city and county of *Saint John*.

And a petition from the Justices of the General Sessions of the peace, for the city and county of *Saint John*, and of the Mayor, Aldermen, and Commonalty of the city of *Saint John*.

Report of the Committee.

The *Speaker* took the chair and received the report---that the committee had been upon the consideration of the first bill, and filled up the blanks, and gone through the same, and upon the question being put, whether the *Speaker* should be allowed *fifty pounds* for his services, the committee divided, when it appeared, that

Mr. Dickinson,  
Mr. Hubbard,  
Capt. Clinch,  
Mr. Dickson,  
Capt. Lyman,

Mr. Gay,  
Mr. Vandeburgh,  
Mr. Davidson,  
Mr. Paine,

Were for the Question.

And Col. Billopp,  
Solicitor-General,  
Mr. W. Pagan,  
Major Coffin,

Mr. Kinnear,  
Mr. Foster,  
Mr. Yeoman,

Were against it.

Which

Which report being agreed to, ordered that the same be engrossed.

That the committee had gone through the second bill, and amended the same.

That the petition had been considered, and that the committee had directed him to report, that it was their opinion, that the sum of *One Hundred and fifty Pounds* should be granted to the city and county of *Saint John*, to enable them to defray the extra expences of building a goal.

The House agreed to the report, and ordered the bills to be engrossed.

Message from the council, informing the House that they had concurred with them, in passing an act for laying an impost, and an act to empower the justices of the peace in the several counties in this province, to grant licences to tavern-keepers, and retailers of spirituous liquors; and an act, in addition to an act, intituled an act, for assessing, collecting, and levying county rates.

Message from the Council.

House adjourned until to-morrow at 11 o'clock.

W E D N E S D A Y, March the 7th, 1787.

Order of the day read.

Took into consideration the expences of laying out the road from Frederickton, to the Sackville road, which accounts were laid before the house by the Surveyor. After due examination the house resolved, that the sum of £. 39 19 0 be allowed for that service.

Surveyors accounts examined and audited.

*Resolved*, That all accounts of expences incurred by the direction of the Commissioners, appointed in and by an act, intituled an act for laying out, repairing and amending highways, roads, and streets, and for appointing Commissioners and Surveyors of highways, within the several towns and parishes in this province, which in future shall be presented to this house for liquidation, and allowance, shall be first examined, and certified by the respective Commissioners, by whose directions such expences have been or shall be incurred, and shall be accompanied with proper vouchers for the respective sums charged. And that all accounts which shall in future be presented to this house for liquidation and allowance, shall be accompanied with proper vouchers for the respective sums charged thereon. And that in

Resolution of the House.

future, no more than *ten shillings* per diem to each Surveyor, and *two shillings* and *six-pence* per diem to each Chain Bearer, to be employed by such Commissioners, shall be allowed, unless upon good and sufficient cause to be shewn to this House.

Motion by Mr.  
*W. Pagan.*

Mr. *W. Pagan* moved, that a Committee be appointed to make enquiry, and find a proper place whereon to erect a Light-House.—That they make an estimate of the expence for building the same, and that the Committee be directed to make their report next Sessions.

Committee ap-  
pointed.

Which motion being seconded and agreed to—Ordered, that Mr. *W. Pagan*, Col. *Billopp*, and Mr. *McGeorge*, be a committee for that purpose.

Bills read, and  
sent up for con-  
currence.

Read a third time as engrossed, a bill for appropriating and disposing of the public monies.

And an act to enable the Justices of the peace in the several counties in this province, wherein no goals are erected, to send persons charged with grand larceny, and other offences of a higher nature, to the goal of the city and county of *St. John*.

Ordered that they pass, and be sent up for concurrence.

House adjourned until 12 o'clock to-morrow.

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THURSDAY, the 8th of March, 1787.

Order of the day read.

Message from the  
council.

Message from the Council, acquainting the house that they had concurred in passing the following bills.

The bill for appropriating and disposing of the public monies.

And a bill to enable the Justices of the peace in the several counties in this province, wherein no sufficient goals are erected, to send persons charged with grand larceny, and other offences of a higher nature, to the goal of the city and county of *Saint John*.

Resolution of the  
House.

*Resolved*, That the committee appointed to correspond last sessions, with the agent of this province, in *Great-Britain*, be, and are hereby instructed to request him to use his influence and interest in the parliament of *Great-Britain*, to procure a repeal of so much of an act of parliament passed in the fourth year of the reign of his present Majesty, as imposed a duty of *seven pounds*.

pounds, upon every ton of wine, of the growth of the *Madeira's*, or of any other island or place from whence such wine may be lawfully imported, and which shall be so imported from such islands and places, into this province: And also so much of an act of parliament made and passed, in the fifteenth year of the reign of King Charles the second, as tends to prohibit the importation of *Portugal* and *Spanish* wines, and fruits, directly from the place of their growth, into this province.

Ordered, That the PRINTER be directed to print *two hundred* copies of the votes and journals of the House of Assembly, and *two hundred* copies of the laws.

Order for printing the Votes & Journals, — and the Laws.

Resolved, That Mr. *John Ryan* print the Journals and Votes of the present sessions of this House, and that no other person do presume to print the same.

Printer appointed.

Message from his Excellency the *Lieutenant-Governor*, requiring the attendance of the House of Assembly, in the Council Chamber.

Message from his Excellency.

Mr. *Speaker* with the House having attended, his Excellency was pleased to give his assent to the following bills:—Viz.

“ An act to empower the justices of the General Sessions of the peace, in the several counties in this province, to grant licences to tavern-keepers, and retailers of spirituous liquors.”

Acts assented to.

“ An act to lay an impost.”

“ An act for the more effectually securing the titles of purchasers of real estates against claim for dower.”

“ An act to enable the Justices of the peace in the several counties in this province, wherein no goals are erected, to send persons charged with grand larceny, and other offences of a higher nature, to the goal of the city and county of *Saint John*.”

“ An act for appropriating and disposing of the public monies.”

“ An act, in addition to an act, intitled an act, for regulating the exportation of fish and lumber, and for ascertaining the quality of the same.”

“ An act to authorize the respective proprietors of certain islands in the river *Saint John*, and other rivers in this province, to make rules and regulations for their better improvement and cultivation.”

“ An act for establishing a militia in the province of *New-Brunswick*, and for regulating the same.”

“ An act, in addition to an act, intituled an act, for assessing, collecting, and levying county rates.”

“ An act for regulating marriage and divorce, and for preventing and punishing incest, adultery and fornication, with a suspending clause.”

“ An act, in addition to an act, for the better ascertaining and confirming the boundaries of the several counties within this province, and for subdividing them into towns or parishes.”

“ An act for securing the purchasers of mortgaged estates.”

“ An act, in addition to an act, for laying out, repairing and amending highways, roads, streets, and for appointing commissioners, and surveyors of highways, within the several towns and parishes in this province.”

After which his Excellency was pleased to make the following speech to both houses.

His Excellency's  
speech.

“ *Gentlemen of the Council,*

“ *And Gentlemen of the Assembly,*

“ The business of this session being finished, I take the opportunity of expressing the sense I entertain of your zeal and unanimity, in laying the foundation of civil happiness and prosperity in this new country.

“ Public measures; adopted and pursued; from genuine motives of public spirit, gives us the fairest prospect of success: This however, must in a great degree depend on a faithful and vigorous execution of the laws, to which I shall at all times gladly contribute, by every exertion in my power, and in particular by availing myself of the means you have put into my hands, for the public safety and defence.

General Assembly  
prorogued.

Then the clerk of the crown, by his Excellency's command, declared the General Assembly prorogued to the second Tuesday in *June* next, and the same was prorogued accordingly.

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HOUSE OF ASSEMBLY, MARCH the 8th, 1787.

I DO allow and order, that Mr. JOHN RYAN do print the Journal and Votes of the House of Assembly, and that no other person do presume to print the same.

AMOS BOESFORD, Speaker.